



**APPENDIX N
SECTION 106 DOCUMENTATION**

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- 4.2 Maple Grove Road Rural Historic District
- 4.3 Monroe County Bridge No. 83 (NBI No. 5300061; Non-Select Bridge)
- 4.4 Stipp-Bender Farmstead
- 4.5 Maurice Head House
- 4.6 North Clear Creek Historic Landscape District
- 4.7 Hunter Valley Historic Landscape District
- 4.8 Reed Historic Landscape District
- 4.9 Monroe County Bridge No. 913 (NBI No. 5300130; Select Bridge)
- 4.10 Morgan County Bridge No. 161 (NBI No. 5500125; Select Bridge)
- 4.11 Morgan County Bridge No. 224 (NBI No. 5500142; Select Bridge)
- 4.12 Alluvial Floodplain Test Areas
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- 5.1 Daniel Stout House
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- 5.3 Monroe County Bridge No. 83 (NBI No. 5300061; Non-Select Bridge)
- 5.4 Stipp-Bender Farmstead
- 5.5 Maurice Head House
- 5.6 North Clear Creek Historic Landscape District
- 5.7 Hunter Valley Historic Landscape District
- 5.8 Reed Historic Landscape District
- 5.9 Monroe County Bridge No. 913 (NBI No. 5300130; Select Bridge)
- 5.10 Morgan County Bridge No. 161 (NBI No. 5500125; Select Bridge)
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6.0 SUMMARY OF CONSULTING PARTIES AND PUBLIC VIEWS

APPENDICES

(Appendix items for individual reports have been removed from that report if they are duplicated as an appendix item for this document)

A. AREA OF POTENTIAL EFFECTS

APE Map

B. FHWA's FINDINGS AND DETERMINATIONS

April 23, 2012, APE & Eligibility
October 11, 2012, Eligibility (modified) & Effects

C. REPORTS

December 8, 2004, Additional Information regarding Hastings Schoolhouse/request de-listing
July 14, 2005, Additional Information regarding Morgan County Bridge No. 224
June 1, 2007, *Report on the Determination of Eligibility of the Fullerton House for Listing in the National Register of Historic Places*
January 9, 2008, *Historic Property Report* (with errata)
January 13, 2012, *Historic Property Report, Additional Information* (with errata)
January 24, 2012, *Consideration of and Findings regarding Dimension Limestone Resources within the I-69 Section 5 Area of Potential Effects* (with errata)
April 2012, *Draft Identification of Effects Report*
April 2012, *Phase Ia Archaeological Survey, I-69 Section 5, SR 37 to SR 39, Monroe and Morgan Counties, Indiana (DES No. 0300381) Revised* (management summary)
June 27, 2012, *Memorandum Re: 3275 North Prow Road*
October 26, 2012, *Addendum I: Phase Ia and Ib Archaeological Survey of the Indiana I-69 Evansville-to-Indianapolis Study, Section 5 (From SR 37 to SR 39), Monroe and Morgan Counties, Indiana* (management summary)
March 2013, *Addendum II: Phase Ia and Ib Archaeological Survey of the Indiana I-69 Evansville to Indianapolis Study, Section 5 (From SR 37 to SR 39), Monroe and Morgan Counties, Indiana* (management summary)

D. AGENCY COORDINATION

(Letters to and from SHPO, FHWA, and PMC; minutes for agency meetings)
June 23, 2004, Area of Potential Effects (APE) sent to the SHPO for review
July 7, 2004, SHPO comment letter on the APE
December 8, 2004, Letter sent to the SHPO requesting the de-listing of the Hastings Schoolhouse in Monroe County (demolished due to tornado damage)

January 28, 2005,	National Register Weekly List 01/28/2005, sent via email, including announcements and actions on properties for the NRHP, including the Hastings Schoolhouse (REMOVED, 6/01/04).
February 7, 2005,	Meeting Minutes regarding Quarries and Cemeteries
February 9, 2005	Additional information regarding APE sent to SHPO
February 15, 2005,	Meeting Minutes regarding Section 106
May 25, 2005,	SHPO letter concurring with APE
May 27, 2005,	(Draft) SHPO field trip to selected resources in both Sections 4 and 5
August 1, 2005,	SHPO preliminary letter to FHWA regarding HPR
August 16, 2005,	SHPO letter to FHWA concurring with bridge eligibility
August 25, 2005,	PMC letter to SHPO regarding response to preliminary HPR comments
December 1, 2005,	Meeting minutes regarding cemeteries, I-69 schedule, Phase Ia cultural management summaries, and status of the Phase Ic and II work plans.
December 16, 2005,	SHPO letter to PMC regarding Purpose & Need submission
January 9, 2006,	(Draft) Field review with SHPO
March 13, 2006,	SHPO letter requesting more information on the <i>Draft Phase Ia Archaeological Investigations Records Review</i> report
November 15, 2006,	(Draft) SHPO meeting to discuss bridges
May 25, 2007,	SHPO letter to PMC concurring with ineligibility of Fullerton House
June 12, 2007,	FHWA letter to the Keeper of the NRHP requesting formal determination of eligibility for the Fullerton House
July 27, 2007,	Keeper of the NRHP (Department of the Interior) letter to FHWA concurring with ineligibility of Fullerton House
May 30, 2008,	SHPO letter concurring with findings of HPR
August 19, 2011,	PMC letter to SHPO regarding revised APE for Additional Information Study and Survey Methodology
September 14, 2011,	Meeting minutes to discuss the revision to the APE and methodology of survey for the additional information study
September 28, 2011,	SHPO letter to PMC concurring with expanded APE and project methodology
November 10, 2011,	(Draft) SHPO field visit to discuss resources, including quarries
January 11, 2012,	(Draft) Meeting minutes to discuss potential historic landscape districts
February 20, 2012,	SHPO letter to PMC concurring with findings of the <i>Historic Property Report, Additional Information</i> report and the <i>Dimension Limestone Resources</i> report
April 5, 2012,	SHPO letter commenting on <i>Phase Ia Archaeological Survey</i> report and asking for more information
May 14, 2012,	SHPO letter concurring with the Archaeology report <i>Phase Ia Archaeological Survey</i>
May 23, 2012,	SHPO letter to FHWA requesting expanded significance for landscape districts and commenting on effects
June 5, 2012,	SHPO letter of acceptance and conditions for the <i>Phase Ib Archaeological Research for sites 12Mo1401, 12Mo1415, and 12Mo1430</i>

June 6, 2012,	Summary of meeting to discuss project alternatives and potential effects
July 12, 2012,	SHPO letter accepting meeting notes for June 6, 2012 concurring with “informal effects” analysis for resources
August 7, 2012,	Summary of meeting to discuss Preferred Alternative 8 at West Fullerton Pike

E. CONSULTING PARTY COORDINATION (Invitations, meeting materials, minutes, and letters regarding consulting party status)

May 18, 2004,	FHWA invitation to potential consulting parties
May-June 2004,	Affirmative postcard responses from consulting parties
June-July 2004,	Consulting party meeting No. 1 (invitation/minutes [erroneously dated July 12])
January 26, 2005,	Morgan County consulting parties informational meeting (agenda/minutes)
February 1, 2005,	Monroe County consulting parties informational meeting (agenda /minutes)
June 2005,	Consulting party meeting No. 2 (invitation/meeting material/minutes)
April 30, 2008,	FHWA letter transmitting draft HPR to consulting parties
June 21, 2010,	Joanne Stuttgen email requesting removal Traditional Arts Indiana representative
November 23, 2011,	Email from Nancy Hiestand requesting consulting party status
January 6, 2012,	SHPO letter to PMC requesting Robert Bernacki be added as a consulting party
January 24, 2012,	FHWA letter transmitting <i>Consideration of and Findings regarding Dimension Limestone Resources with the I-69 Section 5 Area of Potential Effects</i> to consulting parties
January 2012,	Consulting party meeting No. 3 (invitation/agenda/sign-in sheet/minutes)
February 17, 2012,	Email to consulting parties to verify the correct address of the Section 5 Project Office
February 17, 2012,	Letter to consulting parties to verify the correct address of the Section 5 Project Office
February 24, 2012,	Email from Tim Maloney, Senior Policy Director at the Hoosier Environmental Council asking to be added to the consulting party mailing list
February 28, 2012,	Email from project consultants to Mr. Tim Maloney
April 23, 2012,	FHWA transmittal letter to consulting parties including CD with <i>DRAFT Identification of Effects Report</i>
May 1, 2012,	Email to consulting parties including link to FTP with <i>DRAFT Identification of Effects Report</i>
May 1, 2012,	Email from Cheryl Ann Munson detailing new consulting party contact information
May 3, 2012,	Response email from project consultant to Ms. Munson
May 3, 2012,	Response email from Ms. Cheryl Ann Munson

April-May 2012, Consulting party meeting No. 4 (invitation(s)/agenda/meeting material/minutes)
 May 11, 2012, Letter from Debby and Steve Reed requesting consulting party status

F. CORRESPONDENCE/COMMENTS RECEIVED
(See Appendix D for SHPO correspondence)

June 24, 2004, Letter from John Froman, Chief of the Peoria Tribe of Indians of Oklahoma
 March 14, 2005, Letter from Ms. Patricia Powell, Owen County Preservationists, Inc.
 July 13, 2005, Letter from Monroe County Planning Commission
 July 13, 2005, Letter from Mr. Steve Wyatt, Bloomington Restorations Inc.
 July 20, 2005, Email from Mr. Steve Wyatt
 July 20, 2005, Letter from Prairie Band Potawatomi Nation
 August 16, 2005, Letter from Citizens for Appropriate Rural Roads, Inc.
 May 13, 2008, Peoria Tribe of Indians of Oklahoma letter
 January 29, 2012, Project consultant email to Mr. Jesse Kharbanda, Hoosier Environmental Council (see February 3, 2012 entry for email chain)
 January 29, 2012, Email from Mr. Jesse Kharbanda, Hoosier Environmental Council (see February 3, 2012 entry for email chain)
 February 2, 2012, Email from Ms. Cheryl Ann Munson (see February 3, 2012 entry for email chain)
 February 3, 2012, Email from Mr. Tim Maloney, Hoosier Environmental Council
 February 4, 2012, Email from Ms. Cheryl Ann Munson email (see February 9, 2012 entry for email chain)
 February 11, 2012, Email from Ms. Cheryl Ann Munson
 February 13, 2012, Response email to Ms. Cheryl Ann Munson
 February 14, 2012, Response email from Ms. Cheryl Ann Munson (cc: multiple other parties)
 February 20, 2012, Project consultant email to Mr. Robert Bernacki
 February 22, 2012, Email from Ms. Erin Shane, Monroe County Plan Commission
 February 26, 2012, Email from Ms. Cheryl Ann Munson, Chairwoman of the Monroe County Historic Preservation Board
 February 26, 2012, Response email to Ms. Cheryl Ann Munson
 February 27, 2012, Response email from Ms. Cheryl Ann Munson and attached letter
 February 27, 2012, Response email to Ms. Cheryl Ann Munson
 February 27, 2012, Ms. Debby Reed email to Ms. Cheryl Ann Munson (cc: multiple other parties)
 February 27, 2012, Email with attached letter from Ms. Nancy Hiestand, Program Manager Historic Preservation, City of Bloomington (letter dated February 26, 2012)
 February 27, 2012, Email from Ms. Nancy Hiestand, Program Manager Historic Preservation, City of Bloomington
 February 27, 2012, Response email to Ms. Nancy Hiestand
 February 27, 2012, Email and letter from Ms. Sandra Tokarski

February 27, 2012,	Email from Ms. Debby Reed (see February 28, 2012 entry for email chain)
February 28, 2012,	Email and attachments from Ms. Debby Reed
February 28, 2012,	Response email to Ms. Debby Reed
February 28, 2012,	Response email from Ms. Debby Reed
April 17, 2012,	Email from Ms. Debby Reed
April 27, 2012,	Project consultant email to Ms. Sandra Tokarski
April 27, 2012,	Email from Ms. Sandra Tokarski
May 23, 2012,	Email transmitting Monroe County Historic Preservation Board of Review letter (dated May 22, 2012)
May 23, 2012,	Monroe County Historic Preservation Board of Review addendum letter
June 1, 2012,	Mr. Dan Meno email, including a copy of Debby Reed's April 17, 2012 email
June 1, 2012,	Project consultant response email to Mr. Dan Meno

Consulting Party Comment/Response Form

G. **HARDSHIP ACQUISITIONS**

3895, 3920, and 3926 Old State Road 37: INDOT DES. No. 0900013

February 11, 2009,	INDOT letter to consulting parties regarding hardship acquisition property on the Future I-69 corridor, various addresses on Old State Road 37
February 27, 2009,	INDOT letter to SHPO regarding hardship acquisition property on the Future I-69 corridor, various addresses on Old State Road 37
March 16, 2009,	SHPO letter to INDOT regarding property acquisition of various addresses on Old State Road 37
March 17, 2009,	SHPO letter to INDOT regarding property acquisition of various addresses on Old State Road 37
April 2, 2009,	INDOT sent additional materials to SHPO
April 30, 2009,	SHPO letter to INDOT asking for findings and determinations on various addresses on Old State Road 37 and for Tapp Road property
September 8, 2011,	INDOT letter to consulting parties reinitiating consultation for the three various addresses on Old State Road 37
October 11, 2011,	SHPO concurred with the <i>Phase Ia</i> materials sent on September 1, 2011
October 14, 2011,	INDOT sent finding of No Adverse Effect to SHPO
October 21, 2011,	INDOT published a public notice of No Adverse Effect
November 14, 2011,	SHPO concurred with the finding of No Adverse Effect

Martin Property – 3301 Tapp Road: INDOT DES. No. 0810395

February 26, 2009,	INDOT letter to consulting parties regarding hardship acquisition property on the Future I-69 corridor, the Tapp Road Property
March 10, 2009,	Letter from Ms. Joanne Stuttgen to INDOT
March 27, 2009,	SHPO letter to INDOT regarding property acquisition

April 2, 2009, INDOT sent additional materials to SHPO (See INDOT DES. No. 0900013 for copy of letter)

April 30, 2009, SHPO letter to INDOT asking for findings and determinations on various addresses on Old State Road 37 and for Tapp Road property (See INDOT DES. No. 0900013 for copy of letter)

May 27, 2009, FHWA Section 4(f) Compliance Requirements and Section 106 Findings and Determinations Document and 36 CFR 800.4(d)(1) Documentation of Section 106 Finding of No Historic Properties Affected

June 23, 2009, SHPO letter to INDOT concurring with finding of “No Properties Affected”

Boger Property – north of Legendary Hills: INDOT DES. No. 1005971

December 3, 2010, INDOT letter to consulting parties regarding hardship acquisition property on the Future I-69 corridor, the Boger Property

December 10, 2010, Indiana Landmarks letter to INDOT regarding Boger Property

January 5, 2011, Email from Joanne Stuttgen to INDOT regarding Boger Property

January 13, 2011, SHPO response letter to INDOT regarding Archaeological Literature Review and Phase Ia Field Reconnaissance report submitted to SHPO on December 14, 2010

January 14, 2011, FHWA Section 4(f) Compliance Requirements and Section 106 Findings and Determinations Document and 36 CFR 800.4(d)(1) Documentation of Section 106 Finding of No Historic Properties Affected

February 7, 2011, SHPO letter to INDOT concurring with findings for Boger Property

Smith Property – 750 E. Chambers Pike: INDOT DES. No. 1173066

July 1, 2011, INDOT letter to consulting parties regarding hardship acquisition property on the Future I-69 corridor, the Smith Property

July 11, 2011, Letter from the Morgan County Historian regarding the Smith Property

July 27, 2011, Letter from the Monroe County Historic Preservation Board of Review

August 1, 2011, SHPO letter to INDOT regarding the Smith Property

August 17, 2011, INDOT letter to consulting parties indicating the Section 106 process was being put on hold for the Smith Property

August 26, 2011, SHPO letter concurring with the findings of the Archaeological Short Report, submitted to SHPO on August 5, 2011

February 28, 2012, INDOT letter to SHPO regarding a hardship acquisition property on the Future I-69 corridor, the Smith Property

February 28, 2012, FHWA Section 4(f) Compliance Requirements and Section 106 Findings and Determinations Document and 36 CFR 800.4(d)(1) Documentation of Section 106 Finding of No Historic Properties Affected

March 23, 2012, SHPO letter concurring with the findings of “no historic properties affected” in reference to the Smith Property undertaking

H. PROJECT MAPPING – PREFERRED ALTERNATIVE 8**I. CORRESPONDENCE/COMMENTS RECEIVED/TRANSMITTED FOLLOWING SECTION 106 REVIEW PERIOD (OCTOBER 2012 TO JUNE 2013)**

October 26, 2012, I-69 Evansville to Indianapolis: Tier 2 Studies Section 5, SR 37 South of Bloomington to SR 39 *Draft Environmental Impact Statement* published in the Federal Register

October 26, 2012, Letter to consulting parties transmitting the 800.11(e) documentation and requesting comments

October 26, 2012, Letter to SHPO transmitting the 800.11(e) documentation and requesting comments

October 26, 2012, Letter to THPOs transmitting the 800.11(e) documentation and requesting comments

October 27, 2012, Legal Notice of Section 106 Findings posted in the *Martinsville Reporter Times*

October 27, 2012, Legal Notice of Section 106 Findings posted in the *Bloomington Herald Times*

November 19, 2012, SHPO letter to Project Consultants regarding the *Addendum I: Phase IA and Ib Archaeological Survey*

November 20, 2012, Letter from Deborah Hedrick Reed to FHWA, commenting on the 800.11(e) documentation

November 21, 2012, SHPO letter to FHWA concurring with FHWA's finding of Adverse Effect for the I-69 undertaking, dated October 11, 2012

November 28, 2012, Letter from Deborah Hedrick Reed to INDOT, commenting on the *Draft Environmental Impact Statement (DEIS)* (letter identical to that dated November 20, 2012)

November 29, 2012, Email from Devin Blankenship to Project Consultants

November 30, 2012, Reply email from Project Consultants to Devin Blankenship

December 6, 2012, Email from Devin Blankenship to Project Consultants, transmitting a PDF copy of the Monroe County Historic Preservation Board's comments on the 800.11(e) documentation

December 6, 2012, Copy of verbal testimony from Cheryl Munson at the Section 5 public hearing (under email dated December 21, 2012)

December 7, 2012, Email from Linda G. Sievers, Trustee, Bloomington Township

December 7, 2012, Email reply to Linda G. Sievers from Project Consultants

December 10, 2012, Email from Project Consultants to Devin Blankenship confirming the receipt of the Monroe County Historic Preservation Board's comments

December 10, 2012, Transmittal letter from PMC to SHPO regarding the draft Memorandum of Agreement (MOA)

December 17, 2012, SHPO letter to PMC regarding the draft MOA

January 2, 2013, SHPO letter to PMC regarding the DEIS

January 2, 2013, Letter Cheryl Ann Munson in response to DEIS

January 2, 2013, Letter from the Monroe County Historic Preservation Board of Review regarding the DEIS (letter identical to that dated December 6, 2012)

January 2, 2013,	Email transmitting a letter from Iris Kiesling, Vice-President of the Monroe County Board of Commissioners
January 2, 2013,	Letter from Lindy Nelson, Regional Environmental Officer, Department of the Interior
January 30, 2013,	Letter from FHWA to SHPO regarding the private-property tree cutting at North Clear Creek Historic Landscape District
February 1, 2013,	SHPO letter to FHWA regarding the tree cutting at North Clear Creek Historic Landscape District
February 6, 2013,	Letter from Nancy R. Hiller representing the Monroe County Historic Preservation Board of Review regarding tree harvesting in NCCHLD
February 20, 2013,	SHPO provides informal comments on the <i>Addendum II: Phase Ia Archaeological Survey</i> report
February 21, 2013,	SHPO provides informal comments on the wording of the draft MOA
February 22, 2013,	SHPO formally commented on content of the draft MOA
March 8, 2013,	SHPO letter stating that the agency is “satisfied with the responses by INDOT and FHWA to our January 2, 2013, comments on the DEIS.”
March 8, 2013,	Cheryl Ann Munson email to PMC requesting information on the ACHP’s visit
March 11, 2013,	Cheryl Ann Munson email to FHWA requesting copies of letters objecting to the finding that FHWA submitted to the ACHP
March 11, 2013,	FHWA email reply to Cheryl Ann Munson
March 12, 2013,	Revised <i>Addendum II: Phase Ia Archaeological Survey</i> report transmitted to SHPO
March 13, 2013,	Email from Cheryl Ann Munson to FHWA regarding the copies of letters received
March 20, 2013,	Email from Cheryl Munson to project consultants requesting a meeting
March 22, 2013,	Email reply from project consultants to Cheryl Munson
March 22, 2013,	Email reply from Cheryl Munson to project consultants
April 9, 2013,	SHPO commented formally on the Revised <i>Addendum II: Phase Ia Archaeological Survey</i> report (March 12, 2013)
April 9, 2013,	SHPO letter to FHWA regarding revisions to the meeting summary and revisions to the draft MOA
April 16, 2013,	Email from INDOT to Nancy R. Hiller, Monroe County Historic Preservation Board of Review regarding draft MOA comments
April 16, 2013,	Email from Nancy R. Hiller, Monroe County Historic Preservation Board of Review to INDOT regarding draft MOA comments
April 16, 2013,	Reply email from INDOT to Nancy R. Hiller, Monroe County Historic Preservation Board of Review regarding draft MOA comments
April 16, 2013,	Reply email from Nancy R. Hiller, Monroe County Historic Preservation Board of Review to INDOT regarding draft MOA comments

April 17, 2013,	Email from INDOT to Nancy R. Hiller, Monroe County Historic Preservation Board of Review regarding draft MOA comments and deadline extension
April 17, 2013,	Email from Duncan Campbell, representing Monroe County Historic Preservation Board of Review to PMC, conveying comments on the draft MOA via an attachment dated April 16, 2013
April 22, 2013,	Email from Duncan Campbell, representing Monroe County Historic Preservation Board of Review to PMC, conveying additional comments on the draft MOA
April 22, 2013,	Email from Nancy R. Hiller, Monroe County Historic Preservation Board of Review to INDOT regarding additional comments to the draft MOA
April 29, 2013,	Letter from FHWA to Monroe County Commissioners transmitting MOA for signature
May 1, 2013,	Letter from SHPO transmitting signed copy of MOA
May 13, 2013	Letter from FHWA to consulting parties inviting them to concur with the fully executed MOA
June 5, 2013	Email from Bob Bernacki, Wabash & Ohio Chapter of the Society for Industrial Archaeology, transmitting concurring party signature page

Consulting Party Comment/Response Form

J. MEMORANDUM OF AGREEMENT

Executed Memorandum of Agreement

K. CONSULTATION WITH THE ACHP

February 4, 2013,	Letter from FHWA to the Advisory Council on Historic Preservation (ACHP) transmitting the finding of Adverse Effect, the 800.11(e) documentation, and the draft MOA
February 11, 2013,	Email to ACHP conveying transmittal and additional consulting party comment
February 11, 2013,	Email response from ACHP to FHWA
February 12, 2013,	Letter from FHWA letter conveying the revised draft MOA to SHPO and Consulting Parties, and informing them of the ACHP notification
February 26, 2013,	ACHP letter to FHWA informing it will participate in consultation under Section 106 to develop a MOA for the project
March 8, 2013,	Email from PMC inviting consulting parties to meet with ACHP's representative on March 14, 2013 at fifth consulting party meeting
March 14, 2013,	Consulting party meeting No. 5 (sign-in sheet/minutes) with ACHP, SHPO, FHWA, INDOT and its consultants
March 26, 2013,	Email transmitting revised MOA and March 14, 2013 meeting minutes to consulting parties and ACHP for review
April 15, 2013,	Letter from ACHP to FHWA regarding consulting party meeting summary and draft MOA

April 23, 2013,	Email from PMC sending revised MOA to signatories and invited signatories
April 23, 2013,	FHWA letter to ACHP requesting concurrence with the effect finding and 4(f) de minimis determination for North Clear Creek Historic Landscape District
May 6, 2013,	FHWA letter to ACHP transmitting MOA for signature
May 9, 2013	ACHP letter conveying signature on MOA
May 9, 2013	ACHP letter concurring with effect finding at North Clear Creek Historic Landscape District

FINAL

**FEDERAL HIGHWAY ADMINISTRATION
DOCUMENTATION OF SECTION 106 FINDING OF ADVERSE EFFECT
SUBMITTED TO THE STATE HISTORIC PRESERVATION OFFICER
PURSUANT TO 800.6(a)(3)
I-69 EVANSVILLE TO INDIANAPOLIS TIER 2 STUDY:
SECTION 5, SR 37 SOUTH OF BLOOMINGTON TO SR 39
DES NO.: 0300381**

1.0 DESCRIPTION OF THE UNDERTAKING

1.1 Project Description

The project is the construction of Section 5 of Interstate 69 (I-69) Evansville to Indianapolis for a distance of approximately twenty-one miles through Monroe and Morgan counties in southwestern Indiana. Section 5 of the Tier 1 approved corridor begins at State Road (SR) 37, southwest of Bloomington, Indiana, centering on and continuing in a northerly direction along current SR 37 to south of SR 39 near Martinsville, Indiana. Section 5 is comprised of rural and urban/suburban environments. The I-69 Evansville to Indianapolis project, which is 142 miles in length, is a component of the congressionally designated national I-69 corridor extending more than 2,100 miles from the Canadian border to the Mexican border.

The Tier 1 Environmental Impact Statement (EIS) for the I-69 Evansville to Indianapolis project concluded in March 2004. The Federal Highway Administration (FHWA) selected a corridor—Alternative 3C—in its Record of Decision (ROD) and divided the corridor into six Tier 2 sections for detailed study. Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended (16 U.S.C. 470f), requires federal agencies to take into account the effects of their undertakings—i.e., projects wholly or partially funded, permitted, or licensed by a Federal agency—on historic properties. FHWA has allocated federal funds to the Indiana Department of Transportation (INDOT) to use for the Tier 2 Studies of the I-69 Evansville to Indianapolis Project.

Section 5's Refined Preferred Alternative 8 is comprised of various features of Alternatives 4, 5, 6, 7, and 8, as presented during consultation. (See Appendix H, Project Mapping – Refined Preferred Alternative 8, for graphic depictions of the undertaking.) Refined Preferred Alternative 8 uses the existing SR 37 right-of-way, with additional adjacent acreage required based on design requirements and topography. Interchanges are located at Fullerton Pike (double folded diamond, derived from Alternatives 6 and 8), Tapp Road/SR 45/2nd Street (split diamond, derived from Alternatives 7 and 8), SR 48/3rd Street (existing, derived from Alternatives 6, 7, and 8), SR 46 (existing, derived from Alternatives 4, 5, 6, 7, and 8), North Walnut Street (existing partial interchange, derived from Alternatives 5 and 8), Sample Road (folded urban interchange, derived from Alternatives 6 and 8), and Liberty Church Road (urban diamond, derived from Alternatives 6 and 8). In addition, overpasses are located at Rockport

Road (derived from Alternatives 4, 5, 6, 7, and 8), Vernal Pike (derived from Alternatives 7 and 8), Arlington Road (derived from Alternatives 4, 5, 6, 7, and 8), Kinser Pike (derived from Alternatives 5, 7, and 8), and Chambers Pike (derived from Alternatives 4, 5, 6, and 8). Local access roads and new connections to existing local roads are provided in portions of the Section 5 corridor where drives and other roads currently connect to existing SR 37. These are located primarily north of Walnut Street to the northern project terminus.

1.2 Area of Potential Effects

The Area of Potential Effects (APE) is the “geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. The APE is influenced by the scale and nature of the undertaking...” [36 CFR 800.16(d)].

FHWA, in consultation with the Indiana State Historic Preservation Officer (SHPO), determined the APE for the corridor alternatives studied during Tier 1. The APE for the Tier 2 aboveground resources survey in Section 5 centered on Alternative 3C, a primarily 2,000-foot wide corridor that was selected at the end of the Tier 1 Study as the preferred alternative to advance to the Tier 2 Studies. In Section 5, Alternative 3C primarily uses SR 37, an existing four-lane divided highway, for much of its right-of-way. In order to study all potential effects to historic properties by the undertaking, the length of the APE of Section 5 extends one mile beyond the termini of the approximately twenty-one-mile long corridor. This results in areas of overlap with both Section 4 and Section 6. According to the Tier 1 Memorandum of Agreement (MOA), “[t]his analysis is intended to ensure that decisions reached in one section do not prematurely limit consideration of avoidance alternatives for resources in adjacent sections.” In general, the APE for the Tier 2, Section 5 Corridor is not less than 4,000 feet wide and is centered on existing SR 37, a four-lane divided highway. In some areas of relatively flat relief, the APE was expanded to incorporate any potential physical, temporary and long term visual, atmospheric, or audible impacts or alterations to aboveground National Register of Historic Places (NRHP) potentially eligible resources. The areas that had the potential to be affected beyond the 4,000-foot wide corridor were identified through close consultation with aerial photography and topographical mapping. The SHPO concurred with the APE in a letter dated May 25, 2005. (See Appendix D, Agency Coordination, for correspondence.)

