CHAPTER 6: SECTION 4(f) EVALUATION

**Substantive changes to Chapter 6 since the publication of the SDEIS**

- Section 6.2.1—Updates discussion of mitigation for the lime kilns to summarize those listed in the First Amended MOA. Adds discussion of the eligibility of North Field and Nuttall House, including recent coordination with the Keeper of the National Register.
- Section 6.2.2—Adds information regarding the limits of public use of the Greenway Corridor and Waterfront Park during construction, adds commitment to relocate restroom facilities at the Extreme Sports Complex, and adds discussion of the Butchertown Greenway trail that crosses under I-71.
- Section 6.3—Adds a summary of the December 14, 2011, Resource Agency Coordination Meeting and recent Section 106 consultation; references the executed First Amended MOA; and adds a summary of January 5, 2012, U.S. Department of the Interior comment letter regarding the Section 4(f) Evaluation.

In general, Section 4(f) of the U.S. Department of Transportation (USDOT) Act of 1966 requires that prior to the use of any of the resource types listed below, it must be determined either (1) that there is no prudent and feasible alternative that avoids such use and that the project includes all possible planning to minimize harm resulting from such use, or (2) that the use will result in a *de minimis* impact on the resource protected under Section 4(f). Resources protected under Section 4(f) include:

- A publicly owned and officially designated park
- A publicly owned and officially designated recreation area
- A publicly owned and officially designated wildlife or waterfowl refuge
- A historic property, either publicly or privately owned, that is listed in or eligible for inclusion in the National Register of Historic Places (NRHP), except for archeological resources that are important chiefly because of what can be learned by data recovery and have minimal value for preservation in place [CFR 774.13(b)(1)]

In its Section 4(f) regulations, FHWA has recognized three different situations in which a “use” of Section 4(f) property can occur. First, a use occurs when a project permanently incorporates land from a Section 4(f) property, even if the amount of land used is very small. Second, a use can result from a temporary use of land within a Section 4(f) property, unless the temporary use meets specific criteria that allow an exception to a use. Third, a use can result from proximity effects (such as noise, visual impacts, or vibration) if those effects “are so severe that the protected activities, features, or attributes that qualify the property for protection under Section 4(f) are substantially
impaired” (23 CFR Part 774.15(a)(a)). A use that results from proximity effects is known as a “constructive use.”

Chapter 6 of the 2003 FEIS included a detailed evaluation of impacts to Section 4(f) protected resources. The introduction to the Section 4(f) Evaluation in Chapter 6 of the 2003 FEIS presented information about the Section 4(f) evaluation process (see pages 6-1 and 6-2 of the 2003 FEIS). This section of the SFEIS identifies changes to Section 4(f) policies since the publication of the 2003 FEIS, and updates project-related information that was presented in the 2003 FEIS, as follows:

- Summarizes changes to the Section 4(f) statute and also to FHWA’s Section 4(f) regulations since the publication of the 2003 FEIS.
- Updates information regarding Section 4(f) uses of protected resources associated with the FEIS Selected Alternative and the Modified Selected Alternative.
- Updates information about previously identified historic resources: including the change in status of the Swartz Farm Rural Historic District (Indiana) due to a loss of historic integrity, the expansion of the boundaries of the four Utica lime kilns to include the quarries associated with the kilns and the potential for constructive uses, and the identification of the Ohio River Camps MPDF¹ Group Resources.

6.1 Proposed Action

The purpose and need for this project is described in Chapter 2 of this SFEIS. The alternatives under consideration for implementation in this SFEIS are described in detail in Chapter 3 of this SFEIS.

6.2 Section 4(f) Evaluation

Since the approval of the 2003 FEIS, the FEIS Selected Alternative has been designed in greater detail (see Chapter 3) and the Modified Selected Alternative has been developed. The Section 4(f) analysis that follows is based on an analysis of the current designs of the two build alternatives and the current status of the Section 4(f) properties associated with these two build alternatives. Since the 2003 FEIS, additional Section 4(f) properties have been identified, and one property (the Swartz Farm) considered in the Section 4(f) evaluation has lost its Section 4(f) status. This chapter provides an updated analysis of the alternatives’ impacts on Section 4(f) properties, based on current information about the alternatives and Section 4(f) properties in the project area.

In addition, since the 2003 FEIS, Section 4(f), itself, has been amended and new Section 4(f) regulations have been issued. In SAFETEA-LU (2005), Congress amended Section 4(f) to provide an alternative method of approving the use of protected properties where the impact is de minimis. The de minimis impact determination provides the basis for USDOT to approve the

¹ An MPDF is the National Register Multiple Property Documentation Form that is used to document groups of thematically related properties. The form is used to define and describe one or more historic contexts, describe associated property types related to the historic context(s), and establishes significance and integrity requirements for nominating properties to the National Register.
minor use of a Section 4(f) property without identifying and evaluating avoidance alternatives—thus streamlining the approval process. In SAFETEA-LU, Congress directed USDOT to revise its Section 4(f) regulations to clarify the application of the “feasible and prudent” standard used in Section 4(f) analyses. In March 2008, FHWA and the Federal Transit Administration (FTA) complied with this requirement by issuing revised Section 4(f) regulations. The revised regulations clarified the “feasible and prudent” standard and also updated many other aspects of the regulations, including the factors for choosing among alternatives that all use Section 4(f) properties—commonly known as the “least overall harm” analysis. The new regulations were also codified, for the first time, in a stand-alone section of the regulations—23 CFR Part 774. As a result of both the changes to the project scope and the revised regulations, this chapter has been updated to reflect the changes to the Section 4(f) statute and regulations.

In Chapter 6 of the 2003 FEIS, descriptions of each of the Section 4(f) properties within the Downtown and East End corridors were provided. For each of the properties, Chapter 6 of the 2003 FEIS included an identification of potential impacts, a description of avoidance alternatives, measures to minimize harm to the protected properties, potential constructive uses, coordination efforts with agencies responsible for the properties, and a conclusion. With the modification of the alternatives under consideration (i.e., FEIS Selected Alternative, Modified Selected Alternative, and No-Action Alternative), only those specific portions of the 2003 FEIS sections that have changed—either by potential use by a build alternative or by a change in Section 4(f) status—will be addressed in this chapter. Figures 6.2-1 through 6.2-10c, located in the back of this chapter, show the locations of all Section 4(f) properties relative to both the FEIS Selected Alternative and the Modified Selected Alternative.

6.2.1 Historic Section 4(f) Properties

Table 6.2-1 lists the Section 4(f)-protected historic properties within the project’s Area of Potential Effect (APE) that may be used by one or both of the build alternatives. The table also summarizes pertinent information about each resource. Consultation with the Indiana and Kentucky State Historic Preservation Officers (SHPOs) and with the Advisory Council on Historic Preservation (ACHP) has occurred, during the preparation of the 2003 FEIS and as part of this SFEIS process, regarding the identification and evaluation of historic properties’ that are listed in or eligible for the NRHP. That consultation resulted in determinations of eligibility for each resource not already listed in the NRHP, as previously defined in Chapter 4.3. That information was used to identify historic Section 4(f) properties included in Table 6.2-1.

