APPENDIX B: Abstracts and Conclusion

Project No. 20-63401.002
Historic Property Report for State Road 244
Roadway Rehabilitation Project in Shelby and Rush Counties, Indiana

Lead Agency:<br>Indiana Department of Transportation<br>INDOT Des. 1600801

Prepared for:
CHA Consulting, Inc.
300 South Meridian Street
Indianapolis, Indiana 46225

Prepared by:
Wes Cunningham, M.A.
Michael Langmyer, M.H.P.
Gray \& Pape
1318 Main Street
Cincinnati, Ohio 45202


## MANAGEMENT SUMMARY

This report documents the identification and evaluation efforts for properties included in the Area of Potential Effects for the State Road 244 Roadway Rehabilitation Project in Shelby and Rush Counties, Indiana. Above-ground resources located within the project Area of Potential Effects were identified and evaluated in accordance with Section 106, National Historic Preservation Act of 1966, as amended, and the regulations implementing Section 106 (36 C.F.R. Part 800).

As a result of the National Historic Preservation Act, as amended, and 36 C.F.R. Part 800, federal agencies are required to consider the impact of federal undertakings upon historic properties in the area of the undertaking. Historic properties include buildings, structures, sites, objects, and/or districts that are eligible for or listed in the National Register of Historic Places. As this project is receiving funding from the Federal Highway Administration, it is subject to a Section 106 review.

The Area of Potential Effects contains one property listed in the National Register of Historic Places: Liberty Township District Number 2 School, NR-1034 (Indiana Historic Sites and Structures Inventory [IHSSI] 145-657-35019; 6014 East State Road 244); listed on September 4, 1992.

The Area of Potential Effects contains three additional properties that are recommended eligible for listing in the National Register of Historic Places, Saint Vincent's Catholic Church (IHSSI 145-65735013; 4218 E Michigan Road), Saint Vincent's Catholic School (IHSSI 145-657-35014; 4218 East Michigan Road), and 6739 East State Route 244.

### 6.0 CONCLUSIONS

The APE contains one property listed in the NRHP: Liberty Township District Number 2 School, NR-1034 (IHSSI 145-657-35019; 6014 East SR 244); listed on September 4, 1992.

As a result of identification and evaluation efforts for this project, Gray \& Pape recommends that the Liberty Township District Number 2 School: NR-1034 retains its
significance and integrity and should keep its NRHP designation under both Criteria A and C . In addition, Saint Vincent's Catholic Church (IHSSI 145-657-35013; 4218 E Michigan Road), Saint Vincent's Catholic School (IHSSI 145-657-35014; 4218 East Michigan Road), and 6739 East SR 244 are recommended eligible for listing in the National Register of Historic Places.

#  <br> GRAY $\mathscr{S}$ PAPE <br> HERITAGE MANAGEMENT 

Project No. 20-63401.002
Phase la Archaeological Survey for the SR 244 Rehabilitation Project, Rush and Shelby Counties, Indiana

Lead Federal Agency:
Federal Highway Administration
INDOT Des. No. 1600801
Prepared for:
CHA Consulting, Inc.
300 South Meridian Street
Indianapolis, Indiana 46225

Prepared by:
Patrick D. Trader, M.A., RPA
Jason Kovacs, B.A., RA
Jeff Laswell, M.S., RPA

Gray \& Pape
5807 North Post Road
Indianapolis, Indiana 46216


## MANAGEMENT SUMMARY

Gray \& Pape, Inc., under contract with CHA Consulting, Inc., conducted a Phase la archaeological survey for the State Road 244 Road Rehabilitation project in Shelby and Rush Counties, Indiana. The project is located 0.56 kilometers ( 0.35 miles) west of Interstate 74 to 8.14 kilometers ( 5.06 miles) east of Interstate 74 at Deer Creek. The proposed undertaking is 8.09 kilometers ( 5.53 miles) long and is found in Orange Township, Rush County, and Liberty Township, Shelby County. The proposed construction limits include 16.9 hectares ( 41.8 acres), while the current survey area covers 30.8 hectares ( 77.9 acres) to account for any changes in design or additional right-of-way acquisition. The primary purpose of the project is to provide an improved roadway that meets future traffic capacity, affords accommodations for moving agricultural machinery, and addresses repeated maintenance concerns along the corridor. The need for the project is due to the poor sight distance at some intersections, substandard curves, absence of shoulders, narrow width of existing pavement, and improper roadway drainage. The objective of the archaeological investigation was to locate, record, and assess all archaeological historical and prehistoric resources within the survey area pursuant to Section 106 of the National Historic Preservation Act of 1966, as stipulated by 36 C.F.R. Part 800 and the Indiana Historic Preservation Act (IC 14-21-1). All archaeological resources were evaluated with respect to the criteria set forth under Section 101 (National Register of Historic Places) of the National Historic Preservation Act and IC 14-21-1-9 (Indiana Register of Historic Sites and Structures). The investigation was performed in accordance with the Indiana Department of Natural Resources Division of Historic Preservation and Archaeology Guidebook for Indiana Historic Sites and Structures Inventory Archaeological Sites and the Indiana Department of Transportation, Indiana Cultural Resources Manual.

Both the Rockwell (also known as the Trackwell) Cemetery (IHSSI \#145-657-35021[CR-73-55]) and the St. Vincent Catholic Church and Cemetery (IHSSI \#145-657-35013 [CR 73-56]) are directly adjacent to the project corridor. However, no right-of-way will be acquired from either cemetery property or will construction activities extend beyond the current edge of pavement. Therefore, no Cemetery Development Plan under IC 14-21-1-26.5 is recommended for either cemetery. Five previously recorded archaeological sites were either within, or adjacent to, the survey limits (12RU208, 12RU209, 12RU233, 12SH337, and 12SH345). The archaeological survey failed to re-identify three of these sites (12RU209, 12RU233, and 12SH345); sites 12RU208 and 12SH337 were re-identified. Twelve newly documented archaeological sites were identified, including 12RU803-12RU805 and 12SH71912SH727. Sites 12RU208, 12RU805, 12SH720, 12SH723, 12SH725, 12SH726, and 12SH727 are prehistoric sites. Sites 12RU804, 12SH337, 12SH719, and 12SH721 are historical archaeological sites. Sites 12RU803, 12SH722, and 12SH724 are multicomponent sites, with both prehistoric and historical archaeological occupations. An above-ground historic component of site 12SH337, consisting of Liberty Township District 2 School, is listed on the National Register of Historic Places (NR \# 1034); however, the archaeological component of this site that is within the survey limits is not eligible. Construction activities have been redesigned to avoid site 12SH337 entirely, and no new right-of-way will be acquired. Sites 12RU208, 12RU803-12RU805, and 12SH719-12SH727 do not appear eligible for inclusion to the National Register of Historic Places under Criteria A, B, C, or D, or the Indiana Register of Historic Sites and Structures. No further archaeological investigation is recommended. However, if the project scope changes to include any area outside the current survey limits, further investigations will be required. If archaeological deposits or human remains are encountered during the construction phase of the currently proposed project, all construction activities must cease and an archaeologist from the Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology, and the Indiana Department of Transportation, Cultural Resources Office must be notified.

### 7.0 CONCLUSIONS AND RECOMMENDATIONS

Gray \& Pape under contract with CHA conducted a Phase la archaeological survey for the SR 244 Road Rehabilitation project in Shelby and Rush Counties, Indiana. The survey area is located $0.56 \mathrm{~km}(0.35 \mathrm{mi})$ west of $\mathrm{I}-74$ to $8.14 \mathrm{~km}(5.06 \mathrm{mi})$ east of I 74 at Deer Creek. The proposed project is $8.09 \mathrm{~km}(5.53 \mathrm{mi})$ long and is found in Orange Township, Rush County, and Liberty Township, Shelby County. The proposed construction limits include 16.9 ha ( 41.8 ac ), while the current survey area covers 30.8 ha ( 77.9 ac) to account for any changes in design or additional ROW acquisition. The primary purpose of the project is to provide an improved roadway that meets future traffic capacity, affords accommodations for moving agricultural machinery, and addresses repeated maintenance concerns along the corridor. The need of the project is due to the poor sightdistance at some intersections, substandard curves, absence of shoulders, narrow width of existing pavement, and improper roadway drainage.

The objective of the archaeological investigation was to locate, record, and assess all archaeological historical and prehistoric resources within the survey area pursuant to Section 106 of the NHPA of 1966, as stipulated by 36 C.F.R. Part 800 and the Indiana Historic Preservation Act (IC 14-21-1). All archaeological resources were evaluated with respect to the criteria set forth under Section 101 (NRHPs) of the NHPA and IC 14-21-1-9 (Indiana Register of Historic Sites and Structures). The investigation was performed in accordance with the Indiana Department of Natural Resources Division of Historic Preservation and Archaeology (2019) Guidebook for Indiana Historic Sites and Structures Inventory - Archaeological Sites and the Indiana Department of Transportation, Indiana Cultural Resources Manual (2014).

Both the Rockwell (also known as the Trackwell) Cemetery (IHSSI \#145-657-35021[CR-73-

55]) and the St. Vincent Catholic Church and Cemetery (IHSSI \#145-657-35013 [CR 7356]) are directly adjacent to the project corridor. However, no right-of-way will be acquired from either cemetery property or will construction activities extend beyond the current edge of pavement. Therefore, no Cemetery Development Plan under IC 14-21-1-26.5 is recommended for either cemetery. Five previously recorded archaeological sites were either within, or adjacent to, the survey limits (12RU208, 12RU209, 12RU233, 12SH337, and 12SH345). Two of the previously recorded sites (12RU208 and 12SH337) were reidentified, the remaining three were not (12RU209, 12RU233, and 12SH345).

Twelve newly documented archaeological sites were identified, including 12RU803-12RU805 and 12SH719-12SH727. Sites 12RU208, 12RU805, 12SH720, 12SH723, 12SH725, 12SH726, and 12SH727 are prehistoric sites. Sites 12RU804, 12SH337, 12SH719, and 12SH721 are historical archaeological sites. Sites 12RU803, 12SH722, and 12SH724 are multicomponent sites, with both prehistoric and historical archaeological occupations. An above-ground historic component of site 12SH337, consisting of Liberty Township District 2 School, is listed on the NRHP (NR \#1034); however, the archaeological component of this site within the survey limits is not eligible. Construction activities have been redesigned to avoid site 12SH337 entirely, and no new ROW will be acquired. Sites 12RU208, 12RU803-12RU805, and 12SH71912SH727 do not appear eligible for inclusion in the NRHP under Criteria A, B, C, or D, or the Indiana Register of Historic Sites and Structures register. No further archaeological investigation is recommended. However, if the project scope changes to include any area outside the current survey limits, further investigations will be required.

If archaeological deposits or human remains are encountered during the construction phase of the currently proposed project, all construction activities must cease and an
archaeologist from the Indiana DNR-DHPA and the INDOT Cultural Resources Office must be notified.

