APPENDIX B

CORRESPONDENCE SINCE PUBLICATION OF TIER 2 SECTION 4 FEIS

(Associated correspondence pre-dating the publication of the FEIS has been included for background in some instances)

2011 JUN 21

VAN BUREN TOWNSHIP FIRE DEPARTMENT

FIRE CHIEF CHARLES HILL

2130 South Kirby Road
Bloomington, Indiana 47403

May 16, 2011

Honorable Richard Lugar
306 Hart Senate Office Building
Washington, DC

Dear Congressman:

Van Buren Township is the second busiest rural fire department in Monroe County, responding to approximately 1300 Fire and EMS incidents per year, with two fully staffed stations located at 2130 South Kirby Road and at 9019 W. Hinds Road in Stanford, Indiana.

As we look forward to the future growth and development of Indiana 69 coming through Monroe County, we are planning for the future needs of our residents as well as people travelling through our area. We are concerned by the lack of an emergency access road on to I-69 in southwest Monroe County in Stanford for quick response access for emergency services for the following reasons:

1. Van Buren Township strives to keep up on current NFPA standards. Standard policy is to deploy equipment and be on scene within a 5 minute time frame. With NO access proposed in the Stanford area and a fire station located one mile from the proposed I-69 route area, we would find it hard to meet the standards we are requested to follow without access.
2. In the event of a hazardous materials incident, fast containment must be attainable before allowing these materials to enter into the karts area and our community. The Van Buren Township fire department is equipped and trained to contain these types of occurrences .
3. Emergency responders for the I-69 project must approach from the uphill/upwind side and based on the terrain at the location, an incident this would require, under the present proposal, that Monroe County emergency responders having to travel 9 miles and 15 minutes before accessing I-69 then travel the distance back into Monroe County. Due to the fact that Green County has no career fire departments, it is not realistic for us to ask them to respond to the Monroe County side for protection coverage. There are three fire departments that cover the area of Section 4. The closest with access is 6miles from the proposed interchange, while the Stanford Station distance is one mile with NO access.

We have met with INDOT Section 4 planners and have strongly urged and requested an emergency access road to allow us access near the Burch Road area. They informed us this request will have to be reviewed and accepted federally. We ask if you and your office would assist us in any way to help protect those who will be traveling through our area, that we might give them the highest level service of service.

Sincerely,

Charles Hill
www.vanburenfire.org

RICHARD G. LUGAR
INDIANA

306 HART SENATE OFFICE BUILDING
WASHINGTON, DC 20510
202-224-4814

senator_lugar@lugar.senate.gov
http://lugar.senate.gov

COMMITTEES:
FOREIGN RELATIONS, RANKING MEMBER
AGRICULTURE, NUTRITION, AND FORESTRY

United States Senate

WASHINGTON, DC 20510-1401

June 3, 2011

Charles Hill
Chief
Van Buren Township Fire Department
2130 South Kirby Road
Bloomington, Indiana 47403

Dear Chief Hill:

Thank you for your informative letter. I appreciate your taking time to outline for me your efforts with transportation officials to include an emergency access route along the planned Interstate 69 route. This is an important issue, and I am pleased you brought this matter to my attention.

I support the I-69 project and have worked in Congress through the years to increase Indiana's share of federal transportation funds. While I have not advocated a specific route, I continue my work with the Indiana Congressional Delegation to bring to Indiana more of our fair share of gas tax dollars.

I want to update you on my work at the federal level on the funding and other transportation issues for Indiana. With my support, the Senate passed multi-year legislation to reauthorize our nation's surface transportation programs. The bill increases Indiana's annual share of highway funds by 34.6 percent. Indiana will get 92 cents back on each federal dollar paid by Hoosier motorists into the Highway Trust Fund. This measure builds on the success of the landmark 1998 transportation bill that raised Indiana's average share of highway funds from the historically low 78-cent range to more than 90 cents back for every dollar Hoosier motorists pay in federal gas taxes.

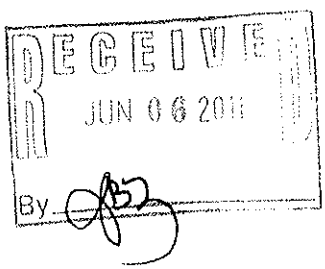
While the federal government provides billions of dollars every year to states for transportation, decisions about design, planning, maintenance, construction, and repair, among other important matters in Indiana, are generally determined by the Indiana Department of Transportation (INDOT), and other local transportation organizations, following review and approval by Federal Highway Administration (FHWA).

Regarding the issue you discussed, I have taken the liberty of forwarding a copy of your letter to the Division Administrator of the FHWA. It is important that our federal transportation officials be made aware of your work with state transportation officials. I have also shared a copy of your letter with Michael Cline, Commissioner, INDOT, as it is helpful for him to know of your ongoing work.

