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## **INTRODUCTION**

The I-69 DEIS (dated January 2009) was released on February 4, 2009. A comment period from February 4, 2009, to June 8, 2009, followed the publication allowing the public, local officials, and government agencies to submit comments, concerns, and questions for review.

Two federal, one tribal, and three state agencies submitted comments on the DEIS: federal—USEPA and the U.S. Department of the Interior (USDO, on behalf of the US Fish and Wildlife Service (USFWS)); tribal—Peoria Tribe of Indians of Oklahoma; state—IDEM, IDNR Division of Historic Preservation and Archaeology, and IDNR Division of Fish and Wildlife. Comments were also received from 5 representatives of local governments and 364 private individuals/organizations.

### **Part A**

Part A, Comments and Responses (C/R), addresses all 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 substantive<sup>1</sup> are acknowledged.

Each commenter's written or oral<sup>2</sup> 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 by "AS," and local government commenters by "LG." Public commenters are divided into two categories. General public (including organizations) commenters are identified by "PC" and postcard submittals by "PST."

Table 1 lists all who submitted substantive<sup>2</sup> comments on the DEIS, and provides the comment/response identification code for ease of locating the comment/response in the document.

On August 3, 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 the USEPA provided comments on the DEIS. The submittal is provided in the Addendum A, *Additional Comments Regarding Agency Review of Comments and Response Document*.

### **Part B**

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

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<sup>1</sup> Comments 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 1 study. Due to the small number of commenters on the DEIS, all comments were included in the Comments and Response Documentation.

<sup>2</sup> Comments made and transcribed at the Public Hearing on the DEIS, held February 26, 2009, in Elnora, Indiana.



**PART A**

**COMMENTS AND RESPONSES**

**ON**

**I-69 EVANSVILLE TO INDIANAPOLIS TIER 2 STUDIES**

**SECTION 3**

**DRAFT ENVIRONMENTAL IMPACT STATEMENT**

**I-69 EVANSVILLE TO INDIANAPOLIS TIER 2 STUDIES**

**Section 3—Final Environmental Impact Statement**



**Table 1. Commenters on Section 3 DEIS**

Comment ID Code	Name, First	Name, Last	Agency/Organization	Date Submitted/Received*
AF001	Willie	Taylor	United States Department of the Interior	6/2/2009
AF002	Kenneth	Westlake	U.S. Environmental Protection Agency – Region 5	6/8/2009
				8/27/2009 – Additional Comment by Virginia Laszewski (See Addendum)
<b>TRIBAL AGENCY</b>				
AT001	John	Froman	Peoria Tribe of Indians of Oklahoma	2/12/2009
<b>STATE AGENCY</b>				
AS001	James	Glass	Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology	6/4/2009
AS002	J. Matthew	Buffington	Indiana Department of Natural Resources	6/5/2009
AS003	Marylou	Renshaw	Indiana Department of Environmental Management	6/19/2009
<b>LOCAL GOVERNMENT</b>				
LG001	Ron	Arnold	Daviess County Economic Development Corporation	2/25/2009
LG002	C. Michael	Taylor	Daviess County Commissioner, District 3	2/26/2009
LG003	Philip	Cornelius	Daviess County Highway Department	2/26/2009
LG004	Anthony	Wichman	Board of Daviess County Commissioners	6/4/2009
LG005	Larry	McLin	Daviess County Highway Department	6/4/2009
<b>PUBLIC COMMENTS</b>				
PC001	Tess	Cook	None Provided	1/30/09
PC002	Tess	Cook	None Provided	2/6/09
PC003	Tess	Cook	None Provided	2/6/09
PC004	Jeff	Householder	None Provided	2/6/2009
PC005a	Gary	Moody	None Provided	2/10/2009
PC005b	Gary	Moody	None Provided	2/10/2009
PC006	Eva J.	Willis	None Provided	2/26/2009
PC007	John	Lease	None Provided	2/26/2009
PC008	Travis	Barker	None Provided	2/26/2009
PC009	Carl	Lohkamp	Self and Defense Research Associates	2/26/2009
PC010	Brianne	Perigo	None Provided	2/26/2009
PC011	Mark	Wickman	None Provided	2/26/2009
PC012	Kay and Steve	Sander	None Provided	2/26/2009
PC013	Joe	Wellman	None Provided	2/26/2009

# I-69 EVANSVILLE TO INDIANAPOLIS TIER 2 STUDIES

## Section 3—Final Environmental Impact Statement



**Table 1. Commenters on Section 3 DEIS (Continued)**

Comment ID Code	Name, First	Name, Last	Agency/Organization	Date Submitted/Received*
<b>PUBLIC (Cont.)</b>				
PC014	Darin	Holder	None Provided	2/26/2009
PC015	Matthew	Rollins	None Provided	2/26/2009
PC016	Thomas	Tokarski	None Provided	2/26/2009
PC017	Sandra	Tokarski	None Provided	2/26/2009
PC018	Tom	Jochin	None Provided	2/26/2009
PC019	Tim	Maloney	Hoosier Environmental Council	2/26/2009
PC020	Frank	Petty	None Provided	2/26/2009
PC021	Gary	Heshelman	None Provided	2/26/2009
PC022	William	Boyd	None Provided	2/26/2009
PC023	Garvey	Brian	None Provided	2/26/2009
PC024	Jess	Gwinn	None Provided	2/26/2009
PC025	Eva	Willis	None Provided	2/26/2009
PC026	Betty	Rollins	None Provided	2/26/2009
PC027	Don	Teachey	None Provided	2/26/2009
PC028	Sue Ellen	Barker	None Provided	2/26/2009
PC029	Travis	Barker	None Provided	2/26/2009
PC030	Dan	Mitchell	None Provided	2/26/2009
PC031	George	Mendenhall	None Provided	2/26/2009
PC032	Joe	Rollins	None Provided	2/26/2009
PC033	William	Boyd	None Provided	2/26/2009
PC034	Robert	Jackson	None Provided	3/26/2009
PC035	Michael	Krumme	None Provided	3/26/2009
PC036	J.M.	Healy	Jones & Sons, Inc	4/8/2009
PC037	Sam	Gee	None Provided	4/8/2009
PC038	Linda	Ault	Greene County Economic Development Board	4/7/2009
PC039	Mike	Burch	None Provided	4/8/2009
PC040	Ned	Malone	None Provided	4/9/2009
PC041	Charles	Williams	None Provided	4/14/2009
PC042	Carrie	Arnold	None Provided	4/24/2009
PC043	Kenneth	Toon	None Provided	4/30/2009
PC044	Randy	Long	None Provided	5/3/2009
PC045	Rex	Malone	Bloomfield State Bank	5/9/2009
PC046	Kathleen	Hull	None Provided	5/15/2009
PC047	James	Jackson	None Provided	5/19/2009
PC048	Jeanne	Melchior	Protect Our Woods	5/21/2009
PC049	Clark	Sorenson	None Provided	5/27/2009
PC050	Richard	Cottrell	Daviess County Economic Development Corporation	5/26/2009
PC051	Richard	Cottrell	Daviess County Economic Development Corporation	5/26/2009
PC052	Carrie	Arnold	None Provided	5/26/2009

# I-69 EVANSVILLE TO INDIANAPOLIS TIER 2 STUDIES

## Section 3—Final Environmental Impact Statement



**Table 1. Commenters on Section 3 DEIS (Continued)**

Comment ID Code	Name, First	Name, Last	Agency/Organization	Date Submitted/Received*
<b>PUBLIC (Cont.)</b>				
PC053	Richard	Smith	Odon Christian Church	6/1/2009
PC054	Wayne	Werne	None Provided	6/1/2009
PC055	Jack	Gainey	None Provided	6/2/2009
PC056	William	Boyd	Citizens for Appropriate Rural Roads	6/4/2009
PC057	A.	Matthew	None Provided	6/5/2009
PC058	Ramon	Roman	None Provided	6/5/2009
PC059	Kim	Fuller	None Provided	6/5/2009
PC060	Kevin	Kinder	None Provided	6/5/2009
PC061	Patrick	Pizzo	None Provided	6/6/2009
PC062	Lucille	Bertucio	None Provided	6/6/2009
PC063	Jess	Gwinn	None Provided	6/6/2009
PC064	Robert	Brodman	None Provided	6/6/2009
PC065	Elizabeth	Venstra	None Provided	6/7/2009
PC066	Maureen	Forrest	None Provided	6/8/2009
PC067	John	Smith	None Provided	6/8/2009
PC068	Tim	Maloney	Hoosier Environmental Council	6/8/2009
PC069	Mike	Lodato	None Provided	6/8/2009
PC070	Ann	Segraves	None Provided	6/8/2009
PC071	Andy	Knott	None Provided	6/8/2009
PC072	Garry	Heshelman	None Provided	6/9/2009
PC073	William	Boyd	Citizens for Appropriate Rural Roads	6/9/2009
PC074	Tom	Nugent	None Provided	6/10/2009
PC075	Melanie	Howes	None Provided	6/26/2009
<b>POSTCARD COMMENTS</b>				
PST001	Shawna	Vertrees		4/23/2009
PST002	Paul	Gaston	None Provided	4/24/2009
PST003	Vivian	Gladden		4/24/2009
PST004	David	Chattin		4/24/2009
PST005	Carol	McMurrey	None Provided	4/25/2009
PST006	Chelsea	Klumpp	None Provided	4/25/2009
PST007	Jennifer	Jackson	None Provided	4/25/2009
PST008	Summer	Curry	None Provided	4/25/2009
PST009	Bruce	Thompson	None Provided	4/25/2009
PST010	Sylvia	Reichel	None Provided	4/25/2009
PST011	Misty	Shanks	None Provided	4/25/2009
PST012	Elizabeth	Beaver	None Provided	4/25/2009
PST013	Beth	Hayes	None Provided	4/25/2009
PST014	Merri	Anderson	None Provided	4/25/2009
PST015	Sally	Middendorf	None Provided	4/25/2009
PST016	Levi	Draper	None Provided	4/25/2009

# I-69 EVANSVILLE TO INDIANAPOLIS TIER 2 STUDIES

## Section 3—Final Environmental Impact Statement



**Table 1. Commenters on Section 3 DEIS (Continued)**

Comment ID Code	Name, First	Name, Last	Agency/Organization	Date Submitted/Received*
Postcard (Cont.)				
PST017	Kathy	Fite	None Provided	4/25/2009
PST018	Michael	Weeks	None Provided	4/25/2009
PST019	Anna	Rees	None Provided	4/25/2009
PST020	Heather	Thompson	None Provided	4/25/2009
PST021	Shalona	Clayton	None Provided	4/25/2009
PST022	Deborah	Beaver	None Provided	4/25/2009
PST023	Andrea	McCarthy	None Provided	4/25/2009
PST024	Amber	Collins	None Provided	4/25/2009
PST025	Tyler	Stout	None Provided	4/25/2009
PST026	William	Moore	None Provided	4/25/2009
PST027	David	Kingsworthy	None Provided	4/25/2009
PST028	Lauren	Tinsley	None Provided	4/25/2009
PST029	Julia	Wackel	None Provided	4/25/2009
PST030	Kristen	Heitman	None Provided	4/25/2009
PST031	Lisa	Wilson	None Provided	4/25/2009
PST032	Patrick	Burtch	None Provided	4/25/2009
PST033	Kevin	Andrews	None Provided	4/25/2009
PST034	Natalie	Killeen	None Provided	4/25/2009
PST035	Stephanie	Fulford	None Provided	4/25/2009
PST036	EK	Bramblett	None Provided	4/25/2009
PST037	Nicole	Kelter	None Provided	4/25/2009
PST038	Melissa	Meils	None Provided	4/25/2009
PST039	Lisa	Kuhn	None Provided	4/25/2009
PST040	Kelsey	Hopkins	None Provided	4/25/2009
PST041	Paul	Dieterlen	None Provided	4/25/2009
PST042	Misty	Mullens	None Provided	4/25/2009
PST043	William	Scott	None Provided	4/25/2009
PST044	Janet	Vondersaar	None Provided	4/25/2009
PST045	Danice	Harris	None Provided	4/25/2009
PST046	Vickie	Goens	None Provided	4/25/2009
PST047	Kathleen	Dobie	None Provided	4/25/2009
PST048	Wayne	Blackwell	None Provided	4/25/2009
PST049	Cassandra	Perry	None Provided	4/25/2009
PST050	Jonna	MacDougal	None Provided	4/25/2009
PST051	Michael	Ryan	None Provided	4/25/2009
PST052	Jill	Rushworth	None Provided	4/25/2009
PST053	Angela	Gaston	None Provided	4/25/2009
PST054	Nancy	Franken	None Provided	4/25/2009
PST055	Robert	Englum	None Provided	4/25/2009
PST056	Dan	Fortune	None Provided	4/25/2009
PST057	Merri	Young	None Provided	4/25/2009
PST058	Sherri	Gruber	None Provided	4/25/2009
PST059	Lois	Sprague	None Provided	4/25/2009

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## Section 3—Final Environmental Impact Statement



**Table 1. Commenters on Section 3 DEIS (Continued)**

Comment ID Code	Name, First	Name, Last	Agency/Organization	Date Submitted/Received*
Postcard (Cont.)				
PST060	Celeste	Jameson	None Provided	4/25/2009
PST061	Tim	Murray	None Provided	4/25/2009
PST062	Dana	Davis	None Provided	4/25/2009
PST063	Mary Faye	DeHebreard	None Provided	4/25/2009
PST064	Sharon	Storms	None Provided	4/25/2009
PST065	Ryan	Snoot	None Provided	4/25/2009
PST066	Elizabeth	Najar	None Provided	4/25/2009
PST067	Bill	Markiewicz	None Provided	4/25/2009
PST068	Rick	Gross	None Provided	4/25/2009
PST069	Janet	Dieterlen	None Provided	4/25/2009
PST070	David	Najar	None Provided	4/25/2009
PST071	Jane	Walden	None Provided	4/25/2009
PST072	Rita	Englum	None Provided	4/25/2009
PST073	Don	Kraner	None Provided	4/25/2009
PST074	Phyllis	Zimmerman	None Provided	4/25/2009
PST075	Leslie	Lipmon	None Provided	4/25/2009
PST076	Jason	Moore	None Provided	4/25/2009
PST077	Steph	Pfendler	None Provided	4/25/2009
PST078	James	Larner	None Provided	4/25/2009
PST079	Mary Kay	Kleiss	None Provided	4/25/2009
PST080	Brian	Kaplan	None Provided	4/25/2009
PST081	Eric	MacDougal	None Provided	4/25/2009
PST082	Ashley	Miller	None Provided	4/25/2009
PST083	Sean	Crinnigan	None Provided	4/25/2009
PST084	Dan	Stanley	None Provided	4/25/2009
PST085	Moraima	Bailey	None Provided	4/25/2009
PST086	Julius	Skipper	None Provided	4/25/2009
PST087	Jeri	Gros	None Provided	4/25/2009
PST088	E.D.	Pfendler	None Provided	4/25/2009
PST089	Ashley	Marlow	None Provided	4/25/2009
PST090	Amy	Deitchley	None Provided	4/25/2009
PST091	David	Stilley	None Provided	4/25/2009
PST092	John	Johnston	None Provided	4/25/2009
PST093	Michelle	Lenrue	None Provided	4/25/2009
PST094	Cookie	McRunig	None Provided	4/25/2009
PST095	Johna	Allen	None Provided	4/25/2009
PST096	B.	Jones	None Provided	4/25/2009
PST097	Greg	Buck	None Provided	4/25/2009
PST098	Heather	Wychoff	None Provided	4/25/2009
PST099	Katherine	Gagne	None Provided	4/25/2009
PST100	John	Brennan	None Provided	4/25/2009
PST101	Michael	Sanders	None Provided	4/25/2009

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## Section 3—Final Environmental Impact Statement



<b>Table 1. Commenters on Section 3 DEIS (Continued)</b>				
<b>Comment ID Code</b>	<b>Name, First</b>	<b>Name, Last</b>	<b>Agency/Organization</b>	<b>Date Submitted/Received*</b>
Postcard (Cont.)				
PST102	Jim	Plant	None Provided	4/25/2009
PST103	James	Pennell	None Provided	4/25/2009
PST104	Laura	Furst	None Provided	4/25/2009
PST105	Dan	Grill	None Provided	4/25/2009
PST106	Kelsey	Morgan	None Provided	4/25/2009
PST107	Susan	Lomelin	None Provided	4/25/2009
PST108	Federico	Lomelin	None Provided	4/25/2009
PST109	Robert	Abel	None Provided	4/26/2009
PST110	Kasey		None Provided	4/26/2009
PST111	Michelle	Day	None Provided	4/26/2009
PST112	Greg	Piers	None Provided	4/26/2009
PST113	Jeni	Jenkins	None Provided	4/26/2009
PST114	Joanne	Hamilton	None Provided	4/27/2009
PST115	Nick	Greven	None Provided	4/27/2009
PST116	Sarah	Glass	None Provided	4/27/2009
PST117	Thomas	Glass	None Provided	4/27/2009
PST118	John	Anthony	Military Assistance Advisory Group	4/27/2009
PST119	Vonda	Tyler	None Provided	4/28/2009
PST120	Nancy	Dickinson	None Provided	4/29/2009
PST121	Robert	Bracken	None Provided	5/4/2009
PST122	Jerard	Ruff	None Provided	5/5/2009
PST123	Mary Ann	Dunfee	None Provided	5/5/2009
PST124	Jane	Parry	None Provided	5/5/2009
PST125	Roy and Jackie	Burns	None Provided	5/5/2009
PST126	Jim	Silverstein	None Provided	5/5/2009
PST127	Robert	Fulk	None Provided	5/5/2009
PST128	James	Thorn	None Provided	5/5/2009
PST129	Ann	Segraves	None Provided	5/5/2009
PST130	Julio	Alonso	None Provided	5/5/2009
PST131	Dan and Shawn	Henline	None Provided	5/5/2009
PST132	Brian	Kautz	None Provided	5/5/2009
PST133	Tracy	Whelan	None Provided	5/5/2009
PST134	Mary	Girard	None Provided	5/5/2009
PST135	Maryellen	Bieder	None Provided	5/5/2009
PST136	Judson	Horning	None Provided	5/5/2009
PST137	Indra	Frank	None Provided	5/5/2009
PST138	Brittany	Ancelet	None Provided	5/5/2009
PST139	Ricky	Tungate	None Provided	5/5/2009
PST140	John	Anthony	None Provided	5/5/2009
PST141	Stephen	Suthard	None Provided	5/5/2009
PST142	Jeff and Heidi	Leisz	None Provided	5/5/2009
PST143	Ronald	Hedlund	None Provided	5/5/2009

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## Section 3—Final Environmental Impact Statement



Table 1. Commenters on Section 3 DEIS (Continued)				
Comment ID Code	Name, First	Name, Last	Agency/Organization	Date Submitted/Received*
Postcard (Cont.)				
PST144	Julie	Farris	None Provided	5/5/2009
PST145	Jeffrey	Huntsman	None Provided	5/6/2009
PST146	Brian	Hendrickson	None Provided	5/6/2009
PST147	Dave	Abram	None Provided	5/6/2009
PST148	Nell	Weathermax	Story Theatre	5/6/2009
PST149	J.A.	Hartenfeld	None Provided	5/6/2009
PST150	Clark	Buchner	None Provided	5/6/2009
PST151	Jon	Broderick	None Provided	5/6/2009
PST152	James	Pennington	None Provided	5/6/2009
PST153	M. Joan	Hughes	None Provided	5/6/2009
PST154	Susan	Coulter	None Provided	5/6/2009
PST155	Walter	Sadler	None Provided	5/6/2009
PST156	Paul	Schmitt	None Provided	5/6/2009
PST157	Weir	Hall	None Provided	5/6/2009
PST158	David and Mariann	Bishop	None Provided	5/6/2009
PST159	Doug and Susan	Davis	None Provided	5/6/2009
PST160	Natalie	Wrubel	None Provided	5/6/2009
PST161	Denise	Breeden-Ost	None Provided	5/6/2009
PST162	Charles	Haley	None Provided	5/6/2009
PST163	Marilyn	Greenwood	None Provided	5/6/2009
PST164	Phil and Karen	Wisniewski	None Provided	5/6/2009
PST165	Cheryl and David	Moeller	None Provided	5/6/2009
PST166	Debra	Raddatz	None Provided	5/6/2009
PST167	Linda	Greene	None Provided	5/6/2009
PST168	Anthony	Pizzo	None Provided	5/6/2009
PST169	William	Miller	None Provided	5/6/2009
PST170	Beverly	Moore	None Provided	5/6/2009
PST171	Wayne	Ormes	None Provided	5/6/2009
PST172	Sura	Tala	None Provided	5/6/2009
PST173	Ashok	Desai	None Provided	5/6/2009
PST174	Kelly	Anderson	None Provided	5/6/2009
PST175	Janet and Homer	Montgomery	None Provided	5/6/2009
PST176	Dan	Lichtenberg	None Provided	5/6/2009
PST177		None Given	None Provided	5/6/2009
PST178	Virginia	Clark	None Provided	5/6/2009
PST179	Marian	Armstrong	None Provided	5/6/2009
PST180	Barbara	Bonchek	None Provided	5/7/2009
PST181	Ann	Foster-Hughes	None Provided	5/7/2009
PST182	Oliver and Holly	Joy	None Provided	5/7/2009
PST183	David and Elizabeth	Kramer	None Provided	5/7/2009
PST184	Marietta	Reinhold	None Provided	5/7/2009

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## Section 3—Final Environmental Impact Statement



<b>Table 1. Commenters on Section 3 DEIS (Continued)</b>				
<b>Comment ID Code</b>	<b>Name, First</b>	<b>Name, Last</b>	<b>Agency/Organization</b>	<b>Date Submitted/Received*</b>
Postcard (Cont.)				
PST185	Carlene and James	Quinn	None Provided	5/7/2009
PST186	Charles	Yeager	None Provided	5/7/2009
PST187	Greg	Foote	None Provided	5/7/2009
PST188	Anne	Fraker	None Provided	5/7/2009
PST189	Tammy	Behrman	None Provided	5/7/2009
PST190	Brenda	Sowders	None Provided	5/7/2009
PST191		None Given	None Provided	5/7/2009
PST192	Joyce	Lakey	None Provided	5/7/2009
PST193	Jack	Saylor	None Provided	5/7/2009
PST194	Mark	Schmitt	None Provided	5/7/2009
PST195	Andrew	Durkin	None Provided	5/7/2009
PST196		None Given	Hoosier Hikers Council	5/7/2009
PST197	Patricia/Sam	Cummings/Frushour	None Provided	5/7/2009
PST198	Mark	Vermillion	None Provided	5/8/2009
PST199	Denise	Ellshoff	None Provided	5/8/2009
PST200	John	Stambaugh	None Provided	5/8/2009
PST201	Dennis and Susan	Knapczyk	None Provided	5/8/2009
PST202	Mary	Howard	None Provided	5/8/2009
PST203	Brenda and John	Reed	None Provided	5/8/2009
PST204	Mr. and Mrs. John	Pelton	None Provided	5/8/2009
PST205	M.A.	Fettler	None Provided	5/8/2009
PST206	Raymond	Rust	None Provided	5/8/2009
PST207	Leah	May	None Provided	5/8/2009
PST208	Cathy	Caldie	None Provided	5/8/2009
PST209	Janice	Browning	None Provided	5/8/2009
PST210	Mr. and Mrs. James	Flickenger	None Provided	5/8/2009
PST211	Patricia	Powell	None Provided	5/8/2009
PST212	Jinny	Thompson	None Provided	5/8/2009
PST213	Jim + Carol	Rice	None Provided	5/8/2009
PST214	Suzanne	Mudge	None Provided	5/8/2009
PST215	Cathy	Gianikos	None Provided	5/9/2009
PST216	Susan	Bassett	None Provided	5/9/2009
PST217	Christopher and Okcha	Atwood	None Provided	5/9/2009
PST218	Suzanne	Mittenthal	None Provided	5/9/2009
PST219	Stephanie	Kane	None Provided	5/9/2009
PST220	Frank	Petty	None Provided	5/9/2009
PST221	Janiel	Rogers	None Provided	5/9/2009
PST222	Susan	Henry	None Provided	5/9/2009
PST223	Arthur	Edelstein	None Provided	5/10/2009
PST224	John	Baumhauer	None Provided	5/10/2009

# I-69 EVANSVILLE TO INDIANAPOLIS TIER 2 STUDIES

## Section 3—Final Environmental Impact Statement



Table 1. Commenters on Section 3 DEIS (Continued)				
Comment ID Code	Name, First	Name, Last	Agency/Organization	Date Submitted/Received*
Postcard (Cont.)				
PST225	Antonia	Matthew	None Provided	5/10/2009
PST226	Thomas	Newby	None Provided	5/11/2009
PST227	Tom	Glastras	None Provided	5/11/2009
PST228	Jane	Henderson	None Provided	5/11/2009
PST229	Ric	Stephan	None Provided	5/11/2009
PST230	Ken	Sauer	None Provided	5/11/2009
PST231	Travis	Deal	None Provided	5/11/2009
PST232	Otto	Neyhouse	None Provided	5/11/2009
PST233	Christine	Matheu	None Provided	5/11/2009
PST234	Cheryl	Huerter	None Provided	5/11/2009
PST235	Jacqueline	Whaley	None Provided	5/11/2009
PST236	Tom	Jochim	None Provided	5/11/2009
PST237	Betty	Hollifield	None Provided	5/11/2009
PST238	Kelly	Smith	None Provided	5/12/2009
PST239	Parker	Pengilly	None Provided	5/12/2009
PST240	Sarah	Clevenger	None Provided	5/12/2009
PST241	Joe	Gwinn	None Provided	5/12/2009
PST242	Terrie	Usrey	None Provided	5/12/2009
PST243	Missie	Carnegie	None Provided	5/13/2009
PST244	June	Naugle	None Provided	5/13/2009
PST245	Carole	Smith	None Provided	5/14/2009
PST246	Jaqueline	Griffin	None Provided	5/14/2009
PST247	David	Dodrill	None Provided	5/14/2009
PST248	Martha	Crouch	None Provided	5/14/2009
PST249	Berniece	Tirmenstein	None Provided	5/14/2009
PST250	Leif	Hagglund	None Provided	5/14/2009
PST251	David	Cox	None Provided	5/15/2009
PST252	LeAnn	Lipe	None Provided	5/15/2009
PST253	Meredith	Hull	None Provided	5/15/2009
PST254	Pam and Bryan	Kienitz	None Provided	5/16/2009
PST255	Dan	Clark	None Provided	5/18/2009
PST256	Tom	Flynn	None Provided	5/18/2009
PST257	Cheryl	Baumgart	None Provided	5/18/2009
PST258	Jeffrey	Miller	None Provided	5/18/2009
PST259	Phil	Wilmore	None Provided	5/19/2009
PST260	Donald	Schroeder	None Provided	5/19/2009
PST261	Richard and Marguerite	Kadlec	None Provided	5/19/2009
PST262	Annette	Alpert	None Provided	5/19/2009
PST263	Clarke	Kahlo	None Provided	5/20/2009
PST264	Lorraine	Sirucek	None Provided	5/20/2009
PST265	Lu	Richmond	None Provided	5/20/2009



**Table 1. Commenters on Section 3 DEIS (Continued)**

Comment ID Code	Name, First	Name, Last	Agency/Organization	Date Submitted/Received*
Postcard (Cont.)				
PST266	Mrs. Verle	Maxwell	None Provided	5/20/2009
PST267	Lois and Bob	Boruff	None Provided	5/21/2009
PST268	Nancy	Brooks	None Provided	5/21/2009
PST269	Nicholas and Carita	Noe	None Provided	5/21/2009
PST270	Philip	Kline	None Provided	5/22/2009
PST271	Steven and Nancy	Keith	None Provided	5/22/2009
PST272	Roger	Daniel	None Provided	5/23/2009
PST273	Linda	Stafford	None Provided	5/25/2009
PST274	Dorothy	Mack	None Provided	5/25/2009
PST275	Albert	Dean	None Provided	5/26/2009
PST276	Gordon	Dornick	None Provided	5/27/2009
PST277	Jeanne	Leimkuhler	None Provided	5/28/2009
PST278	Tom	Fitzgerald	None Provided	5/29/2009
PST279	Patrick	Munson	None Provided	6/1/2009
PST280	Alice	Schloss	None Provided	6/1/2009
PST281	Veronica	Ries	None Provided	6/2/2009
PST282	Janet	Hollis	None Provided	6/2/2009
PST283	Sarah	Ryterband	None Provided	6/3/2009
PST284	Eve	Earley	None Provided	6/5/2009
PST285	Steve	Witwer	None Provided	6/6/2009
PST286	Dick and Donna	Goddard	None Provided	6/6/2009
PST287	Susan	Sammis	None Provided	6/6/2009
PST288	Edith	Sarra	None Provided	6/9/2009
PST289	Scott	Johnson	None Provided	6/9/2009

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



(Verbatim without editing. Comments are ordered by date and reception)

**FEDERAL AGENCIES (AF)**

**AF001-1 Willie Taylor U.S. Department of the Interior  
6/2/09  
Letter**

**Comment:** As requested, the Department of the Interior (Department) reviewed the Tier 2 draft Environmental Impact Statement (EIS) for the **Interstate Highway 69 (I-69) Evansville to Indianapolis Project, Section 3, between Washington and Crane Naval Surface Warfare Center (U.S. Highway 50 to U.S. Highway 231) in Daviess, Greene, Knox, and Martin Counties, Indiana.** The Department offers the following comments and recommendations for your consideration.

**Response:** Comment noted.

**AF001-2**

**Comment: Section 4(f) Comments**

The Department would concur with the Federal Highway Administration (FHWA) and the Indiana Department of Transportation (InDOT) that there are no feasible or prudent alternatives to the proposed action that would result in the use of properties eligible to be considered under Section 4(f) of the Department of Transportation Act of 1966 (48 U.S.C. 1653(f)). Five historic properties eligible for inclusion in the National Register of Historic Places were found to exist in the project area: the Scotland Hotel, the Daviess County Historic Home District, the Blackmore Store, the State Route 257 Bridge over Veale Creek, and the McCall Family Farmstead. The first four were eventually found not to be affected by the project.

The FHWA determined the McCall Family Farmstead an eligible property, and the State Historic Preservation Office (SHPO) concurred. The FHWA determined that the project would have an adverse effect on the McCall Family Farmstead and the SHPO concurred in November 2005 and again in October 2006. The FHWA later issued an eligibility and effects determination in November 2008 that indicated an adverse effect had been determined, the SHPO had concurred, but determined that there was no Section 4(f) use of the property; this determination is documented in the Section 4(f) Evaluation.

The Department finds that the FWHA documented the analysis of the proximity impacts and it included a statement concerning no substantial impairment. While the Department tends to agree with the determination of no substantial impairment, we note this should be done in consultation with the SHPO, and we are unaware whether the SHPO has as yet agreed with that determination. Although we believe it 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 4, 2009, the State Historic Preservation Officer (SHPO) wrote that “we agree with the conclusions in the DEIS regarding the identification of historic resources (aboveground properties) within the study area for Section 3 that are eligible for inclusion in the National Register of Historic places and regarding the impacts that this project will have on those historic resources.” The referenced letter will be included in the FEIS.

**General Comments**

**AF001-3**

**Comment:** The Preferred Alternative for the I-69 alignment in Section 3 of the draft EIS demonstrates a reasonable effort to avoid impacts to natural resources, including avoiding habitat fragmentation. The U.S. Fish and Wildlife Service (FWS) greatly favors InDOT's commitment to bridge most of the floodplains associated with South Fork Prairie Creek, First Creek, and Doans Creek. The FWS also strongly supports the proposed development of wildlife crossings at First and Doans Creeks, and elsewhere if possible.

**Response:** It is likely that other bridges and culverts in Section 3 would provide adequate area for wildlife to cross. However, these areas may not meet specific size requirements which have been identified in some wildlife crossing recommendations. First Creek and Doans Creek were specified due to the quality of habitat on both sides of the bridge as well as the likelihood (based on a landscape connectivity analysis) that wildlife would cross there. However, we anticipate that the hydraulic design for other bridges and culverts will provide for additional wildlife crossing opportunities.

**AF001-4**

**Comment:** The draft EIS indicates that water quality in the area is already somewhat degraded; therefore, the FWS advocates that measures be taken to limit the potential for further degradation, particularly near streams with known Indiana bat colonies or suitable bat habitat. Please include a brief discussion of the overall strategy of how deck runoff will be managed and incorporated into bridge designs for Section 3, particularly for those bridges within the Indiana bat maternity colony areas (Vertrees and Weaver Ditches, as well as First and Doans Creeks). In addition, a discussion of any bridge features that are 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) could be included in this same section. Section 7.3.14 may be an appropriate location for this discussion, as well as the section related to drainage control.

**Response:** Special measures will be incorporated into final design plans for perennial streams within the West Fork of White River (Elnora) Maternity Colony area (Weaver and Vertrees Ditches). These include diverting highway runoff from direct discharge off of bridge decks into streams, and containment basins to detain accidental spills. These will be designed similarly to those incorporated at Pigeon Creek crossings in Section 1. These commitments will be include in the FEIS.



## AF001-5

**Comment:** The FWS does not agree with the statement that no indirect impacts to streams will occur due to the implementation of I-69 (page 5-428). 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 (see Morse, Chandler and S. Kahl. 2003. *Measuring the Impact of Development on Maine Surface Waters. Safe Drinking Water Digest*, a publication of the Senator George J. Mitchell Center for Environmental and Watershed Research and the Maine Department of Environmental Protection. <http://www.umaine.edu/waterresearch/outreach/impactofdevelopment.htm> . Accessed April 13, 2009, and Schmitt, C. and J. M. Peckenham. 2002. *Source Water Protection: Linking Surface Water Quality to the Watershed*. Handbook, University of Maine, 85 p.) On page 5-440, the draft EIS states that "Development in the vicinity of the road will cause runoff problems that could affect streams in the area."

