

Louisville - Southern Indiana Ohio River Bridges Project
Progress Report Number 12
January 1, 2009 – June 30, 2009
Implementation of the Section 106 Memorandum of Agreement

The Section 106 Memorandum of Agreement (MOA)¹ for the Louisville – Southern Indiana Ohio River Bridges Project (Project) was executed on April 1, 2003. Attachment A provides a list of the signatories to the MOA and concurring parties. Included in the MOA was a stipulation providing for the preparation of a Progress Report (Stipulation IX). The following is Progress Report No. 12, which covers the January 1, 2009 – June 30, 2009 reporting period (Reporting Period).

Activity during the Reporting Period concentrated on implementation of mitigation measures in the MOA including preparing and convening meetings of the Indiana and Kentucky Historic Preservation Advisory Teams (IHPAT/KHPAT), continuing the Historic Preservation Plan (HPP) process for the Utica Limekilns, the Old Jeffersonville Historic District (HD), Phoenix Hill HD and the Country Estates of River Road/River Road Corridor (CE RR/RRC), continued development of a National Register of Historic Places (NRHP) nomination, coordinating the activities to prepare preservation easements for various properties, as well as treatment plans for other identified sites and finalizing the development of a context study for agriculture. Activities related to completion of these aforementioned tasks are described in more detail in later sections of this report.

PART I – OVERALL PROJECT STATUS

The Indiana Department of Transportation (INDOT) and the Kentucky Transportation Cabinet (KYTC) executed the prime contract for Community Transportation Solutions – General Engineering Consultant (CTS-GEC) on April 20, 2005. A description of each section and the progress of each Section Design Consultant (SDC) are provided in the following summary.

- Section 1** Kentucky Downtown Approach (including Kennedy Interchange) – No direct environmental or mitigation efforts were initiated by SDC 1 during this Reporting Period.
- Section 2** Downtown Bridge (using Alternative C-1, Three Tower Cable Stay) – No direct environmental or mitigation efforts were initiated by SDC 2 during this Reporting Period.
- Section 3** Indiana Downtown Approach – No direct environmental or mitigation efforts were initiated by SDC 3 during this Reporting Period.
- Section 4** Kentucky East End Approach – Work began on the Rosewell treatment plans and specifications. The 30% Rosewell Treatment Plan and

¹ A copy of the Section 106 MOA can be obtained by accessing the Project Website; the URL address is located at http://www.kyinbridges.com/pdfs/rod_d.pdf

Specifications were submitted to Kentucky State Historic Preservation Officer (KY SHPO) for review.

Coordination continued with the property owners of the Allison-Barrickman Property in regard to the placement of a preservation easement on the property.

Archaeological sites within the corridor were evaluated. Coordination is continuing with the Louisville Water Company (LWC) on the configuration of the span arrangement for the approach structure. Investigations are continuing to determine if avoidance to (Site) 15Jf720 is practical to avoid impacting the LWC tunnel.

Section 5

East End Bridge – The environmental commitments matrix for the East End Bridge includes references to the Section 106 MOA, Final Environmental Impact Statement (FEIS) and Record of Decision (ROD) for the Project, as well as the Guidelines and Parameters developed through the Bridge Type Selection Process. It has been maintained and updated to reflect Phase 3-D Design activities. The matrix will be updated as Final Design progresses, as well as throughout the Right-of-Way, Utilities and Construction phases of this project.

Section 6

Indiana East End Approach – East End Approach – SDC 6 initiated no direct environmental or mitigation efforts related to the MOA during the Reporting Period.

CTS-GEC worked during this Reporting Period with the BiState Management Team (BSMT), which consists of representatives from the INDOT, KYTC and the Federal Highway Administration (FHWA), in the project oversight requirements of the SDCs under contract by either INDOT and/or KYTC.

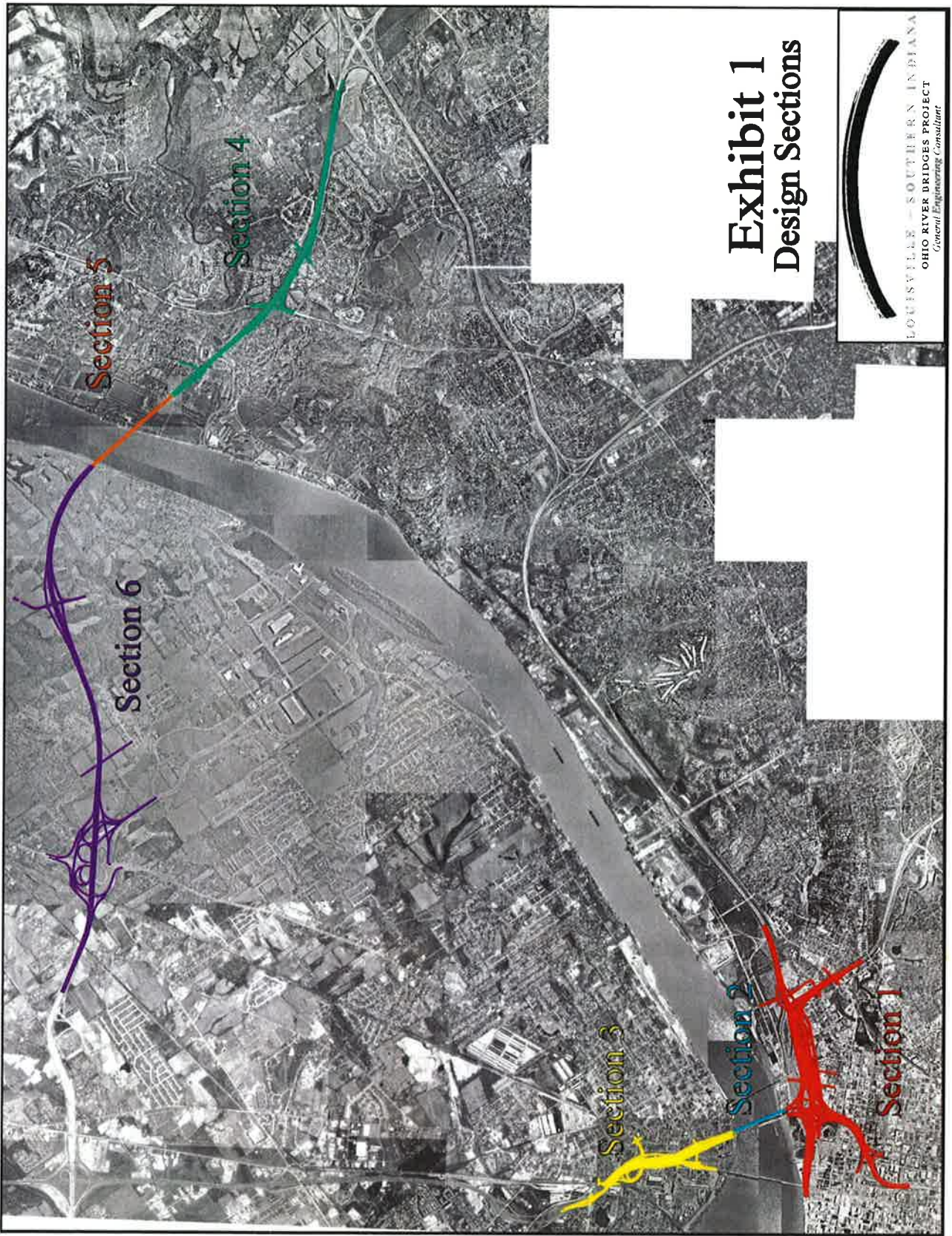


Exhibit 1

Design Sections



PART II – IMPLEMENTATION OF MITIGATION MEASURES CONTAINED IN THE MOA

Measures to mitigate adverse effects of the Project on historic properties are described in the MOA along with a number of activities to guide the development of project plans and provide for coordination of those activities through an historic preservation advisory team for the Indiana portion of the project and one for the Kentucky portion of the project.

The MOA is divided into the following fourteen (14) stipulations:

- I. Project Coordination
- II. Project Development
- III. Site Specific Mitigation
- IV. Archaeological Resources
- V. Unanticipated Discoveries
- VI. Additional Historic Properties and Effects
- VII. Excess Right of Way
- VIII. Performance Standards
- IX. Progress Reports
- X. Project Modification
- XI. Amendment
- XII. Failure to Comply/Termination
- XIII. Dispute Resolution
- XIV. Duration

An expanded version of this listing is included as Attachment B to serve as an outline in the preparation of the Progress Report. A complete definition of each of the specific MOA stipulations completed during the Reporting Period is contained in Attachment C. Activities completed toward satisfying the various stipulations of the MOA during the Reporting Period are described in the following information.

STIPULATION I: Project Coordination

Stipulation I.A.2 provides for the Historic Advisory Teams to assist the Bi-State Historic Consultation Team (BSHCT) and the BSMT in developing Project design details to implement the measures stipulated in the MOA. Work continued during the Reporting Period on this stipulation.

Stipulation I.A.3 provides for the Co-chairs to convene meetings of the Historic Preservation Advisory Teams (HPATs), prepare summaries of said meetings and prepare and submit HPAT recommendations to the BSHCT for further action. IHPAT meetings were held on February 18, 2009, April 15, 2009 and June 17, 2009. KHPAT meetings were held on April 16, 2009 and June 18, 2009. Summaries of each meeting were returned to HPAT members within a reasonable time following each meeting.

Stipulation I.A.10 provides for the distribution of materials needed for review by the advisory teams and comments following scheduled meetings. Meeting materials were provided at least 15 days prior to each scheduled meeting. Presentations and requests for input during the meetings

were supplemented by a 15-day comment period following the meetings to obtain additional input and comment.

Stipulation I.A.11 provides for the development of recommendations by the Co-chairs based on comments provided by the advisory team, for consideration and action by the BSHCT. This was completed after each meeting.

Stipulation I.B. provides for a BSHCT. The BSHCT is to consist of representatives of FHWA, INDOT, KYTC and the respective SHPOs. It defines the roles and responsibilities of the BSHCT, mandates the scheduling of BSHCT coordination meetings and provides a means to advance recommendations of the HPATs to the BSMT for final approval.

The BSHCT held three meetings during the Reporting Period on January 13, 2009, March 17, 2009 and May 12, 2009. Recommendations elevated from the BSHCT to the BSMT (and the date of the respective BSHCT meeting) included advancement of the *Agricultural Development of Southeastern Indiana, 1810-1940* for final approval (January 13, 2009), the Kramer amendment to the *Agricultural Development Report* for final approval (May 12, 2009) and the Grocers Ice and Cold Storage Company Treatment Plan (TP) for final approval (May 12, 2009).

Stipulation I.C. provides for a BSMT. The BSMT consists of representatives of INDOT, KYTC and FHWA. It defines the roles and responsibilities of the BSMT, mandates the preparation of Progress Reports as set forth in Stipulation IX of this MOA and provides a means to consider recommendations of the HPATs through the BSHCT for final approval. Weekly meetings of the BSMT generally occurred on the Monday of each week and items related to this MOA were brought forth. The BSMT approved the *Agricultural Development of Southeastern Indiana, 1810-1940*, the Kramer amendment to the *Agricultural Development Report* and the Grocers Ice and Cold Storage Company TP. Each report was distributed to the IHPAT/KHPAT following these approvals.

Progress Report Number 12 for the Reporting Period of January 1, 2009 – June 30, 2009 is provided in accordance with Stipulation IX.

Stipulation I.D. provides for an Ombudsman for the Indiana portion of the Project and one for the Kentucky portion of the Project. It defines the qualifications for performance as the Project Ombudsman, the roles and responsibilities of the Ombudsman and the location of the office of the Ombudsman for each state.

During the Reporting Period, Mr. Carl Percy continued to serve as the Indiana Ombudsman. Mr. Lee Douglas Walker continued to serve as the Kentucky Ombudsman.

STIPULATION II: Project Development

Work initiated on implementation of mitigation measures identified in Stipulation II of the MOA during the Reporting Period follows.

Stipulation II.B. provides that the views of the public are important and will be solicited and considered at a minimum through the normal transportation project development process of each state through informal meetings to be convened by the respective State Transportation Agencies

(STA). During the Reporting Period, there were no Area Advisory Team (AAT) meetings or Regional Advisory Committee (RAC) meetings convened.

Stipulation II.D. provides for the roadway lighting within the viewshed of historic properties and any navigational lighting required on structures included in the Project shall be designed and constructed to minimize the dispersion of light beyond the right-of-way and include state of the art techniques. All of the SDCs are reviewing the current state-of-the-art technology and will continue to do so until the project letting.

Stipulation II.E. describes activities to minimize adverse effects of noise on historic properties in accordance with state and federal noise regulations, policies and guidance. Noise barriers are still under consideration along I-64 in the area of Clifton. Additional coordination with the neighborhood association is pending a coordination meeting in a following Reporting Period. SDC 4 will hold community meetings in a following Reporting Period with the affected neighborhoods to discuss possible design concepts for proposed noise barriers.

Stipulation II.F. describes the actions for preparation of HPPs. The seven historic properties for which HPPs are to be developed were identified in Stipulation II.F.2 (a through g). During the Reporting Period, development of the HPPs for the Utica Limekilns, the Old Jeffersonville HD, Phoenix Hill HD and the Country Estates of River Road/River Road Corridor continued. Draft B of the HPP for the Limekilns was developed and presented to the IHPAT in a meeting of June 17, 2009. Development of the HPP continues. Completion and approval is to be sought in the next Reporting Period.

For the Old Jeffersonville HD, a revised final draft of the HPP was presented at the BSHCT meeting of March 17, 2009 and approved for distribution to the IHPAT. The final draft of the HPP was sent to IHPAT for review and discussion at the April 15, 2009 meeting. The City of Jeffersonville provided comments regarding recent developments in and adjacent to the HD. Relevant updates to the HPP are required; the HPP is to be returned to the IHPAT for final approval in the next Reporting Period.

Invocation of the Dispute Resolution for Butchertown caused the drafts of the HPPs for Phoenix Hill HD and the Country Estates of River Road/River Road Corridor to be reviewed for revision. The FHWA authorized their completion on May 18, 2009, which would be pursued for both in the next Reporting Period.

The FHWA in cooperation with the INDOT and the Indiana State Historic Preservation Officer (IN SHPO) are developing alternate mitigation for the removal of the house on the Swartz Farm property, which occurred in October 2007. An amendment to the MOA defining mitigation included the possible relocation of the Central Passage House (CPH) to the Swartz Farm property. An inspection of the house was undertaken by INDOT, IN SHPO and CTS-GEC on April 15, 2009 to determine the eligibility of the CPH for the NRHP. In a letter to FHWA dated May 29, 2009, the INDOT provided their opinion that the house was not eligible for inclusion on the NRHP. A similar response was received in a letter dated June 3, 2009 from the IN SHPO. FHWA is currently reviewing the MOA commitment and the two recommendations regarding the CPH for a determination of the future direction for this commitment.

The final draft of the HPP for Butchertown is pending completion of the Dispute Resolution.

Stipulation II.G. states that within five years of the ROD, the historic preservation documents for Clark County, Indiana and Jefferson County, Kentucky will be updated by a qualified historic preservation consultant with the information developed for the Project.

The INDOT and IN SHPO have initiated work to develop a plan for the Clark County Survey update. A coordination meeting, which was held on November 20, 2008 with representatives of the FHWA, INDOT, IN SHPO and CTS-GEC, centered on the final adoption of a scope of work and schedule for completion of this task. To date, continuing coordination with these agencies is finalizing the scope and schedule to begin the inventory update in the next Reporting Period. A schedule extension request was sent from the INDOT to the FHWA on June 23, 2009.

The KYTC coordinated with Kentucky State Historic Preservation Officer (KY SHPO) and Louisville Metro Government (Metro) to complete work on the development of the Jefferson County Survey and for inclusion in the Kentucky Historic Resources Inventory (KHRI). In November 2008, the field work, research and survey forms began. The survey of Butchertown was completed in November 2008; the survey of Phoenix Hill was completed in January 2009. Work continues on the survey portion of the Project in the Country Estates. Additionally, work is underway on the completion of the survey forms in Butchertown, Phoenix Hill and CE RR/RRC. Approximately 275 survey forms were completed in March and April 2009. Project staff is also working on survey techniques applicable to the large number of post-war developments in Louisville/Jefferson County. The draft of the summary report is near completion and the eligibility of resources is being evaluated along with recommendations for future research and/or preservation activities.

