Annual Report on the *Programmatic Agreement among the Federal Highway Administration, the Indiana Department of Transportation, the Indiana State Historic Preservation Officer, and the Advisory Council on Historic Preservation Regarding Management and Preservation of Indiana's Historic Bridges* (Historic Bridge PA)

Prepared by
the Cultural Resources Office,
Environmental Services,
Indiana Department of Transportation

Prepared for
the Indiana Historic Bridge Task Group (Task Group)

January 31, 2013

The following report is being submitted to the Indiana Historic Bridge Task Group (Task Group) per Stipulation IV.C of the *Programmatic Agreement among the Federal Highway Administration, the Indiana Department of Transportation, the Indiana State Historic Preservation Officer, and the Advisory Council on Historic Preservation Regarding Management and Preservation of Indiana's Historic Bridges* (Historic Bridge PA). Stipulation IV.C states, in part, that "INDOT will prepare an annual report that will include a list of Select and Non-Select Bridges that have been processed during the previous calendar year pursuant to this Agreement and the scope of each project. INDOT will submit this report on or before January 31 of each year to the Task Group."

The following report lists the bridges for which the Indiana Department of Transportation (INDOT) Cultural Resources Office (CRO) has knowledge of actions taking place from January 2012 through January 2013. This document is a reflection of how INDOT-CRO understands items to stand through January 31, 2012. Please forward any comments or revisions to Mary Kennedy via email: mkennedy@indot.in.gov.

Historic Bridge PA - Annual Update - Actions Taken - Jan 2012 through Jan 2013

Bridge	Action Taken	Support Documentation	Additional Comments
Wayne County Bridge No. 173 (NBI No. 8900126), Mineral Springs Road over Greens Fork River, Wayne County	Section 106 process for project involving this Non-Select bridge nearly concluded under the HBPA procedures	Finding of "adverse effect" dated 8/16/12; SHPO concurrence letter dated 9/17/12 (See Attachment 1)	INDOT Des. No. 0801062; public hearing still to be held
Wayne County Bridge No. 197 (NBI No. 8900147), Turnpike Road over Nettle Creek, Wayne County	Section 106 process for project involving this Non-Select bridge nearly concluded under the HBPA procedures	Finding of "adverse effect" dated 12/5/12; SHPO concurrence letter dated 1/7/13 (See Attachment 2)	INDOT Des. No. 1006546; public hearing still to be held
Allen County Bridge No. 546 (NBI No. 0200273), State Blvd. over Spy Run Creek, Ft. Wayne, Allen County	Section 106 process for project involving this Non-Select bridge nearly concluded under the HBPA procedures	Finding of "adverse effect" dated 8/27/12; SHPO concurrence letter dated 10/4/12 (See Attachment 3)	INDOT Des. No. 0400587; public hearing still to be held
Putnam County Bridge No. 137 (NBI No. 6700122), CR 100 E over Big Walnut Creek, Putnam County	Section 106 process for project involving this Non-Select bridge in progress under the HBPA procedures	Nothing of note to include with this report	INDOT Des. No. 9982470; alternatives analysis sent to consulting parties 8/14/12
Parke County Bridge No. 72 (NBI No. 6100059), CR 600 W over Big Racoon Creek	Section 106 process for project involving this Non-Select bridge (replacement) concluded under the HBPA procedures	Finding of "adverse effect" dated 8/8/11; SHPO concurrence letter dated 4/12/12; Public Involvement (Hearing) Certification dated 3/20/12 (See Attachment 4)	INDOT Des. No. 0800716
Parke County Bridge No. 248 (NBI No. 6100218), CR 1200 E over Conrail Railroad	Section 106 process for project involving this Non-Select bridge nearly concluded under the HBPA procedures	Finding of "adverse effect" dated 5/13/11; SHPO concurrence letter dated 6/9/11; Public Involvement (Hearing) Certification dated 1/27/12 (See Attachment 5)	INDOT Des. No. 0900839