---

2 In this SFEIS, the APE has two parts: (1) the Original APE, which consists of the Alternative-Specific APE as defined in the 2003 FEIS, and (2) the Extensions to the Original APE, which consists of an additional area within which the Modified Selected Alternative has the potential to cause indirect and cumulative impacts because of traffic diversion. (See Section 4.3.)
### TABLE 6.2-1
SECTION 4(f) USE IMPACTS—HISTORIC PROPERTIES

<table>
<thead>
<tr>
<th>Alternative</th>
<th>Resource Name</th>
<th>Alpha-Numeric Code</th>
<th>Ownership</th>
<th>Function or Available Activities</th>
<th>Relationship with Similar Properties</th>
<th>Unusual Characteristics</th>
<th>2003 FEIS Amount of Use (acres)</th>
<th>SFEIS Amount of Use (acres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>FEIS Selected Alt.</td>
<td>Old Jeffersonville Historic District (IN)</td>
<td>ID-HC-5</td>
<td>Multiple</td>
<td>Mixed Land Use</td>
<td>None</td>
<td>None</td>
<td>192.2</td>
<td>3.0</td>
</tr>
<tr>
<td>Modified Selected Alt.</td>
<td>George Rogers Clark Memorial Bridge and Administration Building (IN)</td>
<td>KD-HC-55023</td>
<td>Public</td>
<td>Transportation</td>
<td>None Pylons</td>
<td>0.73 site plus the bridge</td>
<td>0.1</td>
<td>0.1</td>
</tr>
<tr>
<td>FEIS Selected Alt.</td>
<td>Utica Lime Kilns (IN)</td>
<td>48003, 48004</td>
<td>Private</td>
<td>Former Mining Use</td>
<td>None Kilns and Quarries (the use is from associated quarries, only)</td>
<td>6.7*</td>
<td>N/A</td>
<td>22</td>
</tr>
<tr>
<td>Modified Selected Alt.</td>
<td>Utica Lime Kilns (IN)</td>
<td>48003, 48004</td>
<td>Private</td>
<td>Former Mining Use</td>
<td>None Kilns and Quarries (the use is from associated quarries, only)</td>
<td>6.7*</td>
<td>N/A</td>
<td>22</td>
</tr>
<tr>
<td>FEIS Selected Alt.</td>
<td>Phoenix Hill Historic District (KY)</td>
<td>KD-HC-5</td>
<td>Multiple</td>
<td>Urban Setting</td>
<td>None</td>
<td>None</td>
<td>142</td>
<td>2.5**</td>
</tr>
<tr>
<td>Modified Selected Alt.</td>
<td>Butchertown Historic District (KY)</td>
<td>KD-HC-4</td>
<td>Multiple</td>
<td>Urban Setting</td>
<td>None</td>
<td>None</td>
<td>197.9</td>
<td>1.29**</td>
</tr>
<tr>
<td>FEIS Selected Alt.</td>
<td>Swartz Farm Rural Historic District</td>
<td>IE-HC-45026, 45026A &amp; 45027</td>
<td>Private</td>
<td>Agricultural</td>
<td>None</td>
<td>None</td>
<td>203</td>
<td>N/A***</td>
</tr>
</tbody>
</table>

* The 6.7 acres represents all four lime kilns.

** The increase from 2.2 acres in 2003 to 2.5 acres in Phoenix Hill Historic District (HD), and the decrease from 1.29 acres to 1.12 acres in Butchertown HD, are due to the results of the actual right-of-way acquisition that occurred after the 2003 ROD. The 2.2 and 1.29 acres were estimates in the 2003 FEIS. The actual numbers were based on more detailed information.

*** This site was a Section 4(f) resource in the 2003 FEIS but is no longer, as described in the third bullet below.

### Changes since the 2003 FEIS

In SFEIS Table 6.2-1, the columns “2003 FEIS Amount of Use” and “SFEIS Amount of Use” contain data to illustrate the estimated acreage to be used by the preferred alternative documented in the 2003 FEIS, and by the two build alternatives under consideration in this SFEIS, respectively. Differences between the acres shown in the two columns are attributable to the FEIS Selected Alternative having undergone further design since 2003, as described in SFEIS Section 3.1.1. In each case, the current acres of use by both of the build alternatives are the same or are less than the acres of use attributed to the FEIS Selected Alternative as described in the 2003 FEIS.

There are six changes, listed below, regarding the Section 4(f) protected historic properties in the East End Corridor since the 2003 FEIS. These changes described below are because either (1) the status of the sites, themselves, has changed, or underwent review by the Keeper of the NRHP (2) the build alternatives’ alignment at the site has changed, or (3) additional analysis regarding the resource has changed. There are no changes to the historic properties in the Downtown Corridor. None of the following changes affect the overall conclusion of the 2003 Section 4(f) evaluation regarding the East End Corridor, which is that Alignment A-15 is consistent with the requirements of Section 4(f).
• The Utica Lime Kilns (#48001-#48004)—Indiana

At the time of the 2003 FEIS, the Utica lime kiln resources, which were determined eligible for NRHP listing under criteria A and D, were only known to consist of four kilns, which were located outside the right-of-way limits of the preferred alternative. Therefore, there was no use of this resource. However, during the 2003 Section 106 process, an Adverse Effect to the property under Section 106 was found due to proximity impacts (vibration from traffic, construction, and blasting). As a result, the Original MOA in the 2003 FEIS included mitigation for the lime kilns (Stipulation III.H.1-8). The Original MOA included commitments to prepare a Historic Preservation Plan (HPP) and Condition Report and also to seek NRHP nomination of the resource, among other actions. Since the 2003 FEIS, the preparation of the HPP and the NRHP nomination has been underway. This work resulted in the identification of the quarries associated with the kilns and the subsequent expansion of the historic boundary of each kiln to include the associated quarries. In addition, each kiln, together with its associated quarry, is now considered a separate historic district. The boundaries of two of the kiln districts (48003 and 48004) have been extended into the footprint of Alternative A-15, which was part of the preferred alternative in the 2003 FEIS and also is part of the FEIS Selected Alternative and the Modified Selected Alternative. Therefore, the 2003 mitigation was revisited during the current Section 106 process and as part of this Section 4(f) evaluation. Furthermore, because Alternative A-15 would pass within the expanded boundaries associated with the two quarries, it is necessary to evaluate whether there is a “use” within the meaning of Section 4(f), as described herein.

Both the FEIS Selected Alternative and Modified Selected Alternative would require approximately 0.84 acre of the quarry that is associated with the Kiln 48004 historic district and approximately 0.22 acre of the quarry that is associated with the Kiln 48003 historic district, for a total of approximately 1.06 acre from these two historic districts. This right-of-way acquisition would not include use of any of the four kilns themselves. Recent coordination correspondence from the Indiana SHPO dated October 25, 2011, stated: “The Indiana SHPO believes that the Utica Lime Kilns...are eligible for the (NRHP) as a multiple property group (and as archaeological features, above and below ground)
under criteria A and D. Preservation in place is not necessary for the quarry walls or the open spaces within and around the quarries, as long as additional documentation is performed…” (see Appendix I, Section 4(f) Documentation). FHWA has issued a Section 106 finding of Adverse Effect (Encroachment, Visual, Vibration, and Construction) for this resource. As mitigation, Stipulation III.H.4 of the First Amended MOA, prepared as part of the Section 106 process, provides that the affected quarries “will be documented at a level agreed upon by INDOT and the Indiana SHPO” (see SFEIS Appendix D.9).