APPENDIX C: Consulting Party Distribution List

## Consulting Party Distribution List

Des. No. 1600801
State Route 244 Rehabilitation Project
Orange Township, Rush County, and Liberty Township, Shelby County, Indiana

| Consulting Party | Title | Contact | Email | Address |
| :---: | :---: | :---: | :---: | :---: |
| Indiana SHPO | Director INDNR-DHPA | Beth McCord | BMccord@dnr.IN.gov |  |
| Indiana Landmarks Central Regional Office | Vice President of Preservation | Mark Dollase | mdollase@indianalandmarks.org |  |
| Indiana Landmarks Eastern Regional Office | Director | Jessie Russett | irussett@indianalandmarks.org |  |
| Indianapolis Metropolitan Planning Organization | Executive Director | Anna Gremling | anna.gremling@indympo.org |  |
| Rush County Commissioner | Central District | Bruce Levi | blevi@rushcounty.in.gov |  |
| Rush County Commissioner | South District | Mark Bacon | mbacon@rushcounty.in.gov |  |
| Rush County Commissioner | North District | Paul Wilinson | pwilk@rushcounty.in.gov |  |
| Rush County Council | President | Charles A. Smith | smithca80@hotmail.com |  |
| Rush County Genealogical Society | President | Carol Jones | rcgsociety@gmail.com |  |
| Rush County Heritage, Inc. | Rush County Heritage, Inc. | Larry Stout | gowdy@usa.com |  |
| Rush County Heritage, Inc. | Rush County Heritage, Inc. | Eleanor Arnold | arnold@rush.cnz.com |  |
| Rush County Historian | John Wilson | Historian | marianne.scott@ymail.com |  |
| Rush County Historical Society | Rush County Historical Society | Rush County Historical Society | rchs1@frontier.com |  |
| Rush County Highway Department | Assistant Superintendent | Monte Stton | highway@rushcounty.in.gov |  |
| Lawrence E. \& Joan M. Rennekamp | Landowner "Outstanding" Mahan Farmstead | Lawrence \& Joan Rennekamp |  | 9617 West SR 244 <br> Waldron, Indiana 46182 |
| Saint Vincent's Catholic Church | Landowner <br> "Outstanding" Saint <br> Vincent's Catholic Church | Roman Catholic Archdiocese of Indianapolis Properties Inc. |  | 1400 N Meridian Street, Indianapolis, Indiana 46202 |
| Robert \& Jacqueline Hurst | Landowner "Notable" Huffman House | Robert \& Jacqueline Hurst |  | 9289 West SR 244 Waldron, Indiana 46182 |
| Shelby County Commissioner | Central District | Kevin Nigh | kevin.nigh@co.shelby.in.us |  |
| Shelby County Commissioner | South District | Don Parker | don.parker@co.shelby.in.us |  |
| Shelby County Commissioner | North District | Chris Ross | chris.ross@co.shelby.in.us |  |
| Shelby County Council | President | Tony Titus | ttitus@co.shelby.in.us |  |


| Consulting Party | Title | Contact | Address |
| :---: | :---: | :---: | :---: |
| Shelby County Historical Society | Museum Director | Alexander Krach | Email |
| Shelby County Highway Department | Superintendent <br> Department Head of <br> Genealogy \& History | Kem Anderson | Donna Dennison |

## Pokagon Band of Potawatomi Indians

## Shawnee Tribe

*Participating consulting parties highlighted in dark-gray shading.

APPENDIX D: Correspondence Letters

| From: | Leff Laswell |
| :---: | :---: |
| To: | McCord, Beth K; mdollase@indianalandmarks.org; jrussett@indianalandmarks.org; anna.gremling@indympo.org; blevi@rushcounty.in.gov; mbacon@rushcounty.in.gov; pwilk@rushcounty.in.gov; smithca80@hotmail.com; rcgsociety@gmail.com; gowdy@usa.com; arnold@rush.cnz.com; marianne.scott@ymail.com; rchs1@frontier.com; highway@rushcounty.in.gov; kevin.nigh@co.shelby.in.us; don.parker@co.shelby.in.us; chris.ross@co.shelby.in.us; ttitus@co.shelby.in.us; director@grovermuseum.org; kanderson@co.shelby.in.us |
| Cc: | Alexander, Kelyn; Giffin, Toni; Cinder Miller; David Crowell; Wes Cunningham; Wieseke, Trevor |
| Subject: | FHWA Project: Des. No. 1600801; SR 244 Road Rehabilitation, Rush and Shelby Counties, Indiana |
| Date: | Monday, August 3, 2020 11:10:00 AM |
| Attachments: | SR244 Des1600801 ECL 2020-8-3.pdf |

Des. No.: 1600801
Project Description: SR 244 Road Rehabilitation
Location: 0.06 Mile East of I-74 to 5.18 East of I-74 at Deer Creek, in Rush and Shelby Counties,
Indiana

The Indiana Department of Transportation (INDOT), with funding from the Federal Highway Administration, proposes to proceed with the SR 244 Road Rehabilitation project (Des. No. 1600801).

Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on historic properties. The following agencies/individuals are being invited to become consulting parties:

State Historic Preservation Officer<br>Indiana Landmarks, Eastern Regional Office<br>Indiana Landmarks, Central Regional Office<br>Indianapolis Metropolitan Planning Organization<br>Rush County Commissioners<br>Rush County Council<br>Rush County Genealogical Society<br>Rush County Heritage, Inc.<br>Rush County Highway Department<br>Rush County Historian<br>Rush County Historical Society

Shelby County Council<br>Shelby County Commissioners<br>Shelby County Highway Department<br>Shelby County Historical Society<br>Delaware Tribe of Indians, Oklahoma<br>Eastern Shawnee Tribe of Oklahoma<br>Miami Tribe of Oklahoma<br>Peoria Tribe of Indians of Oklahoma<br>Shawnee Tribe<br>Pokagon Band of Potawatomi Indians

This letter is part of the early coordination phase of the environmental review process requesting comments associated with this project. We are requesting comments from your area of expertise regarding any possible environmental effects associated with this project. Please use the above Des. Number and project description in your reply and your comments will be incorporated into the formal environmental study.

Please review the attached letter, which is also located in IN SCOPE at http://erms.indot.in.gov/Section106Documents/ (the Des. No. is the most efficient search term, once in IN SCOPE), and respond with any comments that you may have. If a hard copy of the materials is needed, please respond to this email with your request as soon as you can.

Consulting parties have thirty (30) calendar days from receipt of this information to review and provide comment. Tribal consulting parties may enter the process at any time and are encouraged to respond to this notification with any comments or concerns at their earliest convenience. Tribal contacts may contact Shaun Miller at smiller@indot.in.gov or 317-233-6795 or Michelle Allen at

FHWA at michelle.allen@dot.gov or 317-226-7344.

Thank you in advance for your input,

Jeff Laswell
Archaeologist/Principal Investigator, RPA

GRAY PAPE<br>EEA ifseivagor ganagkilint<br>5807 North Post Road<br>Indianapolis, IN 46216<br>Office 317.541 .8200 ext. 201<br>Cell 317.442.9582<br>Fax 317.541 .8228<br>ilaswell@graypape.com<br>Facebook | Linkedln | Website

| From: | Miller, Shaun (INDOT) |
| :--- | :--- |
| To: | $\underline{\text { thpo@estoo.net; Diane Hunter; Iheady@delawaretribe.org; Ipappenfort@peoriatribe.com; }} \underline{ }$Matthew.Bussler@pokagonband-nsn.gov; tonya@shawnee-tribe.com |
| Cc: | Leff Laswell; Alexander, Kelyn |
| Subject: | FW: FHWA Project: Des. No. 1600801; SR 244 Road Rehabilitation, Rush and Shelby Counties, Indiana |
| Date: | Monday, August 3, 2020 11:24:58 AM |
| Attachments: | SR244_Des1600801_ECL_2020-8-3.pdf |

Des. No.: 1600801
Project Description: SR 244 Road Rehabilitation
Location: 0.06 Mile East of I-74 to 5.18 East of I-74 at Deer Creek, in Rush and Shelby Counties, Indiana

The Indiana Department of Transportation (INDOT), with funding from the Federal Highway Administration, proposes to proceed with the SR 244 Road Rehabilitation project (Des. No. 1600801).

Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on historic properties. The following agencies/individuals are being invited to become consulting parties:

State Historic Preservation Officer
Indiana Landmarks, Eastern Regional Office
Indiana Landmarks, Central Regional Office
Indianapolis Metropolitan Planning Organization
Rush County Commissioners
Rush County Council
Rush County Genealogical Society
Rush County Heritage, Inc.
Rush County Highway Department
Rush County Historian
Rush County Historical Society

Shelby County Council<br>Shelby County Commissioners<br>Shelby County Highway Department<br>Shelby County Historical Society<br>Delaware Tribe of Indians, Oklahoma<br>Eastern Shawnee Tribe of Oklahoma<br>Miami Tribe of Oklahoma<br>Peoria Tribe of Indians of Oklahoma<br>Shawnee Tribe<br>Pokagon Band of Potawatomi Indians

This letter is part of the early coordination phase of the environmental review process requesting comments associated with this project. We are requesting comments from your area of expertise regarding any possible environmental effects associated with this project. Please use the above Des. Number and project description in your reply and your comments will be incorporated into the formal environmental study.

Please review the attached letter, which is also located in IN SCOPE at http://erms.indot.in.gov/Section106Documents/ (the Des. No. is the most efficient search term, once in IN SCOPE), and respond with any comments that you may have. If a hard copy of the materials is needed, please respond to this email with your request as soon as you can.

Consulting parties have thirty (30) calendar days from receipt of this information to review and provide comment. Tribal consulting parties may enter the process at any time and are encouraged to respond to this notification with any comments or concerns at their earliest convenience. Tribal contacts may contact Shaun Miller at smiller@indot.in.gov or 317-233-6795 or Michelle Allen at FHWA at michelle.allen@dot.gov or 317-226-7344.

Thank you in advance for your input,

Shaun Miller
INDOT, Cultural Resources Office
Archaeology Team Lead
(317)233-6795


100 North Senate Avenue Room N642
Indianapolis, Indiana 46204

PHONE: (317) 234-5168

Eric Holcomb, Governor
Joe McGuinness, Commissioner

August 3, 2020
This letter was sent to the listed parties.
RE: Des. No. 1600801
State Road (SR) 244 Road Rehabilitation from 0.06 mile east of the I-74 to 5.18 east of I-74 at Deer Creek, in Rush and Shelby counties, Indiana

Dear Consulting Party (see attached list),
The Indiana Department of Transportation (INDOT), with funding from the Federal Highway Administration (FHWA), proposes to proceed with the SR 244 Road Rehabilitation project Des. No. 1600801 in Rush and Shelby counties, Indiana. Gray \& Pape, Inc. is under contract with CHA Consulting to advance the Section 106 process of the environmental documentation for the above-referenced project.

This letter is part of the early coordination phase of the environmental review process requesting comments associated with this project. We are requesting comments from your area of expertise regarding any possible environmental effects associated with this project. Please use the above Des. No. and project description in your reply and your comments will be incorporated into the formal environmental study.