Stipulation II.H. mandates that preservation easements shall be established on (those specific) properties identified in Stipulation III in perpetuity by INDOT or KYTC, and held by a local government, local or state preservation organization or other entity as determined by INDOT or KYTC in consultation with the respective SHPO. The development of individual preservation easements (easements) has been initiated for the Wesley House, the Edison House, the property bounded by US 42 - KY 841 - Allison-Barrickman - Wolf Pen Branch Road and Drumanard.

For the Wesley House, the KY SHPO agreed in May 2009 that an inspection of the (private contractor) completed rehabilitation is required to determine if repairs are in conformance with the *Secretary of Interior Standards* for rehabilitation. The inspection is pending. The preservation easement is to be placed upon the existing condition(s) of the buildings. A general contractor (GC) with historic preservation experience is needed to determine the costs of the required repairs. The FHWA and the KYTC are working with the KY SHPO to define a scope of work for the repairs prior to the solicitation of a GC.

Funding for the rehabilitation of the exterior of the Edison House is to be provided if the property owners agree to place an easement to ensure the long-term preservation of the exterior. The KY SHPO conducted an inspection of the exterior on February 16, 2009 and documented their findings in a report entitled *Building Condition Assessment for the Edison House*.

The easement for the property bounded by US 42 - KY 841 - Allison-Barrickman - Wolf Pen Branch Road is not to be placed. Through coordination, the property owner has refused placement of the easement on this parcel. Additional coordination on June 1, 2009 sought final

disposition of this easement. However, the easement to be placed on the tract within the boundary of the NRHP boundary of the Allison – Barrickman house is pending.

Development of the easement on the Drumanard property is contingent upon negotiations with the property owners. The KYTC is currently in the appraisal process for this property. KYTC is presently reviewing both appraisals.

Stipulation II.I. mandates that for specific properties identified in Stipulation III, documentation required for a NRHP nomination shall be prepared by a qualified historic preservation consultant selected by INDOT or KYTC, upon receipt of written consent from the property owner(s) and within the first three years following the ROD. Six properties were identified in the MOA requiring the preparation of a nomination form, all located in Indiana.

The National Register of Historic Places (NRHP) nomination to place the Ohio Falls Car and Locomotive Company HD was reviewed at the April 22, 2009 meeting of the Indiana Historic Preservation Review Board (Board). After the hearing, two of the three property owners objected to the listing and the Board sent the nomination to the National Park Service (NPS) for a determination of eligibility. The Keeper of the NRHP advised in June 2009 that the objections of a majority of the owners of the HD effectively have blocked the *listing* of the HD on the NRHP. However, the owner objections do not preclude the Keeper from *determining eligibility/non-eligibility*. A formal determination to that effect has not yet been issued.

STIPULATION III: Site Specific Mitigation

Work continued on the implementation of mitigation measures identified in Stipulation III of the MOA during the Reporting Period.

Stipulation III.C.1 provides for the development of documentation to seek a NRHP nomination for the Ohio Falls Car and Locomotive Company HD. The preparation of the NRHP nomination form is being developed by CTS-GEC. The NRHP nomination to place the Ohio Falls Car and Locomotive Company HD was held at the April 22, 2009 meeting of the Board. After the hearing, two of the three property owners objected to the listing and the Board sent the nomination to the NPS for a determination of eligibility. The Keeper of the NRHP advised in June 2009 that the objections of a majority of the owners of the HD effectively have blocked the *listing* of the HD on the NRHP. However, the owner objections do not preclude the Keeper from *determining eligibility/non-eligibility*. A formal determination to that effect has not yet been issued.

Stipulation III.E.1 provides for the preparation of an HPP for the Old Jeffersonville HD. A revised final draft of the HPP was presented at the BSHCT meeting of March 17, 2009 and approved for distribution to the IHPAT. The final draft of the HPP was sent to IHPAT for review and discussion at the April 15, 2009 meeting. The City of Jeffersonville provided comments regarding recent developments in and adjacent to the HD. Relevant updates to the HPP are required; the HPP is to be returned to the IHPAT for final approval in the next Reporting Period.

Stipulation III.H.1 provides for the preparation of an HPP for the Utica Lime Industry Multiple Property Listing, including a Context Study focusing on the lime industry in the region. A pamphlet is to be produced, describing the results of such a study. During the Reporting Period, Draft B of the HPP for the Limekilns was developed and presented to the IHPAT in a meeting of June 17, 2009. Development of the HPP continues. Completion and approval is to be sought in the next Reporting Period.

As a part of the HPP, a context study was conducted along with archaeological investigations of the areas around the respective kilns during the Reporting Period. Further investigations would be concluded in the next Reporting Period, culminating in the preparation of the Context Study.

Stipulation III.H.8. requires the INDOT to develop and seek NRHP nomination for the Utica Lime Kiln Multiple Property Listing. Initiation of this nomination is expected in the next Reporting Period following the completion of the HPP. It is envisioned that the information developed in the Context Study would be utilized in the NRHP nomination.

Stipulation III.I. The FHWA in cooperation with the INDOT and the IN SHPO are developing alternate mitigation for the removal of the house on the Swartz Farm property, which occurred in October 2007. An amendment to the MOA defining mitigation included the possible relocation of the Central Passage House (CPH) to the Swartz Farm property. An inspection of the house was undertaken by INDOT, IN SHPO and CTS-GEC on April 15, 2009 to determine the eligibility of the CPH for the NRHP. In a letter to FHWA dated May 29, 2009, the INDOT provided their opinion that the house was not eligible for inclusion on the NRHP. A similar response was received in a letter dated June 3, 2009 from the IN SHPO. FHWA is currently reviewing the MOA commitment and the two recommendations regarding the CPH for a determination of the future direction for this commitment.

Stipulation III.I.1. requires the development of a thematic context study for agriculture in Clark and surrounding counties to assist in future nominations in the region. The report, entitled *Agricultural Development of Southeastern Indiana, 1810-1940*, was returned to the Co-chairs for final approval at the BSHCT meeting of January 13, 2009. The Kentucky Co-chairs deferred to the Indiana Co-chairs at the BSHCT meeting. Concurrence in the final edition of the *Report* was received from the Indiana Co-chairs on January 22, 2009 and the report was distributed to the IHPAT on February 18, 2009.

Subsequent to the meeting, Mr. Carl Kramer, IHPAT Alternate for the Clark County Commissioners, indicated that he intended to prepare an addendum to the *Report*. The Indiana Co-chairs stated on February 24, 2009 that they had no objection to its preparation. It was relayed to Mr. Kramer on March 12, 2009 that the work would be evaluated by CTS-GEC, the BSHCT, the IHPAT, and ultimately by the BSMT before it could be made an addendum to the *Report*. The addendum was received at the IHPAT meeting of April 15, 2009; it was distributed for review to the Indiana Co-chairs on April 21, 2009 and to the BSHCT on May 4, 2009. No objections were voiced at the BSHCT meeting of May 12, 2009. It was recommended at this meeting that the addendum be appended to the *Report* for distribution as one study. With the approval of the BSMT on June 15, 2009, the combined report was distributed to the IHPAT on June 17, 2009.

Stipulation III.I.4. requires the INDOT to develop and seek NRHP nomination for the portion of the Swartz Farm lying to the west of the Project, including the house, barn and associated outbuildings. The preparation of the NRHP nomination form is to be developed by CTS-GEC. In a letter to FHWA dated May 29, 2009, the INDOT provided their opinion that the house was not eligible for inclusion on the NRHP. A similar response was received in a letter dated June 3, 2009 from the IN SHPO. FHWA is currently reviewing the MOA commitment and the two recommendations regarding the CPH for a determination of the future direction for this commitment.

Stipulation III.K.1 provides for the preparation of an HPP for the Butchertown Historic District. The final draft HPP for Butchertown is pending completion of the dispute resolution for the location of the Witherspoon Extension, and is expected in the next Reporting Period.

Stipulation III.K.4 provides for the exterior rehabilitation of the Edison House if the owners agree to provide a preservation easement to ensure the long-term preservation of the exterior. Funding for the rehabilitation of the exterior of the Edison House is to be provided if the property owners agree to place an easement to ensure the long-term preservation of the exterior. The KY SHPO conducted an inspection of the exterior on February 16, 2009 and documented their findings in a report entitled *Building Condition Assessment for the Edison House*. A general contractor (GC) with historic preservation experience is needed to determine the costs of the required repairs. The FHWA and the KYTC are working with the KY SHPO to define a scope of work for the repairs prior to the solicitation of a GC.

Stipulation III.K.5 provides for the exterior rehabilitation of the Wesley House if the owners agree to provide a preservation easement to ensure the long-term preservation of the exterior. For the Wesley House, the KY SHPO agreed in May 2009 that an inspection of the (private contractor) completed rehabilitation is required to determine if repairs are in conformance with the *Secretary of Interior Standards* for rehabilitation. The inspection is pending. The preservation easement is to be placed upon the existing condition(s) of the buildings. A GC with historic preservation experience is needed to determine the costs of the required repairs. The FHWA and the KYTC are working with the KY SHPO to define a scope of work for the repairs prior to the solicitation of a GC.

Stipulation III.K.10 provides for the preparation of a plan that supports the adaptive reuse of the Grocers Ice and Cold Storage Company property. The TP was taken to the BSHCT meeting of March 17, 2009 with a recommendation to carry it back to the KHPAT for final review, which occurred on April 16, 2009. No written comments were received from the KHPAT following this presentation. The TP was returned to the Co-chairs for final approval at the BSHCT meeting of May 12, 2009. The Indiana Co-chairs deferred to the Kentucky Co-chairs. Concurrence in the final edition of the TP was received from the Kentucky Co-chairs at this meeting. With the approval of the BSMT on June 15, 2009, the combined report was distributed to the KHPAT on June 18, 2009.

Stipulation III.L.1 provides for the preparation of an HPP for the Phoenix Hill Historic District. The HPP was approved by the BSHCT and the BSMT during a prior Reporting Period. Invocation of the Dispute Resolution for Butchertown caused the draft of the HPP for Phoenix Hill HD to be reviewed for revision. The FHWA authorized their completion on May 18, 2009, which would be pursued for both in the next Reporting Period.

Stipulation III.L.3 provides that the Project make a reasonable effort to relocate Baer Fabrics to another historic property within the Phoenix Hill neighborhood. KYTC advised CTS-GEC to proceed with the acquisition. Subsequently, the right-of-way appraisals for the property were completed on March 11, 2009 with the review appraisals completed by April 1, 2009. An offer to purchase was accepted by the property owner on May 29, 2009. During the appraisal process, the property owner had indicated that he had no interest in reopening in another historic building in the Phoenix Hill HD (despite the ROD commitment to aid in relocation of the business) as there was not a business to relocate.

Stipulation III.L.4 provides for the preparation of a treatment plan/reuse options for rehabilitation of the Vermont American Buildings affected by the Project. The present owners of the building have denied access to it. Therefore, CTS-GEC has not been able to advance this TP. Opportunities for this access will be sought in the future during the right-of-way acquisition phase.

Stipulation III.M.1 provides for the preparation of an HPP for the CE RR/RRC. Invocation of the Dispute Resolution for Butchertown caused the draft of the HPP for the Country Estates of River Road/River Road Corridor to be reviewed for revision. The FHWA authorized the completion on May 18, 2009, which would be pursued for both in the next Reporting Period.

Stipulation III.N.1 provides that the Project across the Drumanard property be contained within a tunnel to minimize adverse effects. Bids received for construction of an exploratory tunnel were rejected in December 2007. KYTC has investigated alternative methods for the geotechnical exploration for the tunnel, but no further action has occurred. A decision on how to proceed is pending.

Stipulation III.N.2 provides that FHWA shall make every effort to acquire or otherwise establish an historic preservation easement for the entire Drumanard historic property. Development of the easement on the Drumanard property is contingent upon negotiations with the property owners. KYTC is currently considering how to proceed with this property.

Stipulation III.O.1 provides that KYTC shall make every effort to acquire a preservation easement for the tract of land within the NRHP boundary of the Allison-Barrickman house and on the property bounded by US 42 - KY 841 - Allison-Barrickman - Wolf Pen Branch Road. The easement for the property bounded by US 42 - KY 841 - Allison-Barrickman - Wolf Pen Branch Road is not to be placed. Through coordination, the property owner has refused placement of the easement on this parcel. Additional coordination on June 1, 2009 sought final disposition of this easement. However, the easement to be placed on the tract within the boundary of the NRHP boundary of the Allison – Barrickman house is pending.

Stipulation III.O.3 defines a “no-work zone” within the NRHP boundary of the property. A “no-work zone” was a special note in the plans for the US 42 ramp relocation and would be incorporated into the final plans for SDC 4.

Stipulation III.O.4 ensures that a blasting/vibration plan shall be developed to avoid damage to the Allison-Barrickman house. A special note was placed in the plans for the US 42 ramp relocation and would be incorporated into the final plans for SDC 4.

Stipulation III.P.1 provides for the preparation of a TP for Rosewell to minimize damage to the historic property. The development of the TP for Rosewell continued. The TP was advanced to the development of 30% plans and specifications, which were reviewed in a coordination meeting of May 15, 2009 and forwarded to the KY SHPO for a 30-day review in a letter dated June 3, 2009. Development of the plans and specifications will continue in the next Reporting Period.

Stipulation III.P.3 provides that KYTC shall place a preservation easement on the property and sell the property to a local preservation organization or other party acceptable to the BSHCT or donate the property to a local government. SDC 4 is working to prepare Rosewell for re-sale or public use.

STIPULATION IV: Archaeological Resources

The final identification, evaluation and determination of Project effects for archaeological resources were phased because alternatives consisted of large corridors where access was restricted during the FEIS phase.

Stipulation IV.A. 1. states that FHWA may withhold or limit public disclosure of information about historic properties.

Stipulation IV.A.2. FHWA shall ensure that consultation with Indian Tribes is conducted in a manner consistent with 36 CFR 800.2. **Bridges Native American Consultation:** There has been no NAC consultation during the current Reporting Period.

Stipulation IV.A.3. In order to maximize the opportunity to avoid adverse effects, FHWA will make every effort to complete identification and evaluation of archaeological resources at the earliest possible time in Project Design. **Archaeological GIS:** The GIS is being developed to bring together the wealth of historical information available for downtown Louisville only, which will guide the archaeology of the Downtown section. The final report is pending. **Geotechnical Monitoring for Archaeological Deposits (KY):** The information gleaned from any monitoring will be incorporated into the Archaeological GIS to inform both historic and prehistoric probability models. **Hazmat Area Archaeology (KY):** Additional information from geotechnical borings in areas with potential hazardous materials would be available following Phase II testing that will inform potential archaeological investigations in those areas. In some cases, it is likely that hazardous materials will prohibit archaeological testing or testing may need to wait until cleanup has been completed.

Stipulation IV.A.4. In implementing Stipulation IV, FHWA may consult with the parties listed in Attachment F [consulting parties list] and others identified in accordance with 36 CFR 800.2.

Stipulation IV.A.5. FHWA, in consultation with the SHPOs, Indian Tribes when appropriate and other parties deemed appropriate by FHWA, will take reasonable measures to avoid disinterment and disturbance to human remains and grave goods of religious and cultural significance to Indian Tribes, including modification of the Project. **Human Remains Protocol:** A step-by-step protocol for human remains encountered during archaeological testing was deemed prudent given the potential for human remains in the project setting.