In the summer of 2011, the APE was enlarged in some areas to accommodate for additional potential effects. In some locations, due to the study of potential intersection improvements on other roads adjacent to SR 37, the APE was expanded to account for potential effects to resources within these areas. Primarily, the potential intersection upgrades would occur to serve traffic leading to and from the project area. Potential improvements may include road paving, restriping, and the addition of turn lanes. In the proposed intersection improvement areas, the APE was drawn to encompass the approximate project footprint, and to create a buffer around the intersection. In these areas, the APE remained relatively narrow due to the low probability of effect to resources (because the scope of work in these areas primarily includes road paving, restriping, and addition of turn lanes). This boundary took into consideration the type of terrain and foliage, lines of sight to and from the intersection, and types and heights of surrounding buildings and structures. Generally, the APE in the potential intersection improvement areas included the buildings and parcels immediately abutting the potential project area. In addition, the APE was expanded at potential highway interchanges located along Liberty Church Road, Paragon Road/Pine Boulevard, Sample Road, Walnut Street, and Kinser Pike. The APE extended out from the center of those interchanges, incorporating any lands that may be visible from the Interstate (by a person of average height), in consideration of existing tree stands and

vegetation, field visits, and topographic mapping. The SHPO concurred with the expanded APE in a letter dated September 28, 2011. (See Appendix D, Agency Coordination, for correspondence which includes an illustration of the APE.)

For archaeological resources, the APE, per 36 CFR 800.16(d), has been defined through consultation with the SHPO as the right-of-way for the preferred alternative. In Section 5, the right-of-way for the Refined Preferred Alternative 8 averages approximately 500 feet; however, the right-of-way widths would vary from about 260 feet to over 790 feet depending upon the alignment, terrain features, and local access treatments. (See Appendix A, Area of Potential Effects, for APE for Refined Preferred Alternative 8.)

2.0 EFFORTS TO IDENTIFY HISTORIC PROPERTIES

Historic properties were identified and evaluated in accordance with Section 106, NHPA of 1966, as amended (16 U.S.C. 470f), and 36 CFR Part 800.4 (Revised January 2010). Section 106 requires federal agencies to “take into account” the effect of their proposed actions on historic properties. Historic properties are properties listed or eligible for listing in the NRHP. Historic properties include buildings, structures, sites, objects, and/or districts. All Section 106 work within the APE established by FHWA was conducted by professional historians and archaeologists in accordance with accepted professional standards common to this type of historic property identification and evaluation.

2.1 Data Collection

Michael Baker Jr., Inc. (Baker) conducted documentary research and field survey of the APE to collect data to develop a historic context and to identify and evaluate historic properties. Qualified Professionals at Baker meet or exceed the *Secretary of the Interior’s Standards and Guidelines* for archaeology and historic preservation.

Documentary Research

Prior to initiating Tier 2 fieldwork, the Section 5 historians conducted research to review the published literature and to identify and obtain sources of information pertinent to the history and architecture of Monroe and Morgan counties, reviewed the National and State registers to identify any listed properties and obtain the relevant documentation, and examined the historic property survey records and files housed at the Indiana Department of Natural Resources (IDNR), Division of Historic Preservation and Archaeology (DHPA) to obtain any relevant documentation.

Other repositories that provided pertinent general and specific histories relative to the project area include: Monroe County Public Library, Bloomington; Morgan County Public Library, Martinsville; Indiana State Archives, Indianapolis; Monroe County Recorder’s Office, Auditor’s Office, and Clerk’s Office, Bloomington; Morgan County Recorder’s Office and Auditor’s Office, Martinsville; Indiana University Herman B Wells Library, Bloomington; Indiana Geological Survey, Bloomington; Bloomington Restorations, Inc., Bloomington; and the Monroe County Historical Society, Bloomington.

The historians identified and consulted a variety of sources including records of the population censuses of 1850 through 1930; newspaper obituaries; county histories; the interim reports¹ published for Monroe and Morgan counties and Bloomington; and personal interviews with local historians, property owners, and consulting parties. Other research included a review of city directories, historic photographs, historic county maps, historic topographical maps (US Geological Survey [USGS]), historic aerials, plat maps, and on-line source materials.

In 2011, the following sources (not available in 2004) were also reviewed: State Historical Architectural and Archaeological Research Database (SHAARD) and the Indiana Statewide Historic Bridge Inventory.

Fieldwork

Fieldwork began with a reconnaissance survey in September and October 2004 and intensive field views in January and February 2005. The purpose of the investigation was to verify the status of all previously inventoried aboveground resources and to identify any additional aboveground resources that were not included in previous studies of historic resources conducted within the APE (e.g., the 1993 *Morgan County Interim Report: Indiana Historic Sites and Structure Inventory*, the 1989 *Monroe County Interim Report: Indiana Historic Sites and Structure Inventory*, the 2004 *City of Bloomington Interim Report: Indiana Historic Sites and Structure Inventory*, the 1987 *Iron Monuments to Distant Posterity: Indiana's Metal Bridges, 1870-1930*, and the 1997 *Artistry and Ingenuity in Artificial Stone: Indiana's Concrete Bridges, 1900-1942*) or that may have come into their period of significance since the previous study was conducted. Therefore, all aboveground resources 50 years of age or older within the study area were evaluated in order to determine architectural style, integrity, significance, date of construction, and other important features.

For each aboveground resource that was previously recorded or appeared to be 50 years of age or older, a draft field form and draft site plan were completed. Each resource was keyed to a field map and photographed using both digital and black and white 35 mm film media. Interviews were conducted with property owners and with knowledgeable individuals.

The project historians identified and evaluated historic properties in consultation with the SHPO and with other consulting parties. This survey effort revealed 320 previously and newly identified aboveground resources greater than 50 years of age within the Section 5 APE. The

¹ Each year DHPA funds matching grants that allow counties within the state to be surveyed for the identification of architectural and historical resources. To be included in the survey, a property must be at least 40 years old and retain sufficient historic integrity to contribute to the historic fabric of the area. The survey rates a structure as "Notable" or "Outstanding" if it is an excellent, relatively unaltered example of a particular architectural style and/or has a strong association with history, settlement patterns, or important figures. Buildings that are rated notable or outstanding may be eligible for listing in the NRHP. Another rating designation is "Contributing," which is discussed in more detail in footnote 2. The inventory field work concludes with the publication of an *Interim Report*, so named because the changing nature of the built environment precludes a "final" inventory, e.g., some structures are demolished while others are added. (Sources: <http://www.in.gov/dnr/historic/2824.htm> and <http://www.indianalandmarks.org/Resources/ArchitecturalSurveys/Pages/QuestionsAboutSurveys.aspx>)

field surveys coupled with the contextual research determined that 216 of the extant resources either lacked historical or architectural significance, or did not retain sufficient integrity to convey their significance. The remaining 104 aboveground resources consisted of 34 previously unidentified resources in Monroe County and six in Morgan County, while 64 had been previously documented in the Morgan County, the Monroe County, and the City of Bloomington interim reports, or in James L. Cooper's *Iron Monuments to Distant Posterity*, and *Artistry and Ingenuity in Artificial Stone*. The field survey found that 15 of the 64 previously identified resources had been demolished.

In addition to buildings and structures, project historians also documented cemeteries within the APE. While cemeteries generally are not protected under Section 106 unless they meet the requirements to be eligible for the NRHP, Indiana law (IC 23-14-44) discusses avoidance of cemeteries. Historians identified cemeteries within the APE through information from the Tier 1 study supplemented by field surveys and discussions with local parties. As part of the field survey effort, each of these cemeteries was documented using a Cemetery Registry Survey form. At a minimum, the cemetery name, address, ownership, condition, description, associations, and cultural/ethnic affiliation were recorded.

The Section 5 APE also contained resources related to the limestone industry in Monroe County and included limestone quarries, mills, and quarry/mill complexes. The integrity of these resources was evaluated using *National Register Bulletin 42: Guidelines for Identifying, Evaluating, and Registering Historic Mining Properties*. In general, information gathered for these resources was obtained from the public right-of-way, from secondary source information, and from phone interviews with local historians, property owners, and/or company personnel. Each resource was keyed to a field map and photographed from the public right-of-way using both digital and black and white 35 mm film media. Site plans were completed using aerial photographs and the Monroe County GIS and mapping website. An exception to this methodology was in the case of the Vernia Mill Site and the B.G. Hoadley Quarry and Mill where access to the properties was obtained and field surveys were conducted on April 27 and 28, 2005, respectively. Another site visit was conducted to Vernia, this time with the SHPO/DHPA on May 27, 2005.

Evaluation

Aboveground resources within the APE were evaluated to determine their eligibility for listing in the NRHP based on their significance and integrity—location, design, setting, materials, workmanship, feeling, and association—as documented in a *Historic Property Report* (HPR). Physical changes to aboveground resources were examined to establish levels of integrity. Such changes included the application of replacement siding; installation of modern replacement windows and/or doors; alteration of fenestration including the enlarging or reduction of openings; the removal or alteration of architectural details; the application of inappropriate architectural details; the removal, alteration, or addition of a porch; the alteration of massing including the application or removal of an appendage; relocation from its original location; and the alteration of setting including the removal of period outbuildings, the presence of non-period outbuildings, and the proximity of incongruous or incompatible development. A historic context

was prepared that allowed the historians to evaluate the significance of the property based on theme, time, and place.

The draft HPR was initially submitted to the SHPO on June 9, 2005. Following this submission, consulting parties and members of the public brought forth additional concerns regarding resources within the APE. Historians conducted further research based on consulting party and public concerns on the Fullerton House at 3540 West Fullerton Pike, a second house at 2102 West Vernal Pike, and limestone resources.

As a result of the data collection and property evaluation, and in consultation with the agency and the SHPO, seven properties within the APE were identified as either listed in or eligible for listing in the NRHP. The final HPR, released in January 2008, described these properties as the Daniel Stout House; the Maple Grove Road Rural Historic District; the Stipp-Bender Farmstead; the Philip Murphy-Jonas May House, *since demolished*; Monroe County Bridge No. 913 (NBI No. 5300130); Morgan County Bridge No. 161 (NBI No. 5500125); and the Morgan County Bridge No. 224 (NBI No. 5500142). The Borland House and Carl Furst Stone Company Quarry, a single resource (listed in the Indiana State Register, and later determined to be a Contributing resource to the NRHP-eligible North Clear Creek Historic Landscape District), was added to the errata page for this report, as it had been erroneously omitted from the resource count at the time of publishing. (See Appendix C, Reports, for HPR.)

Additional Information Study

In 2011, as part of the *Historic Property Report, Additional Information* (AI Report) studies, historians were charged with identification and evaluation of aboveground resources from the “recent past” (in this case constructed between 1954 and 1967) within the APE meriting a Contributing² or higher rating as defined in the Indiana Historic Sites and Structures Inventory (IHSSI) Manual and as refined through consultation with the IDNR, DHPA. In addition, to ascertain if there had been significant changes, historians conducted a reconnaissance-level review of previously-inventoried Contributing or higher properties during the 2004-2005 survey and documented them in the AI Report. Through subsequent research, consultation, and survey, five properties previously considered to be Non-Contributing were changed to Contributing. Finally, historians also surveyed all pre-1967 properties within APE expansion areas. In total, historians surveyed approximately 1,000 properties at the reconnaissance level and 92 resources at the intensive level, 90 of which were considered Contributing or higher. (See discussion of APE in Section 1.2 of this document.)

In preparation for the additional information (AI) survey, the Project Management Consultant (PMC) sent the proposed methodology to SHPO for review and comment. The project team met

² The word “Contributing” carries multiple meanings. Consistent with the terminology of the IHSS Inventory, individual properties that meet the age requirement and that possess some integrity and some significance but which are not individually eligible for listing in the NRHP are labeled as “Contributing” resources as a way of classification. The word “Contributing” also carries another meaning in regards to NRHP districts. In that context, resources that may lack individual distinction but are part of an eligible district may be considered “Contributing” to the district. Therefore, properties may be considered as contributing to the history of the county and not eligible for listing in the NRHP and/or they may be considered as a contributing element within a NRHP-eligible district but not individually eligible for listing in the NRHP.

with staff of the SHPO, INDOT Cultural Resources Office, and FHWA on September 13, 2011, to discuss the APE revisions, and the methodology and registration requirements in advance of survey efforts. The SHPO concurred with both the methodology and the expanded APE on September 28, 2011. (See Appendix D, Agency Coordination for correspondence and meeting minutes.)

Prior to conducting fieldwork, historians obtained geo-referenced historic aerial images of the APE in Monroe and Morgan counties for the following years: 1954, 1958, and 1967. In addition, historians obtained geo-referenced historic USGS topographic quadrangle mapping sets (five each) covering the APE in Monroe and Morgan counties for the following years: 1948, 1955, and 1965. Historians then compared the various mapping layers in an effort to determine a range of construction dates for properties built between 1954 and 1967. They also obtained plat maps for mid-twentieth century subdivisions within the APE from Morgan and Monroe county government offices and obtained IHSSI cards from DHPA.

The 2011 reconnaissance-level survey of properties included in the 2008 HPR utilized photographic documentation from the public right-of-way to record any changes in the properties. The IHSSI survey form for each of these properties was updated to reflect any such changes, especially those that have the potential to alter an IHSSI rating. The reconnaissance-level survey revealed that the Philip Murphy-Jonas May House, identified as NRHP-eligible in the 2008 HPR, had since been demolished.

The reconnaissance-level survey of properties constructed between 1954 and 1967 yielded approximately 1,000 properties within the APE. Three project historians conducted a review of the photographic documentation of these properties. Each historian independently evaluated properties as “Contributing” or “Non-Contributing” based on survey notes and photographic evidence and the prior consultation with, and guidance from, the staff of the DHPA/SHPO regarding recent past properties. After three individual assessments, the historians convened to review all properties, giving special attention to those initially rated as “Contributing” or where assessments differed. A discussion of the photographic and field survey documentation among the reviewers as well as the criteria for evaluating these properties resulted in a consensus agreement on the property ratings. This exercise allowed project historians to evaluate the entire survey pool both individually and collectively. The results of this evaluation were reviewed by the PMC. A field view was conducted with DHPA/SHPO, FHWA, INDOT and the PMC to review standards of NRHP eligibility and integrity thresholds for a “Contributing” rating in the IHSSI; the field view also served as an opportunity to acquaint DHPA/SHPO, INDOT and FHWA with the range of properties encountered in the present survey.

Additional research conducted by project historians during and between the reconnaissance-level and intensive-level surveys focused on mid-twentieth century architectural trends in housing; commercial, industrial, and religious buildings; and general trends in transportation, industry, commerce, recreation, education, and agriculture. During this literature review, the historians identified Monroe County Bridge No. 83 (NBI No. 5300061), which had been recommended ineligible in the 2008 HPR, as having been determined eligible by the Indiana Historic Bridge Inventory.

Specific research on local subdivisions and house types/styles helped to create an understanding of how these movements in Monroe and Morgan counties fit within national housing trends in the 1950s and 1960s. The research also aided historians in the identification of character-defining elements, period building materials, and local stylistic features for use in the evaluation process.

In general, the reconnaissance-level survey yielded a large number of modest Ranch-style homes, several Split-Level homes, a somewhat greater number of Bi-Level homes; and a few “high-style” dwellings constructed in the APE between 1954 and 1967. Several churches, strip mall commercial developments, and industrial buildings were also encountered in the survey area. Character-defining elements typical for residential dwellings of this time period include: an attached garage; double-hung wood windows with horizontally divided lights (aluminum sash became common by the late 1960s); high, wide windows that sit close to the eave line (typically in bedrooms); picture windows (often flanked by two-over-two light, double-hung sash windows; popular circa 1950-1970); cantilevered windows (circa 1945-1955); concrete slab house construction; shallow-pitched gabled or hipped roofs; large (wide) chimneys (wood burning fireplaces regained popularity in the post-WWII period); the use of multiple exterior cladding materials (particularly combinations of masonry and wood); limestone and sandstone veneer, brick (especially Roman brick with offset stretcher bond), aluminum, steel, and Masonite, which were popular cladding materials; wide horizontal planks and vertical board and batten siding configuration; and a cross-axis building layout (characteristic of the 1950s).

In order to be considered NRHP eligible, AI properties (constructed between 1954 and 1967) need to meet one or more of the NRHP Criteria for Evaluation, retain an exceptionally high level of integrity, and must contain a high degree of original materials. Since Ranch houses were designed to allow for additions, the presence of sympathetic additions (particularly those constructed circa 1955 to 1975) did not necessarily disqualify a property for eligibility consideration. Even though many properties still convey the feeling of a 1950s and 1960s dwelling, properties with more than one of the following were not included as Contributing properties: large, non-period additions; non-original porches; non-original siding or eave cladding; and replacement windows or doors. When considering dwellings for NRHP eligibility, interior integrity was important; major changes to room configuration (like removal of walls); major renovations to kitchen and bath areas; replacement of the majority of doors, interior hardware, or light fixtures counted against a property when evaluating its overall integrity of design and materials.

While conducting site visits and documentary research, project historians evaluated the area for historic districts, paying particular attention to concentrations of architecturally similar dwellings, contiguous collections of buildings and/or properties indicating a connection based on a historic theme (such as transportation, recreation, industry, commerce, education, suburbanization, or agriculture) within the context of local history. Those resources that did not meet at least one of the NRHP criteria and/or did not retain integrity individually or as part of a district were not recommended eligible for listing in the NRHP during this evaluation process.

Historians also field verified and photographed all cemeteries within the APE. After conducting fieldwork and speaking with local residents and knowledgeable individuals, project consultants

visited and photographed the previously “unlocatable” Johnson/Naylor and Anderson cemeteries. During the AI survey, two cemeteries were added as new resources because of changes in the APE. These are the Zion Hill Baptist Church Cemetery and the Valhalla Memory Gardens.

In a separate document, historians prepared the *Consideration of and Findings regarding Dimension Limestone Resources within the I-69 Section 5 Area of Potential Effects* report. This report focused on the complex history and the associated properties of the dimension limestone industry, and it evaluated the resources associated with that industry located within the Section 5 APE. The report analyzed three distinct limestone areas within the APE: Hunter Valley, Reed, and North Clear Creek. From each of these areas, historians delineated three historic landscape districts, all three of which were recommended eligible for inclusion on the NRHP. Within each of the recommended eligible landscape districts, the historians listed resources possessing sufficient integrity to contribute to eligibility. The natural and manmade features at these three districts represent a unique limestone landscape; together these features convey the history of the extraction and processing of this nationally important building stone in a powerful way. (See Appendix C, Reports.)

In summary, as a result of the data collection and property evaluation during the AI survey (including the dimension limestone study), and in consultation with INDOT, FHWA, and the SHPO, historians have recommended five additional properties eligible for listing on the NRHP: the three limestone historic landscape districts; Monroe County Bridge No. 83 (NBI No. 5300061); and the Maurice Head House, the latter two of which were previously determined eligible.

Archaeology

Per 36 CFR 800.4(b)(2), a phased approach has been developed and used to accomplish Tier 2 archaeological research and evaluation tasks. For the I-69 Tier 2 EIS, archaeological research included literature review, background research, and site files research at IDNR, DHPA and other pertinent repositories. Information pertaining to previously recorded sites within a 2,000-foot-wide study corridor, identified in the Tier 1 EIS, was gathered, with the information updated in 2011.

Information gathered during the archaeological literature review of the IDNR, DHPA site files indicated that there are 24 previously-recorded archaeological sites within the 2,000 foot wide Section 5 study corridor. Site type, defined in the Tier 1 study, refers to the general period (prehistoric, historic, or both) of the site. If a site file did not list a temporal period, it was categorized as unidentified. Examination of the site types within Section 5 revealed that 19 locales were prehistoric, one site was historic, one site contained both prehistoric and historic components, and three sites were unidentified.

The January 2005 *Phase Ia Background Research and Records Check for Alternative 3C, Section 5, Bloomington (Monroe County; Perry, Van Buren, Bloomington, and Washington Townships) to Martinsville (Morgan County; Washington Township), Indiana I-69 Tier 2 Study* detailed the results of the archaeological literature review for the 2,000-foot-wide study corridor for Section 5. This information has been incorporated into the *Phase Ia Archaeological Survey*

of the I-69 Evansville-to-Indianapolis Study, Section 5 (from SR 37 to SR 39), Monroe and Morgan Counties, Indiana (April 2012). (See Appendix C, Reports, for management summary.)

A Phase Ia archaeological survey of most of the southern half of the proposed Alternatives 4 and 5 project rights-of-way was conducted in 2006-2007; additional areas within the archaeological APE were surveyed and documented in June-August and in November of 2012. The Refined Preferred Alternative 8, delineated at the beginning of 2013, resulted in slight changes to the archaeological APE. Minor shifts in the proposed right-of-way created several small areas where the Phase Ia archaeological survey has not taken place. These areas were surveyed prior to initiation of construction of the I-69 undertaking. (See Appendix A, Area of Potential Effects, for map of archaeological APE of Refined Preferred Alternative 8.)

The Phase Ia field investigations employed a combination of field methods. While each of the studied alternatives and the Refined Preferred Alternative 8 includes the existing SR 37 right-of-way corridor, most of that existing corridor has not been surveyed for archaeological resources as part of the I-69 Section 5 studies. The vast majority of the existing SR 37 right-of-way corridor has been heavily disturbed by roadway construction and maintenance activities that would have destroyed archaeological deposits. The field methods used in the existing SR 37 confirmed prior disturbance and complied with field methods approved by DHPA and INDOT. These methods, along with the results of the 2006-2007 and 2012 archaeological surveys are presented in the Phase Ia archaeological reports. (See Appendix C, Reports, for management summaries of the three reports.) These results are also summarized below and in the Tier 2 Final Environmental Impact Statement (FEIS).

Shovel testing

This method was utilized in areas where ground surface visibility was less than 30% and the areas were not heavily disturbed. Heavily disturbed areas, such as deep cut and fill areas, as well as paved and poured concrete areas, were not shovel test probed. This method consists of excavating 30-centimeter-diameter shovel tests at 10-meter or 15-meter intervals (the intervals were decreased to 5 meters when delineating the perimeter of an archaeological site). Intervals of 30 meters were used in instances to confirm existing disturbances such as road shoulders and residential landscaped yards. Shovel tests were excavated to a depth that penetrated subsoil by 10 centimeters or the maximum possible depth. The fill from these shovel tests was screened through 0.25-inch, hardware cloth and all artifacts encountered were collected and provenienced to the shovel test and in relation to the soil horizons. A record was kept for all shovel tests excavated. This record includes soil profile, soil texture, soil color (Munsell), and presence/absence of cultural materials. Landform boundaries, negative shovel probes, or project area limits determined recorded site boundaries. In areas of subsurface disturbance, the interval between shovel tests was increased or soil coring was substituted at the discretion of the field supervisor. Notes were taken for each site and include observations, methods of investigation, site size, and slope gradient and direction. All site boundaries were recorded by GPS to sub-meter accuracy.

Surface survey/collection

In areas where the ground surface permitted at least 30% visibility, surface collection/survey was utilized. In most of these areas, the tilled fields exhibited ground surface visibility exceeding 80%. This method consists of visually examining the ground surface at a maximum of 10-meter intervals. Once cultural materials were discovered, intervals no greater than 5 meters were utilized in the site area and its vicinity. Typically, one or more shovel tests were excavated in the sites identified during the surface collection to better characterize soil conditions and artifact distributions in those site areas. All artifacts located in the field were bagged, with the date and provenience marked on the bag.

Visual Inspection

Areas of obvious physical disturbance and steep slopes were visually inspected. In undeveloped areas, this consisted of a walkover at 10-meter intervals. Field notes and map notations were employed to record area designations, field conditions, located sites, and methods of investigation.

The Phase Ia survey that was conducted in 2006-2007 identified 41 archaeological sites. Of these, 29 were characterized as unknown prehistoric, six as mixed unknown prehistoric and historic, and three as prehistoric sites (one with a historic component) possibly ascribable to specific Native American cultural/temporal periods based on the recovery of diagnostic artifacts. Three historic sites with no prehistoric components also were found. The majority of prehistoric sites identified during this survey have been characterized as sparse, non-diagnostic lithic scatters, generally recovered from disturbed or mixed plow zone or surface contexts. From the 2006-2007 survey, only one of the 41 identified sites (12Mo1413) appeared to possess the potential to provide significant information beyond that which was recovered during the Phase Ia survey. Three others (12Mo1401, 12Mo1415, and 12Mo1430) warranted additional background research. The other 37 sites were recommended as not eligible for inclusion in the NRHP (36 CFR 60.4[d]), and no additional archaeological investigations were recommended for these sites. In 2012, previously-recorded site 12Mo1416 was considered a Contributing resource to the North Clear Creek Historic Landscape District. The results of the 2006-2007 Phase Ia archaeological survey have been incorporated into *Phase Ia Archaeological Survey of the I-69 Evansville-to-Indianapolis Study, Section 5 (from SR 37 to SR 39), Monroe and Morgan Counties, Indiana* (April 2012). (See Appendix C, Reports for a summary of the report.)

In the summer of 2012 (June-August), 41 additional sites were identified. In the fall of 2012, one additional site was identified for a total of 83 archaeological sites. The 42 newly identified sites include 29 that yielded only prehistoric artifacts, 11 that contained both prehistoric and historic artifacts, one that contained only historic artifacts, and a historic well. The results of the 2012 Phase Ia archaeological surveys have been incorporated into the *Addendum I and Addendum II: Phase Ia Archaeological Surveys of the I-69 Evansville-to-Indianapolis Study, Section 5 (from SR 37 to SR 39), Monroe and Morgan Counties, Indiana* October 26, 2012 and March 2013). (See Appendix C, Reports, for summaries of the reports.)

Of all the surveyed sites, one site is a Contributing element to the North Clear Creek Historic Landscape District (12Mo1416), but is located outside the Refined Preferred Alternative 8 right-

of-way limits. Three sites within, or in proximity to, the Refined Preferred Alternative 8 right-of-way limits are potentially eligible for listing in the NRHP (Site 12Mo1442 is located partially within the Refined Preferred Alternative 8 right-of-way; sites 12Mg456 and 12Mo1413 are located in proximity to the right-of-way). If unavoidable, the Memorandum of Agreement (MOA) provides that potentially eligible sites will be subjected to additional investigation per an approved work plan and that the report of the investigation will be submitted to SHPO for review and comment. (See Appendix J, MOA.)

Eleven sites have insufficient data for eligibility determination (12Mo1401, 12Mg467, 12Mg458, 12Mo1432, 12Mo1434, 12Mo1435, 12Mo1444, 12Mo1445, 12Mo1450, 12Mo1451, and 12Mo1452). The portions of these sites within the right-of-way limits did not contain significant archaeological deposits. Therefore, additional archaeological investigations were not recommended at these sites. The portions of sites outside the right-of-way were recommended for avoidance or additional study. There was also insufficient information regarding archaeological site 12Mg450. However, given its location, additional investigation is recommended if it cannot be avoided by the project. The remaining 67 identified archaeological sites have been recommended as not eligible for listing in the NRHP.

In addition, 19 test area locations were identified for additional investigations. Several survey areas in the northern portion of the project area, generally near Liberty Church Road, are located in broad, nearly level agricultural lands that were formed through strong glacial modification. The soils are largely glacial sediments, with soils near the streams comprised of alluvial floodplain soils. Based on the alluvial soils in these test areas, it is possible for these survey areas to contain buried cultural resources, since flooding of these areas occurs, but is typically (during modern times) of short duration. Additional investigation by a professional geomorphologist / geoarchaeologist has been recommended to further assess the probability of these alluvial areas to contain buried cultural resources. This recommended limited work should be conducted generally near three streams that extend through the Liberty Church Road area: Little Indian Creek, Jordan Creek, Buckner Branch, as well as other drainage areas in the project area (such as Beanblossom Creek and Bryant Creek). It is possible that the geoarchaeologist would identify other areas within Section 5 that would warrant additional investigation. The 19 areas recommended for additional investigation include: A11, A18a, B3, B4b, B4c, B5a, B5c, B7, B17, C2, H9, H10a, H10b, Smith Property, Shot Makers, Liberty Church Road West, Wells Field, Maxwell Barn Triangle, and Hacker Creek. It is anticipated that the Phase Ic survey, which would be developed in consultation with the DHPA, will be phased, starting with limited augering in each of these areas to assess the potential for buried deposits and the need for more intensive investigations.