The proposed undertaking is on a 5.08 mile long section of SR 244 , beginning from 0.06 mile east of I- 74 to 5.18 miles east of I-74 at Deer Creek, in Rush and Shelby Counties, Indiana. The proposed project is within Orange Township, Rush County, and Liberty Township, Shelby County, Indiana, and is located on the Waldron and Adams, Indiana 7.5' USGS Topographic Quadrangles, in Sections 12 and 13, Township 12N, Range 7E and Sections 7, 8, 9, 10, 11, 14, 15, 16, 17 and 18 Township 12N, Range 8E.

The primary purpose of the project is to provide an improved roadway that meets future traffic capacity, affords accommodations for moving agricultural machinery, and addresses repeated maintenance concerns along the corridor. The need of the project is due to the poor site-distance at some intersections, substandard curves, absence of shoulders, narrow width of existing pavement, and improper roadway drainage.

Initial design for this project has yet to commence; therefore, specific design components have not been determined and will be developed as the project advances. Additional permanent and temporary right-of-way will be required to construct the project, though exact amounts are unknown at this time.

At this time, it is known that proposed project activities will occur near one (1) resource listed in the National Register of Historic Places: Liberty Schoolhouse No. 2 (Indiana Historic Sites and Structures Inventory [IHSSI] 145-657-35019); (National Register [NR]-1034). In addition, the Trackwell Cemetery (IHSSI 145-657-35021); (Cemetery Registry [CR]-73-55) lies directly adjacent to the project limits. Direct impacts to these resources will be avoided by the project.

Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on historic and archaeological properties. In accordance with 36 CFR 800.2 (c), you are hereby requested to be a consulting party to participate in the Section 106 process. Entities that have been invited to participate in the Section 106 consultation process for this project are identified in the attached list. Per 36 CFR 800.3(f), we hereby request that the Indiana State Historic Preservation Officer (SHPO) notify this office if the SHPO staff is aware of any other parties that may be entitled to be consulting parties or should be contacted as potential consulting parties for the project.

The Section 106 process involves efforts to identify historic properties potentially affected by the undertaking, assess its effects and seek ways to avoid, minimize or mitigate any adverse effects on historic properties. For more information regarding the protection of historic resources, please see the Advisory Council on Historic Preservation's guide: Protecting Historic Properties: A Citizen's Guide to Section 106 Review available online at https://www.achp.gov/sites/default/files/documents/2017-01/CitizenGuide.pdf .

The Area of Potential Effects (APE) is the area in which the proposed project may cause alterations in the character or use of historic resources. At this time, no cultural resource investigations have occurred; however, the results of cultural resource identification and evaluation efforts, both above-ground and archaeological, will be forthcoming. Consulting parties will receive notification when these reports are completed.

Please review this documentation located in IN SCOPE at http://erms.indot.in.gov/Section106Documents/ (the Des. No. is the most efficient search term, once in IN SCOPE), and respond with any comments that you may have. If a hard copy of the materials is needed, please respond to this email with your request as soon as you can.

Consulting parties have thirty (30) calendar days from receipt of this information to review and provide comment. Tribal consulting parties may enter the process at any time and are encouraged to respond to this notification with any comments or concerns at their earliest convenience. Tribal contacts may contact Shaun Miller at smiller@indot.in.gov or 317-233-6795 or Michelle Allen at FHWA at michelle.allen@dot.gov or 317-226-7344.

For questions concerning specific project details, you may contact Jeff Laswell of Gray \& Pape Heritage Management at 317-442-9582 or jlaswell@graypape.com. All future responses regarding the proposed project should be forwarded to Gray \& Pape Heritage Management at the following address:

Jeff Laswell
Archaeological Principal Investigator
Gray \& Pape Heritage Management
5807 North Post Road
Indianapolis, IN, 46216
jlaswell@graypape.com
Sincerely,


Anuradha V. Kumar, Manager
Cultural Resources Office
Environmental Services
Enclosures:
Topographic Location Map
Distribution List:
State Historic Preservation Officer
Indiana Landmarks, Eastern Regional Office
Indiana Landmarks, Central Regional Office
Indianapolis Metropolitan Planning Organization
Rush County Commissioners
Rush County Council
Rush County Genealogical Society
Rush County Heritage, Inc.
Rush County Highway Department
Shelby County Council
Shelby County Commissioners
Shelby County Highway Department
Shelby County Historical Society
Delaware Tribe of Indians, Oklahoma
Eastern Shawnee Tribe of Oklahoma
Miami Tribe of Oklahoma
Peoria Tribe of Indians of Oklahoma
Shawnee Tribe
Pokagon Band of Potawatomi Indians
Rush County Historical Society

| From: | Rinehart, James M. |
| :---: | :---: |
| To: | Leff Laswell |
| Subject: | Project 1600801 |
| Date: | Monday, August 3, 2020 12:14:25 PM |
| Attachments: | image001.png |
|  | image002.png |
|  | image003.png |
|  | image004.png |
|  | image005.png |
|  | SR244 Des1600801 ECL 2020-8-3.pdf |

Good Afternoon,

I wanted to let you know this project was now within the Indianapolis MPO's Planning Area and did not need to be sent to our organization. For your reference I have provided a link to the map of our Planning Area Boundary. You can use this as a reference for future projects.

Thank you. Let me know if you have any questions.

Best,
James Rinehart | Transportation Planner
Indianapolis Metropolitan Planning Organization
200 East Washington Street | Suite 2322 | Indianapolis, IN 46204
P: 317.327.5108 | F: 317.327.5950 | James.Rinehart@indympo.org
wiro fer

August 17, 2020

Jeff Laswell
Archaeological Principal Investigator
Gray \& Pape Heritage Management
5807 North Post Road
Indianapolis, Indiana 46216

Federal Agency: Indiana Department of Transportation ("INDOT"), on behalf of Federal Highway Administration, Indiana Division ("FHWA")

Re: Early coordination letter for the SR 244 road rehabilitation from 0.06 mile east of I- 74 to 5.18 miles east of I-74 at Deer Creek, Rush \& Shelby counties, Indiana (Des. No. 1600801; DHPA No. 26215)

Dear Mr. Laswell:
Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 306108), 36 C.F.R. Part 800, and the "Programmatic Agreement (PA) Among the Federal Highway Administration, the Indiana Department of Transportation, the Advisory Council on Historic Preservation and 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 ("Indiana SHPO" or "INDNR-DHPA") has reviewed your August 3, 2020 review request submittal form which enclosed INDOT's early coordination letter, which we received the same day for the aforementioned project in Orange Township of Rush County and Liberty Township of Shelby County.

We recommend adding Donna Dennison of the Shelby County Public Library to participate in the Section 106 consultation on this federal undertaking (contact information below). Furthermore, if right-of-way is likely to be taken from a potentially historic property, it might be advisable to invite the owner of that property as soon as possible. In your next regular correspondence on this project, please advise us as to which of the invited consulting parties has accepted the invitation.

We look forward to reviewing the proposed area of potential effects and the reports on investigations of above-ground cultural resources and archaeological resources that the early coordination letter indicated will be forthcoming.

The Indiana SHPO staff's archaeological reviewer for this project is Rachel Sharkey, and the structures reviewer is Danielle Kauffmann. However, if you have a question about the Section 106 process, please contact initially the INDOT Cultural Resources staff members who are assigned to this project.

Jeff Laswell
August 17, 2020
Page 2

In all future correspondence about the SR 244 road rehabilitation project in Rush and Shelby counties (Des. No. 1600801), please refer to DHPA No. 26215.

Very truly yours,


Beth K. McCord
Deputy State Historic Preservation Officer
BKM:DMK:dmk
emc: Robert Dirks, PE, FHWA
Anuradha Kumar, INDOT
Shaun Miller, INDOT
Susan Branigin, INDOT
Anthony Ross, INDOT
Jeff Laswell, Gray \& Pape Heritage Management
Donna Dennison, Shelby County Public Library (ddennison@ sscpl.lib.in.us)
Rachel Sharkey, INDNR-DHPA
Danielle Kauffmann, INDNR-DHPA

# EASTERN SHAWNEE CULTURAL PRESERVATION DEPARTMENT 

70500 East 128 Road, Wyandotte, OK 74370

August 25, 2020<br>INDOT Indiana Department of Environmental Services<br>100 N. Senate Ave<br>Indianapolis, IN 46204

## RE: Des. No 1600801, Rush/Shelby County, IN

Dear Mr. Miller,
The Eastern Shawnee Tribe has received your letter regarding the above referenced project(s) within Rush/Shelby County, IN. The Eastern Shawnee Tribe is committed to protecting sites important to Tribal Heritage, Culture and Religion. Furthermore, the Tribe is particularly concerned with historical sites that may contain but not limited to the burial(s) of human remains and associated funerary objects.

As described in your correspondence, and upon research of our database(s) and files, we find our people occupied these areas historically and/or prehistorically. However, the project proposes NO Adverse Effect or endangerment to known sites of interest to the Eastern Shawnee Tribe. Please continue project as planned. However, should this project inadvertently discover an archeological site or object(s) we request that you immediately contact the Eastern Shawnee Tribe, as well as the appropriate state agencies (within 24 hours). We also ask that all ground disturbing activity stop until the Tribe and State agencies are consulted. Please note that any future changes to this project will require additional consultation.

In accordance with the NHPA of 1966 (16 U.S.C. § 470-470w-6), federally funded, licensed, or permitted undertakings that are subject to the Section 106 review process must determine effects to significant historic properties. As clarified in Section 101(d)(6)(A-B), historic properties may have religious and/or cultural significance to Indian Tribes. Section 106 of NHPA requires Federal agencies to consider the effects of their actions on all significant historic properties (36 CFR Part 800) as does the National Environmental Policy Act of 1969 (43 U.S.C. § 4321-4347 and 40 CFR § 1501.7(a). This letter evidences NHPA and NEPA historic properties compliance pertaining to consultation with this Tribe regarding the referenced proposed projects.

Thank you, for contacting the Eastern Shawnee Tribe, we appreciate your cooperation. Should you have any further questions or comments please contact our Office.
Sincerely,


Tribal Historic Preservation Officer (THPO)
Eastern Shawnee Tribe of Oklahoma
(918) 666-5151 Ext:1845


100 North Senate Avenue Room N642
Indianapolis, Indiana 46204

PHONE: (317) 234-5168

Eric Holcomb, Governor
Joe McGuinness, Commissioner

August 27, 2020
This letter was sent to the listed parties.
RE: Des. No. 1600801
State Road (SR) 244 Road Rehabilitation from 0.06 mile east of I-74 to 5.18 east of I-74 at Deer Creek, in Rush and Shelby counties, Indiana

Dear Consulting Party (see attached list),
The Indiana Department of Transportation (INDOT), with funding from the Federal Highway Administration (FHWA), proposes to proceed with the SR 244 Road Rehabilitation project Des. No. 1600801 in Rush and Shelby counties, Indiana. Gray \& Pape, Inc. is under contract with CHA Consulting to advance the Section 106 process of the environmental documentation for the above-referenced project.

This letter is part of the early coordination phase of the environmental review process requesting comments associated with this project. We are requesting comments from your area of expertise regarding any possible environmental effects associated with this project. Please use the above Des. No. and project description in your reply and your comments will be incorporated into the formal environmental study.