Because the quarries are archaeological resources that are important chiefly because of what can be learned by data recovery and have minimal value for preservation in place, they qualify for an exemption under FHWA’s Section 4(f) regulations as stated in 23 CFR 774.13(b)(1). Consideration of the quarries as distinct from the kilns themselves is appropriate because, in a historic district, determinations of use are made with respect to each contributing or non-contributing element of the district. See FHWA Section 4(f) Policy Paper, Response to Question 3.C.

FHWA also has considered the potential for a constructive use of the lime kiln historic districts, based on the proximity of the construction project to the kilns themselves. While the project would have an Adverse Effect on the kilns due to encroachment (quarries), visual, construction and vibration effects, it would not substantially impair the historically significant features of the lime kiln historic districts—namely the kilns. This conclusion, and the analyses conducted to reach it, is based partly on an addendum to the 2003 FEIS titled An Evaluation Of Proximity Impacts To The Nearby Lime Kilns Included In The Utica Limekiln Multiple Property Listing And Located Near The Preferred Alternative (August 2003). This analysis was developed in response to public comments on the 2003 FEIS, and noted that Kiln 48004 had the highest potential to experience Adverse Effects and a constructive use from the project. The report noted that Kiln 48004 would be located approximately 50 feet from the right-of-way limit, and approximately 90 feet below the bridge, and included the profile image below (see Figure 6.2-1). The report concluded that “blasting vibration impacts from Alternative A-15 would not cause a ‘constructive use’ of the lime kiln identified as Site IE-HC-48004.”

The image in Figure 6.2-1 is a cross-section illustration of the elevation differences between the topography, the proposed project, and Utica Pike. Kiln 48004 is located at the same elevation as Utica Pike. There is a large hill behind (or north of) Utica Pike extending approximately 131 feet above the road. The proposed project would be about 90 feet above Utica Pike and Kiln 48004 before cutting into the hill.

In short, there is no use of the lime kiln historic districts because (1) the direct impact to the quarries is not a use because the quarries are archaeological resources that do not warrant preservation in place, and therefore are exempt from Section 4(f) under 23 CFR 774.13(b)(1), and (2) there is no constructive use of the lime kiln historic districts because the proximity of the project would not substantially impair the protected activities, features, or attributes of those districts.
While there would be no use of the Utica lime kilns historic districts, the build alternatives would have an Adverse Effect on Kiln 48003 and Kiln 48004 due to the impacts on the quarries within these districts. Mitigation measures to minimize harm for these adverse effects are outlined in the executed First Amended MOA Stipulation III.H.1-8. Two mitigation measures that are ongoing include the development of the HPP (Item 1), and the development of the NRHP nomination (Item 8). A summary of the other items follows:

- Item 2. Develop a Conditions Report of the individual lime kiln districts
- Item 3. Develop and implement a blasting/vibration plan
- Item 4. Develop a “no-work zone” beyond the kilns
- Item 5. Repair any damage to the sites caused during project construction
- Item 6. Work with Clark County to place a preservation easement on Kiln 48004
- Item 7. Place interpretive markers along Utica Pike for the kilns and quarries

These measures are described in more detail in the First Amended MOA, which is set forth in Appendix D.9.

**Swartz Farm Rural Historic District—Indiana**

Since the 2003 FEIS, the Swartz Farm Rural Historic District in Indiana (IE-HC-45026/45026A/45027) is no longer eligible for listing in the NRHP and, therefore, is no longer considered a Section 4(f) property. In October 2007, the Swartz Farmhouse and other contributing buildings on the farmstead were razed by the property owner. As a
result, in a letter dated June 9, 2009, the Indiana SHPO concurred that the Swartz Farm Rural Historic District had lost its historic integrity and was no longer eligible for listing in the NRHP. This determination was re-affirmed by the Indiana SHPO in a letter dated October 14, 2011 (see Appendix I, Section 4(f) Documentation).

- **Samuel M. and Emmie Venable Nuttall House (JF-2044)**

  The Nuttall House has been determined not eligible for listing on the National Register. However, the determination has been questioned by consulting parties in the recent past, and the proposed alignment of Alternative A-15 would use all 10 acres of land from the property; therefore, the process for determining the house as not eligible is described herein. The property is illustrated in purple on aerial image below.

  As part of the 2000 DEIS process, FHWA determined the property to be not eligible for listing in the NRHP. The Kentucky SHPO concurred with FHWA in this determination. In 2002, the Keeper of the National Register also determined the Nuttall House not to be eligible for listing. The 2010 *Survey Update of Butchertown, Phoenix Hill, Downtown Louisville and River Road* was performed as stipulated in the Original MOA and also found the property to be not eligible for listing in the National Register.

  As part of the ongoing SEIS process, field visits in 2011 were completed and additional historical research was conducted. It was again concluded that the Nuttall House is not eligible for the NRHP. The Kentucky SHPO reviewed eligibility findings and concurred with the determinations in letters dated October 14, 2011, and February 7, 2012.

  However, due to comments received from consulting parties during the Section 106 process, the updated information was submitted to the Keeper on February 13, 2012, for an official determination of eligibility. In coordination dated April 4, 2012, the Keeper again determined the Nuttall House was not eligible (see Appendix D.8).

- **North Field**

  The North Field property has been determined not eligible for listing on the National Register. However, the determination has been questioned by consulting parties in the recent past, and the proposed alignment of Alternative A-15 would use 11.3 acres of the 22.2-acre property; therefore, the process for determining the house as not eligible is described herein.

  The North Field is shown in green on the aerial image below. The field is surrounded by a wood plank fence and used as pasture for livestock. The yellow parcels are suburban lots developed in the 1990s. Shown in red is the NRHP-listed Rosewell house and parcel. The NRHP-listed Belleview is shown in blue.

  Analysis was conducted to document a potential historic association of the North Field with the Rosewell property. The east boundary of the North Field has acquired significant tree cover since the present boundary was established during A. H. Mason’s 1920s
subdivision of the property. Also, alterations to the grounds of the main house at Rosewell have compromised the integrity of the setting of the house and its visual connection to the North Field. The context of the North Field was further altered by the construction of a large suburban house (6801 Transylvania Avenue) immediately to the west between years 2006 and 2009.

The North Field retains minimal visual and physical connection to the remaining tract surrounding the Rosewell main house and smokehouse. The southeast corner of the main house tract is separated from the northwest corner of the North Field by the south extension of Transylvania Avenue (believed to have been built in the 1990s). The Transylvania Avenue extension right-of-way is approximately 50 feet wide and is lined by trees that provide a visual barrier between the main house and the North Field.

The eligibility status of the North Field has been reevaluated. The results of the evaluation reconfirmed the original (2003) determination of not eligible. In response to request from consulting parties as part of the Section 106 process, information about the property was submitted to the Keeper of the NRHP on February 7, 2012 for an official determination of eligibility. In coordination dated April 4, 2012, the Keeper determined the North Field was not eligible under Criterion A, B, or C, but had insufficient information to make a determination under Criterion D regarding a potential archaeology site on the property (see Appendix D.8).

