



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



June 30, 2011

Janice Osadczuk
Engineering Services Team Leader
Federal Highway Administration
Federal Office Building, Room 254
575 North Pennsylvania Street
Indianapolis, Indiana 46204

Federal Agency: Federal Highway Administration ("FHWA")

Re: Request for comments on the May 26, 2011 Resource Agency Coordination Meeting and "Environmental Analysis Methodology" for the proposed Supplemental Environmental Impact Statement ("SEIS") for the Louisville-Southern Indiana Ohio River Bridges Project (INDOT Des. Nos. 0201294, 0300798, 0201296, 0201297; DHPA No. 1774)

Dear Ms. Osadczuk:

Pursuant to the National Environmental Policy Act of 1969 ("NEPA"), as amended (42 U.S.C. § 4321, *et seq.*) and pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. § 470f), and implementing regulations at 36 C.F.R. Part 800, the staff of the Indiana State Historic Preservation Officer ("Indiana SHPO") has conducted an analysis of the materials received by e-mail on May 25, 2011 and the June 13, 2011 summary of the May 26 Resource Agency Coordination Meeting, regarding the aforementioned project in Clark County, Indiana and Jefferson County, Kentucky.

On page 8 of the May 26, 2011 "Environmental Analysis Methodology," we are told that "[i]n consultation with the SHPOs, FHWA will redetermine and document the APE' (i.e., the Section 106 area of potential effects). Through our office's participation in the June 1, 2011 Section 106 consulting parties meeting for the SEIS, we have learned that traffic modeling and diversion studies are underway in conjunction. We look forward to reviewing the results of those studies, because we think they will play an important role in determining whether the 2003 NEPA study areas and the 2003 Section 106 areas of potential effects will need to be expanded for the SEIS as a result of the tolling alternative. In terms of the physical impacts of the project, tolling might reduce the footprint somewhat. However, because we sense that tolling could cause drivers to seek non-tolled means of crossing the Ohio River (i.e., the George Rogers Clark/Second Street Bridge, the I-64 Sherman Minton Bridge, and the streets and roads that lead to and from them), we think that the area in which indirect impacts would be felt from increased traffic—and all that goes with it—might very well be larger than was the case in 2003, at least for the Downtown Bridge.

Also on page 8 of the "Environmental Analysis Methodology," the INDOT Cultural Resources Manual is cited as "guidance" for "The evaluation of impacts to historic and cultural resources . . ." As stipulated in the 2003 memorandum of agreement (pp. 35-36), we would suggest adding the following standards and guidelines: (1) the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation; (2) the Advisory Council on Historic Preservation: Treatment of Archeological Properties: A Handbook; (3) the most recent version of the Guidebook for Indiana Historic Sites and Structures—Archeological Sites; and (4) the most recent version of the Kentucky Guidelines: Specifications for Conducting Fieldwork and Preparing Cultural Resource Assessment Reports.

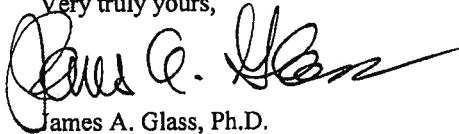
The discussion on page 9 of the "Environmental Analysis Methodology" mentions that the recently updated Indiana Historic Sites and Structures Inventory ("IHSSI"—the Indiana SHPO's ongoing, above-ground survey program) for Clark County gave several properties within the Indiana Downtown and Indiana East End areas of potential effects (a Section 106 term) a rating of Outstanding, whereas those properties had not been so highly rated in the 1988 Clark County Interim Report. The discussion goes on to say that "[t]his 'Outstanding' designation would likely qualify them as eligible

for the National Register of Historic Places" We should clarify that although a property that receives an IHSSI rating of Outstanding very often is determined later to be individually eligible for the National Register, that rating should not be taken as verification that the property necessarily *is* individually eligible. The Outstanding rating by itself does not imply that a property already has been determined eligible for the National Register of Historic Places, either by a federal agency official, in consultation with the Indiana SHPO during a specific Section 106 review, or formally by the Keeper of the National Register. We also should point out that a property that has been rated Notable (the next lower rating after Outstanding) in an IHSSI survey occasionally is found to be individually eligible for the National Register upon closer examination. A rating in an IHSSI survey typically is simply a recommendation regarding the relative significance of the property.

That is not to say, however, that because the rating of any property lying within a National Register-listed or -eligible historic district recently has been elevated to Outstanding or Notable, that particular property necessarily must be evaluated intensively enough to determine whether it is individually eligible for the National Register. Unless such a property might be affected by the project differently from the way the historic district as a whole might be affected (e.g., by being in the path of, or in very close proximity to, the project area), we think that in many instances it would be sufficient, for the purposes of NEPA and 36 C.F.R. § 800.4(c), for FHWA and the Indiana SHPO to agree that the property is a resource that contributes to the significance of the historic district.

If you have questions about archaeological issues, please contact Dr. Rick Jones at (317) 233-0953 or rjones@dnr.IN.gov. Questions about buildings or structures should be directed to John Carr at (317) 233-1949 or jcarr@dnr.IN.gov. In all future correspondence regarding the Louisville-Southern Indiana Ohio River Bridges Project, please refer to DHPA No. 1774.

Very truly yours,



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

JAG:JRJ:JLC:jlc

emc: Janice Osadcuk, Indiana Division, Federal Highway Administration
Michelle Allen, Indiana Division, Federal Highway Administration
Laura Hilden, Indiana Department of Transportation
Staffan Peterson, Ph.D., Indiana Department of Transportation
Mary Kennedy, Indiana Department of Transportation
Shaun Miller, Indiana Department of Transportation
Patrick Carpenter, Indiana Department of Transportation
Melany Prather, Indiana Department of Transportation
Mark Dennen, Kentucky State Historic Preservation Officer
John Sacksteder, Community Transportation Solutions-General Engineering Consultant
Jeffrey Vlach, Beam, Longest & Neff, L.L.C.
John Mettillie, Wilbur Smith Associates
Kevin Senninger, Ratio Architects, Inc.