In addition, indirect and chronic affects may occur over time with respect to pollutants from highway runoff. Although the draft EIS indicates that "...the pollutant concentrations due to runoff from the highway are below the applicable EPA criteria," only three of the ten highway runoff constituents (Table 5.24-3 from the Tier 1 final EIS) have criteria (copper, lead, and zinc) established by the Environmental Protection Agency (EPA). 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 5-308 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 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 5-428)." 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).

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 3 project area establishes that direct and/or indirect impacts from the Section 3 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 16 watersheds crossed by Section 3 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 0.9% to 7.8% while the low estimates range from 0.5% 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 Peckenhams 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 3 project will not result in a significant degradation to surface waters based on our analysis of the PTIA threshold.



**AF001-6**

**Comment:** During a December 5, 2007, meeting at the FWS Field Office at Bloomington, Indiana, there was mention of 25 acres of forest within the Elnora Indiana bat maternity colony area being impacted due to legal drain maintenance. Please include a discussion of this (and other drain maintenance practices) in the cumulative impacts discussion, if applicable.

**Response:** Project staff has coordinated with conservancy boards within the Section 3 which maintain these legal drains, as well as visually inspected these drains and viewed aerial photography in and around the Section 3 alternatives. We have determined that it is not reasonably foreseeable that impacts to forest will occur due to legal drain maintenance. There appears to be adequate area for maintenance to occur where it is needed. The conservancy boards of Prairie Creeks and Smothers Creek were contacted and identified that they have no plans for removing forest along these legal drains in the future. We made several attempts to contact the conservancy boards of Vertrees and Weaver Ditch, but were not able to reach them. Conditions identified during the visual inspection indicate that the majority of these drains are regularly mowed/maintained and do not have any forest along the banks that would require removal for maintenance. A majority of the riparian forest along these legal drains is within the 100-year floodplain of the West Fork of the White River. Because frequent flooding of this area occurs from backwater flooding induced by the West Fork of the White River as opposed to headwater flooding from the upstream watershed that could be impeded by log-jams and debris, maintenance on the legal drains within the West Fork of the White River floodplain is not anticipated. While impacts are not reasonably certain to occur to these resources, the Section 3 Tier 2 Biological Assessment provides estimates of riparian forest along these legal drains.

**AF001-7**

**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.



**Endangered Species Comments**

**AF001-8**

**Comment:** The FWS concern regarding I-69 impacts to the federally-endangered Indiana bat (*Myotis sodalists*) 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 3-specific impacts to these 2 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 will review before the Section 3 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 3 of the I-69 project and thereby complete consultation requirements of Section 7 of the Endangered Species Act (as amended) for this section. The FWS is aware of one Indiana bat maternity colony in the Section 3 project area. There are no known bald eagle nests within or near the project corridor in Section 3. The nearest nest is several miles away.

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 coordination.

**Response:** Consultation with USFWS 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, USFWS has stated that it anticipates providing "an 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 C). INDOT submitted a Tier 2 Section 3 BA to USFWS on July 27, 2009. Following its review of the document, USFWS issued its Tier 2 BO for Section 3 on October 21, 2009 (See the FEIS Appendix Y).

Please note regarding the commenter's reference to August 26, 2006, the date of the revised Tier 1 BO was August 24, 2006. INDOT will comply with all terms of the bald eagle permit issued by USFWS 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.



**Specific Comments**

**AF001-9**

**Comment:** Page S-11, Subsection D, typographical error: 3C-3 should be 3D-3.

**Response:** This has been corrected in the FEIS.

**AF001-10**

**Comment:** Page S-27, West Gate at Crane Technology Park: If applicable, please update this section with more current acreages of recent and proposed developments and employment figures (current and projected).

**Response:** Updated information has been added to this section (Section S-9).

**AF001-11**

**Comment:** Page 3-28, fifth paragraph: Please clarify whether or not impacts from the potential added travel lanes for U.S. 231 are included in the impacts analysis (direct, indirect, or cumulative) of the draft EIS.

**Response:** US 231 from SR 45/58 to Daviess County Road 1700 North has a forecasted level of service (LOS) “E” in the design year with or without I-69. Added travel lanes on US 231 between SR 45/58 and Daviess County Road 1700 North are not in INDOT’s 2030 Long Range Transportation Plan (LRTP) as a separate project. Added travel lanes on US 231 will not be built as part of the I-69 project. However, the I-69 overpass at I-69/US 231 interchange will be built to accommodate added travel lanes at US 231 in case they become a future project. The impacts for the overpass are included in the direct impacts in the FEIS. Since added travel lanes will not be built as part of I-69 and are not in the 2030 LRTP, impacts for added travel lanes on US 231 are not included in the analysis.

Since added travel lanes are not planned on US 231, a truck climbing lane will be needed on US 231 on the south side of I-69. These impacts have been added to the direct impacts calculated in the FEIS.

**AF001-12**

**Comment:** Page 3-110, Figure 3-45: Identify which alignment is which on the map.

**Response:** Labels have been added to the alternatives on this map.

**AF001-13**

**Comment:** Page 4-72, last paragraph, third sentence: Please check whether "Odon" should appear twice in this sentence.

**Response:** Sentence has been rewritten.



**AF001-14**

**Comment:** Page 4-77, second paragraph: In the "Surface Water-Ground Water Interaction" section, the text states that in the absence of monitoring wells, classification of streams into gaining or losing reaches is difficult and, therefore, all stream segments were conservatively assumed to be losing. While this is correct, if in the future it becomes necessary to determine with more precision those segments that are gaining and which are losing, other techniques exist (Rosenberry and LaBaugh, 2008). One of these is a seepage run. Essentially, streamflow measurements are made at regular intervals along the stream at approximately the same time. The difference in streamflow between one segment and the next one downstream, after accounting for inflow due to tributaries or other sources of water, will indicate whether the reach is gaining or losing (see Rosenberry, D.O., and LaBaugh, J.W., 2008, Field techniques for estimating water fluxes between surface water and ground water: U.S. Geological Survey Techniques and Methods 4-02, 128 p. Also available on the Internet at, <http://pubs.usgs.gov/tm/04d02/>).

**Response:** Since the publication of the DEIS, subsection 4.3.2.3 has been revised to include seepage runs as a method of obtaining information about stream interaction with ground water.

**AF001-15**

**Comment:** Page 5-35: Under "Direct Impacts," the draft EIS states that when determining direct impacts to land use, the mine/quarry category was eliminated because these land uses do not occur in the project corridor; however, page 5-23 indicates that 23 acres of mines would be impacted by Alternative 1. Please clarify this statement.

**Response:** Page 5-23 says Alternative 1 would impact 23 acres of **permitted** acres. Mining in an area outside of the corridor has begun but has not started in the corridor or on these 23 acres and the land use is currently agricultural in that area.

**AF001-16**

**Comment:** Page 5-68, Figure 5.3-8: It would be helpful to shade the traffic analysis zones (TAZs) of induced growth a slightly different color to make them more visible on the map.

**Response:** This figure has been modified to make the induced growth more visible.

**AF001-17**

**Comment:** Page 5-182, Section 5.12.2.9: Please clarify the phrase "...entire project corridor" in the middle of this section.

**Response:** This wording has been clarified.



**AF001-18**

**Comment:** Page 5-184, Threatened and Endangered Species Section: Please indicate if any bifurcated sections are proposed in Section 3.

**Response:** The wording cited here is directly quoted from the Revised Tier 1 Biological Opinion for the I-69 project. After this quotation, a clarification is provided that no bifurcated roadway is anticipated in Section 3.

**AF001-19**

**Comment:** Page 5-234, second paragraph: Other tree species used by Indiana bats for roosting include: shellbark 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.

**AF001-20**

**Comment:** Page 5-247: Herbicide use plans should be included in sections within known maternity colony areas and around the First Creek and Doans Creek habitat areas.

**Response:** A herbicide use plan will be developed in these areas in coordination with the USFWS.

**AF001-21**

**Comment:** Page 5-248: The last paragraph states that tree plantings will be monitored for five years. This should be changed to ten 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.

**AF001-22**

**Comment:** Page 5-279: In the unnumbered subsection "Surface Water Quality," Hoover and Durbin (2001) is not listed in the references.

**Response:** This reference has been added to **Chapter 12, References**

**AF001-23**

**Comment:** Page 5-308, second full paragraph: Please briefly discuss those measures proposed to reduce impacts to water quality/streams from deicing chemicals. Appendix Q did not contain much detailed information specifically related to preventing these chemicals from reaching streams and waterways. In addition, the first sentence begins, "Of the



identified runoff constituents, a point of primary concern is the build-up of deicing chemicals in the atmosphere...." Presumably, the concern is the buildup of deicing chemicals in the hydrosphere, or simply in surface and/or groundwater.

**Response:** The primary means to reduce impacts to water quality/streams from deicing chemicals is the careful evaluation of application rates to assure that minimum effective application rates are used (as defined in the INDOT Standard Operating Procedure) for applying deicing chemicals. The improvement of technology on application equipment is ongoing by INDOT to effectively deice roadways while minimizing impacts to water quality. This improved technology includes spreaders with automated application rates as well as shut-off valves to limit the amount of salt spread in addition to preventing the spill of excess salt. In addition to these general measures, I-69 will include a low-salt strategy on the roadway in specified karst areas. Roadside vegetation will also serve as a filter strip for filtering of pollutants in highway runoff prior to discharge to natural surface waters. The text will be revised to reference the build-up of deicing chemicals in the surface and/or groundwater as opposed to the atmosphere.

**AF001-24**

**Comment:** Page 5-308, third full paragraph: Please specify which EPA criteria are being referred to; the criteria are also referenced on pages 5-425 and 5-428.

**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.

**AF001-25**

**Comment:** Page 5-354, Table 5.20-2: Please define 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.

**AF001-26**

**Comment:** Page 5-359, Indirect Impacts Section: Please specifically address why no indirect or cumulative impacts (particularly residential) to forest will occur in the TAZs surrounding the proposed U.S. 231 interchange, since forest cover is the predominant cover in that area (as compared to the TAZ in Daviess County) and the West Gate Technology Park is expected to bring additional jobs, and consequently housing, to the area.

**Response:** As stated in the DEIS there is a large amount of agricultural land available for all of the forecasted future development in the area. Approximately 145 acres of induced new development are expected in the study area. Approximately 10,704 acres of non-floodplain agricultural land are found within the TAZs that are expected to see development. Much of the non-agricultural land in the TAZs where development is expected has not been farmed due to poorly drained soils, rough/steep terrain or other

farming constraints. The physical conditions that constrain farming on these lands also constrain residential and commercial development, making it more likely for future development to occur in already cleared farmed areas. For the cumulative impact to forests, the trend in the Daviess County and Greene County combined area has been that forest areas have increased and are at the highest total in all periods measured since 1950. The "concept plan" for the West Gate at Crane Technology Park shows currently forested area as remaining forested as the Technology Park develops. Please see sections 5.20.3 and 5.24.2 of the FEIS for the discussion of the available agricultural land and forest land.

**AF001-27**

**Comment:** Page 5-360, Mitigation Section: While INDOT did offer to do the upland mitigation on their own accord, this mitigation has been written as a condition into the Incidental Take Statement and must be fulfilled under Section 7 (Endangered Species Act) obligations.

**Response:** The level of upland forest mitigation committed to by INDOT is 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 USFWS under the authority of Section 7 of the ESA. The text has been clarified on this point.

**AF001-28**

**Comment:** Page 5-406, item number 4, first sentence: Please include "forests, wetlands, and streams" as resources being considered under the cumulative impacts analysis for the Tier 2, I-69 project in Section 3.

**Response:** The text has been revised with the referenced text included to correct this statement.

**AF001-29**

**Comment:** Page 5-425, third full paragraph: Please clarify why highway surface water runoff is considered a direct affect for wetlands (page 5-425) and discussed under indirect affects for streams (page 5-428). Also, please distinguish between surface water runoff impacts during construction and runoff impacts from highway traffic (after construction).

**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.



**AF001-30**

**Comment:** Page 6-7: In the discussion of Alternative 3A-3 as the preferred alternative, please include the specific reduction in environmental impacts (acres of wetlands/streams/forests) in Section 2 that will be realized as a result of selecting this alternative.

**Response:** Alternative 3A-3 connects to Alternative A in Section 2, Subsection 9. Alternative A in Section 2 Subsection 9 impacts 1.75 acres of wetlands, 7,257 linear feet of streams, and 3.6 acres of forest. The other alternative (Alternative B) in Section 2 Subsection 9 would impact 11.62 acres of wetlands, 4,457 linear feet of streams, and 5.0 acres of forest. If the other Section 3 alternative considered in Subsection A (Alternative 3A-1 Mod.) were selected, it would not require that Alternative B in Section 2 Subsection 9 be selected in its entirety. However, much of the alignment of Alternative B in this Subsection would be used, and there would be a significant increase in Section 2's impacts to wetlands and forests. The referenced text will be modified to explain this.

**AF001-31**

**Comment:** Page 6-16: In Table 6-4, please break out the rest area impacts from road impacts (or perhaps discuss potential impacts of each rest area studied with a similar chart somewhere in the Chapter 3 discussion).

**Response:** The rest area impacts within Subsection C are shown separately in the FEIS.

**AF001-32**

**Comment:** Page 6-22: The FWS recommends the single-point, or tight, diamond configuration for the interchange at U.S. 231 in order to reduce impacts to surrounding land use.

**Response:** The FEIS shows a tight diamond interchange as the preferred interchange option. This design minimizes impacts to sensitive forest and aquatic resources.

**AF001-33**

**Comment:** Page 7-2, Table 7-1: Under the Biological Surveys on Wildlife and Plants initiative, please mention that bat surveys will be conducted for several years post-construction once the road becomes operational.

**Response:** The Tier 1 Revised Biological Opinion states that the Indiana bat maternity colonies identified during Tier 2 Studies will be “studied and monitored the summer prior to and at least 5 summers post-construction, beginning with the first summer following the start of construction.” The BO further states “The details of the proposed monitoring plan will be developed in consultation with the Service and finalized during Tier 2 formal consultations for each affected project section.” This language will be included in Table 7-1.



**AF001-34**

**Comment:** Page 7-17, 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 USFWS, and no additional bridge surveys are expected as a part of the Section 3 project.

**AF001-35**

**Comment:** Page 7-17, item number 14: The context of using the Wetland Memorandum of Understanding during construction activities should be broader in this section. It is not only to minimize impacts to the Indiana bat, but to minimize impacts to wetland habitat overall.

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

**AF001-36**

**Comment:** Page 7-25, Forest Impacts: Please clarify how mitigation for forests in a floodway (see page 7-7) fits into the forest mitigation measures discussed in this section.

**Response:** The floodway forest impacts will be mitigated within the floodway of the White River at the Section 3 Mitigation Site. The floodway forests impacted by the project are being mitigated at a greater than 4:1 ratio.

**AF001-37**

**Comment:** Page 7-26: Any stream relocation within a previously identified Indiana bat maternity colony area should also be coordinated with the FWS.

**Response:** No stream relocations are anticipated within an Indiana Bat maternity colony area in Section 3. Doans Creek is expected to be relocated within the US 231 interchange area; however this is not located within a maternity colony area. Where stream relocations occur, they will be completed with a natural stream channel design. If a stream relocation is identified within an Indiana Bat maternity colony area, USFWS will be included in the coordinating regarding the relocation during the permitting process.



**AF001-38**

**Comment:** Page 7-33: The FWS recommends an Herbicide Use Plan be developed for areas with streams within the West Fork White River (Elnora) maternity colony area (Vertrees Ditch and Weaver Ditch), as well as areas near First Creek and Doans Creek. 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 USFWS. The establishment of any low-spray zones will occur as part of establishing a herbicide use plan.

**AF001-39**

**Comment:** Page 7-35. Education/Research Section: The revised BO for Tier 1 includes an action item related to educational displays at Rest Areas; please include it.

**Response:** The FEIS has been modified to specify that an Indiana bat educational display will be provided at the Section 3 rest area.

**AF001-40**

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

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 continued consultation and coordination with the issues concerning the Section 4(f) resources, please contact Regional Environmental Coordinator, Nick Chevance, Midwest Regional Office, National Park Service, 601 Riverfront Drive, Omaha, Nebraska 68102; 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. If you have any questions concerning the comments on surface-water or ground-water resources, please contact Lloyd Woosley, Chief of the USGS Environmental Affairs Program, U.S. Geological Survey, Reston, Virginia, 20192; telephone 703-350-8797, [Iwoosley@usgs.gov](mailto:Iwoosley@usgs.gov).

We appreciate the opportunity to provide these comments.

**Response:** Coordination with identified department personnel will continue through the permitting stage in Section 3, and through remaining stages of the project in other Tier 2 sections.



**AF002**      **Kenneth Westlake**    **Environmental Protection Agency**  
**6/8/09**  
**Letter**

**AF002-1**

**Comment:** In accordance with Section 309 of the Clean Air Act and the National Environmental Policy Act (NEPA), the U.S. Environmental Protection Agency (EPA) has reviewed the Draft Environmental Impact Statement (DEIS) issued by the Federal Highway Administration (FHWA), for the above-referenced project.

EPA rates the preferred alternative of the DEIS 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 Action." The Section 3 Tier 2 DEIS is informative and reflects efforts made by FHWA and the Indiana Department of Transportation (INDOT) to use adequate detailed information in the development of this project to avoid and minimize impacts. We have not identified any potential environmental impacts requiring substantive changes to the proposal for Section 3 of the I-69 project. Our detailed comments focus on clarifications and voluntary measures. The topics covered in our detailed comments are air quality, air quality mitigation during construction, floodplains, noise, watersheds and wetlands, and some general items. You will find our detailed comments in the enclosure entitled. *"EPA detailed comments on I-69 Evansville to Indianapolis. Indiana Tier 2 DEIS Section 3: Washington to Crane NSWC."*

**Response:** USEPA submitted 14 additional comments regarding impacts/mitigation and related issues. Please see Responses to Comments AF002-2 through AF002-15.

**AF002-2**

**Comment:** We commend FHWA and INDOT for their work on major mitigation initiatives, particularly: Context Sensitive Solutions (CSS) / Community Advisory Committees (CAC), Geographic Information Systems (GIS), and the updating of the County Historic Surveys. We also commend the work on and financial support of the Community Planning Program. Your intent to track mitigation commitments and mitigation activities associated with each resource in Section 3 will reassure agencies and citizens that INDOT and FHWA take the complex mitigation for this project seriously. Some of these initiatives will enhance other agencies' ability to research their project's impacts in this region of Indiana. Some of the initiatives set good examples of mitigation to possibly use in other federal and state projects.

**Response:** Comment noted. FHWA and INDOT appreciate EPA's compliments and the work EPA did to make this a successful project.

**AF002-3**      Project Background

Section 3 is one of six sections being evaluated for the 142-mile-long I-69 project. I-69 is proposed as a freeway facility that utilizes interchanges for access control.



**Section 3—Final Environmental Impact Statement**

Section 3 of the I-69 project is 25.8 miles long. The termini of Section 3 are at US 50, east of Washington, Indiana and US 231 near Scotland, Indiana.

In the Section 3 Tier 2 DEIS, a no-build alternative and four action alternatives were presented. Alternative 1 was chosen as the preferred alternative. The preferred alternative has 18 residential relocations, 14.77 acres of wetland impact, 23.2 acres of floodplain impact, 86.2 acres of upland forest impacts, 6,915 linear feet (ft) of perennial streams, 12,388 ft of intermittent streams, 16,572 ft of ephemeral streams, and approximately 1,500 acres of farmland impacts.

For comparing alternatives, Section 3 was broken into 5 segments. The 5 segments that comprised alternative 1 (the preferred alternative) represented the best trade-off in impacts between the alternatives.

Thank you for giving us the opportunity to review the DEIS. If there are any questions, please call Julie Guenther of my staff: at 312-886-3172 or email her at [guenther.julia@epa.gov](mailto:guenther.julia@epa.gov).

**Response:** Comment's on impacts and the preferred alternative representing the best trade-off in impacts between alternatives noted. The impacts cited were revised for submission of the Section 3 Biological Assessment (BA) to the US Fish and Wildlife Service. Wetland impacts (BA, Table 5) were estimated at 6.22 acres. The FEIS will be modified to reflect the updated analysis used for the Section 3 BA.

**AF002-4**

**Comment:** Air Quality  
As noted in Section 5.9. Air Quality, Greene County is a designated maintenance area for the eight-hour ozone standard and has approved motor vehicle emission budgets. An analysis is required to demonstrate conformity to the approved budgets. We understand that the conformity analysis will be performed before the Record of Decision (ROD) is completed. We suggest the Final Environmental Impact Statement (FEIS) state that the conformity analysis documentation will be presented for public review and comment according to the state public participation requirements.

**Response:** Section 5.9 of the FEIS documents that FHWA has made a conformity finding for the eight-hour ozone standard in Greene County. Agency correspondence and technical documentation is provided in Appendix BB of this FEIS.

**AF002-5**

**Comment:** Air-Quality Mitigation during Construction  
Exposure to diesel exhaust by construction workers and those nearby a construction site can have serious health implications. For this reason, EPA recommends Best Available Diesel Retrofit Control Technology (BACT) on all significant construction projects. We believe this project is a significant construction project because of the size and duration of the overall project, the proximity to some residential areas, the use

of diesel equipment for purposes of construction, and the existing problems with ozone in the area.

Typically BACT requirements can be met through the retrofit of all diesel-powered equipment with diesel oxidation catalysts or diesel particulate filters, in addition to other strategies or technologies (for example, cleaner burning fuels or anti-idling policies). The statement below is reflective of a study EPA completed on diesel exhaust health effects:

Long-term (i.e. chronic) inhalation exposure to diesel exhaust is likely to pose a lung cancer hazard to humans, as well as damage the lung in other ways depending on exposure. Diesel exhaust is listed as a human carcinogen by the State of California and a likely human carcinogen by EPA. Short-term (i.e. acute) exposures can cause irritation and inflammation) symptoms of a transient nature, these being highly variable across the population. The assessment also indicates that evidence for exacerbation of existing allergies and asthma symptoms is emerging. EPA recognizes that diesel exhaust, as a mixture of many constituents, also contributes to ambient concentrations of several criteria air pollutants including nitrogen oxides and fine particulates, as well as other air toxics. (<http://www.epa.gov/ncea>)

In addition, we recommend that the FEIS contain a description of efforts to minimize the impact of idling vehicles and construction equipment, and how such anti-idling measures will be enforced. We recommend that the idling of all engines not exceed 5 minutes, and that proper enforcement is in place to ensure compliance. Shutting down gasoline and diesel vehicles and equipment when engine power is not required will reduce emissions of carbon monoxide, carbon dioxide, particulate matter, volatile organic compounds, oxides of nitrogen, and mobile source air toxics. These emissions can adversely affect local air quality, adversely affect human health through exposure, and can seep into nearby buildings and adversely affect indoor air quality.

These air quality mitigation measures for construction should be considered by INDOT. We recommend that INDOT formalize their actions for the entire I-69 project by developing and implementing a construction emissions reduction plan. Although not required by EPA regulations, similar contract specifications have been established for other large construction projects, including the O'Hare Airport Modernization Project and the Dan Ryan highway project in Chicago. Options to include in such a plan include:

- (a) retrofitting off-road construction equipment including repower or engine upgrades
- (b) using ultra-low-sulfur fuels for all equipment
- (c) limiting the age of on-road vehicles in construction projects to 1998 and newer and 1996 and newer for off-road equipment
- (d) fugitive dust control plans
- (e) diesel particulate traps and oxidation catalysts
- (t) using existing power sources or clean fuel generators rather than temporary power generators
- (g) encouraging the use of off-road equipment that meets the Tier 3 standards



EPA is available to assist in efforts to select mitigation strategies that would be included in the final project. EPA has developed a compendium of contract specifications and language to assist State DOTs and other proponents of construction projects. Please see the following link for the specifications and language: <http://www.epa.gov/midwestcleandiesel/projects/index.html>

**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 3 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 Highway, INDOT recognizes that I-69 will be a sizeable project with potential for air quality concerns. INDOT’s primary air quality mitigations will be those to which it is bound, and other suggestions may be secondarily considered.

**AF002-6**

**Comment:** Floodplains

Table 7-1 shows that floodplains will not be completely bridged. We suggest bridging all floodplains in their entirety. At a later date, if a group wants to restore the creek completely, this will be done more easily if the entire floodplain is bridged. If you do not plan on bridging the entire floodplain of each creek, please explain why in section 7.2. page 7-11.

**Response:** INDOT has agreed to bridge the entire floodplain of certain creeks within Section 2 as previously identified. All other creeks will have crossing (bridges and culverts) designed to handle flood events as defined by IDNR Division of Water. Text has been added as requested to explain why it is not practical to bridge the entire floodplain of every waterway.

**AF002-7**

**Comment:** Noise

From table 5.10-5. page 5-168 of the DEIS, the noise model predicts that the preferred Alternative impacts 3 residences. We understand that there will be no formal noise-related hearings and/or information meetings because noise barriers are not being considered. In addition, as stated in the DEIS (page 5-172), the reasonableness of constructing noise barriers for the preferred alternative will be re-evaluated during the FEIS. These statements lead us to the following two questions:

- Will these three residences be informed (beyond the availability of this DEIS) of the predicted noise impact to their home environment?



- Since the impacted receivers identified do not meet the reasonableness criteria, is there any other type of mitigation they can request (such as acquisition or sound insulation)?

**Response:** 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. Traffic noise abatement measures can be in many forms and may include traffic control measures (TCM), alteration of vertical or horizontal alignment, acquisition of buffering land, noise insulation of public use or non-profit institutional structures, and/or construction of traffic noise barriers. The availability of the DEIS, and the public involvement efforts during the development of the DEIS, are the primary means for communicating proposed impacts to individual properties. There will be additional opportunity for public involvement during the subsequent design phase of the project. If it is determined that abatement measures are necessary, the three residences will be contacted.

**AF002-8** Watersheds and Wetlands

Overall, the preferred alternative has comparable or fewer impacts to perennial streams than the other alternatives. The alternatives have a fairly comparable range of impacts to wetlands both in quality and quantity (14.77 acres - 15.60 acres). However, we suggest the single-point interchange be built at US 231 to decrease wetland stream and forest impacts.

**Response:** The FEIS shows a tight diamond interchange as the preferred interchange option. This design minimizes impacts to sensitive forest and aquatic resources. Its footprint is virtually identical to the single point; both the single-point and tight diamond interchange have far fewer aquatic resource impacts than the full diamond interchange.

**AF002-9**

**Comment:** The formal wetland delineation for Clean Water Act (CWA) Section 404 and Section 401 permits will be conducted after the DEIS on the preferred alternative. The delineation will refine the exact amount of wetland area impacted. The 14.77-acre estimate will increase or decrease based on the detailed, on-the-ground information of delineation. We understand that this information will be carried forward to the CWA Section 404 and Section 401 permit process. The approach taken here is acceptable to us for DEIS purposes, recognizing that the wetland impacts presented will likely change in the FEIS as a result of the delineation.

Combined mitigation sites for impacts to wetlands, streams, threatened and endangered species, and forests have been identified in separate planning documents and appear capable of producing the quantity and quality of mitigation to offset the wetland and stream losses for CWA Section 404 permitting purposes. The DEIS and supporting documentation shows appropriate progress toward providing compensatory mitigation.



We suggest some clarifications to be included in the FEIS:

- 1) In section 5.19.2.1. wetlands are cited as valuable for cranberry production. To the best of our knowledge, there is no commercial cranberry production in Indiana. Therefore, this statement is not relevant.
- 2) In section 5.23.2. an additional step should be added. EPA reviews the jurisdictional determinations made by the US Army Corps of Engineers under our CWA authority.
- 3) In section 5.23.3, there is an inaccurate statement. EPA has no oversight of CWA 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:** The text regarding cranberry production has been removed. The clarifications noted in points 2) and 3) have been made to the text.

Section 5.23.2 has been modified to describe EPA review of Corps jurisdictional determinations, as well as EPA role in the 401 water quality certifications.

Also, as noted in the response to comment AF002-3, wetland impacts have been updated in the FEIS.

**AF002-10**

**Comment:** General

We understand the following issues will be resolved and included in the FEIS:

- Final configuration of segment 3E-1. If the "hybrid alternative" is chosen as the preferred alternative in Section 4, segment 3E-1 may need to change to connect with the terminus of the Section 4 "hybrid alternative."

**Response:** As part of evaluating the hybrid alternative in Section 4, any changes needed in Section 3's Alternative 3E-1 (including changes in impacts to Alternative 3E-1) will be considered in the Section 4 DEIS.

**AF002-11**

**Comment**

- A study for added travel lanes on US 231. Added travel lanes are not in INDOT's long range plan. We understand that impacts documented in the DEIS include added travel lanes on US231.

**Response:** Please see response to comment AF001-11 which addresses impacts to added travel lanes/truck climbing lanes.

**AF002-12**

**Comment:**

- Results of the Phase Ia Archaeological Survey for the preferred alternative and the Tier 2 Section 3 Memorandum of Agreement with the State Historic Preservation Office.

**Response:** The results of the Phase Ia Archaeological Survey are presented in the FEIS. The locations of sites are considered confidential and not included in the FEIS.



**AF002-13**

**Comment:** • Total tally of I-69 direct impacts to key resources across all six Tier 2 Sections.

**Response:** This information is provided in FEIS Appendix Z.

**AF002-14**

**Comment:** • 66 dBA noise contour mapping.

**Response:** The FEIS will contain an estimated 66dBA noise contour for the preferred alternative. See Appendix X, *I-69 Section 3 Noise Contour Mapping*. Daviess County and Greene County officials can use this estimated 66dBA noise contour for use in noise-sensitive land use planning.

**AF002-15**

**Comment:** We have these further suggestions and questions;

- When will the tracking summaries of mitigation commitments and mitigation activities (page 7-11 DEIS) first be provided to the permitting agencies and EPA?
- We understand that construction of the rest area and US231 may be deferred. We recommend purchasing the right-of-way now for the possible construction to avoid changing configurations and increasing impacts.
- INDOT should consider using energy-efficient, low-impact lighting. The Section 3 Tier 2 FEIS should discuss whether INDOT will commit to using this type of lighting.

**Response:** The I-69 Mitigation Tracking System is currently being used for tracking of the I-69 Section 1 mitigation efforts and as mitigation efforts in Sections 2 and 3 are completed they will be added to this tracking system. The tracking system will be made available to the agencies for viewing upon the completion of the 2009 monitoring of the Section 1 mitigation efforts (no later than December 31, 2009).

The right-of-way for the entire US 231 interchange will be purchased when right-of-way is purchased for that portion of Section 3. A decision about the timing of the right-of-way purchase for the rest area will be made in the post-NEPA design stage. The land used for the rest area in agricultural land which is not subject to significant development pressures. The area designated for the rest area will be monitored.

Where lighting is deemed necessary it may be visible from homes located near the roadway. If, during final design, locations are identified where lighting is deemed necessary, INDOT will consider the use of non-diffuse, energy-efficient lighting.



**TRIBAL AGENCIES (AT)**

**AT001      John P. Froman                      Peoria Tribe of Indians of Oklahoma**  
**2/12/09**  
**Letter**

**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.

{ signed }  
John P. Froman  
Chief

**Response:** If any archaeological artifacts or human remains are uncovered during construction, federal law and regulations (16 USC 470, et seq.; 36 CFR 800.11, et al.) and State Law (IC 14-21-1) require that work must stop and that the discovery must be reported to the Division of Historic Preservation and Archaeology in the Indiana Department of Natural Resources within 2 business days. If remains covered by NAGPRA are discovered, the project will be stopped for 30 days while the review and consultation process proceeds.

**STATE AGENCIES (AS)**

**AS001      James Glass                                      State Historic Preservation Officer**  
**6/4/09**  
**Letter**

**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. § 4701) and implementing regulations at 36 C.F.R. Part 800, the staff of the Indiana State Historic Preservation Officer the draft environmental impact statement ("DEIS") submitted under the Indiana Department of Transportation's cover letter, which was received on January 29, 2009 for aforementioned project in Daviess and Greene counties in Indiana.

We agree with the conclusions in the DEIS regarding the identification of historic resources (aboveground properties) within the study area for Section 3 that are eligible for inclusion in the National Register of Historic Places and regarding the impacts that this project will have on those historic resources.



In regards to archaeology, we concur with the archaeological information presented in the DEIS for the "Cultural Overview," "Archaeological Resources," and "Archaeology Impacts."

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.

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

**Response:** Concurrence is noted. If human remains are uncovered, proper procedure will be followed in accordance with state and federal law.

**AS002 J. Matthew Buffington Indiana Department of Natural Resources**

**AS002-1**

**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.

The approved corridor encompasses several recent records of the state endangered loggerhead shrike (*Lanius ludovicianus*). Daviess County, according to the Natural Heritage Database, has Indiana's highest concentration of loggerhead shrikes relative to other counties. Additionally, there is the potential for impacts to the Bald eagle (*Haliaeetus leucocephalus*) in the northern stretches of this section. Nesting sites have been recorded as recently as 2006 on the North Fork of Prairie Creek as well as along the White River.

**Response:** The DEIS acknowledges that all alternatives pass through an area of habitat for the loggerhead shrike (*Lanius ludovicianus*) within Daviess County. All alternatives impact suitable habitat and impacts to this species are possible. It is anticipated that I-69 mitigation sites in southern Daviess County could incorporate plantings of hawthorn (*Crataegus* sp.), red cedar (*Juniperus virginiana*), or other suitable species in attempt to benefit the loggerhead shrike population in the area.

No bald eagle nests were observed within or near the Section 3 corridor during field surveys for the project. An Eagle Permit has been acquired for this project for the bald eagle. If bald eagle nests are found within or near the preferred alternative, the conditions of this permit will be revisited. In addition, although the bald eagle has been delisted as a federally threatened species, FHWA and INDOT are committed to

implementing the conservation measures developed as part of Section 7 consultation with the USFWS and detailed in the Tier 1 Biological Assessment (BA).

**AS002-2**

**Comment:** The Department agrees with the preferred alternative 3A-3, as it shows the greatest level of habitat avoidance and minimization.