In a letter dated April 2, 2012, the SHPO concurred that the site is not eligible for the NRHP under Criterion D and does not warrant preservation in place, with the concurrence being conditional upon the SHPO’s review (currently underway) and acceptance of the final Phase 2 archaeology report. On April 16, 2012, FHWA submitted the SHPO’s letter of conditional concurrence with the not eligible determination to the Keeper (see correspondence in Appendix D.8) for a final eligibility determination. In a letter dated April 18, 2012, the Keeper concurred with the not eligible determination.
**Determan House (KY-HC-JF843) \ Schildknecht House (KE-HC-JF841) \ Ohio River Camps Multiple Property Group—Transylvania Beach**

The Determan House and the Schildknecht House are located at 6100 and 6306 Transylvania Beach Road, respectively. In the 2003 FEIS, these properties were determined eligible for listing in the NRHP. Since 2003, the Transylvania Beach Road area has been included in the Ohio River MPDF Group Resource. Of that group, the Determan House and a house at 6212 Transylvania Beach Road were identified as the two NRHP-eligible properties closest to the alignment of Alternative A-15. The Determan House would be south of the alignment; and the house at 6212 would be north of the alignment, but south of and closer to the Alternative A-15 than the Schildknecht House. There would be no direct use of property from either site.

In the 2003 FEIS, the Section 4(f) evaluation determined there would be no constructive uses with Alternative A-15. This determination was based on predicted impacts, such as noise and vibration, from a forecasted year 2025 average daily traffic volume of 70,000 vehicles per day (vpd) on the East End Bridge. For this SFEIS, the updated 2030 traffic forecast for the East End Bridge for the FEIS Selected Alternative is 60,000 vpd; that for the Modified Selected Alternative is 52,000 vpd. Further, even though the future traffic volumes are expected to be lower, the commitment in the 2003 FEIS to the minimization measures identified for the Determan House and other resources in Chapter 6, page 6-26, of the 2003 FEIS, (e.g., context sensitive design; noise abatement; and roadway light, blasting and vibrations plans) remains valid. By virtue of the traffic forecast being lower, the general visual and construction aspects being the same, and the commitments remaining the same, the possibility of a constructive use by either of the current build alternatives (which both follow the A-15 alignment evaluated in the 2003 FEIS) to these historic sites is no greater, and is likely less, than it was in 2003. Therefore, for the FEIS Selected Alternative and the Modified Selected Alternative, the conclusion in the 2003 FEIS that there would be no constructive use remains valid for these historic sites. Because the Determan House and 6212 Transylvania Beach Road are the two properties within the Ohio River Camps MPDF Group that are closest to Alternative A-15, they represent the worst-case scenarios for impacts to properties within the Group. And since there would be no constructive use to either of these sites, there would be no constructive use of the Ohio River Camp MPDF Group Resources.

**Drumanard Estate Historic District**

The 2003 FEIS and Memorandum of Agreement (Original MOA) Stipulation III.N.1, contained a commitment to avoid Section 4(f) use and minimize impacts to the Drumanard Estate Historic District by tunneling under the property. That commitment remains valid for this SFEIS. As stated in Chapter 3, the Modified Selected Alternative differs from the 2003 FEIS Selected Alternative within the tunnel by reducing the number of travel lanes from six to four. This change is only in the number of lanes constructed initially. The tunnel will be constructed to accommodate six lanes, and therefore be the same size and length as the tunnel proposed as part of the FEIS Selected Alternative. FHWA has not proposed to change the Section 106 Adverse Effect determination for this Section 4(f) property based on this minor change. Since the 2003 FEIS an analysis of construction options for the tunnel
under U.S. 42 and this property has been prepared and is documented in SFEIS Appendix I, *Construction Options at U.S. 42 and Drumanard Estate*. The reevaluation found the replacement of the proposed bored tunnel with an open cut configuration (the “Open Cut” option) or the proposed bored tunnel using a cut-and-cover construction approach (the “Cut and Cover” option) was not reasonable, based on a comparison of the potential cost savings of either of those options versus the anticipated increase in overall impacts (including environmental and community harm) associated with each. The Open Cut option would result in the loss of 11.5 acres of the Section 4(f) property in the form of an open trench through the property, the relocation of 885 feet of a tributary to Harrods Creek, and a Section 106 Adverse Effect and Section 4(f) use on the Drumanard Estate Historic District. This option would be contrary to the 2003 ROD and Original MOA and would be inconsistent with community and stakeholder expectations based on those prior commitments. The Cut and Cover option would result in the loss of 7.8 acres of property, the temporary relocation of 820 feet of the Harrods Creek tributary, and a Section 106 Adverse Effect.

KYTC purchased the Drumanard property on April 17, 2012. INDOT will be responsible for constructing the East End portion of the project, including the tunnel under Drumanard Estate. INDOT will ensure that any construction activities on the Drumanard Estate do not result in a temporary use of that property, based on the criteria in 23 CFR 774.13(d).

**Archaeological Sites Requiring Determinations of Eligibility for Inclusion in the National Register**

In addition to archaeological site 15Jf678, which is on the North Field property and is discussed above, the following sites have had Phase 2 archaeological investigations: 15Jf679, 15Jf719, and 15Jf720. Based on these investigations, the sites are recommended as not eligible for inclusion in the NRHP, and management summaries containing these recommendations are being or have recently been completed for submittal to the SHPO. Further coordination with the Kentucky SHPO regarding determinations of eligibility is required, and the status of this coordination will be included in the Revised ROD for the project. For additional information about these sites, see SFEIS Section 5.3.2, *Archaeological Resources*.

**Potential for Constructive Use**

The conclusion in the 2003 FEIS that there would be no constructive use of any Section 4(f) historic resource remains valid for this SFEIS. This updated evaluation of potential constructive uses includes an updated assessment of direct highway noise impacts, visual impacts, vibration impacts, and indirect impacts from differences in traffic patterns between the FEIS Selected Alternative and the Modified Selected Alternative, all of which are presented in Chapter 5 of this SFEIS. While adverse effects from these and other impacts have been proposed for historic properties through the on-going Section 106 process (see SFEIS Section 5.3), they would not substantially impair the protected activities, features, and attributes that quality the properties for protection under Section 4(f); and therefore, they would not result in a constructive use of any historic property or district.
6.2.2 Parks, Wildlife Refuges, and Recreational Section 4(f) Properties

In the Downtown Corridor, there are three significant publicly owned parks/recreational areas and one wildlife refuge within the proposed project area. These Section 4(f) resources and the impacts that they would experience due to either the FEIS Selected Alternative or the Modified Selected Alternative are summarized in Table 6.2-2. It should be noted that the impacts to these properties as a result of the FEIS Selected Alternative are based on a more detailed level of design than existed at the time of the 2003 FEIS and Section 4(f) Evaluation and, therefore, the level of impact to some properties, summarized in Table 6.2-2, is different from the impact identified in those documents.

In the East End Corridor, there are no Section 4(f) parks, recreation areas, or wildlife/waterfowl refuges in either the Indiana or Kentucky portion of the project; therefore, there would be no Section 4(f) uses of these types of properties in this portion of the project. The only wildlife refuge in the project area is the Six Mile Island Nature Preserve (KE-PR-1), which was included in the 2003 FEIS and Section 4(f) Evaluation. However, this property would not be impacted by the FEIS Selected Alternative or the Modified Selected Alternative, as it is located in the Ohio River approximately two miles downstream of either alternative. Therefore, it is not included in Table 6.2-2 nor is there any further discussion of that Section 4(f) property in this chapter.