In 2013, project archaeologists completed the Phase Ia survey for areas of the archaeology APE within Refined Preferred Alternative 8 that had not been surveyed. Since the Phase Ia survey of the remainder of the archaeology APE is complete, an addendum to the Phase Ia report will be submitted to SHPO with the additional survey results. At that time, project archaeologists will recommend no further work or additional investigation, which will be completed in accordance with stipulations in the MOA. (See Appendix J, MOA.)

2.2 Fullerton House

In the identification and evaluation phase of the historic resource survey in 2005, consultants recommended the Fullerton House at 4120 Fullerton Pike in Monroe County not eligible for listing in the NRHP. Consulting parties had brought the property to the attention of the consultants at the consulting party meeting held July 12, 2004; therefore, consultants asked the SHPO to visit the property during a field review on May 27, 2005. Consultant recommendations were documented in the HPR (draft June 9, 2005, and final January 9, 2008). (See Appendix C, Reports, for HPR 2008.) At the consulting party meeting held on June 27, 2005, consulting parties questioned the recommendation in the draft report. On August 1, 2005, the SHPO concurred with the “vast majority” of findings of the HPR, which had included a recommendation regarding the eligibility of the Fullerton property. Subsequently, two consulting parties submitted written comments regarding this property; therefore, at the request of FHWA, the project historians prepared an eligibility report for the property. The *Report on the Determination of Ineligibility of the Fullerton House for Listing in the National Register of Historic Places*, which recommended that the Fullerton House was not eligible for listing in the NRHP, was submitted to SHPO on April 25, 2007; on May 25, 2007, SHPO responded affirmatively to the report but suggested revisions.³ After incorporating SHPO’s suggestions, FHWA submitted a *Report on the Determination of Eligibility of the Fullerton House for Listing in the National Register of Historic Places* to the Keeper of the NRHP in June 2007. On July 27, 2007, the Keeper of the NRHP determined that the Fullerton House was not eligible for the NRHP. (See Appendix C, Reports, for the *Report on the Determination of Eligibility of the Fullerton House for Listing in the National Register of Historic Places* submitted to the Keeper of the NRHP; see Appendix D, Agency Coordination, for the response from the Keeper of the NRHP; see Appendix E, Consulting Parties, for correspondence from consulting parties regarding the property.)

2.3 2102 West Vernal Pike

Following the 2004-2005 survey, project historians recommended the Queen Anne residence at 2102 West Vernal Pike not eligible for listing in the NRHP because of a lack of integrity. Afterward, consulting parties asked for a reconsideration of eligibility. Consultants revisited the property during the September 2011 survey and conducted additional research. During a November 11, 2011 site visit, SHPO concurred that the property was not eligible for listing in the NRHP due to integrity issues, but would, however, be considered a Contributing resource in the IHSSI survey. The Section 5 historians continued to search for links that could tie the building to local architect John Nichols, but were not successful. (See Appendix C, Reports, for HPR 2008; see Appendix D, Agency Coordination for minutes of the site visit; see Appendix E, Consulting Parties, for meeting minutes; see Appendix F, Correspondence/Comments Received, for consulting party comments regarding the property.)

³ One of SHPO’s suggested revisions included renaming the document *Report on the Determination of Eligibility of the Fullerton House for Listing in the National Register of Historic Places*, a suggestion that was implemented by the authors. The Fullerton Report is referred to by both of these titles throughout this document.

2.4 3275 North Prow Road

During the 2004-2005 survey, the farmstead at 3275 North Prow Road was identified as a Non-Contributing resource because of the replacement siding, replacement windows, additions to the structure, and the presence of a modern pole barn. During the AI survey, based on consulting party comments and letters urging elevated status of the property, the property was reevaluated. On February 2, 2012, after consultation with the property owner, a project consultant visited the property to note exterior changes at the property and to update photos. (The property owner has not granted interior access.) The property owner provided some additional research material, but not the local, state, and national historic nomination forms, which were being prepared by the property owner and their consultant in the spring of 2012. Further attempts to visit the property and go inside the buildings were not successful. Project historians conducted additional research using primary sources available to them including historic maps and aerial images, U.S. Census records, and local historical texts and county histories, but were unable to find evidence supporting NRHP eligibility. The historians did, however, elevate its status to Contributing after observing only one window had been replaced and after finding it compared favorably to similar Contributing properties in the APE. SHPO concurred that the property was not eligible for listing in the NRHP due to integrity issues. (See Appendix F, Correspondence/Comments Received, for correspondence from consulting parties regarding the property.)

As part of additional research efforts, INDOT asked PMC historians to evaluate a potential expansion of the Reed Historic Landscape District to include the residential property at 3275 North Prow Road (and possibly properties located between the Reed district and 3275 North Prow Road). The phased research approach involved a review of Monroe County GIS, historic plat and topographic mapping, census records, city directories, and obituaries. Following this research, historians did not uncover any clear associations with the house at 3275 North Prow Road—or other residential housing south of 3275 North Prow Road—and the Reed Historic Landscape District. Historians recommended no further research and no change to the boundaries of the Reed Historic Landscape District. This information was conveyed to FHWA, INDOT, and SHPO in a meeting on June 6, 2012. SHPO concurred that the property was not eligible for listing in the NRHP individually or as part of the Reed Historic Landscape District. In December 2012, the Monroe County Historic Preservation Board of Review (MCHPBR) notified FHWA that the property received local designation as a “historic district, approved by the Monroe County Commissioners in accordance with the County’s historic preservation ordinance.” (See Appendix C, Reports, for the Memorandum regarding 3275 North Prow Road; see Appendix I, Correspondence/Comments Received/Transmitted Following Section 106 Review Period, for letter from MCHPBR.)

On March 14, 2013, consulting parties again questioned the eligibility of the resource and its exclusion from the Reed Historic Landscape District at a meeting held with the ACHP. At that time, the representative from the SHPO stated that a number of rationales for eligibility had been suggested but the staff did not feel that individually or collectively, the reasons rose to NRHP significance. (See Appendix K, Consultation with ACHP, for meeting minutes.)

2.5 Thomas L. Brown Elementary School

The Thomas L. Brown Elementary School (1967-1968) was identified during the 2011 AI survey as a Contributing resource. After the January 31, 2012, consulting party meeting, a consulting party asked consultants to reconsider the school for NRHP eligibility, within the context of the school consolidation movement. Project historians reviewed their research files and investigated avenues of data that were previously not examined. The consultants evaluated the property in reference to the NRHP criteria. Following this additional consideration, Thomas L. Brown School was not recommended eligible for the NRHP due to the lack of an association with significant educational or architectural trends or an association with a significant individual. Specifically, the school's construction was not tied to either county or township consolidation and it was deemed a very late example of a mid-century modern school, with no unusual distinguishing features. At the fifth consulting party meeting held with the ACHP on March 14, 2013, consulting parties again questioned the eligibility of this resource; at that time the SHPO representative stated that based on the information presented, the staff has agreed that the resources is not eligible. (See Appendix C, Reports, for AI Report; see Appendix E, Consulting Parties, for meeting minutes; see Appendix F, Correspondence/Comments Received for correspondence; Appendix I, Correspondence/Comments Received/Transmitted Following Section 106 Review, for correspondence; and Appendix K, Consultation with the ACHP, for meeting summary.)

2.6 Hardship Acquisitions

The Tier 1 ROD for the I-69 Evansville to Indianapolis project approved “the use of federal funds for property acquisition for the project to the extent that such acquisitions met the conditions for a hardship or protective acquisition, as defined in applicable FHWA regulations” (March 24, 2004, Section 2.1.8). Between February 2009 and 2012, INDOT conducted Section 106 consultation on three properties located within the Section 5 APE as part of the Hardship Acquisition Program in the Section 5 APE: 2480 State Road 37 in Martinsville (Boger Property), 750 East Chambers Pike in Bloomington (Smith Property), and 3301 Tapp Road in Bloomington (Martin Property). In addition, Section 106 consultation occurred for the following properties as part of the INDOT/FEMA effort⁴ in 2009: 3895 Old State Road 37 South in Martinsville (Chirpas Property), 3926 Old State Road 37 South in Martinsville (Huff Property), and 3920 Old State Road 37 South in Martinsville (Plummer Property).

All of the above listed property acquisitions, along with the planned demolition of the buildings thereon, were conducted in accordance with 36 CFR 800, as the actions meet the definition of *undertaking*, as per 36 CFR 800.16(y). Each project underwent individual Section 106 consultation and agency coordination and referenced the Section 5 HPR or AI Report. Section 5 consulting parties were sent documentation associated with the Section 106 process for each project and were provided the opportunity to comment.

⁴ Localized flooding the previous year damaged many properties. INDOT purchased homes from which they might need property; otherwise the FEMA purchase would have precluded any kind of future construction on those parcels.

As of summer 2012, all of the properties had been demolished with the exception of the Smith Property on Chambers Pike and the Martin Property at 3301 Tapp Road. While INDOT conducted the full Section 106 consultation for the Martin Property, the owner later withdrew his request for consideration under the Hardship Acquisition Policy after the City of Bloomington purchased the property in 2009. The Smith property was demolished in February 2013. (See Appendix G, Hardship Acquisitions, for correspondence.)

Protective Buying and Building Demolition on Future I-69, south of Liberty Church Road (parcels at 3895, 3920, and 3926 Old State Road 37; I-69 Section 5; processed under INDOT DES. No. 0900013): On February 11, 2009, the INDOT Environmental Policy Office sent the SHPO coordination materials regarding the acquisition of these parcels (letter from Ben Lawrence). INDOT's Cultural Resources Office (letter from Christopher Koepfel) sent the SHPO and all consulting parties coordination materials regarding the acquisition of these parcels on February 27, 2009. On March 16, 2009, SHPO replied that there was not enough information regarding potential archaeological resources. On March 17, 2009, SHPO sent a letter confirming that no aboveground resources are in the project area but indicated that further comment on archaeological resources would be provided once the "archaeological assessment" was completed. On April 2, 2009, INDOT sent the SHPO an "Archaeological Records Check and Phase Ia Field Reconnaissance Report Concerning Protective Buying on Future I-69 Corridor, SR 37, South of Liberty Church Road, Morgan County, Indiana, and Southwest Quadrant of SR 37 at the Intersection with Tapp Road, Monroe County, Indiana," for these parcels (Laswell 3/27/09). On April 30, 2009, SHPO sent a letter to INDOT concurring with the Archaeological Phase Ia.

On September 8, 2011, INDOT sent a letter to consulting parties re-initiating consultation for the demolition of buildings on the three properties. On October 11, 2011, SHPO concurred with an additional Archaeological Phase Ia Report, "Buildings and structures information and Indiana archaeological short report," (Moffatt 9/1/11) sent on September 8, 2011. On October 14, 2011, INDOT sent a finding of No Adverse Effect to SHPO and on October 21, 2011, published a public notice of No Adverse Effect; SHPO concurred with the finding on November 14, 2011. No other consulting parties provided any communication about these parcels. (See Appendix G, Hardship Acquisitions, for correspondence.)

Protective Buying and Building Demolition on Future I-69, Southwest Quadrant of SR 37 at the Intersection with Tapp Road (3301 Tapp Road; processed under INDOT DES. No. 0810395): On February 26, 2009, INDOT's Cultural Resources Office sent SHPO and consulting parties an Early Coordination Letter for this property. On March 27, 2009, SHPO agreed that the project area contained no aboveground properties eligible for inclusion in the NRHP. SHPO indicated that further comment on archaeological resources would be provided once the "archaeological assessment" was completed. On April 2, 2009, INDOT sent an archaeological records check and Phase Ia reconnaissance report, "Concerning Protective Buying on Future I-69 Corridor SR 37 South of Liberty Church Road, Morgan County, Indiana and Southwest Quadrant of SR 37 at the Intersection with Tapp Road, Monroe County" (Laswell 3/27/09), to SHPO. On April 30, 2012, SHPO concurred with the findings of the report and indicated that it was time to make a determination and documentation of findings.

On June 1, 2009, SHPO received FHWA's 36 CFR 800.4(d)(1) documentation of No Historic Properties Affected (dated May 27, 2009) for "Protective Buying on Future I-69, Southwest Quadrant of SR 37 at the Intersection with Tapp Road," (circa 1967, 3301 Tapp Road, Martin property). In a letter dated June 23, 2009, SHPO concurred with INDOT's finding on behalf of the FHWA, that there are no historic resources within the APE that will be affected by the project. One other consulting party commented on this property acquisition and demolition. Dr. Joanne Raetz Stuttgen, folklorist and the Morgan County Historian, replied in a letter dated March 10, 2009, that she concurred with INDOT's preliminary finding that the acquisition and demolition of this property would result in "No Historic Properties Affected." (See Appendix G, Hardship Acquisitions, for correspondence.)

Hardship Acquisition and Building Demolition on Future I-69, Boger Property located adjacent to SR 37 southwest of Martinsville and immediately north of Legendary Hills, Morgan County, Indiana (Processed under INDOT DES. No. 1005971): On December 3, 2010, INDOT sent an Early Coordination Letter to consulting parties initiating consultation. Indiana Landmarks sent a letter dated December 10, 2010, indicating that the office believed that there would be no adverse effect due to the project. The Morgan County Historian responded via email on January 5, 2011. In part, she stated that she was "in agreement that no historic properties will be affected by the demolition of this house and related buildings." She noted that the subject property was originally built and owned by a Martinsville mail carrier, Lloyd James, who also served as a local historian.

On December 14, 2010, an Archaeological Literature Review and Phase Ia Field Reconnaissance (Laswell 12/10/10) was submitted to the SHPO for review. On January 13, 2011, SHPO concurred with the report findings and with INDOT's assessment that the property did not contain any resources eligible for listing in the NRHP. On January 14, 2011, INDOT, on FHWA's behalf, signed a Findings and Determinations document and compiled the 36 CFR 800.4(d)(1) documentation of "No Historic Properties Affected" regarding the Boger Property. On February 7, 2011, SHPO agreed with these findings. (See Appendix G, Hardship Acquisitions for correspondence.)

Hardship Acquisition and Building Demolition on Future I-69, Section 5, Smith Property located adjacent to SR 37, 8.0 miles south of the SR 39 interchange with Chambers Pike, Monroe County, Indiana (750 East Chambers Pike; processed under INDOT DES. No. 1173066): On July 1, 2011, INDOT sent an Early Coordination Letter initiating consultation. The Morgan County Historian responded on July 11, 2011. In part, she stated that she concurred with the determination of "No Historic Properties Affected." She made a comment about the nearby log house (IHSSI No. 105-417-05028). On July 27, 2011, MCHPBR responded. The letter expressed discouragement at the loss of 750 East Chambers Pike and pointed out a property across the road (SR 37), which had recently become over 50 years old. The MCHPBR encouraged INDOT to evaluate this ranch house at 9125 North Mann Road, as part of the I-69 Section 5 studies. On August 1, 2011, SHPO responded with agreement that the house at 750 East Chambers Pike is not eligible for listing in the NHRP, but indicated that it would be prudent to defer determinations until after all "prerequisite steps of the process have been completed" to identify resources (including archaeological). On August 5, 2011, an Archaeological Short Report (Moffatt 8/4/11) was submitted to the SHPO for review. The SHPO concurred with the

report conclusions in a letter dated August 26, 2011. (See Appendix G, Hardship Acquisitions, for correspondence.)

On August 17, 2011, INDOT sent a letter to consulting parties indicating that the Section 106 process for the demolition of the Smith Property was being put on hold because I-69 Section 5 consultants were completing an AI study in late 2011. On February 28, 2012, INDOT sent a letter to SHPO, and copied the consulting parties mentioned above, indicating that the demolition of the Smith property was ready to proceed, as the AI study was completed. Through the letter, INDOT advised SHPO of its determination of “No Historic Properties Affected” for the undertaking. On March 23, 2012, SHPO concurred with INDOT’s findings. In February 2013, the Smith Property was demolished. (See Appendix G, Hardship Acquisitions, for correspondence.)

2.7 Timeline of Consultation

May 18, 2004	FHWA sent a letter and response card to potential consulting parties, including thirteen Native American Tribes, inviting them to participate as consulting parties for Tier 2. The letter directed invitees to the Advisory Council on Historic Preservation (ACHP) website to obtain more information about the Section 106 process.
May-June 2004	FHWA received postcard responses from prospective consulting parties.
June 23, 2004	Map of the Section 5 APE sent to the SHPO for review.
June 25, 2004	Invitations sent to responding consulting parties having an identified interest in the Section 5 project area notifying them of the first scheduled Section 5 consulting party meeting. A map of the APE and a list of potentially eligible properties identified in the Tier 1 study were included with each invitation.
July 1, 2004	Section 5 Project Office held a general open house, at which visitors were advised of the Section 106 process and encouraged to take a copy of the booklet, “Protecting Historic Properties – A Citizen’s Guide to Section 106 Review.”
July 7, 2004	SHPO provided feedback on the proposed APE and requested some modifications.
July 13, 2004	First consulting party meeting held in the Section 5 Project Office.
August 12, 2004	Minutes of first consulting party meeting mailed to consulting parties.
August 12, 2004	Tier 2 coordination continued with the SHPO: SHPO representative(s) attended the first Tier 2 environmental resource agency coordination

- meeting, to which representatives of all Tier 2 project sections and participating government agencies were invited.
- December 8, 2004** Letter sent to the DHPA/SHPO requesting the de-listing of the Hastings Schoolhouse in Monroe County (demolished due to tornado damage).
- January 28, 2005** National Register Weekly List 01/28/2005, email, including announcements and actions on properties for the NRHP, indicated the Hastings Schoolhouse had been removed from the NRHP as of June 1, 2004.
- February 7, 2005** Meeting held with the state archaeologist at SHPO to define what constitutes aboveground versus archaeological resources as related to limestone quarries.
- February 9, 2005** Additional information regarding APE sent to SHPO.
- February 15, 2005** Meeting held with SHPO staff. Discussion items included integrity as it pertained to limestone-related resources and the formatting of the Draft HPR.
- February 23-24, 2005** Coordination with the SHPO continued via the second environmental resource agency coordination meeting attended by all Tier 2 project sections.
- May 25, 2005** SHPO sent letter concurring with the APE.
- May 27, 2005** Consultation occurred with SHPO during a field trip to selected resources, including the Fullerton House and Vernia Mill site within the Section 5 APE.
- June 9, 2005** FHWA invited consulting parties to attend the second consulting party meeting to discuss Findings of Eligibility. Materials provided to consulting parties along with the invitation included: executive summary of the Draft HPR, descriptions of eligible properties, table listing all surveyed properties, and map showing the location of the Section 5 project office. Consulting parties were informed that the Draft HPR was available for review at the Section 4, Section 5, and Section 6 project offices.
- June 9, 2005** Draft HPR documenting the methodology and findings of eligibility as part of the Section 106 process for the Section 5 Tier 2 Study sent to SHPO.
- June 27, 2005** Second consulting party meeting held at the Section 5 Project Office.
- July 14, 2005** PMC requested concurrence from SHPO regarding the NRHP eligibility of Morgan County Bridge No. 224.

- July 15, 2005** Minutes of second consulting party meeting mailed to consulting parties.
- August 1, 2005** SHPO responded to the Draft HPR with suggestions and points of clarification.
- August 16, 2005** SHPO concurred with the NRHP eligible status of Morgan County Bridge No. 224.
- August 25, 2005** Response sent to SHPO addressing questions and clarifying issues raised in the August 1, 2005 letter on the Draft HPR.
- November 11, 2005** PMC sent letter to Christie Kiefer at the Division of Water, Environmental Unit, IDNR regarding Purpose and Need submission.
- December 1, 2005** Coordination meeting held with SHPO to discuss the cemeteries, I-69 schedule, Phase Ia cultural management summaries, and status of the Phase Ic and II work plans.
- December 16, 2005** SHPO sent letter regarding the Purpose and Need submission, received from Division of Water, Environmental Unit, IDNR on November 23, 2005.
- January 9, 2006** SHPO field review held to assess preliminary project effects on historic resources and cemeteries; members also viewed the Daniel J. and Nancy M. Stout property.
- February 6, 2006** Draft *Phase Ia Archaeological Investigations Archaeological Records Review* sent to SHPO.
- March 13, 2006** SHPO requested additional information and clarification regarding Archaeological Records Review report.
- November 15, 2006** Meeting held with SHPO to discuss Alternatives 4 and 5 relative to Monroe County Bridge No. 913 and Morgan County Bridge No. 161, Maple Grove Road Rural Historic District, and Fullerton House Eligibility Evaluation.
- April 25, 2007** The *Report on the Determination of Ineligibility of the Fullerton House for Listing in the National Register of Historic Places* transmitted to SHPO for review.
- May 25, 2007** SHPO sent letter concurring with the conclusion of the *Report on the Determination of Ineligibility of the Fullerton House for Listing in the National Register of Historic Places* that the Fullerton House is not eligible for the NRHP but suggested revisions before sending it to the Keeper of the NRHP (including changing the report name from *Ineligibility* to *Eligibility*).

- June 12, 2007** FHWA sent *Report on the Determination of Eligibility of the Fullerton House for Listing in the National Register of Historic Places* to the Keeper of the NRHP.
- July 27, 2007** Keeper of the NRHP responded to FHWA's formal request and agreed that the Fullerton House is not eligible for the NRHP.
- April 30, 2008** Letter transmitted to SHPO and consulting parties that included a copy of the revised HPR for comment and review.
- May 30, 2008** SHPO sent letter concurring with the findings of the HPR.
- August 19, 2011** Methodology for the AI survey and APE revisions sent to SHPO.
- September 14, 2011** SHPO meeting held to discuss the revision to the APE and methodology of survey for the AI study.
- September 28, 2011** SHPO sent letter stating that the APE additions were "appropriate" and that the office was "satisfied with proposed methodology."
- November 10, 2011** SHPO, INDOT, and FHWA held a field review of selected resources within the Section 5 APE.
- January 6, 2012** SHPO sent letter requesting the addition of Robert Bernacki as a consulting party.
- January 11, 2012** Meeting and field visit held with SHPO, INDOT, FHWA to discuss potential historic landscape districts.
- January 13, 2012** AI Report delivered to SHPO.
- January 13, 2012** FHWA sent letter inviting consulting parties, including SHPO, to the third consulting party meeting to be held on January 31, 2012. Consulting parties were given a CD copy of the AI Report with the invitation.
- January 24, 2012** The *Consideration of and Findings regarding Dimension Limestone Resources within the I-69 Section 5 Area of Potential Effects* delivered to the SHPO and to consulting parties.
- January 31, 2012** Third consulting party meeting held to discuss APE revisions, the AI survey, the listed and eligible properties, and *Consideration of and Findings regarding Dimension Limestone Resources*.
- February 13, 2012** The third consulting party meeting minutes mailed to consulting parties.
- February 17, 2012** Email and letter sent to consulting parties confirming the correct address of the Section 5 Project Office in Bloomington.

- February 20, 2012** Draft *Phase Ia Archaeological Survey of the I-69 Evansville-to-Indianapolis Study, Section 5 (from SR 37 to SR 39), Monroe and Morgan Counties, Indiana* sent to SHPO.
- February 20, 2012** SHPO concurred with the AI Report and *Consideration of and Findings regarding Dimension Limestone Resources*.
- April 5, 2012** SHPO commented on *Phase Ia Archaeological Survey*.
- April 9, 2012** FHWA invited SHPO and consulting parties to the fourth consulting party meeting.
- April 18, 2012** Revised *Phase Ia Archaeological Survey* submitted to SHPO.
- April 23, 2012** Transmittal letter sent to those owners of listed and eligible properties along with a CD copy of the *Identification of Effects Report*.
- April 23, 2012** Transmittal letter sent to consulting parties, including SHPO, along with a CD copy of the *Identification of Effects Report*.
- April 23, 2012** FHWA signed *Findings and Determinations, Area of Potential Effects and Eligibility Determinations*.
- May 10, 2012** Fourth consulting party meeting held to discuss the effects of the undertaking on historic properties.
- May 14, 2012** SHPO sent letter concurring with the Archaeology report, *Phase Ia Archaeological Survey*.
- May 23, 2012** SHPO sent letter concurring with most findings of the *Identification of Effects Report*; questioning the finding of adverse effect for Alternatives 4 and 5.
- May 24, 2012** Minutes from fourth consulting party meeting mailed to consulting parties.
- June 6, 2012** Meeting held with SHPO, INDOT, FHWA, and PMC to discuss project alternatives and effects of those alternatives on North Clear Creek Historic Landscape District.
- July 12, 2012** SHPO sent concurring that “effects of alternatives 4 and 5 would be adverse.”
- August 7, 2012** Agency coordination occurred with SHPO to discuss Preferred Alternative 8.
- October 11, 2012** FHWA signed *Modified Findings and Determinations, Eligibility Determinations and Effects* document.

- October 26, 2012** I-69 Evansville to Indianapolis: Tier 2 Studies Section 5, SR 37 South of Bloomington to SR 39 *Draft Environmental Impact Statement* published in the Federal Register.
- October 26, 2012** 800.11(e) documentation (36 CFR 800.6[a][3]) delivered to the SHPO.
- October 26, 2012** FHWA sent letter to consulting parties requesting comments on the 800.11(e) documentation (36 CFR 800.6[a][3]), which was included electronically on a CD.
- October 26, 2012** *Addendum I: Phase Ia and Ib Archaeological Survey* sent to SHPO.
- October 27, 2012** Legal notice of Section 106 effect findings, including the finding of Adverse Effect, posted in the *Bloomington Herald-Times* and the *Martinsville Reporter Times*. The public was afforded thirty (30) days to respond.
- November 19, 2012** SHPO sent letter responding to *Addendum I: Phase Ia and Ib Archaeological Survey*.
- November 21, 2012** SHPO sent letter to FHWA concurring with FHWA's Finding of Adverse Effect.
- November 28, 2012** Comment period ended on the 800.11(e) documentation (36 CFR 800.6[a][3]).
- December 10, 2012** Draft MOA transmitted to SHPO.
- December 17, 2012** SHPO provided comments on draft MOA.
- January 2, 2013** SHPO provided written concurrence on Draft Environmental Impact Statement (DEIS).
- January 22, 2013** *Addendum II: Phase Ia Archaeological Survey* submitted to the SHPO.
- January 30, 2013** FHWA sent letter to SHPO regarding the private-property tree cutting at North Clear Creek Historic Landscape District.
- February 1, 2013** SHPO responded that tree cutting at North Clear Creek Historic Landscape District does not have an Adverse Effect on the district.
- February 4, 2013** FHWA transmitted 800.11(e) documentation and public and consulting party comments to ACHP.
- February 11, 2013** FHWA sent follow-up email and letter to ACHP. ACHP received invitation to join in consultation, notification of Finding of Adverse Effect on archaeological resources, and notification that consulting parties have

- disagreed with the finding of No Adverse Effects on aboveground resources.
- February 12, 2013** FHWA sent SHPO and consulting parties concurrent notification of objections to the finding and draft MOA.
- February 20, 2013** SHPO provided specific comments on the *Addendum II: Phase Ia Archaeological Survey* report.
- February 21, 2013** SHPO provided specific editorial comments on the wording of the draft MOA.
- February 22, 2013** SHPO formally commented on content of the draft MOA.
- February 26, 2013** ACHP informed FHWA that it will participate in consultation under Section 106 to develop a MOA.
- March 8, 2013** Consulting parties invited to meeting at the Section 5 project office to meet with ACHP's representative.
- March 8, 2013** SHPO sent letter stating that the agency is "satisfied with the responses by INDOT and FHWA to our January 2, 2013, comments on the DEIS."
- March 12, 2013** Revised *Addendum II: Phase Ia Archaeological Survey* report transmitted to SHPO.
- March 13, 2013** ACHP, SHPO, FHWA, INDOT and its consultants conducted a field review of properties on which the consulting parties objected to the finding and/or eligibility.
- March 14, 2013** Fifth consulting party meeting held at Section 5 Project Office; ACHP in attendance.
- March 26, 2013** Revised draft MOA and March 14, 2013 meeting minutes sent to consulting parties and ACHP for review.
- April 9, 2013** SHPO sent comment letter regarding revisions to the meeting summary and revisions to the draft MOA.
- April 9, 2013** SHPO commented formally on the Revised *Addendum II: Phase Ia Archaeological Survey* report (March 12, 2013).
- April 15, 2013** ACHP sent comment letter regarding revisions to the meeting summary and revisions to the draft MOA.
- April 23, 2013** Electronic version of MOA distributed to required and invited signatories.
- April 23, 2013** FHWA requested written concurrence with the finding from ACHP.