We recommend alternatives 3B-3 and 3B-4 over the INDOT preferred alternative of 3B-2 modified because they do not go between the two wetlands south of The South Fork Prairie Creek. If 3B-2 modified is carried through, we recommend the installation of wildlife crossings to allow safe movement of wildlife between the wetlands. Also, limit any impacts to the large wetland complex north of Bethel Ditch to the greatest extent possible.

**Response:** Alternative 3B-2 modified does not require any of the wetlands south of The South Fork Prairie Creek mentioned in the comment. Alternative 3B-4 requires 0.84 acres of those wetlands. No wetlands in the large wetland complex north of Bethel Ditch are expected to be required by Alternative 3B-2 modified. Over this subsection Alternative 3B-2 modified requires the smallest amount of wetlands of the alternatives.

In addition to wetlands many other factors were used to determine the preferred alternative. Alternatives 3B-3 and 3B-4 would split a neighborhood of 25 residences which include Amish families and would isolate 20 of the residences from the larger community of Amish to the east. Alternative 3B-2 modified does not split this neighborhood or isolate these residences from the larger community to the east. Alternative 3B-2 modified also has over 5,000 less feet of stream impacts than Alternatives 3B-3 and 3B-4 and less forest impacts than Alternatives 3B-3 and 3B-4. See **Section 6.2.1.2 Subsection B** of the DEIS for the advantages and disadvantages of the subsection B alternatives and a listing of additional reasons why 3B-2 was the recommended preferred alternative.

**AS002-3**

**Comment:** The preferred alternative of 3C-3 is acceptable. The interchange at County Road 1500 North is still considered to be the least desirable by the Department.

The preferred alternative 3E-1, although not preferred by the Department, is acceptable. Reduce impacts to forested area to the greatest extent possible.

**Response:** An interchange at Daviess County Road 1500 North is not in the preferred alternative. In the preferred alternative the interchange is at SR 58. Impacts to forested areas in 3E-1 have been avoided to the extent possible. A tight diamond interchange is the preferred interchange option at US 231. This configuration reduces impacts to forests by 17 acres compared to the full diamond interchange which was used for impact calculations in the DEIS. See **Section 6.2.1.5 Subsection E** of the DEIS for more information on 3E-1.



**AS002-4**

**Comment:** The single point or tight diamond interchange is recommended for the interchange at US 231 to avoid impacts to the surrounding wetlands. Consider the necessity of relocating County Road 710 South. The new alignment, although better in the single point and tight diamond configuration, still requires impacting forested wetlands.

**Response:** The FEIS shows a tight diamond interchange as the preferred interchange option. This design minimizes impacts to sensitive forests, wetlands, and other aquatic resources. Greene County Road 710 South is the route from Newberry, Indiana to US 231. Without relocating this road the interchange at I-69 and US 231 would cut this route off from US 231.

**AS002-5**

**Comment:** All proposed rest areas appear to be located within agricultural fields leading to minimal impacts to the environment.

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?

**Response:** No bat friendly bridges are being considered in Section 3. The Section 3 Tier 2 Biological Assessment includes the following: **“A8b - 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 3.”

**AS002-6**

**Comment:** The tree cutting date restriction must be modified to be from April 1st to September 30th.

**Response:** This wording has been modified.

**AS002-7**

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 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.

**AS002-8**

**Comment:** 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 bridges and 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. 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.

Any new bridges and 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 the threat of injury or death to wildlife trying to cross the bridge opening; 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 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. The above requirements are particularly important at the First Creek and Doans Creek crossings.

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

Incorporate soil bioengineering techniques for bank stabilization where conditions allow.

**Response:** In 2007, Bernardin-Lochmueller and Associates completed a detailed analysis of landscape connectivity in Section 3 which resulted in the recommendation of wildlife

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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. Considering the influence of these factors on wildlife movement, First Creek and Doans Creek were identified for committed wildlife crossing locations. While the South Fork of Prairie Creek does connect to Thousand Acre Woods, it was not chosen due to the severe fragmentation of any associated habitat in eastern portions of the stream. It was believed that the habitat was not adequate to concentrate movements. However, the current preliminary design of the bridge structure opening would be adequate for a wildlife crossing at the South Fork of Prairie Creek (10 feet high x 325 feet wide with a 25 foot overbank area).

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. The First Creek Bridge preliminary hydraulic sizing shows a structure 9 feet high x 200 feet wide with a 30 foot overbank span area; the Doans Creek bridge preliminary hydraulic sizing shows a structure 62 feet high x 120 feet wide with a 24 foot overbank span area. The Doans Creek wildlife crossing will likely involve a series of bridges since this crossing occurs within a planned interchange which is still being designed. 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. 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. 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. 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 8-10 foot high with a deeply buried bottom.

**AS002-9** The link in Table 4.3-1 on Page 4-77 of the Section 3 DEIS should be updated. IDEMs 303d site seems to have changed.

Our agency appreciates this opportunity to be of service and apologizes for not being able to respond sooner in this matter. Please do not hesitate to contact Christie Stanifer, Environmental Coordinator at (317) 232-4160 or toll free at 1-877-928-3755 if we can be of further assistance.

**Response:** The table has been updated.

**AS003** **Marylou Poppa Renshaw** **Indiana Department of Environmental Management**  
**6/19/09**  
**Letter**

**AS003-1**

**Comment:** The Office of Water Quality has reviewed the Tier 2 Draft Environmental Impact Statement (DEIS) for Section 3 of the Interstate 69 Evansville to Indianapolis Project dated January 2009. The DEIS was reviewed for activities that fall within the regulatory authority of the Section 401 Water Quality Certification Program and the State Wetland Regulatory Program.

The proposed project will start at US 50 near the town of Washington and proceed in a general north east direction for 26 miles to US 231 near Crane NSWC. The Tier 2 study corridor was approximately 2000 feet in width and, within the corridor, several alternative alignments were selected. Based on the corridor study and the proposed alternative alignments, the Indiana Department of Environmental Management (IDEM) agrees with the selection of the preferred alternative within the Section 3 corridor. We do, however, have comments related to the selection of the preferred alternative and they are discussed in more detail below.

The typical cross section for the proposed interstate will be a variable 320 feet in width consisting of two 12 feet wide travel lanes on each side with an 84 feet wide median which includes two 7 feet wide inside shoulders. Outside each pair of travel lanes, you propose a 35 feet wide clear zone containing 11 feet wide shoulders. The extra space is needed for cut and fill activities as well as safety requirements associated with right-of-way (ROW) fencing and tree fall clearance. Based on the typical cross section, IDEM

recommends ROW clearance should be kept to the minimum necessary to construct the interstate facility in all areas that contain Waters of the State. Cut and fill activities, which may require the widest ROW, should be located outside of these areas. For areas where you have captured intermittent and perennial streams into your roadside conveyance system, a planting plan needs to be developed incorporating low growing shrubs which will provide shade and other water quality benefits along the outer stream bank closest to the ROW line.

**Response:** A range of design criteria are being considered for the project. Some of the dimensions cited here (84-foot median and 35-foot clear zone) may be smaller, which would result in fewer impacts. In areas that contain water resources, low growing shrubs will be considered for planting in the adjacent areas outside the clear zone, but within the right-of-way. This will be a part of the woody revegetation plan that will be included in the final design plans for the roadway.

**AS003-2**

**Comment:** Within Section 3, you propose to construct one rest area. The final location has not been determined; however, several alternatives were provided. IDEM recommends that all rest areas have stormwater best management practices installed such as wetland treatment cells, infiltration areas, and hydrodynamic separators. The wetland treatment cells and any detention basin should have trees planted along the perimeters. These activities will help minimize water quality impacts associated with the project. Comments related to each rest area are identified below.

- CR 200 N Rest Area: IDEM recommends that all structures used to cross the stream on the property be 3-sided structures, 20% larger than the bank full area immediately upstream of the proposed structure or be 4-sided structures, 20% larger than the bank full area, and embedded into the stream channel at least 20%.
- CR 1000 N Rest Area: IDEM prefers the use of the Diamond Style Ramps in this area which minimizes impacts to the stream located on the property. If the Directional Ramp is selected, then the stream located on the property should be relocated to the north to avoid both the ramps and the access road to the rest area. IDEM recommends that all structures used to cross the stream on the property be 3-sided structures, 20% larger than the bank full area immediately upstream of the proposed structure or be 4-sided structures, 20% larger than bank full area, and embedded into the stream channel at least 20%.
- CR 1100 N Rest Area: If this location is chosen, relocate the stream around the east side of the proposed rest area. This will remove the stream from the construction site and save money by not having to install structures to cross the stream several times. IDEM recommends that all structures used to cross the stream on the property be 3-sided structures, 20% larger than the bank full area immediately upstream of the proposed structure, or be 4-sided structures, 20% larger than the bank full area, and embedded into the stream channel at least 20%.



**Response:** The DEIS eliminated for consideration the proposed rest area locations at Daviess CR 200 N and Daviess CR 1000 N. The rest area will be located near Daviess CR 1100 N. The DEIS showed the location of the rest area south of Daviess CR 1100 N. Due to stream and archaeological impacts the location of the rest area has been revised in the FEIS. The rest area has been moved north such that it is located north of the tributary of Epsom Lateral. By moving the rest area to the north the number of the crossings of this stream has been reduced.

The construction of the rest area may be deferred. When necessary the specific design of the rest area will be completed during final design. Landscaping, stormwater treatment, and other design features will be designed to meet applicable standards and use current materials for the time of construction.

**AS003-3**

**Comment:** Within Section 3, you propose to construct an interchange at US 231. The agency agrees with your interchange alignment; however, we have comments related to the interchange configuration.

- Full Diamond Configuration: IDEM recommends you use the existing transportation corridors for the relocation of CR 710 S instead of cutting a new corridor through forested areas and removing existing pavement. If this is not feasible, provide a justification in the FEIS.
- Single Point Interchange & Tight Diamond Interchange: These are much better alternatives than the Full Diamond Configuration, however, you can still make use of existing roads and pavement surfaces for the relocation of CR 710S.

**Response:** The FEIS shows a tight diamond interchange as the preferred interchange option. This design minimizes impacts to sensitive forests, wetlands, and other aquatic resources.

Greene County Road 710 South is the route from Newberry, Indiana to US 231. Without relocating this road the interchange at I-69 and US 231 would cut this route off from US 231. The relocated Greene County Road 710 South does not cut through forested areas or remove pavement. The pavement that will be removed is the portion of existing Greene County Road 710 South that is in the future I-69/US 231 interchange area. It is the interchange, not the relocated Greene County Road 710 South, which removes the pavement. At the western side of the I-69/US 231 interchange the relocated Greene County Road 710 South will go south using existing Greene County Road 75 East and then a new access/county road will be built from Greene County Road 75 East to US 231. This will be a two-lane access/county road that is approximately 1,500 feet long and will go through agricultural land.



**AS003-4**

**Comment:** In regards to the other activities that will impact Waters of the State, the agency recommends that you continue to look at avoidance and minimization measures as you finalize the National Environmental Policy Act process. Since actual wetland data forms were not included in the DEIS, it is important to note that the 1987 Army Corps of Engineers Wetland Delineation Manual has been modified to include Regional Supplements. For any wetland that has not been delineated you must ensure that you are using the applicable Regional Supplement. In regards to compensatory mitigation for this project, the agency has no specific comments since you are using a wetland and stream mitigation bank.

Thank you for allowing us the opportunity to comment on this project. Should you have any questions about this letter, please contact Jason Randolph, Project Manager, of my staff at 317-233-0467, or you may contact the Office of Water Quality through the IDEM Environmental Helpline (1-800-451-6027).

**Response:** The wetland delineations provided with the FEIS use the most current Corps procedures. These delineations were completed between release of the DEIS and FEIS in order to update to the recent Interim Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Midwest Region.

**LOCAL GOVERNMENT (LG)**

**LG001      Ron Arnold                  Daviess County Economic Development  
2/25/09                                  Corporation  
Letter**

**Comment:** We are strongly petitioning that County road 800 North be identified for grade separation. This east to west road had been identified for upgrades due to the transportation mode of the Amish Community.

**Response:** An overpass is recommended at County Road 800 N.

**LG002      C. Michael Taylor    Daviess County Commissioner, Section 3  
2/26/09                                  Comment Sheet**

**Comment:** CR 750 N to 900 N options – Option 3 with mod  
Close CR 900 N westbound – then Hardsurface CR 900 N eastbound to CR 650  
E – then Hardsurface CR 600 E northbound from 900 N to CR 1000 N

**Response:** The overpass at Daviess CR 900 N has been eliminated from the project. An overpass at Daviess CR 900 N was not included in the Tier 1 Study. The overpass was added for consideration by a CAC member in the Tier 2 Study. The overpass was eliminated due to low forecasted traffic volumes compared with the cost of the overpass. While INDOT recognizes the request to improve CR 900 N and CR 600 E, these improvements will not be a part of the I-69 project.



**LG003**      **Phillip Cornelius**      **Daviess County Highway Department**  
**2/26/09**  
**Comment Sheet**

**Comment:** CR 750 N to 900 N options – Option 3 with mod  
Close CR 900 N westbound then hardsurface CR 900 N eastbound to CR 650 E  
– then hardsurface CR 600 E northbound from 900 N to CR 1000 N

**Response:** Please refer to the response to comment LG002.

**LG004**      **Anthony Wichman**      **Board of Daviess County Commissioners**  
**6/4/09**  
**Letter**

**LG004-1**

**Comment:** After our review of I-69 Section III Preliminary Plans, please consider our comments attached below:

250E -Option 1: Relocate 250E from 200N, approximately 500' east of 200E, to a point approximately 0.50 mile north of 250N.

Alternate 250E -Option 2: Relocate 250E from 200N at the intersection of 200E, to 250N, thence east on 250N approximately 1,800', thence north on relocated 250E a distance of approximately 0.50 mile.

Daviess County Highway Department prefers option 2.

**Response:** The Extension of County Road 200 E from County Road 200 N to County Road 250 N is recommended. The access road replacing County Road 250 E from County Road 200 N to County Road 250 N west of I-69 has been eliminated.

**LG004-2**

**Comment:** 750/800N-Option1: 800N remains open, Close 750N.  
750/800N-Option 2: 800N remains open. 750N remains open.  
750/800N-Option 3: 800N remains open. Close 750N, Build frontage road along I-69 from 450E to 750N.

Daviess County Highway Department prefers option 3,

**Response:** County Road 800 N will have an overpass. County Road 750 N will not have an overpass, but an access road will be constructed from County Road 450 E south of I-69 to CR 750 N (east of I-69).



**LG004-3**

**Comment:** 900N-Option 1: 900N remains open,  
900N-Option 2: Close 900N at I-69  
Alternate 800N –Option 3: Close 800N at I-69. Improve 800N, from 550E to 650E and  
600E, from 900N to 1000N,

Daviess County Highway Department prefers option 3.

**Response:** Please refer to the response to comment LG002. CR 800 N will have an overpass at I-69.

**LG004-4**

**Comment:** 500E/1400N -Option 1: 1400N remains open. Close 500E.  
Alternate 500E/1400N -Option 2: Close 1400N at I-69. Relocate 500E approximately  
600'to the west at S.R. 58 and reconstruct 500E, 2000' north and 2,500' south of S.R.  
58.

Daviess County Highway Department prefers option 2.

**Response:** The overpass at County Road 1400 N is eliminated. County Road 500 E will not be closed but relocated west of the Odon Water Company site.

**LG004-5**

**Comment:** Alternate 1500N -Option 1: Improve the intersection of 1500N and S.R. 57.

Daviess county Highway Department prefers Option 1. Daviess County Highway Department feels that traffic patterns will be redirected in such a way to increase traffic volumes at state road 57 and county road 1500N. Due to the bad traffic geometry, at this location we feel that an intersection improvement will be needed, in order to maintain safety.

**Response:** The intersection of State Road 57 at County Road 1500 N may be improved. This determination will be made in final design.

**LG005** **Larry McLin Daviess County Highway Department**  
**6/4/09**  
**Letter**

**LG005-1**

**Comment:** After our review of I-69 Section III Preliminary Plans, please consider our comments attached below:

250E -Option 1: Relocate 250E from 200N, approximately 500' east of 200E, to a point approximately 0.50 mile north of 250N.



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Alternate 250E -Option 2: Relocate 250E from 200N at the intersection of 200E, to 250N, thence east on 250N approximately 1,800', thence north on relocated 250E a distance of approximately 0.50 mile.

Daviess County Highway Department prefers option 2.

**Response:** Please refer to the response to comment LG004-1.

**LG005-2**

**Comment:** 750/800N-Option1: 800N remains open, Close 750N.  
750/800N-Option 2: 800N remains open. 750N remains open.  
750/800N-Option 3: 800N remains open. Close 750N, Build frontage road along I-69 from 450E to 750N.

Daviess County Highway Department prefers option 3,

**Response:** County Road 800 N will have an overpass. County Road 750 N will not have an overpass, but an access road will be constructed from County Road 450 E south of I-69 to CR 750 N (east of I-69).

**LG005-3**

**Comment:** 900N-Option 1: 900N remains open,  
900N-Option 2: Close 900N at I-69  
Alternate 800N -Option 3: Close 800N at I-69. Improve 800N, from 550E to 650E and 600E, from 900N to 1000N,

Daviess County Highway Department prefers option 3.

**Response:** Please refer to the response to comments LG002 and LG004-3.

**LG005-4**

**Comment:** 500E/1400N -Option 1: 1400N remains open. Close 500E.  
Alternate 500E/1400N -Option 2: Close 1400N at I-69. Relocate 500E approximately 600'to the west at S.R. 58 and reconstruct 500E, 2000' north and 2,500' south of S.R. 58.

Daviess County Highway Department prefers option 2.

**Response:** The overpass at County Road 1400 N is eliminated. County Road 500 E will not be closed but relocated west of the Odon Water Company site.



**LG005-5**

**Comment:** Alternate 1500N -Option 1: Improve the intersection of 1500N and S,R. 57.

Daviess county Highway Department prefers Option 1. Daviess County Highway Department feels that traffic patterns will be redirected in such a way to increase traffic volumes at state road 57 and county road 500N. Due to the bad traffic geometry, at this location we feel that an intersection improvement will be needed, in order to maintain safety.

**Response:** The intersection of State Road 57 at County Road 1500 N will be improved.

**PUBLIC COMMENTS (PG)**

**PC001      Tess Cook**  
**1/30/09**  
**E-mail**

**Comment:** 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 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.

**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. There is limited box turtle habitat in the Section 3 project area; coordination with IDNR regarding potential impacts to the eastern box turtle during construction in other Sections of I-69 is ongoing and development of additional protocols is under development.

**PC002**      **Tess Cook**  
**2/6/09**  
**Hotline**

**Comment:** My name is Tess Cook, my address is 3605 E. Robin Road, Bloomington, IN 47401, 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 “silt” fence along the route and people went out 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].

**Response:** Please refer to the response to comment PC001.

**PC003**      **Tess Cook**  
**2/6/09**  
**E-mail**

**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 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 {part of the comment has been lost}

**Response:** Please refer to the response to comment PC001.

**PC004**      **Jeff Householder**  
**2/06/09**  
**Website Comment**

**Comment:** There is a significant appendix in the FEIS regarding median widths, safety, and costs. Ohio has recently reconstructed the I-71 from Cleveland to Columbus. As part of that reconstruction a third lane was added in each direction, reducing the median width from 84’ to 60’. Since its completion, concern over the frequency/severity of cross-over has led to ODOT installing cable rail in the median the entire length of the corridor. I would suggest contacting ODOT central office and reviewing their recent experience on this matter for more insight. A sustantial reduction in highway deaths over the life of the freeway (50+ years) would be worth the nominal cost of the wider median

**Response:** The 60 foot median width meets INDOT design standards. The initial design criteria for this project provided for an 84-foot median so that a 3<sup>rd</sup> travel lane in each direction could be added in the future, with the highway still having a 60-foot median. As traffic forecasts for I-69 were developed and analyzed, it was determined that there would be no need for a 3<sup>rd</sup> travel lane in the foreseeable future. Accordingly, alternative design criteria were developed which provide for a 60-foot median.

Contacts were made with ODOT engineering staff. They stated that ODOT has not installed any type of cable barrier on I-71 but have on other Ohio interstates. There has been discussion on the possibility of installing the barriers at a later date.

FEIS Appendix V, *Median Width and Safety*, contains a comprehensive analysis of peer-reviewed research on the topic of the relationship between median width and safety for rural freeways. It found that there is a “leveling off” of crash rates when highway medians become wider than 60 feet –there is little (if any) marginal safety benefit to having rural freeway medians wider than 60 feet.



**PC005a Gary Moody**  
**2/10/09**  
**Website Comment**

**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 shills, 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. 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 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 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.

In addition, dozens of public comments have been received on the DEISs for both Sections 2 and 3 which cite the need for I-69 to serve coal shipments in the region. Coal truck movements in the area are commercial in nature. Customers include the large power plants in Pike County north of Petersburg. In a comment letter on the Section 2 DEIS, Ms. Ann Murtlow, President and CEO of Indianapolis Power and Light, indicated that its Petersburg location purchases approximately 7,000,000 tons of coal annually from local southern Indiana mines, and that at least half of this coal is transported by truck.



**PC005b Gary Moody**  
**2/10/09**  
**Website Comment**

**Comment:** Mr. Pluckebaum:

Thank you for your reply.

If you would please save me embarrassment, please note that the bypass infrastructure I alluded to is obviously in Terre Haute, not Vincennes. Therefore I should have said:

“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 shills, 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. 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 Martinsville, or as close as possible, and thence to Vincennes, and thence to Terre Haute, where INDOT has already built bypass infrastructure (SR 641) which is sitting unfinished and unused. Further improvements to the route can then be planned. And SR 37 is fine as it is now, thank you very much.

Please pardon my error.

GM

**Response:** Please refer to the response to comment PC005a.

**PC006 Eva J. Willis**  
**2/26/09**  
**Comment Sheet**

**Comment:** Reasons I am AGAINST I-69:

- \* \$300,000,000.00 - \$400,000,000.00 - million!! – could be much better used to fix the existing roadways or other worthwhile projects. This is a gigantic waste of money!
- \* People choose to live in this area that has no major highways + Interstates. This choice is being taken away.



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- \* Much of the farmland and property required has been owned by family members for several generations. It is a part of our heritage! You're upsetting our personal family history – and future! And for what? A Road!!!
- \* Dividing a farm by an Interstate makes it much less profitable, less valuable, + indeed more difficult to farm. No difference how you cut it perpendicular or otherwise
- \* There are alternatives to building I-69 – Use existing highways such as I-41.
- \* In this time of economic problems – Save the \$\$ - This road is NOT needed! Just leave us alone! This would reduce the environmental impact + everything else!!

**Response:** 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.

Farmland impacts are detailed in section 5.4 of the DEIS. 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, access will be provided to parcels that would otherwise be landlocked as a result of the project.

**PC007      John Lease**  
**2/26/09**  
**Comment Sheet**

**Comment:** I am 76 yrs old. I live where the cloverleaf on 58. This takes my Home. This is A Hardship Request.

**Response:** INDOT Hardship Acquisition Request materials have been provided to the property owner.

**PC008      Travis Barker**  
**2/26/09**  
**Comment Sheet**

**Comment:** This I-69 is unnecessary and a waste of money. Either upgrade US 41 or extend and widen 37 down to I-64. Why build a highway on unspoiled ground? Why waste millions of dollars on a new road and ruin good farmland? The State Highway can't



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maintain the bridges and roads we have now. Will the current highways and bridges be neglected because of pouring money into I-69? Many factories have moved to Mexico because of cheap labor. Why build I-69 to make it easier for these companies to move their cheap products through our country? The drug problem is out of control in Mexico. Thousands of gang members have killed each other this past year. The Mexican drug cartels are obtaining their weapons from the U.S. and sending their drugs into our country. I-69 will become a drug corridor for these cartels. How will these drugs and violence benefit our communities?

**Response:** There is no evidence that drug-related crime (or other forms of crime) will be impacted either positively or negatively by the presence of a new highway between Indianapolis and Evansville. See response to Comment PC056-6 regarding INDOT plans for maintaining existing highways.

Please refer to the response to comment PC006.

**PC009**      **Carl Lohkamp**                      **Self and Defense Research Associates**  
**2/26/09**  
**Comment Sheet**

**Comment:** 1. I am very much for I-69 as now planned.  
2. I prefer option 1 for the 231 interchange. Lets do it like it works for future growth. Lets do full diamond. Least desirable is option #2, single point.

**Response:** The tight diamond interchange (option #3) is the preferred because it significantly reduces environmental impacts. Multiple environmental review agencies preferred options 2 and 3.

**PC010**      **Brianne Perigo**  
**2/26/09**  
**Comment Sheet**

**Comment:** US 231 Interchange Options: Option 3 would be the most ideal, I think. Option 1 is too large for the area and option 2 is way too confusing. Mr. Pluckebaum's analogy of the Lloyd Expressway painted a clear picture. (Personally, I have a difficult time with that interchange in Evansville.) Therefore, I would go with Option 3.

Great presentation! Thank you.

**Response:** Please refer to the response to comment PC009.



**PC011**      **Mark Wickman**  
**2/26/09**  
**Comment Sheet**

**Comment:** This is a great project!!  
Please, Full speed ahead.  
I have one request. Please add a bicycle lane along Hwy 231 from the city limits of Loogootee going north, to Sr 645. This highway is traveled heavily by CRANE employees + a bike lane would greatly impact the health of those that use it.  
Thank you.

**Response:** A bike lane would not be related to the I-69 project. However, your comment has been forwarded to the appropriate staff at INDOT.

**PC012**      **Kay and Steve Sander**  
**2/26/09**  
**Comment Sheet**

**Comment:** We request that the overpass for “County Rd 1400 N” that intersects Rd 500 E + 550 E be kept open with overpass over I69 as currently proposed.

This would benefit farmers in the area to get the fields that they farm.

{signed} Kay + Steve Sander

**Response:** The overpass at County Road 1400 N has been eliminated. The intersection of County Road 1500 N at State Road 57 will be improved, which will provide better access for the community.

**PC013**      **Joe Wellman**  
**2/26/09**  
**Comment Sheet**

**Comment:** I’ve been following + promoting + going to meetings + hearings on I69 since 1984 + I’m so happy to see it continuing to progress. I don’t have anything to say that I haven’t already said + commented on at previous hearings. I just hope nothing further stops I-69 progress.

I-69 is an investment in + for the future just as the first road, highway, canal + railroad was. It’s about providing jobs + economic activity to our area that has been neglected long enough.

Let’s just get on with it!!

**Response:** Comment noted.



**PC014**      **Darin S. Holder**  
**2/26/09**  
**Comment Sheet**

**Comment:** I support the building of I69 as proposed and encourage its construction to be completed as quickly as possible!

I recommend option #3 for the US 231 exchange, option #1 for the CR 1400 N Access, Option #3 for CR 750N to CR 900N Access and Option #1 for CR 350 Access. Recommend that the potential rest area be moved south to another location and leave CR 1100 N open.

{signed} Darin S. Holder  
3/26/09

**Response:** Please refer to the response to comment LG002 regarding County Road 900 North.

A tight diamond interchange is recommended at US Route 231. The overpass at County Road 1400 North has been eliminated. The overpass at County Road 750 North has been eliminated and a frontage road from County Road 450 East (south of I-69) to County Road 750 North (east of I-69) is recommended. The overpass at CR 350 North has been eliminated. The rest area remains at County Road 1100 North.

**PC015**      **Matthew Rollins**  
**2/26/09**  
**Spoken Comment**

**Comment:** My name is Matthew Rollins. Mother and father's place is cut off from the rest of the county. They won't have access to their own county that they live in. And what is I-69 going to do about that? I mean, for them to leave the house, they'll have to drive into a different county, turn around and get back in their own county.

**Response:** Daviess County Road 800 East will not have a grade separation at I-69. Both the closest road to the west, which is Daviess County Road 700 East and the closest road to the east, which is Daviess County Road 900 East will have grade separations. Grade separations are estimated to cost approximately \$2 million apiece. A grade separation at Daviess County Road 800 East would only serve one house on the north side of I-69 in Daviess County.

The Tier 1 FEIS (<http://deis.i69indyevn.org/FEIS/index.html>) recommended certain county roads for closure. Section 5.3.2.2 of the DEIS discusses addresses 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.



**PC016**      **Thomas Tokarski**  
**2/26/09**  
**Spoken Comment**

**Comment:** The cost of the first three sections of I-69 has doubled since the release of the Tier 1 Final EIS in 2003. The next three sections would be the most expensive to build. Their cost would also be expected to double. The total cost now is conservatively estimated at \$4.5 billion. Because of this huge increase, the project is being cheapened. They are proposing to use asphalt instead of concrete. Bridge beams will be treatment. Some interchanges are being built to a lesser standard that will make it dangerous. Some interchanges and service roads would be eliminated or deferred and deferred means it may never be built. For example, the interchange at 231 would be delayed until Section 4 is built. Some propose an over and underpass be eliminated to hold down cost. Using asphalt means more operating and maintenance cost in the future. Deferred structures does not make them less expensive. It makes them more expensive to build later if they're ever built. Overall, access will be significantly reduced. In general, the benefits of I-69 are being reduced while the costs skyrocket. Costs will certainly fire away any presumed evidence. Even good highways are not economic saviors.

Indiana ranks 10<sup>th</sup> in the nation interstate highway density, 6<sup>th</sup> overall road in density; yet, its economy has been faltering for years. It now has an unemployment rate of 9.2 percent, one of the highest in the whole country.

You asked for our input. We want the record to show that 145,000 citizens have signed petitions opposing INDOT's preferred route for I-69. Most of these has already been given to INDOT, and so far they have not shown up on the record. Please put the names of 145,000 signatures/citizens on the record.

I-69 is not a done deal. We continue to offer a viable, reasonable, environmental and socially acceptable, far less costly alternative. Fix the roads we have. No I-69. Thank you.

**Response:** 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. Deferrals which INDOT is considering would require that portions of the project (e.g., the full interchange at US 231) be constructed when they are needed. The US 231 interchange will be needed once travel further north and east on I-69 is possible; it would be an unsound use of INDOT's funds to build this full interchange long before it could be used. See response to Comment PC056-8 and FEIS Section 6.2.2 for additional discussion of the deferral of the full interchange construction at US 231.

Other portions of this comment (such as information about existing Interstate highways in Indiana and input in favor of or opposed to the project) were considered during Tier 1 studies, and requires no further response in this Tier 2 study.



**PC017 Sandra Tokarksi**  
**2/26/09**  
**Spoken Comment**

**Comment:** The INDOT –oh, I’m Sandra Tokarski. I’m from Stanford, Indiana. The INDOT officials and the consultants who listen so politely to our concerns are listening because they have an ulterior motive. The reason they are so interested in our public comment is because they want our land. They want our land so that they can continue the stranglehold that the highway construction lobby has on our transportation tax dollars. INDOT is required to take public comments. Unfortunately, they are not required to listen. I-69 is not being planned to benefit our rural communities. 4,500 acres of farmland will be taken and paved. 2,200 acres of forest will be destroyed. 400 homes will be destroyed. At least 135 mobile roads will be closed. This will cause great difficulty for emergency response vehicles, school buses, and local citizens. I-69 is a highway for the 1950s. It is draining our tax dollars while using our land and our communities. Stop this wasteful I-69 project. Let’s fix the roads we have. Thank you all for coming.

**Response:** Chapter 11 of the DEIS outlines the many and various efforts in which public comments were collected and incorporated into the Tier 2 study. 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 section of the study. This comment addresses a Tier 1 issue and requires no further response in this Tier 2 document.

Impacts of access changes due to I-69 were fully considered in this study. See FEIS Section 5.3.5, where impacts to schools, churches, fire, police, EMS and other community facilities and services are evaluated.

**PC018 Tom Jochin**  
**2/26/09**  
**Spoken Comment**

**Comment:** Yes, thank you, Rickie. You give us two minutes to voice our concerns about why we don’t want the highway. Yet, it took you three minutes to explain how to use that silly spotlight. Now, surely, you can give us more time to talk about this—what you call a milestone here at this meeting. You keep asking for our comments and concerns, telling us they are important. Yet, you don’t let us know what the weight of the comments are as far as how many are for or against the highway when INDOT released that stuff. You worried about saving \$7 million when you were picking one alternate route. You could cut the cost in half if you just went up 45—I mean, up through Terre Haute taking 41, so I do not believe you really are concerned that much about saving money. It’s a huge waste of money, and I think you should really be thinking about just eliminating the whole system. The true milestone that I’m looking for is when you decide it is a frivolous waste of money, and you’re going to decide not to build I-69. Thank you.

**Response:** Please refer to the responses for comments PC006 and PC017.



**PC019**      **Tim Maloney**                      **Hoosier Environmental Council**  
**2/26/09**  
**Spoken Comment**

**Comment:** Thank you. My name is Tim Maloney. I'm with the Hoosier Environmental Council. INDOT's Tier 1 environmental study has already disclosed that I-69 will have substantial environmental impacts, over 7,600 acres of forest lands, wildlife habitats and farming lost. But what the study doesn't fully disclose, but should are the financial uncertainties and risks to affected communities. Instead of strengthening southwest Indiana's transportation network as claimed, I-69 will actually harm this network. Building the highway will come at the expense of other roads in this region and throughout the state. Consider these facts. INDOT's own numbers tell us that it will cost at least \$1 billion to build I-69 from I-64 to U.S. 231. And those numbers also tell us that the whole route is at least \$3 billion and more likely to conduct at \$4 billion or more. This is being proposed at the same time the state's gas tax revenues are declining, and local roads and streets throughout the state have a \$2.2 billion funding shortfall in the short term and a \$600 million shortfall on an annual basis. These cost problems will result in reduced features for I-69 and uncertainty about its completion. Building I-69 from 231 to Indianapolis will not occur any sooner than 2016 and likely much later. And the federal stimulus dollars will not solve I-69's financial challenges.

To summarize, INDOT cannot justify the high cost or adequately mitigate the environmental damage of this highway. Our view is the only sensible choice is to improve the existing roads; and if I-69 is built, use I-70 and U.S. 41. Thank you.