**TABLE 6.2-2**
SECTION 4(f) RESOURCES
PARKS, REFUGES, AND RECREATIONAL AREAS

<table>
<thead>
<tr>
<th>Alternative</th>
<th>Resource Name</th>
<th>Alpha-Numeric Code</th>
<th>Resource Type</th>
<th>Ownership</th>
<th>Access*</th>
<th>Approximate Number of Users/Visitors</th>
<th>Relationship with Similarly Used Lands</th>
<th>Unusual Characteristics</th>
<th>Resource Size (acres)</th>
<th>2003 FEIS Amount of Use (acres)</th>
<th>SEFIS Amount of Use (acres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>FEIS Selected Alt.</td>
<td>Greenway Corridor (IN)</td>
<td>ID-PR-9</td>
<td>Park</td>
<td>City of Jeffersonville</td>
<td>P, V, B</td>
<td>No record of data</td>
<td>Contains Riverfront and Ashland Parks</td>
<td>None</td>
<td>170</td>
<td>0.4</td>
<td>0.4</td>
</tr>
<tr>
<td>FEIS Selected Alt.</td>
<td>Extreme Sports Complex (KY)</td>
<td>KD-PR-13</td>
<td>Park</td>
<td>City of Louisville</td>
<td>P, V</td>
<td>Unavailable</td>
<td>Developed for extreme sports</td>
<td>None</td>
<td>2.36</td>
<td>1.8</td>
<td>1.8</td>
</tr>
<tr>
<td>Modified Selected Alt.</td>
<td>Butchertown Greenway Trail (KY)</td>
<td>N/A</td>
<td>Linear Trail</td>
<td>City of Louisville</td>
<td>P</td>
<td>Unavailable</td>
<td>Linear trail along Beargrass Creek</td>
<td>N/A</td>
<td>0.05</td>
<td>0.05</td>
<td>0.05</td>
</tr>
</tbody>
</table>

* P- pedestrian, V- vehicle, B- Boat
** The increase in acres of use is due to the expansion of the park. The footprint of the 2003 design of this portion of the project has not changed.
Changes since the 2003 FEIS

In Table 6.2-2, above, the columns “2003 FEIS Amount of Use” and “SFEIS Amount of Use” contain data to illustrate the estimated acreage to be used by the preferred alternative (Alternative C-1) documented in the 2003 FEIS, and by the two build alternatives under consideration in this SFEIS, respectively. Differences between the acres shown in the two columns are attributable to the FEIS Selected Alternative having undergone further design since 2003, as described in SFEIS Chapter 3. In each case, the current acres of use by both of the build alternatives are the same or less than the acres of use attributed to the 2003 Selected Alternative as described in the 2003 FEIS.

Changes to the properties and/or to the proposed use of the sites since the 2003 FEIS are presented below. The resources are illustrated on Figures 6.2-9a through 10b (located at the end of this chapter), and are described in more detail in the 2003 FEIS Section 6.2.2.

- Ohio River Greenway (Includes Riverfront Park and Ashland Park), Jeffersonville, Indiana

The only major change since the 2003 FEIS is that much of this corridor has been developed. The use of this property would result from the acquisition of right-of-way associated with the new bridge span over the park. The right-of-way would encompass 0.4 acre of the resource. Current plans indicate that bridge support piers and footings would physically occupy approximately 0.03 acre of park property. These uses are the same for both build alternatives because they require the same right-of-way at this location. No park facilities or functions would be directly impacted, and no restriction of access between the portion of the park located to the east of the existing Kennedy Bridge and the proposed new bridge and areas of the Ohio River Greenway corridor to the west would be necessary, except during construction when access under the bridge would be closed to pedestrians for a temporary period for purpose of public safety. After construction, the area under the new bridge would remain accessible, except for the 0.03 acre actually occupied by bridge support piers and footings. Avoidance alternatives and measures to minimize harm are presented in 2003 FEIS Chapter 6. Avoidance of the park by minor shifts in the alignment would not be possible because it is a linear park located parallel to the Ohio River, and extends east and west of the proposed perpendicular crossing of the new Downtown Bridge.

- Waterfront Park, Louisville, Kentucky

Details regarding usage and facilities associated with the Waterfront Park are provided on pages 6-78 and 6-79 of the Section 4(f) Evaluation included in the 2003 FEIS. The only major change to the resource since 2003 is that the two separate phases of park development as discussed in that document have been completed. As shown in Table 6.2-2, the Modified Selected Alternative would require less acreage from this resource: 4.55 acres versus 6.86 acres for the FEIS Selected Alternative. In the 2003 FEIS the amount of land to be acquired from the park was 5.3 acres. The increase of the acres is due to the expansion of the park further into the project’s proposed right-of-way. The piers for each alternative would physically occupy approximately 0.5 acre of park property. The
reduction in overall impact to this resource is associated with the elimination of the widening of I-64 over the Great Lawn, from River Road to the western edge of the park, which was proposed as part of the FEIS Selected Alternative, but has been omitted from the Modified Selected Alternative. After construction the area of the park below the new bridge would remain accessible to the public, and there would not be any restrictions on pedestrian access between portions of the park to the east and west of the new bridge. To ensure safety for park users, during construction, temporary closures of the park within the construction area will be necessary, but such closures will be of short duration (less than the overall construction of the project), will involve only a minor portion of the park, and will be coordinated with the Waterfront Development Corporation. Avoidance alternatives, measures to minimize harm, and a least harm analysis are provided in the 2003 FEIS. Avoidance of the park by minor shifts in the alignment would not be possible because the park is located under the current Kennedy Interchange Complex.

Figure 6.2-10a and b depicts the location of the Waterfront Park in relation to both the FEIS Selected Alternative and the Modified Selected Alternative.

- **Extreme Sports Complex, Louisville, Kentucky**

Details regarding usage and facilities associated with the 2.36-acre Extreme Sports Complex are provided on page 6-87 of the Section 4(f) Evaluation included in the 2003 FEIS. One major change since the 2003 FEIS is that the two separate phases of park development as discussed in that document have now been completed. Figure 6.2-10a and b depicts the location of the Extreme Sports Complex in relation to both the FEIS Selected Alternative and the Modified Selected Alternative.

Property acquisition from the Extreme Sports Complex for the FEIS Selected Alternative would total 1.06 acres of right-of-way, whereas the Modified Selected Alternative would require 0.65 acre. Both alternatives would involve spanning over the complex, and would result in the loss of approximately 0.12 acre due to the construction of bridge support piers within the footprint of the park. Based on the current design plans, the piers would be placed within the site, but outside its recreational elements. During construction, it is anticipated that temporary closure of the park would need to occur. After construction given the limited loss of property, the piers and the Extreme Sports Complex could co-exist without any loss of the park’s recreational use. If such a loss were unavoidable, a redesign of the complex beneath the highway structures, or somewhere nearby, would be undertaken. For purposes of this Section 4(f) Evaluation, the property use is based on the proposed right-of-way acquisition of parkland. Avoidance of the park by minor shifts in the alignment would not be possible because the park is located under the current I-65 at the southern portion of the Kennedy Interchange Complex.

The current restroom facilities at the Extreme Sports Complex would be located under an elevated ramp to be constructed over the park as part of the Project. Because restroom facilities would not be permitted under an elevated highway structure, the restrooms will need to be relocated to another site within the Extreme Sports Complex. KYTC right-of-way procedures allow the agency to provide functional replacement for publicly owned
property that provides an essential public service when approved by the Director of the Division of Right-of-Way and Utilities. KYTC is committed to the functional replacement of the restroom facilities at this park with a facility that provides equivalent utility. This facility replacement would not result in the loss of recreational use within the park.