Stipulation IV.B.1-2. States that before letting any type of Project construction in the APE or selecting sites for ancillary activities associated with the Project, FHWA shall complete the identification and evaluation of archaeological resources for inclusion in the NRHP in accordance with applicable Federal and state standards and guidelines listed in Stipulation VIII.B. and lists examples of ancillary areas. **Section 1A Archaeological Exploration:** Phase I archaeological survey of Section 1A was conducted in 2006. Because of this survey, three previously unrecorded sites were found: 15JF716, 15JF717 and 15JF718. All three are comprised of the remains of historic occupations of the area from the mid-1800s to the present. The KY SHPO issued a conditional clearance letter in March 2007 pending submittal of the final report. Following review with KY SHPO, additional revisions to this report have been requested of the consultant by January 2009. Copies will be distributed to all appropriate parties once the report has been accepted on receipt. **Section 4 Archaeological Exploration:** Due to lack of landowner permission, Phase II work at 15JF678, 15JF679 and 15JF719 has been postponed until after property has been purchased. Phase II work at the only site for which the project has permission to work, 15JF720, has been completed. The report recommended site 15JF720 as eligible for the NRHP. SDC 4 was tasked with trying to redesign the section in order to avoid impacting this site. It is anticipated that a preliminary design would be available for review in the next Reporting Period. If that is not feasible, additional consultation will be required. **Rosewell Treatment Plan Archaeology:** As a by-product of the structural assessment of the house, the entire basement of the house has been identified as a sensitive resource and no work can occur in the basement (not even concrete removal or repair) without prior archaeological. The entire property is a NRHP listed resource and no work can occur without consulting KYTC and SHPO. **Section 1 Archaeological Database and Document:** A GIS database and accompanying document have been provided to KYTC and distributed to FHWA, SHPO, and CTS-GEC for review and comment in a prior Reporting Period. The database and document await final concurrence from FHWA and the SHPO. The database and document provide an assessment of archaeological potential by parcel and provide a base for decisions regarding archaeological investigations for the Section 1 portion of the project.

Stipulation IV.B.3. States that any human remains and grave good encountered should be treated in a sensitive, respectful and careful manner, avoiding disinterment and photography, if at all possible. In addition, it states that the SHPOs, Indian Tribes, and any other party deemed appropriate by FHWA will be notified within 48 hours if remains that may be significant to Indian Tribes are identified. No human remains were identified during this period.

Stipulation IV.B.4. A Plan(s) for the identification and evaluation of archaeological resources will be developed by FHWA in consultation with the SHPOs, Indian Tribes and other parties deemed appropriate by FHWA. **Archaeological Plan:** After consultation, the Project team agreed that the plan should address auxiliary areas (waste, borrow, staging, and the like), the Archaeological GIS, SDC 2 and 5 underwater surveys and SDC 4 Phase II activities. The plan shall also include or make reference to the Human Remains Protocol developed for this Project and may address artifact conservation and final curation. **Artifact Curation Policy:** A final approved policy from the KY SHPO is pending. **Artifact Conservation:** Further information concerning potential conservation facilities and associated charges is pending.

Stipulation IV.B.5. FHWA shall prepare and distribute final Identification and Evaluation reports in accordance with Stipulation IV.F As stated, a final Sonar Report detailing the results of the underwater archaeology has been accepted and distributed.

Stipulation IV.C.1-6. States that studies shall be completed with a level of effort consistent with 36 CFR 800.4 and provide enough information to determine which archaeological resources are eligible for the NRHP. Indian Tribes will be consulted for their special expertise and FHWA shall notify Indian Tribes and other parties, whom so request, of eligibility determinations. Provides mechanisms for dispute resolution regarding eligibility and states that any party notified of determinations have 15 days to object in writing. All studies conducted during this Reporting Period have been completed in compliance with 36 CFR 800.4 and have provided sufficient information to make decisions. No eligibility determination disputes have occurred during this period. **Section 4 Archaeological Exploration:** Due to lack of landowner permission, Phase II work at 15JF678, 15JF679 and 15JF719 has been postponed until after property has been purchased. Phase II work at the only site for which the project has permission to work, 15JF720, has been completed. The report recommended site 15JF720 as eligible for the NRHP. SDC 4 was tasked with trying to redesign the section in order to avoid impacting this site. It is anticipated that a preliminary design would be available for review in the next Reporting Period. If that is not feasible, additional consultation will be required.

Stipulation IV.D.1-3. FHWA shall, in consultation with SHPOs, Indian Tribes, and other parties deemed appropriate by FHWA, determine if the Project will adversely affect archaeological resources determined eligible for inclusion in the NRHP and, if adverse impacts cannot be avoided, shall develop a treatment plan in accordance with Stipulation IV.E. Any dispute regarding the determination of effects on eligible archaeological resources shall be resolved in accordance with Stipulation XIII Dispute Resolution. KYTC received an archaeological report detailing the data recovery efforts for sites determined to be eligible for the NRHP in Section 1A. Following review with KY SHPO, additional revisions to this report have been requested of the consultant by January 2009. Copies will be distributed to all appropriate parties once the report has been accepted on receipt.

Stipulation IV.E. 1-6. FHWA shall, in consultation with SHPOs, Indian Tribes and other parties deemed appropriate by FHWA, develop a treatment plan for NRHP eligible sites that cannot be avoided. Implementation of the treatment plan must be completed for each site prior to the initiation of any Project construction activities that could affect the site. Treatment of human remains will be determined by FHWA on a site-by-site basis through consultation with SHPOs, Indian Tribes and other parties deemed appropriate by FHWA. FHWA shall provide ACHP, SHPOs, Indian Tribes who have expressed interest in the site, and other parties deemed appropriate by FHWA 30 calendar days to review and provide comment on final Treatment Plans(s). Following the implementation of a treatment plan, FHWA may elect to monitor construction activities in selected portions of the right of way. No treatment plans were developed during this Reporting Period. In addition, no locations where treatment plans were implemented have gone to construction or been subjected to monitoring.

Stipulation IV.F.1-5. FHWA shall ensure that all archaeological work is performed or supervised by person(s) meeting the *Secretary of the Interior's Professional Qualification Standards* in archaeology and that the results of all work are reported in a professional manner

consistent with SHPO standards for each state. Sensitive information regarding archaeological sites, human remains and grave goods shall be kept confidential from the public; the ACHP, SHPOs, Indian Tribes, and other parties deemed appropriate by FHWA shall have 30 days to comment on any such reports that are developed.

Stipulation IV.G. 1-3. Upon completion of work, FHWA shall provide copies of final reports to SHPOs, STAs, and Indian Tribes when appropriate. In consultation with SHPO, FHWA shall prepare final reports for dissemination to the public libraries, educational institutions, and other repositories in Jefferson and Clark Counties and Indian Tribes as appropriate; however, FHWA will ensure disseminated reports do not contain sensitive information regarding human remains and grave goods, or the location, character and ownership of archaeological sites. In order to adhere to measures outlined in the MOA concerning the protection of detailed information about archaeological sites, only those reports detailing the results of treatment plans will be disseminated in accordance with this stipulation. The final report concerning the treatment of (Kentucky) Sites 15Jf716, 15Jf717 and 15Jf718 will be treated in accordance with this stipulation when ready. Sites 15Jf716, 15Jf717 and 15Jf718 have been excavated. Following review, additional revisions to this report have been requested of the consultant by January 2009. Copies will be distributed to all appropriate parties once the report has been accepted on receipt.

STIPULATION V: Unanticipated Discoveries

No previously unidentified property was discovered during the Reporting Period nor was a previously identified historic property affected in an unanticipated manner.

STIPULATION VI: Additional Historic Properties and Effects

No sites for staging, wetland mitigation, borrow or waste, dredge disposal or other construction activities associated with the Project were identified during the Reporting Period.

STIPULATION VII: Excess Right of Way

The acquisition of Baer Fabrics resulted in the purchase of 0.537 acre of excess right of way during the Reporting Period.

STIPULATION VIII: Performance Standards

The FHWA shall ensure that the performance of all cultural resources work required in implementing this MOA shall be performed by or under the supervision of individuals that meet the *Secretary of the Interior's Professional Qualification Standards*. All work performed during this Reporting Period was performed or directly supervised by individuals who meet or exceed the *Secretary of the Interior's Professional Qualification Standards*.

STIPULATION IX: Progress Reports

Progress Report Number 12 for the Reporting Period of January 1, 2009 – June 30, 2009 was developed in accordance with Stipulation IX and will be sent to the signatories, concurring parties and HPAT members (identified in Attachment A). Prior to this Progress Report, the following Progress Reports have been provided:

Report No. 1 for April 1, 2003 – December 31, 2003 was sent on July 21, 2004
Report No. 2 for January 1, 2004 – June 30, 2004 was sent on September 20, 2004
Report No. 3 for July 1, 2004 – December 31, 2004 was sent on April 22, 2005
Report No. 4 for January 1, 2005 – June 30, 2005 was sent on October 10, 2005
Report No. 5 for July 1, 2005 – December 31, 2005 was sent on February 20, 2006
Report No. 6 for January 1, 2006 – June 30, 2006 was sent on November 28, 2006
Report No. 7 for July 1, 2006 – December 31, 2006 was sent on May 9, 2007
Report No. 8 for January 1, 2007 – June 30, 2007 was sent on December 17, 2007
Report No. 9 for July 1, 2007 – December 31, 2007 was sent on March 3, 2008.
Report No. 10 for January 1, 2008 – June 30, 2008 was sent on September 9, 2008
Report No. 11 for July 1, 2008 – December 31, 2008 was sent on March 2, 2008

STIPULATION X: Project Modification

The FHWA in cooperation with the INDOT and the IN SHPO are developing alternate mitigation for the removal of the house on the Swartz Farm property, which occurred in October 2007. An amendment to the MOA defining mitigation included the possible relocation of the Central Passage House (CPH) to the Swartz Farm property. An inspection of the house was undertaken by INDOT, IN SHPO and CTS-GEC on April 15, 2009 to determine the eligibility of the CPH for the NRHP. In a letter to FHWA dated May 29, 2009, the INDOT provided their opinion that the house was not eligible for inclusion on the NRHP. A similar response was received in a letter dated June 3, 2009 from the IN SHPO. FHWA is currently reviewing the MOA commitment and the two recommendations regarding the CPH for a determination of the future direction for this commitment.

STIPULATION XI: Amendment

The FHWA in cooperation with the INDOT and the IN SHPO are developing alternate mitigation for the removal of the house on the Swartz Farm property, which occurred in October 2007. An amendment to the MOA defining mitigation included the possible relocation of the Central Passage House (CPH) to the Swartz Farm property. An inspection of the house was undertaken by INDOT, IN SHPO and CTS-GEC on April 15, 2009 to determine the eligibility of the CPH for the NRHP. In a letter to FHWA dated May 29, 2009, the INDOT provided their opinion that the house was not eligible for inclusion on the NRHP. A similar response was received in a letter dated June 3, 2009 from the IN SHPO. FHWA is currently reviewing the MOA commitment and the two recommendations regarding the CPH for a determination of the future direction for this commitment.

STIPULATION XII: Failure to Comply/Termination

No signatories to the MOA identified any concerns during the Reporting Period that the terms of the MOA cannot be or are not being carried out.

STIPULATION XIII: Dispute Resolution

No written objections were filed during the previous Reporting Period. The Dispute Resolution for Butchertown is pending final resolution by the FHWA.

STIPULATION XIV: Duration

The MOA is in effect through April 1, 2023.

PART III – PROJECT MILESTONES

Coordination with the HPATs in the development of plan details to implement mitigation measures is identified in the MOA at a number of project milestones, including:

Preliminary Plans (about 30%),
Right of Way Plans (about 60%)
Final Plans (about 90%)

Attachment D (following) provides a schedule with milestones anticipated for the Project in the next Reporting Period. It has been developed in more detail and will continue to be revised as a part of the future preparation of this Progress Report.

ATTACHMENT A

SIGNATORIES:

Federal Highway Administration
Advisory Council on Historic Preservation
Indiana State Historic Preservation Officer
Kentucky State Historic Preservation Officer

INVITED SIGNATORIES:

Indiana Department of Transportation
Kentucky Transportation Cabinet

CONCURRING PARTIES:

American Indian Movement – Mobile Chapter (MO-AIM)
Butchertown Neighborhood Association
City of Prospect
The Eastern Band of Cherokee Indians
The Shawnee Tribe
The Delaware Nation

ATTACHMENT B

SECTION 106 MEMORANDUM OF AGREEMENT OUTLINE OF DOCUMENT CONTENT

- I. Project Coordination
 - A. Advisory Teams
 - B. Bi-State Historic Consultation Team
 - C. Bi-State Management Team
 - D. Ombudsmen
- II. Project Development
 - A. Project Goals
 - B. Public Involvement
 - C. Context Sensitive Solutions
 - D. Roadway Lighting
 - E. Noise Abatement
 - F. Historic Preservation Plans
 - G. Survey Updates
 - H. Historic Preservation Easements
 - I. National Register Documentation and Nomination
 - J. Streetscape Improvements
 - K. Interpretative Signage
 - L. Blasting and Vibration
 - M. Timing of Construction Activities
 - N. No-Work Zones
 - O. Smart Growth Conference
 - P. Education and Interpretation
- III. Site Specific Mitigation
 - A. Train Depot – Indiana
 - B. Colgate-Palmolive Historic District
 - C. Ohio Falls and Locomotive Historic District
 - D. George Rogers Clark Memorial Bridge
 - E. Old Jeffersonville Historic District
 - F. INAAP Igloo Storage Historic District
 - G. Lentz Cemetery
 - H. Lime Kilns within the Utica Lime Industry Multiple Property Listing
 - I. Swartz Farm Rural Historic District
 - J. Trolley Barn
 - K. Butchertown Historic District
 - L. Phoenix Hill Historic District
 - M. Country Estates Historic District/River Road Corridor
 - N. Drumanard
 - O. Allison-Barrickman House
 - P. Rosewell
 - Q. Belleview
- IV. Archaeological Resources
 - A. Implementation Standards

- B. Identification
- C. Evaluation
- D. Assessment of Effects
- E. Treatment
- F. Qualifications and Reporting
- G. Distribution of Final Reports
- V. Unanticipated Discoveries
- VI. Additional Historic Properties and Effects
- VII. Excess Right of Way
- VIII. Performance Standards
- IX. Progress Reports
- X. Project Modification
- XI. Amendment
- XII. Failure to Comply/Termination
- XIII. Dispute Resolution
- XIV. Duration

ATTACHMENT C
MOA COMMITMENT TRACKING TABLE
(Note - the intent of Attachment C is to provide an summary of commitments made in the Project MOA and provide a status of each. For the complete description of each commitment, please refer to the Project MOA)

STIPULATION I - PROJECT COORDINATION																	
Status	FR/WA/ SH/PO	GEC	Sub-consultant	SDC	Current Lead	MOA Reference			Stakeholders & Commitment Description			Duration & Deadline			Product & Implementation		Remarks & Comments
						Item	Sub Item	Pg. No.	Identified Stakeholders	Description	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	
U		CIS	NH	NR	INDO/KYT/C/ INSHPO/KHC	A	1	3	Advisory Teams	HPAT's	December 2003	December 2023	December 31, 2003 (to convene Initial HPAT's)	HPAT - December 16, 2003 (to KHPAT) - December 17, 2003	None	Bi-monthly HPAT meetings to be held in addition to special sessions, which are included at the discretion of the BSCHCT. HPAT's are to be convened on 2/18/09, 4/15/09 and 6/16/09. The 100th anniversary of the BSCHCT is scheduled for 2/26/09 was cancelled due to lack of agenda items.	During the Reporting Period, meetings of the HPAT were convened on 2/18/09, 4/15/09 and 6/16/09. The 100th anniversary of the BSCHCT is scheduled for 2/26/09 was cancelled due to lack of agenda items.
D		CIS	NH	NR	INDO/KYT/C/ INSHPO/KHC	2	3	Advisory Teams will assist the BSCHCT in developing Project design details to implement milestones stipulated in the MOA	HPAT's	December 2003	December 2023	Duration	Duration	None	BSCHCT to engage HPAT's for recommendations. Recommendations to be considered by BSCHCT & Bi-monthly sessions are intended to BSCHCT for final decision.	Work continued during the Reporting Period on this stipulation.	
D		CIS	NH	NR	INDO/KYT/C/ INSHPO/KHC	6	4	Additional participants may be invited to participate on the Advisory Team Co-Chairs	HPAT's	December 2003	December 2023	Duration	Duration	None	Formal requests made to be considered by the BSCHCT with final decision made by the BSMT	There were no requests during the Reporting Period of additional participants on either the HPAT or KHPAT.	
D		NR	NR	NR	INDO/KYT/C/ INSHPO/KHC	7	4	ACRPs may participate as it need it, on an ad-hoc basis	HPAT's	December 2003	December 2023	Duration	Duration	None	HPWA to engage, as appropriate by the BSCHCT and BSMT.	No activity in this Reporting Period.	
D	INDO/ INSHPO/ KYT/C/ KHC	CIS	NH	NR	INDO/KYT/C/ INSHPO/KHC	9	4	Co-chairs will convene additional meetings at the following times to review plans, comment & make recommendations	HPAT's	December 2003	December 2023	Duration	Duration	None	Bi-monthly HPAT meetings to be held in addition to special sessions, which are scheduled at the discretion of the BSCHCT.	No activity in this Reporting Period.	