The proposed undertaking is on a 5.08 -mile-long section of SR 244 , beginning from 0.06 mile east of I-74 to 5.18 miles east of I-74 at Deer Creek, in Rush and Shelby counties, Indiana. The proposed project is within Orange Township, Rush County, and Liberty Township, Shelby County, Indiana, and is located on the Waldron and Adams, Indiana 7.5' USGS Topographic Quadrangles, in Sections 12 and 13, Township 12N, Range 7E and Sections 7, 8, 9, 10, 11, 14, 15, 16, 17 and 18 Township 12N, Range 8E.

The primary purpose of the project is to provide an improved roadway that meets future traffic capacity, affords accommodations for moving agricultural machinery, and addresses repeated maintenance concerns along the corridor. The need of the project is due to the poor site-distance at some intersections, substandard curves, absence of shoulders, narrow width of existing pavement, and improper roadway drainage.

Initial design for this project has yet to commence; therefore, specific design components have not been determined and will be developed as the project advances. Additional permanent and temporary right-of-way will be required to construct the project, though exact amounts are unknown at this time.

At this time, it is known that proposed project activities will occur near one (1) resource listed in the National Register of Historic Places: Liberty Schoolhouse No. 2 (Indiana Historic Sites and Structures Inventory [IHSSI] 145-657-35019); (National Register [NR]-1034). In addition, the Trackwell Cemetery (IHSSI 145-657-35021); (Cemetery Registry [CR]-73-55) lies directly adjacent to the project limits. Direct impacts to these resources will be avoided by the project.

Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on historic and archaeological properties. In accordance with 36 CFR 800.2 (c), you are hereby requested to be a consulting party to participate in the Section 106 process. Entities that have been invited to participate in the Section 106 consultation process for this project are identified in the attached list. Per 36 CFR 800.3(f), we hereby request that the Indiana State Historic Preservation Officer (SHPO) notify this office if the SHPO staff is aware of any other parties that may be entitled to be consulting parties or should be contacted as potential consulting parties for the project.

The Section 106 process involves efforts to identify historic properties potentially affected by the undertaking, assess its effects and seek ways to avoid, minimize or mitigate any adverse effects on historic properties. For more information regarding the protection of historic resources, please see the Advisory Council on Historic Preservation's guide: Protecting Historic Properties: A Citizen's Guide to Section 106 Review available online at https://www.achp.gov/sites/default/files/documents/2017-01/CitizenGuide.pdf .

The Area of Potential Effects (APE) is the area in which the proposed project may cause alterations in the character or use of historic resources. At this time, no cultural resource investigations have occurred; however, the results of cultural resource identification and evaluation efforts, both above-ground and archaeological, will be forthcoming. Consulting parties will receive notification when these reports are completed.

Please review this documentation located in IN SCOPE at http://erms.indot.in.gov/Section106Documents/ (the Des. No. is the most efficient search term, once in IN SCOPE), and respond with any comments that you may have. If a hard copy of the materials is needed, please respond to this email with your request as soon as you can.

Consulting parties have thirty (30) calendar days from receipt of this information to review and provide comment. Tribal consulting parties may enter the process at any time and are encouraged to respond to this notification with any comments or concerns at their earliest convenience. Tribal contacts may contact Shaun Miller at smiller@indot.in.gov or 317-233-6795 or Michelle Allen at FHWA at michelle.allen@dot.gov or 317-226-7344.

For questions concerning specific project details, you may contact Jeff Laswell of Gray \& Pape Heritage Management at 317-442-9582 or jlaswell@graypape.com. All future responses regarding the proposed project should be forwarded to Gray \& Pape Heritage Management at the following address:

Jeff Laswell
Archaeological Principal Investigator
Gray \& Pape Heritage Management
5807 North Post Road
Indianapolis, IN, 46216
jlaswell@graypape.com
Sincerely,


Anuradha V. Kumar, Manager
Cultural Resources Office
Environmental Services
Enclosures:

## Topographic Location Map

Distribution List:
State Historic Preservation Officer
Indiana Landmarks, Eastern Regional Office
Indiana Landmarks, Central Regional Office
Indianapolis Metropolitan Planning Organization
Shelby County Council
Shelby County Commissioners
Shelby County Highway Department
Shelby County Historical Society
Shelby County Public Library
Kris Meltzer, Shelby County
Rush County Commissioners
Rush County Council

Rush County Genealogical Society
Shawnee Tribe Rush County Heritage, Inc
Rush County Highway Department
Rush County Historian Rush County Historical Society Lawrence \& Joan Rennekamp, Rush County
Robert \& Jacqueline Hurst, Rush County
Delaware Tribe of Indians, Oklahoma
Eastern Shawnee Tribe of Oklahoma
Miami Tribe of Oklahoma
Peoria Tribe of Indians of Oklahoma
Pokagon Band of Potawatomi Indians

| From: | Miller, Shaun (INDOT) |
| :--- | :--- |
| To: | Leff Laswell |
| Cc: | Alexander, Kelyn |
| Subject: | FW: FHWA Project: Des. No. 1600801; SR 244 Road Rehabilitation, Rush and Shelby Counties, Indiana |
| Date: | Wednesday, September 2, 2020 9:55:04 AM |

Hi Jeff,

Please find below a response from the Shawnee Tribe accepting consulting party status.

Thank you,

Shaun Miller
INDOT, Cultural Resources Office
Archaeology Team Lead
(317)233-6795

From: Tonya Tipton [tonya@shawnee-tribe.com](mailto:tonya@shawnee-tribe.com)
Sent: Tuesday, September 1, 2020 3:47 PM
To: Miller, Shaun (INDOT) [smiller@indot.IN.gov](mailto:smiller@indot.IN.gov)
Subject: RE: FHWA Project: Des. No. 1600801; SR 244 Road Rehabilitation, Rush and Shelby
Counties, Indiana
**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

This letter is in response to the above referenced project.

The Shawnee Tribe's Tribal Historic Preservation Department concurs that no known historic properties will be negatively impacted by this project.

We have no issues or concerns at this time, but in the event that archaeological materials are encountered during construction, use, or maintenance of this location, please re-notify us at that time as we would like to resume immediate consultation under such a circumstance.

If you have any questions, you may contact me via email at tonya@shawnee-tribe.com

Thank you for giving us the opportunity to comment on this project.

Sincerely,


[^0]From: Miller, Shaun (INDOT) [smiller@indot.IN.gov](mailto:smiller@indot.IN.gov)
Sent: Monday, August 3, 2020 10:25 AM
To: thpo@estoo.net; Diane Hunter < dhunter@miamination.com>; Iheady@delawaretribe.org; Ipappenfort@peoriatribe.com; Matthew.Bussler@pokagonband-nsn.gov; Tonya Tipton [tonya@shawnee-tribe.com](mailto:tonya@shawnee-tribe.com)

Cc: Jeff Laswell [jlaswell@graypape.com](mailto:jlaswell@graypape.com); Alexander, Kelyn [KAlexander3@indot.IN.gov](mailto:KAlexander3@indot.IN.gov)
Subject: FW: FHWA Project: Des. No. 1600801; SR 244 Road Rehabilitation, Rush and Shelby Counties, Indiana

Des. No.: 1600801
Project Description: SR 244 Road Rehabilitation
Location: 0.06 Mile East of I-74 to 5.18 East of I-74 at Deer Creek, in Rush and Shelby Counties, Indiana

The Indiana Department of Transportation (INDOT), with funding from the Federal Highway Administration, proposes to proceed with the SR 244 Road Rehabilitation project (Des. No. 1600801).

Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on historic properties. The following agencies/individuals are being invited to become consulting parties:

State Historic Preservation Officer
Indiana Landmarks, Eastern Regional Office
Indiana Landmarks, Central Regional Office
Indianapolis Metropolitan Planning Organization
Rush County Commissioners
Rush County Council
Rush County Genealogical Society
Rush County Heritage, Inc.
Rush County Highway Department
Rush County Historian
Rush County Historical Society

Shelby County Council
Shelby County Commissioners
Shelby County Highway Department
Shelby County Historical Society
Delaware Tribe of Indians, Oklahoma
Eastern Shawnee Tribe of Oklahoma
Miami Tribe of Oklahoma
Peoria Tribe of Indians of Oklahoma Shawnee Tribe

Pokagon Band of Potawatomi Indians

This letter is part of the early coordination phase of the environmental review process requesting comments associated with this project. We are requesting comments from your area of expertise regarding any possible environmental effects associated with this project. Please use the above Des. Number and project description in your reply and your comments will be incorporated into the formal environmental study.

Please review the attached letter, which is also located in IN SCOPE at http://erms.indot.in.gov/Section106Documents/ (the Des. No. is the most efficient search term, once in IN SCOPE), and respond with any comments that you may have. If a hard copy of the materials is needed, please respond to this email with your request as soon as you can.

Consulting parties have thirty (30) calendar days from receipt of this information to review and provide comment. Tribal consulting parties may enter the process at any time and are encouraged to respond to this notification with any comments or concerns at their earliest convenience. Tribal contacts may contact Shaun Miller at smiller@indot.in.gov or 317-233-6795 or Michelle Allen at FHWA at michelle.allen@dot.gov or 317-226-7344.

Thank you in advance for your input,
Shaun Miller
INDOT, Cultural Resources Office
Archaeology Team Lead
(317)233-6795

Phone Conversation Log
RE: SR 244 Road Improvement Project (Des. No. 1600801) Shelby and Rush, Counties

## September2, 2020;10:1 1 a.m.

Participants: Donna Smith (daughter of Lawrence and Joan Rennekamp) and Jeff Laswell (Gray \& Pape)

Ms. Smith called Mr. Laswell on behalf of her parents to respond to the Early Coordination Letter regarding (Des. No. 160080) sent to landowners of Notable and Outstanding rated homes listed on the Indiana Historic Sites and Structures Inventory (9289 West SR 244 Waldron, IN 46182). This letter was sent on September 2, 2020. In this phone conversation, she asked to understand the meaning of the letter and whether her parents were required to respond. Mr. Laswell informed her they were not but could become Consulting Parties if they wished. Mr. Laswell gave her a brief synopsis of the Section 106 process, but she stated that she reviewed the Citizen's Guide to Section 106 Review and generally understood the process.

Since the house is so close to the roadway, Ms. Smith expressed her parents concern about possible vibration effects to the foundation if, after the project was finished, more trucks were to use the road. Also, she had a concern about taking additional property for the project in front of the house, particularly the sidewalk leading up to the residence. Mr. Laswell asked if they would like to become a Consulting Party and she said yes, they would. Mr. Laswell stated that he would pass her concerns on to the project team and would add them to the Consulting Party list.



Via email: smiller@indot.in.gov
September 2, 2020
Shaun Miller
Archaeological Team Lead, Cultural Resources Office
Indiana DOT
575 North Pennsylvania Street
Indianapolis, IN 46204
Re: Des. No. 1600801; SR 244 Road Rehabilitation, Rush and Shelby Counties, Indiana Comments of the Miami Tribe of Oklahoma

Dear Mr. Miller:

Aya, kikwehsitoole - I show you respect. The Miami Tribe of Oklahoma, a federally recognized Indian tribe with a Constitution ratified in 1939 under the Oklahoma Indian Welfare Act of 1936, respectfully submits the following comments regarding Des. No. 1600801.