Information on avoidance alternatives and measures to minimize harm can be found in the 2003 FEIS. That analysis remains applicable to the current build alternatives. The above noted measure to minimize harm, including the relocation of the restroom and the commitment to place the bridge piers outside the recreational area, are part of the overall planning to minimize harm to this site.

- **Butchertown Greenway, Louisville Kentucky**

  This property has been identified as a protected Section 4(f) resource since the issuance of the SDEIS. The Butchertown Greenway is located along Beargrass Creek, which crosses under I-71 approximately 0.35 mile east of I-64 (see Figure 6-10c). The greenway is a bicycle and pedestrian facility that connects River Road to the north with Brownsboro Road to the south. The greenway was, formerly, Litterle Road, but in 1999 was closed to vehicles and designated a multi-use trail. The project will require the widening of I-71 as it approaches the Kennedy Interchange Complex from four to six lanes, including the I-71 Bridge over the Butchertown Greenway and Beargrass Creek. The construction activity will require a short term closure of approximately 0.05 acre of the greenway for purposes of public safety while the steel beams for the bridge are installed. The closure would not be adverse and would not constitute a temporary use, per 23 CFR 774.13(d).

### 6.3 Coordination

This project has been coordinated with the agencies and officials having jurisdiction over the Section 4(f) properties that would be impacted. Agency coordination is described in Chapter 7 of this SFEIS. Archaeological and historical reports were coordinated with the Indiana and Kentucky SHPOs for determinations of eligibility and assessment of impacts (see SFEIS sections 4.3 and 5.3). A summary of the formal coordination efforts follows.

1. **Early Coordination**

   Resource agencies and cooperating agencies were contacted on April 28, 2011, to confirm their willingness to continue involvement on the project. Agencies were invited to join the consultation process for the project as either a cooperating or participating agency pursuant to 23 USC 139(d). A draft of the project Coordination Plan was sent to the agencies.

   The following agencies with jurisdiction over potential Section 4(f) properties were contacted. Specific responses and correspondence related to Section 4(f) properties are listed below by date of comments. A copy of each response is included in either Appendix C, Appendix D, or Appendix I.

b. U.S. Army Corps of Engineers (USACE)—May 11, 2011, and June 29, 2011.
e. Louisville Waterfront Development Corporation—No response received, but representatives attended Section 1 Area Advisory Team meeting on June 20, 2011.
g. Early coordination was also initiated with the various city, county, and other local officials, agencies and organizations within the project area. A detailed description of agency coordination and public involvement activities is included in Chapter 7 of this SFEIS.

2. Resource Agency Coordination Meetings of May 26, 2011, and December 14, 2011

The May 26, 2011 Resource Agency Coordination meeting was held at the Crowne Plaza Hotel in Louisville, Kentucky. FHWA, KYTC, and INDOT updated the data on which the Purpose and Need Statement for the project was based, and reviewed the alternatives screening process that would be used to determine whether the decisions documented in the 2003 FEIS for the project remained valid, and whether additional alternatives should be considered as a result of the proposed project modifications, including the potential use of tolling. The environmental analysis methodology detailed the process to be followed to evaluate impacts associated with changes in the project area. Drafts of the Coordination Plan and of the Environmental Analysis Methodology were distributed for review and comment.

Attendance at the Agency Coordination Meeting included representatives from the KSNPC, the USACE, the Indiana SHPO, and the Louisville Waterfront Development Corporation. Their correspondence, including those related to Section 4(f) resources, is included in Appendix C of this SFEIS.

The December 14, 2011 Resource Agency Coordination meeting was also held at the Crowne Plaza Hotel in Louisville, Kentucky. FHWA, KYTC, and INDOT presented a project update including a review of the SDEIS, which had been provided to each agency prior to the meeting. Detailed presentations were made on each chapter or section of the SDEIS. The agencies were then provided the opportunity to ask questions and provide comments about the presentations and the document. A summary of this meeting is also included in Appendix C.

3. Section 106 Consultation

FHWA, with the assistance of KYTC and INDOT, has engaged in Section 106 consultation with the SHPOs of Indiana and Kentucky, the Advisory Council, as well as other consulting parties in conjunction with the preparation of this SFEIS. Consulting parties have provided input on the area of potential effects, eligibility determinations, findings of effect, and the resolution of adverse effects (mitigation). The executed First Amended MOA is included as Appendix D.9.
4. Review of SDEIS and SFEIS

The update to 2003 FEIS Chapter 6 was included in the SDEIS and distributed to the following agencies and officials with jurisdiction over Section 4(f) properties to provide them the opportunity to review and comment on the updated information regarding Section 4(f) involvement. For a complete list of agencies that received both the SDEIS and this SFEIS, see Chapter 10.

- Advisory Council on Historic Preservation (ACHP)
- U. S. Department of Interior, National Park Service
- Kentucky Natural Resources and Environmental Protection Cabinet
- Kentucky SHPO
- Indiana Department of Environmental Management (IDEM)
- Indiana Department of Natural Resources (IDNR)
- Indiana SHPO
- USACE
- Louisville Metro, Kentucky
- City of Jeffersonville, Indiana
- Louisville Waterfront Development Corporation
- Ohio River Greenway Commission

5. Section 4(f) U.S. Department of the Interior (DOI) Coordination

As there is a proposed use of Section 4(f) land, a draft Section 4(f) Evaluation was included in the SDEIS and circulated for comment with the officials having jurisdiction over those resources, as well as the U.S. Department of the Interior (DOI) and other Federal agencies. A minimum of 45 days were allowed for comments to be returned. Comments on the Section 4(f) Evaluation (as well as other topics) (dated January 5, 2012 and included in Appendix I) were received from the U.S. DOI, and included the following statements regarding the Section 4(f) Evaluation:

Looking back at this project and the Department’s letter with comments on the original project, the Department did not offer an opinion on the original section 4(f) evaluation, other than to mention that we thought the analysis may have left out some resources. Based on a review of the original evaluation as part of the overall review of the supplemental analysis, the Department should have concurred with the Federal Highway Administration (FHWA), the Kentucky Transportation Cabinet (KYTC) and the Indiana Department of Transportation (Indiana DOT) that there are no feasible and prudent alternatives to the preferred alternative presented, which results in impacts to section 4(f) properties.

***

A modified Memorandum of Agreement (MOA) between the FHWA, SHPOs, KYTC, and Indiana DOT is proposed to be completed following the completion of the consultation process for the supplemental analysis. Therefore, the Department cannot concur that
all possible planning needed to minimize harm to 4(f) resources has been employed. We would likely concur once the modified MOA is agreed to by all parties.

Regarding the status of the Section 106 process, the First Amended MOA was signed by all required parties on April 4, 2012, and included in Appendix D.9. The executed First Amended MOA is included in this SFEIS and is being provided to the U.S. DOI. The final Section 4(f) Evaluation approval will be included in the Revised ROD and provided to U.S. DOI at the time of publication.

6.4 Section 4(f) Conclusions

The potential for a Section 4(f) use has been considered separately with regard to the Downtown Corridor and the East End Corridor. These corridors have been considered separately because the alignment decisions within each corridor involved largely separate considerations. The findings with regard to each corridor are summarized below. Based on the analysis of each corridor, this Section 4(f) evaluation concludes that the Modified Selected Alternative would result in the least overall harm to Section 4(f)-protected resources and is therefore approvable under Section 4(f).