- April 29, 2013** FHWA distributed MOA to Monroe County for signature (via email and post); INDOT hand-delivered MOA to SHPO for signature.
- May 6, 2013** FHWA distributed MOA to ACHP for signature (via email and post).
- May 9, 2013** MOA executed: all parties have signed.
- May 9, 2013** ACHP provided written concurrence with the No Adverse Effect finding at North Clear Creek Historic Landscape District.
- May 13, 2013** FHWA invited consulting parties to sign the executed MOA as concurring parties.

2.8 Consulting Parties

In accordance with Section 106 requirements, the general public, local governments, recognized Native American Tribes with an interest in the area, and members of the community knowledgeable about its history were invited to consult on this project. All consulting parties from the Tier 1 EIS were invited to become consulting parties in the Section 5 Tier 2 Study. In addition, a brochure about the Section 106 consulting party process (“A Citizen’s Guide to Section 106”) was made available to persons visiting the Section 5 project office or attending project-related meetings. Also, representatives of organizations with an interest in historic properties as well as representatives of local governmental bodies were invited to become consulting parties.

Identification of Consulting Parties: In mid-May 2004, the Section 5 project team, composed of the section consultant and the PMC, began identifying potential Section 106 consulting parties for Section 5. The Tier 1 list of consulting parties included individuals, representatives of government jurisdictions, Native American tribes, and representatives of various historic groups and other organizations that had an interest in historic resources in the Tier 1 twenty-six-county Study Area. This list formed the basis for identifying those with an interest in consulting party status for the Tier 2 Section 5 study. In addition, the consultants identified others located in the Section 5 study area and who might have an interest in participating as consulting parties. On May 18, 2004, in compliance with Section 106, letters were sent to these potential consulting parties, including Native American Tribes and the SHPO.

In addition to the SHPO, affirmative initial responses were received from the Prairie Band Potawatomi Nation, the Peoria Tribe of Indians of Oklahoma, the Delaware Nation, the Shawnee Tribe of Oklahoma, and the Miami Tribe of Oklahoma. Representatives of the following organizations also agreed to be consulting parties: Bloomington Restorations, Inc.; Citizens for Appropriate Rural Roads (CARR); City of Mitchell (Mayor); Hoosier Environmental Council; Historic Landmarks Foundation of Indiana (now Indiana Landmarks) Central, Western Regional, and Southwest offices; MCHPBR; Morgan County Historian; Owen County CARR; Owen County Preservations, Inc.; and Traditional Arts Indiana. The following organizations were also added to the consulting party list: Morgan County Commissioner; Morgan County Historic Preservation Society; Wabash & Ohio Chapter of the Society for Industrial Archaeology; and

Ms. Pauline Spiegel. (See Appendix E, Consulting Parties, for invitation and postcard responses.)

The Section 106 process requires coordination with recognized Native American tribes with an interest in the project area. From the list of consulting parties who participated in the Tier 1 Study, thirteen tribes were identified and included in the invitations to become consulting parties in Section 5. The tribes mentioned in the above paragraph responded affirmatively to the invitation. (See Appendix E, Consulting Parties, for invitation and postcard responses.)

Joanne Stuttgart requested that she be removed as a consulting party representing Traditional Arts Indiana on June 21, 2010. (See Appendix E, Consulting Parties, for correspondence.)

In September 2011, as the additional information survey commenced, the consulting parties list was updated to account for changes in organizational staffing and turnover. As a result, the following people and organizations were added to the list: Jesse Kharbanda replaced Tim Maloney as the executive director of the Hoosier Environmental Council; Dr. James Glass replaced Jon Smith as Deputy SHPO; John Carr and Dr. James R. Jones remained as staff contacts for the IDNR/SHPO; Cheryl Ann Munson replaced Sharon McKeen as the representative for the MCHPBR; Erin Shane replaced Mark Yates as the county planner for the MCHPBR; Joanne Stuttgart, formerly a consulting party for Traditional Arts Indiana, replaced Joseph E. Mills, III, as the representative for the Morgan County Historic Preservation Society; Jon Kay replaced Joanne Stuttgart as the representative for Traditional Arts Indiana; and William McNiece replaced Bob Bernacki as the representative for the Wabash & Ohio Chapter of the Society for Industrial Archaeology.

Additional parties were added to the list during the AI study and representatives of organizations were changed. On January 6, 2012, SHPO recommended that Robert Bernacki be added as a consulting party due to his interest in industrial archaeology; Mr. Bernacki was added to the list at that time. In January 2012, Nancy Hiestand, a program manager for the City of Bloomington's Housing and Neighborhood Development department, was added as a consulting party after an email request. On January 29, 2012, Kharbanda requested that Tim Maloney continue as the authorized representative of Hoosier Environmental Council. On February 24, 2012, Maloney, the Senior Policy Director, officially requested to be added back to the consulting party list. In April 2012, at the direction of INDOT, Dr. James Cooper and Paul Brandenburg (Historic Spans Taskforce) were added as consulting parties due to their expertise in historic bridges. (See Appendix F, Correspondence/Comments Received.)

In May 2012, Devin Blankenship replaced Cheryl Ann Munson as chairperson of the MCHPBR and its official representative, and Jackie Scanlan replaced Erin Shane as staff to the board. (At the direction of Blankenship, Munson continued to consult on this project on behalf of the MCHPBR until Duncan Campbell became the authorized board representative in March 2013. Munson consulted thereafter but not as a representative of the board.) Debby Reed and Steve Reed were added as consulting parties upon written request on May 11, 2012. (See Appendix E, Consulting Party Coordination.)

After FHWA sent the 800.11(e) documentation to consulting parties on October 26, 2012, the Honorable Gary L. Pruet was elected Mayor of Mitchell, Indiana and replaced Dan Terrell as the consulting party representative for the city; and Dr. James Glass resigned as deputy director of the DHPA and staff functioned as the representative for this project. In February 2013, Nancy Hiller, the new acting chairperson of the MCPHBR, replaced Devin Blankenship.

2.9 Consulting Party Meetings

First Consulting Party Meeting: On May 18, 2004, FHWA invited consulting parties to the first consulting party meeting for Section 5. The meeting was held on July 13, 2004, at the Section 5 Project Office (Bloomington, IN) to discuss the Section 106 process, review and obtain comments on the APE, and share information about the potential for historic properties within the APE. Representatives of FHWA, INDOT and its consultants, SHPO, and representatives from seven other consulting parties attended the meeting. The team presented an overview of the Section 106 process and reviewed the four primary steps including initiating the process, identifying and evaluating historic properties, assessing the effects of the undertaking on historic properties, and resolving adverse effects to historic properties. The consultants presented information about the current efforts, including preparation of the historic context.

The consultants described the APE and some of the potentially-eligible resources within the APE. Consulting parties were then asked to comment on the APE and the list of potentially eligible properties developed during the Tier 1 study. Specifically, consulting parties discussed the Fullerton House and the Hastings Schoolhouse. Several voiced concerns over the protection of historic cemeteries. Some were interested in the design of the new highway, but those concerns were directed to other meetings. One consulting party asked about noise studies and was told that all appropriate studies will be conducted and evaluated within the guidelines of INDOT's noise policy. Other comments concerned potential historic districts in the APE and the *Phase Ia Archaeological Survey*. The first consulting party meeting concluded with statements from FHWA regarding next steps, which would include another consulting party meeting after resources had been identified. (See Appendix E, Consulting Parties.)

Second Consulting Party Meeting: On June 9, 2005, FHWA invited consulting parties to a second meeting held on June 27, 2005, at the Section 5 Project Office in Bloomington. The purpose of the second consulting party meeting was to discuss the Draft HPR prepared by Section 5 historians. In preparation for the meeting, consulting parties were sent a packet of information that included an executive summary of the Draft HPR, descriptions of eligible properties, a table listing all surveyed properties and a map showing the location of the Section 5 project office. Consulting parties were informed that the Draft HPR was available for review at Section 4, 5, and 6 project offices. (See Appendix E, Consulting Parties.)

In attendance were representatives of FHWA, INDOT and its consultants, SHPO, six additional consulting parties, and a representative of Indiana Limestone Heritage Parks. Historians presented the methodology for drafting the HPR, including establishing the APE and identifying properties, followed by the results of the Section 5 identification and evaluation efforts, which included the evaluation of properties within the APE and preparation of the Draft HPR. The consultants identified two NRHP-listed and four NRHP-eligible properties within the APE.

Regarding archaeology, it was explained that a literature review had been initiated, and an archaeological (Phase Ia) field survey would be conducted as part of the Section 106 process beginning in the spring of 2006. (See Appendix E, Consulting Parties.)

The presentation concluded with a request for consulting party comments on the Draft HPR. Several comments pertaining to the NRHP-eligibility of properties were received. (See Appendix E, Consulting Parties.)

Third Consulting Party Meeting: On January 13, 2012, FHWA invited consulting parties to attend the third consulting party meeting to be held on January 31, 2012, at the McCloskey Room (City Hall Complex, 401 North Morton Street, Bloomington). The purpose of the third meeting was to provide an update on Section 106 efforts and to present the findings of recently transmitted electronic copies of the AI Report and the *Consideration of and Findings regarding Dimension Limestone Resources with the I-69 Section 5 Area of Potential Effects*. In attendance were five consulting parties, SHPO, and representatives of FHWA, and INDOT with its consultants. (See Appendix E, Consulting Parties.)

The team outlined work previously completed on the HPR, discussed the need for the AI Report, explained the expanded APE, and discussed changes to properties within the APE since the 2004-2005 survey. The consulting parties asked questions about the APE and the properties that had been demolished since the 2008 HPR. The project team presented findings of the AI Report and noted that historians identified two NRHP-listed properties, four bridges determined to be eligible for the NRHP by the Indiana Statewide Historic Bridge Inventory, and two other individually NRHP-eligible properties. The consulting parties had no questions regarding the AI Report. The team presented the findings regarding dimension limestone industry. Three distinct historic landscape districts were discussed, all of which were recommended as eligible for listing in the NRHP. Consulting parties questioned the proposed boundaries for the historic landscape districts, especially where the proposed districts fall outside the limits of the APE. The consulting parties questioned the resources surveyed within the proposed historic landscape districts. Regarding archaeology, the team provided an overview of the *Phase Ia Archaeological Survey*. A portion of the work had been completed; the remainder was scheduled to be completed in 2012. There were no questions regarding the archaeological investigation. The presentation concluded with a request for consulting party comments on the documents discussed at the meeting. (See Appendix E, Consulting Parties.)

Several comments pertaining to specific resources were directed to project consultants. Examples of these resources included the Parks School on Acuff Road, the stone walls along Bell Road, the remains of Stout Mill, the house at 2102 West Vernal Pike, and ranch homes along Arlington Road. There were questions about the NRHP eligibility and Contributing status of various properties. (See Appendix E, Consulting Parties.)

Fourth Consulting Party Meeting: On April 9, 2012, FHWA invited consulting parties to attend the fourth consulting party meeting to be held on May 10, 2012, at the Holiday Inn Express in Bloomington (117 South Franklin Road). The purpose of the fourth meeting was to provide an update on Section 106 efforts and to discuss the effects of the proposed undertaking on identified historic resources within the Section 5 APE, as detailed in the *Identification of Effects Report*,

mailed to consulting parties and property owners on April 23, 2012. The meeting was also used to address comments and concerns to various resources within the APE. In attendance were SHPO, four additional consulting parties, four property owners, one member of the public, and representatives of FHWA, INDOT and its consultants. (See Appendix E, Consulting Parties.)

The team outlined the present status of the Section 106 process, including a brief recap of the steps of the Section 106 process, previous reports, and consulting party meetings. The project consultants discussed the Thomas L. Brown School, recommended as Contributing to the historic fabric of Monroe County but not NRHP-eligible; and 3275 North Prow Road, recommended as Contributing but not eligible for the NRHP. The project team described the effects of various proposed project alternatives on the eleven NRHP-listed or NRHP-eligible properties within the APE, including the Daniel Stout House, Maple Grove Road Rural Historic District, Monroe County Bridge No. 83, Stipp-Bender Farmstead, Maurice Head House, North Clear Creek Historic Landscape District, Hunter Valley Historic Landscape District, Reed Historic Landscape District, Monroe County Bridge No. 913, Morgan County Bridge No. 161, and Morgan County Bridge No. 224. (See Appendix E, Consulting Parties.)

Regarding archaeology, the team provided a summary of archaeological findings to date and explained that more survey studies would begin in June 2012. Project archaeologists had completed the *Phase Ia Archaeological Survey* report in which 41 sites were identified, one of which required additional investigation. Cheryl Ann Munson, former representative of the MCHPBR, asked about a site containing Woodland Pottery. (See Appendix E, Consulting Parties.)

After the formal presentation concluded, several consulting parties asked questions. Ms. Munson inquired about the alternatives chosen for the corridor, about the construction of a wall or concrete barrier next to the North Clear Creek and Maple Grove Road districts, and about barriers in general. Munson inquired about the use of tree buffers in the vicinities of Maple Grove Road Rural Historic District, Maurice Head House, Stipp-Bender Farmstead, and the limestone districts and about acquiring property to serve as a buffer. Nelson Shaffer, member of the public, asked about wetland mitigation; and John Carr, INDR/SHPO, asked about the target date for completing Section 106. (See Appendix E, Consulting Parties.)

Fifth Consulting Party Meeting: On March 8, 2013, consulting parties were invited to attend a fifth consulting party meeting to be held on March 14, 2013, at the Section 5 Project Office in Bloomington. The purpose of the fifth consulting party meeting was to provide an opportunity for consulting parties to meet with the ACHP's representative to discuss consulting parties' objections to the finding of No Adverse Effect on aboveground resources for this project. In attendance were the ACHP, SHPO, four additional consulting parties, and representatives of FHWA, as well as INDOT and its consultants. (See Appendix K, Consultation with the ACHP.)

The team outlined the present status of Section 106 consultations and discussed that the MOA that has been prepared to address Tier 1 Stipulations and potential effects on archaeological resources. Carol Legard, the representative of the ACHP, was introduced. Consulting parties asked that drainage issues (volume and water quality) as they relate to historic resources, especially quarries, be addressed in the MOA. They further asked for the use of blocks of

limestone as design elements along the undertaking. FHWA and its consultants spoke about safety concerns associated with the use of limestone landscaping/barrier treatments. The group agreed to give consideration to the use of limestone as treatment for bridges and community “gateways” in the MOA. (See Appendix K, Consultation with the ACHP.)

Consulting parties questioned the eligibility of two resources: Thomas Brown School and the house at 3275 North Prow Road. Project consultants reviewed the efforts that had been undertaken to consider the comments of consulting parties regarding eligibility on both properties. Carol Legard said since the SHPO agreed with eligibility and that comments of consulting parties had been taken into consideration, the ACHP was satisfied that the process was followed. (See Appendix K, Consultation with the ACHP.)

Consulting parties said that they did not think the stipulation in the draft MOA providing for a brochure on the dimension limestone industry was appropriate mitigation since there was a similar brochure already. Consulting parties favored a tour of quarrying properties and a Multiple Property Listing for the dimension limestone industry as educational mitigation. It was decided to revise the MOA to remove the stipulation of the brochure and to include new stipulations. (See Appendix K, Consultation with the ACHP and Appendix J, MOA.)

2.10 Consultation with the Advisory Council on Historic Preservation

Section 106 of the NHPA requires federal agencies to take into account the effects of their undertakings on historic properties and afford the ACHP a reasonable opportunity to comment on such undertakings (36 CFR 800.1(a)).

In a letter dated February 4, 2013 (and received February 11, 2013), FHWA notified the ACHP of the finding of Adverse Effect (due to the fact that the undertaking’s effect on archaeological resources is not yet known) for Section 5 of the I-69 undertaking. As per 36 CFR 800.6(a)(1), the agency provided documentation of the finding dated October 26, 2012, as specified in 36 CFR 800.11(e) (this document) and a draft MOA .

Consulting parties had disagreed in writing with the agency’s finding of No Adverse Effect for aboveground resources. Therefore, as per 36 CFR 800.5(c)(2), on February 4, 2013, the agency requested the ACHP review the finding and to provide comments as to whether the criteria of adverse effect had been correctly applied. On February 11, 2013, FHWA forwarded an additional consulting party letter objecting to the finding of effect to the ACHP. On February 12, 2013, project consultants notified the consulting parties that the submission had been made to the ACHP. FHWA also provided SHPO and consulting parties with a copy of the draft MOA that had been revised incorporating comments of SHPO from December 17, 2012. (See Appendix K, Consultation with the ACHP.)

On February 26, 2013, the ACHP responded that it would “participate in consultation under Section 106 of the National Historic Preservation Act (16 USC 470[f]) to develop a Memorandum of Agreement for the proposed project.” (See Appendix K, Consultation with the ACHP.)

On March 8, 2013, project consultants invited consulting parties to attend the fifth consulting party meeting to be held on March 14, with the ACHP in attendance. On March 13, 2013, the ACHP, SHPO, INDOT, FHWA, and project consultants conducted a field review of those properties on which consulting parties had objected to the finding. On March 14, 2013, the representative of the ACHP met with consulting parties, SHPO, FHWA, INDOT and its consultants to discuss objections to the finding and potential stipulations in the draft MOA. FHWA and INDOT took the comments from the consulting party meeting into consideration and revised the MOA. On March 26, 2013, the revised draft MOA was circulated to consulting parties with a copy of the meeting summary from March 14, 2013. On April 9, 2013, SHPO responded to FHWA that it had “no recommendations to offer on the latest draft MOA.” (See Appendix K, Consultation with the ACHP.)

The ACHP responded to the March 26, 2013 meeting summary and revised draft MOA in a letter dated April 15, 2013. In it, ACHP expressed general appreciation with the opportunities provided to consulting parties to share their concerns. The ACHP indicated that “the revised MOA accurately reflects our understanding of changes agreed upon as a result of these discussions.” They provided suggested revisions to the MOA, including correction of a typographical error, clarification of language within clauses and stipulations to clarity and intent. (See Appendix K, Consultation with the ACHP and Appendix J, MOA.)

On April 23, 2013, FHWA transmitted a letter to ACHP to formally notify the latter of the “No Adverse Effect” determination for the North Clear Creek Historic Landscape District. The letter requested the ACHP provide written concurrence of the finding. It also indicated that after receiving ACHP’s concurrence with the finding, FHWA intends to make a *de minimis* impact finding for the property under Section 4(f). (See Appendix K, Consultation with the ACHP.)

Project consultants sent an electronic copy of the MOA to the signatories and invited signatories on April 23, 2013. The email requested careful consideration of the provided text, and noted a paper copy of the MOA, for signature, would be delivered shortly. The MOA was distributed to the ACHP on May 6, 2013 via email and post.

The ACHP returned a signed copy of the MOA under a letter dated May 9, 2013. The ACHP stated, “By carrying out the terms of the Agreement, you will fulfill your responsibilities under Section 106 of the National Historic Preservation Act and the regulations of Advisory Council on Historic Preservation.” In addition, the ACHP commended FHWA “for working with the consulting parties and the Indiana [SHPO] to resolve the concerns raised by consulting parties, and address the effects of the I-69, Tier 2, Section 5 Project on historic properties.” The MOA was executed on May 9, 2013. The MOA was distributed to consulting parties on May 13, 2013. (See Appendix K, Consultation with the ACHP and Appendix J, MOA.)

The ACHP concurred with the finding of “No Adverse Effect” for the North Clear Creek Historic Landscape District in a letter dated May 9, 2013. (See Appendix K, Consultation with the ACHP.)

3.0 DESCRIPTION OF HISTORIC PROPERTIES

The HPR (2008) identified two properties listed in the NRHP, the Daniel Stout House (NRHP, 1973) and the Maple Grove Road Rural Historic District (NRHP, 1998), and recommended five others as eligible for listing in the NRHP: the Stipp-Bender Farmstead; the Philip Murphy-Jonas May House *since demolished*; Monroe County Bridge No. 913 (NBI No. 5300130); Morgan County Bridge No. 161 (NBI No. 5500125); and the Morgan County Bridge No. 224 (NBI No. 5500142). (See Appendix C, Reports.)

Research for the AI Report (2012) found that the Philip Murphy-Jonas May House was no longer extant and revealed that the Murphy-May house had collapsed and the building remains removed and stored by the property owner. In addition, research revealed that the *Indiana Historic Bridge Inventory* had determined Monroe County Bridge No. 83 (NBI No. 5300061) eligible for listing in the NRHP. The AI Report included the Maurice Head House as eligible for inclusion in the NRHP, as a result of it being previously determined eligible in the I-69 Evansville to Indianapolis Tier 2 Studies: Section 4. Subsequent to the AI Report, the *Consideration of and Findings Regarding Dimension Limestone Resources within the I-69 Section 5 Area of Potential Effects* was published and recommended three historic landscape districts as eligible for listing in the NRHP: Hunter Valley, Reed, and North Clear Creek historic landscape districts. (See Appendix C, Reports.)

At the time of this publication, there are two properties listed in the NRHP, four previously determined eligible in the *Indiana Historic Bridge Inventory*, one property previously determined eligible in the Section 4 study and as part of the identification and evaluation efforts for this undertaking, FHWA has determined three historic landscape districts and one other individual resource eligible for listing in the NRHP.

In regard to archaeological sites, 41 sites were identified during the 2006-2007 survey effort. In the summer of 2012 (June-August), 41 additional sites were identified. In the fall of 2012, one additional site was identified for a total of 83 archaeological sites. Of all the surveyed sites, one site is a Contributing element to the North Clear Creek Historic Landscape District (12Mo1416), but is located outside the Refined Preferred Alternative 8 right-of-way limits. Three sites within, or in proximity to, the Refined Preferred Alternative 8 are potentially eligible for listing in the NRHP (Site 12Mo1442 is located partially within the Refined Preferred Alternative 8 right-of-way; sites 12Mg456 and 12Mo1413 are located in proximity to the right-of-way). If unavoidable, the sites that are potentially eligible will be subject to additional investigation per a work plan submitted to the SHPO. A report of the investigation will be submitted to SHPO for review and comment. (See Appendix C, Reports and Appendix J, MOA.)

Eleven sites have insufficient data for eligibility determination (12Mo1401, 12Mg467, 12Mg458, 12Mo1432, 12Mo1434, 12Mo1435, 12Mo1444, 12Mo1445, 12Mo1450, 12Mo1451, and 12Mo1452). The portions of these sites within the Refined Preferred Alternative 8 right-of-way limits did not contain significant archaeological deposits. Therefore, additional

archaeological investigations were not recommended at these sites. The portions of sites outside the right-of-way were recommended for avoidance or additional study. There was also insufficient information regarding archaeological site 12Mg450. However, given its location, additional investigation is recommended if it cannot be avoided by the project. The remaining 67 identified archaeological sites have been recommended as not eligible for listing in the NRHP. In addition, 19 test area locations were identified for additional investigation. (See Appendix C, Reports.)

In 2013, project archaeologists completed the Phase Ia survey for any areas of the archaeology APE within Refined Preferred Alternative 8 that had not been surveyed. Since the Phase Ia survey of the remainder of the archaeology APE is complete, an addendum to the Phase Ia report will be submitted to SHPO with the additional survey results. At that time, project archaeologists will recommend no further work or additional investigation, which will be completed in accordance with stipulations in the MOA. (See Appendix J, MOA.)

3.1 Daniel Stout House

The Daniel Stout House was listed on the NRHP in 1973 and was included as a Contributing resource to the NRHP-listed Maple Grove Road Rural Historic District in 1998. The house was built in 1828, and is the earliest known extant structure in Monroe County. Constructed in the I-House configuration, it is two stories in height and measures three bays wide.

The Daniel Stout House continues to retain a high degree of integrity. The property is listed under Criterion A for its association with agriculture, although its outbuildings are no longer extant, nor were they at the time of the nomination. The house is also listed under Criterion C for its architectural merit as a good example of a nineteenth century stone I-House. It is located within the boundaries of the Maple Grove Road Rural Historic District, which was listed on the NRHP in 1998. The district's period of significance is 1820 to 1948. Although not defined in its nomination, the recommended period of significance for the Daniel Stout House begins with its date of construction in 1828 and extends to 1948. The 1948 period of significance end date was selected to correspond with that of the historic district in which the house is located.

3.2 Maple Grove Road Rural Historic District

The Maple Grove Road Rural Historic District (NRHP, 1998) is located in central Monroe County, along the western portion of Maple Grove Road, an important early transportation route in the county. Located approximately three miles to the northwest of downtown Bloomington, the district is “comprised of 12 historic nineteenth-century farmsteads that continue to exhibit the structures, spatial relationships, and shared community landmarks of their time period.” Significant features within the district include “farmstead clusters, a former school, a church and cemetery, as well as expanses of Bluegrass stone walls – some of which line Maple Grove Road – lending a pastoral quality to the landscape.” The historic district has 69 Contributing buildings, including residences and agricultural outbuildings; eight Contributing structures,

comprised mostly of silos; 30 Contributing objects; and seven sites. The historic district contains 68 Non-Contributing resources, the majority of which are modern residences located in the Lancaster Park development.⁵

The Maple Grove Road Rural Historic District was listed in the NRHP under Criterion A for its association with exploration and settlement, for its display of typical Southern Indiana settlement patterns, and because it “exemplifies a rural folk tradition characterized by cooperative labor and community events.” It is also listed under Criterion B for its association with noted Indiana author Rachel Peden, and under Criterion C for the architectural merit of its component resources. The district’s period of significance is 1820 to 1948.

3.3 Monroe County Bridge No. 83 (NBI No. 5300061; Non-Select Bridge)

This single-span Warren pony truss bridge carrying West Dillman Road over Clear Creek was determined eligible for the NRHP in the *Indiana Historic Bridge Inventory* under Criterion C. Constructed circa 1910, this bridge was built during the initial period of development or application of standards for its type in Indiana. As such, it represents an important phase in construction. Early use of riveting or bolting represents the initial application of a new metal bridge construction technique. The period of significance for Monroe County Bridge No. 83 is its date of construction, circa 1910.

3.4 Stipp-Bender Farmstead

Located at 5075 South Victor Pike, Perry Township, Monroe County, the Stipp-Bender Farmstead is eligible for the NRHP under Criterion A as an example of a mid- to late-nineteenth century farmstead with an intact collection of period outbuildings. The house provides a good example of a substantial frame I-House with Italianate detailing dating from the mid- to late-nineteenth century, while the associated outbuildings provide a good example of architectural styling/construction techniques of the period. Contributing buildings on the Stipp-Bender Farmstead include a dwelling and five outbuildings, including a large transverse barn, granary, tool/machine shed, small frame shed, and small barn. A portion of an extensive drystone wall, constructed circa 1876, also contributes to the site. The property retains integrity of location, design, workmanship, feeling, and association. The recommended period of significance for the Stipp-Bender Farmstead begins with its date of construction in 1876 and extends to 1955. The proposed boundary includes the dwelling, a gambrel roof transverse barn, a granary, a tool/machine shed, a livestock shed, a three-bay barn, a dry-laid stone wall, and a one-bay garage.

3.5 Maurice Head House

Located at 4625 South East Lane, this rectilinear, one-story Ranch house was built in 1956 by original owner Maurice Head. The Maurice Head House is an example of a mid-century Ranch-style house with excellent exterior integrity; its interior integrity has been diminished since 2009.

⁵ Hiestand and Branigan, Maple Grove Road Rural Historic District, 7-1.

In 2009, FHWA determined the house to be eligible for listing in the NRHP under Criterion C because it exhibited a high level of integrity for a Ranch-style home in Monroe County, Indiana. Because this home has previously been determined eligible as part of the I-69 studies for its high integrity of mid-century Ranch-style architecture in Monroe County (albeit prior to the interior renovations), it will continue to be considered eligible to the NRHP under Criterion C. The property retains integrity of setting, location, workmanship, feeling, and association. The period of significance for the Maurice Head House is its date of construction in 1956.

3.6 North Clear Creek Historic Landscape District

The North Clear Creek Historic Landscape District is recommended eligible for the NRHP under Criterion A for its association with events that have made significant contributions to the broad patterns of history. The landscape of the district reflects a theme of industry, where the landscape has been shaped or manipulated to provide a product that contributed to the development of a community or society in general. Specifically, Bloomington was, and is, a top producer of limestone in the nation, and limestone has shaped the national architectural heritage as one of the premier types of domestic building stone, particularly from 1890 to the 1940s. The North Clear Creek Historic Landscape District also is recommended eligible for listing in the NRHP under Criterion D for its data potential.