Bridge	Action Taken	Support Documentation	Additional Comments
INDOT Bridge No. 052-79-01784EEBL (NBI No. 19010), US 52 over the Wabash River & SR 43 (River Road), Tippecanoe County	Section 106 process for project involving this Non-Select bridge nearly concluded under the HBPA procedures	Finding of "adverse effect" dated 8/11/11; SHPO concurrence letter dated 6/9/11 (See Attachment 6)	INDOT Des. No. 0400774; public hearing still to be held
Pike County Bridge No. 147 (NBI No. 6300100), CR 350 E over the Patoka River, Pike County	Section 106 process for project involving this Non-Select bridge in progress under the HBPA procedures	Nothing of note to include with this report	INDOT Des. No. 0902251; HPR & alternatives analysis sent to consulting parties 2/9/12
INDOT Bridge No. 046-11-01316A (NBI No. 17050), SR 46 Bridge over Eel River, Clay County	Section 106 process for project involving this Select bridge in progress under the HBPA procedures; Emergency repair project is complete	INDOT letter to DHPA indicating intention to invoke *Guidelines for Emergency Action Using State Funds* dated 9-14-12 (See Attachment 7)	INDOT Des. No. 0800910 for major project--no major activity to note; INDOT Des. No. 1297592 for emergency repair project
Delaware County Bridge No. 85 (NBI No. 1800070), CR 800 E over the Mississinewa River, Delaware County	Section 106 process for project involving this Non-Select bridge nearly concluded under the HBPA procedures	Finding of "adverse effect" dated 1/17/12; SHPO concurrence letter dated 2/17/12 (See Attachment 8)	INDOT Des. No. 0500078; agreement transferring ownership of bridge to re-use as part of a trail in Muncie pending
Shelby County Bridge No. 13 (NBI No. 7300013), CR 875 W over Buck Creek, Shelby County	Select Bridge closed to traffic in January 2011	Nothing of note to include with this report	INDOT Des. No. 0100361
Marion County Bridge No. 2502F (NBI No. 4900214), Illinois St. over Fall Creek, Indianapolis, Marion County	Section 106 process for project involving this Select Bridge (rehabilitation) concluded under the HBPA procedures	Finding of "adverse effect" dated 5/3/12; SHPO concurrence letter dated 6/4/12; Public Involvement (Hearing) Certification dated 10/29/12 (See Attachment 9)	INDOT Des. No. 1173302

Bridge	Action Taken	Support Documentation	Additional Comments
Madison County Bridge 123 (NBI No. 4800107), CR 600 W over the White River, Madison County	Section 106 process for project involving this Non-Select bridge (rehabilitation) concluded under the HBPA procedures	Finding of "adverse effect" dated 1/3/12; SHPO concurrence letter dated 1/27/12; Public Involvement (Hearing) Certification dated 6/6/12 (See Attachment 10)	INDOT Des. No. 0801065
Dearborn County Bridge No. 55 (NBI No. 1500050), Collier Ridge Rd. over West Fork Tanners Creek, Dearborn County	Section 106 process for project involving this Non-Select bridge (replacement) concluded under the HBPA procedures	Finding of "adverse effect" dated 7/16/12; SHPO concurrence letter dated 8/21/12; Public Involvement (Hearing) Certification dated 1/10/13 (See Attachment 11)	INDOT Des. No. 1005702
INDOT Bridge No. 057-28-00341C (NBI No. 20710), SR 57 over the White River, Greene County	Section 106 process for project involving this Non-Select bridge (replacement) concluded under the HBPA procedures; State review process for emergency repair project is complete	Finding of "adverse effect" dated 6/4/12; SHPO concurrence letter dated 6/13/12; Public Involvement (Hearing) Certification dated 9/4/12; DHPA letter clearing emergency repair work dated 5/17/12 (See Attachment 12)	INDOT Des. No. 0400090 for main project; INDOT Des. No. 1296487 for emergency repair project
INDOT Bridge No. 057-28-03042D (NBI No. 20720), SR 57 over the White River Overflow, Greene County	Section 106 process for project involving this Non-Select bridge (replacement) concluded under the HBPA procedures; State review process for emergency repair project is complete	Finding of "adverse effect" dated 6/4/12; SHPO concurrence letter dated 6/13/12; Public Involvement (Hearing) Certification dated 9/4/12; DHPA letter clearing emergency repair work dated 5/17/12 (See Attachment 12)	INDOT Des. No. 0400091 for main project; INDOT Des. No. 1296487 for emergency repair project
INDOT Bridge No. 403-10-01941A (NBI No. 32000), SR 403 over Silver Creek, Clark County	Section 106 process for project involving this Non-Select bridge nearly concluded under the HBPA procedures	Finding of "adverse effect" dated 11/15/12; SHPO concurrence letter dated 12/12/12 (See Attachment 13)	INDOT Des. No. 0800072; public hearing still to be held