STIPULATION I - PROJECT COORDINATION (Cont)																	
Status	FR/WA/ SH/PO	GEC	Sub-consultant	SDC	Current Lead	MOA Reference			Stakeholders & Commitment Description			Duration & Deadline			Product & Implementation		Remarks & Comments
						Item	Sub Item	Pg. No.	Identified Stakeholders	Description	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	
U		CIS	NH	NR	INDO/KYT/C/ INSHPO/KHC	b	4	Prior to issuance of construction Treatment Plans	HPAT's	December 2003	December 2023	None Established	HPAT's July 16/15, 2004 November Treatment Plan - December 6, 2005	None	HPAT recommendations to be considered by BSCHCT and elevated to BSMT for final decision	No activity in this Reporting Period.	
U		CIS	R, GP	All	INDO/KYT/C/ INSHPO/KHC	d	4	Prior to the preliminary plan field check inspections (about 30%)	HPAT's	Varies according to section	1) Section 1 - 9/22/05 2) Section 4 - 10/19/06 3) Section 4 (US 42 Ramp Turnoff) - 10/22/05 4) Section 4 (US 42 Ramp Turnoff) - 10/22/05	None Established	1) Section 1 - 9/22/05 2) Section 4 - 10/19/06 3) Section 4 (US 42 Ramp Turnoff) - 10/22/05 4) Section 4 (US 42 Ramp Turnoff) - 10/22/05	None	Plans to be presented to HPAT's by SDCs. HPAT recommendation to be considered by BSCHCT and elevated to BSMT for final decision.	No activity in this Reporting Period.	
U		CIS	R, GP	All	INDO/KYT/C/ INSHPO/KHC	e	4	After preliminary plans are issued, to report on how comments were addressed (about 30%)	HPAT's	Varies according to section	1) Section 1 - 10/25/05 2) Section 4 - 12/14/06	None Established	1) Section 1 - 10/25/05 2) Section 4 - 12/14/06	None	Plans to be presented to HPAT's by SDCs. HPAT recommendation to be considered by BSCHCT and elevated to BSMT for final decision.	No activity in this Reporting Period.	
U		CIS	R, GP	All	INDO/KYT/C/ INSHPO/KHC	f	4	Prior to design approval (about 60%)	HPAT's	Varies according to section	1) Section 1 - 3/29/07 2) Section 4 - 10/19/06 3) Section 4 (US 42 Ramp Turnoff) - 2/16/06	None Established	1) Section 1 - 3/29/07 2) Section 4 - 10/19/06 3) Section 4 (US 42 Ramp Turnoff) - 2/16/06	None	Plans to be presented to HPAT's by SDCs. HPAT recommendation to be considered by BSCHCT and elevated to BSMT for final decision.	No activity in this Reporting Period.	

U	Q	R, GP	AI	INDOT/KYTC/INSHPO/KHC	4	4	None according to weekly	11 Section 4 (US 42 Bump Recession & Expiratory Turned) - 4/27/05	None Established	None	Plans to be presented to HPATs by BSCT. HPAT recommendation to be considered by BSCT and conveyed to BSMT for final decision.	No activity in this Reporting Period
NI		R, GP	AI	INDOT/KYTC/INSHPO/KHC	4	4	None according to bi-weekly	December 2023	None Established	None	Plans to be presented to HPATs by BSCT. HPAT recommendation to be considered by BSCT and conveyed to BSMT for final decision.	No activity in this Reporting Period
	B				4	4	Bi-Station Historic Consultation Team					
D		NR	NR	INDOT/KYTC/INSHPO/KHC	2	5	BSCT will advise the Bi-Station Management Team on appropriate design & construction approaches so as to comply with the MOA.	December 2023	Duration	None	Bi-monthly BSCT meetings held to ensure proper implementation of process.	Items were carried forward by the BSCT to the BSMT as needed.
D		NR	NR	INDOT/KYTC/INSHPO/KHC	3	5	BSCT may make final decisions as delegated by the Bi-Station Management Team	December 2023	Duration	None	Bi-monthly BSCT meetings held to ensure proper implementation of process.	Activities not implemented during this Reporting Period but will be considered through the duration of the Project.

STIPULATION I - PROJECT COORDINATION (Cont.)

Stipulation	Taskmaster(s) & Lead		MOA Reference		Stakeholders & Commitment Description		Duration & Deadline		Product & Implementation		Remarks & Comments	
	Sub-consultant	Sub-Items	Item	Sub-Items	Item	Sub-Items	Anticipated Completion Date	MOA Deadline	Product	Implementation Plan		
D	INDOT/INSHPO/KYTC/KHC	CIS	NR	NR	INDOT/KYTC/INSHPO/KHC	4	5	December 2023	Duration	None	Bi-monthly BSCT meetings held to ensure proper implementation of process. Recommendations to be carried forward to the BSMT, as appropriate.	The BSCT met three times during the Reporting Period. The BSCT will continue to meet the duration of the Project.
D	INDOT/INSHPO/KYTC/KHC	CIS	NR	NR	INDOT/KYTC/INSHPO/KHC	3	5	December 2023	Duration	None	Bi-monthly BSCT meetings held to ensure proper implementation of process. Candidate has been met and will continue to be met the duration of the Project.	Candidate has been met and will continue to be met the duration of the Project.
D	INDOT/INSHPO/KYTC/KHC	NR	NR	NR	INDOT/KYTC/INSHPO/KHC	2	5	December 2023	Duration	None	Weekly meetings of the BSMT to be held to ensure work is carried out by qualified professionals.	Candidate has been met and will continue to be met the duration of the Project.
D	INDOT/INSHPO/KYTC/KHC	CIS	NR	NR	INDOT/KYTC/INSHPO/KHC	3	5	December 2023	Duration	None	BSMT to ensure consultant prepare regular reports to be presented to monthly reports to be prepared by BSCT and forwarded to BSMT for approval.	Condition to be met the duration of the Project.
D	INDOT/INSHPO/KYTC/KHC	CIS	NR	NR	INDOT/KYTC/INSHPO/KHC	4	5	December 2023	Duration	None	Weekly meetings of the BSMT to be held to ensure work is carried out by qualified professionals.	Condition has been met and will continue to be met the duration of the Project.
D	INDOT/INSHPO/KYTC/KHC	CIS	NR	NR	INDOT/KYTC/INSHPO/KHC	3	5	December 2023	Duration	None	Outreach will be involved with meetings of the HPATs and BSCT to stay current with future aspects of the Project. Commission will have regular office hours to facilitate public outreach.	Outreach will be involved with meetings of the HPATs and BSCT to stay current with future aspects of the Project. Commission will have regular office hours to facilitate public outreach.

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U	Q	R, GP	AI	INDOT/KYTC/INSHPO/KHC	4	4	None according to weekly	11 Section 4 (US 42 Bump Recession & Expiratory Turned) - 4/27/05	None Established	None	Plans to be presented to HPATs by BSCT. HPAT recommendation to be considered by BSCT and conveyed to BSMT for final decision.	No activity in this Reporting Period
NI		R, GP	AI	INDOT/KYTC/INSHPO/KHC	4	4	None according to bi-weekly	December 2023	None Established	None	Plans to be presented to HPATs by BSCT. HPAT recommendation to be considered by BSCT and conveyed to BSMT for final decision.	No activity in this Reporting Period
	B				4	4	Bi-Station Historic Consultation Team					
D		NR	NR	INDOT/KYTC/INSHPO/KHC	2	5	BSCT will advise the Bi-Station Management Team on appropriate design & construction approaches so as to comply with the MOA.	December 2023	Duration	None	Bi-monthly BSCT meetings held to ensure proper implementation of process.	Items were carried forward by the BSCT to the BSMT as needed.
D		NR	NR	INDOT/KYTC/INSHPO/KHC	3	5	BSCT may make final decisions as delegated by the Bi-Station Management Team	December 2023	Duration	None	Bi-monthly BSCT meetings held to ensure proper implementation of process.	Activities not implemented during this Reporting Period but will be considered through the duration of the Project.

STIPULATION II - PROJECT DEVELOPMENT															
FRWA/ STA/ SHPO Status	GEC CTS	Sub-consultant R, GP	SDC All	Current Lead CTS	MOA Reference Stakeholders & Commitment Description				Duration & Baseline				Product & Implementation		
					Item	Sub Item	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Duration	Product	Implementation Plan	Remarks & Comments
D	CTS	R, GP	All	CTS	6		Project goal is to avoid adverse effects to the environment and historic properties to the maximum extent possible.	HPATs, AATs, PAC, General Public	December 2003	December 2023	None established	Ongoing	Ongoing	Continued coordination with HPATs, AATs, PAC and SDCs.	Ongoing
D	CTS	R, GP	All	INDOT/ KYTC	6		Project goal is to avoid adverse effects to the environment and historic properties to the maximum extent possible.	City of Jeffersonville, Clark County Commissioners, Metro Government and General Public	December 2003	December 2023	None established	Ongoing	Ongoing	Public to be engaged at the discretion of the BSMT	No activity in this Reporting Period
D	CTS	R, GP	All	CTS/ SDCs	7		The roadway, bridges, and other Project elements shall be designed and constructed with sensitivity to aesthetic values, historic cultural landscape and the historic context.	HPATs	September 2004	December 2012	None established	Ongoing	Ongoing	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision	HPATs provided recommendations on design elements of Section 2 (Downtown Bridge) and Section 5 (East End Bridge). At the 06/19/09 HPAT members were asked to provide input on design elements for the Downtown Bridge
D	CTS	R, GP	All	CTS/ SDCs	7		Roadway lighting within the vicinity of historic properties is navigational lighting designed and constructed to minimize dispersion of light, provide uniformity of lighting and include state-of-the-art techniques and systems.	HPATs	September 2004	December 2012	None established	Ongoing	Ongoing	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision	Lighting proposals in Sections 1 and 5 were presented to the HPATs on 04/14/08
D	CTS	R, GP	All	CTS/ SDCs	7		Design Project goals to minimize adverse noise effects on historic properties in accordance with state and federal noise regulations, policies, and guidance, including special consideration of enhanced noise abatement measures for historic properties.	HPATs	September 2004	December 2012	None established	Ongoing	Ongoing	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision	1) In Section 1, barriers still being evaluated in the Clifton Neighborhood. 2) Noise Barrier Analysis prepared for Section 4 approved by BSMT on 12/8/06. Community meetings to be held in the near future
U	CTS	R, GP	NR	CTS	7		HPATs prepared for historic properties and districts	HPATs	July 2004	May 2009	Prior to Preliminary Field Check Plans		HPP	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision	To be established for site specific properties indicated in Stipulation III
C	CTS	R, GP	NR	CTS/ INDOT/ KYTC/ KHC/ INSHPO	8	1	HPATs to meet the following provisions: Work to be developed in consultation with the respective HPATs.	HPATs	July 2004	May 2009	None established	July 2004		HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision	Condition considered throughout development of the HPP. Several meetings have occurred with stakeholders of historic properties where HPATs are being developed. Obtained as needed
U	CTS	R, GP	NR	CTS	8	2	To be developed in consultation with owners of historic properties and/or related neighborhoods	HPATs	July 2004	May 2009	None established			HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision	Condition considered throughout development of the HPP. Several meetings have occurred with stakeholders of historic properties where HPATs are being developed. Obtained as needed
U	CTS	R, GP	NR	CTS	8	3	Consent to be obtained prior to property.	HPATs	July 2004	May 2009	None established			HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision	Condition considered throughout development of the HPP. Several meetings have occurred with stakeholders of historic properties where HPATs are being developed. Obtained as needed

STIPULATION II - PROJECT DEVELOPMENT (Cont.)															
FRWA/ STA/ SHPO Status	GEC CTS	Sub-consultant R, GP	SDC All	Current Lead CTS	MOA Reference Stakeholders & Commitment Description				Duration & Baseline				Product & Implementation		
					Item	Sub Item	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Duration	Product	Implementation Plan	Remarks & Comments
U	CTS	R, GP	NR	CTS	8		To consider and build upon existing studies and plans.	HPATs, City of Jeffersonville, Clark County Commissioners and Metro Government	July 2004	Continuous				HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision	Condition considered throughout development of the HPP.
U	CTS	R, GP	NR	CTS	8		Be developed in cooperation with the appropriate local government and approved by the respective SHPO.	HPATs, City of Jeffersonville, Clark County Commissioners and Metro Government	July 2004	Continuous				HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision	Condition considered throughout development of the HPP. Louisville Metro Government & City of Jeffersonville have been involved in the development of the respective HPPs.
U	CTS	R, GP	NR	CTS	8		To recognize the unique character, context, and historic significance of each resource/area. Identify ways to protect and enhance the historic qualities.	HPATs	July 2004	Continuous				HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision	Condition considered throughout development of the HPP.

U	CTIS	R, GP	NR	CTIS	Q	8	To consider land use, transportation patterns & other urban/suburban planning issues	HPATs, City of Jeffersonville, Clark County Commissioners and Metro Government	July 2004	Continuous					HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision	Condition considered throughout development of the HPP.
NI	CTIS	R, GP	NR	CTIS	H	8	Present to relevant city/county governments & RPOA for cooperation into local land use planning processes.	HPATs, City of Jeffersonville, Clark County Commissioners and Metro Government	July 2004	Continuous					HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	HPATs have not yet been presented to the identified agencies
U	CTIS	R, GP	NR	CTIS	E	8	HPATs to be prepared for one following properties:								HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	
U	CTIS	R, GP	NR	CTIS	A	8	DC Jeffersonville Historic District	HPAT	March 2006	October 2009					HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Final HPP presented to HPAT on 4/15/09 and BSHCT on 5/12/09 to recommend to BSHCT for approval
NI	CTIS	R, GP	NR	CTIS	B	8	Township of Utica Historic Lime Industry	HPAT, Lime Min Owners	May 2006	October 2009					HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Final HPP presented to HPAT on 5/17/09 for comment.
U	CTIS	R, GP	NR	CTIS	G	8	Swartz Farm Rural Historic District	HPAT, Swartz Farm and Swartz-Voght, Marble House Owners	January 2006	Unknown					HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Possible amendment to MOA in preparation of PHWA. Inspection of CPH indicated that building was not eligible for the NRHP in coordination letters from the INDOT (522509) and IN SHPO (5309)
NR	CTIS	R, GP	NR	CTIS	D	8	James Smith Rural Historic Farmshead	HPAT	October 2005	August 2006					HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Owners agreed to not donate the portion of the property determined eligible for the NRHP by not responding by the established deadline, June 14, 2006
U	CTIS	R, GP	NR	CTIS	E	8	Buzzsaw Historic District	HPAT, ButcherTown Business Association	November 2004	December 2009					HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	The Final HPP is pending completion of dispute resolution
C	CTIS	R, GP	NR	CTIS	F	8	Phoenix Hill Historic District	HPAT, Phoenix Hill Neighborhood Association	November 2004	October 2009					HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Final HPP authorized by PHWA on completion on 5/19/09
U	CTIS	R, GP	NR	CTIS	G	8	County Estate of River Road / River Road Corridor	HPAT	April 2005	October 2009					HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Final HPP authorized by PHWA on completion on 5/19/09
U	INDOT	NR	NR	INDOT/ INSHPO	G	9	Survey Updates								HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	
U	INDOT	NR	NR	INDOT/ KYTC	H	9	Clark County Intern Report and Indiana Historic Sites and Structures Inventory of Clark County	Clark County and Commissioners and INSHPO	April 2009	January 2010					Revised Clark County Intern Report and Jefferson County Inventory	The INDOT sent a schedule of work and schedule with IN SHPO