**Response:** Please refer to the response for comment PC006.

**PC020**      **Frank Petty**  
**2/26/09**  
**Spoken Comment**

**Comment:** Thank you, sir. My comments are –(inaudible)—the State of Kentucky, they're using existing roads. Why can't we use 41 and 70? And besides that, as has already been stated, I'd like anybody that's here that's for this project just to consider, you know, maybe 10 percent or 30 percent of your income for the rest of your life, and your kids' inheritance to that amount, why don't you just send that in because that's what you're asking the rest of these landowners to do. That's what I'd like some of these people to think about. That's all I have to say.

**Response:** Please refer to the response to comment PC006.

In accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, 49 CFR (Code of Federal Regulations) 24, 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.



**PC021**      **Gary Heshelman**  
**2/26/09**  
**Spoken Comment**

**Comment:** Yes, I'm concerned with the Section 3D-3, and one of the comments we were talking about is improving traffic safety and building the highway as well as some of the comments made that you wasn't dividing property, dividing the farm in two. Well, I'm concerned because you are dividing my farm in two, which I understand that has to happen. But the other thing is the concern to me is you're closing all the county roads around me. So to get to the other side of the farm is going to take a four-mile or plus trip to get to the other side of the farm, and part of that mileage is going to be on Highway 57, which is not a safety factor if you're taking a tractor on the highway.

The other thing, of course, I was told that we would be paid for the land taken, but we're not being paid for the inconvenience of traveling that extra four-plus miles to get to the other part of the farm as well as the added cost that its going to take to get there and the extra time. And in today's economy that is important on whether you're going to be making any money on the farm or not.

The other thing we need to consider is fire protection. And so by closing these roads you're adding an increased travel for fire protection for the people that live there. And the roads I'm talking about, 1600 North or 1550 North. Both of those will be closed as well as County Road 600 East. Yes, I would like to have 1600 North left open with a bypass because that's one next to the farm, but its also a gravel road. 1550 North is a blacktop road, which is only about a half mile from the farm, so it would make it much more convenient for us to get to the other side of the farm if there was an overpass or an underpass or whatever you want to do, something that we would cross Interstate 69 on the 1550 North. And you would make it a lot more convenient for everybody that lives in that area. Thank you.

**Response:** Please refer to the responses to comments PC006 and PC015. Sections 5.4.2.3 and 5.4.3.3 discuss the impacts of the I-69 upon existing farm operations due to the dividing of farm fields. Section 5.4.4 discusses efforts to mitigate these impacts.

Daviess County Roads 1550 North, 1600 North and 600 East will not have grade separations at I-69. There are only a few homes on these roads and Daviess County Road 1500 North, which is one-half mile from 1550 North and one mile from 1600 North, and Daviess County Road 700 East, which is one mile from 600 East, will both have grade separations. Grade separations are estimated to cost approximately \$2 million each and are not cost feasible on every county road. Fire protection from Elnora, and other travelers to/from Elnora, would be able to cross I-69 at Daviess County Road 1500 North and than go north on Daviess County Road 600 East to the residences on both Daviess County Roads 1550 North and 1600 North without any blockages or detours.



**PC022 William Boyd**  
**2/26/09**  
**Spoken Comment**

**Comment:** You've heard it here tonight. Cost is the biggest factor to INDOT. INDOT does not have the money to build this highway complete even up to 231. If it's built, it will end up being a toll road. Guaranteed. Now, I ask that INDOT identify full funding and all the costs so that the public knows exactly what we're getting into. The cost—the maintenance is going to increase. We don't have the money to keep up the roads that we have now. We need guardrails. We need wider shoulders. We don't have that. We need it. This highway will take away that money.

We've already talked about the roads being closed. It has to do with farm safety, emergency response, and the list goes on. Personal access is impacted by the roads being closed.

The historical study, there are quite a number of structures that were not properly inventoried and not mentioned or given the consideration that they should be in a historical study.

Want to build it cheap. You want to make it out of asphalt just like the county roads that are falling apart today. We can't maintain the roads we have. Why build more?

Interchanges. The personal accessibility, if you cut off the roads, you impact personal access.

This is a very old study, four years old plus. It needs to be updated.

One of the goals is economic opportunity. I suggest that you can buy a lottery ticket and have more economic opportunity than this highway will ever bring.

The drainage problems, there is no engineer's report about what is going to happen with the—with the drainage. That's a problem. The length of time given for the comments is absolutely too short. This document right here, we're expected to comment in 60 days that's taken them four years to assemble. I'm asking INDOT today for an additional 180 days to receive public comments from today. The public comment period never ends.

Highway created jobs. That's a worn-out INDOT saying.

And, Mr. Clark, I see my time is up. I will take advantage of your offer after everyone else has the opportunity to speak to come back up and offer additional comments because I'm not done. Thank you.

**Response:** As noted in Section 1.2.3 of the this FEIS, only non-tolled alternatives are under consideration for completion of I-69.



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Please refer to the response to Comment PC015 regarding road closures.

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 FEIS.

Personal accessibility is measured by access to the interstate system, and regional destinations, such as Bloomington, Indianapolis and Evansville. See FEIS Section 2.3.2. This regional access is not meaningfully affected by local road closures.

The historic resource studies, as part of the Section 106 process, fully inventoried all historic resources in the project area and identified any effects of the project on these resources. This evaluation is provided in FEIS Appendix N, *Section 106 Documentation*.

This DEIS was written over a four year period. Its findings reflect current conditions and the most recent available data.

The comment does not describe any specific drainage issues. The engineering analysis considers drainage issues, and ensures that adequate provisions are made for water flows. In addition, a permit must be obtained for any portion of I-69 which is within a floodway. See FEIS Section 5.23.5.

**PC023**      **Brian Garvey**  
**2/26/09**  
**Spoken Comment**

**Comment:** My name is Brian Garvey for the record. INDOT is here to find out what is important to you. How many would like to see this highway completely just go away? Raise your hands.

That can happen, you know. A stroke of the pen. People say, well, I don't want it, but it's going to happen. Well, the gentleman who said it was dividing his farm – I have a farm in southwest Monroe County, 180-acre farm. And he said it has to happen. It doesn't have to happen at all. It absolutely does not have to happen. If you look at the idea behind this, it's a political road. You think this thing is going to – what is important to people around me besides loving where they live in the community? What's important? Good schools. Low crime. Access to decent medical. A job. Good roads.

Does this highway give you any of that? It's not being built for us. It never was going to be built for us. They'll tell you it will slice your bread and deliver it warm if they think you'll believe it.

And this isn't personal. These guys are just doing their job. But it's who they're doing their job for. That's what's wrong. They're doing their job for the auto and road lobby; and this is an old, old trick, and they've been doing it for years and years. But it's beginning to change, and we can be a part of that change. But we have



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to tell them, I don't think it's a good idea. Tell your county people it's not a good idea. We don't want—we don't have to expect this. It doesn't have to be this way because their studies are all skewed to one result. It's going to be built. But it's important for all of you to know that this can be stopped.

Remember Marble Hill and start going down the list of great ideas that are going to change your life and give you quality of life and give you jobs and win the election. That's what this is about.

So don't accept when they say there's no change. You know, this is how it begins, nights like tonight and continuing. Twenty years ago they said they'd start turning soil, and they haven't.

**Response:** Please refer to the response to comment PC006 regarding farmland impacts.

As noted in Section 6.2.2 of the Tier 1 FEIS (<http://deis.i69indyevn.org/FEIS/index.html>), the No Build Alternative does not address the project goals and offers no transportation or economic benefits. Therefore, the No Build Alternative is a non-preferred alternative.

As noted in Section 3.3 of the DEIS, I-69 will increase personal accessibility for area residents, improve traffic safety, and will support local economic development initiatives.

**PC024**      **Jess Gwinn**  
**2/26/09**  
**Spoken Comment**

**Comment:** My name is Jess Gwinn from Solsberry, Indiana, which is in Greene County. Several years ago I went to a meeting where one of the county commissioners was present, and he told everybody at that meeting that there would be no roads closed in Greene County. He said that was the word from INDOT, and he was so certain that was going to happen. Well, the Section 3 in Greene County, a couple of miles, they've already got two roads closed. And if you look at Gibson, Pike and Daviess Counties, each of those counties has—there's at least a couple dozen roads closed, and it's going to be the same all the way throughout. We've been told one thing all along, and we're getting something else, which is going to completely destroy and ruin a lot of people's lives. They're going to lose their access. The farms are going to be cut off. And like one fellow said, he's going to have to travel miles to get around. I've lived in a lot of these areas, and I can see how far they're going to have to go to get from one side of the highway to the other. It's not about our convenience. It's about the convenience of the truckers going from Indianapolis to Evansville. Like the people have said, we've got comments and alternative that's been proposed for 20 years ever since this project was first dreamed up. 41 to 70 will be a fraction of the cost. The cost now they're estimating is beyond anybody's control. This is crazy that you're pushing this highway through. Now they're talking about the cost going up so high. We're talking using cheaper materials, cheaper techniques, cheaper everything. But nobody wants to acknowledge it. Anytime you go down in costs up front, you're going to keep working



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behind, so all of our maintenance costs are going to go way up. Nobody wants to talk about that, but they're going to keep building new roads, less interchanges, more road closings, foreign materials, asphalt and concrete are all going to be paid for much higher in the end. Let's just build the common sense road we've all talked about for 20 years now: 41 to 70. It's so plain to everybody else. Why is it not plain to INDOT? Thank you.

**Response:** Please refer to the responses to comments PC015 regarding road closure and PC006 regarding the Tier 1 Alternative 1.

An analysis of local economic impacts is included in Section 5.5 of the DEIS. Indirect economic impacts include the inducement of economic activity from improved access, including a projection of over 347 additional housing units and 883 jobs in the Section 3 area.

A range of engineering criteria are being evaluated for their applicability to this project. All engineering criteria being considered satisfy the requirements of the Indiana Design Manual, INDOT's reference for highway design.

**PC025**      **Eva Willis**  
**2/26/09**  
**Spoken Comment**

**Comment:** My name is Eva Willis, and I live in Scotland, Indiana. The reasons I am against I-69 are not new. I'm sure you've heard them over and over. But I have found that when teaching small children, repetition helps; and in brain research we're told it takes 3,000 times before a person actually gets it. I'm hoping maybe this is the 3,000<sup>th</sup> time that you'll get it.

\$300 million to \$400 million could be much better used to fix the existing roads that we have or other worthwhile projects. This is a gigantic waste of our money.

People choose to live in this area that has no major highways and no interstates. This choice is being taken away. Much of the farmland and the property required for this I-69 has been owned by family members for several generations. It is a part of our heritage. You're upsetting our personal family history. You're upsetting our future. And for what? A road. Dividing a farm by an interstate makes it much less profitable, makes it less valuable and indeed more difficult to farm. And it doesn't matter whether you're cutting it perpendicular, diagonally, circles or whatever. There are alternatives to building I-69. Use the existing highway such as I-41 and I-70.

In this time of economic problems, save the money. This road is not needed. Just leave us alone. This would reduce the environmental impact, and this would reduce everything else. Thank you.

**Response:** Please refer to the response to comment PC006.



**PC026 Betty Rollins**  
**2/26/09**  
**Spoken Comment**

**Comment:** My name is Betty Rollins, and I'm from Odon. And I'm like most of you. I don't believe that when they tell us it's going to be right at \$400 million. It's going to be much more than that. And with the economy the way it is, I don't think that you're going to convince very many people that the road is needed.

I live on road 800 East in Daviess County, and the interstate fence line will go right up next against my property line. And they are going to close off road 800 East, which means I live in Daviess County, but I'm not—I'm going to be cut off from access to Daviess County unless I want to drive all the way around Elnora.

And with that thought in mind, who will I call when I have an emergency? I mean, who is going to get to my property when the road is blocked off? Who is going to deliver my mail? What's going to happen if my house is on fire? Am I supposed to call Greene County and have them come all the way from Bloomfield or from Linton? And who is going to have it all figured out on what the best way is to get to my property? Who is going to deliver the mail? How are we going to have access to that?

And my husband and I have been married for a long time, and we've worked hard for the 52 acres that we live on and had dreams of some day leaving that to our children; and the farm has been in the family for over 100 years. And what's that going to do to my property value, being on a dead-end road? It's cut off from the access of the very county that I live in.

Sorry. I went over into the red light.

**Response:** County Road 800 East will be closed at I-69 in order to avoid relocating the house of this commenter, among other reasons. Access south into the rest of Daviess County is provided by a grade separation at County Road 700 East. Please refer to the response to comment PC015 regarding the same residence.

Please refer to the responses to comments PC006 regarding farmland impacts and PC015 regarding road closure.

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.

**PC027 Don Teachey**  
**2/26/09**  
**Spoken Comment**

**Comment:** I'm Don Teachey from Washington. I look at the word, "hearing." I wonder really what it means. I don't get any feedback from Petersburg on the word "hearing." I thought it was a two-way street. I don't get any feedback at all. I spoke a year or so



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ago, and I heard nothing from them. I remember my dad and I used to have a hearing a few years ago, and Dad and I understood each of our positions. But I'm not too sure I understand the I-69 position. I'd like to know. Really, I'd like to know.

Another one is values. An important value, of course, is greenbacks or jobs or the economy. That probably is the first in the nation. I don't think it should be in my opinion first in the nation. I hear Mr. Heshelman, and I heard another lady to say that the road 800 or maybe 750 or 900 or 350 would be closed. And some of these people are going to have to go quite awhile away—a way's awhile in order to get there. Some of these people travel rather slow. Some of these grandkids need to see grandparents on the other side of that and not travel so many miles. They need to see them quite often. Family values are replaced by economic values. That's not right.

See, when you get down to the final line, you think about values, gold-plated, diamond-studded box that will be thrown in a pit as a casket, you won't talk about those economic values then. There are other values that are important, and I think you've given up on values with I-69. So if I don't get a feedback, I don't see the values in order. If you want to talk about values, come up after this session. I'll talk to you more about values. There are more values that are important other than economic values or I-69 values.

**Response:** The public hearing also included the opportunity for the public to review displays depicting the preferred alternative identified in the DEIS, to discuss them with project staff, and to provide their verbal or written comments. Project staff were available to discuss how the preferred alternative was developed and to note input.

Please refer to the response to comment PC015 regarding road closure.

Area residents were involved in the access decision process. The results of their input are detailed in Section 11.2.1 of the DEIS. Neighborhoods and community cohesion are discussed in Section 4.2.1. Care was taken to include connectivity between communities, including those of the Old Order Amish, who have limited mobility. Although some road closings are inevitable with any interstate project, many families will have faster connectivity due to use of I-69 itself.

**PC028**      **Sue Ellen Barker**  
**2/26/09**  
**Spoken Comment**

**Comment:** I'm Sue Ellen Barker, and I'm near 231. Five generations of the Barker family have selected to live in a rural atmosphere and to preserve the land and the wildlife. The proposed highway will divide the farmland in half. So even as you were still talking, our farm will be one that will be divided in half. And my husband and one of our sons will be on the opposite side of the highway from our livestock and our farm buildings with equipment. All local roads now leading in all directions to our home, it appears they will be closed. Please don't disturb this invaluable land and its inhabitants, the two legged and the four-legged. The farmland will be destroyed forever. Use an alternate route which has already been partially paved. Thank you.



**Response:** Please see the response to comment PC015.

**PC029**      **Travis Barker**  
**2/26/09**  
**Spoken Comment**

**Comment:** My name is Travis Barker. I-69 is unnecessary and a waste of money. You could upgrade U.S. 41 or extend the 37 down to I-64. Why build a highway on unspoiled ground? Why waste millions of dollars on a new road and ruin good farmland? The state highway can't maintain the bridges and roads we have now.

Will the current highways be any better because of I-69? Many factories have moved to Mexico because of cheap labor. Why build I-69 to make it easier for these companies to move their cheap products through our country? The drug problem is out of control in Mexico. Thousands of gang members have killed each other this past year. Mexican drug cartels are obtaining weapons from the U.S. and sending their drugs into your country. I-69 will become a drug corridor for those cartels. How will these drugs and violence benefit our communities?

**Response:** Please refer to the response for Comment PC006 regarding the Tier 1 Alternative 1 and farmland impacts. Please refer to the response for Comment PC008 regarding the lack of evidence of crime impacts.

The added accessibility provided by I-69 will offer economic advantages to businesses throughout southwest Indiana. The Tier 1 DEIS forecasted that several thousand new jobs will be created due to this project.

**PC030**      **Dan Mitchell**  
**2/26/09**  
**Spoken Comment**

**Comment:** My name is Dan Mitchell. I'm from Indianapolis. I gave up four hours of work to come down here. That's a half a day's work for me. Comes right out of my pocket. But I mentioned that simply to demonstrate what kind of concern I have. I'd like a little audience participation maybe if it would be all right. Raise your hand if you feel that this is a worthwhile project to build this highway on new terrain, but then, I don't know. Is it \$4 billion? I don't know. Is this a good use of my tax money and your tax money? Raise your hand if you're in favor of building this road.

Let the record show 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11. That's—okay. 11 people.

Now, let's see your hand if you're not in favor of it, if you're opposed to it.

Okay. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11—keep counting – 21, 22, 29 – about maybe 35 people against.



I guess I'm wondering why this project isn't put up to a vote, you know, a general election or a referendum? Whose money is it? I guess—so to the 11 people that are in favor of it, I'm speaking to you. And I'm saying the voice of experience has spoken in a gold rush, and that is what this is. It's a gold rush. An artificial gold rush. The only guy that gets rich is the guy that is selling the shovels to the miners. And I guess what I'm talking about there is the people that are getting rich off of this are maybe the people that sell concrete or asphalt, the people that sell the Caterpillar road bulldozers. You see what I'm talking about?

**Response:** Please refer to the response to comment PC024 regarding economic impacts.

Public comments are only one of a number of factors considered in decisions about major transportation projects. See response to Comment PC015 regarding the wide range of public input for this project. Other factors include consideration of project benefits, costs and impacts, as well as engineering feasibility. There is generally no provision in Indiana law for highway or transportation projects to be subject to referenda.

**PC031**      **George Mendehall**  
**2/26/09**  
**Spoken Comment**

**Comment:** I'm George Mendehall. Again, I really came down here – I'm from Greene County – I mean, Greene County, yeah. That's what it is. But we're two-thirds from the intersection there, the cemetery from Historical Society because 231 – I'm not sure of what – of course, those people have been buried a good while, maybe since – I think 1860 was buried there. But just to make you guys conscious of, and so you will look at that. I'm sorry. Okay. That's all I have to say.

**Response:** The cemetery near the proposed US 231 intersection was investigated and found not to be near the alignment. The I-69 construction will have no effect on this cemetery.

**PC032**      **Joe Rollins**  
**2/26/09**  
**Spoken Comment**

**Comment:** This is Joe Rollins. The interstate appears to be on the map about 50 feet from our house. We live on 800 East, 176 North, and there's a lot of big hills around my house that's going to have to be leveled during the construction and 50 feet from my house. I just wonder what kind of value of life we'll have while the interstate is being built. And my wife made the comment that we are an Odon/Daviess County address and we're going to be a dead-end road, and we're going to be on the other side of the dead end on the Greene County side. We won't be able to go south. We just—I don't know. We've had that farm for over 100 years and in the family, and I don't think the interstate is going to benefit us a whole lot.

**Response:** Please refer to the response to comments PC026 regarding County Road 800 East and PC015 regarding the same residence.



Please refer to the responses to comments PC006 regarding farmland and PC015 regarding road closures.

**PC033**      **William Boyd**  
**2/26/09**  
**Spoken Comment**

**Comment:** Additional comments? Where are the local officials? There are no local officials here tonight. And why? Are they afraid to appear before the public because this project is not wanted by the public? Many, many, many family farms will be taken. Farms are much more valuable than any road.

INDOT wants to take public comments, but then what? They say that we will get full, equal weight and consideration. But yet, they tell us that only substantive comments will be—make it into the report. That is not—that’s filtering of comments. It is not giving full, equal weight and consideration. The comment period never ends. There is a list of every county road that’s going to be closed in the first three sections available at the back at the Citizens for Appropriate Rural Roads booth. I suggest everybody pick one up.

We had many, many jobs before this highway was even thought of. We had many jobs before NAFTA. We had to travel out of the county for those jobs.

But we live here in the county because we want this quality of life. Quality of life will be destroyed by I-69, not only in terms of noise, but the light pollution, air quality, the air that we breathe. The water will be poisoned by runoff.

Our local economies will be impacted negatively. Too many box stores will come in and take business away from local stores. Once it’s gone, it’s gone for ever. There is no getting our farmland back.

They asked for public involvement. And what, to receive comments? But then what? You say you listen to local residents, but you do not hear them. 94 percent of the people who commented were opposed to this highway. Read my lips. No I-69.

**Response:** Please refer to the responses to Comments PC006 regarding farmland impacts, PC017 regarding public comments, and PC015 regarding road closures, PC024 regarding economic impacts.

As noted in Section 6.2.2 of the Tier 1 FEIS, the No Build Alternative does not address the project goals or offer transportation or economic benefits. Therefore, the No Build Alternative is a non-preferred alternative in the Tier 1 FEIS. This comment addresses a Tier 1 issue and requires no further response in this Tier 2 document.

Environmental impacts such as noise, pollution, water quality, and air quality are discussed in Section 5 of this 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.

Over 21,000 comments were received on the Tier 1 FEIS. Thousands of these – perhaps the majority, were preprinted forms, or letters using standard text. Many of these were form letters provided by various interest groups. These comments typically



did not comment on specific points of the DEIS, other than expressing a preference for Alternative 1 (which was a non-preferred alternative in the Tier 1 DEIS).

Under the CEQ regulations, the purpose of a comment period on a DEIS is not to take a “vote” for or against a particular alternative. Rather, it is to elicit comments on the analysis and findings in the DEIS. CFR 23 § 771/125 (a)(1) summarizes the consideration of comments on a Draft EIS by stating, “After circulation of a draft EIS and consideration of comments received, a final EIS shall be prepared....The final EIS shall ...also discuss substantive comments received on the draft EIS and responses thereto....”

FHWA and INDOT made no analysis of the comments on the Tier 1 DEIS to enumerate those “for” or “against” any of the 12 alternatives considered for detailed study. This percentage was publicized by several interest groups. Representatives of these groups were provided access to all of the comments on the Tier 1 DEIS, and they made the determination described in this comment.

**PC034      Robert L. Jackson**  
**3/26/09**  
**Comment Sheet**

**Comment:** Prefer Option 3 Tight Diamond US 231 Interchange with no stop signs/lights on 231.

**Response:** Please refer to the response to comment AF001-32. During the design phase, traffic flows at the ramps for the US 231 interchange will be evaluated to determine whether traffic volumes require signalization. Preliminary analyses indicate that signalization may be necessary at these ramps between I-69 and US 231.

**PC035      Michael Krumme**  
**3/26/09**  
**Comment Sheet**

**Comment:** Well presented, informative. Comprehensive.

**Response:** Comment noted.

**PC036      J.M. Healy                  Jones and Sons, Inc**  
**4/8/09**  
**Comment Sheet**

**Comment:** Anything that can speed up the process w/b welcome. This project is 20 years overdue.

{signed} JM Healy

CFO

**Response:** Comment noted.



**PC037**      **Sam Gee**  
**4/8/09**  
**Comment Sheet**

**Comment:** Time to build the road or quit talking about it.

We/you don't need any more surveys, impact studies, town hall meetings, ect.

This is the perfect time to start with the econmy and unemployment being what they are.

The Road Construction will be a real stiumulas for the southern IN. econmy.

"Go I-69 now"

{signed} Sam Gee

**Response:** Comment noted.

**PC038**      **Linda Ault**                      **Greene County Economic Development Board**  
**4/7/08**  
**Comment Sheet**

**Comment:** 1) We favor option #3 at the 231/58 Interchange near Scotland

2) It's very important to keep county roads open for farmers, residents and emergency vehicles. I hope you can keep the under/overpasses every two miles to allow for this local traffic.

3) It is apparent that much work (and \$) has gone into this study!

4) The moderator lost a lot of people last night with his over-board instructions. The repeated information was unnecessary and appeared to be a put-down or down-talk. It wasted too much time.

**Response:** A tight diamond interchange is recommended at US Route 231.

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. Based upon this input, as well as a consideration of cost and other factors, it is not always possible to provide crossings every two miles.



**PC039**      **Mike Burch**  
**4/8/09**  
**Comment Sheet**

**Comment:** I am in support of the I-69 project. Without the time or resources to develop and articulate a quantitative and qualitative analysis of “why” I support the I-69 project, I offer only a simple observation: proportion of commerce is a function of accessible, usable, and convenient transport channels, e.g. roads/roadways, waterways, airways, and railroads.

**Response:** Comment noted.

**PC040**      **Ned Malone**  
**4/9/09**  
**Comment Sheet**

**Comment:** Regarding County Road 100 West in Greene County. Thank you for including an overpass on this road in your latest map. This overpass is necessary for the 4 houses currently on this road south of the proposed right-of-way. Otherwise these residents would be cut off from Greene County services and schools. (Police, Fire, etc) School buses would have to drive 3 miles each way thru Daviess County twice a day to transport children to school. There are currently 5 school age children and 2 preschool age children in the above mentioned homes.

Our farms and homes have been held hostage by I-69 proposals since 1990. It is time to build it or forget it.

**Response:** Please refer to the response to comment PC015 regarding road closures.

Greene County Road 100 West will have an overpass at I-69 providing north-south access on both sides of the interstate. This will provide access to Mt. Nebo Church and Cemetery and will provide access to Greene County Road 700 South which goes to the Town of Newberry to the west and US 231 to the east.

**PC041**      **Charles C. Williams**  
**4/14/09**  
**Comment Sheet**

**Comment:** I am in complete support of the I-69 project. We here in Washington, IN have been waiting for this road for over 20 years. It will bring growth and stabilization for southeast Indiana. The ability to travel on efficient and SAFE roads has been absent here in Washington.

I have one concern and that is I have read that the state is considering NOT putting in the interchange at Hwy 50 at the time the road is being built thru to Crane. I believe this is a big mistake. It would have to be less expensive to do the interchange at the time the people and equipment are in the area. Also, as I have mentioned, we have



been wanting for this access for a long time. For I-69 to come thru Washington of the Hwy 50 and not put the interchange in it immediately does not make sense.

Thank you, {signed} Charles Williams, RPH

**Response:** The interchange for U.S. Route 50 is in Section 2, not Section 3. However, the Section 2 DEIS does not recommend deferral of the U.S. 50 interchange.

**PC042** **Carrie Arnold**  
**4/24/09**  
**Website Comment**

**Comment:** Good Morning. I have some questions regarding Section 3 of the I-69 project. Any idea when right of way acquisition will start? Is there a preliminary list of parcels that will be affected? I understand this is public information. Thank you!

**Response:** There is currently no list of landowners whose property will be needed for the project. The final determination of property owners whose land will be purchased will be made during the design stage of this project, after environmental studies are completed.

**PC043** **Kenneth Toon**  
**4/30/09**  
**Website Comment**

**Comment:** I think it should be considered to blacktop CW25W to the Greene/Daviess County line and blacktop the county line to Highway 231 instead of improving CR75E from CR710S and building a new frontage road from CR75E to US231. It would eliminate the Barker family from having to travel large distances to get to both sides of their farm and also it would destruct less farm land by using existing roads instead of building new terrain roads. This option would also serve to enhance the entrance to Westgate. I think I69 should be built with the least destruction to existing homes and farms and this option would do that.

**Response:** The County Road 75 E to County Road 710 S option is preferred. It is much shorter and will involve considerably less construction impacts.

**PC044** **Randy Long**  
**5/3/09**  
**Letter**

**Comment:** **INTRODUCTION:**

My residence is located on Page 10 on the East side of the map on 700 East First Residence North of 1650 North. I am handicapped and able to function on my own, and intend to remain that way as long as possible. My residence has been modified constantly. I have resided here for over twenty years. I am a Veteran of the United States Army of twelve years. I served my country honorably, I ask only to be treated honorably in return. I am fifty years old and disabled.



**COMMENTS:**

- 1. This interstate will effect my life/ health immensely, Building and in operation.
- 2. According to the INDOT map the R/W grade on County Road 700 East will go through my living room, It is only eighty two (82) feet from the center of County Road 700 East to my front porch.

I understand that there will be adjustments as the interstate progresses. Should you move 700 closer to my residence and take some of my driveway and lawn this is going to cause drainage problems to my property and front lawn It will also remove some of my lawn which is my pride and pleasure, and reduce my property acreage by 15%. Which I am short on all ready.

- 3.I-69 in it's self will be only approximately **1000 feet** to my North.
- 4-. Any or all of the above will **decrease** the value of my home.
- 5. It is my opinion that when you grade or widen 700 E to the North, it will bring a lot of water to me and flood my property. The Daviess County Highway Department has fought this problem for years. I understand that you will take some of my driveway in the process, this will also cause drainage problems and my entrance and exit to my residence.
- 6.If you are going to build it get on with it. I realize it is a big project and will take time. People are suffering from the suspense. Where?, When? How fast will it be built?

**SUMMARY:**

If you are going to build I-69 and depreciate the property that I have worked so hard for give me a fair and reasonable settlement and let me start over. I have made some plans, and would like to get on with them. I have dealt with the anxiety now for **Nine** plus years. I would prefer not to be tortured by this interstate for the rest of my life.

I chose to buy a home in the country for peace and tranquility not to be by an interstate with all the traffic and noise. **I suffer from anxiety disorder (PTSD)- (Shell Shock in my day)**. and I need peace. **This is causing instability and heath problems in my life now!**

I would appreciate it if you would take in to consideration that I planted every tree on my property except one, It is a Canadian Spruce and is about a hundred years old. And that with my handicap It will take several years for me to reestablish myself to where I am now.

This Interstate is causing anxiety and disagreement between father and son, husband and wife. Neighbor toward Neighbor.

**Response:** Prior to land purchases the environmental process and the design has to be completed. The environmental process includes this FEIS and the Record of Decision (ROD) that comes after it. Once design is complete it will be known which residences and parcels property will be needed from. Drainage will be taken into consideration during the design of the project. Access to parcels, in addition to land actually used for right-of-way, is considered when making land purchases. INDOT also has a hardship policy which allows early purchases in cases of financial or medical hardship.

In accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, 49 CFR (Code of Federal Regulations) 24, Just



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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.

The drainage questions described here in the vicinity of CR 700E will be adequately addressed during final design.

**PC045 Rex Malone Bloomfield State Bank**  
**5/9/09**  
**Comment Sheet**

**Comment:** I am a lifetime resident (83) years in the area. Born and reared on the family farm – near Mt. Nebo Church. Familiar with Green County and Northern Daviess County. Have held civic and local governmental offices. Familiar with area farmers and businesses and Amish and Mennonites.

The I-69 Alignment in Section 3 appears to be well located. Connections with the County Road system appear adequate and well located. The total alignment impact is minimal.

The need is certainly justified for access to the area which is developing rapidly. Improved routes from the area are likewise needed.

**Response:** Comment noted.

**PC046 Kathleen Hull**  
**5/15/09**  
**Letter**

**Comment:** I am writing to tell you that I feel very strongly about how wrong it is for the proposed I-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.

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 than 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



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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:

- 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.

[http://www.uprr.com/newsinfo/releases/environment/2006/0428\\_fuel\\_economy.shtml](http://www.uprr.com/newsinfo/releases/environment/2006/0428_fuel_economy.shtml)

**Response:** Environmental impacts are discussed in Section 5 of the DEIS. In accordance with the National Environmental Policy Act (NEPA), environmental impacts have been reduced to as little as reasonably possible through the alternative selection process.

Please see the response to comment PC015 regarding road closures.

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.

**PC047 James F. Jackson**  
**5/19/09**  
**Comment Sheet**

**Comment:** This looks more like a “boon-doggle” than an international highway! It should not come from Anderson and join 465 at Indianapolis.

It should go around, away from Indianapolis.  
can 465 carry the extra traffic?

In Daviess county it goes through some of the best farm land. Are my figures right? – a mile of road takes 38.75 acre of land? This will not pay taxes for local schools that farm land can pay.

Would it be better to eliminate median and wide outside sholders? 465 at Indianapolis has some of the opposite direction lanes sepparated with a concreat barrier. This is expensive but it would save taxpaying farm land in Daviess county.

The road will go through some farms. How will Amish farmers go from one side of the highway to the other with horse pulled implements or get cattle to pasture on the other side of the highway?



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What about homes and churches destroyed? Are you to use eminent domain?

Mr. David Pluckebaum

I have commented on parts of this road that you are not in charge of. Can you bring the comments about 465 at Indianapolis to the attention of people in charge?

Volvo had a disassembled truck engine on display at the Louisville truck show. Volvo was proud to show the condition of the engine with 900,000 miles with no major repair. This truck had hauled freight from Canada to Mexico. That trucking company would like a road from Canada to Mexico with no stop signs.

I don't believe they need a road that takes as much land as is planned for I-69, with congested areas as will be at Indianapolis.

**Response:** Please refer to the response to comment PC006 regarding farmland impacts.

The Tier 1 FEIS (<http://deis.i69indyevn.org/FEIS/index.html>) indicates that I-465, as currently planned, will be able to accommodate I-69 traffic efficiently.

Medians and outside shoulders are required by the Indiana Design Manual (IDM) for all rural freeways. I-69 is being designed to satisfy all IDM requirements.

The Amish community has been coordinated with to reduce impacts. The Amish community in Daviess County is primarily to the east of the I-69 project. The preferred alternative has been located to avoid impacts to the Amish community as much as possible. An example of this is the shifting of the alignment to the western side of the study corridor in the Daviess County Road 500 and 550 North area to avoid splitting a neighborhood with Amish residents from the larger Amish community to the east. There will also be several overpasses to provide access across I-69. No churches are required for this project. Homes that are required, none of which are believed to be Amish, will be purchased in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, 49 CFR (Code of Federal Regulations) 24, and may not be less than the amount established in an approved appraisal report as the fair market value of the property.

**PC048**      **Jeanne Melchior**      **Save Our Woods**  
**5/21/09**  
**Letter**

**PC048-1**

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

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:** Please refer to the response to comment PC006.