Bridge	Action Taken	Support Documentation	Additional Comments
INDOT Bridge No. 009-73-01994B (NBI No. 2410), SR 9 over Flatrock River, Shelby County	Section 106 process for project involving this Non-Select bridge (replacement) concluded under the HBPA procedures; State review process for emergency repair project is complete	DHPA clearance letter for emergency repairs dated 11/16/11; Finding of "adverse effect" dated 3/8/12; SHPO concurrence letter dated 4/9/12; Public Involvement (Hearing) Certification dated 6/18/12; (See Attachment 14)	INDOT Des. No. 0100327 for major project; INDOT Des. No. 1173575 for emergency repair project
Marion County Bridge No. 1615F (NBI No. 4900116), Lafayette Rd. over Conrail Railroad, Indianapolis, Marion County	Section 106 process for project involving this Non-Select bridge concluded under the HBPA procedures	Finding of "adverse effect" dated 2/27/12; SHPO concurrence letter dated 3/26/12 (See Attachment 15)	INDOT Des. No. 1173064; public hearing still to be held
INDOT Bridge No. 050-15-00210A (NBI No. 18790), US 50 over Tanners Creek and Service Rd., Lawrenceburg, Dearborn County	Section 106 process for project involving this Non-Select bridge nearly concluded under the HBPA procedures	Finding of "adverse effect" dated 2/22/12; SHPO concurrence letter dated 3/23/12 (See Attachment 16)	INDOT Des. Nos. 0400285 and 0800029; public hearing still to be held
Fountain County Bridge No. 97 (NBI No. 2300075), CR 500 E over North Fork of Coal Creek, Fountain County	Section 106 process for project involving this Non-Select bridge (replacement) concluded under the HBPA procedures	Finding of "adverse effect" dated 3/13/12; SHPO concurrence letter dated 4/17/12; Public Involvement (Hearing) Certification dated 12/31/12 (See Attachment 17)	INDOT Des. No. 1005669
Jackson County Bridge 195 (NBI No. 3600130), CR 550 W over Muscatatuck River, Jackson County	Section 106 process for project involving this Non-Select bridge nearly concluded under the HBPA procedures	Finding of "adverse effect" dated 8/15/12; SHPO concurrence letter dated 10/1/12 (See Attachment 18)	INDOT Des. No. 1005701; public hearing still to be held
Jennings County Bridge No. 85 (NBI No. 4000077), CR 625 S over Big Graham Creek, Jennings County	Section 106 process for project involving this Select bridge concluded under the HBPA procedures	Finding of "adverse effect" dated 12/20/11; SHPO concurrence letter dated 1/25/12; Public Involvement (Hearing) Certification dated 8/13/12 (See Attachment 19)	INDOT Des. No. 0101264