STIPULATION II - PROJECT DEVELOPMENT (Cont.)													Product & Implementation				
Status	FW/W/ SHPO	Taskmaster(s) & Lead	GEC	Sub-coordinator	SDC	Current	MOA Reference	Stakeholders & Commitment Description	Duration & Deadline			Actual Completion Date	Product	Implementation Plan	Remarks & Comments		
									Item	Sub-Item	MOA Deadline					Anticipated Completion Date	Anticipated Start Date
NI	KYTC	NR	NR	NR	NR	CTIS	1	1	The Jackson County Inventory and Survey of Historic Sites in Kentucky	2	2	September 6, 2008	January 2010	October 2008	Revised Jefferson County Inventory	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision	Once the MOA is signed, the inventory for Buchanan in 11/2008 and for Phoenix Hill in 1/2009; Country Estates survey continues
U		NR	CTIS	NR	BFS, IAP, KTA & HWL	INDOT/ KYTC	3	3	Historic Preservation Easements to be placed on properties identified in Stipulation II in perpetuity			None established	January 2011	January 2009	Preservation Easement	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision	For Wesley House, the easement is pending a site inspection. For Madison House, a scope of work is under preparation to define the historic resources. Drummond, negotiations with the property owner will determine future development of easement.
U	INDOT	R, GP	CTIS	NR	NR	INDOT/CTIS	4	4	Preparation of NRHP documentation and nomination of properties identified in Stipulation III.			Within first three years following the ROD (September 2006)	November 2008	April 2006	Completed NRHP Form	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision	Refer to Stipulation III A.4, III B.1, III C.1, III H.6, III I.4 and III I.9 d

U		CTS	R, GP	All	KTA/INDOT	J	10	10	HPATs Shovel-ready improvements to be designed in consultation with the respective SHPOs and occur within the public right-of-way. Obtain right-of-way title holder approval prior to construction.	HPATs	March 2012	None established				HPAT recommendations to be considered by BSHCT and allocated to BSMT for final decision	To be established for site specific properties indicated in Stipulation III	
U		CTS	R, GP	All	INDOT/KTA/L/IAP	K	10	10	Interpretive signage to be placed within the right-of-way of public streets or on easements to explain significance of the historic resources. Obtain right-of-way title holder approval prior to construction.	HPATs	March 2012	None established				HPAT recommendations to be considered by BSHCT and allocated to BSMT for final decision	To be established for site specific properties indicated in Stipulation III	
U		CTS	NR	All	CTS	L	1	10	Ensure construction blasting/vibration plans and bridge pier construction plans are developed by the contractor(s).	Owners of properties identified in MOA for blasting and vibration plans.	January 2006	Prior to construction	US 42 Ramp Phase - May 2006			Continuation with SDCs, STAs, INSHPO, KHC and HPATs	No blasting or vibration activities occurred during the period that required implementation of this stipulation.	
U		CTS	All	All	SDCs/CTS	2	10	Plans to be coordinated with the contract documents, special provisions and notes included in the construction plans.	HPATs	January 2006	December 2016			US 42 Ramp Phase - May 2006			Continuation with SDCs, STAs, INSHPO, KHC and HPATs	No blasting or vibration activities occurred during the period that required implementation of this stipulation.
U		CTS	NR	NR	INDOT/KYTC/FHWA	3	10	BSMT to determine whether damage has occurred as a result of Project activities.	Owners of properties identified in MOA for blasting and vibration plans.	December 2023	As needed			US 42 Ramp Phase - April 2007			Continuation with SDCs, STAs, INSHPO, KHC and HPATs	No claims of blasting/vibration damage to historic properties occurred during the Reporting Period.
NI		CTS	NR	NR	INDOT/KYTC	4	11	INDOT/KYTC shall be responsible for repair of any damage to historic and vibration plans. Repairs to be carried out in accordance with the Secretary's	Owners of properties identified in MOA for blasting and vibration plans.	December 2023	Prior to entry						Continuation with SDCs, STAs, INSHPO, KHC and HPATs	Refer to Stipulation II.L.3 above.
U		CTS	NR	All	INDOT/KYTC	5	11	Obtain consent for entry of privately owned property to access monitoring equipment or damage repair.	Owners of properties identified in MOA for blasting and vibration plans.	December 2023	Prior to entry						Continuation with SDCs, STAs, INSHPO, KHC and HPATs	No blasting or vibration activities occurred during the period that required implementation of this stipulation.
U		CTS	NR	All	SDCs	M	11	Include in the Project contracts provisions that limit construction noise during specific periods of time.	HPATs	December 2016	None established			US 42 Ramp Phase - May 2006			Continuation with SDCs, STAs, INSHPO, KHC and HPATs	None required this Reporting Period.
U		CTS	NR	All	SDCs	N	11	Establish no-work zones on right-of-way within the NHP boundaries of properties identified in Stipulation III.	HPATs	December 2012	None established			US 42 Ramp Phase - May 2006			Continuation with SDCs, STAs, INSHPO, KHC and HPATs	None required this Reporting Period.
						P	12	Education & Interpretation										

STIPULATION II - PROJECT DEVELOPMENT (Cont.)		Stakeholder(s) & Lead		MCA Reference		Stakeholders & Commitment Description		Duration & Deadline		Product & Implementation		Remarks & Comments
Entity/Status	Agency	Current Lead	SDC	Item	Sub-Item	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	Actual Completion Date	Product	
U	FHWA/STAO/SHPO/FHWA/KHC	FHWA	NR	1	12	Ensure that sensitive information about the location and nature of archaeological resources identified in the APE are not disclosed.	INSHPO and KHC	December 2008	December 2023	None established	Continuation with SDCs, STAs, INSHPO, KHC and HPATs to ensure sensitivity.	Continuation with SDCs, STAs, INSHPO, KHC and HPATs to ensure sensitivity.
NI		CTS	R, A, GP	2	12	Develop a Popular Report in plain English intended for general public, describing history, historic properties and archaeological resources identified in the APE. Copy to be added to permit for 30-day review; comments to be considered in final report.	HPATs and Native American Tribes	June 2008	June 2010	None established	Consult with the BSHCT, HPATs and Native American Tribes to develop report. HPAT recommendations considered by BSHCT and allocated to BSMT for approval. Consult with SHPO, stakeholders, libraries and museums in Broad APE.	Work activity has not been initiated.

STIPULATION III - SITE SPECIFIC MITIGATION

Status	FRWA/STW/SIPO	GEC	Sub-consultant	SDC	Current Lead	MOA Reference			Stakeholders & Commitment Description			Duration & Deadline			Product & Implementation		Remarks & Comments
						Item	Sub Item	Pg No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	
NI		CTS	R	BFS	INDOT	A	13	13	Train Depot	City of Jeffersonville and IHPAT	January 2010	January 2011	None Established		SDC 3 to develop plan and coordinate with IHPAT and general public	Work activity has not been initiated	
NI	INDOT	CTS	NR	BFS	INDOT	A	13	13	None anticipated during the project. Personal assigned to the Project & the Indiana Ombudsman	None identified	January 2010	December 2003	None Established		SDC 3 to develop rehabilitation plan and coordinate with IHPAT and general public	Work activity has not been initiated	
NI	INDOT	CTS	NR	BFS	INDOT	B	13	13	Any work to rehabilitate to be done in accordance with the Secretary of Interior Standards	INSHPQ, IHPAT	January 2010	January 2012	None Established		Contributions to occur in accordance with the Secretary of Interior Standards	Rehabilitation is part of the SDC 3 contract, which is presently pending	
NI	INDOT	CTS	NR	BFS	INDOT	C	13	13	Phase preservation assessment: (a) evaluate (b) establish (c) develop a local government.	INSHPQ and IHPAT	January 2012	January 2013	None Established		INDOT to phase preservation assessment on property & sell at local government.	Development of an assessment to be completed as part of the SDC 3 contract, which is presently pending	
NI	INDOT	CTS	R	BFS	INDOT	D	13	13	Develop and place interpretive signage	INSHPQ, IHPAT and City of Jeffersonville	March 2010	March 2012	None Established		SDC will develop signage plan for the construction documents	Development of interpretive signage is part of the SDC 3 contract, which is presently pending	
NI		CTS	R	BFS	INDOT	B	13	13	Colgate-Palmolive Historic District	INSHPQ, IHPAT and town of Clarksville	March 2010	March 2012	None Established		SDC will develop signage plan as part of the construction documents	Development of interpretive signage is part of the SDC 3 contract, which is presently pending	
NI		CTS	R	BFS	INDOT	C	14	14	Develop and place interpretive signage	INSHPQ, IHPAT and town of Clarksville	March 2010	March 2012	None Established		SDC will develop signage plan as part of the construction documents	Development of interpretive signage is part of the SDC 3 contract, which is presently pending	
U		CTS	R	NR	CTS	1	14	Document and seek NRHP nomination	INSHPQ, IHPAT and town Clarksville	July 2007	August 2009	September 2006		Completed NRHP Nomination Form	NRHP Nomination Form prepared and submitted to the INSHPQ. The nomination passed the INSHPQ and the Keeper of the Register. Property owner objections may preclude listing.		
NI		CTS	R	BFS	INDOT	2	14	Develop and place interpretive signage	INSHPQ, IHPAT and town of Clarksville	March 2010	March 2012	None Established		SDC will develop signage plan as part of the construction documents	Development of interpretive signage is part of the SDC 3 contract, which is presently pending		
NI		CTS	R	BFS	INDOT	3	14	Develop and implement a best management plan as set forth in Stipulation 11.L	INSHPQ, IHPAT and town of Clarksville	March 2012	December 2022	Complete prior to initiation of construction		Best Management Plan to be included in the Final Construction Documents	Work activity has not been initiated		
NI	INDOT	CTS	R	BFS	INDOT	D	14	14	George Rogers Clark Memorial Bridge	IHPAT and City of Jeffersonville	January 2010	January 2012	None Established		Avoid displacement of the historic bridge pylons on the IH approach to the bridge	Work activity has not been initiated	
NI		CTS	NR	BFS	INDOT	E	14	14	If displacement cannot be avoided, develop and implement a Plan to minimize damage to the original contributing elements	IHPAT and City of Jeffersonville	January 2012	January 2014	None Established		Avoid displacement of the historic bridge pylons on the IH approach to the bridge	Work activity has not been initiated	
NI		CTS	NR	BFS	INDOT	F	15	15	Relocate pylons in a way to ensure protection of the NRHP designation	IHPAT and City of Jeffersonville	January 2014	January 2023	None Established		Relocate pylons in a way to ensure protection of the NRHP designation	Work activity has not been initiated	
U		CTS	R	NR	CTS	1	15	15	Old Jeffersonville Historic District	City of Jeffersonville, INSHPQ and IHPAT	March 2006	October 2003	Prior to Preliminary Field Check Plan		HPAT recommendations to be considered by BSHT and elevated to BSMT for final decision	Final HPP presented to IHPAT on 4/15/09 and BSHT on 5/1/09 for approval	

STIPULATION III - SITE SPECIFIC MITIGATION (Cont.)

Status	FRWA/STW/SIPO	GEC	Sub-consultant	SDC	Current Lead	MOA Reference			Stakeholders & Commitment Description			Duration & Deadline			Product & Implementation		Remarks & Comments
						Item	Sub Item	Pg No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	
NI	INDOT	CTS	R	NR	CTS	2	15	15	Present HPP to the City of Jeffersonville for potential use as a component of the City's Comprehensive Plan.	City of Jeffersonville	November 2007	January 2010	None Established		Product	Upon approval by the BSMT, HPP to be presented to City of Jeffersonville for consideration and adoption	The City of Jeffersonville has been involved in the development of the HPP. Once completed it will be presented to the City

NI	CT5	R	IAP	INDOT	F	17	INAAAP Agrib Storage Historic District	INSHPO, IHPAT, Clark County Commissioners and the Department of the Army	January 2012	December 2016	Complete prior to initiation of construction	Blasting/Vibration Plan to be included in the Final Construction Documents	Coordination with SDCC, STAs, INSHPO, KHC and HPATs	Work activity has not been initiated
NI	CT5	R	IAP	INDOT	G	17	Develop and implement a blasting/vibration plan as set forth in Substation 11.L including provisions for blast monitoring & repair of the Department of the Army grants access.	INSHPO, IHPAT, Clark County Commissioners and the Department of the Army	January 2012	December 2016	Complete prior to initiation of construction	Blasting/Vibration Plan to be included in the Final Construction Documents	Coordination with SDCC, STAs, INSHPO, KHC and HPATs	Work activity has not been initiated
NI	CT5	R	IAP	INDOT	G	17	Develop and implement a blasting/vibration plan as set forth in Substation 11.L	INSHPO, IHPAT, Clark County Commissioners and the Department of the Army	January 2012	December 2016	Complete prior to initiation of construction	Blasting/Vibration Plan to be included in the Final Construction Documents	Coordination with SDCC, STAs, INSHPO, KHC and HPATs	Work activity has not been initiated
NI	CT5	R	IAP	INDOT	2	17	Design the section of roadway adjacent to the conveyer to minimize noise to the property and complement the refinement with landscaping from the public right-of-way.	INSHPO and IHPAT	January 2008	None Established	None Established		HAT recommendations to be considered by ASACT and approved by BSMT for final decision.	Work activity has not been initiated
NI	CT5	R, GP	NR	CTS	H	17	Update the Uica Property Listing	Town of Uica, Clark County, INSHPO and IHPAT	May 2008	October 2009	Prior to Preliminary Field Check Plans	HPP & Uica Kin Pamphlet	HAT recommendations to be considered by ASACT and approved by BSMT for final decision	Work activity has not been initiated
NI	CT5	R	NR	INDOT	1	17	Context Study, focusing on the development of the line industry. Develop and publish a pamphlet for public use for presenting the results of the study.	INSHPO	May 2009	December 2009	Prior to initiating construction within 1,000 feet of the line kilns			
NI	CT5	R	NR	INDOT	2	17	Finalize location report of the resources, which includes photographs, to establish a baseline condition.	INSHPO and IHPAT	January 2012	December 2016	Complete prior to initiation of construction	Blasting/Vibration Plan to be included in the Final Construction Documents	Coordination with SDCC, STAs, INSHPO, KHC and HPATs	Work activity has not been initiated
NI	CT5	R	IAP	INDOT	3	18	Develop and implement a blasting/vibration plan as set forth in Substation 11.L. To be used in conjunction with EHC-48002, IEHC-48003 and IEHC-48004.	INSHPO and IHPAT	January 2012	December 2016	Complete prior to initiation of construction	Blasting/Vibration Plan to be included in the Final Construction Documents	Coordination with SDCC, STAs, INSHPO, KHC and HPATs	Work activity has not been initiated
NI	CT5	R	IAP	INDOT	4	18	Calculate "forward cone" radiating from the kilns noted above which is to avoid 100 feet from the kilns	INSHPO	January 2008	January 2010	None Established			
NI	INDOT	CT5	R	NR	5	18	Repair any damage caused by the Project to the line kilns	Owners of Line Kilns, INSHPO, and IHPAT	December 2016	December 2023	None Established			
NI	INDOT	NR	NR	INDOT	6	18	Secure Uica Kin IEHC-48002, IEHC-48003 and IEHC-48004. Assess on the property and sell it to a preservation organization or donate it to a local government.	INSHPO and IHPAT	January 2010	January 2011	During the Right-of-Way Phase			
NI	CT5	R	IAP	INDOT	7	18	Develop and design an organization or donate it to a local government.	INSHPO, IHPAT and town of Uica	January 2009	January 2010	None Established	Interpretive Marker	SDC will oversee interpretive marker as part of the project. Consideration of documents coordinated with the IHPAT and INSHPO.	Work activity has not been initiated
NI	CT5	GP	IAP	CTS	8	18	Document and seek NHRP nomination	INSHPO, IHPAT and town of Uica	July 2008	January 2010	September 2006	Completed NHRP Nomination Form	CTS-BEC to develop NHRP Nomination for review and approval for listing by the INSHPO and the Keeper of the Register	Initiation of activity anticipated to commence in the ensuing period
U	CT5	R	NR	CTS	I	18	Shantz Farm Rural Historic District	Clark County Commissioners, INSHPO, IHPAT and City of Jeffersonville	January 2006	June 2009	Prior to Preliminary Field Check Plans	HPP Context Study	HPAT recommendations to be considered by ASACT and approved by BSMT for final decision	Possible amendment to MDA for additional work from PHVA. Inspection of CPH indicated that building was not eligible for the NHRP in coordination letters from the INDOT (S/SB/09) and IN SHPO (8/31/09)
U	INDOT	NR	NR	INDOT	2	18	Purchase the portion of Shantz Farm lying on the west side of the Project.	None Identified	January 2006	Unknown	None Established		INDOT Land Acquisition to negotiate with owner to purchase	Possible amendment to MDA pending additional action from PHVA
NI	CT5	R	IAP	INDOT	3	19	Develop and implement a blasting/vibration plan as set forth in Substation 11.L	INSHPO and IHPAT	January 2012	Unknown	Complete prior to initiation of construction	Blasting/Vibration Plan to be included in the Final Construction Documents	Coordination with SDCC, STAs, INSHPO, KHC and HPATs	Possible amendment to MDA pending additional action from PHVA