**PC048-2**

**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.

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.

**Response:** Maintenance cost estimates are discussed in Section 3.4.4.2 of the DEIS. The Preferred Alternative has the lowest maintenance cost of any alternative. 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.

**PC048-3**

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

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 CO<sub>2</sub> into consideration. Rail must be considered as a cheaper, more sensible alternative to building more highways. 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.

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:** Section 3 is not located in Gibson, Pike, or Dubois Counties.

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 CO<sub>2</sub> 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 CO<sub>2</sub> emissions are global in nature. Analyzing how alternatives evaluated in an EIS might vary in their relatively small contribution to a global problem 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 CO<sub>2</sub> emissions in this EIS in the same way that we address other vehicle emissions.

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—particularly CO<sub>2</sub> 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.

Please refer to the response to comments PC033 regarding the No Build alternative and environmental impacts, and PC046 regarding mass transit.

**PC049**      **Clark C. Sorenson**  
**5/24/09**  
**E-mail**

**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 go...”

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.

Cheers,

Clark Sorensen  
Bloomington Indiana

**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.

**PC050      Richard Cottrell                      Daviess County Economic  
5/26/09    Development Corp.  
Letter**

**Comment:** I think that the plan you with the interchange at Hwy 58 West of Odon, closing CR 1400 N, CR 500 E and leaving CR 1500 N open going into Elnora. By leaving CR 1500N open this will let people use CR 550 E to CR 1500 N to Elnora and vice versa. It will work for buses and fans coming from the North for school functions.

I would like for the Project Manager to consider this one change. When you come off of CR 1500 Nat Hwy 57 you have a very hard time seeing to your right for any traffic going South. You must look over your shoulder to see if anyone is coming from the North also you are on an incline when you make pull on to the highway. When you want to make a left turn on to CR 1500 N traffic going South on Hwy 57 it is very dangerous by other vehicles not able to see a stopped vehicle on the curve. If CR 1500 N could be elevated up at the West edge of Fairview Cemetery and moving to the North to Hwy 57 CR 1500 N would not be flooded over and a better entrance on and off of Hwy 57.

I think after this project is completed there will be more traffic on the two county roads.

I am a board member of the Daviess County Economic Development Corp. and have a interest in the North Daviess area.



**Response:** The overpass at County Road 1400 N has been eliminated. The sight distance at the intersection of County Road 1500 N at State Road 57 will be improved.

**PC051**      **Richard Cottrell**                      **Daviess County Economic**  
**5/25/09**    **Development Corp.**  
**Website Comment**

**Comment:** I think that the plan you have with the interchange at Hwy 58 West of Odon, closing CR 1400 N and CR 500 E and leaving CR 1500 N open going into Elnora. By leaving CR 1500 N open this will let people to and from Elnora. This will work for North Daviess School.

I would like for the Project Manager to consider one thing. When you come off of CR 1500 N to Hwy 57 you have a very hard time seeing to your right you must look over your shoulder to see if any one coming from the North also you are on an incline, when you want to make a left turn off of Hwy 57 on to CR 1500 N very dangerous by other vehicles not able to see a stopped vehicle on the curve. If CR 1500 N could be raised up starting at the West edge of Fairview Cemetery and moving the entrance to the North on Hwy 57. By raising the road up it would stop the flooding and have a better entrance on and off of Hwy 57.

Once this project is finished I think that many people will use CR 550 E to CR 1500 N into Elnora and to Hwy 57.

I am asking that you give this consideration and if you need additional information please let me know.

I am a member of the Daviess County Economic Development Corp. and have a strong interest in the North Daviess area.

I think by making some changes at that intersection it would help the Town of Elnora.

**Response:** Please refer to the response for comment PC050.

**PC052**      **Carrie Arnold**  
**5/26/09**  
**Website Comment**

**Comment:** Mr. Pluckebaum, it's been about 2 weeks and I still haven't heard anything in reply to my request. Is there anything I need to do to help the process?

Thanks so much,  
Carrie Arnold

**Response:** Please refer to the response to comment PC042. Note also that all comments are treated equally, and responses are provided in this document, after the close of the comment period.



**PC053**      **Richard Smith**  
**6/1/09**  
**Website Comment**

**Comment:** Sir,

Is there anything more that we can do to hasten the construction of this road?

Please keep up your good work.

Sincerely      {signed} R.V. Smith

**Response:** Comment noted. INDOT is looking for every means possible to accelerate the construction of this project.

**PC054**      **Wayne Werne**  
**6/1/09**  
**Letter**

**PC054-1**

**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- 1-70, 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.

**PC054-2**      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 benefits 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 1? What happens if it drops to .8 or .5?

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 DEIS and the response to comment PC016 which describes INDOT'S efforts to minimize costs. Please see response to comment PC059 regarding benefit-cost analysis.

**PC054-3** 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 personal accessibility was a Tier 1 *core* goal. Improvement in personal 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, personal accessibility was measured by determining the changes in accessibility from the specific communities in each Tier 2 section to major regional destinations. In Section 3, 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.

**PC054-4** 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 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 to comment PC006 regarding farmland.

Forest impacts are discussed in Section 5.20 of the DEIS. In accordance with the National Environmental Policy Act (NEPA), forest impacts have been reduced to as little as reasonably possible through the alternative selection process. INDOT and FHWA will mitigate upland forest impacted at a ratio of 3:1. As a result of this project, the amount of forested land in Southwest Indiana actually will increase. Multiple sites have been secured for this mitigation effort.

**PC054-5** 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. 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 US Fish and Wildlife Service (USFWS) through the preparation of a Tier 2 Biological Assessment and subsequent Biological Opinion from USFWS, as required under Section 7 of the Endangered Species Act. The USFWS has taken into account potential impacts and stresses to the Indiana bat population.

Please refer to the response to comment PC001 regarding wildlife crossings.

**PC054-6** 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 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.

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:** 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.

Please refer to the response to comment PC054-6 regarding benefit-cost analysis.

**PC055**      **Jack Gainey**  
**6/2/09**  
**Hotline**

**Comment:** My name is Jack Gainey. J-a-c-k G-a-i-n-e-y. My address is 10255 N475E, Odon, IN. I understand I'm in the area of Tier 3. I contacted my local office here and he told me that I could go on the website – I-69indyevn.org and make a comment. Well I can't find any place on there to make a comment on Tier 3 like he says. So I don't know if I've given all the information that you've asked for before I was given the opportunity to make this message, but my feeling is that no one really listens to the general public about this highway. My concern right now since obviously it's a done deal - against the general consensus of the public now - for 20 years I've been coming down here and seeing the signs; that the only thing I can comment about now is the route where there are two major dog legs that are really unnecessary. One goes to Elnora, IN, in Daviess County which is in Tier 3. The other dog leg is south of Bloomington that meanders around and takes up a lot more distance that appeared to me unnecessary. I don't know why if we're making a new terrain highway, why we don't make straighter lines. The one at Elnora, goes through north of Elnora, and south of Elnora goes through a floodplain that the road would have to be built up tremendously to prevent a

new highway from even being flooded. And I have asked this question before. I told the representative in Washington that I've had to ask this question before. I'm still asking this question, and I still don't get any answers. I got a general answer from Mr. David Pluckebaum, "Well, it's easier to build in flatland." Well, a floodplain is pretty flat, but where they going to get the dirt from a flatland, that's too low anyway, to build up the highway bed? No one has answered that question, other than Mr. David Pluckebaum said, "Well, it's easier to build in flatland than in rolling areas."

**Response:** The corridor alignment for I-69 was determined in the Tier 1 FEIS (<http://deis.i69indyevn.org/FEIS/index.html>). The shape of the Preferred Alignment was determined by many environmental factors. In the vicinity of Elnora, the alignment in Tier 1 was located to keep to the west of areas of higher Amish settlements. This area also is largely agricultural, and north-south and east-west alignments make it easier to avoid splitting large farm tracts. The area southwest of Bloomington has many karst features, and the alignment in this area is situated to avoid as many of these karst features as possible.

**PC056 William Boyd Citizens for Appropriate Rural Roads  
6/4/09  
Letter**

**PC056-1**

**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 1]- Improve the transportation linkage between Evansville and Indianapolis. The need for this improvement has not been firmly established. Alternate routes are available, such as US41/I70 or I-64/I65. Both provide safe and reliable linkage with the added benefit of being immediately available. The time of travel is reasonable. The US41/170 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.

**Response:** Please refer to the response to comment PC005a.

**PC056-2**

[Reference Chapter 2.1.1, Goal 2] 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:** The Tier 1 FEIS recommended certain county roads for closure. Section 5.3.2.2 of the Section 3 DEIS discusses addresses 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

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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 11.2.1 of the DEIS. Neighborhoods and community cohesion are discussed in Section 4.2.1. Care was taken to include connectivity between communities, including those of the Old Order Amish, who have limited mobility. See for example Appendix DD, where these sort of considerations helped determine access treatments near CR 450E and CR 750N.

**PC056-3** 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. 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** This project fulfills Tier 1 goals 8 and 9 by completing Section 3 as a freeway. See FEIS Section 2.5, especially Table 2-4. Any freeway built within Section 3 performs equally well in completing this portion of the National I-69 project. The entire Evansville-to-Indianapolis section of I-69 is shown as a committed project in the current (June 2007) INDOT Long Range Plan. 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.

**PC056-4** 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 DEIS 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 DEIS 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 DEIS certainly are out of date and are therefore invalid.

**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 D, *Cost Estimation Methodology*, for details regarding procedures to estimate both construction costs and right-of-way costs.

**PC056-5** 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.



**PC056-6** 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 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.

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:** 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.

**PC056-7 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 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



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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 comments PC054-3 and PC056-2.

**PC056-8 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) 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 DEIS 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. 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.

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 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:** Please refer to the response to comment PC054-6.

The number of interchanges in Section 3 (as well as other sections) is consistent with the number of potential interchanges assumed in Tier 1. Accordingly, the FEIS (Section 3.3.1.1) states the following, “All build alternatives provide a significant level of improved accessibility to population and employment centers served by Section 3, and thereby satisfy the local goals to improve accessibility.”

The entire US 231 interchange at I-69 may not be constructed at the same time as the rest of the project in Section 3 due to construction phasing. Currently, Section 3 is expected to be approved and constructed before Section 4. Thus, until Section 4 is constructed, there is no need for a "full" interchange at US 231. If construction of the full interchange is not completed with the construction of Section 3, then a partial interchange with US 231 would be constructed so that Section 3 may be opened to traffic with a full connection to US 231 for the Section 3 portion of I-69. The partial interchange would start where the construction of I-69 mainline pavement is ended at some point west of existing US 231. The partial interchange would include the construction of some temporary roadway, drainage improvements and traffic control devices connecting the I-69 mainline to US 231. The partial interchange at US 231 will allow traffic to exit I-69 northbound and to enter I-69 southbound to accommodate Section 3 traffic. The FEIS has been revised to clarify this.

**PC056-9 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:** Please refer to the response to comment PC022.

**PC056-10** The issue of FHWA's responsibility for borrow 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.)

**PC056-11 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. 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.

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.

No documentation is obtainable from all the public meetings INDOT has held with regards to the project and this section. Many citizens voiced concerns at these public meetings, yet no record has been maintained of these verbal comments nor any follow-up has been under-taken to address these concerns.



**Response:** Please refer to the response to comment PC033.

The Community Advisory Committee (CAC) process is described in Section 11.3.2 of the FEIS. CAC meeting summaries are included in Appendix CC of this FEIS. Input obtained at public meetings is discussed in Section 11.3.3 of this FEIS. All input submitted at these at these meetings is part of the project record, and was considered in the analysis of alternatives for this project.

There have been many meetings and other public involvement opportunities over the course of this project where the public could comment on where access roads should be located. See Chapter 11 of the FEIS for the numerous public input opportunities for this project.

**PC056-12** Chap 5>1-5 pg 7/112 -Access Roads>Post Tier 2 design efforts will be required to make a final determination on access roads. Public has no input to the determination of location of access roads.

**Response:** Please refer to the response to comment PC056-11.

**PC056-13** Chap 5>1-5 pg 17/112 -There has been significant community outreach during the development of this project. Do one or two public meetings equate to "significant outreach"? Couple this with the short notice usually given to the public informing them of the meetings.

**Response:** Please refer to the response to comments PC056-11. Chapter 11 of the FEIS outlines the many forms of outreach and a three-page table of outreach activities is included on pages 11-8 through 11-10.

**PC056-14** Section 5.3.4 - Number of meeting opportunities with the public vs number of meeting opportunities with business/elected officials. This puts the general public at a serious disadvantage when offering input to the study. No meeting minutes are found in the study to evaluate the discussions at these meetings.

**Response:** The general public had numerous opportunities for comment on this project. These included open houses, public meetings, public hearings, a project office that has been open for five years for the public to get information about the project and make comments, websites, and telephone hotlines. Please see response to comment PC056-11.

**PC056-15** Chap 5.3.3.1 pg 39/112 -The disposition of uneconomic remnants (footnote 12) and severed parcels will be addressed during final design. Shouldn't this be open for discussion and included in the effects to agricultural land?

**Response:** Until final design is complete it is not possible to know where all severed parcels and uneconomic remnants such as point rows and strips of land to narrow to farm productively are located. INDOT real estate officials will work with farmers/landowners to determine which remnants are not economically viable to farm. These will be purchased by INDOT at fair market value. Locations of access roads



and all other impacts have always been open to public discussion. See Chapter 11 for the extensive amount of public involvement that has occurred with this project.

**PC056-16** Sec 5.3.3.2 @ pg41 >Roads with access to the Interstate will also have some level of access control as they approach the Interstate. This design would help to control the location of development and improve traffic flow and safety. Doesn't this action negate the "Economic Development" criteria?

**Response:** Access control, such as limiting how close a driveway can be to an interchange ramp, on the roads with access to the interstate is a safety issue which won't negatively affect economic development.

**PC056-17** Figure 5.6-1 a,b and 5.6-2a,b >QUEST> what are the traffic counts TODAY?

**Response:** The "current year" traffic volumes have been updated to the Year 2006.

**PC056-18** 5.7.5 pg 23/95 Visual impacts - no intent to mitigate>Why not? No data furnished.

**Response** Section 5.7.4 describes mitigation for visual impacts, which include a variety of context sensitive solutions.

**PC056-19** 5.9.2 Pg 36/95- Air Quality >Therefore, the conformity requirements for Section 3 must be completed before the Tier 2 ROD for Section 3 can be signed. Will the public have the opportunity to review this and afforded ample time for commenting?

Reference USDOT Memorandum, dated Feb. 20, 1998 - obligations not met.

**Response:** Chapter 11 of the DEIS outlines the many and various efforts in which public comments were collected and incorporated into the Tier 2 study. 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 section of the study. The public also had the opportunity to review and comment on the conformity analysis documentation and determination. FHWA's conformity determination on the preferred alternative is documented in Chapter 5.9 *Air Quality and* provided in Appendix BB.

**PC056-20** **COST DATA**

***Absolute Truth:***

***Without money, nothing happens.***

No funding source has been identified to support this project to completion. Federally-funded projects must be **FISCALLY CONSTRAINED**. This funding problem was brought to light when the current Governor of Indiana and INDOT submitted a request for a revision to the Tier I EIS [ref Chap 1.2.3]. It was then withdrawn after public outcry and study information revealed substantially fewer benefits. Without full funding being identified, this project has a very high likelihood of never being completed, this invalidating all of the cost-benefit data. The pure and simple fact is that the same dollar is not buying as much and as a result this project faces serious funding problems which must be addressed before proceeding. With INDOT's and FHWA's

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move towards Intelligent Transportation Systems (ITS), the cost to users will increase. This increased cost for use reduces the cost/benefit ratio and has an impact on accessibility. Those who cannot afford to travel, will not.

**Response:** Construction for Section 3 is provided through funds from the “Major Moves” program, which also is funding construction in Sections 1 and 2. Innovative funding for Sections 4 through 6 is discussed in INDOT’s current Long Range Plan – see Chapter 11, Funding and Fiscal Analysis.

**PC056-21** During a recent stop in Petersburg, IN, I-69 was touted by Governor Daniels and he was positive about extending Interstate 69 to Evansville. "We're going to build I-69," he said. This remark clearly indicates a pre-determined decision, irrespective of the facts and findings. His remarks are consistent with INDOT in that all the data is developed to achieve the desired result which is that this project is needed, when clearly it is not.

Daniels agreed that there were "plenty of people in the Legislature that would like to stop it (I-69).", indicating it is not just the general public who oppose this project. There are many in the state Legislature who believe this project is un-necessary and or too costly. He said there was "money in the bank to build as much and as fast as we can.", but as costs have escalated the amount of the project that can be built is shrinking. Having just returned from the Governor's Conference in Washington, D.C., Daniels said almost every state is in a desperate situation since gas taxes are not keeping up with the cost of road construction and repair. A further indication that funding vital to maintaining not only this section of I69, but every other road in the state. This study 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 and invalids all the criteria supporting the study.

**Response:** Please refer to the response to comment PC056-5.

**PC056-22** Asphalt has a significant price increase risk from new spending set in-place recently President Obama and Congress. Repaving is the most shovel-ready type of project. Asphalt prices have plunged in recent months but could be rising rapidly again - possibly doubling - by the end of the summer 2009. This furthers the decline of any cost-benefit ration data. The ever escalating construction costs further erode the true feasibility of I-69. The no-build option is actually the best option. All the options must be fully reviewed to provide a fair and true analysis of every aspect of the proposed I-69 from end to end, not broken into arbitrary section of convenience. To lower the costs of this highway the INDOT 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. Operations and maintenance costs are underestimated in this DEIS.

Chap 5>1-5 pg 6/112 There are also differences between the initial and low cost criteria besides the dimensions of the cross-section elements. For example, different pavement materials may be used. This results in an inferior product with higher 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 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.

**PC056-23** *The Funding dilemma, a proposed solution:*

Some politicians believe that the best way to fix our highways is to sell them. In an apparent admission that government cannot maintain our roads and bridges, they are joining with Wall Street investors to advocate privatization plans across the country. These arrangements are innocuously referred to as "public-private partnerships," a new buzzword for selling or leasing highways built with tax dollars to profit-seeking investors.

Top government officials are hailing the idea as an innovative way to raise billions of dollars while transferring burdensome maintenance and operations to private firms who say they can do it better. But is the idea of selling public assets innovative or merely a quick fix designed to yield a one-time budget boost? And isn't maintaining highways a fundamental government obligation? So far, these road-to-riches proposals have not lived up to expectations. In this type of arrangement, it seems as though only the private firms benefit, never motorists. The descendants of today's drivers will be paying higher and higher tolls to finance the complete funding of I-69 long after INDOT officials have spent the last dime of any minuscule funds received.

The private construction of new highways is also loaded with pitfalls. Private road operators often insist on non-compete clauses that limit governments from expanding nearby roads. In Southern California, private investors opened a 10-mile all-electronic toll road in the median of State Route 91, and in so doing were granted something akin to a highway monopoly. When local authorities needed to improve surrounding highways they controlled, the investors - averse to any competition - vetoed the projects by invoking a clause in their contract barring improvements detrimental to their profits. In 2003, local officials eventually bought out the private firm for \$207 million just so it could finally expand the adjacent road. Non-compete clauses do exactly what they say. They prevent competition by one party to the contract. Therefore, the state would be precluded from doing anything that would take business, i.e. tolls, from the road.

These deals raise other questions: Will the abdication of highway responsibilities by government authorities subvert "sunshine" laws designed to make road and bridge

authorities' meetings, decisions and records more transparent to the public? Will nameless foreign investors in private roads, unlike public officials, answer to anyone but their stockholders?

**Response:** The state of Indiana and Governor Daniels are on record that I-69 will be built and operated as a non-toll facility.

**PC056-24** Since the days of the Greeks and Romans, highways were among the few things you could count on government to provide. Thus, motorists should scrutinize any deal that permits elected officials to delegate such a fundamental responsibility, particularly when the deal will continue long after the dealmakers have left office. Given the lack of funds available through current funding mechanisms, this project should be abandoned and other transportation means aggressively pursued. It would be more economically efficient to improve existing routes. They've been sufficient to service industries and with proper maintenance will continue to do so for years to come. This project will only serve to further erode any improvements to local roads. This study does not address the impacts to local roadways and the added costs to the local governmental agencies this project would impose.

**Response:** All types of transportation projects face similar funding challenges. I-69 was selected for funding because of the significant benefits it offers, compared with other transportation investments. Please refer to the response to Comment PC056-6.

**PC056-25** We can be and must be smarter about how our gas-tax dollars are spent. Choosing a common-sense approach to I-69 by building it on US41/I-70 saves at least half the \$4B-\$5B cost. Money that could be better put to use fixing our existing roads and building a safe, clean and efficient rail transit system. INDOT continues to indulge in its indiscriminate thirst 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. The FHWA accepts INDOT's vague statement that the money will come from its usual sources when it is apparent that the usual sources have all changed or have undetermined availability.

**Response:** Please refer to the response to comment PC006 regarding the Tier 1 Alternative 1, PC046 regarding rail transit and PC056-20 and PC68-10 regarding project funding.

**PC056-26 ECONOMIC BENEFITS:**

The argument that this project will bring jobs to any of the impacted areas, through new industry or service personnel is not convincing. Consider other communities that have similar conditions today: take the fact that Franklin, IN. is strategically located near Interstate 65, and has one of the best industrial parks in the area. Yet the city has failed to attract major industries in significant numbers. Greenwood, IN is similarly situated with a similar lack of success. Another rural community that shows the negative affects is Seymour, IN, also on I-65. Rural Communities with interstates have no greater success with the respect to attracting and maintaining jobs than any rural community without an interstate. This trend repeats itself over and over. Moreover, development of jobs in the service industry (truck stops, etc.) has not and is not likely



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to develop either. The argument that this project will be any substantial benefits in the way of jobs or "opportunity" simply has no history of proving true. The data in the study assumes far too rosy of a picture than could ever become reality. The very nature of an interstate, (either free or tolled road) compels those using it to stay on it. One does not get off the road unless absolutely necessary. Hence, few new jobs will be brought to the area by the road project. So what makes this section of the proposed I-69 any different and why does this study try to convince us that building this project will solve all the areas ills? Only the large metropolitan areas tend to benefit, which is at the expense of the rural communities located in between.

**Response:** The Tier 1 Purpose and Need demonstrated that smaller Indiana counties with Interstate highways experienced twice the population growth and a higher per-capita income increase between 1960 and 2000, compared to counties without an Interstate highway. See Tier 1 FEIS, Section 2.3.2.1, especially tables 2-5b through 2-5e.

**PC056-27** An additional argument in this study is that the road would spur development. First of all, it is presumptuous on the part of INDOT or anyone else to conclude that more development is needed. The true value of rural communities lies with the people who make up the community, not an artificial idea of an urban planner, who has no attachment to the community. Development taxes the resources of the cities, towns and the county. This study assumes that the rural communities desire to have the look and feel of large urban areas. This is just not the case as noted in other public comments. While industry is welcome for its jobs and contribution to the county coffers, subdivisions which inevitably result (indirect impacts) do not produce the same benefit. Subdivisions tax local resources by requiring more public services, especially schools.

An argument which I propose in opposition to the **I-69** concerns the property that would be removed from the tax rolls. It is not unusual for a property of only a few acres to pay \$2,400 in real estate taxes per year. Consider that over the long term of this project and the loss of revenue to any county would be \$180,000 or greater. That is with only one small tract of land taken. Multiply that by the number of properties taken across the county, and the number becomes astronomical. Many of the counties affected by this project have been struggling for years, and the state has been impotent to help. It makes no sense to impose upon local government another burden so that INDOT can build Interstate 69.

We have lost far too many rural, small town communities for the sake of a highway and a big box store. The true value of our natural setting will be destroyed by all the development that this study infers will come. Developing Daviess or Greene County comes at what cost, but what is the price of all this development? Are we losing the rural community atmosphere that drew people to these communities in the first place? Are we losing our small-town appeal? The closeness that holds these towns together is now being divided by this project. INDOT is sacrificing a close-knit community simply to build this unnecessary project.

**Response:** The Tier 1 Purpose and Need (see Tier 1 FEIS Section 2.3.2.1) also showed that Southwest Indiana had lagged in economic and employment trends behind the rest of



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Indiana, as well as the rest of the United States, for decades. I-69 is not intended to “urbanize” Southwest Indiana, but rather to allow its residents to successfully compete in the 21<sup>st</sup> Century economy. The Section 3 FEIS addressed the reduction in property taxes due to land taken for I-69. Table 5.5-6 estimates that the preferred alternative will lessen local tax revenues by about \$198,000 annually. It is anticipated that the project will result in far greater economic benefits to local communities through increased economic activity and resultant government revenues. Table 5.5-6 also shows that the preferred alternative, Alternative 1, has the least impact on local property tax revenues of all the alternatives considered.

**PC056-28** Out-of-town developers are constantly covering what was once beautiful farmland with inexpensive starter homes and strip malls. How many starter homes does one community need? Once these homes are built, the only direction their value goes is down. How many strip malls can we fit onto an acre? Once we lose this valuable farm land to a highway or a parking lot, we can never recover it. Does SW Indiana really need another highway or strip mall? The answer is NO. The communities being affected by this proposed project, Washington, Odon and all the rural residents supporting them, will quickly lose its magnetism and charm and replace it with something far less valuable, paper worth. We do need to ask ourselves if this is truly what we want, because once we make these decisions, we are stuck with them; there are no do-overs. The public has expressed a desire that this project is simply not needed, yet INDOT has failed to abide by the choice of the citizenry.

**Response:** The location of residences, strip malls and other development can be guided by local governments through zoning and other land use laws if so desired. The I-69 project includes \$2 million in funding for a Community Planning Program for local communities to prepare plans to manage and direct growth. See Chapter 7 and Appendix T for more information on the Community Planning Program.

**PC056-29** Our farms produce the food we eat and products we use everyday. Building I-69 will continue to aggravate not only the global warming dilemma, but oil shortages throughout the U.S as well. Ethanol is a band-aid fix for the true problem with our dependency on foreign oil. We need to concentrate more on rail and mass transit options to really make a serious progress. Ethanol production does increase the cost of our food, both directly and indirectly. The corn diverted to ethanol production is that much less corn available for food. It also increases the cost for livestock production. We need to stop our assault on family farms to keep an ample food supply. The proposed I-69 is a prime example; over 5,000 acres of farmland will be lost for this ill-conceived highway. As populations increase smarter transportation methods need to be pursued rather than building more highways, with their accompanying gas stations and fast food joints.

Let's save family farms for our much needed food production. For farmers whose land has been in their families for decades, the New Terrain I-69 is not just taking our farms, it is taking our lives and our livelihood. It affects not only our present lives, it destroys our past and our future.

**Response:** Please refer to the response to comment PC006.



**PC056-30** A favorite buzz word of the INDOT and the politicians is "economic opportunity". Do they not realize we have excess amounts of "economic opportunity" wasting away beside the thousand + miles of EXISTING interstates that cross this state? While claiming to want to create economic opportunity, a new terrain I-69 would really be denying economic opportunity to the many small businesses in Daviess and Greene County who are providing economic benefits to the community RIGHT NOW. This same old line was used to justify I-64 across the southern part of the State. The farmers who lost their livelihood to that Interstate are STILL waiting for their share of the promised "Economic Opportunity". The thinking of INDOT that this section is an economic development tool is erred reasoning.

Throughout the country, rising gas prices have had a broad economic impact, hitting especially hard in many cities, towns, rural and suburban communities where people are more dependent on cars than in areas served by modern mass transit facilities. We are assured that gas prices will forever continue to rise. 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 to comment PC046 regarding rail transit, and PC024 regarding the economic benefits of this project.

**AF056-31** Those who claim we need this highway for the jobs seem to have forgotten that it was NAFTA that started our decline. Building any portion of this project simply moves sprawl to other areas, causing blight in existing areas. There is no indication in the study of negative impacts to surrounding communities. INDOT has funded planning studies for these communities (see INDOT I-69 Community Planning Program <http://www.i69indyevn.org/CommunityPlanningProgram/index.htm> , yet not include the cost impact to these communities. As traffic is diverted away from these communities, local business will suffer and reducing any stated benefits to the area. When these negative cost impacts are factored in to the cost-benefit analysis the result is a net cost to SW Indiana. FHWA and INDOT have concluded that the selection of this route would be consistent with the determination of the Least Environmentally Damaging Preferred Alternative (LEDPA) requirement under the Section 404(b)(1) Guidelines. However, many groups, persons and governmental agencies have complained that the US41/I70 alternative was not given full study and consideration. The impacts and costs placed upon the communities along US41 and I-70 have not been appropriate consideration and inclusion in this study. Thus failing to provide the broad regional benefits as discussed in Chapter 2. 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 9%, 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 elsewhere. Indiana is awash in highways, thinking that more of the same will bring different results is just not clear reasoning. The result will not change. Indiana leads in job losses despite all of the highways. There is no correlation between highway infrastructure and employment security.



**Response:** Please refer to the responses to comments PC005a and PC0056-26.

**PC056-32** The NSWC mission has changed and continues to have a need of isolation. It has been reported that the number one issue is to avoid encroachment. Yet this project is bringing the promise of just such encroachment. Any commercial or retail development puts the entire Crane facility in jeopardy. How can anyone doubt that I-69 would be a major source of encroachment for this region?

**Response:** 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."

**PC056-33** ENVIRONMENT:

Protecting Indiana's natural resources will improve our quality of life across the board. What's good for our forests and rivers is ultimately what's best for Hoosiers. It's important that our INDOT and FHWA understand it, too. This report fails to assess the true value of the environment and the costs this project will impose on our natural resources. 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. All mitigation costs must be included in cost estimates. Specific and detailed information about the implementation of mitigation and timelines for implementation of mitigation should be a requirement in this DEIS.

It is very likely that some form of carbon emission caps will become law in the near future. Since vehicle emissions are a major source of carbon emissions, construction of I-69 will add to Indiana's already overabundance of highway emissions and will put it at a competitive disadvantage in attracting new businesses and negate any attractiveness for commercial investment. Environmental quality is an important factor for some companies when determining where to locate. This scenario must be addressed in this draft and all other DEIS studies for the project.



**Response:** Please refer to the response to comment PC048-3.

The full range of mitigation commitments are given in Chapter 7 of the FEIS. Table 7-2 quantifies all mitigation costs. The total cost estimates for each alternative, which include mitigation costs, are provided in Table 6-9. INDOT already has purchased property to satisfy all forest, wetland and stream mitigation commitments in Section 3. Historical and archaeological mitigation will be provided a part of the Section 106 Memorandum of Agreement (See Appendix N).

**PC-056-34** The National Environmental Policy Act (NEPA) has been compromised and corrupted in all the studies for the I-69 extension. The Tier structure of 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, over good transportation planning, over environmental and fiscal responsibility.

**Response:** Please refer to the response to comment PC054-6.

**PC-056-35** A soon to be released study by the NOAA discusses environmental concerns with global warming. Additional vehicle emissions promoted by this project will only serve to aggravate global warming and further polluting the air and water communities depend upon. These types of affects must be included in the "planning" of this project and completely detailed in the study.

**Response:** Please see response to comment PC048-3.

**PC056-36 SOCIAL IMPACTS:**  
Our Land, Our Water, Our Way of Life.

**Agriculture is business, too.**

Farmers have a message for the state: Farming is a business, too.

Farmers across the state have told Indiana Department of Transportation officials they are fed up with state officials who talk about attracting big businesses through the proposed I-69. Land they will take, mainly farmland, is and will continue hurting the business of agriculture. Farmers are tired of not being considered big business.

Many farmers, both whose land could be affected by the proposed project, and those employed by farms, are wondering whether they'll be able to pass the family business on to their children. I feel INDOT thinks farming is not a business in Indiana. Agriculture is a major business and I-69 will have serious negative impacts to those who depend on fanning. Many are young fanners, trying to carry on a tradition. Many

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in the affected areas see the planned I-69 as a problem, which could stop them from continuing their work. Economic development for the farming communities would be just devastating. These costs must be identified and incorporated into the project study.

The RURAL looting - INDOT's disregard of the public outcry against the proposed I-69 Corridor is unacceptable. Taking thousands of acres of Hoosiers' land, to exclusively generate revenue at the expense of open government, private property rights, and thousands of Indiana rural communities cannot be allowed stand. The proposed highway in this study 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 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 FEIS 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 community.

**Response:** Please refer to the response to comment PC006.

**PC056-37** 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. If there are going to be few indirect impacts, as this Study concludes, then there will be little development as a result of this proposed project. 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.

We as a state and nation need to put into place an electronic infrastructure to bring back our local economies. If residents of SW Indiana are to be permitted to prosper from a global economy, then an investment needs to be made in an Information Transportation system. By providing "personal accessibility" to the information highway, every roof-top would be empowered to prosper and growth. All without new concrete or asphalt and the environmental impacts associated with this proposed project. The study data does not include any reference to this as an option to enhance the value of the affected communities. The study only focuses on new construction as the only means to add value to SW Indiana.

**Response:** The traffic forecasts for this project consider future traffic flows, including the effects of induced travel (additional trips which will be made due to increased population and employment). Questions regarding electronic infrastructure are beyond the scope of this project.

**PC056-38** We don't need an interstate, which only repeats the same mistakes. A modern transportation system via high-speed rail would better serve every community. Yet the study fails to consider alternate transportation methods to serve the areas. INDOT must plan a transportation system for the future, not the past.

**Response:** Please refer to the response to comment PC046.

**PC056-39** How can we maintain any resemblance of the "rural integrity of Daviess and Greene Counties with I-69 diagonally dividing them, and truck-stops polluting the air we breathe? All of the county residents will pay a very dear price for "economic development". There is a strong urban bias in this DEIS. When assessing impacts on communities, only closely 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. This project 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 schools and social functions by causing longer travel times between many homes, schools and churches. This can impact meeting schedules and sports practice and sporting events as well as annual social gatherings. 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. Emergency services are severely impacted by the associated road closure. This fact has been noted by EMS personnel in public meetings.