The Miami Tribe offers no objection to the above-referenced project at this time, as we are not currently aware of existing documentation directly linking a specific Miami cultural or historic site to the project site. However, given the Miami Tribe's deep and enduring relationship to its historic lands and cultural property within present-day Indiana, if any human remains or Native American cultural items falling under the Native American Graves Protection and Repatriation Act (NAGPRA) or archaeological evidence is discovered during any phase of this project, the Miami Tribe requests immediate consultation with the entity of jurisdiction for the location of discovery. In such a case, please contact me at 918-541-8966 or by email at dhunter@miamination.com to initiate consultation.

The Miami Tribe accepts the invitation to serve as a consulting party to the proposed project. In my capacity as Tribal Historic Preservation Officer I am the point of contact for consultation.

Respectfully,

Diane Hunter
Tribal Historic Preservation Officer

| From: | Alexander, Kelyn |
| :---: | :---: |
| To: | thpo@estoo.net; Diane Hunter; Charla EchoHawk; Matthew Bussler; tonya@shawnee-tribe.com; lheady@delawaretribe.org |
| Cc: | pkorzeniewski@indot.in.gov; Carmany-George, Karstin (FHWA); Jeff Laswell; Michael Langmyer; Kauffmann, Danielle M; Sharkey, Rachel |
| Subject: | FHWA Project: Des. No. 1600801; HPR and Archeology Report for the proposed SR 244 Road Rehabilitation from 0.06 mile east of I-74 to 5.18 miles east of I-74 at Deer Creek in Shelby and Rush Counties, Indiana |
| Date: | Wednesday, February 2, 2022 11:11:59 AM |
| Attachments: | SR244 Des1600801 RDL 2022-02-02.pdf |

Des. No.: 1600801
Project Description: SR 244 Road Rehabilitation
Location: 0.06 mile east of I-74 to 5.18 miles east of I-74 at Deer Creek in Liberty Township, Shelby County and Orange Township Rush County, Indiana.

The Indiana Department of Transportation, with funding from the Federal Highway Administration, proposes to proceed with SR 244 Road Rehabilitation from 0.06 mile east of I- 74 to 5.18 miles east of I-74 at Deer Creek, Des. No. 1600801. The Section 106 Early Coordination Letter for this project was originally distributed on August 27, 2020.

As part of Section 106 of the National Historic Preservation Act, a Historic Property Report and Archaeology Report (Tribes only), have been prepared and are ready for review and comment by consulting parties.

Please review this documentation located in IN SCOPE at http://erms.indot.in.gov/Section106Documents/ (the Des. No. is the most efficient search term, once in IN SCOPE), and respond with any comments that you may have. If a hard copy of the materials is needed, please respond to this email with your request as soon as you can.

Consulting parties have thirty (30) calendar days from receipt of this information to review and provide comment. Tribal consulting parties may enter the process at any time and are encouraged to respond to this notification with any comments or concerns at their earliest convenience.

Tribal contacts may contact Patricia Jo Korzeniewski at pkorzeniewski@indot.in.gov or 317-416-4377 or Kari Carmany-George at FHWA at K.CarmanyGeorge@dot.gov or 317-226-5629.

Thank you in advance for your input,

## Kelyn Alexander

## Historian

Cultural Resources Office

## Environmental Services

100 N. Senate Ave., Room N758-ES
Indianapolis, IN 46204
Office: (317) 519-7759
Remote: $8 \mathrm{am}-4 \mathrm{pm}$
Email: kalexander3@indot.in.gov

## **Please note, mailing address and phone number have been updated <br> **Link to the CRO-Public Web Map App can be found here

:: CAUTION :: This email originated from outside of Gray \& Pape. Do not click links or open attachments unless you recognize the sender and know the content is safe.

| From: | Miller, Shaun (INDOT) |
| :---: | :---: |
| To: | thpo@estoo.net; Diane Hunter; Matthew Bussler (Matthew.Bussler@pokagonband-nsn.gov); Charla EchoHawk; tonya@shawnee-tribe.com; Larry Heady |
| Cc: | $\frac{\text { Michael Langmyer; Jeff Laswell; Alexander, Kelyn; pkorzeniewski@indot.in.gov; Carmany-George, Karstin }}{\text { (FHWA) }}$ |
| Subject: | FHWA Project: Des. No. 1600801; HPR and Archeology Report for the proposed SR 244 Road Rehabilitation from 0.06 mile east of I-74 to 5.18 miles east of I-74 at Deer Creek in Shelby and Rush Counties, Indiana. |
| Date: | Wednesday, February 2, 2022 1:57:36 PM |

Des. No.: 1600801
Project Description: SR 244 Road Rehabilitation
Location: 0.06 mile east of I-74 to 5.18 miles east of I-74 at Deer Creek in Liberty Township, Shelby County and Orange Township Rush County, Indiana.

The Indiana Department of Transportation, with funding from the Federal Highway Administration, proposes to proceed with SR 244 Road Rehabilitation from 0.06 mile east of I- 74 to 5.18 miles east of I-74 at Deer Creek, Des. No. 1600801. The Section 106 Early Coordination Letter for this project was originally distributed on August 27, 2020.

As part of Section 106 of the National Historic Preservation Act, a Historic Property Report and Archaeology Report (Tribes only), have been prepared and are ready for review and comment by consulting parties.

Please review this documentation located in IN SCOPE at http://erms.indot.in.gov/Section106Documents/ (the Des. No. is the most efficient search term, once in IN SCOPE), and respond with any comments that you may have. If a hard copy of the materials is needed, please respond to this email with your request as soon as you can.

Consulting parties have thirty (30) calendar days from receipt of this information to review and provide comment. Tribal consulting parties may enter the process at any time and are encouraged to respond to this notification with any comments or concerns at their earliest convenience.

Tribal contacts may contact Patricia Jo Korzeniewski at pkorzeniewski@indot.in.gov or 317-416-4377 or Kari Carmany-George at FHWA at K.CarmanyGeorge@dot.gov or 317-226-5629.

Thank you in advance for your input,

Shaun Miller
INDOT, Cultural Resources Office
Archaeology Team Lead
(317) 416-0876

[^1]

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

PHONE: (317) 296-0799

Eric Holcomb, Governor Joe McGuinness, Commissioner

February 2, 2022
This letter was sent to the listed parties.
RE: Des. No. 1600801
Duel Review Project: SR 244 Road Rehabilitation from 0.06 mile east of I-74 to 5.18 miles east of I-74 at Deer Creek, Shelby and Rush Counties, Indiana

## Dear Consulting Party,

The Indiana Department of Transportation (INDOT), with funding from the Federal Highway Administration (FHWA), proposes to proceed with the SR 244 Road Rehabilitation project Des. No. 1600801 in Liberty Township, Shelby County, and Orange Township, Rush County, Indiana. The proposed project will involve a Hot Mix Asphalt (HMA) overlay from Michigan Road to just east of I-74. The existing pavement for the remainder of the project area will be milled and resurfaced in some locations with full depth replacement in other locations. New pavement will be installed for new shoulders and the roadway will be slightly realigned in some areas to avoid potential historic resources. The rehabilitated roadway will provide two, $3.3-\mathrm{m}$-wide ( $11.0-\mathrm{ft}-\mathrm{wide}$ ) travel lanes, with $1.5-\mathrm{m}(5.0-\mathrm{ft})$ usable ( $1.2-\mathrm{m}$ [ $4-\mathrm{ft}]$ paved) shoulders. Three small non-historic structures (Structure Nos. CV 244-073.1.12, CV 244-073-1.51, and CV 244-073-3.22) will be replaced within the project area. There are two bridges within the project area, Bridge No. 244-73-04184B and a modern bridge over Conns Creek, Bridge No. 244-73-5843B. The Indiana Historic Bridge Inventory determined that Bridge 244-73-04184B is not eligible for listing the NRHP.

This letter is part of the Section 106 review process for this project. Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on historic and archaeological properties. We are requesting comments from you regarding the possible effects of this project. Please use the above Des. Number and project description in your reply and your comments will be incorporated into the formal environmental study. A Section 106 early coordination letter was distributed on August 7, 2020.

The proposed undertaking is on SR 244 from Michigan Road to 0.09 kilometers (km) ( 0.06 -miles [mi]) west of Deer Creek in Liberty Township, Shelby County, and Orange Township, Rush County, Indiana. Specifically, the proposed project is within Liberty Township, Shelby County, and Orange Township, Rush County, on the Waldron and Adams Indiana United States Geological Survey (USGS) topographic quadrangles in Sections 12 and 13, Township 12N, Range 7E and Sections 7, 8, 9, 10, 11, 14, 15, 16, 17, and 18 Township 12N, Range 8E.

The project is needed because of poor sight-distance at various intersections, substandard curves, absence of shoulders, narrow width of existing pavement, and improper roadway drainage. The primary purpose of the project is to provide an improved roadway that meets future traffic capacity, affords accommodations for moving agricultural machinery, and addresses repeated maintenance concerns along the corridor. The right-of-way (ROW) along SR 244 could not be determined and is currently assumed to extend no further than the edge of the road's pavement. Additional permanent and temporary ROW will be required to construct the project and has decreased since the engineering report has been submitted, though exact amounts are unknown at this time. The proposed construction limits include 16.9 hectares (ha) ( 41.8 acres [ac]).

CHA Engineering is under contract to advance the environmental documentation for the referenced project. Gray \& Pape Heritage Management has been subcontracted to complete the Section 106 documentation for the project.

In accordance with 36 CFR 800.2 (c), you were invited to become a consulting party as part of the Section 106 process, or you are hereby invited to become a consulting party as part of the Section 106 process. Entities that have previously accepted consulting party status--as well as additional entities that are currently being invited to become consulting parties--are identified in the attached list.

The Section 106 process involves efforts to identify historic properties potentially affected by the undertaking, to assess the undertaking's effects and to seek ways to avoid, minimize, or mitigate any adverse effects on historic properties. For more information regarding the protection of historic resources, please see the Advisory Council on Historic Preservation's guide: Protecting Historic Properties: A Citizen's Guide to Section 106 Review available online at https://www.achp.gov/sites/default/files/documents/2017-01/CitizenGuide.pdf.

Please note that, per the permanent rule issued by the Indiana Department of Natural Resources effective August 14, 2013 ( 312 IAC 20-4-11.5), INDOT is requesting that this project be subjected to "dual review"; that is, reviewed by the Division of Historic Preservation and Archaeology simultaneously under 54 U.S.C. 306108 (Section 106) and IC 14-21-1-18 (Indiana Preservation and Archaeology Law dealing with alterations of historic sites and structures requiring a Certificate of Approval). Pursuant to Section $11.5(f)$ of this rule, at the conclusion of the review process we anticipate that the Division Director would issue a letter of clearance exempting this project from obtaining a Certificate of Approval under IC 14-21-1-18. Enclosed with this letter is a detailed list of the consulting parties with contact information, including email addresses, for processing the dual review submission.

The Area of Potential Effects (APE) is the area in which the proposed project may cause alterations in the character or use of historic resources. The APE contains one (1) resource, Liberty Township District Number 2 School, NR-1034 (IHSSI \# 145-657-35019; 6014 East SR 244) listed in the National Register of Historic Places (NRHP).