Again, thank you for writing.

Sincerely,

Richard G. Lugar
United States Senator



RGL/rhr

cc: Max Azizi Acting Division Administrator, FHWA, U.S. Department of Transportation
Michael Cline, Commissioner, INDOT

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INDIANA DEPARTMENT OF TRANSPORTATION
Driving Indiana's Economic Growth

100 North Senate Avenue
Room N758
Indianapolis, Indiana 46204-2217

PHONE: (317) 232-3166
FAX: (317) 232-0238

Mitchell E. Daniels, Jr., Governor
Michael B. Cline, Commissioner

June 7, 2011

The Honorable Richard G. Lugar
United States Senate
306 Hart Senate Office Building
Washington, DC 20510-0001

Re: Record ID # 822038
Emergency Access for Van Buren Township Fire Department
For new Interstate 69 Corridor in Monroe County

Dear Senator Lugar:

Thank you for your letter dated 06/03/2011 to the Indiana Department of Transportation (INDOT) on behalf of your constituent, Mr. Charles Hill, requesting emergency access for the Van Buren Township Fire Department in Monroe County. The I-69 Team has been requested to review this request.

A response will be forthcoming as soon as the I-69 Team has had the opportunity to complete their investigation. Thank you for conveying this concern.

Sincerely,

Robert L. Zier
Chief of Staff
Indiana Department of Transportation

RLZ/mn

Cc: Betsy Burdick, Office of Governor
Troy Woodruff, INDOT Central Office
Sam Sarvis, INDOT I 69 Team
Chris Kiefer, INDOT Central Office
Janelle Lemon, INDOT I-69 Team
Mr. Charles Hill

INDIANA DEPARTMENT OF TRANSPORTATION
Driving Indiana's Economic Growth

100 North Senate Avenue
Room N755
Indianapolis, Indiana 46204

PHONE: (317) 234-5142
FAX: (317) 233-1481

Mitchell E. Daniels, Jr., Governor
Michael B. Cline, Commissioner

July 27, 2011

Mr. Kent McDaniel
Policy Committee Chairman
Bloomington/Monroe County Metropolitan Planning Organization
PO Box 100 Showers Center City Hall
401 North Morton Street, Suite 160
Bloomington, IN 47402

Dear Mr. McDaniel,

INDOT was disappointed to receive the enclosed Draft Transportation Improvement Plan (DTIP) in May from the Bloomington Metropolitan Planning Organization (BMCMPO). The planning process between INDOT and the BMCMPO calls for it to be continuing, cooperative, and comprehensive. Our objective is a transportation plan that BMCMPO and INDOT can agree upon and the inclusion of I-69 is an integral part of such a plan.

The Policy Board's unannounced action to remove I-69 and alter the DTIP, without ample notice of such action being provided to the public, contradicts the intent and purpose of public participation and involvement in the planning process. INDOT also finds that this approach is in direct violation of the BMCMPO's bylaws requiring notification and public posting of all TIP amendments, as well as publication on the meeting agenda. The BMCMPO's Policy Board actions were uncooperative and not continuing the previous direction determined with the amendment of I-69 into the TIP in November 2010.

For these reasons, INDOT is returning the BMCMPO's DTIP for revision and re-submittal. INDOT encourages the BMCMPO to reconsider the actions they took in an attempt to remove Section 4 of I-69 from the draft 2012-2015 TIP. The state and INDOT will be awaiting the receipt of a revised 2012-2015 DTIP in response to this letter.

Sincerely,

Robert H. Zier for Michael B. Cline

Michael B. Cline
INDOT Commissioner

cc: Josh Desmond, BMCMPO
Audra Blasdel, INDOT
Michelle Allen, FHWA

August 29, 2011

Charles Hill
2130 South Kirby Road
Bloomington, IN 47403

Dear Mr. Hill,

I write in response to your letter dated May 16, 2011. Senator Lugar forwarded your letter to my office to prepare a response. Your letter mentions that no interchanges are proposed between the Greene/Monroe County Line and State Road (SR) 37. You request that INDOT construct an emergency access road in the vicinity of Burch Road and I-69 in southwest Monroe County. INDOT has reviewed this document and would like to offer the following response:

The I-69 Tier 1 Final Environmental Impact Statement (FEIS) stated "Efforts have been made to limit interchanges in karst areas, thereby limiting access and discouraging secondary growth and impacts. No interchanges will be provided in Monroe County where I-69 is on new alignment (p. 7-18 – Interchanges in Karst Areas)". INDOT is committed to limiting environmental impacts in Southwest Monroe County due to its unique and environmentally sensitive nature. The Tier 1 Record of Decision (ROD) adopted these commitments when it was signed by FHWA on March 24, 2004.