**Response:** Please refer to the response to comments PC056-28 and PC022.

**PC056-40** The Study fails to prove that traffic safety would improve if I-69 is built. As in previous studies for this project, the crash data used to compare accident rates on rural highways with rates on interstates is sorely out-of-date, (ref. table 2-3- data was collected 18 years ago). More current data is available and must be used. INDOT has the data and should direct the consultants to revise this DEIS to include the updated data. Current traffic projections are much different than they were just a few years ago. Since a number of local roads will be closed due to I-69 there will be increased traffic on some local and by the rational used in this study, will result in more accidents on those roads. There will also be more induced traffic to more distant cities. More traffic on interstates also means more accidents. Table 3-5 is incomplete. What base year was used to determine traffic increases? In Table 3-6 rates are used which can be misleading. The VMT is significantly less for the no-build alternatives than for the build alternatives. Therefore, based on this table 3-6, there would be fewer fatalities overall in the named counties with the no-build alternative than with the build alternative even though the rate is lower for the build alternative. 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 would improve with the construction of I-69. Sec 5.3.4.2 @ pg43 >This section states

both negative and positive plans for emergency responders and local use. INDOT can not have it both ways. Where are the cost estimates for the 16 variations of Access Roads? To be discussed at the public meeting? See Table 5.6-3, pg 8/95

**Response:** The costs for the proposed access roads shown in Table 5.6-3 and 5.6-4 were included in the project costs.

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 reports 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.

**PC056-41 HISTORY>106>Trains before highways**

Information noted in Chapter 4, as well as in the Section 106 study for this section details the history of transportation in the area. Of notable interest is the role of trains in the development of the communities in this study area. INDOT (and the data in this DEIS study) is lost to the fact that rail transportation brought the economic boom to these rural communities. It has only been within the last 50 (+/-) years that highways have dominated the transportation infrastructure. Rail has been neglected. Current movement is towards mass-transit (rail) systems for both passenger and freight traffic. This study should include a full evaluation of rail transportation to meet the goals outlined. Doing so will clearly show the goals and needs of the communities will easily be met, thus providing the economic benefits sought. The goals can be met at a substantially lower cost in terms of dollars and environmental harm. A thorough reading of the history of the communities is encouraged to those reading these comments.

This study does not discuss how or why other transportation alternatives would not meet "*Goal 2: Promote A Transportation System That Will Provide Efficient And Safe Movement Of People And Goods.*" Certainly a rail system would easily meet this criteria as well as the US41/I70 alternative. This study merely states that this is the only route to have. Where is the data to back up this conclusion? In evaluating data, if one applies enough filters, only one answer will result. INDOT has selectively applied filters to its data to arrive at the conclusion it sought.

**Response:** Please see response to comment PC046.

**PC056-42** The entire 106 study for this section is also questioned. The evaluations made are not full and complete. Most are "drive-by" evaluations and do not delve into the full history of the affected properties. Reference the discussions in the meeting minutes of the Consulting Parties meetings. Many of the concerns expressed have yet to be addressed fully and completely.

**Response:** Section 106 documentation can be found in Appendix N. All consulting party input has been fully addressed.

**PC056-43** The educational levels of persons in the affected counties are detailed within the study. However, here again, the information is presented in terms of an urban solution. While some residents of the counties may not have a degree from an accredited institution of higher learning, this by no means indicates that they are not educated. Some, as in the case of the Amish, have their own education system, with their own defined goals. Many residents of the affected counties possess far more skills than those of the preparers of this study. I argue that in the event of a natural or world disaster, the persons affected by this project would be much better suited to provide for themselves. Should food supplies be interrupted due to oil prices rising or transportation of food supplies be disrupted, the educational skills of the residents would be skills much sought after by those in metropolitan areas. The ability to grow ones own food, or construct shelter for families are educational levels few in this modern age possess. The residents of the affected area possess far greater "life skills" than this study indicates. Not all education is measured by Certificates on a wall. While there may not be a degree for "Living off the Land", many in Daviess and Greene counties have this education.

**Response:** Comment noted.

**PC056-44** This study also fails to mention a previous study, known as the "Southwest Indiana Highway Feasibility Study" ( a/k/a the "Donohue Study") which concluded that "based on the results of the cost/benefit evaluation, construction was not recommended... ". In May, 1997, Neal Johnson, PhD and independent economist at Indiana University, studied INDOT's 1996 DEIS Cost/Benefit analysis on the proposed route between Indianapolis and Evansville. His report was an impartial analysis, motivated by a concern that the benefits and costs of this major project be correctly and honestly calculated and presented to the public. Dr. Johnson was not paid by either proponent or opponents of the highway, or anyone else, for the preparation of his report. Dr.

Johnson concluded that INDOT's new highway would be a bad investment for Indiana and the nation. Neither INDOT nor FHWA have disputed the findings. (see: <http://www.commonsensei69.org/johnsonstudy.htm>).

**Response:** The Tier 1 FEIS (see p. 1-4) acknowledged and described the “Southwest Indiana Highway Feasibility Study. The 1997 study cited (by Neal Johnson) was not provided at the web address given in the comment – only a summary of the study is provided there. An internet search was unable to identify any copies of the study. In addition, this study addresses the contents of DEIS for the 1996 Southwest Indiana Highway. This DEIS was withdrawn in January, 2000 (see Federal Register Vol. 65, No. 3, p. 551).

**PC056-45**

**Comment: FINAL WORDS:**

There are good and compelling reasons for the FHWA to move against this project and deny a ROD, and I would urge them to do so. This Federally mandated study of I-69 should be scientific in its methodology and tabulation of data. Currently it is not meeting this requirement. The intent of the study is to fairly evaluate ALL options available. This study fails to meet those criteria especially in the cost/benefit analysis. INDOT has refused to conduct a cost/benefit analysis for this project. A comparison of INDOT's estimated costs and purported benefits of the New Terrain route and the US41/I70 route, strongly suggests that the New Terrain route would fail a cost/benefit analysis and perform much worse than the US41/I70 option. No proposal for an extension of I-69 through SW Indiana has ever passed an objective cost/benefit analysis. This study suffers from "conclusion driven analysis of data", VERY significant manipulation of data, fragmentation, and blatant illogical conclusions from facts contained in the study. This is indicated in Chap. 5 (p. 5-39) where the statement mentions that acquired property could be put to other uses. " ... *if the highway facility is no longer needed, the land can be converted to another use.*" This is an indication that INDOT knows there is no real and present need for this project. Coupled with the fact that INDOT has included I-69 on the Indiana Highways maps it distributes to the public since 2002. Another clear indication of INDOT's intent to proceed with this project regardless of any data or public input.

**Response:** Please refer to the response to comment PC006 regarding the Tier 1 Alternative 1.

The statement quoted in the comment is taken out of context. In context, the quoted statement is preceded by a sentence that acknowledges that the use of the land for the project "would constitute an irreversible commitment of that land to transportation use for as long as the facility is required." The quoted sentence is then immediately followed by a sentence that states: “At present, there is no reason to believe such a conversion ever will be necessary or desirable.” Thus, when read in context, the quoted sentence does not constitute an acknowledgement by INDOT that there is no need for this project.

**PC056-45** Your fiduciary duty to the people should have compelled you to keep the interests of us - above your own or special interests. Your duty is one to act in a position of trust,



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good faith, candor and responsibility, and always on behalf of those of us whom you are supposed to serve. As our state agency responsible for all transportation needs, INDOT and their consultants have failed to adhere to this simple standard of trust. We the people have the duty to organize and vigorously oppose those who fail to perform their assigned responsibilities.

***Here are some facts:***

Indiana is currently #4 in rural interstate development after only, Vermont, Pennsylvania and Illinois.

Indianapolis has more interstate connections than any city in the USA, perhaps the world.

Indiana ranks #1 to #4 (depending on your source) in the percentage of our jobs lost since NAFTA.

Our message also is an emotional one. What people have expressed and are expressing at the INDOT meetings about I-69, is that they do not want development to destroy the rural quality of life. Yes, everyone wants progress, but does concrete and asphalt development yield what we really want for our community? This study does not address these concerns.

Lawsuits are will undoubtedly occur over alleged shortcutting of environmental reviews required as part of the process. This will further the delay of the project, adding cost, and deflating any cost-benefit ratio.

I remain convinced that project would be at best a huge and risky gamble with our environment, excellent farmland and water in Daviess and Greene counties, and ultimately a giant disaster for the entire region. There are some many who share my doubts.

**Response:** Please refer to the responses to comments PC006, PC033, and PC054-6.

**PC056-46** The comment period for this DEIS is far too short. In addition to a very short reply time, INDOT has chosen to issue two studies simultaneously (Section 3 & 2) for public comments. Thus making the process even more unlikely those citizens will have the time to offer meaningful comments. Both studies 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. The true reason INDOT seeks public comment is that it 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. I reference any reader of these comments to this website for additional commentary [www.i69tour.org](http://www.i69tour.org) and further request those comments be included as part of the project record.

I request that all comments submitted by the Hoosier Environmental Council (HEC), Environmental Law and Policy Center (ELPC) and Citizens for Appropriate Rural Roads (CARR), of which I am a member, be incorporated into these comments as submitted by myself.





**Response:** Please refer to the response to comments PC006 regarding the I-70/US-41 route and PC048-2 regarding maintenance.

Area residents were involved in the access decision process. The results of their input are detailed in Section 11.2.1 of the DEIS. Neighborhoods and community cohesion are discussed in Section 4.2.1. Care was taken to include connectivity between communities, including those of the Old Order Amish, who have limited mobility.

Also, more than one-third of the Evansville-to-Indianapolis project uses an existing highway (SR 37). The Tier 1 study analyzed 12 routes in detail. All of them used existing highways (US 41, I-70, SR 641, and/or SR 37) for some portion of their route. This project has considered use of existing transportation corridors, wherever possible.

**PC059**      **Kim Fuller**  
**6/5/09**  
**Letter**

**Comment:** Many Hoosiers are against I-69. I live in Bloomington / Monroe County and this project will not only destroy beautiful farmland and greenery and take homes from the people, but the cost of this project has sky rocketed to at least 4 billion dollars ! I am requesting that INDOT do a new benefit cost analysis, including all current and complete costs.

Many local roads will be closed and some interchanges may be dropped, relatively few jobs will be created, which will not offset the damages and job loss to our communities and the project design and construction materials have been cheapened. This all contradicts the key goal of the project for accessibility. We must have **true reports** from INDOT of the long term operation and the maintenance costs.

It's time for the **State to listen to the majority of the people that are against this project. It is a waste of our money. Let's fix the roads that already exist.**

**Response:** Please refer to the response to Comments PC015 regarding road closures, PC024 regarding economic impacts, and PC048-2 regarding maintenance.

The Tier 1 EIS did not use benefit-cost analysis to evaluate alternatives. The purpose and need for the Tier 1 EIS had three overall purposes, which were supported by nine goals. These nine goals were used to evaluate the performance of Tier 1 alternatives. None of these goals considered cost or monetized user benefit, both of which are required to perform a benefit-cost analysis.

Great care and effort was given to determining the purpose and need for the Tier 1 project. There was extensive technical analysis, as well as two discussion papers published for public review and input. These two discussion papers were the subject of a total of six public information meetings which were held over a period of nine months.



**PC060 Kevin Kinder**  
**6/8/09**  
**Website Comment**

**Comment:** I for one am looking forward to this new road, I just wish we could move faster on it. I hate that it takes years for important things to happen but least important goes fast(St. Rd. 43 in Bloomington). St. Rd. 46 here in town should have been done years ago which is slated for this fall (finally). We have many tree huggers in Monroe County but that does not mean we don't need I69....PLEASE HURRY. I'm 37yrs old and I want to use it BEFORE I die in 35 or 40 years.

**Response:** Comment noted.

**PC061 Patrick Murphy Pizzo**  
**6/6/09**  
**Letter**

**Comment:** Dont do This to us. Use 40 + 70 – Do not ruin so much of Indiana environmental wealth with This I 69!  
{signed} Patrick Murphy Pizzo

**Response:** Please refer to the response to comment PC006.

**PC062 Lucille Bertuccio**  
**6/6/09**  
**Letter**

**Comment:** I am opposed to new terrain I-69. We need mass transportation, rail + buses to move people from here to there NOT more highways.  
\* The cost of I69 has more than doubled to at least 4 billion – prices do not stay where we would like them!  
\* The design + construction materials are not of premier quality – What are we? a Third world country?  
\* Few jobs would be created + those will be short-lived. We need a progressive way to provide work NOT construction jobs!  
We do not want I-69 – you must listen to the people  
{signed} Lucille Bertuccio

**Response:** Please refer to the response to comments PC033 regarding the No Build alternative, PC024 regarding economic impacts, and PC046 regarding mass transit.



**PC063**      **Jess Gwinn**  
**6/8/09**  
**Website Comment**

**PC063-1**

**Comment:** JUNE 2009

**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 DEIS as well. Also include as our submitted comments on the Tier 2, Section 3 our comments for the 1996 DEIS, and the 2002 DEIS. Include as part of my comments, the comments submitted by HEC, Bill & Jan Boyd, and CARR.

**SPECIFIC COMMENTS:**

The DEIS 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 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 refer to the response to comment PC054-5.

**PC063-2** 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.

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.

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.

**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:** 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. A comprehensive avian survey is beyond the scope of the I-69 study, but bird survey data are available from the Indiana Department of Natural Resources. Chapter 5.17 addresses the possible existence of state and federally listed species by review of available habitat in the project corridor.

The assessment of impacts to Threatened and Endangered Species has been coordinated with US Fish and Wildlife Service (USFWS) and a Tier 2 Biological Assessment and subsequent Biological Opinion from USFWS have been completed as required under Section 7 of the Endangered Species Act. See Appendix Y. The biological studies for the I-69 Tier 2 EIS's were reviewed and approved by both IDNR Division of Fish and Wildlife and the Indiana Department of Environmental Management. Ongoing coordination with these agencies is used to address environmental impact to state and federal threatened and endangered species and to address mitigation efforts.

**PC064**      **Robert Brodman**  
**6/6/09**  
**Website Comment**

**Comment:** I am concerned that the impact of the construction in section 3 will be detrimental of Eastern Box Turtle populations. I serve on an advisory committee to the DNR on amphibians and reptiles and we are concerned about this species because studies have shown that the loss of even a few adults can cause the populations to crash. I recommend using silt/drift fences in front of construction so that Eastern Box Turtles can be moved to either side of the construction corridor. Because volunteers will not be permitted on the right of way in advance of construction, the turtles would be dependent on the diligent efforts of INDOT and/or the contractor's personnel.

**Response:** Please refer to the response to comment PC001.

**PC065**      **Elizabeth Venstra**  
**6/7/09**  
**Website Comment**

**Comment:** I am deeply concerned that the state is pressing forward with a route that has disastrous environmental, social, and economic effects, despite the facts that it does not make good sense and that most Hoosiers don't want I-69 to begin with.

In this round of review, we've found that the cost has more than doubled to at least \$4 billion. This cost cannot be justified in terms of the benefits that have been argued to derive from the project; relatively few jobs will be created in Indiana from this project, and some people's livelihoods (especially farmers) will certainly be adversely affected. INDOT must do a new cost-benefit analysis, taking into account all the new cost information.



This should include the cost of maintenance. I am discouraged to see that the cost of construction has been cheapened by shifting the plans from concrete to asphalt, which must be maintained more frequently. Doesn't this mean that the state will spend more money in the long run? These costs need to be factored into the costbenefit analysis.

I am even more concerned to see that interchanges are being dropped from the plans, or "deferred". This greatly impedes local access. The proposed highway will be a major barrier in local rural areas, dividing farmers from parts of their land. With the lost interchanges, this effect is increased even more. Any claim of the project to have the goal of increasing accessibility for local residents is seriously undermined by the new plan to drop originally scheduled interchanges.

If the interchanges are merely being deferred until later, then that again adds to the cost. It will cost much more to add an interchange in later than it would to build the road right in the first place. It looks to me like INDOT will use any kind of whitewash to avoid revealing the fact that this road is just too expensive to build. Again, INDOT must do a new cost-benefit analysis.

I am also greatly concerned about the loss of farmland. Section 3 goes through rural areas, where much of the land is farmed. The ability to grow our own food is crucial to the future of Indiana, as the cost of transporting food is likely to increase greatly in the future with the changes occasioned by "peak oil" and by climate change. This loss will not be offset by the gains that INDOT claims for this road, especially the new-terrain route.

We do not need this highway. We do not want this highway. It is time for INDOT to listen to Hoosier, and NOT build this monstrosity in our backyards.

No new-terrain I-69!

**Response:** Please refer to the responses to comments PC022 regarding accessibility, PC033 regarding the No Build alternative, PC006 regarding farmland impacts, PC056-22 regarding pavement type, PC056-8 regarding deferral of the full interchange construction at US 231 and PC059 regarding benefit-cost analysis.

**PC066**      **Maureen Forest**  
**6/8/09**  
**Web Site Comment**

**Comment:** New Terrain I69 cost too much even with the 'throw out the rule book' on current standards for building highways ploy. I do not want a new terrain I69 highway and prefer the less expensive route of upgrading US41 and I70. Better yet the No Build option is the true visionary path with our money being spent on a decent efficient mass transit system.

**Response:** Comment noted.



**PC067 John Smith COUNT US!  
6/8/09  
Web Site Comment**

**PC067-1**

**Comment:** The Federally mandated study of I-69 should be scientific in methodology and is not meeting this requirement. 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 “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 “econclusion 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 who’s 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 C.F.R. part 771) and CEQ regulations (40 C.F.R. 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 3 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 was collected on the estimated areas of impervious surfaces within the drainage basins covering Section 3. 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, part 9). 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.

**PC067-2** 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 “fix the fiasco” funding in the future.

I have received by “Open Door” request for public information the raw data used in the 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 “No build” 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 were 21,400 between US 50 and SR 58, and were 19,500 between SR 58 and US 231. By comparison, the Tier 2 forecasted volumes (shown on Figure 5.6-1 of the FEIS) for the same sections were 21,800 and 19,600, respectively. While the Tier 2 traffic forecasts use more detailed network and traffic analysis zones than the Tier 1 study, the forecasts are 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 2 studies 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



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footprint for each interchange and did not attempt to identify any design details; the Tier 2 studies provide detailed footprint and ramp configurations.



**PC067-3** 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 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.

**PC067-4** 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.

This EIS is old and worn out. It wants to be over. Yet conditions have changed so significantly that many assumptions thought realistic in the past are now clearly change. Even if the calculations of vehicle per day use where not being manipulated dishonestly, the realities of world economics and debt, global warming, peak oil, and other now accepted truths that were once thought to be the domain of “environmental wackos” . This study in order to be timely needs to be re evaluated in Tier I with scientifically truthful assumptions for 2009, not those of a decade or more in the past. To do otherwise will result in the most basic of logical errors of science in the name of “study-process”.

**Response:** The economic and environmental factors cited underscore the need for a more efficient transportation system which will encourage economic development. I-69 will provide such an improved system. The analyses of benefits and impacts for this project used the most up-to-date economic, demographic and environmental data; these show that the overall needs identified in Tier 1 remain valid. See FEIS Chapter 2, *Purpose and Need*, Chapter 4, *Affected Environment*, and Section 5.1, *Environmental Consequences, Introduction and Methodology*.

**PC068** **Tim Maloney** **Hoosier Environmental Council**  
**6/8/09**  
**E-mail**

**PC068-1**

**Comment:** The Hoosier Environmental Council submits the following comments on the DEIS for Section 3 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:** All comments provided by this commenter on the Tier 1 EIS were fully addressed in the Tier 1 FEIS (see Volume IV, Responses to Comments) and the Tier 1 Record of Decision (ROD), Appendices A and B. Because this is a tiered study, those comments and responses to those comments are incorporated by reference in this Tier 2 EIS. Thus, no further responses to those comments are required in this document.

This commenter also was a plaintiff in a lawsuit in the United States District Court for the Southern District of Indiana, which challenged the Tier 1 ROD and raised many of these same points. On December 10, 2007, the district court issued a decision rejecting all of plaintiffs' claims.

**PC068-2 Comments specific to Tier 2, Section 3 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 3 would meet a demonstrated transportation need if the other sections of I-69 were not completed.

*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)

The DEIS assessment of travel time differences only considers time to a few regional destinations, and to an interstate. Moreover, in comparing travel time differences between build and no-build alternatives, it combines travel distances for all of the regional destinations, which serves to inflate the travel time savings based on cumulative differences. It does not assess local travel times, travel to other regional destinations, or travel to other possible interstate corridors (U.S. 41/I-70). Nor does it assess limitations to local travel times caused by a limited access highway which results in local road closings. (Pg 3-101 to 103).

While Knox County is included in the study area, the new-terrain I-69 does not enter Knox County, nor serve Vincennes. Thus accessibility to 2 of the region's 3 largest employers, and 6 of the top 10 employers, is not improved. "The next two largest

employers are the Good Samaritan Hospital, 1,610 employees, and Vincennes University, 1,274 employees, both in Vincennes (Knox County).” (Pg 4-47, 4-48)

**Response:** Improvement in personal accessibility was a Tier 1 *core* goal. Improvement in personal 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 3, this consisted of analyzing accessibility from Washington, Plainville, Elnora, Bloomfield, Linton, Lyons, Wheatland, Loogootee and Vincennes to Bloomington, Evansville, Indianapolis, and Crane NSWC. Within the context of Section 3, these are comparable to the accessibility measures used in the Tier 1 FEIS. See Tier 1 FEIS Section 3.4.3.2, *Personal Accessibility*. Local road closures would not materially affect this accessibility analysis.

In addition, while it is possible to consider other regional travel destinations, the number of local origins and regional destinations were appropriate to establish that any build alternative performed equally well in satisfying the goals of increased personal accessibility. See FEIS Tables through 3-4.

The Purpose and Need Study Area for Section 3 included the two counties through which this portion of I-69 passes (Davies and Greene counties) as well as two adjacent counties whose transportation accessibility would be significantly improved by the building of I-69. For example, the accessibility of Vincennes residents to Crane NSWC, Bloomington and Indianapolis will be significantly improved by I-69, which can be accessed from Vincennes by US 50, which a multi-lane divided highway with partial access control.

See response to Comment PC054-6 regarding the independent utility of Tier 2 sections of I-69.

**PC068-3** *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. (Pg 2-10; pg 5-117)

**Response:** The analysis in the DEIS forecasts the difference between the number of crashes in the forecast year with and without I-69 built. This takes into account the crash rates for specific road types and configurations. The analysis considers traffic flows and crash rates on all roads (even local roads) which cross I-69. If any of these local roads would experience significant increases in traffic, the effect of these traffic increases on

the number of forecasted crashes is reflected in this analysis. See also response to comment PC056-40.

**PC068-4** *Public and agency input*

The DEIS fails to consider that all of the key issues identified by the public and government agencies could be accomplished by upgrading local roads and/or building I-69 along U.S. 41/I-70. (Pg 2-12)

**Response:** 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. The Tier 1 FEIS also determined that the project purposes (particularly Goals 8 and 9 related to the National I-69 project) could not be satisfied by upgrading existing roads. Also, the decision to build a highway, was made in the Tier 1 ROD. (\*\*\*) cite to Tier 1 ROD, Section 2.2.1)

**PC068-5** *Maintenance cost estimates*

INDOT used New Mexico data as the basis for their maintenance cost projections. What the rationale for using New Mexico data when data should exist for interstate maintenance in Indiana? (Pg 3-131)

**Response:** These data were used for comparing alternatives, 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 disclose the relative difference in maintenance costs which might be expected among the Section 3 alternatives. It showed that the preferred alternative has lower maintenance costs than the other three alternatives considered.

**PC068-6** 2. Affected Environment

*Air Quality*

Information on the current status of air quality designations in the affected region is out of date; in particular it fails to mention the revised 8 hour ozone NAAQS and more recent air monitoring data for the region. Based on Indiana's air monitoring data for 2006-2008, the design value for ozone levels in Greene County is above the revised 8 hour standard, resulting in Greene County being recommended by the state of Indiana for nonattainment designation (IDEM, March 11, 2009). (Pg 4-126)

The DEIS states that a transportation conformity determination is required (based on Greene County's prior 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.

**Response:** Please refer to the response to comment AF002-4.



**PC068-7**     *Social impacts*

Road Closures and Overpasses

In several sections of the DEIS, the issue of local road access and public interest in maintaining this access is discussed. The DEIS proposes adding overpasses to several local roads which will be affected by Section 3 of I-69. (Daviness County Roads 450 East, 900 North, and 550 North, for example). The DEIS also mentions the possibility of phased construction, to reduce costs, and that some overpasses may be deferred. (pg 5-11). While the document refers to a discussion of deferred overpasses in Chapter 6, no such information is found in that Chapter.

**Response:** The FEIS has been modified and a discussion of potential deferred overpasses has been added to Chapter 6.

**PC068-8**     *Energy impacts*

The DEIS reflects that building of the preferred alternative will increase energy consumption in the study area by 193% in Daviness County, and by 100% in Greene County, by the year 2030, compared to not building the highway. (Pg 5-438)

**Response:** This is to be expected, since I-69 will attract significant traffic volumes from other counties in Indiana, as well as other states. See FEIS, Section 5.25.4 for details. This increase in energy consumption in these counties reflects diverted traffic.

**PC068-9**     3. Comparison of Alternatives

*Cost Comparisons*

The DEIS discloses that the cost of building Section 3 has increased substantially over the cost projections provided in Tier 1, an 80% increase. (Table 6-10, 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 “The determination as to the use of the low-cost verses the initial criteria will be determined in the FEIS and /or subsequent design.” (pg 6- 22) As a result, the final features, costs, benefits, and impacts of Section 3 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 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.

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:** Please refer to the response to comments PC006 regarding construction costs. The costs used in this EIS reflect the most recent bids for INDOT highway construction projects. As the quote from the DEIS cited by the commenter states, the exact criteria which will be used to build I-69 cannot be determined until the post-NEPA design stage. Accordingly, providing costs using a range of design criteria is the appropriate approach in an EIS.

**PC068-10** 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 project’s performance, INDOT should re-evaluate the entire I-69 project to determine if it is cost effective and justified.

**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](http://www.in.gov/indot/files/11_planning.pdf)).

**PC068-11** *Comparison of Tier 1 FEIS Costs and Impacts to those of Tier 2 Preferred Alternative*

Table 6-10 of the DEIS reveals that the environmental impacts of Section 3 are greater than those projected in the Tier 1 FEIS. Total right-of-way required increased to 1,742 acres, farmland destroyed increased to 1,488 acres, and forestland destroyed increased to 86 acres. The Tier 2 FEIS for Section 1 also reflected increased right-of-way impacts, as does the Tier 2 DEIS for Section 2.

“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 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.

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. EPA’s 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 EPA’s 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:** The data sources used to compare impacts in Tier 1 were appropriate for comparing alternatives across a 26-county study area of over 10,000 square miles. It is to be expected that impacts estimated in more detailed Tier 2 studies would differ from those estimate in Tier 1. The Tier 1 FEIS stated on p. 5-2, "Nonetheless, it must also be recognized that this study is not intended to provide the basis for selection of an exact alignment, and therefore does not contain the level of engineering or environmental detail that would be needed to make a specific alignment decision. That information will be developed in Tier 2 NEPA studies." As Table 6-10 shows, estimated Tier 2 impacts to farmland, forest, wetlands and business in Section 3 are higher, while estimated impacts to floodplains and residences are lower.

INDOT and FHWA have addressed the USEPA request cited in this comment. The letter asked that the impacts for all Tier 2 sections be totaled and included in the FEIS for each Tier 2 section (see p. 4). Each Tier 2 FEIS will include a tally of direct impacts to key resources in all six sections of I-69, using the most current data published in a NEPA document. This tally was provided in the Section 1 FEIS (see its Appendix S), and will be provided in the FEIS for Section 3, as well as the FEISs for all other Tier 2 sections. Appendix S also documents that since many indirect impacts are disclosed in multiple Tier 2 sections (e.g., indirect impacts near the City of Washington are disclosed in both the Section 2 and 3 EISs, and no attempt is made to allocate them to either Section 2 or Section 3), the tally can provide total impacts for direct impacts, only.

**PC068-12** 4. Quality of Information and Surveys

INDOT relied on a 1993 survey for fish and mussel species in the Section 3 corridor. This is extremely out of date information, as habitat quality, species migration, and other factors in the intervening 16 years could result in the presence of listed species in this area today. (Pg 5-232)

Results of the bird surveys are extremely limited, indicating that the surveys were cursory and incomplete – only 6 common bird species were identified. (Pg 5-232, 233)

More thorough studies are needed to fully document the impacts of the proposed highway on sensitive, rare and endangered fish and wildlife species.

**Response:** The use of these studies for the I-69 Tier 2 EIS's was coordinated and approved by both IDNR Division of Fish and Wildlife and the Indiana Department of Environmental Management. The agencies identified that the conditions of the streams and habitats have not changed since the studies were completed in 1993 and that the information in the 1993 studies was valid and could be used for the current Tier 2 studies.

Please refer to the response to comment PC063-2.



**PC068-13** 5. Forest and Wildlife Impacts and Mitigation

The preferred alternative will destroy 86 acres of forest and 10 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:** Environmental impacts such forest take are discussed in Section 5 of the DEIS. In accordance with the National Environmental Policy Act (NEPA), forest impacts have been reduced to as little as reasonably possible through the alternative selection process. INDOT and FHWA will mitigate upland forest impacted at a ratio of 3:1. Multiple sites have been secured for this mitigation effort. Mitigation is done in accordance with the Memorandum of Understanding between INDOT, USFWS and IDNR as dated January 28, 1991. Mitigation methods such as preservation are approved by these agencies.

**PC068-14 Conclusion**

Because of the I-69 highway’s significant environmental impact, high cost, and questionable benefits, Section 3 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.

Submitted by:

Tim Maloney

Senior Policy Director

**Response:** Please refer to the response to comment PC006 regarding the US41/I-70 route.

**PC069 Mike Lodato  
6/8/09  
Website Comment**

**Comment:** I have read the DEIS for section 3, particularly chapter 5 on wildlife. It is ok as far as it goes, but more needs to be done to mitigate the impact of this road on the eastern box turtle, *Terrapene carolina*. It is not a "listed" species, but is under a lot of pressure in this state and the I-DNR has placed it under special regulations. I am in favor of this road. However special effort must be made during the construction process to see that eastern box turtles are blocked from the direct path of construction, or removed from it in advance and placed in immediately adjacent woodland habitat either side of the right of way. These are creatures that will cling to their home ranges so placing them at any significant distance from the right of way will not be beneficial. I believe a drift fence



in front of construction will allow turtles to be systematically collected and moved out of harms way. I urge INDOT to require contractors on this project to do. As this project moves from south to north it will increasingly impact mare and more box turtle habitat. Section three is the place to get these mitigation practices started. Thank you

**Response:** Please refer to the response to comment PC001.

**PC070**      **Ann Segraves**  
**6/8/09**  
**Website Comment**

**Comment:** Indiana will not benefit new terrain I69. It's become a costly boondoggle that takes resources that should be used for high speed rail between Bloomington and Indy, and Indy and Evansville. It's time to listen to the citizens who are mostly not in favor of this project.

**Response:** Please refer to the response to comment PC046.

**PC071**      **Andy Knott**  
**6/8/09**  
**Website Comment**

**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. 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. 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 the responses to comments PC059 regarding cost/benefit analysis, PC024 regarding economic impacts, and PC006 regarding the Tier 1 Alternative 1.

**PC072**      **Garry Heshelman**  
**6/8/09**  
**Comment Sheet**

**Comment:** Our farm is located at the corner of CR1600N & CR600 E on the north side of CR1600N. The Interstate will be cutting our farm into; about 60 acres on South side and 120 acres on the North.

The problem is you are closing CR 600 E. This makes for a 4 to 5 mile trip to the North to get to the other side of the farm; including traveling down Highway 57, which



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is a unsafe practice with farm machinery. Going to the south from the corner of CR1600N & CR600E, I will have to travel CR600E to CR1500N then to Highway 57 north to the farm another 4-5 mile trip with farm machinery.

By closing CR600E, CR1600N and CR1550N this will force me to travel State Highway 57 which is a unsafe practice, very time consuming and a great inconvenience for the farming operation.

Your Impact Studies stressed traffic safety, fewer impacts on farmland, fewer farm or field splits, and non impact on ease of fire protection. By closing these roads you have ignored all of the above points. You have isolated our farming operation as well as caused a serious problem for people now as well as the future residents in this area with accessibility for fire protection. Fire trucks having to travel extra county road miles to get to the residents.

Solution: Open one of the roads that is to be closed by putting in an overpass. For my farming operation CR1600N would be the best option to have an overpass but CR 1550N would be another option and probably the best when considering Fire Protection Safety, less impact on traveling time to each side of the farm and more convenient for the business of Judy's Advertisement.

I realize that overpasses cost money, but so does the cost of inconvenience of travel time for the farming operations for years to come.

I did not choose to sell the land or cause this safety hazard an inconvenience.

Farm Located in  
Northern Daviess Co.

Thanks  
{signed} Garry Heshelman  
Son of Georgia Heshelman

**Response:** It is uneconomical to provide overpasses at each county road. The travel demand on County Roads 600 E, 1550 N, and 1600 N are low. State Road 57 has no agricultural equipment restrictions and farm equipment is already transported on that road. Additionally, I-69 will reduce travel on SR 57, making it safer for farm machinery.

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.

This commenter also made similar comments at the public hearing. Please see the response to those comments (PC021).



**PC073**      **No Name Given**                      **Citizens for Appropriate Rural Roads**  
**6/8/09**  
**Letter**

**Comment:**

**PC073-1**      COMMENTS ON I-69 EVANVILLE TO INDIANAPOLIS, TIER 2 STUDIES,  
DEIS, SECTION 3 (The Study)

SUBMITTED BY: CITIZENS FOR APPROPRIATE RURAL ROADS (CARR)  
JUNE 2009.

IN ADDITION, THE COMMENTS OF CITIZENS FOR APPROPRIATE RURAL  
ROADS (CARR) ON THE TIER 2, DEIS, SECTION 3, INCLUDE THE  
FOLLOWING.