A historian who meets the Secretary of the Interior's Professional Qualification Standards identified and evaluated above-ground resources within the APE for potential eligibility for the NRHP. As a result of the historic property identification and evaluation efforts, three (3) additional above-ground resources, Saint Vincent's Catholic Church (IHSSI\# 145-657-35013; 4218 E Michigan Road), Saint Vincent's Catholic School (IHSSI\# 145-657-35014; 4218 East Michigan Road), and 6739 East SR 244, are recommended as eligible for listing in the NRHP.

With regard to archaeological resources, an archaeologist who meets the Secretary of the Interior's Professional Qualification Standards identified or reidentified fourteen (14) sites within the project area. As a result of these efforts, sites 12 RU208, 12SH337,12RU803-12RU805 and 12SH719-12SH727 were recommended as not eligible for listing in the NRHP and no further work is recommended.

The Historic Property Report and Archaeology Report (Tribes only) are available for review in IN SCOPE at http://erms.indot.in.gov/Section106Documents/ (the Des. No. is the most efficient search term, once in IN SCOPE). You are invited to review these documents and to respond with comments on any historic resource impacts incurred as a result of this project so that an environmental report can be completed. We also welcome your related opinions and other input to be considered in the preparation of the environmental document. If you prefer a hard-copy of this material, please respond to this email with your request as soon as you can.

Please review the information and comment within thirty (30) calendar days of receipt. If you indicate that you do not desire to be a consulting party or if you have not previously accepted consulting party status and you do not respond to this letter, you will not be included on the list of consulting parties for this project and will not receive further information about the project unless the design changes. Tribal consulting parties may enter the process at any time and are encouraged to respond to this notification with any comments or concerns at their earliest convenience.

For questions concerning specific project details, you may contact Jeff Laswell of Gray \& Pape at 317.442.9582 or ilaswell@graypape.com. All future responses regarding the proposed project should be forwarded to Gray \& Pape at the following address:

Jeff Laswell<br>Gray \& Pape Heritage Management<br>5807 North Post Road<br>Indianapolis, IN, 46216

Tribal contacts may contact Shaun Miller at smiller@indot.in.gov or 317-416-0876 or Kari Carmany-George at FHWA at K.CarmanyGeorge@dot.gov or 317-226-5629.


Anuradha V. Kumar, Manager
Cultural Resources Office
Environmental Services

Distribution List:
Indiana State Historic Preservation Office (SHPO)
Saint Vincent's Catholic Church (Roman Catholic Archdiocese of Indianapolis Properties Inc.), Shelby County Kris Meltzer \& Karen Meltzer-Armstrong, Shelby County
Lawrence \& Joan Rennekamp, Rush County
Miami Tribe of Oklahoma
Shawnee Tribe
Delaware Tribe of Indians, Oklahoma
Eastern Shawnee Tribe of Oklahoma
Peoria Tribe of Indians of Oklahoma
Pokagon Band of Potawatomi Indians


# EASTERN SHAWNEE CULTURAL PRESERVATION DEPARTMENT <br> 70500 East 128 Road, Wyandotte, OK 74370 

February 7, 2022
INDOT - Indiana Department of Transportation
100 N. Senate Ave. IGCN642
Indianapolis, IN 46201

## RE: Des No. 1600801, Multiple County, Indiana

Dear Mr. Miller,
The Eastern Shawnee Tribe has received your letter regarding the above referenced project(s) within Multiple County, Indiana. The Eastern Shawnee Tribe is committed to protecting sites important to Tribal Heritage, Culture and Religion. Furthermore, the Tribe is particularly concerned with historical sites that may contain but not limited to the burial(s) of human remains and associated funerary objects.

As described in your correspondence, and upon research of our database(s) and files, we find our people occupied these areas historically and/or prehistorically. However, the project proposes NO Adverse Effect or endangerment to known sites of interest to the Eastern Shawnee Tribe. Please continue project as planned. However, should this project inadvertently discover an archeological site or object(s) we request that you immediately contact the Eastern Shawnee Tribe, as well as the appropriate state agencies (within 24 hours). We also ask that all ground disturbing activity stop until the Tribe and State agencies are consulted. Please note that any future changes to this project will require additional consultation.

In accordance with the NHPA of 1966 (16 U.S.C. § 470-470w-6), federally funded, licensed, or permitted undertakings that are subject to the Section 106 review process must determine effects to significant historic properties. As clarified in Section 101(d)(6)(A-B), historic properties may have religious and/or cultural significance to Indian Tribes. Section 106 of NHPA requires Federal agencies to consider the effects of their actions on all significant historic properties ( 36 CFR Part 800) as does the National Environmental Policy Act of 1969 (43 U.S.C. § 4321-4347 and 40 CFR § 1501.7(a). This letter evidences NHPA and NEPA historic properties compliance pertaining to consultation with this Tribe regarding the referenced proposed projects.

Thank you, for contacting the Eastern Shawnee Tribe, we appreciate your cooperation. Should you have any further questions or comments please contact our Office.
Sincerely,


Paul Barton, Tribal Historic Preservation Officer (THPO) Eastern Shawnee Tribe of Oklahoma
(918) 666-5151 Ext:1833

## Jeff Laswell

| From: | Donna Smith [donna.smith@thejoint.com](mailto:donna.smith@thejoint.com) |
| :--- | :--- |
| Sent: | Tuesday, February 8, 2022 8:17 AM |
| To: | Jeff Laswell |
| Subject: | Des. No. 1600801 |

Good morning, Mr. Laswell.
My parents, Lawrence \& Joan Rennekamp at 9617 W SR 244, received a letter on Sunday regarding the SR 244 Road Rehabilitation project. They had been contacted earlier to see if there were any reasons why special consideration should apply to their property and, at that time, we sent information regarding their home built in 1837 and positioned on a concrete slab.

It appears that the letter may be informing them that their request for special consideration was denied; however, I'm not sure since there is no reference to their specific property in the communication. It does appear that a property at 6739 E SR244, which was built in 1900, may have received designation as eligible for listing in the NRHP, though.

Could you please let me know if we are understanding this correctly? Also, is there any resource that could help explain why a property that is 63 years older might have been overlooked when a newer location was approved?

Thank you for your assistance, Donna Smith
765-969-8270
donnasmith927@aol.com
Daughter of Lawrence \& Joan Rennekamp
9617 W SR 244
Waldron, IN 46182
:: CAUTION :: This email originated from outside of Gray \& Pape. Do not click links or open attachments unless you recognize the sender and know the content is safe.

## Jeff Laswell

| From: | Donna Smith [donna.smith@thejoint.com](mailto:donna.smith@thejoint.com) |
| :--- | :--- |
| Sent: | Wednesday, February 16, 2022 6:21 AM |
| To: | Jeff Laswell |
| Subject: | Re: [EXT] RE: Des. No. 1600801 |

Hello Jeff,
Yes, that information is very helpful. Thank you very much for being so responsive!

Have a great day,
Donna

Sent from my iPhone

On Feb 15, 2022, at 1:59 PM, Jeff Laswell [jlaswell@graypape.com](mailto:jlaswell@graypape.com) wrote:

Hi Donna -

Not odd at all!
Well, it would help and could make a difference if you ever wanted to try and list the house on the National Register. Again, our assessment was preliminary and we did not dive into the nitty gritty, nor did we see the inside of the house, which would all be taken into consideration for a NR listed house. In other words, there is an in depth process by which a building is nominated, documented and evaluated with respect for the NR, which is well beyond our cursory assessment. This nomination process can take months between the documentation and review, which would requiring hiring historian to do the legwork. The really only benefit to getting it listed are tax breaks and a cool plaque for the outside of the house ().

I believe with some elbow grease that included more historical research, detailed examination in and out, the house could easily be listed.

Does that make sense?

Jeff Laswell
Gray \& Pape, Inc.
Indianapolis Branch Manager
Principal Investigator Archaeology
Office 317.541.8200 ext. 201
Cell 317.442 .9582
jlaswell@graypape.com

From: Donna Smith [donna.smith@thejoint.com](mailto:donna.smith@thejoint.com)
Sent: Monday, February 14, 2022 4:31 PM
To: Jeff Laswell [jlaswell@graypape.com](mailto:jlaswell@graypape.com)
Subject: RE: [EXT] RE: Des. No. 1600801
Hi Jeff,

I have what may be an odd question for you, please. Apparently, the old cornices for the house were removed but are in the barn. Some would need to be repaired since age and weather has weakened their structure.

If the cornices were repaired and rehung, would the house be considered "Outstanding" again? Does it even make a difference?

Thank you,
Donna

From: Jeff Laswell [mailto:jlaswell@graypape.com]
Sent: Tuesday, February 8, 2022 3:01 PM
To: Donna Smith [donna.smith@thejoint.com](mailto:donna.smith@thejoint.com)
Subject: [EXT] RE: Des. No. 1600801

Great speaking with you Donna and thank you for reaching out.
Please click on the link below and enter the Des. No. 1600801 to view the Historic Property Report (HPR). I believe the write-up on your parents house begins on page 62.

Please feel free to reach out to me anytime with any questions or concerns.

Jeff

Des. No.: 1600801
Project Description: SR 244 Road Rehabilitation
Location: 0.06 mile east of I-74 to 5.18 miles east of I-74 at Deer Creek in Liberty Township, Shelby County and Orange Township Rush County, Indiana.

The Indiana Department of Transportation, with funding from the Federal Highway Administration, proposes to proceed with SR 244 Road Rehabilitation from 0.06 mile east of I- 74 to 5.18 miles east of I74 at Deer Creek, Des. No. 1600801. The Section 106 Early Coordination Letter for this project was originally distributed on August 27, 2020.

As part of Section 106 of the National Historic Preservation Act, a Historic Property Report and Archaeology Report (Tribes only), have been prepared and are ready for review and comment by consulting parties.

Please review this documentation located in IN SCOPE at http://erms.indot.in.gov/Section106Documents/ (the Des. No. is the most efficient search term, once in IN SCOPE), and respond with any comments that you may have. If a hard copy of the materials is needed, please respond to this email with your request as soon as you can.

Consulting parties have thirty (30) calendar days from receipt of this information to review and provide comment. Tribal consulting parties may enter the process at any time and are encouraged to respond to this notification with any comments or concerns at their earliest convenience.

Tribal contacts may contact Patricia Jo Korzeniewski at pkorzeniewski@indot.in.gov or 317-416-4377 or Kari Carmany-George at FHWA at K.CarmanyGeorge@dot.gov or 317-226-5629.

Thank you in advance for your input,

From: Donna Smith <donna.smith @thejoint.com>
Sent: Tuesday, February 8, 2022 8:17 AM
To: Jeff Laswell <jlaswell @graypape.com>
Subject: Des. No. 1600801
Good morning, Mr. Laswell.
My parents, Lawrence \& Joan Rennekamp at 9617 W SR 244, received a letter on Sunday regarding the SR 244 Road Rehabilitation project. They had been contacted earlier to see if there were any reasons why special consideration should apply to their property and, at that time, we sent information regarding their home built in 1837 and positioned on a concrete slab.