Bridge	Action Taken	Support Documentation	Additional Comments
Washington County Bridge No. 113 (NBI No. 8800075), Fredricksburg Rd. over South Fork Blue River, Washington County	Section 106 process for project involving this Select bridge nearly concluded under the HBPA procedures	Nothing of note to include with this report	INDOT Des. No. 0500817; public hearing still to be held
DeKalb County Bridge No. 134 (NBI No. 1700135), CR 75 over CSX Railroad, DeKalb County	Section 106 process for project involving this Select bridge in progress under the HBPA procedures	Nothing of note to include with this report	INDOT Des. No. 1173242; HPR sent to consulting parties 8/2/12; alternatives analysis sent to consulting parties 1/14/13
Putnam County Bridge No. 125 (NBI No. 6700111), CR 550 S over Big Walnut Creek, Putnam County	Section 106 process for project involving this Select bridge concluded under the HBPA procedures; damage sustained to bridge by vehicular accident	Finding of "no adverse effect" dated 2/16/12; SHPO concurrence letter dated 3/23/12; Public Involvement (Hearing) Certification dated 8/9/12; newspaper article outlining damage from vehicular impact (See Attachment 20)	INDOT Des. No. 1006547 & 0900908
Decatur County Bridge No. 2 (NBI No. 1600002), CR 421 N over Clifty Creek, Decatur County	Section 106 process for project involving this Non-Select bridge in progress under the HBPA procedures	Nothing of note to include with this report	INDOT Des. No. 1005700; HPR sent to consulting parties 9/5/12; alternatives analysis sent to consulting parties 1/24/13
INDOT Bridge No. 026-34-03651B (NBI No. 6840), SR 26 over Wildcat Creek, Howard County	Project initiated for this Select Bridge within INDOT system; no environmental analysis complete yet	Nothing of note to include with this report	INDOT Des. No. 1006226
INDOT Bridge No. (933)31-71-03690 (NBI No. 11046), SR 933 over St. Joseph River, South Bend, St. Joseph County	Section 106 process for project involving this Select bridge (rehabilitation) concluded under the HBPA procedures	Finding of "no adverse effect" dated 2/21/12; SHPO concurrence letter dated 3/23/12; Public Involvement (Hearing) Certification dated 4/6/12 (See Attachment 21)	INDOT Des. No. 1173149

Bridge	Action Taken	Support Documentation	Additional Comments
INDOT Bridge No. 046-11-01313A (NBI No. 17020), SR 46 Bridge over Birch Creek, Clay County	Section 106 process for project involving this Non-Select bridge in progress under the HBPA procedures	Nothing of note to include with this report	INDOT Des. No. 0800838; archaeology report sent to SHPO in December 2012; early coordination letter to initiate Section 106 process should be sent out soon
INDOT Bridge No. 049-37-01938B (NBI No. 17940), SR 49 over Kankakee River, Jasper County	Section 106 process for project involving this Select bridge (rehabilitation) in progress under the HBPA procedures	Finding of "no adverse effect" dated 1/4/13 (See Attachment 22)	INDOT Des. No. 1173072
INDOT Bridge No. (421)39-12-01793B (NBI No. 32210), US 421 over Kilmore Creek, Clinton County	Project established for this Non-Select Bridge within INDOT system; no environmental work initiated yet	Nothing of note to include with this report	INDOT Des. No. 1006286
Crawford County Bridge No. 129 (NBI No. 1300069), Main St. over Southern Railroad, Crawford County	Section 106 process for project involving this Non-Select Bridge concluded under normal Section 106 procedures (due to County's replacement of Select Bridge with local money in 2010, HBPA procedures could not be used)	MOA (See Attachment 23)	INDOT Des. No. 0901105
Delaware County Bridge No. 161 (NBI No. 1800136), CR 170 S over the White River, Delaware County	Project established for this Non-Select Bridge within INDOT system; no environmental work initiated yet	Nothing of note to include with this report	INDOT Des. No. 9680560