CARR's Letter Requesting An Extension Of The Comment Period For This DEIS,  
with responses. 16 May, 2009.

Letter To The Inspector General, USDOT. 29 May, 2009.

CARR's Comments On The Tier 2 DEIS, Section 3. June 2009

Comments by Jess A. Gwinn. June 2009.

Hoosier Environmental Council Report: "The Case for the Common Sense Alternative  
to the New-Terrain I-69 Highway from Indianapolis to Evansville", May 2008.

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.

The Comments of Bill Boyd and Comments by The Hoosier Environmental Council  
on this DEIS, Section 3, will be sent under separate cover but are to be included as part  
of CARR's  
comments.

**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 request and response are included in Appendix C 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 3. June 2009.*** See responses to comment PC056.
- ***Comments by Jess A. Gwinn, June 2009.*** See responses to comment PC063.
- ***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 PC073-35 through -45, which address the main points of this report. 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.
- ***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*.
- ***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.



**PC073-2 GENERAL COMMENTS:**

The Tier 2 DEIS, Section 3, 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 decisions already made.
- 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 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.

**PC073-3:** The I-69 project does not have realistic projections of a probable completion date.

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 3 of this project. The legality of going forward with Section 3 must be addressed because it is not fiscally constrained, i.e., there is no known funding source for it.

**Response:** Please refer to the responses to comments PC056-20 and PC068-10.

**PC073-4** 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 will have the time to offer meaningful comments. 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 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



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unprecedented opposition for nearly twenty years to this proposed highway, that opposition is not mentioned in this document.

The purpose and need evaluation for this project is out-of-date and ignores current construction costs and the high cost of fuel.

**Response:** Please refer to the response to comment PC056-46.

**PC073-5** 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 have changed dramatically since the FEIS was released in 2003. 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. 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.

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 9%, 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 elsewhere.

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. Section 3 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 3. Texas has already dropped plans for a new terrain I-69 in Texas because of citizen opposition and spiraling construction and fuel costs.

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:** 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 Tier 1 core goals are:

- Improve the transportation linkage between Evansville and Indianapolis
- Improve personal accessibility for Southwest Indiana residents, and
- Facilitate interstate and international movements of freight through the I-69 corridor, in a manner consistent with the national I-69 policies.

There is no evidence offered that these core goals do not continue to be valid, nor that changes within the last few years significantly affect the ability of the selected Tier 2 Alternative to satisfy them.

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 PC056-4 regarding project costs, PC0056-20 and PC0068-10 regarding funding, and PC016 regarding interstate highway density.

**PC073-6** 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 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.

**Response:** Please refer to the response to comment PC056-5.

**PC073-7** 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 DEISs for this project.

**Response:** Please refer to the response to comment PC048-3.

**PC073-8** 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.**

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 thirst 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.

**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 (EIS). 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.

**PC073-9** 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:** The mitigation site for all wetland, stream, and upland forest impacts associated with Section 3 has been purchased and is currently scheduled for construction in starting in 2009 and completing the construction in 2010. This mitigation site is 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. This mitigation site will replace forested and scrub/shrub wetlands and upland forests at a 3:1 ratio, emergent wetlands at a 2:1 ratios and open water and streams at a 1:1 ratio.

**PC073-10** This individual section (Section 3) 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. 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 to comment PC054-6. It is not the purpose of the traffic modeling to establish that Section 3 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 between Evansville and Indianapolis. 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.

**PC073-11** The purposes, needs and goals of I-69 are in conflict. There are four 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, the PN for I-69 within Indiana, and PN 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. These changes will create negative impacts for local communities.

**Response:** The Purpose and Need for each Tier 2 section is consistent with the Tier 1 Purpose and Need. Moreover, the various purpose and need goals and performance measures are consistent with each other. See Chapter 2 of the FEIS.

**PC073-12** I-69 may cause NSWC Crane to close. Increased traffic to and by NSWC Crane will threaten the continued operation of that base. Crane's remoteness is a reason it has survived past base closings. 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.

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:** Please refer to the response to comment PC056-32. Additionally, NEPA requires consideration of "reasonably foreseeable" environmental impacts. The concept of reasonably foreseeable impacts does not include "rumors."

**PC073-13** 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 transported along 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.

**PC073-14** 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 has acted as it has the right to do this. 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 to comment PC054-6.

**PC073-15** 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 reduced to as little as reasonably possible 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.

**PC073-16** 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.

**Response:** This funding arrangement was provided in cooperation with the US Fish and Wildlife Service (USFWS) in order to accommodate the significant increase in workload which the I-69 Tier 2 studies will entail. USFWS 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."

**PC073-17** SPECIFIC COMMENTS:

Several significant changes are proposed for Section 3 including the delaying of a full interchange at U.S. 231, delaying a rest area 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. If these changes are made then this DEIS must use economic models that reflect these changes. A supplemental EIS will be needed.

**Response:** Please refer to the response to comment PC016. In addition, the Tier 1 FEIS and ROD anticipated that Tier 2 NEPA documents would make final determination of interchange locations, rest area locations, grade separations, and overpasses. See Tier 1 ROD Sections 2.1.6 and 2.1.7. These choices, as well as minor design issues (such as pavement type and median width) are within the anticipated scope of the Tier 2 studies, and do not require preparation of a supplemental EIS.

**PC073-18** Section 3 does not have independent utility. The Study says 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.

The tiering process has many problems. An example of how Tier 1 studies are flawed is the following: Impacts on wetlands and floodplains and forests are significantly different in Tier 2 than estimated in Tier 1 (table 6-10). The justification for proceeding with the project was based on the findings in Tier I. The data used in Tier 1 was out of date. For example, the forest cover data was from 1992. Now many 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.

**Response:** Please refer to the responses to comments PC016 regarding the staged construction of the US 231 interchange, PC054-6 regarding sections of independent utility and PC056-

8, regarding details of the staged construction of the US 231 interchange..Differences between Tier 1 and Tier 2 impact estimates are discussed in the FEIS, Section 6.3.2.

**PC073-19** 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.

Traffic forecasts were based on land use forecasts using 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. These new forces must be included in an updated forecast of traffic and land use.

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.

There is a strong urban bias in this DEIS. When assessing impacts on communities, only closely 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:** The aerial maps used in the DEIS are the most current available for the entire project corridor. Based upon project staff's review of more current aerial photos and direct knowledge of changing conditions in the project area, these maps are updated to show new development, or new land cover (such as significant changes in forested land). The Section 3 project team has staffed a local project office since 2004, which enables it to monitor significant changes in the project area.

Analyses of social impacts considered the very rural nature of much of the project area. For example, there is a dispersed community of about 25 residences in the vicinity of Daviess County Roads 500 N and 550 N. Minimizing impacts to this community was an important factor in the screening of alternatives and selection of a preferred alternative in Subsection B. See FEIS Sections 3.4.1 and 6.2.1.2, as well as Figure 3-45 and Table 6-3.

Please refer to the responses to comments PC016 and PC056-8 regarding the staged interchange construction. Please refer to the responses to comment PC015 regarding impacts to rural areas due to changes in local access, and how these were considered in the FEIS.

**PC073-20** 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

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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.

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 US Fish and Wildlife Service (USFWS) and the preparation of a Tier 2 Biological Assessment and subsequent Biological Opinion from USFWS will be completed as required under Section 7 of the Endangered Species Act. The USFWS is the proper agency to make recommendations regarding White Nose Syndrome in Indiana Bats, if any recommendations are appropriate.

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.

**PC073-21** SW Indiana is in an active earthquake zone. All structures for I-69 must be built to earthquake standards. This DEIS does not commit to those standards. The FEIS must affirm and state clearly and definitively that all bridges and over and underpasses will be constructed to withstand a major earthquake. These increased cost 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 said 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.

**PC073-22** 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 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 FEIS 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 community.

**Response:** Please refer to the response to comment PC006 regarding impacts to farmland and farming operations. Response to comment PC015 addresses how decisions were made regarding the effects of local access modifications upon farming operations. 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.

**PC073-23** Proposed mitigation measures are often stated in the passive voice: "Efforts have been made... ", "Efforts will be made... ", "Where reasonable and cost effective... ". These types of statements are weak and vague. 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:** Please see responses to comments PC056-33 and PC073-9

**PC073-24** 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 impacts to wetlands and forests. This is incorrect and indicates an attempt to ignore those impacts.

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.

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.

**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. Forecasts in changes due to changes in traffic flows are accounted for in the forecasts of population and employment changes.

**PC073-25** 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.

The Study claims (p. 5-39) 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. 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.

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 paved 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:** Please refer to the responses to comments PC048-3 regarding climate change, PC026 regarding coordination with local emergency responders, and PC015 regarding road closure. The upgrade of existing roads does not meet the purpose and need – please refer to the response to comment PC059 regarding purpose and need.

**PC073-26** 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 route 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:** Please refer to the response to comment PC008.

**PC073-27** 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 2-3, this data was collected 18 years ago!) Certainly more current data is available and must be used. Current traffic 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, by the Study's logic, in more accidents on those roads. There will also be more induced traffic to more distant cities. More traffic on interstates also means more accidents. Table 3-5 is incomplete. What base year was used to determine traffic increases? In Table 3-6 rates are used which can be misleading. The VMT is significantly less for the no-build alternatives than for the build alternatives. Therefore, based on this table 36, there would be fewer fatalities overall in the named counties with the no-build alternative than with the build alternative even though the rate is lower for the build alternative. 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 would improve 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.

**Response:** Regarding the up-to-date nature of the traffic forecasts, please see responses to comment PC056-04. Regarding climate change, please see response to comment PC 048-03.

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 3 project area because traffic is diverted to I-69 from other places. In spite of this increase in traffic, the number of crashes in these counties decreases because I-69 is a safer facility. Table 3-5 provides a conservative estimate of the safety benefit of this project, since it does not quantify the crashes avoided outside of the 4-county study area. Table 3-6 shows that crash rates decrease from 11% to 24% in the study area; this means that you will be 11% to 24% *less likely* to be involved in a crash once the project is completed. This further illustrates that I-69 makes travel much safer.

**PC073-28** 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:** 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.

**PC073-29** 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. 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 3 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, this DEIS used data from the state of New Mexico. Why wasn't Indiana data used? A northern state like Indiana will have greater O&M costs.

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:** The “operations” cost cited from the Tier 1 FEIS is for law enforcement and other public safety costs. Current data for such costs was 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. Since the length of each alternative is virtually identical, these costs would be virtually identical for each alternative. Also, please refer to the response to comment PC056-22.

**PC073-30** 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 gain support for the project.

**Response:** The methodology for the economic impact study is given in Section 5.5.2 in the DEIS and analysis is given in Section 5.5.3.

**PC073-31** 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 as long as they are below some arbitrary limit 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.

**Response:** Please refer to the response to comment AF002-7, regarding the evaluation of noise impacts on humans. While emphasizing the effects of noise upon humans, some of the measures which Section 5.10, *Noise Impacts*, discusses can also be beneficial to wildlife. These include alteration of horizontal alignments, alteration of vertical alignments, and coordination among local planning authorities (including mapping of 66 dBA noise contours). See Section 5.10.4.1 for discussion of these measures.

**PC073-32** A reevaluation of riparian impacts must be undertaken. This DEIS underestimate those impacts, as did the DEIS for Section 2.

**Response:** The need to modify stream (riparian) impacts in the Section 2 DEIS was identified in the process of preparing the Tier 2 Biological Assessment for Section 2. In preparing the Biological Assessment for Section 3, the stream impacts published in the Section 3 DEIS were verified. No change in the stream impacts is required.

**PC073-33** **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

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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.

The sensible solution is to abandon the new terrain route and upgrade the existing US41 and I-70 alternative.

**Scotland Hotel & Blackmore Store:** The report's conclusion that the I-69 international truck route will have "no auditory effect" on the Scotland Hotel and the Blackmore Store is nonsense. An international truck route with traffic projections of over 20,000 vehicles a day will have a tremendous auditory effect on these historic structures.

**McCall Family Farmstead:** The report's conclusion that the I-69 international truck route will have no auditory effect on the McCall Family Farmstead is even more ludicrous. The noise and light pollution from the I-69 project will greatly degrade the beauty and integrity of the McCall Farmstead. The "noise modeling results...do not result in a traffic noise impact" indicates that the authors of this report should go stand for 24 hours 800 feet from an international truck route.

This kind of analysis defies common sense and underlines the political nature of the I-69 project. It gives historic preservation a very bad image.

**Dowden Farm:** Because there have been so many errors and omissions in the report on this property, CARR requests that the Dowden farm be studied for eligibility for the National Register again and with due diligence.

CARR questions the inclusion of the Dowden Farm in Section 3. The stated purpose of the one mile overlap area was to permit historians from each independent section to "effectively evaluate" the above ground resources. In actuality, the same historians led and conducted the study, thus negating the stated theory supporting the overlap.

We quote from earlier comments submitted by Jan Boyd, consulting party:

"During subsequent visits, again conducted at the request of the property owners and other concerned individuals, study personnel were reluctant to take note of the historical facts relating to the farm. When offered the opportunity to view specific historical details of the house for example, the offer was declined. The only justification for declining to look at important telling details is that the study personnel did not want to know. The study personnel's negligence to perform their due diligence is evident in the numerous errors, omissions, and inaccuracies contained in the report. These errors, omissions and inaccuracies not only concern the Dowden Farm, but are applicable to other properties in the study corridor as well. The logical conclusion of the above indicates what occurred once, likely is true of other properties along the proposed route. The project consultants, managers, INDOT, and FHWA have a duty to ensure each and every property was evaluated in a fair and equitable manner."



The inaccuracies in the Dowden Farm report appear to be politically motivated, as it is a property that is in the proposed ROW.

**Response:** These comments were also provided as part of the Section 106 consultation project for Section 3. Responses to them are provided in Appendix N, *Section 106 Documentation*.

**PC073-34** 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 a Supplemental Environmental Impact Statement be prepared for this DEIS and 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.

**PC073-35**

**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 PC073 on the Section 3 DEIS by CARR is a document that predates the Section 3 DEIS by eight months. None of the content of the attachment addresses any part of the Section 3 DEIS. The Section 3 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 3 DEIS, there is no obligation to respond to the issues in this Final EIS for Section 3. See 40 C.F.R. 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. Please see response to comment PC006 regarding the Tier 1 Alternative 1.

**PC073-36** **The new-terrain I-69 highway will have substantial environmental impact.**



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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.

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 PC054-5 regarding the Indiana bat. Section 3 of the I-69 project does not encounter karst areas or Patoka River National Wildlife Refuge. See Section 3 FEIS, Appendix Z, *Tally of Impacts, All I-69 Tier 2 Sections*, 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 additional maternity colonies 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 these additional maternity colonies led to issuance of a Revised Tier 1 BO – see Appendix M 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

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Environmental Council (which wrote this report appended to CARR’s comment letter). See PC54-6 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 the US Fish and Wildlife Service 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 major highway corridor. This is discussed in the I-69 Section 2 DEIS Appendix U, *I-69 and Patoka National Wildlife Refuge – History of Joint Development*.

**PC073-37 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 PC054-6 regarding the tiering process, and PC054-5 regarding the Indiana bat. Section 3 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 PC54-6 for further discussion of this litigation.

**PC073-38 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. However, Alternative 1 was again found to be imprudent and unfeasible.

The agencies listed above are in support of the alternatives identified in the Tier 2 document. Please see refer to AF001-2 and AF001-3 for U.S. Department of Interior comments, AF002-1 and AF002-2 for U.S. Environmental Protection Agency comments, and AS001, AS002-2 and AS002-3 for Indiana Department of Natural Resources comments.



**PC073-39 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 3 of the I-69 project does not encounter or pass through the communities along State Road 37. Please refer to the Tier 1 FEIS (<http://deis.i69indyevn.org/FEIS/index.html>) for reasons for the selection of Tier 1 Alternative 3C along State Route 37. In addition, the Metropolitan Planning Organizations for Indianapolis and Evansville both 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.

**PC073-40 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*



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“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 3 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 3 of the I-69 project passes through Perry Township.

**PC073-41 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 Z 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.



**PC073-42 Costs for building I-69 are increasing greatly.**

The cost to build I-69 is increasing. INDOT’s newest cost estimates reported in draft or final environmental impact statements for Sections 1, 2, and 3, and INDOT estimates for Sections 4, 5, and 6 contained in its *2030 Long Range Transportation Plan*, add up to a total I-69 project cost of nearly \$2.8 billion. In 2003, INDOT projected the cost of the new-terrain I-69 to be \$1.8 billion. With the cost of the Evansville to Henderson, Kentucky, I-69 bridge included, the total reaches \$3.2 billion. See Table 3 at the end of the document for the full analysis of cost estimates.

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. Using the new cost estimates for Sections 1, 2 and 3, the allotted \$700 million would build only 40.3 miles of I-69, less than the full distance of Sec. 1 and Sec. 2. 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 from June 2006 to June 2008, the average value of farmland increased by about one-third, broken down as follows:

- 32.7% increase – poor quality land
- 34.1% increase – average quality land
- 35.8% increase – top quality land

**Response:** Please refer to the response to comment PC056-4 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.

**PC073-43 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.

**PC073-44 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: “non-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.

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In March 2007, upon dropping his Indiana Commerce Connector plan to pay for I-69, Governor Daniels told the Indianapolis *Star*, “I 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:** Please refer to the response to comment PC068-10 regarding funding.

**PC073-45 The U.S. 41/I-70 Route can be completed sooner, at much less cost, and with minimal environmental impacts.**

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.



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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 “NAFTA” highway from Canada to Mexico. Existing interstate highways already link Canada to Mexico.*

**Response:** Please refer to the response to PC006 regarding Tier 1 Alternative 1. This comment provides not additional information which was not known and considered at the time of the Tier 1 FEIS and ROD.

**PC074 Tom Nugent  
6/10/09  
Comment Sheet**

- Comment:**
1. Daviess Co. CR1100N field west of CR575E needs to be open for field W. of Ditch
  2. Daviess Co. 1400 N – Option I – needs overpass for White River Co-op business
  3. Daviess Co. CR 500 E open for farm equipment traffic at Hwy 58
  4. Daviess Co. overpasses – CR900N needs overpass – main E-W Road to Epsom – (Keep Rd 800N) opt. 3 -

**Response:** Daviess County Road 1100 North is expected to be closed on the east side of the ditch (tributary to Epsom Lateral) due to the planned rest area. The rest area has been shifted north to avoid impacts to the tributary to Epsom Lateral. If Daviess County Road 1100 North being closed at this location prevents access to the field west of the ditch either alternative access will be provided or the landlocked land will be purchased by INDOT.

The overpass at County Road 1400 N has been eliminated. The intersection of State Road 57 at County Road 1500 N will be improved.

County Road 500 E will remain open but relocated to the west, allowing a safe distance between the County Road 500 E at State Road 58 intersection and the intersection of I-69 southbound ramps at State Road 58.

CR 900 N will be closed; grade separations will be provided at CR 800N (one mile to the south) and CR 1000N (one mile to the north).



**PC075**      **Melanie Howes**  
**6/26/09**  
**Website Comment**

**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:** Section 3 does not enter Pike County. The Pike County portion of the I-69 project falls under Section 2.

**Postcards:** 290 standardized postcard responses were received as comments to the Section 3 DEIS. All of these had the same format, including a checklist of three comments and a space for additional comments by the sender. An example of a blank postcard is given below:

I-69 Comments Section 3:  
David Pluckebaum  
Corradino Group  
P.O. Box 8464  
Evansville, IN 47716

\_\_\_\_\_ Date

**Please include these comments as part of the official record.**

I support the NO BUILD alternative for I-69.

FIX THE ROADS WE HAVE! The US41 and I-70 alternative will cost tax payers less and save farmland, forests and communities.

INDOT must do an honest benefit/cost analysis using current, truthful & complete data.

Additional Comments:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
Please print CLEARLY!



A summary of responses to the checklist comments is included below. Following those is a list of commenters with responses to additional comments, if given.

**Checklist Comments:**

**Comment:** - I support the NO BUILD alternative for I-69. - 263 comments

**Response:** Please refer to the response to comment PC033 regarding the No Build alternative.

**Comment:** - FIX THE ROADS WE HAVE! The US41 and I-70 alternative will cost tax payers less and save farmland, forests and communities. - 286 comments

**Response:** Please see the response to comment PC006 regarding the Tier 1 Alternative 1.

**Comment:** - INDOT must do an honest benefit/cost analysis using current, truthful & complete data. - 240 comments

**Response:** Please refer to the response to comment PC059 regarding benefit-cost analysis.

It also should be noted that 237 postcards indicated that the respondents favored both the “no build” alternative, as well as one of the Tier 1 build alternatives (Alternative 1 – US 41/I-70).

**Postcard Commenters:**

**PST001      Shawna Vertrees**  
**4/23/09**

**Additional Comments:**

fix the roads we have Don't listen to those David Grahmites. It's a waste!!

**Response:** The I-69 project does not exclude other road projects.

**PST002      Paul Gaston**  
**4/24/09**

**PST003      Vivian Gladden**  
**4/24/09**



**PST004 David Chattin**  
**4/24/09**

**Additional Comments:**

1. The public has a right to vote on this issue.
2. I grew up in S W Indiana + this road is for greed not need

**Response:** Comment noted.

**PST005 Carol McMurrey**  
**4/25/09**

**Additional Comments:**

Why do we need this now? How many millions have already been spent. Where's the lottery money? Why can't we have a subway or Ell?

**Response:** Please refer to the response to comment PC046.

**PST006 Chelsea Klumpp**  
**4/25/09**

**PST007 Jennifer Jackson**  
**4/25/09**

**PST008 Summer Curry**  
**4/25/09**  
**Postcard**

**Additional Comments:**

It will take forests along with it plus the communities people live in

**Response:** Comment noted.

**PST009 Bruce Thompson**  
**4/25/09**

**PST010 Sylvia Reichel**  
**4/25/09**

**Additional Comments:**

Rethinking this just might improve Indiana's pathetic environmental score.

**Response:** Comment noted.



- PST011**      **Misty Shanks**  
**4/25/09**
  
- PST012**      **Elizabeth Beaver**  
**4/25/09**
  
- PST013**      **Beth Hayes**  
**4/25/09**
  
- PST014**      **Merri Anderson**  
**4/25/09**
  
- PST015**      **Sally Middendorf**  
**4/25/09**
  
- PST016**      **Levi Draper**  
**4/25/09**
  
- PST017**      **Kathy Fite**  
**4/25/09**
  
- PST018**      **Michael Weeks**  
**4/25/09**
  
- PST019**      **Anna Rees**  
**4/25/09**

**Additional Comments:**

Indiana's economy will NOT benefit from losing our precious farm land! Let the farmers keep their livelihood!

**Response:** Comment Noted.

- PST020**      **Heather Thompson**  
**4/25/09**
  
- PST021**      **Shalona S. Clayton**  
**4/25/09**
  
- PST022**      **Deborah Beaver**  
**4/25/09**
  
- PST023**      **Andrea McCarthy**  
**4/25/09**



**PST024 Amber Collins**  
**4/25/09**

**Additional Comments:**

No study has shown this to be a cost-effective project. With the current economic situation – this is a bad idea!

**Response:** Comment noted.

**PST025 Tyler Stout**  
**4/25/09**

**PST026 William Moore**  
**4/25/09**

**PST027 David Kingsbury**  
**4/25/09**

**PST028 Lauren Tinsley**  
**4/25/09**

**PST029 Julia Wackel**  
**4/25/09**

**PST030 Kristen Heitman**  
**4/25/09**

**PST031 Lisa Wilson**  
**4/25/09**

**Additional Comments:**

Think long term for my kids~  
the environment needs us!

**Response:** Comment noted.

**PST032 Patrick Burtch**  
**4/25/09**

**Additional Comments:**

Spend more money on what we have. Utilize more state funds for mass transit rather than highways.

**Response:** Please refer to the response to comment PC046.



**PST033 Kevin Andrews**  
**4/25/09**

**PST034 Natalie Killeen**  
**4/25/09**

**Additional Comments:**

We need to safeguard what little forested + natural areas remain in Indiana.

**Response:** Comment noted.

**PST035 Stephanie Fulford**  
**4/25/09**

**PST036 EK Bramblett**  
**4/25/09**

**Additional Comments:**

Quit blowing my \$! I'm unemployed & broke as it is!

**Response:** Comment noted.

**PST037 Nicole Kelter**  
**4/25/09**

**PST038 Melissa Meils**  
**4/25/09**

**Additional Comments:**  
PLEASE!!!

**Response:** Comment noted.

**PST039 Lisa Kuhn**  
**4/25/09**

**Additional Comments:**

Do not waste our land for roads you can't support. Put in a train system.

**Response:** Please refer to the response to comment PC046.

**PST040 Kelsey Hopkins**  
**4/25/09**



**PST041 Paul Dieterlen**  
**4/25/09**

**PST042 Misty Mullens**  
**4/25/09**

**PST043 William Scott**  
**4/25/06**

**PST044 Janet Vondersaar**  
**4/25/09**

**Additional Comments:**

Stop the Pork.  
Feed the hungry.  
Affordable Healthcare for ALL!

**Response:** Comment noted.

**PST045 Danice Harris**  
**4/25/09**

**PST046 Vickie Goens**  
**4/25/09**

**PST047 Kathleen Dobie**  
**4/25/09**

**PST048 Wayne Blackwell**  
**4/25/09**

**PST049 Cassandra Perry**  
**4/25/09**

**PST050 Jonna MacDougal**  
**4/25/09**

**Additional Comments:**

Mass transit would be a better option.

**Response:** Please refer to the response to comment PC046.

**PST051 Michael Ryan**  
**4/25/09**



**PST052 Jill D. Rushworth**  
**4/25/09**

**Additional Comments:**

No more taxes  
Save the land and others homes

**Response:** Comment noted.

**PST053 Angela Gaston**  
**4/25/09**

**PST054 Nancy Franken**  
**4/25/09**

**Additional Comments:**

Why waste money, trees and land

**Response:** Comment noted.

**PST055 Robert Englum**  
**4/25/09**

**PST056 Dan Fortune**  
**4/25/09**

**PST057 Merri Young**  
**4/25/09**

**PST058 Sherri Gruber**  
**4/25/09**  
**Postcard**

**Additional Comments:**

Please do not destroy any more land or disrupt peoples lives – We don't need or can afford any new roads.

**Response:** Comment noted.

**PST059 Lois Sprague**  
**4/25/09**



- PST060**      **Celeste Jameson**  
4/25/09
  
- PST061**      **Tim Murray**  
4/25/09
  
- PST062**      **Dana Davis**  
4/25/09
  
- PST063**      **Mary Faye deHebreard**  
4/25/09

**Additional Comments:**

The state government needs to check out all the money wasted to save ‘15’ minutes. If those who want to save 15 min. need to move closer to where they want to be.

**Response:** The Tier 1 FEIS noted that the preferred alternative would reduce typical travel time from Indianapolis to Evansville by 26 minutes, compared to only 12 minutes saved using Alternative 1. To better convey the significance of this travel time savings, a travel demand model was used to compute the total number of daily trips that would cover the entire distance between Evansville and Indianapolis in the forecast year (2025). This analysis showed a total of approximately 11,200 trips per day between Evansville and Indianapolis. (This number includes all trips that travel the entire distance between these cities, including longer-distance trips that extend beyond one or both cities.) Thus, while the additional time saved by Preferred Alternative for any individual trip may seem modest, the cumulative benefit is large. For example, a 14-minute difference in travel time between Alternative 1 and the Tier 1 Preferred Alternative translates into a difference of nearly 900,000 hours of vehicle travel time saved annually, for Evansville to Indianapolis trips alone.

- PST064**      **Sharon Storms**  
4/25/09
  
- PST065**      **Ryan Snoot**  
4/25/09
  
- PST066**      **Elizabeth Najar**  
4/25/09

**Additional Comments:**

Look for alternatives causing least damage to environment.

**Response:** Comment noted.



**PST067 Bill Markiewicz  
4/25/09**

**PST068 Rick Gross  
4/25/09**

**Additional Comments:**

Dont waste taxpayer resources

**Response:** Comment noted.

**PST069 Janet Dieterlen  
4/25/09**

**PST070 David Najar  
4/25/09**

**PST071 Jane Walden  
4/25/09**

**PST072 Rita L. Englum  
4/25/09**

**PST073 Dan Kraner  
4/25/09**

**PST074 Phyllis Zimmerman  
4/25/09**

**Additional Comments:**

With the currant state of the economy how can we even think of doing this!

**Response:** Comment noted.

**PST075 Leslie Lipmon  
4/25/09**

**PST076 Jason Moore  
4/25/09  
Postcard**

**PST077 Steph Pfendler  
4/25/09**



**PST078 James Larner**  
**4/25/09**

**Additional Comments:**

STOP BUILDING I69!

**Response:** Comment noted.

**PST079 Mary Kay Kleiss**  
**4/25/09**

**PST080 Brian Kaplan**  
**4/25/09**

**PST081 Eric MacDougall**  
**4/25/09**

**Additional Comments:**

I-70-41 will work fine

**Response:** Comment noted.

**PST082 Ashley Miller**  
**4/25/09**

**Additional Comments:**

Mass transit!

**Response:** Please refer to the response to comment PC046.

**PST083 Sean Crinnigan**  
**4/25/09**

**Additional Comments:**

Thank you!

**Response:** Comment noted.

**PST084 Dan Stanley**  
**4/25/09**

**PST085 Moraima A. Bradley**  
**4/25/09**



**PST086 Julius M Skipper**  
**4/25/09**

**PST087 Jeri Gros**  
**4/25/09**

**Additional Comments:**

Have the courage to protect our land + people.

**Response:** Comment noted.

**PST088 E.D. Pfendler**  
**4/25/09**

**PST089 Ashley Marlow**  
**4/25/09**

**PST090 Amy Deitchley**  
**4/25/09**

**PST091 David Stilley**  
**4/25/09**

**Additional Comments:**

Please help save Indiana's natural heritage for future generations!

**Response:** Comment noted.

**PST092 John Johnston**  
**4/25/09**

**PST093 Michelle Lenrue**  
**4/25/09**

**PST094 Cookie McRunig**  
**4/25/09**

**Additional Comments:**

No More Roads!

**Response:** Comment noted.

**PST095 Johna Allen**  
**4/25/09**



**PST096**     **B. Jones**  
4/25/09

**PST097**     **Greg Buck**  
4/25/09

**Additional Comments:**

Meet real needs instead of creating boondoggles.

**Response:** Comment noted.

**PST098**     **Heather Wychoff**  
4/25/09

**PST099**     **Katherine A. Gabne**  
4/25/09

**Additional Comments:**

Leadership must be sustainable + long in its focus

**Response:** Comment noted.

**PST100**     **John P. Brennan**  
4/25/09

**Additional Comments:**

Particularly in light of the current economy – this doesn't make economic sense.

**Response:** Comment noted.

**PST101**     **Michael Sanders**  
4/25/09

**Additional Comments:**

Mass transit in Indianapolis will make our city sustainable + more green.

**Response:** Please refer to the response to comment PC046.



**PST102      Jim Plant**  
**4/25/09**

**Additional Comments:**

PLEASE CONSIDER MASS TRANSIT ALTERNATIVES

**Response:** Please refer to the response to comment PC046.

**PST103      James R. Pennell**  
**4/25/09**

**Additional Comments:**

Repair our current infrastructure, save the forests, and build public rail and bike systems

**Response:** Please refer to the response to comment PC046. Please refer to the response to comment PC054-4 regarding forest impacts.

**PST104      Laura Furst**  
**4/25/09**

**Additional Comments:**

Please consider alternative ecological methods such as mass/public transit

**Response:** Please refer to the response to comment PC046.

**PST105      Dan Grill**  
**4/25/09**

**PST106      Kelsey Morgan**  
**4/25/09**

**PST107      Susan Lomelin**  
**4/25/09**

**PST108      Federico Lomelin**  
**4/25/09**

**PST109      Robert Abel**  
**4/26/09**

**PST110      Kasey**  
**4/26/09**



**PST111 Michelle Day**  
**4/26/09**

**PST112 Greg Piers**  
**4/26/09**

**PST113 Jeni Jenkins**  
**4/26/09**

**PST114 Joanne Hamilton**  
**4/27/09**  
**Postcard**

**Additional Comments:**

Indiana does not seem to get it – building more roads destroys the environment, increases sprawl and pollution, and while it might temporarily help some communities it will damage others forever. Our tax dollars should be invested in rebuilding and expanding rail and other mass transit.

**Response:** Please refer to the response to comment PC046. Please refer to the response to comment PC033 regarding environmental impacts.

**PST115 Nick Greven**  
**4/27/09**

**Additional Comments:**

If we are going to build transportation services, make it trains

**Response:** Please refer to the response to comment PC046.

**PST116 Sarah Glass**  
**4/27/09**

**Additional Comments:**

IN 67/IN 57 fed would be most suitable route

**Response:** The Tier 1 FEIS found that Alternative 4 (various routings using SR 67 to SR 57) would have fewer improvements to personal accessibility, higher impacts to farmland and wetlands, higher operation and maintenance costs, and higher potential to encourage sprawl. See Tier 1 FEIS, Sections 6.2 and 6.4.1.



**PST117 Thomas Glass**  
**4/27/09**

**Additional Comments:**

IN 67/IN 57 fed would be most suitable route

**Response:** Please refer to the response to comment PST116.

**PST118 John Anthony**  
**4/27/09**

**Additional Comments:**

We should invest in energy efficient environmentally friendly freight and passenger rail instead.