INDOT conducted public outreach efforts with emergency responders shortly after it released Section 4's Draft Environmental Impact Statement (DEIS). It met with Van Buren Township Fire Department on September 14, 2010 to present local access recommendations in its DEIS. Several meeting attendees expressed concern regarding a lack of direct access to I-69 between the Greene/Monroe County line and SR 37. INDOT released Section 4's Final Environmental Impact Statement (FEIS) on July 22, 2011. Appendix BB (Emergency Responder Coordination – Emergency Access Feasibility) of the FEIS was prepared in response to comments submitted on Section 4's DEIS. Please reference this appendix for more information.

Feel free to contact Steve Walls, I-69 Project Manager at (812) 334-8869 if you desire additional information. Thank you for your continued interest in the I-69 project.

Sincerely,

Janelle L. Lemon
Project Manager
Indiana Department of Transportation
60 N. Commercial Park Drive
Washington, IN 47501
(812) 254-2831

Cc: Senator Richard Lugar

DNR Indiana Department of Natural Resources

Mitchell E. Daniels, Jr., Governor
Robert E. Carter, Jr., Director

Division of Historic Preservation & Archaeology • 402 W. Washington Street, W274 • Indianapolis, IN 46204-2739
Phone 317-232-1646 • Fax 317-232-0693 • dhpa@dnr.IN.gov

September 1, 2011

Beth McCord
Indiana Branch Manager
Gray & Pape, Inc.
5807 N. Post Road
Indianapolis, Indiana 46216

Federal Agency: Federal Highway Administration

Re: I-69 Evansville to Indianapolis Tier 2 Studies: Phase II Work Plan for Sites 12Gr1775, 12Gr1783, and 12Mo1345 (McCord, 8/16/11) (Designation No. 0300380; DHPA No. 1016)

Dear Ms. McCord:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f), 36 C.F.R. Part 800, and the "Programmatic Agreement among the Federal Highway Administration, the Indiana Department of Transportation, the Advisory Council on Historic Preservation, the Indiana State Historic Preservation Officer regarding the implementation of the Federal Aid Highway Program in the State of Indiana," the staff of the Indiana State Historic Preservation Officer has conducted an analysis of the materials (no date on submission letter) received on August 18, 2011, for the aforementioned projects in Greene and Monroe counties, Indiana.

The staff of the Indiana SHPO has reviewed the Phase II plan for archaeological investigations at sites 12Gr1775, 12Gr1783, and 12Mo1345 for the above project. The plan is acceptable with the following conditions:

1. All investigations must be directly supervised in the field and laboratory by a qualified professional archaeologist meeting the supervisory qualifications in the "Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation" (48 F.R. 44716).
2. If any human remains dating on or before December 31, 1939 are encountered, the discovery must be reported to the Indiana Department of Natural Resources within two (2) business days. The discovery must be treated in accordance with IC 14-21-1 and 312 IAC 22. In that event, please call 317-232-1646.
3. Profiles of the unit walls will include at least one N-S and one E-W.
4. At least a 25% sample of plowzone excavated from units will be screened through 0.64 cm mesh.
5. Areas with low densities of artifacts at the archaeological sites will be investigated or sampled as part of the 10% samples of the sites, or adequate justification provided why they were not investigated.
6. If features are not 100% excavated or investigated, sampling must be justified in prior consultation with the DHPA. Further information, documentation, recording, or excavation of features not totally excavated may be necessary.
7. An archaeological site form for the further investigations of each archaeological site must be submitted electronically to the state SHAARD database.
8. If artifacts are to be returned to the landowner, additional analyses and documentation of those specimens may be necessary in consultation with our office.
9. Any proposed revisions to the archaeological plan must be submitted in writing to the Division of Historic Preservation and Archaeology ("DHPA") prior to implementation in the field or laboratory. This plan is not transferable.

With these conditions, the proposed archaeological investigations may proceed. Once the archaeological report for the proposed investigations is received, the Indiana SHPO will resume identification and evaluation procedures for this project.

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.

A copy of the revised 36 C.F.R. Part 800 that went into effect on August 5, 2004, may be found on the Internet at www.achp.gov for your reference. If you have questions about archaeological issues please contact Dr. Rick Jones at (317) 233-0953 or rjones@dnr.IN.gov. Additionally, in all future correspondence regarding the above indicated project, please refer to DHPA No. 1016.

Very truly yours,

James A. Glass, Ph.D.
Deputy State Historic Preservation Officer

JAG:JRJ:jj

emc: Michelle Allen, Indiana Division, Federal Highway Administration
Laura Hilden, Indiana Division, Federal Highway Administration
Ben Lawrence, Indiana Division, Federal Highway Administration
Staffan D. Peterson, Ph.D., Indiana Department of Transportation
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