MDA Reference	Stakeholders & Commitment Description	Duration & Deadline	Product & Implementation
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FRWA/ STA/ SHPO	GE/C	Sub-consultant	SDC	Current Lead	Item	Sub Items	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	Remarks & Comments
NI	CTS	GP	NR	CTS	4	19	Document and seek NHPUC nomination of the remaining Swartz Farmhouse and the remainder of the remaining Swartz Farmhouse.	Clark County Commissioners and City of Jeffersonville	July 2007	Unknown	September 2006	None Established	Completed NHPUC Nomination Form	GIS-SEC to develop NHPUC nomination for review and approval for listing by the Swartz Farmhouse and the remainder of the Swartz Farmhouse.	Possible amendment to MOA pending additional action from FHWA.	
NI	CTS	R	IAP	INDOT	5	19	Delimitate a "network zone" around remaining Swartz Farmhouse.	IHPAT	January 2009	Unknown	None Established	None Established	None Established	None Established	Coordinate with SDC, STA, INSHPO, KHC and HPATs.	Possible amendment to MOA pending additional action from FHWA.
NI	INDOT	NR	IAP	INDOT	6	19	Place a preservation easement on property and sell to a historic preservation organization to be used for the Swartz Farmhouse. A deed restriction can be sold to anyone who would accept the preservation easement.	INSHPO and IHPAT	January 2009	Unknown	None Established	None Established	None Established	None Established	HPAT recommendations to be considered by BSHCT and elevated to BSVT for final decision.	Possible amendment to MOA pending additional action from FHWA.
NI	CTS	NR	IAP	INDOT	7	19	Prepare archival documentation for Central Passage House.	IHPAT and INSHPO	January 2009	Unknown	Prior to the Central Passage House demolition	Prior to the Central Passage House demolition	Prior to the Central Passage House demolition	Archival Document of resource	Prior to demolition, archival documentation to be prepared in coordination with the IHPAT and INSHPO.	Swartz Farmhouse was identified by the owner. FHWA, IN SHPO and INDOT are currently working to amend the MOA.
NI	CTS	R	IAP	INDOT	8	19	Develop and implement a remediation plan to minimize noise impacts of the Project.	IHPAT	June 2008	Unknown	None Established	None Established	None Established	None Established	HPAT recommendations to be considered by BSHCT and elevated to BSVT for final decision.	Swartz Farmhouse was identified by the owner. FHWA, IN SHPO and INDOT are currently working to amend the MOA.
U	FRWA/ KYTC	NR	NR	KYTC	J	20	Trolley Barn	Owner and KHC	April 2003	December 2003	None Established	None Established	None Established	None Established	Rehabilitation shall be needed and implemented in consultation with the KY-SHPO and IHPAT.	Rehabilitation of the Trolley Barn is necessary. An study of the annual maintenance program is included in the IHPAT.
U	FRWA/ KYTC	R, GP	NR	CTS	K	20	Butcherblock Historic District	IHPAT	November 2004	May 2006	Prior to Preliminary Field Check Plans	Prior to Preliminary Field Check Plans	Prior to Preliminary Field Check Plans	IHPAT	HPAT recommendations to be considered by BSHCT and elevated to BSVT for final decision.	Finalization of the IHPAT is pending conclusion of the dispute resolution.
U	CTS	R, GP	KTA	KTA	L	20	Develop a HPP which shall be used to assess noise conditions in the region. Plan is to be coordinated with latest development plans available from Metro Government.	KHPAT, Butcherblock Neighborhood Association and Metro Government	December 2006	January 2010	None Established	None Established	None Established	None Established	HPAT recommendations to be considered by BSHCT and elevated to BSVT for final decision.	Decision on the Witherspoon alignment pending conclusion of the dispute resolution.
U	CTS	R, GP	KTA	KTA	M	20	Design and construct roadway sections along north side of district using embankments or other design that support aesthetically pleasing noise assessment measure. Lighting and landscaping that maintain the context of the district.	KHPAT and Metro Government	December 2010	December 2023	None Established	None Established	None Established	None Established	HPAT recommendations to be considered by BSHCT and elevated to BSVT for final decision.	Recommendations on these items are included as part of the Final HPP.

STIPULATION III - SITE SPECIFIC MITIGATION (Cont.)

FRWA/ STA/ SHPO	GE/C	Sub-consultant	SDC	Current Lead	Item	Sub Items	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	Remarks & Comments
U	KYTC	NR	KTA	KYTC	4	20	Edison House - Provide funding for the exterior noise study to determine whether interior noise abatement measures are justified.	Owner and IHPAT	July 2008	December 2023	During development of detailed plans	During development of detailed plans	During development of detailed plans	None Established	Conduct noise readings and review in accordance with Secretary of Interior Standards.	For Edison House a scope of work is under preparation to define the costs of repair work.
U	KYTC	NR	KTA	KYTC	5	21	Wesley House - Provide funding for the exterior rehabilitation and conduct a noise study to determine whether interior noise abatement measures are justified.	Owner and KHC	July 2008	December 2023	During development of detailed plans	During development of detailed plans	During development of detailed plans	None Established	Conduct noise readings and review in accordance with Secretary of Interior Standards.	For Wesley House, the assessment is pending a site inspection.
NI	CTS	NR	KTA	KTA	6	21	St. Joseph's Church - Conduct a noise study for St. Joseph's Church to determine whether interior noise abatement measures are justified for the church. Day Care Center and School.	Owner and KHC	December 2010	December 2023	During development of detailed plans	During development of detailed plans	During development of detailed plans	None Established	Conduct noise readings and review in accordance with Secretary of Interior Standards.	Work activity has not been initiated.

NI	CTS	NR	KTA	KTA	December 2010	December 2023	During development of detailed plans	Work activity has not been initiated
21	Franklin Street Baptist Church	Owner and KHC	December 2010	December 2023	During development of detailed plans	Work activity has not been initiated	Conduct noise readings and review in accordance with Secretary of Interior Standards	Work activity has not been initiated
21	Marcus Lindsay Methodist Church - Conduct a noise study for Marcus Lindsay Methodist Church to determine whether interior noise abatement measures are justified.	Owner and KHC	December 2010	December 2023	During development of detailed plans	Work activity has not been initiated	Conduct noise readings and review in accordance with Secretary of Interior Standards	Church is presently undergoing renovation. Identification of intended use not yet known.
21	Grace Emmanuel United Church of Christ - Conduct a noise study for Grace Emmanuel United Church of Christ to determine whether interior noise abatement measures are justified.	Owner and KHC	December 2010	December 2023	During development of detailed plans	Work activity has not been initiated	Conduct noise readings and review in accordance with Secretary of Interior Standards	Work activity has not been initiated
22	Company - Provide a plan for adoptive reuse the property, if plan cannot be developed, develop documentation of the property and proceed to the next step in the process. The documentation has been accepted.	Owner, Metro Government and KHPAT	September 2009	June 2009			Conduct noise readings and review in accordance with Secretary of Interior Standards	Treatment Plan was approved by the BSMT on 6/15/09 and distributed to the KHPAT on 6/1/09.
22	Design and construct streetscape improvements in accordance with provisions of the HPP and the KHC's streetscape design guidelines.	KHC and KHPAT	March 2008	December 2023				Recommendations to be considered by BSHCT and elevated to BSMT for final decision
22	Design and construct traffic calming measures on existing streets in the district with attention to the expansion of east downtown Louisville and Phase Two of Waterfront Park.	Metro Government, Waterfront Development Corp. and KHPAT	December 2010	December 2023				Recommendations to be considered by BSHCT and elevated to BSMT for final decision
22	Design and construct roadway lighting within the viewshed of the district.	KHPAT and Metro Government	December 2010	December 2023				Recommendations to be considered by BSHCT and elevated to BSMT for final decision

STIPULATION III - SITE SPECIFIC MITIGATION (Cont.)																		
FHWA/ST/A/SHP/SHPO/SH/US	Sub Item	GEC	Sub-consultant	SOC	Current Lead	MOA Reference			Stakeholders & Commitment Description			Duration & Deadline			Product & Implementation		Remarks & Comments	
						Item	Item No.	Pg.	Identified Stakeholders	Description	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan		
U	13	CTS	R, GP	KTA	KTA	13	22	Implement noise abatement Stipulation III E where the Project is expected to adversely affect the district.	KHPAT	December 2005	December 2023						Recommendations to be considered by BSHCT and elevated to BSMT for final decision	Barriers still being considered by KHC and adjacent to the Clinton Neighborhood.
NI	16	CTS	R, GP	KTA	KTA	16	22	Develop and implement a treatment plan as set forth in Stipulation III L.	KHC and KHPAT	December 2008	December 2023	Complete prior to initiation of construction						Work activity has not been initiated
C	1	CTS	R, GP	KTA	CTS	L	22	Phoenix Hill Historic District - Develop a HPP which shall develop a resource consent to assist with future nominations in the region. Plan is to be coordinated with latest development plans available from Metro Government.	KHC, KHPAT, and Metro Government	November 2004	April 2007	Prior to Preliminary Field Check Plan						HPP completed. However, implementation necessary to address FHWA comments.
U	2	CTS	R, GP	KTA	KTA	2	23	Design and construct roadway lighting as set forth in Stipulation III D.	KHPAT and Metro Government	December 2005	December 2023							Recommendations on roadway lighting are included as part of the final HPP
U	3	CTS	R, GP	KTA	KTC	3	23	Work with the owner to relocate the Bar Francis Company within the HO or a suitable facility within the Phoenix Hill neighborhood.	Owner and Phoenix Hill Neighborhood Association	September 2008	May 2009							Work with the owner to relocate the Bar Francis Company within the HO or a suitable facility within the Phoenix Hill neighborhood. Property was acquired on 5/25/09.

U	CTS	R, GP	L	CTS	K	34	Renewal	City of Prospect, Metro Government and KHPAT	April 2005	October 2009	None Established	None Established	HPAT recommendations to be considered by BSMT for final decision.	See M 1 update, above
U	CTS	R, GP	L	L	24	24	Design and construct proposed roadways, bridges and tunnels from I-71 to the OH River. Design and construct the cultural landscapes that are important contributing elements to the district.	City of Prospect, Metro Government and KHPAT	January 2004	December 2015	None Established	None Established	Design and construct proposed roadways, bridges and tunnels from I-71 to the OH River. Design and construct the cultural landscapes that are important contributing elements to the district.	Design and construct proposed roadways, bridges and tunnels from I-71 to the OH River. Design and construct the cultural landscapes that are important contributing elements to the district.
U	CTS	R, GP	L	L	24	24	Design and construct roadway lighting as set forth in Stipulation I.D.	City of Prospect, Metro Government and KHPAT	January 2008	December 2015	None Established	None Established	HPAT recommendations to be considered by BSHT and BSMT for final decision.	Recommendations on roadway lighting are included as part of the final decision. HPAT's on lighting in Section 5 at 02/14/08 meeting.
U	CTS	R, GP	L	L	24	24	Implement noise abatement measures where the Project noise is expected to affect the road and adjacent properties as set forth in Stipulation I.E.	City of Prospect, Metro Government and KHPAT	January 2010	December 2015	None Established	None Established	HPAT recommendations to be considered by BSHT and BSMT for final decision.	Noise Barrier Analysis, completed by SDC 4. Noise abatement to be implemented where determined reasonable and feasible.
U	CTS	R, GP	L	L	24	24	Develop and implement a blasting/vibration plan as set forth in Stipulation I.L.	City of Prospect, Metro Government and KHPAT	January 2006	December 2010	Completed prior to initiation of construction.	None Established	Blasting/Vibration Plan to be included in the final Construction Documents.	No blasting or vibration activities occurred during the period that required implementation of this stipulation.
U	CTS	R, GP	L	L	25	25	Define a "network zone" within the NRHP boundaries of the listed and eligible properties.	City of Prospect, Metro Government and KHPAT	January 2005	December 2010	None Established	None Established	Define a "network zone" within the NRHP boundaries of the listed and eligible properties.	No work zones identified in the US 42 ramp relocation and exploratory tunnel plans.
U	CTS	R, GP	L	FRWA	25	25	Project through this property to be contained in a tunnel so as to limit adverse effects.	Owner, KYTC, KHC and KHPAT	April 2008	December 2023	None Established	None Established	Project through this property to be contained in a tunnel so as to limit adverse effects.	Tunnel through this property remains a component of Section 4
U	CTS	R, GP	L	KYTC	25	25	Acquire or establish a historic preservation easement for the entire Drummond historic property.	Owner and KHC	January 2005	December 2008	None Established	None Established	Acquire or establish a historic preservation easement for the entire Drummond historic property.	For Drummond, negotiations with the property owner will determine future development of easement.
U	CTS	R, GP	L	FRWA	25	25	If acquiring a preservation easement is not possible, FRWA will acquire the property, place the required assessment on the property and transfer to KYTC who shall seek to sell the property at fair market value or donate to a	Owner and KHC	December 2008	December 2009	None Established	None Established	If acquiring a preservation easement is not possible, FRWA will acquire the property, place the required assessment on the property and transfer to KYTC who shall seek to sell the property at fair market value or donate to a	For Drummond, negotiations with the property owner will determine future development of easement.
U	CTS	R, GP	L	L	25	25	Develop and implement a blasting/vibration plan as set forth in Stipulation I.L. Monitor the historic buildings to preclude impacts due to blasting.	KHPAT and KHC	January 2006	December 2010	Plan to be completed prior to initiation of construction, monitoring to occur during construction activities.	None Established	Blasting/Vibration Plan to be included in the Final Construction Documents.	No blasting or vibration activities occurred during the period that required implementation of this stipulation.

STIPULATION III - SITE SPECIFIC MITIGATION (Cont.)

FRWA/STA/SIPO	Status	GEC	CTS	Sub-consultant	SDC	Current Lead	MOA Reference			Stakeholders & Commitment Description			Duration & Deadline			Product & Implementation		Remarks & Comments
							Item ID	Sub Item No	P#	Identified Stakeholders	Description	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	
N				R, GP	L	KYTC	1	25	25	Allison-Barricade House	Owner and KHC	January 2009	January 2011	None Established		Acquire a historic preservation easement for the Allison-Barricade House on the tract of land with the historic boundary and an easement on the property bounded by US 42, KY 841, the Allison-Barricade property and Wolf Pen Branch Road.	For the tract of land within the NRHP boundary, coordination with the owner is continuing. For the tract outside of this tract, the easement will be implemented on the property bounded by US 42, KY 841, the Allison-Barricade property and Wolf Pen Branch Road.	
U				R, GP	L	L	2	25		Implement noise abatement measures as set forth in Stipulation I.E.	KHPAT	January 2010	December 2015	None Established		HPAT recommendations to be considered by BSHT and BSMT for final decision.	Noise Barrier Analysis, completed by SDC 4. Noise abatement to be implemented where determined reasonable and feasible.	
U				R, GP	L	L	3	26		Define a "network zone" within the NRHP boundary of the property.	KHPAT and KHC	January 2005	December 2010	None Established		HPAT recommendations to be considered by BSHT and BSMT for final decision.	No work zones identified in the US 42 ramp relocation and exploratory tunnel plans.	