**Response:** Please refer to the response to comment PC046.

**PST119 Vonda S. Tyler**  
**4/28/09**

**PST120 Nancy Dickinson**  
**4/29/09**

**Additional Comments:**

A 41 Bypass around the commercial area just of Terre Haute would help + be better than I69

**Response:** Please refer to the response to comment PC006 regarding the Tier 1 Alternative 1.

**PST121 Robert Bracken**  
**5/4/09**

**PST122 Jerard Ruff**  
**5/5/09**

**Additional Comments:**

One of the sad facts of life in Hoosier Country these days is that INDOT will only do a reasonably honest assessment of the I-69 boondoggle when pigs fly or when we rid the Hoosier Nation of Mitch + those other right wing bandits

**Response:** Comment noted.



**PST123 Mary Ann Dunfee**  
**5/5/09**

**Additional Comments:**

any road construction should not place undue, permanent costs on local governments + residents. + it should not cause damage to the wildlife habitats

**Response:** Comment noted.

**PST124 Jane Parry**  
**5/5/09**

**Additional Comments:**

Increase public transit  
Fix the roads we have  
Don't ruin Southern Indiana

**Response:** Please refer to the response to comment PC046.

**PST125 Roy and Jackie Burns**  
**5/5/09**

**Additional Comments:**

We are watching, the special interests, politic's, and greed involved in the I-69 project!

**Response:** Comment noted.

**PST126 Jim Silverstein**  
**5/5/09**

**Additional Comments:**

Interstates and cars made perfect sense in 1950, but make none today.

**Response:** Comment noted.

**PST127 Robert S. Fulk**  
**5/5/09**

**Additional Comments:**

Dear sir,  
Please do not support I-69, It is a waste of a lot of money, with no real benefit.

**Response:** Comment noted.



**PST128 James A. Thorn**  
**5/5/09**

**Additional Comments:**

Any honest benefit/cost analysis would show that building any interstate highway now would be stupid and pointless. For Christ's sake, QUIT!

**Response:** Please refer to the response to comment PC059 regarding benefit-cost analysis.

**PST129 Ann Segraves**  
**5/5/09**

**PST130 Julio Alonso**  
**5/5/09**

**PST131 Dan and Shawn Henline**  
**5/5/09**

**Additional Comments:**

please, please, please  
LISTEN!

**Response:** Comment noted.

**PST132 Brian Kautz**  
**5/5/09**

**PST133 Tracy Whelan**  
**5/5/09**

**PST134 Mary G. Girard**  
**5/5/09**

**Additional Comments:**

NO I-69!

**Response:** Comment noted.



**PST135 Maryellen and Robert E. Bieder**  
**5/5/09**

**Additional Comments:**

I-69 is not a responsible idea. It is uneconomical and destructive. It does not put taxpayers' money to good use.  
{signed} Maryellen Bieder

**Response:** Comment noted.

**PST136 Judson M. Horning**  
**5/5/09**

**Additional Comments:**

Our state budget cannot withstand a speculative wasting of funds

**Response:** Comment noted.

**PST137 Indra Frank**  
**5/5/09**

**Additional Comments:**

The cost in billions of dollars, thousands of acres of forest +of farm, and the loss of homes and businesses by eminent domain is not justified. Stop the new terrain I-69

**Response:** Comment noted.

**PST138 Brittany Ancelet**  
**5/5/09**

**Additional Comments:**

Fix the roads we have, please!

**Response:** Over one-third of I-69 will be on existing alignment.

**PST139 Ricky Tungate**  
**5/5/09**

**Additional Comments:**

use common sense, spend the money on something the whole state can use. P.S. If you want to be so connected with Indy, Be in the same time zone.

**Response:** Comment noted.



**PST140 John R. Anthony**  
**5/5/09**

**Additional Comments:**

Please, we must attempt to save what little GREEN we still have, and stop this prohibitive cost. Respectfully, John R. Anthony

**Response:** Comment noted.

**PST141 Stephen D. Suthard**  
**5/5/09**

**Additional Comments:**

state going broke, recession, lets build a Hiway redicilous

An elevated road bed across the river (white) will further empede water upstream + cause worse flooding upstream Elenora Westphalia

**Response:** Section 3 of I-69 does not cross the White River or any other river. A hydrological analysis will be conducted during design of the road to address drainage and flooding. Efforts to reduce impacts to floodplains are described in Sections 7.2 and 7.3 of the FEIS.

**PST142 Jeff and Heidi Leisz**  
**5/5/09**

**Additional Comments:**

I-69 is a waste of tax payers' money! We do not need or want I-69.

**Response:** Comment noted.

**PST143 Ronald D. Hedlund**  
**5/5/09**

**Additional Comments:**

Indiana is broke! Spend no more unessary money! We taxpayers are hurting!

**Response:** Comment noted.



**PST144 Julie Ferris**  
**5/5/09**

**Additional Comments:**

NO NO NO BUILD!!!

**Response:** Comment noted.

**PST145 Jeffrey F. Huntsman**  
**5/6/09**

**Additional Comments:**

My business is restoring vintage automobiles, so I am not at all against good roads. But the new-terrain I69 is an unessaery disaster!

**Response:** Comment noted..

**PST146 Brian Hendrickson**  
**5/6/09**

**Additional Comments:**

Call me crazy but don't ya need to get your house in order before you go off building any new roads?

**Response:** Comment noted.

**PST147 Dave Abram**  
**5/6/09**

**Additional Comments:**

Another highway cannot be the best solution for our problems of the future that you guys can come up with... think railroads.

**Response:** Please refer to the response to comment PC046.

**PST148 Nell Weatherwax**  
**5/6/09**

**Additional Comments:**

This I-69 is obviously an outdate idea with no good reason to continue. End it now!

**Response:** Comment noted.



**PST149 J.A. Hartenfeld**  
**5/6/09**

**PST150 Clark A. Buchner**  
**5/6/09**

**Additional Comments:**

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.

**PST151 Jon B. Broderick**  
**5/6/09**

**Additional Comments:**

Gentlemen & Ladies,  
It's economic and environmental folly to consider continuing this madness!!!

**Response:** Comment noted.

**PST152 James H. Pennington**  
**5/6/09**

**Additional Comments:**

This Road cost to much, and is not needed

**Response:** Comment noted.

**PST153 M. Joan Hughes**  
**5/6/09**

**Additional Comments:**

Get real. This thing is an albatross hung around our necks.

**Response:** Comment noted.



**PST154 Susan Coulter**  
**5/6/09**

**Additional Comments:**

Indiana does not have the money to build this. The main accomplishment of this is to build up certain proponents' egos.

**Response:** Comment noted.

**PST155 Walter L. Sadler**  
**5/6/09**

**PST156 Paul W. Schmitt**  
**5/6/09**

**Additional Comments:**

There seems to be wide public opposition to this project, which has seemed to be on a rail. We need real railroads more than a highway.

**Response:** Please refer to the response to comment PC046.

**PST157 Weir Hall**  
**5/6/09**

**PST158 David and Mariann Bishop**  
**5/6/09**

**Additional Comments:**

Public transit is needed.

**Response:** Please refer to the response to comment PC046.

**PST159 Doug and Susan Davis**  
**5/6/09**

**Additional Comments:**

We DO NOT NEED this highway!

**Response:** Comment noted.



**PST160 Natalie Wrubel  
5/6/09**

**Additional Comments:**

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 comment PC046.

**PST161 Denise Breeden-Ost  
5/6/09**

**Additional Comments:**

I-69, as planned, is an inexcusable waste of Indiana's natural & financial resources.

**Response:** Comment noted.

**PST162 Charles Haley  
5/6/09**

**PST163 Marilyn Greenwood  
5/6/09**

**PST164 Phil and Karen Wisniewski  
5/6/09**

**Additional Comments:**

Save our money + land

**Response:** Comment noted.

**PST165 Cheryl and David Moeller  
5/6/09  
Postcard**

**Additional Comments:**

Jobs created from I-69 will be marginal jobs. Go look at existing interstate. And, what is the current cost

**Response:** Comment noted.



**PST166 Debra Raddatz**  
**5/6/09**

**Additional Comments:**

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.

{signed} D. Raddatz

**Response:** Comment noted.

**PST167 Linda Greene**  
**5/6/09**

**Additional Comments:**

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.

**PST168 Anthony Pizzo**  
**5/6/09**

**Additional Comments:**

I feel strongly that The US41 + I70 route best for all.

**Response:** Please refer to the response to comment PC006 regarding the Tier 1 Alternative 1.

**PST169 William A. Miller**  
**5/6/09**

**PST170 Beverly Moore**  
**5/6/09**

**Additional Comments:**

Stop and think before screwing up and spending more money then necessary

**Response:** Comment noted.



**PST171 Wayne M. Ormes**  
**5/6/09**

**Additional Comments:**

There has to be a better way if you would only look for it. Please look for it.

**Response:** Comment noted.

**PST172 Sura Gail Tala**  
**5/6/09**

**Additional Comments:**

Stop this Road – it is too Expensive and too Destructive!

**Response:** Comment noted.

**PST173 Ashok Desai**  
**5/6/09**

**Additional Comments:**

I-49 & I-70 Alternative is the most cost effective alternative in my opinion

**Response:** Please refer to the response to comment PC006 regarding the Tier 1 Alternative 1.

**PST174 Kelly R. Anderson**  
**5/6/09**

**PST175 Janet and Homer Montgomery**  
**5/6/09**

**Additional Comments:**

Politicians are elected to do the people's will, not their own political agendas. Listen to the people!

**Response:** Comment noted.

**PST176 Dan Lichtenburg**  
**5/6/09**

**Additional Comments:**

Please use the money for public transit, which is the forward looking alternative

**Response:** Please refer to the response to comment PC046.



**PST177**      **No Name Given**  
**5/6/09**

**Additional Comments:**

Upgrade Railroads

**Response:** Please refer to the response to comment PC046.

**PST178**      **Virginia B. Clark**  
**5/6/09**

**PST179**      **Marian Armstrong**  
**5/6/09**

**PST180**      **Barbara Bonchek**  
**5/7/09**

**Additional Comments:**

Please develop the railway system.

**Response:** Please refer to the response to comment PC046.

**PST181**      **Ann M. Foster-Hughes**  
**5/7/09**

**Additional Comments:**

It is unnecessary to cut a swath through the loveliest part of our state. Leave it beautiful, keep the highway out!

**Response:** Comment noted.

**PST182**      **Oliver and Holly Joy**  
**5/7/09**

**Additional Comments:**

Cut out wasteful unnecessary expense

**Response:** Comment noted.



**PST183 David and Elizabeth Kramer**  
**5/7/09**

**Additional Comments:**

Lets put aside the greed + self will and do the economically right + just action for our citizens. Be honest + up front + then let the people decide their own fate. We're sick of having useless, expensive programs crammed down our throats!

**Response:** Comment noted.

**PST184 Marietta Reinhold**  
**5/7/09**

**Additional Comments:**

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 to comment PC048-2 regarding maintenance costs.

**PST185 Carlene and James Quinn**  
**5/7/09**

**PST186 Charles E. Yeager**  
**5/7/09**

**Additional Comments:**

Estimated costs for I69 have doubled to at least \$4 Billion INDOT must do a new benefit cost analysis design + construction materials have been cheapened. We must have a true report of LONG TERM cost of operations + maintenance

**Response:** Please refer to the response to comment PC059 regarding benefit-cost analysis. Please refer to the response to comment PC048-2 regarding maintenance costs.

**PST187 Greg Foote**  
**5/7/09**

**Additional Comments:**

This is good neither for the citizens nor their land.

**Response:** Comment noted.



**PST188 Anne Fraker**  
**5/7/09**

**Additional Comments:**

We need clean, safe, reliable public transport i.e. trains. We cannot continue to live our old ways – cars, roads, more roads.

**Response:** Please refer to the response to comment PC046.

**PST189 Tammy Behrman**  
**5/7/09**

**Additional Comments:**

We need greenspace preservation, public transit should be considered as an alternative. Hoosiers don't want I-69 – Listen to us!

**Response:** Please refer to the response to comment PC046.

**PST190 Brenda Sowders**  
**5/7/09**

**PST191 No Name Given**  
**5/7/09**

**PST192 Joyce Lakey**  
**5/7/09**

**Additional Comments:**

Cost has doubled + project is not worthy of saving a few minutes to travel!

**Response:** Please refer to the response to comment PST063.

**PST193 Jack R. Saylor**  
**5/7/09**

**Additional Comments:**

Public Transit Must Be Considered As An Alternative To More Highways!

**Response:** Please refer to the response to comment PC046.

**PST194 Mark Schmitt**  
**5/7/09**



**PST195      Andrew R. Durkin**  
**5/7/09**

**Additional Comments:**

This is not the sort of stimulus we need – it is wasteful + unnecessary.

**Response:** Comment noted.

**PST196      No Name Given                      Hoosier Hikers Council**  
**5/7/09**

**Additional Comments:**

I69 through Karst forest + farmland would be the biggest AVOIDABLE environmental disaster of the century.

**Response:** Section 3 does not pass through karst areas. Please refer to the response to comment PC006 regarding farmland impacts.

**PST197      Patricia Cummings and Sam Frushour**  
**5/7/09**  
**Postcard**

**Additional Comments:**

Please don't trade our farms, forests & small town integrity for a few jobs in the short term – Build along US41 & I-70.

**Response:** Comment noted.

**PST198      Mark Vermillion**  
**5/8/09**

**Additional Comments:**

Public transit must be considered as an alternative to more highways. Relatively few jobs will be created, which will not offset the damages and job loss to our communities

**Response:** Please refer to the response to comment PC024 regarding economic impacts. Please refer to the response to comment PC046 for a discussion of transit.

**PST199      Denise Ellshoff**  
**5/8/09**



**PST200      John P. Stambaugh**  
**5/8/09**

**Additional Comments:**

**Unwanted  
Unneeded  
A complete joke!**

**Response:** Comment noted.

**PST201      Dennis and Susan Knapczyk**  
**5/8/09**

**Additional Comments:**

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 comment PC046.

**PST202      Mary Howard**  
**5/8/09**

**Additional Comments:**

If you sincerely care for our environment, stop this I-69 mess. Indiana does not need it.

**Response:** Comment noted.

**PST203      Brenda and John Reed**  
**5/8/09**

**PST204      Mr. and Mrs. John Pelton**  
**5/8/09**

**Additional Comments:**

Public transit must be considered. Improve railroads + reduce truck traffic.

**Response:** Please refer to the response to comment PC046.



**PST205 M.A. Feitler  
5/8/09**

**Additional Comments:**

Upgrading 41 & 70 would be smarter, better & cheaper & Hoosiers should show that we recognize real value.

**Response:** Please refer to the response to comment PC006 regarding the Tier 1 Alternative 1.

**PST206 Raymond Rust  
5/8/09**

**PST207 Leah Helen May  
5/8/09  
Postcard**

**Additional Comments:**

More roads and more cars will only add to our problems. Mass transit and population reduction are our planet's only hope.

**Response:** Please refer to the response to comment PC046.

**PST208 Cathy Caldie  
5/8/09**

**Additional Comments:**

Damage to environment and water quality not worth it. Existing roads (US 41) would be more sensible + cost effective. Too much \$\$ spent on planning.

**Response:** Please refer to the response to comment PC033 regarding environmental impacts. Please refer to the response to comment PC006 regarding the Tier 1 Alternative 1.

**PST209 Janice Browning  
5/8/09**

**Additional Comments:**

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.



**PST210 Mr. and Mrs. James Flickinger**  
**5/8/09**

**Additional Comments:**

I-69 – the express ride for dope from Mexico to United States + Canada compound access for East-West Travel in southern-Northern-counties + Townships

**Response:** Comment noted.

**PST211 Patricia Powell**  
**5/8/09**

**Additional Comments:**

Make highway 37 south of Mitchell four lanes if needed to reach I64. What a waste of money to build I69 in southern Ind.

**Response:** The preferred alignment was identified in the Tier 1 FEIS (<http://deis.i69indyevn.org/FEIS/index.html>). The Preferred Alternative, 3C, was the best performer with most acceptable level of environmental impacts among Tier 1 Preferred Alternatives.

**PST212 Jinny Thompson**  
**5/8/09**

**Additional Comments:**

Why do we persist in feeding the consumer frenzy that this society has created by carving still more pristine land in our state for trucks to haul goods to Walmart?

**Response:** Comment noted.

**PST213 Jim and Carol Rice**  
**5/8/09**

**Additional Comments:**

It is shameful that people like you go against the wishes of the people, take their home + lands – and spend their own money to do it. Just remember – what goes around comes around.

**Response:** Comment noted.



**PST214 Suzanne Mudge**  
**5/8/09**  
**Postcard**

**Additional Comments:**

We need alternatives to more highways – highways WE CANNOT AFFORD. Please focus on public transit – building a better public transit system vs. systems that will only increase the volume of cars – we need alternatives

**Response:** Please refer to the response to comment PC046.

**PST215 Cathy Gianikos**  
**5/9/09**

**Additional Comments:**

Do not build new terrain I-69! We don't want or need it; it is a boondoggle which only serves the greed of the highway construction lobby.

**Response:** Comment noted.

**PST216 Susan Hollis Bassett**  
**5/9/09**

**Additional Comments:**

Too much land will be lost. Too little time will be gained.

**Response:** Comment noted.

**PST217 Christopher and Okcha Atwood**  
**5/9/09**

**Additional Comments:**

Please let us have railroads; proven to be the most efficient & reliable. Thanks.

**Response:** Please refer to the response to comment PC046.



**PST218 Suzanne Mittenthal**  
**5/9/09**

**Additional Comments:**

It's so much more expensive now. We don't have the money. And all it will do is help send jobs to Mexico!

{signed} Suzanne Mittenthal

**Response:** Comment noted.

**PST219 Stephanie Kane**  
**5/9/09**

**Additional Comments:**

Stop the trickery.  
Stop the new road.

**Response:** Comment noted.

**PST220 Frank Petty**  
**5/9/09**

**Additional Comments:**

The cost of I-69 far outweighs the benefits!

{signed} Frank Petty

**Response:** Please refer to the response to comment PC059.

**PST221 Janiel Rogers**  
**5/9/09**

**PST222 Susan Henry**  
**5/9/09**

**PST223 Arthur Edelstein**  
**5/10/09**

**PST224 John C. Baumhauer, Jr.**  
**5/10/09**

**Additional Comments:**

Farmland is one of Indiana's remaining financial strengths – let's not destroy that!

**Response:** Comment noted.



**PST225     Antonia Matthew**  
**5/10/09**

**PST226     Thomas R. Newby**  
**5/11/09**

**Additional Comments:**

It's Outrageous that In this Age of Prohibitive Gas Prices And Global Warming We Are Blowing Our Budget on Highways

**Response:** Comment noted.

**PST227     Tom Glastras**  
**5/11/09**

**Additional Comments:**

overall destruction + waste far surpass the benefit of extending I-69

**Response:** Comment noted.

**PST228     Jane Henderson**  
**5/11/09**

**Additional Comments:**

This highway is a boondoggle to put \$ in the pockets of the construction lobby – who then give \$ to the govenor!

**Response:** Comment noted.

**PST229     Ric Stephan**  
**5/11/09**  
**Postcard**

**Additional Comments:**

We don't want I-69

{signed} Ric Stephan

**Response:** Comment noted.



**PST230 Ken Sauer  
5/11/09**

**PST231 Travis Deal  
5/11/09**

**PST232 Otto Neyhouse  
5/11/09**

**Additional Comments:**

I-69 destroys too much farm ground. We don't need roads – we need rail service. Rail carries more people, uses less land space + provides safer travel.

**Response:** Please refer to the response to comment PC046.

**PST233 Christine Matheu  
5/11/09**

**Additional Comments:**

I-69 is not wanted or needed!

**Response:** Comment noted.

**PST234 Cheryl Huerter  
5/11/09**

**PST235 Jacqueline L. Whaley  
5/11/09**

**Additional Comments:**

It's been 20 years stop wasting tax payer money. Either do something or abolish this project

**Response:** Comment noted.

**PST236 Tom Jochim  
5/11/09**

**Additional Comments:**

Please give us a truthful account of what I69 will cost to maintain

**Response:** Please refer to the response to comment PC048-2 regarding maintenance costs.



**PST237 Betty Hollifield**  
**5/11/09**

**Additional Comments:**

Government has no money of its own  
Taxpayers are unemployed  
We need no more roads  
FIX What we have

**Response:** Comment noted.

**PST238 Kelly Smith**  
**5/12/09**

**PST239 Parker Pengilly**  
**5/12/09**

**Additional Comments:**

A new road will not benefit residents but only truck traffic

**Response:** Comment noted.

**PST240 Sarah Clevenger**  
**5/12/09**

**Additional Comments:**

Listen to the voice of the people Promote democracy

**Response:** Comment noted.

**PST241 Joe Gwinn**  
**5/12/09**

**Additional Comments:**

this is nothing more than a way to get union votes and steer money to the powers that  
be  
beware – I vote!!!

**Response:** Comment noted.



**PST242      Terrie Usrey**  
**5/12/09**

**Additional Comments:**

I do not support building the new I-69. The state does not have the funds

**Response:** Comment noted.

**PST243      Missie Carnegie**  
**5/12/09**

**Additional Comments:**

Please fix the roads we have + use corp. TAX

**Response:** Comment noted.

**PST244      June Naugle**  
**5/13/09**

**PST245      Carole Smith**  
**5/14/09**  
**Postcard**

**Additional Comments:**

Not an environmentally sound project; Too many \$\$ To benefit a few; Most citizens of state do not want – needs a vote not a ramrod!

**Response:** Comment noted.

**PST246      Jacqueline Griffin**  
**5/14/09**

**Additional Comments:**

Please consider all the above; especially the second one. With our economy going bad & taxes going up we cannot afford it.

**Response:** Comment noted.



**PST247 David E. Dodrill**  
**5/14/09**

**Additional Comments:**

Please be honest with the citizens of Indiana. The cost/benefit analysis doesn't justify the new interstate.

**Response:** Please refer to the response to comment PC059 regarding benefit-cost analysis.

**PST248 Martha L. Crouch**  
**5/14/09**

**Additional Comments:**

We do not need a new superhighway.

**Response:** Comment noted.

**PST249 Berniece Tirmenstein**  
**5/14/09**

**Additional Comments:**

The 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. In order to stay within the "original cost" InDot will use cheaper materials + design. Give us, too, a true report on cost of operation + upKeep longterm

It's "Fleecing of America" destroys wetlands, forests, farmlands

**Response:** Please refer to the response to comment PC059 regarding benefit-cost analysis.

**PST250 Leif Hagglund**  
**5/14/09**

**Additional Comments:**

The cost-benefit Analysis for I-69 is a joke. Environmental costs have been minimized and economic benefits have been maxed to support whatever you want to do.

**Response:** Please refer to the response to comment PC059 regarding benefit-cost analysis.



**PST251 David L. Cox**  
**5/15/09**

**Additional Comments:**

Residents in Monroe + surrounding counties have opposed I-69 coming through their (our) backyards for years. That, alone, should be reason enough for not building it, but if there's more needed – we need a rail system between Bloomington & Indianapolis, NOT MORE HI-WAY. Please look to the future, not more of the same. There's been enough of a majority speaking out against this expressway for years. it's time to take it elsewhere – where it's wanted like – Terre Haute U.S. 41

**Response:** Please refer to the response to comment PC006 regarding the Tier 1 Alternative 1. Please refer to the response to comment PC046 regarding mass transit.

**PST252 LeAnn Lipe**  
**5/15/09**

**PST253 Meredith Hull**  
**5/15/09**

**PST254 Pam and Bryan Kienitz**  
**5/16/09**

**Additional Comments:**

We do not need a new terrain road. Fix US41 + I-70!

**Response:** Please refer to the response to comment PC006 regarding the Tier 1 Alternative 1.

**PST255 Dan Clark**  
**5/18/09**

**PST256 Tom Flynn**  
**5/18/09**

**Additional Comments:**

I prefer the no build alternative, but if you must please use 41/70.

**Response:** Please refer to the response to comment PC033 regarding the No Build alternative. Please refer to the response to comment PC006 regarding the Tier 1 Alternative 1.

**PST257 Cheryl Baumgart**  
**5/18/09**



**PST258 Jeffrey R. Miller**  
**5/18/09**

**Additional Comments:**

From a Bridge to No Where in Alaska To a Highway for NAFTA that still could be sidetracked, show some common sense and rebuild US 41!  
{signed} Jeffrey R Miller

**Response:** Please refer to the response to comment PC006 regarding the Tier 1 Alternative 1.

**PST259 Phil Wilmore**  
**5/19/09**

**PST260 Donald Schroeder**  
**5/19/09**

**PST261 Richard and Marguerite Kadlec**  
**5/19/09**

**PST262 Annette Alpert**  
**5/19/09**

**Additional Comments:**

Please don't mess with our Hoosier rural heritage. I am a born Chicagoan + have come to love IN!  
{signed} L. Annette Alpert MD

**Response:** Comment noted.

**PST263 Clarke Kahlo**  
**5/20/09**

**Additional Comments:**

Cut-corners (as Mitch Daniels recently urged) and so-called "value-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 refer to response to comment PC056-5.



**PST264 Lorraine Sirucek**  
**5/20/09**

**Additional Comments:**

The underground carst, streams + caves must be considered and studied in this are through the Dept. of Natural Resources before any kind of highway is started – The Geology Dept. at IU has this info – and it could be a disaster!!

**Response:** Section 3 is not located within a karst region.

**PST265 Lu Richmond**  
**5/20/09**

**Additional Comments:**

This does not promote public transit use + help being more “green.”

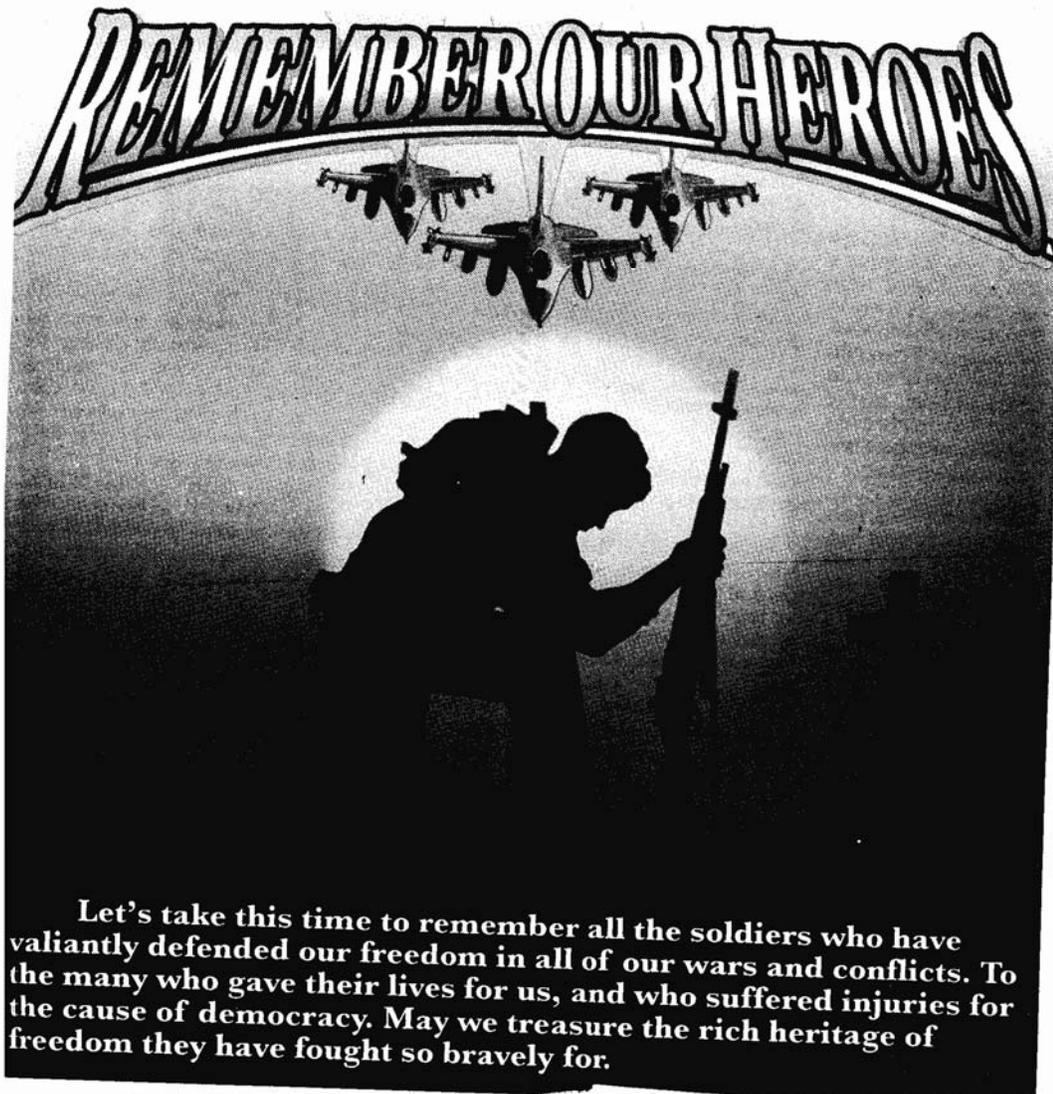
**Response:** Please refer to the response to comment PC046.

**PST266 Mrs. Verle Maxwell**  
**5/20/09**

**Additional Comments:**

Please save our homes + farms  
Saving 15-20 min. + spending billions of dollars doesn't make sense. My husband shed a lot of blood for our country + now they want to take our home

{Illustration Included}



**Response:** Comment noted.

**PST267** Lois and Bob Boruff  
5/21/09

**PST268** Nancy Diane Brooks  
5/21/09

**Additional Comments:**

please don't destroy our land! The citizens of Indiana do not want this!

**Response:** Comment noted.



**PST269**      **Nicholas W. and Carita J. Noe**  
**5/21/09**

**Additional Comments:**

I-69 is another pork barrel project that will only benefit the city of Evansville

**Response:**    Comment noted.

**PST270**      **Philip J. Kline**  
**5/22/09**

**Additional Comments:**

New-Terrain I-69 is an obscene waste of money, farmland, forests + watershed. It is socially, environmentally + economically destructive in so many ways. Our great-grandchildren will curse us for I-69, if “New Terrain” used.

**Response:**    Please refer to the response to comment PST211.

**PST271**      **Steven D. and Nancy Keith**  
**5/22/09**

**Additional Comments:**

We need to preserve our farmland.

**Response:**    Comment noted.

**PST272**      **Roger A. Daniel**  
**5/23/09**

**Additional Comments:**

Don't build I-69

**Response:**    Comment noted.

**PST273**      **Linda Stafford**  
**5/25/09**

**PST274**      **Dorothy Mack**  
**5/25/09**

**PST275**      **Albert B. Dean, Jr.**  
**5/26/09**



**PST276      Gordon Dornick**  
**5/27/09**

**Additional Comments:**

Keep foreign companies and foreign countries/governments out of Indiana road construction + operation.

**Response:** Comment noted.

**PST277      Jeanne Leimkuhler**  
**5/28/09**

**Additional Comments:**

We need to focus on high speed rail as an alternative to highways

**Response:** Please refer to the response to comment PC046.

**PST278      Tom Fitzgerald**  
**5/29/09**

**PST279      Patrick J. Munson**  
**6/1/09**

**Additional Comments:**

The cost estimate For the I69 boondogle has now doubled. With a bypass in SE Terre Haute (US41 to I70) I69 is not needed

**Response:** Please refer to the response to comment PC006 regarding the Tier 1 Alternative 1.

**PST280      Alice Schloss**  
**6/1/09**

**PST281      Veronica Ries and Tom Moor**  
**6/2/09**

**Additional Comments:**

Relatively few jobs will be created, which will not offset the damages + job loss – we don't need more new terrain highways – we are running out of oil!

{signed} Veronica J. Ries

**Response:** Please refer to the response to comment PC024 regarding economic impacts.



**PST282 Janet A. Hollis**  
**6/2/09**

**Additional Comments:**

Do not destroy our farms & forests for a road we don't need! And don't waste taxpayer money!

**Response:** Comment noted.

**PST283 Sarah Ryterband**  
**6/3/09**

**Additional Comments:**

Do not destroy our farmland + karst for 15 minutes at a financial, social, + agricultural cost to S. IN which so far outweighs the alternative US-40/I70

**Response:** Please refer to the response to comment PC006 regarding the farmland impacts and the Tier 1 Alternative 1.

Section 3 is not located within a karst region.

**PST284 Eve Earley**  
**6/5/09**

**Additional Comments:**

Save family farms  
Save Hoosier forests

**Response:** Comment noted.

**PST285 Steve Witwer**  
**6/6/09**

**PST286 Dick and Donna Goddard**  
**6/6/09**

**PST287 Susan A. Sammis**  
**6/6/09**

**Additional Comments:**

Public transit must be considered as an alternative to more highways! Hoosiers do not need or want I-69. It's time for the state to listen.

**Response:** Please refer to the response to comment PC046.



**PST288**      **Edith Sarra**  
**6/8/09**

**PST289**      **Scott F. Johnson**  
**6/9/09**

**Additional Comments:**

We should protect and cherish what little wilderness remains in Indiana, not pave over it.

**Response:**    Comment noted.



**PART A**

**ADDENDUM**

**Additional Comment Regarding Agency Review of  
Comments and Responses Document:**

**- USEPA**



August 27, 2009  
Virginia Laszewski  
Environmental Scientist  
USEPA, Region 5

**Comment:** We appreciate the opportunity to review and provide comment on FHWA/INDOT's draft Responses to Comments on the Tier 2 Draft Environmental Impact Statement (DEIS) for Section 3 of the I-69, Evansville-to-Indianapolis Project. EPA reviewed those draft responses that were specifically identified as responses to EPA's DEIS comments. At this time, we have no major concerns with the draft responses. We are please to see that there may be fewer acres of wetland impacts identified in the upcoming FEIS than was identified in the DEIS. However, regarding mitigation for diesel particulate, we are disappointed that FHWA/INDOT do not propose to do more. While we realize that Greene County does not have a lot of residences or high concentrations of particulate, please keep in mind that EPA will be more concerned about areas around Indianapolis and Evansville with high populations and current particulate levels near the standard.

Thank you for the opportunity to review and comment on the draft responses in advance of the FEIS.



**PART B**

**WRITTEN COMMENTS AND PUBLIC**

**HEARING TRANSCRIPTIONS**

**ON**

**I-69 EVANSVILLE TO INDIANAPOLIS TIER 2 STUDIES**

**SECTION 3**

**DRAFT ENVIRONMENTAL IMPACT STATEMENT**