



U.S. Department
of Transportation
**Federal Highway
Administration**

Indiana Division

575 North Pennsylvania Street, Room 254
Indianapolis, Indiana 46204

In Reply Refer To:
HDA-IN

March 24, 2011

Mr. Gary Valentine
Assistant State Highway Engineer
Kentucky Transportation Cabinet
8310 Westport, D-5 Louisville
Louisville, KY 40242

Re: Louisville-Southern Indiana Ohio River Bridges Project

Dear Mr. Valentine:

The purpose of this letter is to respond to the Kentucky Transportation Cabinet's (KYTC) and Indiana Department of Transportation's (INDOT's) proposal of March 15, 2011 to perform certain project development activities while a Supplemental Environmental Impact Statement is being prepared. Our office has reviewed the proposal and has determined the following:

Section 1:

- *To perform preliminary engineering and design activities sufficient to analyze alternatives and determine impacts during the SEIS process.*
- *To coordinate with permitting agencies.*

FHWA concurs that KYTC and INDOT may perform the work necessary to complete a record of decision and comply with other regulated environmental laws and regulations to the maximum extent possible during the SEIS process. This work includes environmental studies, related engineering studies (preliminary engineering), agency coordination (including permitting agencies) and public involvement.

- *To continue right of way acquisition in locations where the needs do not change with either alternative.*

FHWA does not concur that KYTC may continue right-of-way acquisition in Section 1. The exceptions are parcels already purchased and acquisitions as described in 23 CFR § 710.503, protective buying and hardship acquisition.

- *To continue utility coordination.*



FHWA concurs that KYTC may continue utility engineering, locate and coordinate with utilities. KYTC may not relocate utilities in Section 1.

Section 2:

- *To perform preliminary engineering and design activities sufficient to analyze alternatives and determine impacts during the SEIS process.*
- *To coordinate with permitting agencies.*

FHWA concurs that KYTC and INDOT may perform the work necessary to complete a record of decision and comply with other regulated environmental laws and regulations to the maximum extent possible during the SEIS process. This work includes environmental studies, related engineering studies (preliminary engineering), agency coordination (including permitting agencies) and public involvement.

Section 3:

- *To perform preliminary engineering and design activities sufficient to analyze alternatives and determine impacts during the SEIS process.*
- *To coordinate with the permitting agencies.*

FHWA concurs that KYTC and INDOT may perform the work necessary to complete a record of decision and comply with other regulated environmental laws and regulations to the maximum extent possible during the SEIS process. This work includes environmental studies, related engineering studies (preliminary engineering), agency coordination (including permitting agencies) and public involvement.

- *To begin right of way acquisition and relocation of the 5 historic homes within the Jeffersonville Historic District where right of way needs do not change with either alternative under consideration in the environmental process.*

FHWA does not concur that INDOT may continue right-of-way acquisition in Section 3. The exceptions are parcels already purchased and acquisitions as described in 23 CFR § 710.503, protective buying and hardship acquisition.

- *To continue coordination with utility companies.*

FHWA concurs that INDOT may continue utility engineering, locate and coordinate with utilities. INDOT may not relocate utilities in Section 3.

Section 4:

- *To perform preliminary engineering and design activities sufficient to analyze alternatives and determine impacts during the SEIS process.*
- *To prepare a Geotechnical Baseline Report in the area of the proposed tunnel.*
- *To coordinate with the permitting agencies.*

FHWA concurs that KYTC and INDOT may perform the work necessary to complete a record of decision and comply with other regulated environmental laws and regulations to the maximum extent possible during the SEIS process. This work includes environmental studies, related engineering studies (preliminary engineering), geotechnical investigations, agency coordination (including permitting agencies) and public involvement.

- *To complete right of way acquisition.*

FHWA concurs that KYTC may continue right-of-way acquisition in Section 4 as long as offers to purchase rights-of-way have already been sent to landowners. Likewise, parcels already purchased and acquisitions as described in 23 CFR § 710.503, protective buying and hardship acquisition are permissible.

- *To continue coordination with utility companies and work to begin relocations.*

FHWA concurs that KYTC may continue utility engineering, locate and coordinate with utilities. KYTC may not relocate utilities in Section 4.

Section 5:

- *To perform preliminary engineering and design activities sufficient to analyze alternatives and determine impacts during the SEIS process.*
- *To coordinate with permitting agencies.*

FHWA concurs that KYTC and INDOT may perform the work necessary to complete a record of decision and comply with other regulated environmental laws and regulations to the maximum extent possible during the SEIS process. This work includes environmental studies, related engineering studies (preliminary engineering), agency coordination (including permitting agencies) and public involvement.

Section 6:

- *To perform preliminary engineering and design activities sufficient to analyze alternatives and determine impacts during the SEIS process.*
- *To coordinate with the permitting agencies.*

FHWA concurs that KYTC and INDOT may perform the work necessary to complete a record of decision and comply with other regulated environmental laws and regulations to the maximum extent possible during the SEIS process. This work includes environmental studies, related engineering studies (preliminary engineering), agency coordination (including permitting agencies) and public involvement.

- *To complete right of way acquisition.*

FHWA concurs that INDOT may continue right-of-way acquisition in Section 6 as long as offers to purchase rights-of-way have already been sent to landowners. Likewise, parcels already purchased and acquisitions as described in 23 CFR § 710.503, protective buying and hardship acquisition are permissible.

- *To continue coordination with utility companies and work to begin relocations.*

FHWA concurs that INDOT may continue utility engineering, locate and coordinate with utilities. INDOT may not relocate utilities in Section 6.

This determination is based upon information of which FHWA is currently aware. Should circumstances change or further information be provided, FHWA may reconsider this determination.

Should you have any further questions, do not hesitate to contact Janice Osadczuk at 317-226-7486.

Sincerely,



Janice Osadczuk, FHWA
Indiana Division