U	CTS	R, GP	L	L	L	MR	CTS	R, GP	L	L	NYC	January 2006	December 2010	Complete prior to initiation of construction	Blasting/Vibration Plan to be included in the Final Construction Documents	HPAT recommendations to be considered by BSHCT and revealed to BSMT for final decision	No blasting or vibration activities occurred during the period that required implementation of this stipulation
U	CTS	R, GP	L	L	L	MR	CTS	R, GP	L	L	NYC	January 2006	December 2009	None Established	Treatment Plan	Develop and implement a Treatment Plan to minimize damage to the property	The Treatment Plan is under revision and comments received from the KY SHPO. Presentation of the plan to the KHPAT is anticipated during the ensuing period
U	CTS	R, GP	L	L	L	MR	CTS	R, GP	L	L	NYC	January 2006	December 2009	Immediate following acquisition		Place a preservation easement on the property and then sell to a local historic preservation organization or donate to a local government.	NYL is preparing Rosewell for sale or public use
U	CTS	R, GP	L	L	L	MR	CTS	R, GP	L	L	NYC	January 2009	December 2015	None Established		HPAT recommendations to be considered by BSHCT and revealed to BSMT for final decision.	Recommendations on roadway lighting are included as part of the Draft HPP, on lighting in Section 5 at 02/14/08 meeting.
U	CTS	R, GP	L	L	L	MR	CTS	R, GP	L	L	NYC	January 2009	December 2015	None Established		HPAT recommendations to be considered by BSHCT and revealed to BSMT for final decision.	Noise Barrier Analysis completed by SDC 4. Noise abatement to be implemented where determined reasonable and feasible.
U	CTS	R, GP	L	L	L	MR	CTS	R, GP	L	L	NYC	January 2006	December 2010	Complete prior to initiation of construction	Blasting/Vibration Plan to be included in the Final Construction Documents	HPAT recommendations to be considered by BSHCT and revealed to BSMT for final decision.	Work activity has not been initiated
U	CTS	R, GP	L	L	L	MR	CTS	R, GP	L	L	NYC	January 2006	December 2010	None Established		HPAT recommendations to be considered by BSHCT and revealed to BSMT for final decision.	Work activity has not been initiated
U	CTS	R, GP	L	L	L	MR	CTS	R, GP	L	L	NYC	January 2005	December 2015	None Established		HPAT recommendations to be considered by BSHCT and revealed to BSMT for final decision.	Recommendations on these elements are included as part of the Draft HPP.
U	CTS	R, GP	L	L	L	MR	CTS	R, GP	L	L	NYC	January 2008	December 2015	None Established		HPAT recommendations to be considered by BSHCT and revealed to BSMT for final decision.	Recommendations on roadway lighting are included as part of the Draft HPP. Input sought from HPAT's on lighting in Section 5 at 02/14/08 meeting.
U	CTS	R, GP	L	L	L	MR	CTS	R, GP	L	L	NYC	January 2010	December 2015	None Established		HPAT recommendations to be considered by BSHCT and revealed to BSMT for final decision.	Noise Barrier Analysis completed by SDC 4. Noise abatement to be implemented where determined reasonable and feasible.
U	CTS	R, GP	L	L	L	MR	CTS	R, GP	L	L	NYC	January 2006	December 2010	Complete prior to initiation of construction	Blasting/Vibration Plan to be included in the Final Construction Documents	HPAT recommendations to be considered by BSHCT and revealed to BSMT for final decision.	Work activity has not been initiated
U	CTS	R, GP	L	L	L	MR	CTS	R, GP	L	L	NYC	January 2006	December 2010	None Established		HPAT recommendations to be considered by BSHCT and revealed to BSMT for final decision.	Work activity has not been initiated

STIPULATION IV - ARCHAEOLOGICAL RESOURCES																
FHWA/STA/SHPO Status	GEC	Sub-consultant	SDC	Current Lead	MOA Reference			Stakeholders & Commitment Description			Duration & Deadline			Product & Implementation		
					Item	Sub Item	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	Remarks & Comments
U	KYTC	A	NR	FHWA	1	27	In implementing Stipulation IV, FHWA will identify and/or inform public disclosure of information about historic properties.	HPA's, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	No activity in this Reporting Period		
U	KYTC	A	NR	FHWA	2	27	FHWA will ensure consultation with Indian Tribes is conducted in a manner consistent with 36 CFR 800.2(i)(2)(i)(A), (B) & (C).	HPA's, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	No activity in this Reporting Period		
U	KYTC	A	NR	FHWA	3	27	FHWA will make every effort to identify, protect, preserve and/or restore resources at the earliest possible time in Project design.	HPA's, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	No activity in this Reporting Period		
U	FHWA	NR	NR	FHWA	4	27	In implementing Stipulation IV, FHWA will consult with the project sponsor in Attachment P of the MOA.	HPA's, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	No activity in this Reporting Period		
U	KYTC	A	NR	FHWA	5	27	FHWA will take responsible measures to ensure the identification, documentation, and disturbance to human remains and grave goods of religious & cultural significance to Indian Tribes.	HPA's, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	No activity in this Reporting Period		
U	KYTC	A	NR	FHWA	1	28	Before listing any type of Project in the APE or selecting sites for ancillary activities associated with the Project, FHWA shall complete the identification and assessment of archaeological resources for inclusion in the NRHP.	HPA's, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	No activity in this Reporting Period		
U	KYTC	A	NR	FHWA	2	28	Examine all locations where ground-disturbing are proposed or where they may occur within temporary right-of-way.	HPA's, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	No activity in this Reporting Period		

STIPULATION IV - ARCHAEOLOGICAL RESOURCES (Cont.)																
FHWA/STA/SHPO Status	GEC	Sub-consultant	SDC	Current Lead	MOA Reference			Stakeholders & Commitment Description			Duration & Deadline			Product & Implementation		
					Item	Sub Item	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	Remarks & Comments
U	KYTC	A	NR	FHWA	3	28	To ensure the accurate treatment of human remains and grave goods, FHWA to be guided by ACHP's Policy Statement, Separation Treatment of Human Remains and Grave Goods, and where appropriate other guidelines.	HPA's, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	No activity in this Reporting Period		
U	KYTC	A	NR	FHWA	4	28	Make every reasonable effort to identify, protect, preserve and/or restore resources at the earliest possible time in Project design.	HPA's, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	No activity in this Reporting Period		

U	KYTC	CTS	A	NR	FHWA	b	28	Make a reasonable and good faith effort to determine the location, cultural/temporal period, and cultural affiliation of human remains and/or grave goods without any removal or destructive analysis of remains. If any remains remain for analysis, they must be analyzed in consultation with KYTC & Indian Tribes that information cannot be obtained without disturbance.	HPA's, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established	Same as Description	No activity in this Reporting Period
U	KYTC	CTS	A	NR	FHWA	e	28	Ensure human remains and/or grave goods are not photographed or subject to invasive study.	HPA's, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established	Same as Description	No activity in this Reporting Period
U	KYTC	CTS	A	NR	FHWA	d	28	Provide written notification & documentation of discovery to the appropriate SHPO, Indian Tribes & other parties determined appropriate within 60 hours.	HPA's, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established	Same as Description	No activity in this Reporting Period
U	KYTC	CTS	A	NR	FHWA	4	29	Develop a Plan(s) for the identification & evaluation of archaeological resources.	HPA's, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established	Same as Description	No activity in this Reporting Period
U	KYTC	CTS	A	NR	FHWA	a	29	FHWA to provide the SHPOs, SHPO and Native American Tribes to review & comment on Plan(s); final Plan(s) to address comments.	HPA's, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established	Same as Description	No activity in this Reporting Period
U	KYTC	CTS	A	NR	FHWA	b	29	If no response received from the above parties in 30 days, FHWA may proceed with Plan(s).	HPA's, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established	Same as Description	No activity in this Reporting Period
U	KYTC	CTS	A	NR	FHWA	c	29	Any dispute regarding Plan(s) to be resolved in accordance with Stipulation XIII.	HPA's, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established	Same as Description	No activity in this Reporting Period
U	KYTC	CTS	A	NR	FHWA	5	29	FHWA to prepare & estimate final identification & evaluation records in accordance with Stipulation IV F.	HPA's, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established	Same as Description	No activity in this Reporting Period
						C	29	Evaluation	HPA's, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established	Same as Description	No activity in this Reporting Period
U	KYTC	CTS	A	NR	FHWA	1	29	SHPO completed pursuant to Stipulation IV B & C. FHWA to provide a level of effort consistent with 36 CFR 800.4(b)(1) and provide FHWA with information to determine NRHP eligibility.	HPA's, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established	Same as Description	No activity in this Reporting Period

STIPULATION IV - ARCHAEOLOGICAL RESOURCES (Cont.)																
Status	FHWA/STA/SHPO/KYTC	GEC	Sub-consultant	SDC	Current Lead	MOA Reference			Duration & Deadline				Product & Implementation		Remarks & Comments	
						Item	Sub Items	Pg No.	Stakeholders	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline		Actual Completion Date
U	KYTC	CTS	A	NR	FHWA	2	29	Archaeological resources considered eligible for the NRHP by FHWA to be treated in accordance with Stipulations IV D & IV E.	HPA's, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established	Same as Description	No activity in this Reporting Period	No activity in this Reporting Period	
NI	KYTC	CTS	A	NR	FHWA	3	29	FHWA to seek a formal determination of NRHP eligibility from Keeper of NRHP if disagreement between FHWA & SHPO.	HPA's, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established	Same as Description	Refer to IV C.1, above		
U	KYTC	CTS	A	NR	FHWA	4	29	No further action necessary for archaeological resource that FHWA & the SHPO agree are not eligible for the NRHP.	HPA's, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established	Same as Description	No activity in this Reporting Period	No activity in this Reporting Period	
NI	KYTC	CTS	A	NR	FHWA	5	29	FHWA to notify Indian Tribes and other parties whom so request of findings of eligibility.	HPA's, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established	Same as Description	No activity in this Reporting Period	No activity in this Reporting Period	
NI	KYTC	CTS	A	NR	FHWA	6	29	FHWA to record its findings and request to FHWA's determination of eligibility in writing within 15	HPA's, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established	Same as Description	No activity in this Reporting Period	No activity in this Reporting Period	

U	KYTC	GTS	A	NR	FWHA	D	30	30	April 2003	None Established	Same as Description	No activity in this Reporting Period
NI	KYTC	CTS	A	NR	FWHA	2	30	30	April 2003	None Established	Same as Description	No activity in this Reporting Period
NI	KYTC	CTS	A	NR	FWHA	3	30	30	April 2003	None Established	Same as Description	No activity in this Reporting Period
NI	KYTC	CTS	A	NR	FWHA	1	30	30	April 2003	None Established	Same as Description	No activity in this Reporting Period
NI	KYTC	CTS	A	NR	FWHA	a	30	30	April 2003	None Established	Same as Description	No activity in this Reporting Period
NI	KYTC	CTS	A	NR	FWHA	b	31	31	April 2003	None Established	Same as Description	No activity in this Reporting Period
NI	KYTC	CTS	A	NR	FWHA	c	31	31	April 2003	None Established	Same as Description	No activity in this Reporting Period
NI	KYTC	CTS	A	NR	FWHA	d	31	31	April 2003	None Established	Same as Description	No activity in this Reporting Period

STIPULATION IV - ARCHAEOLOGICAL RESOURCES (Cont.)

Status	FWHA/STW/SHPO/KYTC	GEC	Sub-consultant	SDC	Current Lead	MDA Reference			Stakeholders & Commitment Description			Duration & Deadline			Product & Implementation		Remarks & Comments
						Item	Sub Item	Pg No.	Identified Stakeholders	Description	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	
NI	KYTC	CTS	A	NR	FWHA	9	31	31	Field methods to be used with an explanation of their relevance & applicability.	HPATs, IN SHPO, KY SHPO and Native American Tribes	Methods to be used with an explanation of their relevance & applicability.	April 2003	December 2023	None Established	Same as Description	Same as Description	No activity in this Reporting Period
NI	KYTC	CTS	A	NR	FWHA	1	31	31	Methods to be used in data analysis, data management & dissemination of data, including a schedule.	HPATs, IN SHPO, KY SHPO and Native American Tribes	Methods to be used in data analysis, data management & dissemination of data, including a schedule.	April 2003	December 2023	None Established	Same as Description	Same as Description	No activity in this Reporting Period
NI	KYTC	CTS	A	NR	FWHA	9	31	31	Plans for treatment of human remains & grave goods.	HPATs, IN SHPO, KY SHPO and Native American Tribes	Plans for treatment of human remains & grave goods.	April 2003	December 2023	None Established	Same as Description	Same as Description	No activity in this Reporting Period
NI	KYTC	CTS	A	NR	FWHA	11	31	31	Plans to be used in data analysis, data management & dissemination of data, including a schedule.	HPATs, IN SHPO, KY SHPO and Native American Tribes	Plans to be used in data analysis, data management & dissemination of data, including a schedule.	April 2003	December 2023	None Established	Same as Description	Same as Description	No activity in this Reporting Period
NI	KYTC	CTS	A	NR	FWHA	1	31	31	Provisions for retrieval of human remains & grave goods where appropriate.	HPATs, IN SHPO, KY SHPO and Native American Tribes	Provisions for retrieval of human remains & grave goods where appropriate.	April 2003	December 2023	None Established	Same as Description	Same as Description	No activity in this Reporting Period
NI	KYTC	CTS	A	NR	FWHA	1	31	31	Plans for public education & information.	HPATs, IN SHPO, KY SHPO and Native American Tribes	Plans for public education & information.	April 2003	December 2023	None Established	Same as Description	Same as Description	No activity in this Reporting Period
NI	KYTC	CTS	A	NR	FWHA	1	31	31	Plans for keeping the SHPOs, SHPO and Native American Tribes informed of work progress & findings.	HPATs, IN SHPO, KY SHPO and Native American Tribes	Plans for keeping the SHPOs, SHPO and Native American Tribes informed of work progress & findings.	April 2003	December 2023	None Established	Same as Description	Same as Description	No activity in this Reporting Period
NI	KYTC	CTS	A	NR	FWHA	1	31	31	Schedule for the submission of reports & other deliverables.	HPATs, IN SHPO, KY SHPO and Native American Tribes	Schedule for the submission of reports & other deliverables.	April 2003	December 2023	None Established	Same as Description	Same as Description	No activity in this Reporting Period

NI	KYTC	CTS	A	NR	FRWA	2	31	Plans addressing treatment of burials to be guided by the ACHPs Policy Statement Regarding Treatment of Human Remains & Grave Goods and other guidelines where appropriate. FHWA to also be guided by:	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established	Same as Description	No activity in this Reporting Period
NI	KYTC	CTS	A	NR	FRWA	a	31	Burials that will not be treated or disturbed by the Project shall not be disinterred or disturbed through scientific study.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established	Same as Description	No activity in this Reporting Period
NI	KYTC	CTS	A	NR	FRWA	b	31	If disturbance cannot be avoided, FHWA to determine if scientific study of human remains is warranted. If warranted, burials must be conducted. FHWA's decision must be supported by an explicit set of definitive & justified questions on a case-by-case basis.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established	Same as Description	No activity in this Reporting Period
NI	KYTC	CTS	A	NR	FRWA	c	32	Human remains and funerary objects of religious & cultural significance to Indian Tribes may be photographed only when FHWA in consultation with SHPO and Native American Tribes where appropriate, determines that it is called for & justified in a site-specific treatment plan to support scientific study.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established	Same as Description	No activity in this Reporting Period
NI	KYTC	CTS	A	NR	FRWA	d	32	Disinterred human remains and/or grave goods should be reburied as soon as possible in a timeframe, location & manner determined appropriate by FHWA.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established	Same as Description	No activity in this Reporting Period
NI	KYTC	CTS	A	NR	FRWA	3	32	Human remains & grave goods to be made available for reburial to appropriate party in an appropriate period 30 days from determination.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established	Same as Description	No activity in this Reporting Period

STIPULATION IV - ARCHAEOLOGICAL RESOURCES (Cont.)