Within the APE are located the Carl Furst Stone Company Quarry and the Maple Hill Mill and Quarry, both of which represent a “late-developed pocket” of industrial activity that occurred at the end of a period identified as “boom, merger, and overcapacity,” circa 1919 to 1933. The Furst Quarry exemplifies quarrying techniques used between 1931 and 1967. The quarry pits retain unusually high integrity having essentially been unchanged since operations ceased. Maple Hill Mill (presently C&H Mill) conveys the evolution of milling techniques from the late 1920s to the present. In addition, the mill illustrates the post-World War II transition to the production of limestone ashlar veneer, which was produced in response to changing architectural styles and a decreasing demand for traditional limestone products. Dimension stone companies began producing “split-faced” stone—thinly cut limestone used as a non-structural veneer in the post war period. This style of limestone veneer was popular for new homes in the area and was “perfected” by the Bloomington Limestone Company (BLCO), which had absorbed Maple Hill in the late 1920s.

The recommended historic property boundary for the North Clear Creek Historic Landscape District within the APE contains 139.3 acres. The previously-listed State Register historic property boundary for the Borland House and the Carl Furst Stone Company Quarry property contains 62.7 acres, some of which is located within the APE. The district retains integrity of setting, location, design, materials, workmanship, feeling, and association. The period of significance begins with the opening of the Maple Hill Mill in 1927 and ends in 1967. The latter year is 50 years older than the estimated I-69 project completion in 2017, and it also coincides with a general transition in limestone quarrying techniques.

3.7 Hunter Valley Historic Landscape District

The Hunter Valley Historic Landscape District was recommended eligible for the NRHP under Criterion A for its association with events that have made significant contributions to the broad patterns of history. The Hunter Valley district is significant for its association with the theme of industry, as the evolution of the landscape reflects a period of maturation and “increased demand” and a period of “boom, merger, and overcapacity” in the limestone industry. Early limestone industry technology is exemplified in the prevalence of smaller limestone pits with stepped ledges, which are scattered throughout the district. Bloomington was, and is, a top producer of limestone in the nation, and limestone has shaped the national architectural heritage as one of the premier types of domestic building stone, particularly from 1890 to the 1940s. The Hunter Valley Historic Landscape District is also recommended eligible for listing in the NRHP under Criterion D for its data potential.

The proposed boundary includes all resources that express the characteristics of the historic landscape. The proposed boundary follows current and historic property parcel lines, roadways, and portions of Stout Creek and contains 113.5 acres. The district retains integrity of setting, location, design, materials, workmanship, feeling, and association. The earliest Contributing properties in the Hunter Valley Historic Landscape District date to 1892; therefore, the period of significance for the district is 1892-1967. The latter date is 50 years older than the estimated I-69 project completion in 2017, and also coincides with a general transition in limestone quarrying techniques.

3.8 Reed Historic Landscape District

The Reed Historic Landscape District was recommended eligible for the NRHP under Criterion A for its association with events that have made significant contributions to the broad patterns of history. The Reed district is significant for its association with the theme of industry, as the evolution of the landscape reflects a period of “boom, merger, and overcapacity” in the limestone industry, as well as with post-World War II changes in methods of transport. Moreover, the property is symbolic of an industry that produced a natural resource that contributed to the development of the local community and society in general. Specifically, Bloomington was, and is, a top producer of limestone in the nation, and limestone has shaped the national architectural heritage as one of the premier types of domestic building stone, particularly from 1890 to the 1940s. The Reed Historic Landscape District developed during a period of expansion in the state’s limestone industry. The Reed Historic Landscape District also is recommended eligible for listing in the NRHP under Criterion D for its data potential.

The historic property boundary, containing 30.4 acres, includes all character-defining resources that convey the significance and unique feeling of this landscape. The district retains integrity of setting, location, design, materials, workmanship, feeling, and association. Because the earliest Contributing resources in the Reed Historic Landscape District date to 1923, the period of

significance for the district is 1923-1967. The latter date is 50 years older than the estimated I-69 project completion in 2017, and also coincides with a general transition in limestone quarrying techniques.

3.9 Monroe County Bridge No. 913 (NBI No. 5300130; Select Bridge)

This single-span, steel, Warren polygonal chord pony truss bridge carrying two lanes of Business 37 over Beanblossom Creek has been determined eligible for the NRHP in the *Indiana Historic Bridge Inventory* under Criterion C. Its significance is derived partly because of its essentially intact trusses, its 127-foot length, its use of a polygonal top chord Warren pony truss, its location on an important transportation route, and because there are few extant examples in the region. Built in 1946, the bridge was repaired in 1986 and 1995. The recommended period of significance for Monroe County Bridge No. 913 is 1946, marking its date of construction. The property retains integrity of location, design, materials, workmanship, feeling, and association. Its setting was compromised by the construction of SR 37 in the early 1970s.

3.10 Morgan County Bridge No. 161 (NBI No. 5500125; Select Bridge)

This skewed, single-span, closed spandrel, concrete arch bridge has been determined eligible for the NRHP in the *Indiana Historic Bridge Inventory* under Criteria A and C. Constructed in 1922 by E. C. Wright, the bridge carries two lanes of Old SR 37 over the Little Indian Creek. The bridge is located on an important transportation route and is among the oldest unaltered Indiana State Highway Commission-designed arches. Old SR 37 was created in the early 1920s, upgrading and linking various local roads to form a regional and interstate highway that was part of what became known as the Dixie Highway. The Indiana State Highway Commission, which designed the bridge, was formed during 1917 in response to the Good Roads movement and the need for improved transportation facilities in Indiana. The recommended period of significance for Morgan County Bridge No. 161 begins with its date of construction in 1922 and extends to 1938, the year when SR 37 was rerouted. The property retains integrity of location, design, materials, workmanship, feeling, and association. Its setting has been slightly altered by the construction of SR 37 circa 1970, which is distantly visible northwest of the bridge.

3.11 Morgan County Bridge No. 224 (NBI No. 5500142; Select Bridge)

This skewed three-span Warren pony truss bridge has been determined eligible for the NRHP in the *Indiana Historic Bridge Inventory* under Criterion C. Completed in 1926, the bridge carries two lanes of Old SR 37 over Indian Creek. Its significance is derived in part because its Warren pony truss members remain essentially intact, for its unusual length (236 feet), for its construction on a skew (twenty-nine degrees), for its location on an important transportation route (Old SR 37), for being the work of an Indiana fabricator (Vincennes Bridge Company), and because extant plans or detailed specifications for the structure exist. The period of significance for Morgan County Bridge No. 224 is 1926, marking its date of construction. The property retains integrity of location, design, materials, workmanship, feeling, and association. The

property's setting has been somewhat compromised by the circa 1970 construction of SR 37, which is partly visible to the north of the bridge.

3.12 Alluvial Floodplain Test Areas

Alluvial floodplain areas lie in the vicinities of Little Indian Creek, Jordan Creek, and Buckner Branch, as well as other drainage areas in the project area (such as Beanblossom Creek and Bryant Creek), and have the potential to contain buried archaeological sites. The Phase Ia and Phase Ib studies recommended additional investigation at 19 test areas: A11, A18a, B3, B4b, B4c, B5a, B5c, B7, B17, C2, H9, H10a, H10b, Smith Property, Shot Makers, Liberty Church Road West, Wells Field, Maxwell Barn Triangle, and Hacker Creek.

SHPO has concurred that if these areas cannot be avoided by all project activities, the affected area(s) will be subject to additional investigation to determine NRHP eligibility. In that case, a plan for additional investigation will be submitted to the SHPO for review and comment.

3.13 Site 12Mg450

Site 12Mg450 is a prehistoric lithic scatter that was identified based on the recovery of eight artifacts from the ground surface as well as subsurface shovel test probes (STPs). Artifacts were recovered below the plowzone and additional investigations were recommended. The SHPO has stated that "insufficient information" is available for this site to determine if it is eligible for inclusion in the NRHP. Avoidance or additional investigation is recommended to determine if the site is NRHP eligible. This site is located within the right-of-way limits for the Refined Preferred Alternative 8 (archaeological APE).

3.14 Site 12Mg456

Site 12Mg456 is a prehistoric locus identified based on the recovery of 68 lithic artifacts from sixteen STPs, eleven radial STPs, and surface collection. The lithic artifacts include projectile points and tools as well as debitage and fire cracked rock (FCR). The SHPO has stated that this site appears to be potentially eligible for listing in the NRHP. Avoidance or additional investigation is recommended to determine if the site is NRHP eligible. This site is located outside, but in proximity to, the right-of-way limits for the Refined Preferred Alternative 8 (archaeological APE).

3.15 Site 12Mo1413

Site 12Mo1413 (Sample Road South site), found during the 2006 survey, is a multicomponent site containing a large quantity of historic artifacts dating to the mid-nineteenth to early-twentieth century as well as a prehistoric lithic debitage. The SHPO has stated that this site appears to be potentially eligible for listing in the NRHP. Avoidance or additional investigation is recommended to determine if the site is NRHP eligible. This site is located outside, but in

proximity to, the right-of-way limits for the Refined Preferred Alternative 8 (archaeological APE).

3.16 Site 12Mo1442

Site 12Mo1442 is a prehistoric locus consisting of 178 lithic artifacts. The site is extensive and defined as a possible special-use camp where initial lithic reduction and preliminary tool reduction activities took place. The SHPO has stated that this site appears to be potentially eligible for listing in the NRHP. Avoidance or additional investigation is recommended to determine if the site is NRHP eligible. This site is located partially within the right-of-way limits for the Refined Preferred Alternative 8 (archaeological APE).

4.0 DESCRIBE THE UNDERTAKING'S EFFECTS ON HISTORIC PROPERTIES

In the following sections, the term “undertaking” refers to the Refined Preferred Alternative 8, as described in the Tier 2 FEIS and in part one of this document. The Refined Preferred Alternative for the Tier 2, Section 5 Study is a derivative of Alternative 8 and portions of Alternatives 4-7. The undertaking will not encroach onto any NRHP-listed or NRHP-eligible aboveground property, except for the North Clear Creek Historic Landscape District where a 1.96-acre acquisition of new right-of-way and the placement of fill material over approximately 1.0-acre of the district for the elevated section of Fullerton Pike along the district's southern border are planned. In this area of acquisition, no Contributing element will be converted to a transportation use.

In 2013, project archaeologists completed the Phase Ia survey for any areas of the archaeology APE within Refined Preferred Alternative 8 that had not been surveyed. Since the Phase Ia survey of the remainder of the archaeology APE is complete, an addendum to the Phase Ia report will be submitted to SHPO with the additional survey results. At that time, project archaeologists will recommend no further work or additional investigation, which will be completed in accordance with stipulations in the MOA. (See Appendix J, MOA.)

4.1 Daniel Stout House

The Daniel Stout House is approximately 1,162 feet from the undertaking. Access to the property will be maintained at the existing Arlington Road overpass. Improvements to the local road network beyond the immediate project limits are not proposed. The undertaking, however, does call for the elimination of the present at-grade intersection of SR 37 and Acuff Road, located approximately 2,000 feet northeast of the Daniel Stout House. The undertaking will not provide increased access to the property, and the undertaking will not be visible from the property. Between the property and the undertaking, a crest of densely wooded land rises about 30 feet above the Daniel Stout House. Thus, topography and woods obscure the undertaking; there will be no visual effect. The undertaking will not increase ambient light levels in the vicinity of the property. Since distances to the undertaking are greater than 800 feet, noise modeling was not used to evaluate predicted highway traffic noise effects.

4.2 Maple Grove Road Rural Historic District

The eastern historic property boundary of the Maple Grove Road Rural Historic District currently borders the SR 37 right-of-way (an existing four-lane divided highway) and that of the Refined Preferred Alternative for approximately one mile. The remaining portion of the district's eastern boundary is farther removed from the undertaking. Improvements to the local road network include the elimination of the at-grade intersections of SR 37 at Acuff Road and Kinser Pike. The preferred alternative, which specifies an overpass at Kinser Pike, would not directly affect the historic district, as the nearest section of right-of-way related to the overpass is located over 1,000 feet north of the expanded boundaries of the district. Moreover, the area of

the district directly west of the Kinser Pike overpass is screened from these elevated sections of road by a strip of wooded land.

The undertaking will not provide increased access to property in the Maple Grove Road Rural Historic District. Much of the district is presently screened from the undertaking in all seasons by a densely-wooded strip of land, most of which is included within the district.

Where the segment of the I-69 Refined Preferred Alternative borders the district, the upgrade of SR 37 will occur within its present right-of-way; no right-of-way will be taken. The undertaking will not introduce any visual elements that contrast with the existing visual setting. Current sources of ambient light nearest the project alternatives are headlights from traffic on SR 37, lights from churches on North Prow Road, and a multi-story office building on West Acuff Road, just east of North Prow Road. It is not expected that the undertaking would introduce any significant sources of ambient light to the Maple Grove Road Rural Historic District, as the section of right-of-way that borders the historic district would use the existing alignment of SR 37 and the new section of highway would be constructed at approximately the same elevation as the existing road.

Within the district, the nearest occupied buildings of a Contributing property, the Zellers Farmstead, are located more than 800 feet from the Refined Preferred Alternative 8 right-of-way. Therefore, noise modeling was not used at this location in accordance with the *INDOT Traffic Noise Analysis Procedure*. The nearest distance to occupied buildings of Non-Contributing residences along Lancaster and North Ridgely drives from the Refined Preferred Alternative's right-of-way is approximately 696 feet. The TNM 2.5 noise modeling predicted that the undertaking will result in an increase of 6 dBA, a minor increase. This change does not meet the threshold level of 66 dBA or an increase of 15 dBA, as set forth in the *INDOT Traffic Noise Analysis Procedure*.

4.3 Monroe County Bridge No. 83 (NBI No. 5300061; Non-Select Bridge)

Monroe County Bridge No. 83 is approximately 8,174 feet from the undertaking. In this rolling topography, the undertaking is not visible from the bridge and will, thus, have no visual effect. A noise analysis was not conducted for this resource because noise, or lack thereof, is not an aspect of the property's setting that qualifies it for the NRHP. Bridge No. 83 currently carries 752 vehicles per day, which would increase to 894 by 2035 under the "no build" alternative. Predicted traffic volumes for all of the alternatives studied produced a range of 670 to 740 vehicles per day. Predicted traffic volumes for Refined Preferred Alternative 8 will be approximately 789, which is less than that predicted under the "no build" alternative. Truck traffic is expected to be approximately 21 per day. None of these changes are substantial.

4.4 Stipp-Bender Farmstead

The Stipp-Bender Farmstead is located approximately 4,495 feet from the Section 5 undertaking and over 1.5 miles from the interchange that will be constructed at West Fullerton Pike. Improvements to the local road network include the elimination of the present at-grade intersection of SR 37 and South Rockport Road and the construction of an overpass. Access to I-69 from both West That Road and South Rockport Road will be provided by access roads connecting to the West Fullerton Pike interchange. The undertaking will not provide increased access to the property. The land between the Stipp-Bender Farmstead and the undertaking contains fields, isolated wooded areas, and modern houses. The Section 5 undertaking is not visible from the property and will thus have no visual effect. Ambient light levels at the property are not expected to significantly change because of the obscured view and the presence of existing lighting at the nearby truck stop/gasoline station. Since distances to the Section 5 undertaking are greater than 800 feet, noise modeling was not used to evaluate predicted highway traffic noise effects.

4.5 Maurice Head House

The Maurice Head House property is approximately 560 feet from the nearest Section 5 right-of-way (along West That Road). The house on the property, however, is more than 800 feet from the nearest edge of pavement along the Section 5 mainline, where the greatest likelihood of noise would emanate. Improvements to the local road network include the elimination of the present at-grade intersection of SR 37 and South Rockport Road and the construction of an overpass. Access to I-69 from both West That Road and South Rockport Road will be provided by access roads connecting to the West Fullerton Pike interchange. The land between the undertaking and the Maurice Head House consists of a wooded hillside that currently blocks views of SR 37 from the house. The undertaking will not be visible from the property and thus will have no visual effect. Further, the Refined Preferred Alternative is sufficiently removed to obscure any ambient light intrusions that might result from the undertaking. Due to the distance to the mainline, noise modeling was not used to evaluate predicted highway traffic noise effects.

4.6 North Clear Creek Historic Landscape District

The southern historic property boundary of the North Clear Creek Historic Landscape District borders the I-69 right-of-way for approximately 1,058 feet along the West Fullerton Pike roadway improvement area. The Refined Preferred Alternative will require approximately 1.96-acres for new right-of-way and the placement of fill material over approximately 1.0-acre of the district along the district's southern border within the historic district boundary. The description of the district's southern boundary, as West Fullerton Pike, will remain unchanged. The undertaking will be visible from the southwestern edge of the district. The mainline of the Refined Preferred Alternative uses existing SR 37 and features a folded loop interchange at West Fullerton Pike with ramps in the northwest and southeast quadrants which is estimated to be between 27 and 31 feet higher than the existing SR 37 elevation. The nearest project right-of-

way is immediately adjacent to the historic district along West Fullerton Pike. The nearest mainline right-of-way is approximately 1,141 feet from the district's western boundary.

Roadway improvements along West Fullerton Pike will be visible in the North Clear Creek Historic Landscape District; low points of West Fullerton Pike will be raised with up to 40 vertical feet of fill material. At the modern entrance to C&H Stone Company on West Fullerton Pike, the road would be elevated as much as 16 feet above current elevations. Future negotiations with the property owner will determine if this Non-Contributing, modern driveway feature will remain open and elevated to the new level of West Fullerton Pike or be abandoned and access to the parcel provided by the historic main entrance on South Rockport Road. The undertaking will be visible from the southern border of the district, including from the southern entrance to C&H Stone Company. Present sources of ambient light include headlights from traffic on West Fullerton Pike and South Rockport Road, and scattered lights from homes along the south side of West Fullerton Pike. Ambient light will not likely increase significantly. Moreover, a limestone district is not a property type with a setting sensitive to changes in light levels. A noise analysis is not required for this resource because noise, or lack thereof, is not an aspect of the property's setting that qualifies it for the NRHP. In addition, another potential effect that consulting parties have indicated: the undertaking has the potential to affect water quality and the quantity of drainage, especially as it relates to inactive quarrying operations in proximity to the undertaking.

4.7 Hunter Valley Historic Landscape District

The historic property boundary of the Hunter Valley Historic Landscape District borders the right-of-way of the northern section of the district's east and south sides in the northwest quadrant of the SR 37 and SR 46 interchange for approximately 4,000-feet. The undertaking will follow the route of existing SR 37 (a four-lane divided highway); the nearest right-of-way associated with the Vernal Pike/17th Street overpass is approximately 163 feet south of the district's southern boundary. The undertaking will not provide increased access to the property. Views from the property toward the undertaking and the SR 46 interchange will not change, as the existing SR 37 mainline alignment and interchange would be maintained. There will be limited visibility from the district to the proposed improvements. Sources of ambient light within the district include headlights from existing traffic on Arlington Road, Hunter Valley Road, Hunter Lane, North Packing House Road, SR 46, and SR 37 and scattered lights from development along Arlington Road and North Packing House Road. It is not likely that the undertaking will result in any significant change in ambient light within the district. Moreover, a limestone district is not a property type whose setting is sensitive to changes in light levels. A noise analysis is not required for this resource because noise, or lack thereof, is not an aspect of the property's setting that qualifies it for the NRHP. In addition, consulting parties have indicated that the undertaking has the potential to affect water quality and the quantity of drainage, especially as it relates to inactive quarrying operations in proximity to the undertaking.

4.8 Reed Historic Landscape District

The historic property boundary of the Reed Historic Landscape District is approximately 531 feet from the undertaking; access to I-69 will be provided via the existing SR 46 interchange. The undertaking will follow the route of existing SR 37 (a four-lane divided highway) and will not provide increased access to the property. Views west and southwest from the property toward the mainline of I-69 and the SR 46 interchange would remain unchanged; existing SR 37 mainline alignment and interchange would be maintained. The undertaking will have no visual effect on the resource. Presently, sources of ambient light include headlights from traffic on Arlington Road, North Prow Road, SR45/46, and SR 37; scattered lights from development along Arlington Road and North Prow Road, SR 45/46; and a school complex and housing subdivision to the north. It is not likely that the undertaking will significantly change the ambient light at the property. Moreover, a limestone district is not a property type with a setting sensitive to changes in light levels. A noise analysis is not required for this resource because noise, or lack thereof, is not an aspect of the property's setting that qualifies it for the NRHP. In addition, consulting parties have indicated that the undertaking has the potential to affect water quality and the quantity of drainage, especially as it relates to inactive quarrying operations in proximity to the undertaking.

4.9 Monroe County Bridge No. 913 (NBI No. 5300130; Select Bridge)

The historic property boundary of Monroe County Bridge No. 913 is located within the right-of-way for the Refined Preferred Alternative. The undertaking will utilize Bridge No. 913 as part of the existing partial interchange in which the bridge serves as part of the overpass structure connecting Walnut Street to both the southbound exit ramp and the northbound entrance ramp. The Refined Preferred Alternative will maintain the existing right-of-way of the bridge and its approaches. Because the resource is a transportation facility, it is not a property type with a setting sensitive to changes in light or noise levels. A noise analysis is not required for this resource because noise, or lack thereof, is not an aspect of the property's setting that qualifies it for the NRHP. Bridge No. 913 currently carries 8,779 vehicles per day, which would increase to 12,031 by 2035 under the "no build" alternative. Predicted traffic volumes for Refined Preferred Alternative 8 will be approximately 7,568, less than that predicted under the "no build" alternative. Truck traffic on the bridge would be reduced from its current volume of 280 per day and 342 per day predicted by 2035 under the "no build" alternative to approximately 97 per day for Refined Preferred Alternative 8.

4.10 Morgan County Bridge No. 161 (NBI No. 5500125; Select Bridge)

The historic property boundary of Morgan County Bridge No. 161 is located approximately 498 feet from the undertaking. An eastern access road will join the alignment of current Old SR 37 over 895 feet south of Morgan County Bridge No. 161 and eliminate the current at-grade intersection of SR 37 and Old SR 37. A new segment of access road over 1,000 feet northeast of the bridge will carry Old SR 37 to a tight-diamond interchange at a realigned Liberty Church

Road. These improvements will be minimally visible given their distance from the bridge and because of modern intrusions within the resource's visual boundary. Therefore, the undertaking will have no visual effect on Morgan County Bridge No. 161. Because the resource is a transportation facility, it is not a property type whose setting is sensitive to changes in light levels. A noise analysis is not required for this resource because noise, or lack thereof, is not an aspect of the property's setting that qualifies it for the NRHP. Because continued use of the bridge will not be discouraged or impeded, there are no reasonably foreseeable effects of the undertaking that may occur later in time, be further removed in distance, or be cumulative. Bridge No. 161 currently carries 64 vehicles per day, which would decrease to 31 by 2035 under the "no build" alternative. Predicted traffic volume for Refined Preferred Alternative 8 will be approximately 139, which is not considered to be a substantial increase. Truck traffic on the bridge would decrease from its current volume of 3 per day (0 per day predicted by 2035 under the "no build" alternative) to approximately 1 per day.

4.11 Morgan County Bridge No. 224 (NBI No. 5500142; Select Bridge)

The historic property boundary of the Morgan County Bridge No. 224 is located approximately 843 feet from the mainline of the undertaking. Improvements to the local road network include the incorporation of Morgan County Bridge No. 224 and associated approach segments of present Old SR 37 into the eastern access road. The mainline of the undertaking will be minimally visible from the bridge given its current visual environment that consists of the parallel wooded embankments of Indian Creek, scattered residential development, and open farm fields. The undertaking will have no visual effect on Morgan County Bridge No. 224. Because the resource is a transportation facility, it is not a property type with a setting sensitive to changes in light levels. A noise analysis is not required for this resource because noise, or lack thereof, is not an aspect of the property's setting that qualifies it for the NRHP. Because continued use of the bridge will not be discouraged or impeded, there are no reasonably foreseeable effects of the undertaking that may occur later in time, be further removed in distance, or be cumulative. Bridge No. 224 currently carries 1,024 vehicles per day, which modeling predicts decreasing to 377 by 2035 under the "no build" alternative. Similarly, the bridge carries 211 trucks daily, which is expected to decrease to 1 truck per day by 2035 under the "no build" alternative. Predicted traffic volumes for all of the alternatives studied assume that the Section 6 undertaking will include a cul-de-sac at the north side of Morgan County Bridge No. 224. Section 5 will continue to allow traffic on that portion of Old S.R. 37 however it is not anticipated to have a significant increase in traffic.

4.12 Alluvial Floodplain Test Areas

Alluvial floodplain areas lie in the vicinities of Little Indian Creek, Jordan Creek, and Buckner Branch, as well as other drainage areas in the project area (such as Beanblossom Creek and Bryant Creek), and have the potential to contain buried archaeological sites.

The Phase Ia and Phase Ib studies recommended additional investigation at 19 test areas: A11, A18a, B3, B4b, B4c, B5a, B5c, B7, B17, C2, H9, H10a, H10b, Smith Property, Shot Makers, Liberty Church Road West, Wells Field, Maxwell Barn Triangle, and Hacker Creek.

If these areas cannot be avoided, additional investigations will be conducted at the affected area(s) to further assess the nature of buried deposits and the probability of the area to contain buried cultural resources that could be eligible for the NRHP. Additional investigations have been stipulated in the MOA and will be coordinated with the SHPO, if these crossings are part of the Refined Preferred Alternative. (See Appendix J, MOA.)

4.13 Site 12Mg450

12Mg450 has the potential to contain buried archaeological deposits and is partially located within the Refined Preferred Alternative right-of-way. If the site cannot be avoided, it will be subject to additional investigation to determine if it is eligible for the NRHP. If this site cannot be avoided by project activities additional investigations have been stipulated in the MOA and will be coordinated with the SHPO. (See Appendix J, MOA.)

4.14 Sites 12Mo1413, 12Mo1442, and 12Mg456

In Refined Preferred Alternative 8, Site 12Mo1442 is located partially within and adjacent to the right-of-way; sites 12Mg456 and 12Mo1413 are located in proximity to the right-of-way. If the sites cannot be avoided, they will be subject to additional investigation to determine if they are eligible for the NRHP. If these sites cannot be avoided by project activities, additional investigations have been stipulated in the MOA and will be coordinated with the SHPO. (See Appendix J, MOA.)

5.0 EXPLAIN APPLICATION OF CRITERIA OF ADVERSE EFFECT – INCLUDE CONDITIONS OF FUTURE ACTIONS TO AVOID, MINIMIZE, OR MITIGATE ADVERSE EFFECTS

With regard to consideration of noise effects discussed below, the project team used the most current *INDOT Traffic Noise Analysis Procedure*, which was approved by FHWA and went into effect in 2011. The *INDOT Traffic Noise Analysis Procedure* states that highway noise impacts occur if either of two conditions is met: 1) the predicted $L_{eq(h)}$ levels “approach” or “exceed” the appropriate noise abatement criteria for the land use identified, or 2) the predicted highway $L_{eq(h)}$ noise levels substantially exceed the existing noise level. “Approach or exceed” is defined as levels that are within 1 dBA $L_{eq(h)}$ of the appropriate Noise Activity Categories (NAC) or higher. “Substantially exceed” means predicted traffic noise levels exceed existing noise levels by 15 dBA or more.

Noise effects upon historic properties attributable to the undertaking were assessed in the following manner. A Traffic Noise Model (TNM)-predicted noise impact was considered an adverse effect. Noise effects were not considered adverse if the undertaking would result in a change in noise (i.e., if an audible increase in noise levels was predicted, or, if traffic noise would be introduced or added to the historic property), but a noise impact per the noise policy was not predicted. Additionally, if the existing ambient noise level currently meets the criteria, then predicted increases are not considered effects unless there is an increase of 15 dBA. Noise effects were also considered not to be present if it was determined that the undertaking would cause no change in noise levels or would not introduce or add to traffic noise.

According to the policy, noise receptor locations located more than 800 feet from the project roadway are not evaluated for highway traffic noise effects. FHWA has not validated the TNM model for accurate results beyond 800 feet, per FHWA’s “TNM Version 2.5 Addendum to Validation of FHWA’s Traffic Noise Model® (TNM): Phase 1 Report, July 2004, p. 3.” For purposes of this preliminary analysis, the 800-foot distance was used as a conservative measure to capture all potential impacts. Additionally, a noise analysis was not conducted for areas such as the quarries and the bridges because noise levels are not aspects of their settings and because noise is a consequence of their functions.

The criteria of adverse effect do not apply to: Daniel Stout House, Maple Grove Road Rural Historic District, Monroe County Bridge No. 83, the Stipp-Bender Farmstead, the Maurice Head House, the North Clear Creek Historic Landscape District, the Hunter Valley Historic Landscape District, the Reed Historic Landscape District, Monroe County Bridge No. 913, Morgan County Bridge No. 161, and Morgan County Bridge No. 224.