**Downtown Corridor**

Based on the current assessment of Section 4(f) properties, there is no feasible and prudent avoidance alternative to the use of Section 4(f) properties in the Downtown Corridor. This conclusion was reached for the 2003 FEIS and remains valid for this SFEIS. Opportunities to avoid Section 4(f) properties, including minor shifts in alignments, were not found to be feasible or prudent.

As was found in the 2003 FEIS, and again in this SFEIS, which is based on the most recent Section 4(f) regulations, Alternative C-1 (which was the preferred alternative in the 2003 FEIS and is part of both build alternatives in this SFEIS) would cause the least harm to Section 4(f) resources and the least overall harm. In addition, this alternative would incorporate appropriate measures to minimize harm to Section 4(f) resources. The measures to minimize harm that were identified in the 2003 FEIS remain part of the build alternatives and will be implemented if a build alternative is approved.

**East End Corridor**

In the East End Corridor, Alternative A-15 was determined in the 2003 FEIS to be the least harm option with respect to Section 4(f) resources. At that time, it was assumed that A-15 would require the use of one Section 4(f) resource: the Swartz Farm. Based on the current reassessment of Section 4(f) resources in the East End Corridor, the Swartz Farm is no longer eligible, and thus Alternative A-15 would not involve a Section 4(f) use of that property. The current assessment has also identified larger historic district boundaries associated with each of the Utica lime kilns, and has found impacts on quarries within those boundaries for two kilns, but the impacts do not result in a Section 4(f) use for the reasons discussed above. Therefore, both build alternatives in the East End Corridor—the Modified Selected Alternative and the FEIS Selected Alternative—completely avoid the use of Section 4(f) resources and, therefore, do not require a Section 4(f) approval.
Overall Conclusion
As stated above, the Modified Selected Alternative will not require the use of any Section 4(f) resources in the East End corridor, but it will require the use of Section 4(f) resources in the Downtown Corridor. Therefore, approval of the Modified Selected Alternative would require a Section 4(f) approval, pursuant to Section 774.3 of FHWA’s Section 4(f) regulations.

Under Section 774.3, FHWA can approve the use of a Section 4(f) resource either by (1) determining the alternative causes a de minimis impact on the Section 4(f) resource, or (2) determining that there is no feasible and prudent avoidance alternative and that the alternative includes all possible planning to minimize harm to the property resulting from such use [23 CFR § 774.3(a)-(b)].

In this case, FHWA is not proposing a finding of de minimis impact for either the Modified Selected Alternative or the FEIS Selected Alternative. A finding of de minimis impact can be made for the publicly owned parks where a use would occur only if the agency responsible for them concurs that the impacts will have No Adverse Effect on the property. However, for this project, it was determined that the temporary closings and other changes to the park and recreational resources would result in an overall Adverse Effect; therefore, a de minimis finding is not proposed.

Based on the analysis in the Section 4(f) Evaluation in the 2003 FEIS, as supplemented by the additional information contained in this Section 4(f) Evaluation, which is based on the revised Section 4(f) regulations, FHWA concludes that:

1. There is no prudent and feasible alternative that completely avoids the use of all Section 4(f) properties. Alternatives such as No-Action and TSM would avoid the use of Section 4(f) resources, but they do not meet the purpose and need of the project and therefore are not prudent. There are no alternatives that meet the purpose and need and, on a project-wide basis, completely avoid the use of all Section 4(f) resources. Therefore, it is necessary to select the feasible and prudent alternative that causes the least overall harm and to ensure that that alternative includes all possible planning to minimize harm pursuant to 23 CFR 774.3(c)(2).

2. The Modified Selected Alternative is the alternative that causes the least overall harm. The March 2008 Section 4(f) criteria defined in 23 CFR 774.3(c)(1), states that the least overall harm be determined by balancing the following factors:
   (i) The ability to mitigate adverse impacts to each Section 4(f) property (including any measures that result in benefits to the property);
   (ii) The relative severity of the remaining harm, after mitigation, to the protected activities, attributes, or features that qualify each Section 4(f) property for protection;
   (iii) The relative significance of each Section 4(f) property;
   (iv) The views of the official(s) with jurisdiction over each Section 4(f) property;
(v) The degree to which each alternative meets the purpose and need for the project;

(vi) After reasonable mitigation, the magnitude of any adverse impacts to resources not protected by Section 4(f); and

(vii) Substantial differences in costs among the alternatives.

The two build alternatives considered in this SFEIS are the FEIS Selected Alternative and the Modified Selected Alternative. Despite its somewhat lower impacts on Section 4(f) properties, the Modified Selected Alternative would include the same measures to minimize harm (per factor i) to Section 4(f) properties as the FEIS Selected Alternative. As shown in Tables 6.2-1 and 6.2-2 in this chapter, these two alternatives have similar impacts and relative severity (per factor ii) on Section 4(f) resources, but the impacts of the Modified Selected Alternative are slightly less because the alternative incorporates cost-saving design changes that also reduce the alternative’s direct impacts on Section 4(f) properties. It also would perform similarly in its ability to meet purpose and need (per factor v), it would have similar or lower impacts on non-Section 4(f) resources (per factor vi), and it would be substantially less costly, $4.1 billion vs. $2.9 billion (as per factor vii). For all of these reasons, the Modified Selected Alternative meets the criteria for designation as the alternative that causes “least overall harm” and has been identified in Chapter 3 as the preferred alternative.

3. The Modified Selected Alternative includes all possible planning, as defined in 23 C.F.R. §774.17, to minimize harm to Section 4(f) property. The Modified Selected Alternative incorporates all of the avoidance, minimization, and mitigation commitments that were adopted in the 2003 ROD for the FEIS Selected Alternative. These commitments include the extensive set of mitigation measures that were adopted for historic properties and are included in the executed Section 106 First Amended MOA, which is included in Appendix D.9.

In conclusion, based on an updated analysis of the Section 4(f) resources and the most current designs of the proposed build alternatives, as described throughout this chapter, approval of the Modified Selected Alternative is consistent with Section 4(f), 49 U.S.C. § 303(c), and the implementing regulations in 23 CFR Part 774.

---

3 As defined in 23 CFR 774.17, “all possible planning” means “that all reasonable measures identified in the Section 4(f) evaluation to minimize harm or mitigate for adverse impacts and effects must be included in the project.” The definition of “all possible planning” also states that “[w]ith regard to historic sites, the measures normally serve to preserve the historic activities, features, or attributes of the site as agreed by the Administration and the official(s) with jurisdiction over the Section 4(f) resource in accordance with the consultation process under 36 CFR part 800.”
Indiana East End Section 4(f) Properties Within the Project Area

- Eligible Property (FEIS)
- NRHP Listed/Eligible District Boundary
- 2003 FEIS APE Boundary
- Extension to the Original APE

Figure 6.2-1
Indiana Downtown Section 4(f) Properties Within the Project Area

Figure 6.2-2

![Map of Indiana Downtown Section 4(f) Properties Within the Project Area]

Legend:
- Outstanding Property (New)
- Eligible Property (FEIS)
- NRHP Listed/Eligible District Boundary
- 2003 FEIS APE Boundary
- Extension to the Original APE

NRHP Listed/Eligible Historic Districts
- Old Jeffersonville H.D.
- Ohio Falls Car & Locomotive Co. H.D.
- Colgate-Palmolive H.D.
- Quartermaster Depot H.D.