Bridge	Action Taken	Support Documentation	Additional Comments
Huntington County Bridge No. 133 (NBI No. 3500088), Broadway St. over Little Wabash River, Huntington County	Section 106 process for project (rehabilitation) involving this Non-Select bridge in progress under the HBPA procedures	Nothing of note to include with this report	INDOT Des. No. 1173243; HPR & alternatives analysis sent to consulting parties 12/13/12
Madison County Bridge 97 (NBI No. 4800086), CR 450 N over Killbuck Creek, Madison County	Section 106 process for project involving this Select Bridge in progress under the HBPA procedures	Nothing of note to include with this report	INDOT Des. No. 0100372; alternatives analysis sent to consulting parties on 1/19/10; no major activity noted since that time
Marion County Bridge No. 1807F (NBI No. 4900146), Keystone Ave. over Fall Creek Overflow, Indianapolis, Marion County	Section 106 process for project involving this Non-Select bridge (replacement) concluded under the HBPA procedures	Finding of "adverse effect" dated 4/3/12; SHPO concurrence letter dated 4/30/12; Public Involvement (Hearing) Certification dated 10/29/12 (See Attachment 24)	INDOT Des. No. 1173063
Martin County Bridge No. 22 (NBI No. 5100006), Mt. Olive Rd. over Sulphur Creek, Martin County	Project eliminated; INDOT project system indicates County replaced this bridge with local funding; funds that had been set aside for this bridge transferred to another Martin County bridge project (Bridge No. 11--non-historic)	Nothing of note to include with this report	INDOT Des. No. 0901108
Owen County Bridge No. 103 (NBI No. 6000075), CR 750 S over Branch of Brush Creek, Owen County	Project eliminated from INDOT project system	Nothing of note to include with this report	INDOT Des. No. 1005667
Huntington County Bridge No. 123 (NBI No. 3500083), CR 475 W over Wabash River, Huntington County	Section 106 process for project involving this Select bridge nearly concluded under the HBPA procedures	Finding of "adverse effect" dated 8/29/12; SHPO concurrence letter dated 10/31/12 (See Attachment 25)	INDOT Des. No. 1005658; public hearing still to be held

Bridge	Action Taken	Support Documentation	Additional Comments
Madison County Bridge No. 149 (NBI No. 4800129), Huntsville Pike over Fall Creek, Madison County	Section 106 process for project involving this Select bridge concluded under the HBPA procedures	Finding of "no adverse effect" dated 4/30/12; SHPO concurrence letter dated 5/29/12; Public Involvement (Hearing) Certification dated 9/6/12 (See Attachment 26)	INDOT Des. No. 0810458
Dearborn County Bridge No. 24 (NBI No. 1500021), Cold Spring Rd. over Lee's Branch/S. Hogan Creek, Dearborn County	Section 106 process for project involving this Non-Select bridge in progress under the HBPA procedures	Nothing of note to include with this report	INDOT Des. No. 1006517; HPR sent to consulting parties on 7/12/11
INDOT Bridge No. 005-92-01584A (NBI No. 1540), SR 5 over the Eel River, Whitley County	Project established for this Select Bridge within INDOT system; no environmental work initiated yet	Nothing of note to include with this report	INDOT Des. No. 1006177
INDOT Bridge No. 005-92-01584A (NBI No. 1540), SR 5 over the Eel River, Whitley County	Proposed debris removal project (from surrounding wateryway) for this Select bridge would be exempt from Section 106 review under the Minor Projects Programmatic Agreement [MPPA] between the FHWA, SHPO & INDOT-- under Category A Items 9 & 10	Nothing of note to include with this report	INDOT Des. No. not yet known
INDOT Bridge No. 026-79-03346B (NBI No. 6690), SR 26 over South Fork of Wildcat Creek, Tippecanoe County	Project established for this Non-Select Bridge within INDOT system; no environmental work initiated yet	Nothing of note to include with this report	INDOT Des. No. 9608220

Bridge	Action Taken	Support Documentation	Additional Comments
INDOT Bridge No. (11)31A-36-01677E (NBI No. 10250), SR 11 over East Fork of the White River, Jackson County	Project established for this Select Bridge within INDOT system; no environmental work initiated yet	Nothing of note to include with this report	INDOT Des. No. 1298123
INDOT Bridge No. 042-11-03101A (NBI No. 15790), SR 42 over the Eel River, Clay County	Project established for this Select Bridge within INDOT system; no environmental work initiated yet	Nothing of note to include with this report	INDOT Des. No. 0800870
INDOT Bridge No. 046-24-03124A (NBI No. 17430), SR 46 over Laughery Creek, Franklin County	Project established for this Select Bridge within INDOT system; no environmental work initiated yet	Nothing of note to include with this report	INDOT Des. No. 1296697
Bartholomew County Bridge No. 26 (NBI No. 300024), CR 850 E over Clifty Creek, Bartholomew County	Amended MOA executed in November 2012 to relocate and rehabilitate this Select Bridge as part of People Trail in Columbus (instead of as part of a trail at Anderson Falls Park)	First Amended MOA (See Attachment 27)	INDOT Des. No. 9982690
Morgan County Bridge No. 44 (NBI No. 5500037), Peavine Rd. over Stotts Creek, Morgan County	Section 106 process for project involving this Non-Select bridge in progress under the HBPA procedures	Nothing of note to include with this report	INDOT Des. No. 1173249; HPR & alternatives analysis sent to consulting parties 1/24/13
Washington County Bridge No. 105 (NBI No. 8800071), Becks Mill Rd. over Mill Creek, Washington County	Project established for this Select Bridge within INDOT system; no environmental work initiated yet	Nothing of note to include with this report	INDOT Des. No. 1173265