The Phase Ia studies revealed the presence of 83 archaeological sites within areas studied for Alternatives 4-8. Of these, one site is a Contributing element to the North Clear Creek Historic Landscape District (12Mo1416), but is located outside the Refined Preferred Alternative 8 right-of-way limits. Three sites are potentially eligible for listing in the NRHP. (Site 12Mo1442 is

located partially within the Refined Preferred Alternative 8 right-of-way; sites 12Mg456 and 12Mo1413 are located in proximity to the right-of-way). Potentially eligible sites that cannot be avoided will be subjected to additional investigation, according to the MOA, the results of which will be submitted to SHPO for review and comment. (See Appendix J, MOA.) Eleven sites have insufficient data for eligibility determination (12Mo1401, 12Mg467, 12Mg458, 12Mo1432, 12Mo1434, 12Mo1435, 12Mo1444, 12Mo1445, 12Mo1450, 12Mo1451, and 12Mo1452). The portions of these sites within the Refined Preferred Alternative 8 right-of-way limits did not contain significant archaeological deposits. Therefore, additional archaeological investigations were not recommended at these sites. The portions of sites outside the right-of-way were recommended for avoidance or additional study. There was also insufficient information regarding archaeological site 12Mg450; additional investigation is recommended for Site 12Mg450 if it cannot be avoided by the project. The remaining 67 identified archaeological sites have been recommended as not eligible for listing in the NRHP. In addition, 19 test area locations were identified for additional investigations.

In 2013, project archaeologists completed the Phase Ia survey for areas of the archaeology APE within Refined Preferred Alternative 8 that had not been surveyed. Since the Phase Ia survey of the remainder of the archaeology APE is complete, an addendum to the Phase Ia report will be submitted to SHPO with the additional survey results. At that time, project archaeologists will recommend no further work or additional investigation, which will be completed in accordance with stipulations in the MOA. (See Appendix J, MOA.)

The criteria of adverse effect may apply to the following archaeological sites which are within, or in proximity to, the Refined Preferred Alternative 8: 12Mg450, 12Mo1413, 12Mo1442, and 12Mg456. At the time of the initial publication of this document, the results of archaeological investigations were not yet known. Phase Ib studies have been completed for portions of the Refined Preferred Alternative 8; the MOA acknowledges that identification and evaluation of archaeological properties remains to be completed. Additional investigation was recommended for site 12Mg450 and 19 test areas: A11, A18a, B3, B4b, B4c, B5a, B5c, B7, B17, C2, H9, H10a, H10b, Smith Property, Shot Makers, Liberty Church Road West, Wells Field, Maxwell Barn Triangle, and Hacker Creek. Additional investigation was recommended for three sites if they cannot be avoided by the project: 12Mo1413, 12Mo1442, and 12Mg456. Therefore, it is presupposed that the project will have an adverse effect on archaeological resources. (See Appendix J, MOA.)

According to CFR 800.5(a)(1), the criteria of adverse effect apply when the “undertaking may alter, directly, or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property’s location, design, setting, materials, workmanship, feeling, or association.”

5.1 Daniel Stout House

The criteria of adverse effect, as described in CFR 800.5(a)(1) and the examples found in CFR 800.5(a)(2), do not apply to the Daniel Stout House.

There will be no “[p]hysical destruction or damage to all or part of the property.” Therefore, CFR 800.5(a)(2)(i) does not apply.

There will be no “[a]lteration of a property, including restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation and provision of handicapped access.” Therefore, CFR 800.5(a)(2)(ii) does not apply.

None of the elements of the property will be removed from their historic locations, so CFR 800.5(a)(2)(iii) does not apply.

Under CFR 800.5(a)(2)(iv), there will be no change “of the character of the property’s use or of physical features within the property’s setting that contribute to its historic significance.”

Under CFR 800.5(a)(2)(v), there will not be an “[i]ntroduction of visual, atmospheric or audible elements that diminish the integrity of the property’s significant historic features.”

Presently, SR 37 is completely screened from the property by an approximately 1,150-foot, densely-wooded crest; since the undertaking uses SR 37’s footprint, it is unlikely that the Refined Preferred Alternative will be visible from the property. Because the undertaking is located greater than 800 feet from the Daniel Stout House, noise modeling was not used to evaluate predicted highway traffic noise effects.

No elements of the Refined Preferred Alternative would contribute to the “[n]eglect of a property which causes its deterioration,” and thus CFR 800.5(a)(2)(vi) does not apply.

There will be no “[t]ransfer, lease, or sale of [the] property out of Federal ownership or control” as part of the proposed project, and thus CFR 800.5(a)(2)(vii) does not apply.

As described above, under the Refined Preferred Alternative, the undertaking will not alter, directly or indirectly, any of the characteristics of the Daniel Stout House that qualify it for inclusion in the NRHP, and thus will cause no adverse effect to the property.

5.2 Maple Grove Road Rural Historic District

The criteria of adverse effect, as described in CFR 800.5(a)(1) and the examples found in CFR 800.5(a)(2), do not apply to the Maple Grove Road Rural Historic District.

There will be no “[p]hysical destruction or damage to all or part of the property.” Therefore, CFR 800.5(a)(2)(i) does not apply.

There will be no “[a]lteration of a property, including restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation and provision of handicapped access.” Therefore, CFR 800.5(a)(2)(ii) does not apply.

None of the elements of the property will be removed from their historic locations, so CFR 800.5(a)(2)(iii) does not apply.

Under CFR 800.5(a)(2)(iv), there will be no change “of the character of the property’s use or of physical features within the property’s setting that contribute to its historic significance.”

Under CFR 800.5(a)(2)(v), there will be no “[i]ntroduction of visual, atmospheric or audible elements that diminish the integrity of the property’s significant historic features.” The undertaking will border the district’s eastern NRHP boundary for approximately one mile. This segment of the Refined Preferred Alternative, however, involves the upgrade of SR 37 (an existing four-lane divided highway) within its present right-of-way. There will be no acquisition of property from within the NRHP boundaries of the Maple Grove Road Rural Historic District. Any visual elements introduced by the undertaking, such as median barriers, will be minimally or not visible from the district, will not contrast with the district’s existing visual setting, and will not be adverse.

The thresholds for typical NAC, as set forth in the *INDOT Highway Traffic Noise Policy*, are 66 dBA. No Contributing residences are located within 800 feet of the undertaking; noise effects resulting from the undertaking at a Non-Contributing residence located within 800 feet of the undertaking will increase, but will fall below the threshold levels for an adverse effect. At 6 dBA, however, the increase will be perceptible. Therefore the undertaking will result in an auditory effect, but the effect is not considered adverse.

No elements of the Refined Preferred Alternative would contribute to the “[n]eglect of a property which causes its deterioration,” and thus CFR 800.5(a)(2)(vi) does not apply.

There will be no “[t]ransfer, lease, or sale of [the] property out of Federal ownership or control” as part of the proposed project, and thus CFR 800.5(a)(2)(vii) does not apply.

As described above, the Refined Preferred Alternative will introduce new visual elements along the district’s eastern boundary, but these elements will not be visible to any Contributing resource and thus, not adverse to the setting of the property. Therefore, the undertaking will not alter, directly or indirectly, any of the characteristics of the Maple Grove Road Rural Historic District that qualify it for inclusion in the NRHP and will cause no adverse effect to the property.

5.3 Monroe County Bridge No. 83 (NBI No. 5300061; Non-Select Bridge)

The criteria of adverse effect, as described in CFR 800.5(a)(1) and the examples found in CFR 800.5(a)(2), do not apply to Monroe County Bridge No. 83.

There will be no “[p]hysical destruction or damage to all or part of the property.” Therefore, CFR 800.5(a)(2)(i) does not apply.

There will be no “[a]lteration of a property, including restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation and provision of handicapped access.” Therefore, CFR 800.5(a)(2)(ii) does not apply.

None of the elements of the property will be removed from their historic locations, so CFR 800.5(a)(2)(iii) does not apply.

Under CFR 800.5(a)(2)(iv), there will be no change “of the character of the property’s use or of physical features within the property’s setting that contribute to its historic significance.”

Under CFR 800.5(a)(2)(v), there will not be an “[i]ntroduction of visual, atmospheric or audible elements that diminish the integrity of the property’s significant historic features.”

Monroe County Bridge No. 83 is located more than 8,174 feet from the undertaking. In this rolling topography, the undertaking will not be visible from the bridge. A noise analysis was not conducted for this resource because, in addition to distances to the undertaking being greater than 800 feet, noise, or lack thereof, is not an aspect of the property’s setting that qualifies it for the NRHP.

There are no elements of the Refined Preferred Alternative that would contribute to the “[n]eglect of a property which causes its deterioration,” and thus CFR 800.5(a)(2)(vi) does not apply.

There will be no “[t]ransfer, lease, or sale of [the] property out of Federal ownership or control” as part of the proposed project, and thus CFR 800.5(a)(2)(vii) does not apply.

As described above, under the Refined Preferred Alternative, the undertaking will not alter, directly or indirectly, any of the characteristics of Monroe County Bridge No. 83 that qualify it for inclusion in the NRHP, and thus will cause no adverse effect to the property.

5.4 Stipp-Bender Farmstead

The criteria of adverse effect, as described in CFR 800.5(a)(1) and the examples found in CFR 800.5(a)(2), do not apply to the Stipp-Bender Farmstead.

There will be no “[p]hysical destruction or damage to all or part of the property.” Therefore, CFR 800.5(a)(2)(i) does not apply.

There will be no “[a]lteration of a property, including restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation and provision of handicapped access.” Therefore, CFR 800.5(a)(2)(ii) does not apply.

None of the elements of the property will be removed from their historic locations, so CFR 800.5(a)(2)(iii) does not apply.

Under CFR 800.5(a)(2)(iv), there will be no change “of the character of the property’s use or of physical features within the property’s setting that contribute to its historic significance.”

Under CFR 800.5(a)(2)(v), there will not be an “[i]ntroduction of visual, atmospheric or audible elements that diminish the integrity of the property’s significant historic features.”

The Stipp-Bender Farmstead is located more than 4,495 feet from the undertaking. In this rolling topography, the undertaking will not be visible from the bridge. Since the distance to the undertaking is greater than 800 feet, noise modeling was not used to evaluate predicted highway noise effects.

There are no elements of the Refined Preferred Alternative that would contribute to the “[n]eglect of a property which causes its deterioration,” and thus CFR 800.5(a)(2)(vi) does not apply.

There will be no “[t]ransfer, lease, or sale of [the] property out of Federal ownership or control” as part of the proposed project, and thus CFR 800.5(a)(2)(vii) does not apply.

As described above, under the Refined Preferred Alternative, the undertaking will not alter, directly or indirectly, any of the characteristics of the Stipp-Bender Farmstead that qualify it for inclusion in the NRHP, and thus will cause no adverse effect to the property.

5.5 Maurice Head House

The criteria of adverse effect, as described in CFR 800.5(a)(1) and the examples found in CFR 800.5(a)(2), do not apply to the Maurice Head House.

There will be no “[p]hysical destruction or damage to all or part of the property.” Therefore, CFR 800.5(a)(2)(i) does not apply.

There will be no “[a]lteration of a property, including restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation and provision of handicapped access.” Therefore, CFR 800.5(a)(2)(ii) does not apply.

None of the elements of the property will be removed from their historic locations, so CFR 800.5(a)(2)(iii) does not apply.

Under CFR 800.5(a)(2)(iv), there will be no change “of the character of the property’s use or of physical features within the property’s setting that contribute to its historic significance.”

Under CFR 800.5(a)(2)(v), there will not be an “[i]ntroduction of visual, atmospheric or audible elements that diminish the integrity of the property’s significant historic features.”

The Maurice Head House is located approximately 560 feet from the nearest right-of-way (along West That Road) and more than 800 feet from the mainline edge of pavement. The land between the undertaking and the Maurice Head House consists of a wooded hillside that currently blocks views of SR 37 (an existing four-lane divided highway) from the house. The undertaking will not be visible from the property and thus will have no visual effect. The distance to the mainline edge of pavement is where the greatest traffic noise is anticipated to occur; at this distance noise modeling was not used to predict highway noise.

There are no elements of the Refined Preferred Alternative that would contribute to the “[n]eglect of a property which causes its deterioration,” and thus CFR 800.5(a)(2)(vi) does not apply.

There will be no “[t]ransfer, lease, or sale of [the] property out of Federal ownership or control” as part of the proposed project, and thus CFR 800.5(a)(2)(vii) does not apply.

As described above, the Refined Preferred Alternative will not alter, directly or indirectly, any of the characteristics of the Maurice Head House that qualify it for inclusion in the NRHP, and thus will cause no adverse effect to the property.

5.6 North Clear Creek Historic Landscape District

The criteria of adverse effect, as described in CFR 800.5(a)(1) and the examples found in CFR 800.5(a)(2), do not apply to the North Clear Creek Historic Landscape District.

According to CFR 800.5(a)(2)(i), there is an adverse effect if there will be “[p]hysical destruction or damage to all or part of the property.” The undertaking will not damage any Contributing resources, but there is a small take from the historic property boundary; that take is 1.4 percent of the total district as identified to include resources within the APE (139.3 acres). (Note that the historians believe that the district extends beyond the APE). At the district’s southern edge, 1.96 acres of right-of-way will be acquired in a wooded area and fill material will be placed over approximately 1.0-acre of the district along the southern boundary. This change is not considered adverse because the acquisition represents a small percentage of the total acreage and because the undertaking does not remove any Contributing resources. FHWA has determined, in consultation with the staff of the SHPO and representatives from the ACHP, that this acquisition will not diminish the ability of the historic district to convey its significance.

There will be no “[a]lteration of a property, including restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation and provision of handicapped access, that is not consistent with the Secretary’s Standards for the Treatment of Historic Properties (36 CFR part 68) and applicable guidelines.” The Refined Preferred Alternative will not result in the restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation and

provision of handicapped access to any element of the resource. The property will be altered to the extent listed in the paragraph above. Therefore, CFR 800.5(a)(2)(ii) does not apply.

None of the elements of the property will be removed from their historic locations, so CFR 800.5(a)(2)(iii) does not apply. The undertaking may result in the removal of a Non-Contributing modern driveway pending negotiation with the property owner as well as a Non-Contributing office building, but these removals are not considered adverse. No Contributing resources will be removed by the Refined Preferred Alternative.

Under CFR 800.5(a)(2)(iv), there will be no change “of the character of the property’s use or of physical features within the property’s setting that contribute to its historic significance.” The property will have the ability to continue operating as a limestone mill and will be accessible by its historic entrance on South Rockport Road. The Refined Preferred Alternative may result in the removal of the C&H Stone Company modern office building and in the removal of a modern access drive off West Fullerton Pike, but these are not Contributing resources. FHWA has determined, in consultation with staff of the SHPO and representatives from the ACHP, that the setting is not integral to conveying the significance of the historic district. Therefore, CFR 800.5(a)(2)(iv) does not apply.

Under CFR 800.5(a)(2)(v), there will not be an “[i]ntroduction of visual, atmospheric or audible elements” that “diminish the integrity of the property’s significant historic features.” SR 37, an existing four-lane, divided highway, is used as the mainline for the Refined Preferred Alternative. The district’s westernmost boundary is approximately 1,141 from the nearest mainline right-of-way. The southern historic property boundary of the district borders the I-69 right-of-way along West Fullerton Pike for approximately 1,058 feet. The undertaking includes an interchange at West Fullerton Pike, which is estimated to be between 27 and 31 feet higher than the existing SR 37 elevation. The interchange features a folded loop interchange at West Fullerton Pike with ramps in the northwest and southeast quadrants. Additionally, the grade of West Fullerton Pike will be changed to improve sight distance, requiring fill material over approximately 1.0-acre of the district along the district’s southern border. However, these changes in view do not constitute an adverse effect; setting is not an essential element of integrity to this historic industrial resource. Following consultation with the SHPO and representatives from ACHP, FHWA has determined that the introduction of elements described above will not adversely affect the North Clear Creek Historic Landscape District.

No elements of the Refined Preferred Alternative would contribute to the “[n]eglect of a property which causes its deterioration.” The Refined Preferred Alternative will not inhibit the property’s function as an industrial facility and thus, and will not contribute to neglect of the resource. The historic entrance and driveway off South Rockport Road, presently the primary industrial ingress/egress to the property, will remain open. No aspects of the undertaking will cause the property to be neglected; thus CFR 800.5(a)(2)(vi) does not apply.

There will be no “[t]ransfer, lease, or sale of [the] property out of Federal ownership or control” as part of the proposed project, and thus CFR 800.5(a)(2)(vii) does not apply.

As described above, the Refined Preferred Alternative will have an effect on this district but the effect is not considered adverse. The undertaking will acquire up to 1.96 acres of new right-of-way and the placement of fill material over approximately 1.0-acre of the district along a portion of the district's southern border. This acquisition will remove none of the district's Contributing resources. Therefore, it will not diminish the overall integrity of the district and its ability to convey its historic association with the limestone industry. The undertaking will introduce new visual elements and remove some mature trees from the setting, but FHWA has determined in consultation with SHPO and representatives from the ACHP that these actions will not inhibit the property's ability to convey its historic significance.

Under CFR 800.5(a)(1), "adverse effects may include reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance or be cumulative" (36 CFR 800.5(a)(1)). Monroe County with funding from FHWA is proposing the West Fullerton Pike Road Improvement Project, which will develop the Fullerton Pike corridor, including portions of that corridor within the I-69 Section 5 APE, and will extend West Fullerton Pike east of Rockport Road. This proposed project is described in the *Final Engineering Assessment Prepared for: Monroe County Board of Commissioners, Fullerton Pike Corridor Improvements* report (2012) and has been part of Monroe County's long range plan since 1984. Since the proposed project uses federal funds, it has its own Section 106 process, which has identified historic properties and evaluated effects upon resources. FHWA has signed a finding of Adverse Effect for the Fullerton Pike Improvement Project; a MOA has been drafted to mitigate adverse effects on the North Clear Creek Historic Landscape District.

As another consideration, consulting parties have indicated that the undertaking has the potential to affect water quality and the quantity of drainage, especially as it relates to inactive quarrying operations (i.e.: Carl Furst Stone Company Quarry sites), which are located in proximity to SR 37. Per the MOA, consultation will occur during the early stages of design to take into consideration this potential to cause effects. (See Appendix J, MOA.)

In summary, the Revised Preferred Alternative will not alter, directly or indirectly, any of the characteristics of the North Clear Creek Historic Landscape District that qualify it for inclusion in the NRHP, and thus will cause no adverse effect to the property.

5.7 Hunter Valley Historic Landscape District

The criteria of adverse effect, as described in CFR 800.5(a)(1) and the examples found in CFR 800.5(a)(2), do not apply to the Hunter Valley Historic Landscape District.

There will be no "[p]hysical destruction or damage to all or part of the property." Therefore, CFR 800.5(a)(2)(i) does not apply.

There will be no "[a]lteration of a property, including restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation and provision of handicapped access." Therefore, CFR 800.5(a)(2)(ii) does not apply.

None of the elements of the property will be removed from their historic locations, so CFR 800.5(a)(2)(iii) does not apply.

Under CFR 800.5(a)(2)(iv), there will be no change “of the character of the property’s use or of physical features within the property’s setting that contribute to its historic significance.”

Under CFR 800.5(a)(2)(v), there will be an “[i]ntroduction of visual, atmospheric or audible elements that diminish the integrity of the property’s significant historic features,” but that introduction will not constitute an adverse effect.

The district is comprised of two areas bisected by SR 45/46. Each area contains Contributing resources. The district borders the right-of-way of the current SR 37 (an existing four-lane divided highway) for roughly 4,000-feet near the SR 37 and SR 46 interchange. The Refined Preferred Alternative will follow the right-of-way of existing SR 37; the nearest right-of-way associated with the Vernal Pike/17th Street overpass is approximately 163 feet from the district. Even with this proximity, the Refined Preferred Alternative will have no adverse visual effect on the Hunter Valley Historic Landscape District; views from the property will not change, as the existing SR 37 mainline alignment and interchange will be maintained, with the exception of a small vertical change at Arlington Pike where the mainline will be slightly depressed. A noise analysis is not required for this resource because noise, or lack thereof, is not an aspect of the property’s setting that qualifies it for the NRHP.

There are no elements of the Refined Preferred Alternative that would contribute to the “[n]eglect of a property which causes its deterioration,” and thus CFR 800.5(a)(2)(vi) does not apply.

There will be no “[t]ransfer, lease, or sale of [the] property out of Federal ownership or control” as part of the proposed project, and thus CFR 800.5(a)(2)(vii) does not apply.

As another consideration, consulting parties have indicated that the undertaking has the potential to affect water quality and the quantity of drainage, especially as it relates to inactive quarrying operations which are located in proximity to SR 37. Per the MOA, consultation will occur during the early stages of design to take into consideration this potential to cause effects. (See Appendix J, MOA.)

As described above, the Refined Preferred Alternative will introduce new visual elements within the view of the district, but these elements will not be adverse to the setting of the property. Therefore the undertaking will not alter, directly or indirectly, any of the characteristics of the Hunter Valley Historic Landscape District that qualify it for inclusion in the NRHP, and thus will cause no adverse effect to the property.

5.8 Reed Historic Landscape District

The criteria of adverse effect, as described in CFR 800.5(a)(1) and the examples found in CFR 800.5(a)(2), do not apply to the Reed Historic Landscape District.

There will be no “[p]hysical destruction or damage to all or part of the property.” Therefore, CFR 800.5(a)(2)(i) does not apply.

There will be no “[a]lteration of a property, including restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation and provision of handicapped access.” Therefore, CFR 800.5(a)(2)(ii) does not apply.

No element of the property will be removed from its historic location, so CFR 800.5(a)(2)(iii) does not apply.

Under CFR 800.5(a)(2)(iv), there will be no change “of the character of the property’s use or of physical features within the property’s setting that contribute to its historic significance.”

Under CFR 800.5(a)(2)(v), there will be an “[i]ntroduction of visual, atmospheric or audible elements that diminish the integrity of the property’s significant historic features,” but that introduction will not constitute an adverse effect. The district is located approximately 531 feet from the undertaking. Views west and southwest from the district toward present-day SR 37 and the SR 46 interchange will not change, as existing mainline alignment and interchange will be maintained. Moreover, views west and southwest across North Prow Road and Arlington Road are limited because of a slight rise in topography in these directions. In addition, FHWA has determined, in consultation with staff of the SHPO and representatives from the ACHP, that setting is not integral to conveying the significance of the historic district. A noise analysis is not required for this resource because noise, or lack thereof, is not an aspect of the property’s setting that qualifies it for the NRHP. Therefore, CFR 800.5(a)(2)(v) does not apply.

There are no elements of the Refined Preferred Alternative that would contribute to the “[n]eglect of a property which causes its deterioration,” and thus CFR 800.5(a)(2)(vi) does not apply.

There will be no “[t]ransfer, lease, or sale of [the] property out of Federal ownership or control” as part of the proposed project, and thus CFR 800.5(a)(2)(vii) does not apply.

In addition, consulting parties have indicated that the undertaking has the potential to affect water quality and the quantity of drainage, especially as it relates to inactive quarrying operations in proximity to the undertaking. Per the MOA, consultation will occur during the early stages of design to take into consideration this potential to cause effects. (See Appendix J, MOA.)

As described above, the Refined Preferred Alternative will not alter, directly or indirectly, any of the characteristics of the Reed Historic Landscape District that qualify it for inclusion in the NRHP, and thus will cause no adverse effect to the property.

5.9 Monroe County Bridge No. 913 (NBI No. 5300130; Select Bridge)

The criteria of adverse effect, as described in CFR 800.5(a)(1) and the examples found in CFR 800.5(a)(2), do not apply to Monroe County Bridge No. 913.

There will be no “[p]hysical destruction or damage to all or part of the property.” Therefore, CFR 800.5(a)(2)(i) does not apply.

There will be no “[a]lteration of a property, including restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation and provision of handicapped access.” Therefore, CFR 800.5(a)(2)(ii) does not apply.

None of the elements of the property will be removed from their historic locations, so CFR 800.5(a)(2)(iii) does not apply.

Under CFR 800.5(a)(2)(iv), there will be no change “of the character of the property’s use or of physical features within the property’s setting that contribute to its historic significance.”

Because the bridge will be utilized as part of the existing partial interchange, its continued use will not be discouraged or impeded.

Under CFR 800.5(a)(2)(v), there will be no “[i]ntroduction of visual, atmospheric or audible elements that diminish the integrity of the property’s significant historic features.”

The historic property boundary of Monroe County Bridge No. 913 is located within the right-of-way for the Refined Preferred Alternative. The current visual environment of the bridge includes largely unobstructed views of SR 37 (an existing four-lane divided highway) to the north, northwest, and west-northwest. The bridge’s context will not change. A noise analysis is not required for this resource because noise, or lack thereof, is not an aspect of the property’s setting that qualifies it for the NRHP.

There are no elements of the Refined Preferred Alternative that would contribute to the “[n]eglect of a property which causes its deterioration,” and thus CFR 800.5(a)(2)(vi) does not apply. The bridge is presently able to carry full legal loads and has a superstructure and substructure life expectancy of about 20 years (until major rehabilitation).

There will be no “[t]ransfer, lease, or sale of [the] property out of Federal ownership or control” as part of the proposed project, and thus CFR 800.5(a)(2)(vii) does not apply.

As described above, the Refined Preferred Alternative will not alter, directly or indirectly, any of the characteristics of Monroe County Bridge No. 913 that qualify it for inclusion in the NRHP, and thus will cause no adverse effect to the property.

5.10 Morgan County Bridge No. 161 (NBI No. 5500125; Select Bridge)

The criteria of adverse effect, as described in CFR 800.5(a)(1) and the examples found in CFR 800.5(a)(2), do not apply to Morgan County Bridge No. 161.

There will be no “[p]hysical destruction or damage to all or part of the property.” Therefore, CFR 800.5(a)(2)(i) does not apply.

There will be no “[a]lteration of a property, including restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation and provision of handicapped access.” Therefore, CFR 800.5(a)(2)(ii) does not apply.

None of the elements of the property will be removed from their historic locations, so CFR 800.5(a)(2)(iii) does not apply.

Under CFR 800.5(a)(2)(iv), there will be no change “of the character of the property’s use or of physical features within the property’s setting that contribute to its historic significance.” Because the bridge will be utilized as part of an eastern access road, its continued use will not be discouraged or impeded.

Under CFR 800.5(a)(2)(v), there will not be an “[i]ntroduction of visual, atmospheric or audible elements that diminish the integrity of the property’s significant historic features.”

The bridge is located approximately 498 feet from the undertaking. The current visual environment of the bridge consists of the parallel wooded embankments of Little Indian Creek, scattered modern residential development on its northwestern, northeastern, and southeastern quadrants, and a cultivated farm field on its southwestern quadrant. The undertaking will be minimally visible from the bridge, but will not result in an adverse visual effect. A noise analysis is not required for this resource because noise, or lack thereof, is not an aspect of the property’s setting that qualifies it for the NRHP. Therefore, CFR 800.5(a)(2)(v) does not apply.

There are no elements of the Refined Preferred Alternative that would contribute to the “[n]eglect of a property which causes its deterioration,” and thus CFR 800.5(a)(2)(vi) does not apply. The bridge currently carries full legal loads and will be adequate to carry increased traffic associated with the local road network to the Morgan-Monroe State Forest, assuming required maintenance is performed. As long as the structure is not subject to excessive loads, the life expectancy of a concrete arch bridge is more dependent upon the level of maintenance it receives (i.e., sound condition of concrete) than upon the level of traffic it carries.

There will be no “[t]ransfer, lease, or sale of [the] property out of Federal ownership or control” as part of the proposed project, and thus CFR 800.5(a)(2)(vii) does not apply.

As described above, Refined Preferred Alternative 8 will introduce new visual elements within the view of the bridge, but these elements will not adversely affect the setting of the property. Therefore the undertaking will not alter, directly or indirectly, any of the characteristics of

Morgan County Bridge No. 161 that qualify it for inclusion in the NRHP, and thus will have no adverse effect on the property.

5.11 Morgan County Bridge No. 224 (NBI No. 5500142; Select Bridge)

The criteria of adverse effect, as described in CFR 800.5(a)(1) and the examples found in CFR 800.5(a)(2), do not apply to Morgan County Bridge No. 224.

There will be no “[p]hysical destruction or damage to all or part of the property.” Therefore, CFR 800.5(a)(2)(i) does not apply.

There will be no “[a]lteration of a property, including restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation and provision of handicapped access.” Therefore, CFR 800.5(a)(2)(ii) does not apply.

None of the elements of the property will be removed from their historic locations, so CFR 800.5(a)(2)(iii) does not apply.

Under CFR 800.5(a)(2)(iv), there will be no change “of the character of the property’s use or of physical features within the property’s setting that contribute to its historic significance.” Because the bridge will be utilized as part of an eastern access road, its continued use will not be discouraged or impeded.