It appears that the letter may be informing them that their request for special consideration was denied; however, I'm not sure since there is no reference to their specific property in the communication. It does appear that a property at 6739 E SR244, which was built in 1900, may have received designation as eligible for listing in the NRHP, though.

Could you please let me know if we are understanding this correctly? Also, is there any resource that could help explain why a property that is 63 years older might have been overlooked when a newer location was approved?

Thank you for your assistance,
Donna Smith
765-969-8270
donnasmith927@aol.com

Daughter of Lawrence \& Joan Rennekamp
9617 W SR 244
Waldron, IN 46182
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# PEORIA TRIBE OF INDIANS OF OKLAHOMA 

118 S. Eight Tribes Trail (918) 540-2535 FAX (918) 540-2538

February 17, 2022

Patricia Korzeniewski, Archaeologist<br>Tribal Contact<br>INDOT<br>100 N Senate Ave., Rm 758-ES<br>Indianapolis, IN 46204

Re: Bes. \#1600801; SR 244 Road rehabilitation Shelby \& Rush Counties, IN
Thank you for providing notice of the referenced project. The Peoria Tribe of Indians of Oklahoma is unaware of a direct link to the newly proposed project location.

The Peoria Tribe of Indians of Oklahoma is also unaware of items covered under Native American Graves Protection and Repatriation Act (NAGPRA) to be associated with the proposed project site, including funerary or sacred objects; objects of cultural patrimony; or ancestral human remains.

The Peoria Tribe has no objection at this time to the proposed project. If, however, at any time items are discovered which fall under the protection of NAGPRA, the Peoria Tribe requests immediate notification and consultation. In addition, state, local and tribal authorities should be advised as to the findings and construction halted until consultation with all concerned parties has occurred.

Please feel free to contact me directly at the number above if additional consultation is necessary. Thank you again for your consideration with this matter.

Sincerely,

## Chailaok. <br> 

Charla K. EchoHawk
Director of Cultural Preservation

| From: | Charla EchoHawk |
| :--- | :--- |
| Sent: | Tuesday, February 15, 2022 8:16 AM |
| To: | Karen Stand |
| Subject: | FW: FHWA Project: Des. No. 1600801; HPR and Archeology Report for the proposed SR |
|  | 244 Road Rehabilitation from 0.06 mile east of I-74 to 5.18 miles east of I-74 at Deer |
|  | Creek in Shelby and Rush Counties, Indiana. |

Thank you, Karen!

## Charla K. EchoHawk

Director of Cultural Preservation
Peoria Tribe of Oklahoma
Office 918.540.2535 Ext. 33 | Fax 918.540 .2538
cechohawk@peoriatribe.com


## PEORIA TRIBE

OF INDIANS OF OKLAHOMA

## From: Miller, Shaun (INDOT) [smiller@indot.IN.gov](mailto:smiller@indot.IN.gov)

Sent: Wednesday, February 2, 2022 12:58 PM
To: thpo@estoo.net; Diane Hunter [dhunter@miamination.com](mailto:dhunter@miamination.com); Matthew Bussler (Matthew.Bussler@pokagonbandnsn.gov) [Matthew.Bussler@pokagonband-nsn.gov](mailto:Matthew.Bussler@pokagonband-nsn.gov); Charla EchoHawk [cechohawk@peoriatribe.com](mailto:cechohawk@peoriatribe.com);
tonya@shawnee-tribe.com; Larry Heady [lheady@delawaretribe.org](mailto:lheady@delawaretribe.org)
Cc: mlangmyer@graypape.com; Jeff Laswell [jlaswell@graypape.com](mailto:jlaswell@graypape.com); Alexander, Kelyn [KAlexander3@indot.IN.gov](mailto:KAlexander3@indot.IN.gov); Korzeniewski, Patricia J [PKorzeniewski@indot.IN.gov](mailto:PKorzeniewski@indot.IN.gov); Carmany-George, Karstin (FHWA) [k.carmanygeorge@dot.gov](mailto:k.carmanygeorge@dot.gov) Subject: FHWA Project: Des. No. 1600801; HPR and Archeology Report for the proposed SR 244 Road Rehabilitation from 0.06 mile east of I-74 to 5.18 miles east of I-74 at Deer Creek in Shelby and Rush Counties, Indiana.

Des. No.: 1600801
Project Description: SR 244 Road Rehabilitation
Location: 0.06 mile east of 1-74 to 5.18 miles east of 1-74 at Deer Creek in Liberty Township, Shelby County and Orange Township Rush County, Indiana.

The Indiana Department of Transportation, with funding from the Federal Highway Administration, proposes to proceed with SR 244 Road Rehabilitation from 0.06 mile east of I-74 to 5.18 miles east of I-74 at Deer Creek, Des. No. 1600801. The Section 106 Early Coordination Letter for this project was originally distributed on August 27, 2020.

As part of Section 106 of the National Historic Preservation Act, a Historic Property Report and Archaeology Report (Tribes only), have been prepared and are ready for review and comment by consulting parties.

Please review this documentation located in IN SCOPE at http://erms.indot.in.gov/Section106Documents/ (the Des. No. is the most efficient search term, once in IN SCOPE), and respond with any comments that you may have. If a hard copy of the materials is needed, please respond to this email with your request as soon as you can.

Consulting parties have thirty (30) calendar days from receipt of this information to review and provide comment. Tribal consulting parties may enter the process at any time and are encouraged to respond to this notification with any comments or concerns at their earliest convenience.

Tribal contacts may contact Patricia Jo Korzeniewski at pkorzeniewski@indot.in.gov or 317-416-4377 or Kari CarmanyGeorge at FHWA at K.CarmanyGeorge@dot.gov or 317-226-5629.

Thank you in advance for your input,

Shaun Miller
INDOT, Cultural Resources Office
Archaeology Team Lead
(317) 416-0876

Division of Historic Preservation \& Archaeology • 402 W. Washington Street, W274 • Indianapolis, IN 46204-2739
Phone 3I7-232-I646 • Fax 3I7-232-0693 • dhpa@dnr.IN.gov •

March 4, 2022

## Jeff Laswell

Gray \& Pape Heritage Management
5807 North Post Road
Indianapolis, Indiana 46216

Federal Agency: Indiana Department of Transportation ("INDOT"), on behalf of Federal Highway Administration, Indiana Division ("FHWA")

Re: DUAL REVIEW: Historic property report (Cunningham/Langmeyer, 1/28/2022), phase Ia archaeological survey report (Trader/Kovacs/Laswell, 11/11/2021) and request for Dual Review for the SR 244 road rehabilitation from 0.06 miles east of I- 74 to 5.18 miles east of I74 at Deer Creek (Des. No. 1600801; DHPA 26215)

Dear Mr. Laswell:
Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 306108), 36 C.F.R. Part 800, the Section 106 "Programmatic Agreement (PA) Among the Federal Highway Administration, the Indiana Department of Transportation, the Advisory Council on Historic Preservation and the Indiana State Historic Preservation Office Regarding the Implementation of the Federal Aid Highway Program In the State of Indiana," Indiana Code 14-21-1-18, and 312 Indiana Administrative Code ("IAC") 20-4, the staff of the Indiana State Historic Preservation Officer ("Indiana SHPO", "DNR-DHPA") has reviewed your February 2, 2022 review request submittal form which enclosed INDOT's distribution letter, historic property report ("HPR"; Cunningham/Langmeyer, 1/28/2022) and the phase Ia archaeological survey report (Trader/Kovacs/Laswell, 11/11/2022), all of which received by our office the same day for this project in Orange Township of Rush County and Liberty Township of Shelby County, Indiana.

INDOT in their February 2, 2022, letter is now requesting the commencement of the Dual Review process, pursuant to 312 Indiana Administrative Code ("IAC") 20-4-11.5. Dual Review is to be requested at the outset of the federal Section 106 review process to ensure that all interested persons (which includes Section 106 consulting parties) and members of the Indiana Historic Preservation Review Board ("Review Board") are notified of the project early on, so that they can follow along at each step of the review process. Since we are still relatively early in the federal Section 106 review process to engage the review board and interested parties in the review process, DNR-DHPA is providing notification of the commencement of the Dual Review to interested persons and members of the Review Board.

For the benefit of those recipients of this letter who are not Section 106 consulting parties, please be aware that a copy of INDOT's February 2, 2022, letter, and additional information, along with all previous submissions on this project by INDOT, can be found online at http://erms.indot.in.gov/Section106Documents/. From there, search by this project's designation number: 1600801. In your next regular submission, please include which consulting parties agree to participate in the consultation of this dual review.

The area of potential effects ("APE") proposed in the HPR appears to be of adequate size to encompass the geographic area in which direct and indirect effects of a project of this nature could occur. We agree with the conclusions of the HPR that the Liberty Township District Number 2 School (NR-1034) is listed in the National Register of Historic Places ("NRHP") and located within the project's APE.

Regarding the buildings that comprise the Saint Vincent DePaul complex (Indiana Historic Sites \& Structures Inventory ["IHSSI"] \#145-657-35011, 145-657-35012, 145-657-35013, and 145-657-35014), we disagree with the methodology presented in the HPR to evaluate the resources separately. Per standards set by the National Register and for survey and identification within DNR-DHPA, this church complex should be evaluated as one historic property. It is clear that the resources on the property were always historically associated with each other. As one resource, with a historic property boundary that includes the church, cemetery, school, rectory, and social hall across the street, the significance under Criterion A is evident. A review of Shelby County survey sites finds no other rural religious complex of this scale, permanence, and prominence in the county. The theme of education would apply, and with further research, a case for social history could be made. The architectural significance of the complex under Criterion C is clear. It is the most impressive complex of its type in the township, if not the county. The church is a solid example of Late Gothic Revival, the rectory is a good example of a brick I-house, the school is a good example of an education building with a plan that derives from the architectural mainstream of school design in the late $19^{\text {th }} /$ early $20^{\text {th }}$ centuries and as a Romanesque Revival/Classical Revival design. The hall, though altered by the addition of a porch, is a fairly unique form of social hall, with its parapeted storefront façade. The inclusion of a cemetery in such a historic complex is commonplace. We can only assume from the information provided that the cemetery has internments from as early as 1880 . It may also have religious funerary art that is significant, but certainly, the cemetery contributes to the complex's history and setting.

We agree with the HPR that the House at 4614 East SR 244, the House at 6881 East SR 244, and the Huffman House at 9289 West SR 244 (IHSSI \#139-003-50023) are not eligible for inclusion in the NRHP. Regarding the House at 6739 East SR 244, while the report cites "original windows" and an intact porch, we believe the windows to be replacements. Most Queen Anne houses dating to this period have multipane windows with border panes in the upper sash over a single-pane lower sash, whereas this house features multipane over multipane double-hung sashes. Also, the thin nature of the porch posts looks very much like replacement lathe-turned posts. Therefore, we believe that this house is not eligible for inclusion in the NRHP.

Furthermore, the Mahan Farmstead at 9617 West SR 244 (IHSSI \# 139-003-50022) still retains Italianate characteristics that our staff believes meet eligibility for inclusion in the NRHP under Criterion C. Moreover, a review of aerial and streetview photography indicates a collection of ancillary farm buildings that were not photographed for the HPR. Based on what information we have; we believe this property also has potential for eligible under Criterion A for agriculture.