Bridge	Action Taken	Support Documentation	Additional Comments
Pike County Bridge No. 246 (NBI No. 6300160), CR 300 W over the South Fork of the Patoka River, Pike County	Section 106 process for project involving this Select bridge nearly concluded under the HBPA procedures	Finding of "no adverse effect" dated 1/18/13 (See Attachment 28)	INDOT Des. No. 1005846; public hearing still to be held
Pike County Bridge No. 81 (NBI No. 6300061), CR 300 W over the Patoka River, Pike County	Section 106 process for project involving this Select bridge nearly concluded under the HBPA procedures	Finding of "no adverse effect" dated 1/18/13 (See Attachment 28)	INDOT Des. No. 1005848; public hearing still to be held
Jackson County Bridge [005] (Shieldstown Covered Bridge) (NBI No. XX021), Shields Road over East Fork White River, Jackson County	Section 106 process for project involving this Select bridge nearly concluded under the HBPA procedures	Finding of "adverse effect" dated 1/15/13 (See Attachment 29)	INDOT Des. No. 0710687; public hearing still to be held
Putnam County Bridge No. 52 (Bakers Camp Bridge) (NBI No. 6700039), CR 650 N over Big Walnut Creek, Putnam County	Section 106 process for project involving this Select bridge nearly concluded under the HBPA procedures	Finding of "adverse effect" dated 9/27/12; SHPO concurrence letter dated 10/29/12 (See Attachment 30)	INDOT Des. No. 1173180; public hearing still to be held
DeKalb County Bridge No. 3 (Spencerville Bridge) (NBI No. 1700004), Mill Street over St. Joseph River, Spencerville, DeKalb County	Bridge damaged by truck; repairs undertaken with local money	Newspaper article announcing selection of contractor to undertake repairs (See Attachment 31)	No INDOT Des. No.; local project
Marion County Bridge No. 1804F (NBI No. 4900143), Central Avenue over Fall Creek, Indianapolis, Marion County	Section 106 process for project involving this Select bridge in progress under the HBPA procedures	Nothing of note to include with this report	INDOT Des. No. not yet known; consulting parties meeting at bridge site held 8/7/12
Marion Co. Bridge No. 2514F (NBI No. 4900226), Rural Street over Pogue's Run, Indianapolis, Marion County	Section 106 process for project involving this Select bridge in progress with US Army Corps of Engineers as lead federal agency	SHPO concurrence letter with "no adverse effect" dated 10/9/12 (See Attachment 32)	Not a FHWA project; US Army Corps of Engineers is lead federal agency

FEDERAL HIGHWAY ADMINISTRATION'S
SECTION 4(F) COMPLIANCE REQUIREMENTS (for historic properties) AND
SECTION 106 FINDINGS AND DETERMINATIONS
AREA OF POTENTIAL EFFECT
ELIGIBILITY DETERMINATIONS
EFFECT FINDING
REPLACEMENT OF WAYNE COUNTY BRIDGE NO. 173
DES. NO.: 0801062
FEDERAL PROJECT NO.: 0801(062)

AREA OF POTENTIAL EFFECTS (Pursuant to 36 CFR Section 800.4(a)(1))

The Area of Potential Effects (APE) encompasses properties within a viewshed of the proposed bridge and roadway construction activities. The APE was expanded or contracted based on visibility and the possibility of impact upon properties within the viewshed. Refer to Appendix A, Exhibit 3 of the attached Section 800.11(e) documentation for graphical depiction of the APE.