Status	FHWA/STA/SHPO	KYTC	GEC	CTS	Sub-consultant	SDC	NR	FRWA	MOA Reference			Stakeholders & Commitment Description				Duration & Deadlines				Product & Implementation		Remarks & Comments
									Current Lead	Item	Sub Item	Pg. No.	Identified Stakeholders	Description	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan		
NI	FHWA	KYTC	CTS	CTS	A	NR	FRWA	4	32	FHWA to provide ACHP, the SHPO, and Native American Tribes other parties deemed appropriate by FHWA, 30 days to comment on treatment plans FHWA to ensure the final plan(s) take comments into consideration.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established	Same as Description	No activity in this Reporting Period						
NI	FHWA	KYTC	CTS	CTS	A	NR	FRWA	5	32	Disputes regarding the treatment plan(s) to be resolved in accordance with Stipulation K11.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established	Same as Description	No activity in this Reporting Period						
NI	FHWA	KYTC	CTS	CTS	A	NR	FRWA	6	32	After implementing stipulations for treatment, FHWA may elect to monitor the project in selected portions of right-of-way. Monitoring to be conducted by qualified archaeologist.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established	Same as Description	No activity in this Reporting Period						
U	FHWA	NR	NR	NR	NR	NR	FRWA	1	33	Work carried out is to be performed by, or under the direct supervision of a person(s) meeting the following criteria: Interstate Professional Qualification Standards in archaeology & has supervisory experience in prehistoric & historic archaeology of the lower Ohio Valley.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established	Same as Description	No activity in this Reporting Period						

U	KYTC	CTS	A	NR	FHWA	2	33	FHWA to review results of archaeological studies as presented in professionally written reports meeting standards established by the SHPOs.	April 2003	December 2023	None Established	Same as Description	No activity in this Reporting Period
D	INDOT/KYTC	CTS	A	NR	FHWA	3	33	Sensitive information regarding the nature & location of human remains, grave goods, & the location, character & ownership of archaeological sites is kept confidential from the public.	April 2003	December 2023	None Established	Same as Description	No activity in this Reporting Period
D	INDOT/KYTC	CTS	A	NR	FHWA	4	33	Permits to have 30 days after confirmed receipt to review & comment on reports. FHWA to address comments in final reports.	April 2003	December 2023	None Established	Same as Description	No activity in this Reporting Period
D	INDOT/KYTC	CTS	A	NR	FHWA	5	33	Disputes regarding reports(s) to be resolved in accordance with Stipulation XIII.	April 2003	December 2023	When Appropriate	Same as Description	No activity in this Reporting Period
D	INDOT/KYTC	CTS	A	NR	FHWA	G	33	Distribution of Final Reports: SHPO and Native	April 2003	December 2023	When Appropriate	Same as Description	No activity in this Reporting Period
D	INDOT/KYTC	CTS	A	NR	FHWA	1	33	FHWA to provide copies of final reports to respective SHPOs, STAs & Indian Tribes, when appropriate.	April 2003	December 2023	Upon Completion of Work	Same as Description	No activity in this Reporting Period
D	INDOT/KYTC	CTS	A	NR	FHWA	2	33	FHWA to prepare sufficient copies of final reports for dissemination to public libraries, educational institutions & other repositories in Jefferson & Clark Counties.	April 2003	December 2023		Same as Description	No activity in this Reporting Period
D	INDOT/KYTC	CTS	A	NR	FHWA	3	33	FHWA to review final field archaeological reports for rapid dissemination do not contain sensitive information.	April 2003	December 2023		Same as Description	No activity in this Reporting Period

* KYTC has executed the services of Cultural Resources Analysis (CRA) a consultant under a substate contract to perform archaeological investigations for Sections 3 and 6, as well as within the Ohio River floodplain in Indiana.

STIPULATION V--UNANTICIPATED DISCOVERIES										Product & Implementation							
Stipulation	FHWA/SHPO/INDOT/KYTC	Current Lead	Sub-consultant	SDC	MOA Reference	Item	Sub Item	No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	Remarks & Comments
NI	INDOT/KYTC	FHWA	NR	NR	A	A	A	34	KYTC or INDOT to ensure work within 50 ft around the area of discovery. Treatment plan is developed & implemented.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	Duration of Project		KYTC or INDOT to ensure work within 50 ft around the area of an unanticipated discovery. Treatment plan is developed & implemented.	No activity in this Reporting Period.	
NI	INDOT/KYTC	FHWA	NR	NR	B	B	B	34	FHWA to make all reasonable measures to avoid property until conclusion of consultation with SHPO, Indian Tribes and other appropriate parties.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	Duration of Project		FHWA to make all reasonable measures to avoid property until conclusion of consultation with SHPO, Indian Tribes and other appropriate parties.	No activity in this Reporting Period.	
NI	INDOT/KYTC	FHWA	NR	NR	C	C	C	34	FHWA shall contact SHPO, Indian Tribes and other appropriate parties within 48 hours and provide written details of discovery.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	Within 48 hours		FHWA shall contact SHPO, Indian Tribes and other appropriate parties within 48 hours and provide written details of discovery.	No activity in this Reporting Period.	
NI	INDOT/KYTC	FHWA	NR	NR	D	D	D	34	INDOT or KYTC shall conduct discovery to determine eligibility, effects and possible treatment measures.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	Within 48 hours, or at the discretion of the opportunity thereafter		INDOT or KYTC shall conduct discovery to determine eligibility, effects and possible treatment measures.	No activity in this Reporting Period.	
NI	INDOT/KYTC	FHWA	NR	NR	E	E	E	34	Develop appropriate treatment plan(s) for discovered historic property.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	Duration of Project		Consult with the BSHCT, HPATs and Native American Tribes to develop report. HPAT recommendations considered by BSHCT and elevated to BSMIT for approval.	No activity in this Reporting Period.	
NI	INDOT/KYTC	FHWA	NR	NR	F	F	F	34	Ground-clearing work may commence at sites determined eligible for NHP.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	Duration of Project		Coordination with INSHPO, KHC and STAs to ensure site clearances.	No activity in this Reporting Period.	
NI	INDOT/KYTC	FHWA	NR	NR	G	G	G	34	Parties shall invoke provisions for dispute resolution should consensus on eligibility not be reached.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	Duration of Project		As required, provisions of dispute resolution to be followed (Stipulation XIII).	No activity in this Reporting Period.	

STIPULATION VI - ADDITIONAL HISTORIC PROPERTIES AND EFFECTS																	
Status	FHWA/ SHPO/ INDOIT/ KYTC	GEC	Sub-consultant	SDC	Current Lead	MOA Reference			Stakeholders & Commitment Description			Duration & Deadline			Product & Implementation		Remarks & Comments
						Taskmaster(s) & Lead	Sub-Item	Pg. No.	Identified Stakeholders	Description	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Product	Implementation Plan		
NI	INDOIT/ KYTC	CTS	NR	NR	FHWA	A	35	INDOT or KYTC shall consult with FHWA, SHPOs, Indian Tribes and other parties to determine if other historic properties in addition to those already on file or through Stipulation IV will be affected by the Project.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	Before approval of sales (mitigation, borrow or waste, dredge disposal, or other construction are approved)	Duration of Project	INDOT or KYTC shall consult with FHWA, SHPOs, Indian Tribes and other parties to determine if other historic properties in addition to those already on file or through Stipulation IV will be affected by the Project.	No activity in this Reporting Period		
NI	INDOIT/ KYTC	CTS	NR	NR	FHWA	B	35	Where historic properties are adversely affected, FHWA shall consult with INDOIT and/or KYTC, SHPO, Indian Tribes and other appropriate parties to minimize or mitigate effects.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	Duration of Project	Where historic properties are adversely affected, FHWA shall consult with INDOIT and/or KYTC, SHPO, Indian Tribes and other appropriate parties to minimize or mitigate effects.	As required, provisions of dispute resolution to be followed (Stipulation XII).	No activity in this Reporting Period		
NI	INDOIT/ KYTC	CTS	NR	NR	FHWA	C	36	If agreement on measures to mitigate the adverse effect, FHWA shall ensure that the measures are implemented. Resolve disputes in accordance with Stipulation XII.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	Duration of Project	As required, provisions of dispute resolution to be followed (Stipulation XII).	No activity in this Reporting Period			

STIPULATION VII - EXCESS RIGHT OF WAY																	
Status	FHWA/ SHPO/ INDOIT/ KYTC	GEC	Sub-consultant	SDC	Current Lead	MOA Reference			Stakeholders & Commitment Description			Duration & Deadline			Product & Implementation		Remarks & Comments
						Taskmaster(s) & Lead	Sub-Item	Pg. No.	Identified Stakeholders	Description	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Product	Implementation Plan		
NI	INDOIT/ KYTC	CTS	NR	NR	FHWA	A	35	If Project right-of-way to be disposed, the FHWA shall consult appropriate SHPO to determine whether the disposal or sale would have an adverse effect on historic properties.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	Duration of Project	If Project right-of-way to be disposed, the FHWA shall consult appropriate SHPO to determine whether the disposal or sale would have an adverse effect on historic properties.	No activity in this Reporting Period			

STIPULATION VII - PERFORMANCE STANDARDS																	
Status	FHWA/ SHPO/ INDOIT/ KYTC	GEC	Sub-consultant	SDC	Current Lead	MOA Reference			Stakeholders & Commitment Description			Duration & Deadline			Product & Implementation		Remarks & Comments
						Taskmaster(s) & Lead	Sub-Item	Pg. No.	Identified Stakeholders	Description	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Product	Implementation Plan		
U	INDOIT/ KYTC	CTS	NR	NR	FHWA	A	35	FHWA shall ensure all historic preservation resources with SHPO and Native American Tribes shall be met the most recent version of the following standards:	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	Duration of Project	FHWA shall ensure all historic preservation resources work carried out will be carried out by or under the direct supervision of individuals that meet the Secretary of the Interior's Professional Qualification Standards.	Condition to be met the duration of the Project.			
U	INDOIT/ KYTC	CTS	NR	NR	FHWA	B	35	FHWA shall ensure all historic preservation resources with SHPO and Native American Tribes shall be met the most recent version of the following standards:	HPATs, IN SHPO, KY SHPO and Native American Tribes	continued	continued	continued	FHWA shall ensure all historic preservation resources work carried out will be carried out by or under the direct supervision of individuals that meet the Secretary of the Interior's Professional Qualification Standards.	Condition to be met the duration of the Project.			
U	INDOIT/ KYTC	CTS	NR	NR	FHWA	1	35	The Secretary of Interior Standards and Guidelines for Archaeology and Historic Preservation	continued	continued	continued	continued	FHWA shall ensure all historic preservation resources work carried out will be carried out by or under the direct supervision of individuals that meet the Secretary of the Interior's Professional Qualification Standards.	See M update, above			
U	INDOIT/ KYTC	CTS	NR	NR	FHWA	2	35	Advisory Council on Historic Preservation: Treatment of Archaeological Properties: A Handbook	continued	continued	continued	continued	FHWA shall ensure all historic preservation resources work carried out will be carried out by or under the direct supervision of individuals that meet the Secretary of the Interior's Professional Qualification Standards.	See M update, above			
U	INDOIT/ KYTC	CTS	NR	NR	FHWA	3	35	Indiana Guidelines: Division of Historic Preservation and Archaeological Guidelines: most recent version of the Indiana Archaeological Guidelines: most recent version of the Indiana Archaeological Guidelines: updating the Guidebook for Indiana Historic Sites	continued	continued	continued	continued	FHWA shall ensure all historic preservation resources work carried out will be carried out by or under the direct supervision of individuals that meet the Secretary of the Interior's Professional Qualification Standards.	See M update, above			

U	INDOT/ KYTC	CTS	NR	NR	NR	continued	4	36	Kentucky Guidelines Specifications for Conducting Fieldwork and Preparing Cultural Resource Assessment Reports; most recent version of Kentucky State Historic Preservation Office	continued	continued	continued	continued	continued	continued	See M update above
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STIPULATION IX - PROGRESS REPORTS																
State	FHWA/ STP/ SHPO	Taskmaster(s) & Lead	MOA Reference			Stakeholders & Commitment Description			Duration & Deadline			Product & Implementation			Remarks & Comments	
			GEC	Sub-consultant	SDC	Current Lead	Item	Sub Item	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline		Product
U			CTS	NR	NR	CTS	A	36	Progress reports detailing implementation of the MOA and stipulated within the MOA, and providing advanced notice of milestones.	INPAT, KRPAT, Signalers and Concerning Parties of MOA	April 2003	December 2023	Every six (6) months until all phases of the project are complete	Six Month Progress Report	After implementation of the Six Month Progress Report to be developed and distributed within three months of close of Reporting Period.	This report is included in Progress Report No. 12.
U			CTS	NR	NR	CTS	C	36	Progress report to identify the status of each stipulation outlined in the MOA & of associated documents.	INPAT, KRPAT, Signalers and Concerning Parties of MOA	April 2003	December 2023		Six Month Progress Report	Progress report to identify the status of each stipulation outlined in the MOA & of associated documents.	Condition to be met the duration of the Project.

STIPULATION X - PROJECT MODIFICATIONS																
State	FHWA/ STP/ SHPO	Taskmaster(s) & Lead	MOA Reference			Stakeholders & Commitment Description			Duration & Deadline			Product & Implementation			Remarks & Comments	
			GEC	Sub-consultant	SDC	Current Lead	Item	Sub Item	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline		Product
WI			CTS	NR	NR	INDOT and KYTC		36	If the project is significantly modified and additional effects to historic properties are considered the FHWA will consult with the Signalers to determine if the MOA should be amended.	INPAT, KRPAT, Concerning Parties of MOA	April 2003	December 2023	Duration of Project	Product	If the Project is significantly modified and additional effects are considered the FHWA will consult with the Signalers to determine if the MOA should be amended.	No significant modifications to the Project occurred during the Reporting Period.

ATTACHMENT D

PROGRESS REPORT SCHEDULE

Pursuant to Stipulation IX of the Section 106 MOA, the following schedule by section and milestones is anticipated for the Project in ensuing Reporting Periods.

SECTION 1 – KENNEDY INTERCHANGE

- Butchertown Final HPP Approval – FY 2010
- Butchertown Dispute Resolution Conclusion – FY 2010
- Coordination Meeting for Resolution of Noise Barriers along I-64 in the vicinity of Clifton – FY 2010
- Coordination Meetings with SDC 2 – On-going
- Section 1A Archaeological Exploration Final Report – Fall 2009
- Continuation of Jefferson County Inventory and Survey of Historic Sites – 2009
- Continuation of Development of Preservation Easements for the Wesley House and the Edison House – On-going

SECTION 2 – DOWNTOWN BRIDGE

- Additional Context Sensitive Design Workshop with IHPAT and KHPAT – As needed
- Coordination Meetings with SDC 1 – On-going

SECTION 3 – DOWNTOWN INDIANA

- Old Jeffersonville Final HPP Approval – Fall 2009
- Initiation of Clark County Interim Report and Historic Sites and Structures Inventory – Summer 2009

SECTION 4 – KENTUCKY EAST END

- Country Estates of River Road/River Road HPP – Final HPP for Approval in Fall 2009
- Final Rosewell Treatment Plan Review – FY 2010
- Final R/W Plans – Fall 2009
- Community Meetings to Discuss Noise Barrier Analysis and Possible Design Concepts for the Proposed Noise Barriers – FY 2010
- Drumanard Property Easement Negotiations – On-going
- Coordination Meetings with SDC 5 – On-going
- SDC 4 developing outfall treatment facilities for the bridge and tunnel – Fall 2009
- Continuation of Jefferson County Inventory and Survey of Historic Sites – 2009

SECTION 5 – EAST END BRIDGE

- Coordination Meetings with SDC 4 and SDC 6 – On-going
- Deck Drainage Analysis Study Approval – Approved January 2009

SECTION 6 – INDIANA EAST END

- Swartz Farm MOA Amendment – On-going
- Swartz Farm Rural HD Final HPP Approval – Pending MOA Amendment
- Completion of Utica Historic Lime Kilns HPP – Fall 2009
- Utica Historic Lime Kilns NRHP Nomination Form – Fall 2009
- Coordination Meetings with SDC 5 – On-going
- Initiation of Clark County Interim Report and Historic Sites and Structures Inventory – Summer 2009

PROJECT WIDE ACTIVITIES

Archaeological GIS Revision – On-going