It is our understanding that no project-related ground-disturbing activities are proposed for areas that lie within the boundaries of Rockwell (CR-73-55) and Saint Vincent (CR-73-56) cemeteries. The aforementioned cemeteries must be avoided by all ground-disturbing project-related activities (e.g., demolition, construction, grading, dredging, and/or filling, tree clearance, vehicle or equipment staging, materials stockpiling, temporary land use, etc.), and provisions of relevant state statutes regarding cemeteries (including IC 14-21-1 and IC 23-14) must be adhered to.

In terms of archaeological resources, thank you for the submission of the archaeological report detailing the results of the reconnaissance survey of the proposed project (Trader/Kovacs/Laswell, 11/11/2021). A review of the report indicates that four archaeological sites (12RU208, 12RU209, 12RU233, and 12SH337) were reinvestigated and twelve sites (12RU803 through 805, and 12SH719 through 727) were newly recorded as a result of the survey.

According to the reconnaissance report, previously recorded sites 12RU208 (a prehistoric camp) and 12SH337 (the Liberty Township District Number 2 School) were reidentified in the field. 12SH337 is currently listed on the National Register for its above-ground components (see above), but the archaeological aspect of the site was previously determined not eligible (Crider 2004). We understand the current survey failed to identify any additional archaeological information that would change the previous eligibility assessment of these sites. Therefore, we concur with the recommendation that these sites are
not eligible for inclusion in the NRHP. We also understand that construction activities have been altered in order to avoid 12SH337/the Liberty Township District Number 2 School.

We recognize that no evidence of 12RU209 or 233 was identified during the reconnaissance. Additionally, we note that due to its proximity to the proposed project, an effort to identify 12 SH 345 within the project corridor was made but no evidence of the site was identified.

In terms of newly identified archaeological sites 12 RU803 through 805 and 12SH719 through 727, we concur with the recommendations that the portions of these sites within the current project boundaries do not appear to be eligible for inclusion in the NRHP and no further archaeological investigation is necessary.

For all archaeological sites investigated during this project, it is possible that portions of the sites extend outside of the current project limits. Additional reconnaissance may be needed if the project scope changes to include areas outside of the current survey limits.

If any prehistoric or historic 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 be reported to the Indiana SHPO 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, including but not limited to 36 C.F.R. Part 800 .

The Indiana SHPO staff's archaeological reviewer for this project is Rachel Sharkey, and the structures reviewer is Danielle Kauffmann. Questions about National Register eligibility should contact Paul Diebold. However, if you have a question about the Section 106 process, please contact initially the INDOT Cultural Resources staff members who are assigned to this project.

In all future correspondence about the SR 244 road rehabilitation project in Rush and Shelby counties (Des. No. 1600801), please refer to DHPA No. 26215.

Very truly yours,


Beth K. McCord
Deputy State Historic Preservation Officer

BKM:DMK:RAS:dmk
EMC to federal and state agency or consultant staff members: Kari Carmany-George, FHWA Anuradha Kumar, INDOT Matt Coon, INDOT Kelyn Alexander, INDOT Susan Branigin, INDOT Jeff Laswell, Gray \& Pape Heritage Management Danielle Kauffmann, DNR-DHPA Rachel Sharkey, DNR-DHPA

EMC to Indiana Historic Preservation Review Board Members: J. Scott Keller, Review Board Daniel Kloc, AIA, Review Board Jason Larrison, AIA, Review Board Chandler Lighty, Review Board Beth K. McCord, DNR-DHPA, Review Board Ryan Mueller, Deputy Director, DNR, and Chairman, Review Board Anne Shaw, Review Board April Sievert, Ph.D., Review Board

EMC to potentially interested persons:

Jeff Laswell
March 4, 2022
Page 4

Delaware Tribe of Indians, Oklahoma
Eastern Shawnee Tribe of Oklahoma
Miami Tribe of Oklahoma
Peoria Tribe of Indians of Oklahoma
Pokagon Band of Potawatomi Indians
Shawnee Tribe
Indiana Landmarks, Central Regional Office
Indiana Landmarks, Eastern Regional Office
Indianapolis Metropolitan Planning Organization
Rush County Commissioners
Rush County Council
Rush County Heritage, Inc.
Rush County Highway Department
Rush County Historian
Rush County Historical Society
Shelby County Council
Shelby County Commissioners
Shelby County Highway Department
Shelby County Historical Society
Shelby County Public Library

APPENDIX E: SR 244 Stage 2 Design Plans


| UTILITIES |  |  |
| :---: | :---: | :---: |
| Telecommunications | Electric Distribution | Water |
| AT\&T 240 N. Meridian St., Rm. 1791 Indianapolis, IN 46204 Attn: Troy Bishop tb2932@att.com | Duke Energy, <br> Noblesville, IN 46062 <br> Attn: Charles Bundy <br> dei-dline-coord@duke-energy.com | Waldron Conservancy District Attn: Kim McCary waldronwater |
|  | RushShelby Energy Manilla, 1 in 46150 Attn: Neil Hedrick Neilh@alphaeng. |  |
| Gas/Pipelines <br> Vectren Energy (Distribution) <br> 16000 Allisonville Rd <br> Attn: Shawn Williams <br> 317-776-5574 | Electric Transmissin <br> S. Mill Creek Rd <br> Attn: Zach Boston <br> 317-838-1053 <br> DEI-Tline-Coord@duke-energy.com |  |
|  |  |  |



| INDEX |  |
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| SHEET No. | DRAWINGS Index |
| 1 | TITLE |
| 2 | INDEX AND GENERAL NOTES |
| 3-4 | TYPICAL SECTION |
| 5 | MISCELLANEOUS DETAILS |
| 6-14 | LOCATION CONTROL ROUTE SURVEY |
| 15-16 | AT No. 1 |
| 17 | MAINTENANCE OF TRAFFIC |
| 18-37 | PLAN AND PROFILE |
| 38-45 | GENERAL PLAN |
| 46-63 | TEMPORARY EROSION CONTROL DETAIL |
| 64-67 | TEMPORARY EROSION CONTROL TABLE |
| 68-77 | PAVEMENT MARKING AND SIGNING PLAN |
| 78 | PAVEMENT MARKING TABLE |
| 79-80 | SIGN AND POST TABLE |
| 81-82 | MISCELLANEOUS TABLES |
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| 85 | PATCHING TABLE |
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| 90-214 | CROSS SECTIONS |
| 215 | PUBLIC ROAD PROFILE |
| 216-225 | DRIVE PROFILES |
| 226-229 | DRAINAGE CROSS SECTIONS |


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## SURVEYOR'S REPORT

Location:
This survey y salong State Road 244 beginning in Shelby County in sections 12 and 13 , Township 12
North, Range 7 East, iberty Township and ending in Rush County in Sections 11 and 14 , Township 12 North, Range 8 East, Orange Towship.
purpos:
This survee was conducted for road renabilitation along S.R. 244 in Shelby and Rush County. It is no intended to be a retracement suvvey as defined by Tite 855 of the Indiana Administrative Code and any
boundary lines or corner are shown based only on visible physical evidence collected during the course of the survey and documents of record.
general notes:
Should additional USPLS corners be needed where none were found, they should be reestablished and
tied into this survev. Fiedd measurements fort this surver were made in accordance with the
 specitications outined in Titte 855 of the Indiana Administrative Code regarding route survers. The
decimal precision shown on this plat for measurements and coordinates is for consistency in mathematical calculations and is not intended to indicate the precision of the fiedd work conducted
during this survey. during this survey.
Existing right-of-way lines, parcel boundary lines and owners' information shown on this plat are
preiliminary and subject toc change assed on the verfification and validation of title. This information
 boundary lines were the last deed of record, recorded survess and plats obtained from the office of the County Recorder as well as information regarding section corner and lines from the County Suveyor's Office. The professional surveyor responsible for any right
shall completet the final deteemmination of this information.
The locations of any easements shown hereon are based on those referenced in the last deed of record
available a t he Couny Recorders


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Outside of the areas included in the plans listed below under "EXISTING RIGHT-OF-WAY", no previous
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stretches wherea line was reviously designated fors small structure or bridgereeplacement work. In the
 uncertainty

## EVIDENCE OF POSSESSION

- A A oven wire fence extends southerly from Sta. $129+14,25^{\prime}$ Rt. and easterly to Sta. $130+90,24$
- A woven wire fence extends southerly along a property line from $\mathrm{Sta} .132+62,17$ ' Rt.

- ${ }^{15}$ A wire-scrreen fence extends southerly along the east side of $C . R$. . 750 East from $S t a .172+69,50$


 TABLISHMENT O USPLS CORNERS
The section correr monuments shown hereon were all found per ties provided by the Shelly \& Rush lats. It is my opinion that he uncertainty associated with these corners is s less than one foot. See coordinate chart on the Location Control Route Survey Plat for monument description and InGCS notes:


## aate of latest research: Julu 7, 2020

GCS "Shelby" one:
Unless noted otherwise, al bearings, distances, reass, and coordinates shown hereon are based upon the Indiana Geospatial Coordinate System's (ll6GCS) "Shelby" 20 ene per NAD 83 (2011) epoch 2010.00 and are reported in U.S.S Survey Feet and decimal parts thereof. The "Shelby" zone was developed to
minimize the differences between ground-measured horizontal distances and the corresponding grid coordinate ( map) distances within the county bearing this zone's name.

InGcs "Shely" "One Parameters
Geometric Datum: Na $833(20111)$ epoch 2010.00
Projection Type: Transverse Mercator
Central Meridian: $85{ }^{5} 44000$ west Iongitue
Central Meridian: $85^{5} 5400$ " west ton iftude
Central Meridian scal factor: 1.0000030

False Northing: 34,000.000 m(118,110.00 U.5.ft)
False Easting: 240,000.000 $(787,40.00$ U. .ft)
Distance units are U.S.S Survey feet

| Suvve starteo |  | FIELD SURVEYOR STATEMENT |  | UNOERTHEEN |  | INDIANA DEPARTMENT OF TRANSPORTATION | Horrzontal scale |  | Briog file |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| JUNE 24,2020 |  | THIS SURVEY, TO THE BEST OF MY KNOWLEDGE AND BELIEF, IS EXECUTED ACCORDING TO THE PROVISIONS OF TITLE <br>  EXCEPT THAT ANY DATA SHOWN REGARDING THE LOCATION OR DESCRIPTION OF THE EXISTING PARCELS IS NOT A PART OF THIS SURVEY. |  | Nuber in Tis ocum |  |  | $\frac{\text { not Toscale }}{\text { counr }}$ |  | desination |
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| ROUTE PLIT SHEETS |  |  |  |  |  |  | Conreact |  |  |





















[^0]:    Tonya Tipton
    Tribal Historic Preservation Officer
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    Email: tonya@shawnee-tribe.com
    29 S Highway 69A

[^1]:    :: CAUTION :: This email originated from outside of Gray \& Pape. Do not click links or open attachments unless you recognize the sender and know the content is safe.