"Outstanding" Properties Identified in the FEIS
(A) - Grisamore House
(B) - City School
(C) - Spring St. Freighthouse (Train Depot)
(D) - Big Four Railroad Bridge
(E) - Pennsylvania Railroad Bridge
(F) - George Rogers Clark Memorial Bridge
(G) - House - 519 Riverside Dr. (Clarksville)
(H) - House - 527 Riverside Dr. (Clarksville)
(I) - House - 228 Riverside Dr.
(J) - House - 304 Riverside Dr.
(K) - House - 416 Riverside Dr.
(L) - House - 318 Market St.

NOTE: All new properties identified in the Clark County update were located within the Old Jeffersonville Historic District.
Kentucky Downtown Section 4(f) Properties Within the Project Area

Figure 6.2-3

LEGEND
- Eligible Property (New)
- Eligible Property (FEIS)
- NRHP Listed/Eligible District Boundary
- 2003 FEIS APE Boundary
- Extension to the Original APE

NRHP Listed/Eligible Historic Districts
- Phoenix Hill H.D.
- Butchertown H.D.

Eligible Properties Identified in the FEIS
- (A) - Belle of Louisville
- (B) - Theodore Ahrens Trade High School
- (C) - Louisville Medical College Bldg.

Eligible Properties Identified in the FEIS
- (D) - Louisville Medical College Bldg.
Figure 6.2-4a

Old Jeffersonville Historic District - FEIS Selected Alternative

LEGEND

- Outstanding Property (New)
- Eligible Property (FEIS)
- NRHP Listed/Eligible District Boundary
- 2003 FEIS APE Boundary
- Extension to the Original APE

OUTSTANDING Properties

(A) - Grisamore House
(B) - City School
(C) - Spring St. Freighthouse (Train Depot)
(D) - Big Four Railroad Bridge
(E) - Pennsylvania Railroad Bridge
(F) - George Rogers Clark Memorial Bridge
(G) - House - 519 Riverside Dr (Clarksville)
(H) - House - 527 Riverside Dr (Clarksville)
(I) - House - 228 Riverside Dr
(J) - House - 304 Riverside Dr
(K) - House - 416 Riverside Dr
(L) - House - 318 Market St

NOTE: All new properties identified in the Clark County update were located within the Old Jeffersonville Historic District

NRHP Listed/Eligible Historic Districts

- Old Jeffersonville H.D.
- Ohio Falls Car & Locomotive Co. H.D.
- Colgate-Palmolive H.D.

"Outstanding" Properties Identified in the FEIS

SEE FIGURE 6.2-7a
Old Jeffersonville Historic District - Modified Selected Alternative

Figure 6.2-4b

[Map showing various locations within the Old Jeffersonville Historic District]

LEGEND
- Outstanding Property (New)
  NOTE: All new properties identified in the Clark County update were located within the Old Jeffersonville Historic District
- Eligible Property (FEIS)
- NRHP Listed/Eligible District Boundary
- 2003 FEIS APE Boundary
- Extension to the Original APE

Old Jeffersonville Historic District
Area of Encroachment into Historic District

NRHP Listed/Eligible Historic Districts
- Old Jeffersonville H.D.
- Ohio Falls Car & Locomotive Co. H.D.
- Colgate-Palmolive H.D.

“Outstanding” Properties Identified in the FEIS
- (A) Grisamore House
- (B) City School
- (C) Spring St. Freighthouse (Train Depot)
- (D) Big Four Railroad Bridge
- (E) Pennsylvania Railroad Bridge
- (F) George Rogers Clark Memorial Bridge
- (G) House - 519 Riverside Dr. (Clarksville)
- (H) House - 527 Riverside Dr. (Clarksville)
- (I) House - 228 Riverside Dr.
- (J) House - 304 Riverside Dr.
- (K) House - 416 Riverside Dr.
- (L) House - 318 Market St.
Figure 6.2-5

Butchertown & Phoenix Hill Historic Districts - FEIS Selected Alternative

LEGEND
- Phoenix Hill Historic District
- Butchertown Historic District
- Area of Encroachment into Historic Districts
- 2003 FEIS APE Boundary
- Extension to the Original APE
Butchertown & Phoenix Hill Historic Districts - Modified Selected Alternative
Outstanding Property (New) NOTE: All new properties identified in the Clark County update were located within the Old Jeffersonville Historic District

Eligible Property (FEIS)

NRHP Listed/Eligible District Boundary

2003 FEIS APE Boundary

Extension to the Original APE

LEGEND

(A) - Grisamore House
(B) - City School
(C) - Spring St. Freighthouse (Train Depot)
(D) - Big Four Railroad Bridge
(E) - Pennsylvania Railroad Bridge
(F) - George Rogers Clark Memorial Bridge
(G) - House - 519 Riverside Dr. (Clarksville)
(H) - House - 527 Riverside Dr. (Clarksville)
(I) - House - 226 Riverside Dr.
(J) - House - 304 Riverside Dr.
(K) - House - 416 Riverside Dr.
(L) - House - 318 Market St.

"Outstanding" Properties Identified in the FEIS

Old Jeffersonville Historic District

Area of Encroachment into Historic District

SEE FIGURE 6.2-4a

KEY PLAN

NRHP Listed/Eligible Historic Districts

1. Old Jeffersonville H.D.
2. Ohio Falls Car & Locomotive Co. H.D.
3. Colgate-Palmolive H.D.

Figure 6.2-7a
George Rogers Clark Memorial Bridge and Administration Building - Modified Selected Alternative

Figure 6.2-7b

Outstanding Property (New)
NOTE: All new properties identified in the Clark County update were located within the Old Jeffersonville Historic District.

Eligible Property (FEIS)

NRHP Listed/Eligible Historic Districts

Old Jeffersonville H.D.
Ohio Falls Car & Locomotive Co. H.D.
Colgate-Palmolive H.D.

“Outstanding” Properties Identified in the FEIS

(A) - Grissamore House
(B) - City School
(C) - Spring St. Freighthouse (Train Depot)
(D) - Big Four Railroad Bridge
(E) - Pennsylvania Railroad Bridge
(F) - George Rogers Clark Memorial Bridge
(G) - House - 519 Riverside Dr. (Clarksville)
(H) - House - 527 Riverside Dr. (Clarksville)
(I) - House - 22B Riverside Dr.
(J) - House - 304 Riverside Dr.
(K) - House - 416 Riverside Dr.
(L) - House - 318 Market St.

LEGEND
- Outstanding Property (New)
- Eligible Property (FEIS)
- NRHP Listed/ Eligible District Boundary
- 2003 FEIS APE Boundary
- Extension to the Original APE

Old Jeffersonville Historic District
Area of Encroachment into Historic District

KEY PLAN

SEE FIGURE 6.2-4b

0 500'
0 200'
Figure 6.2-8

Utica Lime Kilns - FEIS Selected Alternative / Modified Selected Alternative

INAAP Igloo Storage Historic District

NRHP Listed/Eligible District Boundary

2003 FEIS APE Boundary

Extension to the Original APE

LEGEND

- NRHP Listed/Eligible District Boundary
- 2003 FEIS APE Boundary
- Extension to the Original APE