Under CFR 800.5(a)(2)(v), there will not be an “[i]ntroduction of visual, atmospheric or audible elements that diminish the integrity of the property’s significant historic features.”

The bridge is located approximately 843 feet from the undertaking. The current visual environment of the bridge consists of the parallel wooded embankments of Indian Creek, scattered residential development on its southwestern and southeastern quadrants, and open farm field on its northwest and northeastern quadrants. The perimeter of the farm fields is largely screened by tree lines and a dense woodlot bisected by Indian Creek lies west and southwest of the bridge. The undertaking will be minimally visible from the bridge; therefore, it will not result in an adverse visual effect. A noise analysis is not required for this resource because noise, or lack thereof, is not an aspect of the property’s setting that qualifies it for the NRHP.

There are no elements of the Refined Preferred Alternative that would contribute to the “[n]eglect of a property which causes its deterioration,” and thus CFR 800.5(a)(2)(vi) does not apply. Morgan County Bridge No. 224 was recently inspected and subsequently posted with a three-ton load limit because of the serious condition of its superstructure (mainly due to the deterioration of its stringers) and the poor condition of its substructure. The bridge is in immediate need of rehabilitation, but the bridge can be made adequate to serve present and future traffic needs assuming repairs are made in a timely fashion.

There will be no “[t]ransfer, lease, or sale of [the] property out of Federal ownership or control” as part of the proposed project, and thus CFR 800.5(a)(2)(vii) does not apply.

As described above, Refined Preferred Alternative 8 will introduce new visual elements within the view of the bridge, but these elements will not be adverse. Therefore the undertaking will not alter, directly or indirectly, any of the characteristics of Morgan County Bridge No. 224 that qualify it for inclusion in the NRHP, and thus will have no adverse effect to the property.

5.12 Alluvial Floodplain Test Areas

Alluvial floodplain areas lie in the vicinities of Little Indian Creek, Jordan Creek, and Buckner Branch, as well as other drainage areas in the project area (such as Beanblossom Creek and Bryant Creek) and have the potential to contain buried archaeological sites.

The Phase Ia and Phase Ib studies recommended additional investigation at 19 test areas: A11, A18a, B3, B4b, B4c, B5a, B5c, B7, B17, C2, H9, H10a, H10b, Smith Property, Shot Makers, Liberty Church Road West, Wells Field, Maxwell Barn Triangle, and Hacker Creek.

If these areas cannot be avoided, additional investigation will be conducted in the affected area(s) to further assess the nature of buried deposits and the probability of the area to contain buried cultural resources that could be eligible for the NRHP. If test areas cannot be avoided, additional investigations have been stipulated in the MOA and will be coordinated with the SHPO. (See Appendix J, MOA.)

5.13 Site 12Mg450

12Mg450 is located within the Refined Preferred Alternative 8 right-of-way and has the potential to contain buried archaeological deposits. If the site cannot be avoided, it will be subject to additional investigation to determine if it is eligible for the NRHP. In the event that avoidance of the site is not possible, additional investigation has been stipulated in the MOA and will be coordinated with the SHPO. (See Appendix J, MOA.)

5.14 Sites 12Mo1413, 12Mo1442, and 12Mg456

In Refined Preferred Alternative 8, Site 12Mo1442 is located partially within and adjacent to the right-of-way; sites 12Mg456 and 12Mo1413 are located in proximity to the right-of-way. If the sites cannot be avoided, they will be subject to additional investigation to determine if they are eligible for the NRHP. In the event that avoidance of the sites is not possible, additional investigations have been stipulated in the MOA and will be coordinated with the SHPO. (See Appendix J, MOA.)

5.15 Future Actions to Avoid, Minimize, or Mitigate Adverse Effects

The Section 5 I-69 alternative alignment development process has focused on minimizing the undertaking's effects on cultural, environmental, social, and economic resources. These minimization efforts have been conducted since the previous Tier 1 selection of the 3C Study Corridor (that upgrades an existing infrastructure), and include the consideration of

environmental constraints in the planning process (avoidance of cemeteries, Section 4(f) properties, and historic properties where possible), elimination/alteration of design elements, and coordination with numerous agencies and interest groups, including Consulting Parties and the SHPO.

The Section 5 alternative development process is detailed in the April 2007 and revised March 2012 *Preliminary Alternatives Analysis and Screening for Tier 2, Section 5 (Bloomington to Martinsville) of the I-69 Evansville to Indianapolis Project* and is also included in the Section 5 FEIS. As stated in the documents, three preliminary alternative alignments were initially considered for Section 5. Through an alternatives screening process and in response to public comments, some elements of the preliminary alternatives were eliminated from consideration, and some new elements were introduced. The alternatives carried forward for detailed study (Alternatives 4, 5, 6, and 7) consisted of different combinations of highway elements (e.g., mainline segments, access points, and access roads) that were retained from the three preliminary alternatives or added during the screening process. Section 5's DEIS Preferred Alternative 8 was comprised of various features of Alternatives 4, 5, 6, and 7, as presented during consultation. After publication of the DEIS in October 2012, and after the close of the public comment period in January 2013, the Refined Preferred Alternative 8 was developed to address public and agency comments. (See Appendix H, Project Mapping – Refined Preferred Alternative 8, for graphic depictions of the undertaking.) While many of these elements are “common” (i.e., similar) to Alternatives 4, 5, 6, and 7, there are certain “decision elements” where the alternatives differ. Note that Alternatives 4, 5, 6, and 7 were developed to illustrate *possible combinations* of these potential elements, and the Refined Preferred Alternative could involve any combination of decisions at these locations. Therefore, total impacts for each alternative should also be considered in terms of impacts associated with individual decision elements. In the development of Alternatives 4, 5, 6, 7, 8, and Refined Preferred Alternative 8, specific adjustments were made to the mainline, interchanges and access roads to avoid or minimize adverse effects to historic properties.

These adjustments can be summarized as follows:

Maple Grove Road Rural Historic District and Daniel Stout House

The consultants made several efforts to avoid and minimize effects on this district. The I-69 mainline has maintained the existing right-of-way from Arlington Road to Kinser Pike to eliminate a direct effect and reduce noise increases associated with the undertaking. The Kinser Pike overpass was modified to move the west side access roads further to the north to avoid direct and indirect impacts to a portion of the Maple Grove Road Rural Historic District boundary, specifically a parcel referred to as the Daniel J. and Nancy M. Stout property which was identified during this Section 106 process, was determined to contribute to the significance of the district, and was integrated into the boundaries of the district through a boundary increase.

The consultants also removed from consideration access roads between Acuff Road and Kinser Pike to the west of SR 37 and a potential overpass and cul-de-sac at Acuff Road west of SR 37 were removed from further consideration to eliminate direct effects. An extension of Kinser Pike to the west/northwest along the existing natural ridge (between two watersheds in karst terrain) that would tie in with Bottom Road was eliminated and replaced with a “T” intersection and closer tie-in with existing Kinser Pike in response to SHPO comments regarding potentially increased noise and visual impacts. Finally, the Refined Preferred Alternative includes neither an interchange nor an overpass at Acuff Road to further reduce noise increases and visual impacts to the MGRHD.

Stipp-Bender Farmstead

Consultants eliminated the That Road overpass to avoid potential visual impacts to the Stipp-Bender and reduce potential increases in noise associated with the undertaking.

Maurice Head House

Consultants eliminated the That Road overpass to avoid potential visual impacts to the Maurice Head House and reduce potential increases in noise associated with the undertaking.

North Clear Creek Historic Landscape District

In order to reduce impacts on this property, consultants shifted the Refined Preferred Alternative mainline location onto existing SR 37 (a four-lane divided highway) and they minimized the direct impacts of the Refined Preferred Alternative’s upgrades to West Fullerton Pike by significantly reducing areas required for new right-of-way and for fill. The Refined Preferred Alternative reduces the areas required for new right-of-way along Fullerton Pike, minimizing the distance between construction limits and the right-of-way on the North Clear Creek Historic Landscape District property.

Reed Historic Landscape District

The Refined Preferred Alternative was modified with a requested design exception to lower the I-69 mainline elevation and retain the existing Arlington Road overpass to reduce potential noise and visual impacts to the district.

Hunter Valley Historic Landscape District

The Refined Preferred Alternative was modified with a requested design exception to lower the I-69 mainline elevation and retain the existing Arlington Road overpass to reduce potential noise and visual impacts to the district.

Monroe County Bridge No. 913 (NBI No. 5300130; Select Bridge)

Walnut Street overpass alternative designs include the use of the existing bridge as part of the overpass structure, and upgrading of the existing road was terminated just prior to the bridge structure to prevent construction impacts to the bridge. The Refined Preferred Alternative includes the re-use of the existing partial interchange at this location. The roadway alignment associated with the partial interchange will allow Bridge 913 to continue to serve in its current configuration. No modifications to the structure are planned as part of the Refined Preferred Alternative.

Morgan County Bridge No. 161 (NBI No. 5500125; Select Bridge)

The Refined Preferred Alternative design terminates upgrades to existing roads well away from the structure to prevent construction impacts to the bridge. The Refined Preferred Alternative was designed to maintain the use of the bridge as part of the access road system (in response to concern expressed by the SHPO over potential “demolition through neglect” should the bridge cease to be an integral component of county infrastructure).

The Refined Preferred Alternative maintains use of Bridge 161; the undertaking access road improvements terminate more than 800 feet from the bridge.

Historic Landscape Districts

The Refined Preferred Alternative 8 requires less property from the North Clear Creek Historic Landscape District than any other alternative. Alternatives 6 and 8 would require 2.42 acres and 2.41 acres for new right-of-way, respectively, or up to about 1.7% of the North Clear Creek Historic Landscape District (within the APE). Refined Preferred Alternative 8 would acquire 1.96 acres of property for new right-of-way, which represents about 1.4% of the North Clear Creek Historic Landscape District (within the APE).

Resulting from discussion raised at the fifth consulting party meeting (March 14, 2013), language was added to the MOA regarding water drainage impacts to historic resources, particularly to the limestone related historic landscape districts. Stipulation I.A. directs FHWA and INDOT to “conduct at least one meeting with its design consultants or technical advisor and invite representatives from Monroe County, City of Bloomington, SHPO, consulting parties, and owners of property within the portions of the following historic districts within the Section 5 Project APE: Hunter Valley Historic Landscape District, Reed Historic Landscape District, and North Clear Creek Historic Landscape District.” The meeting will be designed to present drainage plans, and allow participants the opportunity to ask questions and provide input. In addition, FHWA will “shall use Best Management Practices (BMP) on the Section 5 Project to ensure that roadway drainage from the Project does not introduce effects that adversely impact the water quality and quantity at these historic properties.” (See Appendix J, MOA.)

Archaeological Sites

Under Alternatives 6, 8, and Refined Preferred Alternative 8, the folded urban interchange at Sample Road was designed such that it would avoid impacting potentially-eligible Site 12Mo1413. This site is presently outside the Refined Preferred Alternative 8 right-of-way (archaeological APE). Similarly, the interchange at Liberty Church Road was shifted north to minimize impacts to floodplains and archaeological sites located near the interchange. In this way, potentially-eligible Site 12Mg456 was avoided under Refined Preferred Alternative 8. This site is presently outside the Refined Preferred Alternative 8 right-of-way (archaeological APE).

Of the eleven sites with insufficient data to determine eligibility, eight are presently located outside the right-of-way under the Preferred Alternative 8. They include sites 12Mg467, 12Mg458, 12Mo1432, 12Mo1434, 12Mo1444, 12Mo1445, 12Mo1451, and 12Mo1452. These sites fell partially within the rights-of-way for other alternatives.

Memorandum of Agreement

In addition to the above-mentioned design considerations to avoid and minimize impacts to historic resources, mitigation to historic resources has been included in a MOA. As part of the Tier 1 MOA, FHWA and INDOT agreed to implement and/or fund the activities listed in this section as part of the Tier 2 environmental studies. The Tier 1 MOA also provided that additional commitments may be made, as appropriate, as an outcome of the Section 106 consultation process for each Tier 2 section. FHWA has issued a finding of Adverse Effect for the undertaking, since the results of all archaeological investigations were unknown at the time of the effect finding's drafting. Archaeology survey has been completed for remaining portions of the archaeological APE and an addendum to the Phase Ia report will be submitted to SHPO with the additional survey results. At that time, project archaeologists will recommend no further work or additional investigation. The MOA acknowledges the ongoing archaeological identification and evaluation efforts and outlines treatment of archaeological resources within the archaeological ape. (See Appendix J, MOA.)

The undertaking has been determined to have an Adverse Effect, but there are no adverse effects on any aboveground historic resource and therefore, no resolution of adverse effects is required for aboveground resources. However, the Section 5 MOA includes educational mitigation for aboveground resources as provided for in the I-69 Tier 1 MOA for the I-69 corridor: a Multiple Property Documentation Form of the Dimension Limestone Industry, and if Monroe County chooses, an educational outreach initiative, coordinated and implemented by MCHPBR, with funding of up to \$5,000 from FHWA. As noted above, other stipulations in the MOA include additional coordination during design to avoid highway drainage impacts to historic landscape districts and the coordination of context-sensitive solutions during the early stages of design.

The stipulations in the Tier 2 MOA were developed in close consultation with ACHP, SHPO, and consulting parties. The draft MOA was initially submitted to SHPO on December 10, 2012; SHPO provided comments on December 17, 2012. The revised draft MOA was submitted to

SHPO and consulting parties on February 12, 2013. SHPO provided additional comments on February 21, 2013 and February 22, 2013. The ACHP informed FHWA of its intent to participate in consultation to develop a MOA on February 26, 2013. On March 14, 2013, the fifth consulting party meeting was held at the Section 5 Project Office and included the ACHP's representative. At the meeting, revisions to the MOA and appropriate mitigation measures were discussed. On March 26, 2013, based on comments provided at the fifth consulting party meeting, the revised draft MOA and March 14, 2013 meeting minutes were sent to consulting parties and ACHP for review. The ACHP and MCHPBR's representatives provided comments on the revised draft MOA. After considering comments received on these materials, the MOA was revised to incorporate comments and then sent electronically to signatories on April 23, 2013 for review; a paper copy was transmitted via post or hand-delivered to required and invited signatories on April 29, 2013. (See Appendix K, Consultation with the ACHP.)

The MOA was executed on May 9, 2013. On May 13, 2013, FHWA invited consulting parties to sign the executed MOA as concurring parties. Robert H. Bernacki signed the MOA as a concurring party on June 5, 2013, on behalf of the Wabash & Ohio Chapter of the Society for Industrial Archaeology. (See Appendix I, Correspondence/Comments Received/Transmitted Following Section 106 Review Period and Appendix J, MOA .)

6.0 SUMMARY OF CONSULTING PARTIES AND PUBLIC VIEWS

The following is a summary of the views of the consulting parties. Comments from consulting parties received prior to the October 2012 publication of the DEIS and 800.11(e) documentation, and responses to those comments, are listed in the Consulting Party Comment/Response Form. (See Appendix F, Correspondence/Comments Received.) Comments from consulting parties received after the October 2012 publication of the DEIS and 800.11(e) documentation, and applicable responses to those comments, are listed in the Appended Consulting Party Comment/Response Form. (See Appendix I, Correspondence/Comments Received/Transmitted Following Section 106 Review Period.) The following is a summary of all comments.

On June 24, 2004, John Froman, Chief of the Peoria Tribe of Indians of Oklahoma sent a letter to FHWA indicating that the tribe had no objections to the proposed project, but asked to be notified if any remains and/or objects falling under NAGPRA were located. If any such remains or objects were located, work should stop immediately and the tribe ought to be contacted. (See Appendix F, Correspondence/Comments Received, for a copy of the letter.)

In a letter dated July 7, 2004, the SHPO indicated the APE “appears to cover at a minimum the areas where foreseeable effects are likely to occur,” but also noted that the APE may need to be adjusted in the future if certain “effects or geographic issues...come to light.” SHPO asked specific questions about several areas of the APE. (See Appendix D, Agency Coordination.)

The first consulting party meeting (July 13, 2004) discussed the role of consulting parties in the Section 106 review process, the APE, and potential historic properties within the APE. Consulting parties voiced concerns regarding the protection of cemeteries; many are unmarked and/or easily missed. Some are located near the existing right of way for SR 37 (a four-lane divided highway). Tommy Kleckner of Historic Landmarks Foundation of Indiana (now Indiana Landmarks) provided information about the Fullerton House. Joseph E. Mills, III (Morgan County Historic Preservation Society) reported that Hastings Schoolhouse, a NRHP-listed property, had been destroyed by a tornado. [Note: A January 28, 2005 email from the National Park Service, *National Register Weekly List 01/28/2005*, indicated the Hastings Schoolhouse had been removed from the NRHP as of June 1, 2004. (See Appendix D, Agency Coordination, for a copy of the cover letter and email.)] Attendees asked questions regarding design of the interstate, especially as it related to interchanges and re-routing along SR 39. Attendees also requested a list of steps in the consultation process. (See Appendix E, Consulting Parties, for minutes from consulting party meeting No. 1.)

At the Morgan County informational meeting held on January 26, 2005, attendees included project consultants, Norman Voyles (Morgan County Commissioner), Joe Mills (Morgan County Historic Preservation Society), and Sam Cline (Morgan County Historian). Joe Mills and Norman Voyles offered information about County Bridge No. 224 (NBI No. 5500142). Mills indicated that Hastings Schoolhouse was no longer extant. Consulting parties also discussed Stitt-Maxwell Cemetery as a potential historic resource. Griffith Cemetery was noted as being in

the right-of-way for SR 37. Sam Cline asked questions about a property at 1309 Morten Avenue. Attendees mentioned the following properties as potentially historic: a farming resource along Godsey Road, house at 2230 West Burton Lane, “Hoosier Homestead” at 3735 Jordan Road, Anderson House on Liberty Church Road, and a log cabin at 5604 Turkey Track Road. The consulting parties at the meeting suggested that project consultants meet with the Maxwells to solicit their input on historic resources in the county, especially those pertaining to agriculture and farming. (See Appendix E, Consulting Parties, for minutes from the informational meeting.)

At an informational meeting held on February 1, 2005, attendees included project consultants and Mary Ogle (MCHPBR, Assistant Director Monroe County Planning Department). Mary Ogle asked if Section 5 historians surveyed other structures besides just houses, as a concern of the board. Ms. Ogle advised that Bailey Farmstead was being developed and said that the Clear Creek neighborhood was a viable resource and assumed a historic district. She asked about the eligibility of quarries and stated that they should be evaluated as cultural landscapes under the NPS guidelines. Ms. Ogle also mentioned the Fullerton House, the cottage at 2102 West Vernal Pike, the Maple Grove Road Rural Historic District, and various cemeteries as resources of concern. She also made a point to note other properties that were of less concern: the Amos John House at 960 West Simpson Chapel Road, the farmstead at 6436 North Showers Road (though the house was demolished), 2021 Arlington Road, and the Hensonburg School at 2335 West Vernal Pike. (See Appendix E, Consulting Parties, for minutes from the informational meeting.)

On February 2, 2005, Robert Bernacki (Wabash & Ohio Chapter of Industrial Archeology) offered comments regarding limestone properties. Mr. Bernacki discussed the Vernia Mill at SR 46 and 37. He wanted to see it preserved, restored, and used as an educational, interpretive site. Mr. Bernacki discussed several other limestone properties, including the Hoadley Mill, Carl Furst property, and Victor Oolitic.

In an undated letter received March 14, 2005 by project historians, Ms. Patricia Powell (Owen County Preservations, Inc.) sent a list of “homes to save,” including: the Maple Grove Road Rural Historic District; Kinser Pike Log house; Frank and Florence Bell Sears-Roebuck House; Walter and Cory Wampler House; McNeely House on Simpson Chapel Road; Amos Jones House; I-House on Simpson Chapel Road; two Federal style houses on Woodyard Road; a bungalow on Bryants Creek Road; a log cabin on Bryants Creek Road; a Queen Anne house on Cramer Road; the McDaniels house on Godsey Road; an octagonal house on Old State Route 37; the Maxwell House on Liberty Church Road; 3900 Old State Road 37; the Carlton/Huff Cemetery; the Griffith/Gray Cemetery; the Wiley Cemetery; the Simpson Chapel Church and Cemetery; an old cemetery west of “Williams”; and the Maxwell Cemetery. (See Appendix F, Correspondence/Comments Received, for a copy of the letter.)

On May 25, 2005, SHPO concurred with the Section 5 APE. (See Appendix D, Agency Coordination.)

At the second consulting party meeting held on June 27, 2005, the Draft HPR and property evaluations were the subjects of discussion. Joseph E. Mills, III (Morgan County Historic Preservation Society) asked if the rating for Morgan County Bridge No. 224 (NBI No. 5500142) had been changed to “Outstanding.” Tommy Kleckner (Indiana Landmarks) commented that the property on 2102 West Vernal Pike, which was undergoing rehabilitation, was relatively intact, as was the stone wall in front of the house. Laurel Cornell (Indiana Limestone Heritage Parks) inquired about the Borland House and the Carl Furst Stone Company Quarry, a property listed in the State Register; later in the discussion the consultants said that the property was outside of the APE. She also asked if limestone related resources had been evaluated as “objects.” Mr. Kleckner noted that the Verna Mill site continued to convey its history. An unidentified consulting party expressed concern over the lack of industrial archaeology in Indiana. Mr. Kleckner asked why the Fullerton House was deemed “ineligible.” He also expressed concern over stone walls but agreed with the evaluation of the wall on Victor Pike, however, noting that there was much recent development that had altered its integrity. (See Appendix E, Consulting Parties for consulting party minutes.)

In a letter dated July 13, 2005, the MCHPBR issued comments on the Draft HPR. The letter concurred with the recommendation that the Stipp-Bender Farmstead and the Philip Murphy-Jonas May House were eligible for listing in the NRHP, along with “a number of other sites.” The board requested a more detailed justification for properties determined ineligible that were otherwise listed as Outstanding or Notable in the interim reports. The board requested a longer comment period for the HPR and that the document be made available “at appropriate public locations.” The board requested further consideration of the eligibility of the Fullerton House, the stone wall affiliated with the Stipp-Bender Farmstead, individual components (derricks, mill equipment, etc.) of mill complexes and quarries, Bridge No. 83 (NBI No. 5300061) on Dillman Road, and Bridge No. 913 (NBI No. 5300130) on Business 37. (See Appendix F, Correspondence/Comments Received, for a copy of the letter.)

In a letter also dated July 13, 2005, Bloomington Restorations Inc. asked for the reconsideration of the eligibility of the Fullerton House, the Queen Anne house at 2102 West Vernal Pike, and various limestone quarries and mills. (See Appendix F, Correspondence/Comments Received, for a copy of the letter.)

Other correspondence received after the second consulting party meeting included an email from Steve Wyatt of Bloomington Restorations Inc., dated July 20, 2005, in which he indicated that the Fullerton Cemetery was a “Fullerton family gravesite.” (See Appendix F, Correspondence/Comments Received, for a copy of the email.)

The Prairie Band Potawatomi Nation sent a letter dated July 20, 2005, indicating that the tribe had “no objections” and was not aware of “any historic cultural resources in the proposed development area” but asked to be notified if “any inadvertent discoveries are uncovered at any time throughout the various phases of the project.” (See Appendix F, Correspondence/Comments Received, for correspondence.)

On August 1, 2005, SHPO issued a comment letter in response to the HPR. Overall, SHPO found the report to be “well-researched and well-written,” and they agreed with “the vast majority of its conclusions.” SHPO, however, had several comments. They did not think it was accurate to state that there are “no properties listed in the Indiana Register of Sites and Structures located with the Section 5 APE.” Regarding the Philip Murphy-Jonas May House, SHPO commented on the historic property boundary, indicating it should be redrawn. SHPO suggested an elaboration on the rationale behind recommending the Clear Creek historic district not eligible for the NRHP. The SHPO requested additional information on the status of Morgan County Bridge No. 224 (NBI No. 5500142), including which factors from the “Guidelines for Assessing the Cultural Significance of Indiana’s Extant Metal Bridges (1872-1942)” were applicable. SHPO requested similar information for Monroe County Bridge No. 83 (NBI No. 5300061) and Monroe County Bridge No. 913 (NBI No. 5300130). (See Appendix D, Agency Coordination.)

In a letter to FHWA dated August 16, 2005, Sandra Tokarski, representing Citizens for Appropriate Rural Roads (CARR), commented on the overall Tier 2 studies, stating the “segmentation of the project...discourages meaningful consultation by stakeholders and citizens.” Tokarski also requested greater access to Section 106 materials and a time extension for providing comments. (See Appendix F, Correspondence/Comments Received, for the letter.)

In a letter dated August 16, 2005, SHPO concurred with the conclusion that Morgan County Bridge No. 224 (NBI No. 5500142) is eligible for listing in the NRHP. (See Appendix D, Agency Coordination.)

In a meeting held December 5, 2005, INDOT, FHWA, and their consultants met with representatives from SHPO and Indiana State University. Items of discussion included area cemeteries, the project schedule, Phase Ia management summary/reports, Phase Ic plans, and Phase II work plans. (See Appendix D, Agency Coordination.)

In a letter dated December 16, 2005, the SHPO commented on the “Purpose & Need/Preliminary Alternatives Package for Section 5,” which had been transmitted to them on August 1, 2005. The SHPO stated they had “no particular comments to offer on the draft purpose and need statement for Section 5,” but had some comments regarding potential effects to historic properties. In particular, the Maple Grove Road Rural Historic District was mentioned as a resource that could be vulnerable to project effects, in addition to Monroe County Bridge No. 913, Morgan County Bridge No. 161, and Morgan County Bridge No. 224. (See Appendix D, Agency Coordination.)

In a letter dated March 13, 2006, SHPO responded to FHWA’s submission of the “Archaeological background research and records check (Bergman/Haag, 1/06) for alternative 3C for Tier 2 I-69 Evansville to Indianapolis, Section 5 (SR 37 south of Bloomington to SR 39).” The letter outlined fifteen points of clarification and questions that were prerequisite to completing the review of the document. (See Appendix D, Agency Coordination.)

SHPO responded to FHWA and to the PMC regarding the eligibility of the Fullerton House in a letter dated May 25, 2007. The letter agreed with the *Report on the Determination of Ineligibility of the Fullerton House for Listing in National Register of Historic Places* that the Fullerton House is not eligible for inclusion in the NRHP. However, SHPO suggested the report's title be changed from "determination of ineligibility" to "determination of eligibility," and made a point of clarification regarding one of the paragraphs in the document. (See Appendix D, Agency Coordination.)

On July 27, 2007, the Keeper of the National Register sent a letter to FHWA concurring with the finding that the Fullerton House is not eligible for listing in the NRHP. (See Appendix D, Agency Coordination.)

On May 13, 2008, after a revised HPR was mailed to consulting parties, the Peoria Tribe of Indians of Oklahoma replied, expressing "no objection to the proposed construction," but if "human skeletal remains and/or any objects falling under NAGPRA" were recovered, "construction should stop immediately, and the appropriate persons, including state and tribal NAGPRA representatives be contacted." (See Appendix F, Correspondence/Comments Received, for letter.)

In a letter dated May 30, 2008, the SHPO concurred with the findings of the HPR. (See Appendix D, Agency Coordination.)

At the commencement of the AI study, SHPO commented on the revised APE in a letter dated September 28, 2011. SHPO agreed that "the proposed additions to the Section 5 area of potential effects are appropriate." Further, SHPO expressed satisfaction with the proposed methodology for the AI survey of aboveground properties. (See Appendix D, Agency Coordination.)

In a letter dated January 6, 2012, SHPO recommended that the project consultants add Robert Bernacki as a consulting party. (See Appendix E, Consulting Parties.)

A third consulting party meeting was held on January 31, 2012, to summarize the status of the Section 106 process, and to introduce the AI survey. The representative for the MCHPBR, Ms. Cheryl Ann Munson, referenced the large number of demolished structures which had previously been on the Contributing resources list and asked if it was typical for INDOT projects to have such a large number of demolitions and inquired as to historic studies completed as part of the SR 46 upgrade in the 1990s. Ms. Nancy Hiestand (Program Manager Historic Preservation, Housing and Neighborhood Development, City of Bloomington) asked if the AI study found evidence of the "Parks School" at Acuff Road, if the stone walls in the vicinity of Bell Road had been considered, and asked about the remains of Stout Mill. She disagreed with the recommendation for the previously-recorded resource at 2102 West Vernal Pike and asked whether the research for the Hensonburg area had yielded findings on the community's reported African-American background. Mr. Kleckner (Indiana Landmarks) asked about ranch homes in the vicinity of Arlington Road, noted that Indiana Landmarks would be advocating for NRHP

listing of the quarries (particularly Hunter Valley) as part of their formal consulting party comments, and concluded by saying that the limestone study was especially important in light of the work being done by Laurel Cornell. (See Appendix E, Consulting Parties, for meeting summary.)

Following the third consulting party meeting, on February 2, 2012, Cheryl Ann Munson, on behalf of the MCHPBR, sent an email regarding the house at 3275 North Prow Road. She asked if it was evaluated as part of the Section 5 survey efforts and, if it had been, where the assessment of the property could be located. (See Appendix F, Correspondence/Comments Received, for correspondence.)

In an email dated February 11, 2012, Ms. Munson requested digital access to the AI Report, and the *Consideration of and Findings regarding Dimension Limestone Resources* report. (See Appendix F, Correspondence/Comments Received, for correspondence.)

In response to the AI Report and the *Consideration of and Findings regarding Dimension Limestone Resources* reports, SHPO concurred with the findings of both reports in a letter dated February 20, 2012. SHPO commented that it was likely that in addition to Criterion A, the historic landscape districts identified in the report would be eligible under Criterion D. SHPO reminded the FHWA to avoid cemeteries and to report any archaeological discoveries pursuant to state law. (See Appendix D, Agency Coordination.)

On February 26, 2012, Cheryl Ann Munson, on behalf of the MCHPBR, emailed formal comments (and re-sent the comments on February 27, 2012). Munson stated “we concur with most of the recommendations for the Proposed Historic Landscape Districts of Reed, Hunter Valley, and Clear Creek,” but advocated that the house at 3275 North Prow Road be added as a Contributing element in the Reed Historic Landscape District. The board suggested that archaeological study be conducted at the property. The board requested the evaluation of the Thomas L. Brown Elementary School be changed. (See Appendix F, Correspondence/Comments Received, for the letter.)

On February 27, 2012, Ms. Nancy Hiestand (Program Manager Historic Preservation Housing and Neighborhood Development, City of Bloomington) emailed a letter asking for further research regarding the significance of the house at 3275 North Prow Road, Bloomington. (See Appendix F, Correspondence/Comments Received, for the letter.)

On February 27, 2012, Ms. Sandra Tokarski, a representative for CARR, sent an email attachment letter regarding the AI Report and the *Consideration of and Findings regarding Dimension Limestone Resources* reports. CARR stated that the project description does not adequately reflect the extent of the undertaking, and it should be changed. CARR agreed “with most of the recommendations for the Historic Landscape Districts of Reed, Hunter Valley, and Clear Creek.” CARR said that the house at 3275 North Prow Road “should be included in the Reed Historic Landscape District as a Contributing feature and should be evaluated as eligible”

for the NRHP. CARR also requested an “audit” of INDOT and its consultants. (See Appendix F, Correspondence/Comments Received, for the letter.)

On February 28, 2012, Ms. Debby Reed sent an email to the project office regarding her family property at 3275 North Prow Road, which she stated was built in 1899 and has significance that ties it to the Reed Historic Landscape District. (See Appendix F, Correspondence/Comments Received, for the letter.)

On April 5, 2012, SHPO sent a letter regarding the “Phase Ia Archaeological Report of I-69 Evansville to Indianapolis: Tier 2 Studies, Section 5, SR 37 south of Bloomington to SR 39 (Hinks, Lombardi, Bergman, and Haag, 2/14/12).” The letter indicated that thirty-seven archaeological sites were not individually eligible for inclusion in the NRHP (though one could be eligible for inclusion within the North Clear Creek Historic Landscape District), and three archaeological sites had insufficient data to make a determination of eligibility. The letter indicated that the eligibility of limestone-related “quarry waste...should be evaluated and considered in regard to the Northern Clear Creek Historic Landscape District, considered as archaeological sites, and be given site numbers. . .” Additionally, SHPO expressed the opinion that sites within the Quarry Test Areas should be evaluated for eligibility. SHPO noted that one archaeological site was potentially eligible for the NRHP. The letter indicated that sites located within each of the three identified historic landscape districts (Hunter Valley, North Clear Creek, and Reed) should be evaluated. The letter concluded with a few questions about field techniques and language in the report. (See Appendix D, Agency Coordination.)

A fourth consulting party meeting was held on May 10, 2012, at the Holiday Inn Express in Bloomington to bring everyone up to date since the last consulting party meeting and to discuss the effects of the proposed undertaking on identified historic resources within the Section 5 APE. Ms. Cheryl Ann Munson (representative for the MCHPBR) inquired about the accuracy of C.E. Siebental’s 1895 map for dating the farmhouse at 3275 North Prow Road. Mr. Don Francis, a property owner within the Hunter Valley Historic Landscape District, asked if historical designation affects property value. He also wondered how roadway access would be granted to properties east of the Zeller’s house, near Acuff Road, once the proposed I-69 corridor was complete. Mr. Kip Shell, owner of the Maurice Head House, asked if he could receive the results of the auditory studies conducted in Section 4. Mr. John Carr (SHPO) asked if the West Fullerton Pike driveway would be closed and if there are only two entrances at the North Clear Creek Historic Landscape District, West Fullerton Pike and South Rockport Road. Mr. Larry Wilson (Monroe County Planning Department) asked whether fill is needed along the entire length of West Fullerton Pike. He also wanted to know whether any consideration had been given to the possibility of increased traffic on West Vernal Pike.

Ms. Munson expressed the opinion that the house at 3275 North Prow Road should be part of the Reed Historic Landscape District even though it is not contiguous to the proposed district. She told the consultants that from the county’s standpoint, the Hunter Valley and Reed districts are very similar. She wanted to know whether any research had been conducted at the Geological

Survey. Ms. Munson stated that roadways are an important way to bring people in to appreciate historic properties. Mr. John Carr (DHPA/SHPO) wondered if the “0” in the table for traffic data near the Morgan County Bridge No. 224 was accurate. Later, Ms. Munson questioned if a site containing Woodland Pottery would be tested as part of the archaeological investigation. She asked the project consultants how many of the 1,400 sites recorded in Monroe County contained pottery.

Mr. Wilson asked if historians or archaeologists had found any evidence of the Ten O’clock Treaty Line and that it should be cited on the highway. Ms. Munson wondered if there would be only one alternative chosen for the entire corridor. She asked about various types of barrier structures. Ms. Munson inquired about visual buffers present near the Maple Grove Road Rural Historic District, Maurice Head House, the Stipp-Bender House, and along the proposed limestone districts. She made suggestions for various mitigation measures. Mr. Nelson Shaffer, a member of the public, asked what the requirements are for wetland mitigation properties. Mr. Carr asked about the target date for completing Section 106 activities. (See Appendix E, Consulting Parties, for meeting summary.)

On May 14, 2012, SHPO sent a letter to PMC and FHWA concurring with the *Phase Ia Archaeological Report*. (See Appendix D, Agency Coordination.)

After the fourth consulting party meeting, the project consultants received a letter from Cheryl Ann Munson, on behalf of the MCHPBR, dated May 22, 2012 (and conveyed via email on May 23, 2012), commenting on the *Identification of Effects Report*. The board reiterated its concern about the omission of the house at 3275 North Prow Road from the Reed Historic Landscape District and offered points for why the house should be recognized. The board was concerned about the visual screening at the Maurice Head House and at the Stipp-Bender House. The letter inquired as to the naming of the North Clear Creek Historic Landscape District, when the district does not appear to be geographically “north” of Clear Creek. The board did not find any of the proposed alternatives “particularly attractive for the Maple Grove Road Rural Historic District.” It discussed a rockshelter along Stouts Creek, though the location was not known. The letter suggested combining the Hunter Valley Historic Landscape District and the Reed Historic Landscape District into one district. Finally, the letter proposed the use of limestone quarry blocks in the place of concrete jersey barriers in certain locations along the proposed I-69 corridor. (See Appendix F, Correspondence/Comments Received, for a copy of the letter.)

In a follow-up letter dated May 23, 2012, the MCHPBR (via Cheryl Ann Munson) indicated that the “Park-Wampler-Bell Cemetery” was missing from the *Identification of Effects Report*. The letter also reported that the consulting party process under Section 106 of the NHPA had become a “meaningless exercise.” (See Appendix F, Correspondence/Comments Received, for letter.)

On May 23, 2012, the project consultants received a comment letter from the SHPO regarding the *Identification of Effects Report* and FHWA’s *Findings and Determinations Document*. The SHPO concurred with the determinations in the FHWA document, including determinations of

eligibility, “as far as they go.” However, SHPO expressed the opinion that all three landscape districts should be also eligible under Criterion D. The letter indicated that SHPO agreed “for the most part” with the findings presented in the *Identification of Effects Report*, with one notable exception. SHPO wondered whether alternatives 4 and 5 would “necessarily alter characteristics of the North Clear Creek Historic Landscape District that qualify it for the National Register in a way that would diminish its integrity, given the nature of that historic district.” The comments suggested that “more thought be given to the degree of effect that alternatives 4 and 5 are likely to have on the North Clear Creek Historic Landscape District.” (See Appendix D, Agency Coordination.)

On July 12, 2012, SHPO issued a formal concurrence with a summary from a meeting held on June 6, 2012, with representatives of SHPO, FHWA, INDOT, PMC, and project consultants to discuss effects of the undertaking on the limestone districts, particularly near C&H Mill at North Clear Creek Historic Landscape District. The meeting participants also discussed comments submitted by Cheryl Ann Munson (MCHPBR) regarding the Reed Historic Landscape District and the property located at 3275 North Prow Road. (See Appendix D, Agency Coordination for meeting summary and letter.)

After visiting the North Clear Creek Historic Landscape District, the consensus of those participating in the site visit was that the effects of alternatives 4 and 5 would be adverse. Similarly, raising the elevation of Rockport Road would constitute an adverse effect; however, since Rockport Road is presently a transportation use, improvements would not constitute a 4(f) impact. The SHPO letter stated that “[w]e accept this final version of the meeting notes for June 6. In particular, we concur with the informal effects assessment contained in the following statement on page 6 of the meeting notes: ‘The consensus of those participating in the site visit was that the effects of alternatives 4 and 5 would be adverse.’” Since the writing of this letter, Refined Alternative 8 has been selected as the preferred alternative. (See Appendix D, Agency Coordination for meeting summary and correspondence.)

On August 7, 2012, representatives of SHPO, FHWA, INDOT, PMC, and project consultants met at the Indiana Government Center North (Indianapolis) to discuss the DEIS preferred alternative (Alternative 8) at Fullerton Pike as it relates to the North Clear Creek Historic Landscape District. While no Contributing resources would be taken from the district under this alternative, impacts could include total tree clearing in the “buffered” area between the construction limits and the right-of-way limits. Provided this clarification of Alternative 8, a representative from the SHPO indicated he would not object to a No Adverse Effect finding for DEIS Preferred Alternative 8 (as described during this meeting) if that was the finding that the agency determined appropriate. (See Appendix D, Agency Coordination, for meeting summary and correspondence.)

The legal notice of Section 106 effect findings, including the finding of Adverse Effect, was posted in the *Bloomington Herald-Times* and the *Martinsville Reporter Times* on October 27,

2012. The public was afforded 30 days to respond. (See Appendix I, Correspondence/Comments Received/Transmitted Following Section 106 Review Period.)

On November 19, 2012, SHPO sent a letter to project consultants regarding the *Addendum I: Phase Ia and Ib Archaeological Survey*. According to the letter, SHPO concurred that 30 archaeological sites were not eligible for inclusion in the NRHP and did not warrant additional archaeological investigations. SHPO concurred that site 12Mo1416 contributed to the North Clear Creek Historic Landscape District, a NRHP-eligible resource, though it fell outside of the proposed project area. The letter indicated that there was “insufficient information” regarding 12 sites to determine NRHP eligibility (including Site 12Mg450). However, SHPO indicated that the portions of the sites that fell within the project area did “not appear to contain significant archaeological deposits” and that additional investigations were not necessary at most of the sites (12Mg450 excepted). The portions of the sites that fell outside of the proposed project area should be “avoided by all project activities.” SHPO agreed that two sites were potentially eligible for listing in the NRHP, and must be avoided by all project activities, or “subjected to additional investigation.” SHPO requested a plan for all necessary additional investigations. (See Appendix I, Correspondence/Comments Received/Transmitted Following Section 106 Review Period.)

In response to FHWA’s consulting party letter and accompanying 800.11(e) documentation (36 CFR 800.6[a][3]) package, Mrs. Deborah Reed sent a comment letter to FHWA on November 20, 2012. Ms. Reed’s letter described her family’s “very old and historic Parks-Patton-Hedrick House and farm [3275 North Prow Road],” and indicated the property was omitted from the 800.11(e) documentation, sent to consulting parties on October 26, 2012. The letter described the nearby Parks-Bell-Wampler Cemetery and pointed out that some of the people buried at the cemetery were former occupants of the farm. The letter stated the Parks-Patton-Hedrick (3275 North Prow Road) home to be the 14th oldest, extant property in Monroe County, dating to 1874. Mrs. Reed wrote that the property had recently been accepted as a local landmark through Monroe County’s historic ordinance. Continuing, the letter discussed the home’s relationship with the local limestone industry, and archaeological artifacts found near the home. The letter discussed changes made to the house over the years. Mrs. Reed finished the letter by asking FHWA to “reconsider your position concerning this 14th oldest, surviving historic home and farm.” (See Appendix I, Correspondence/Comments Received/Transmitted Following Section 106 Review Period.)

On November 21, 2012, SHPO sent a letter to FHWA concurring with FHWA’s finding of Adverse Effect for the project undertaking. The SHPO also concurred that the undertaking would “not adversely affect any historic above-ground properties.” (See Appendix I, Correspondence/Comments Received/Transmitted Following Section 106 Review Period.)

On November 28, 2012, Ms. Debby Reed sent a duplicate letter (nearly identical to that sent on November 20, 2012) addressed to Ms. Hilden (INDOT). (See Appendix I, Correspondence/Comments Received/Transmitted Following Section 106 Review Period.)

On November 29, 2012, Devin Blankenship, chair of the MCHPBR, sent an email to project consultants requesting a two-week extension of the 30-day review period for comments on the 800.11(e) documentation (36 CFR 800.6[a][3]). He also asked that the report be made available electronically, to better facilitate access among the members of the board. (See Appendix I, Correspondence/Comments Received/Transmitted Following Section 106 Review Period.)

On December 6, 2012, project consultants received an email from Devin Blankenship, including a PDF copy of a comment letter from the MCHPBR. The letter agreed with the effect findings for the Maurice Head House and the Stipp Bender House, and it provided information on the local historic designation of the house at 3275 North Prow Road. According to the letter, the board believes that the Thomas L. Brown School is eligible for listing in the NRHP and would be adversely affected by the proposed I-69 undertaking. Continuing, the board did not agree with the effect finding for the Maple Grove Road Rural Historic District or the three historic landscape districts. Members of the board suggested including limestone blocks in the I-69 construction as part of the final design, instead of using concrete barriers and steel guardrails, to help ameliorate any adverse visual effects. The letter suggested the Reed Historic Landscape District should be expanded to include the house at “3275 N. Prow Road, as well as those at 3225, 3215, 2095, and 3065” North Prow Road. The letter concluded with a general statement expressing concern over the project’s “visual impacts to the historic and natural character of the major entryway into Monroe County and Bloomington,” which might result in loss of revenue from tourism. (See Appendix I, Correspondence/Comments Received/Transmitted Following Section 106 Review Period.)

On December 6, 2012, Cheryl Munson delivered oral testimony at the I-69 Section 5 public hearing in Bloomington. She was representing the MCHPBR. Ms. Munson urged support of the completion of Section 5 due to “public safety concerns” and due to “connectivity concerns.” In terms of historic resources, Ms. Munson indicated that the MCHPBR disagreed with several findings and concurred with others. The board disagreed with the no adverse effect finding for Maple Grove Road Rural Historic District, and for the Hunter Valley, Reed, and North Clear Creek historic landscape districts. She was concerned over visual impacts to the districts. (See Appendix I, Correspondence/Comments Received/Transmitted Following Section 106 Review Period.)

Ms. Linda G. Sievers, Trustee for Bloomington Township, emailed the project consultants on December 7, 2012. In her letter, she expressed concern over noise and light pollution near Maple Grove Road Rural Historic District. (See Appendix I, Correspondence/Comments Received/Transmitted Following Section 106 Review Period.)

On December 17, 2012, SHPO sent a letter to project consultants regarding the Draft MOA, transmitted earlier in the month. The letter noted that the MOA was similar to previous MOAs for the project, but suggested some revisions. (See Appendix I, Correspondence/Comments Received/Transmitted Following Section 106 Review Period.)

On January 2, 2013, the deadline for comments to the I-69 Section 5 DEIS, project consultants received a letter from SHPO. The letter agreed “with the conclusions regarding above-ground properties that are eligible for inclusion in, the National Register of Historic Places.” The letter also concurred that no aboveground properties would be adversely affected by the undertaking. Regarding archaeology, the letter referenced an earlier SHPO letter (November 19, 2012) regarding the conclusions of the Phase Ia and Phase Ib archaeological report. (See Appendix I, Correspondence/Comments Received/Transmitted Following Section 106 Review Period.)

Ms. Cheryl Munson sent a comment letter to the project consultants on January 2, 2013. The letter stated that she did not want Section 4 built but if it is going to be built, then Section 5 should be constructed “to help reduce impacts of increased traffic, especially truck traffic” that would result from the construction of I-69 in Section 4. Her letter provided comments on the connectivity issues that the proposed DEIS Preferred Alternative 8 posed. In terms of cultural resources, Ms. Munson indicated that steel or concrete barriers in the construction of I-69 would “detract from the historic character of the area, and in so doing lessen the touristic appeal of Monroe County.” She urged the project planners to use limestone quarry blocks where possible instead. (See Appendix I, Correspondence/Comments Received/Transmitted Following Section 106 Review Period.)

On January 2, 2013, the MCHPBR sent a comment letter on the DEIS to the project consultants. The letter was identical to the one dated December 6, 2012. (See Appendix I, Correspondence/Comments Received/Transmitted Following Section 106 Review Period.)

A DEIS comment letter from Iris Kiesling, Vice-President of the Monroe County Commissioners, dated January 2, 2013 conveyed “The Monroe County Board of Commissioners and Monroe County Department of Highways. “I-69 County Road Impacts of Section 5, Comments for Tier 2, Drant Environmental Impact Statement.” A portion of the document spoke to the aesthetic concerns of protecting historic resources. The letter echoed sentiments from the MCHPBR, which encouraged the use of limestone quarry blocks near the historic districts. (See Appendix I, Correspondence/Comments Received/Transmitted Following Section 106 Review Period.)

On January 2, 2013, a comment letter from Lindy Nelson, Regional Environmental Officer, Department of the Interior, commented on Section 4(f) and historic resources. The letter indicated the Department of the Interior could not concur with INDOT and FHWA regarding the *de minimis* impact at the North Clear Creek Historic Landscape District because “there is no evidence that the City of Bloomington or the State Historic Preservation Officer have agreed to the determinations.” (See Appendix I, Correspondence/Comments Received/Transmitted Following Section 106 Review Period.)

Several responses were received regarding the January 30, 2013 letter that FHWA sent to the SHPO informing the latter that the property owner of C&H Mill, part of the North Clear Creek Historic Landscape District, had harvested trees along West Fullerton Pike and South Rockport

Road. The letter stated that the tree harvesting did not alter the agency's finding of No Adverse Effect for the district. On February 1, 2013, SHPO responded, stating the tree cutting at the North Clear Creek Historic Landscape District does not have an adverse effect on the district. (See Appendix I, Correspondence/Comments Received/Transmitted Following Section 106 Review Period.)

On February 6, 2013, Nancy R. Hiller, acting chair for the MCHPBR, expressed the board's opinions regarding the tree harvesting in a letter FHWA had transmitted to SHPO and consulting parties on January 30, 2013. The MCHPBR disagreed with the No Adverse Effect determination, and expressed the belief that the tree harvesting will have an effect on the historic district. The letter suggested the use of "sizable reject quarry blocks along the road where the trees have been removed" as a form of mitigation. (See Appendix I, Correspondence/Comments Received/Transmitted Following Section 106 Review Period.)

On February 20, 2013, SHPO provided specific comments on the *Addendum II: Phase Ia Archaeological Survey* report, requesting additional information and clarification on report details and graphics. (See Appendix I, Correspondence/Comments Received/Transmitted Following Section 106 Review Period.)

On February 21, 2013, SHPO provided comment letter (via email) requesting a specific editorial corrections to the MOA, which FHWA had transmitted on February 12, 2013. On February 22, 2013, SHPO provided a formal letter regarding the MOA, and indicated that aside from the editorial comments sent the day before, "we are satisfied" with the draft MOA. (See Appendix I, Correspondence/Comments Received/Transmitted Following Section 106 Review Period.)

On March 8, 2013, in response to FHWA's invitation to attend a March 12, 2012 webcast regarding agency comments on the DEIS, SHPO sent a letter to FHWA stating "we are satisfied with the responses by INDOT and FHWA to our January 2, 2013, comments on the DEIS. We have no further feedback to offer regarding those responses." In the letter, SHPO declined to participate in the webcast. (See Appendix I, Correspondence/Comments Received/Transmitted Following Section 106 Review Period.)

Ms. Cheryl Ann Munson emailed project consultants on March 8, 2013, requesting correspondence related to the subject of the ACHP's March visit. On March 11, 2013, Ms. Munson emailed FHWA requesting copies of "letters objecting to the finding that FHWA submitted to the Council." FHWA provided copies of the letters in an email dated March 11, 2013. On March 13, 2013, Ms. Munson replied to FHWA that the transmitted letters did not include correspondence from Debby Reed regarding the "Patton-Hedrick House" at 3275 North Prow Road. (See Appendix I, Correspondence/Comments Received/Transmitted Following Section 106 Review Period.)

The fifth consulting party meeting was held on March 14, 2013, in the Bloomington, Indiana project office. The previous day, the ACHP, SHPO, INDOT, FHWA, and project consultants had

conducted a field review in order to view those properties on which consulting parties had objected to the finding. At the meeting on March 14th, Duncan Campbell, representative of MCHPBR and owner of the land on which the Borland House and Carl Furst Stone Company Quarries are located (North Clear Creek Historic Landscape District) said it is hard for most people to anticipate impacts from projects. For example, in regard to the locally funded Tapp Road improvements, he did not fully understand the impacts until the improvements were under construction. Mr. Campbell also asked about drainage from the undertaking potentially causing adverse impacts to the historic resources. Ms. Cheryl Munson discussed the Fullerton Pike project's impact and urged the agencies and developers to consider drainage impacts upon historic resources. Mr. Campbell suggested the MOA be revised to include a commitment regarding drainage as a precaution. Ms. Munson said that recent tree cuttings at the North Clear Creek Historic Landscape District no longer properly screen the resource from the undertaking. She was concerned that the character of the area would change. Mr. Campbell commented that when he initially purchased his property it looked like the "moonscape," and was much different than it is today. Today the property has more vegetation and foliage. He asked if it is possible to enhance scenic views. In terms of mitigation, Ms. Munson indicated the MCHPBR would like to see quarry blocks used along the road or around the quarries to promote the limestone industry. (See Appendix K, Consultation with the ACHP.)

In regard to the proposed mitigation of an educational brochure, Ms. Munson said that an educational brochure already exists, and another one is not needed. She urged FHWA to consider locations for quarry blocks that would not be unsafe for motorists and to include a stipulation in the MOA to incorporate limestone in bridge or gateway design. Mr. Campbell thought a website could provide better service to the MCHPBR than a brochure. (See Appendix K, Consultation with the ACHP.)

Ms. Munson inquired why the Thomas Brown School was not eligible. Mr. Campbell said that a Multiple Property Listing (MPL) to the NRHP would be a way of documenting and educating the public about the limestone industry and farmsteads. Ms. Munson said she would like to see the Hedrick House (3275 North Prow Road) eligible for listing in the NRHP. Jackie Scanlan, MCHPBR, asked why a house could be included in the Matthews District (now Bybee Quarries) and not in the Reed District. (See Appendix K, Consultation with the ACHP.)

On March 20, 2013, Ms. Cheryl Munson emailed project consultants to request a meeting to "tour" the corridor to look for potential areas where quarry block placement might be possible and safe. On March 22, 2013, project consultants replied to her email. In a follow up email dated March 22, 2013, Ms. Cheryl Munson indicated she agreed with the suggested plan of working with the final design team regarding the quarrying landscape. (See Appendix I, Correspondence/Comments Received/Transmitted Following Section 106 Review Period.)

On April 9, 2013, project consultants received a letter from SHPO regarding the *Addendum II: Phase Ia Archaeological Survey* report. The letter indicated that SHPO had not identified any "archaeological resources listed in or eligible for inclusion in the [NRHP] within the above

proposed project areas.” (See Appendix I, Correspondence/Comments Received/Transmitted Following Section 106 Review Period.)

On the same day, SHPO sent a separate letter to FHWA regarding the March 26, 2013 transmittal of the fifth consulting party meeting minutes and the draft MOA. SHPO indicated it had “no corrections to suggest for the meeting summary and no recommendations to offer on the latest draft MOA. (See Appendix I, Correspondence/Comments Received/Transmitted Following Section 106 Review Period.)

The ACHP responded to the March 26, 2013 meeting summary and draft MOA in a letter dated April 15, 2013. In it, ACHP expressed general appreciation with the opportunities provided to consulting parties to share their concerns. The ACHP indicated that “the revised MOA accurately reflects our understanding of changes agreed upon as a result of these discussions.” They provided suggested revisions to the MOA, including correction of a typographical error, clarification of language within clauses and stipulations to clarify intent. (See Appendix K, Consultation with the ACHP, for documents associated with ACHP consultation and Appendix J, MOA.)

On April 16, 2013, Ms. Nancy Hiller, chairperson of the MCHPBR, replied to an email and phone call from INDOT the same day regarding consultation on the MOA. Ms. Hiller stated she had spoken with Duncan Campbell, a board member and historic property owner, who was working to provide comments on the draft MOA on behalf of the MCHPBR. She indicated comments could take several more days. Following further consultation with INDOT regarding the MOA comment period on the same day, Ms. Hiller sent another email to INDOT requesting additional time to provide comments. (See Appendix I, Correspondence/Comments Received/Transmitted Following Section 106 Review Period.)

In an email dated April 17, 2013, Duncan Campbell provided draft comments regarding the draft MOA, on behalf of the MCHPBR. He indicated that the board would consider and approve the comments at its April 19, 2013 special meeting. The attached comment letter, addressed to FHWA and dated April 16, 2013, indicated that the MCHPBR concurred with the ACHP’s recommended changes to the MOA. The board agreed with the ACHP’s comments regarding drainage, but noted that the stipulations are not “clear enough on the matter of protecting water quality...” Regarding context-sensitive solutions, the MCHPBR did not feel the language in the MOA was adequate. The board suggested the addition of “language in this passage that indicates a greater commitment to the use of limestone...” The MCHPBR commented on the mitigation for Educational Tour Funding Grant, indicating the paragraph could remain “as it is.” The board provided no additional comments for the other sections of the MOA. (See Appendix I, Correspondence/Comments Received/Transmitted Following Section 106 Review Period.)

On April 22, 2013, Duncan Campbell sent a follow-up email to the project consultants. In it, Mr. Campbell indicated the MCHPBR approved the comments he sent via email on April 17, 2013, with one amendment. The board motioned to amend language in the MOA regarding the

Educational Tour Funding Grant to include “funding for other lasting educational activities related to the limestone industry.” Ms. Hiller, acting chairperson for the MCHPBR also emailed INDOT on April 22, 2013 to inform INDOT that the board had met, and that Duncan Campbell would be speaking with project consultants regarding the draft MOA. (See Appendix I, Correspondence/Comments Received/Transmitted Following Section 106 Review Period.)

On May 1, 2013, SHPO transmitted a signed copy of the MOA stating “[w]e are satisfied with the terms of this memorandum of agreement. We appreciated FHWA’s and INDOT’s attempts to address the concerns of consulting parties.” (See Appendix I, Correspondence/Comments Received/Transmitted Following Section 106 Review Period.)

On May 9, 2013, the ACHP transmitted the signed MOA to FHWA. The cover letter stated: “We commend the Federal Highway Administration (FHWA) for working with the consulting parties and the Indiana State Historic Preservation Office (SHPO) to resolve the concerns raised by consulting parties, and address the effects of the I-69, Tier 2, Section 5 Project on historic properties.” (See Appendix K, Consultation with ACHP.)

On May 9, 2013, the ACHP sent a letter to FHWA concurring “with FHWA’s finding of effect for this undertaking, including the determination of ‘no adverse effect’ for North Clear Creek Historic Landscape District.” (See Appendix K, Consultation with ACHP.)

This document was revised following the expiration of the DEIS public comment period to reflect additional comments received and consultation with the ACHP.