ELIGIBILITY DETERMINATIONS (Pursuant to 36 CFR 800.4(c)(2))

FHWA has determined that the following historic properties are located within the APE:

Wayne County Bridge No. 173: NRHP eligible – Criterion C. Ca.1921 three span reinforced concrete beam structure with span lengths of 55 feet and a total structure length of 166 feet. Since December 2010, Bridge 173 has been listed in the Indiana Historic Bridge Inventory as a Non-Select Bridge.

EFFECT FINDING

Wayne County Bridge No. 173: Adverse Effect

FHWA has determined an "Adverse Effect" finding is appropriate for this undertaking.

SECTION 4(F) COMPLIANCE REQUIREMENTS (for historic properties)

Wayne County Bridge No. 173: This resource is used for transportation purposes. This undertaking will have an "Adverse Effect" on Wayne County Bridge No. 173, a Section 4(f) historic property; the FHWA has determined the appropriate Section 106 finding is "Adverse Effect"; and therefore a Section 4(f) evaluation must be completed for Wayne County Bridge No. 173. FHWA respectfully requests the Indiana State Historic Preservation Officer provide written concurrence with the Section 106 determination of "Adverse Effect."

for Robert F. Tally, Jr., P.E.
Administrator
FHWA-IN Division

8-16-2012
Approved Date

DNR Indiana Department of Natural Resources

Mitchell E. Daniels, Jr., Governor
Robert E. Carter, Jr., Director

Division of Historic Preservation & Archaeology•402 W. Washington Street, W274 · Indianapolis, IN 46204-2739
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September 17, 2012

Richard J. Marquis
Acting Division Administrator
Federal Highway Administration, Indiana Division
575 North Pennsylvania Street, Room 254
Indianapolis, Indiana 46204

Federal Agency: Federal Highway Administration ("FHWA")

Re: FHWA's finding of Adverse Effect, with supporting documentation, for the Replacement of Wayne County Bridge No. 173 (Des. No. 0801062; DHPA No.12867)

Dear Mr. Marquis:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f), 36 C.F.R. Part 800, and the "Programmatic Agreement Among the Federal Highway Administration, the Indiana Department of Transportation, the Advisory Council on Historic Preservation and the Indiana State Historic Preservation Officer Regarding the Implementation of the Federal Aid Highway Program In the State of Indiana," the staff of the Indiana State Historic Preservation Officer has reviewed the materials under DLZ Indiana's cover letter dated August 16, 2012 and received on August 20, for the aforementioned project north of the Town of Greens Fork in Clay Township, Wayne County, Indiana.

We concur with FHWA's August 16, 2012, Section 106 finding of Adverse Effect for this project.

We also concur, for the purposes of Section 4(f) of the Department of Transportation Act, that historic Wayne County Bridge No. 173 will be adversely affected by this project.

If any archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and -29) requires that the discovery be reported to the Department of Natural Resources within two (2) business days. In that event, please call (317) 232-1646. Be advised that adherence to Indiana Code 14-21-1--27 and -29 does not obviate the need to adhere to applicable federal statutes and regulations.

In light of the age of this bridge, we ask that Wayne County document Bridge No. 173 photographically, as authorized by the Historic Bridges PA, Attachment B, Standard Treatment Approach for Historic Bridges. Enclosed is a copy of the latest version of the "Indiana DNR – Division of Historic Preservation and Archaeology Minimum Architectural Documentation Standards" (adopted July 27, 1011, with minor editorial clarifications of July 20, 2012). We ask that Wayne County follow the applicable guidance of standards 1 and 2 in producing digital images of the bridge.

We also ask that Wayne County provide our office with a compact disc or digital video disc of the photographs and a draft, digital photo log, well in advance of the demolition, so that we may review and approve the images before it becomes too late to re-take certain views or to take additional images, if some important views or features appear to be under-represented in the images.

Once we have approved the images, we ask that Wayne County provide us with the final, archival Gold CD-R non-rewritable or DVD-R non-rewritable containing the digital images and the digital photo log, along with a set of black and white prints on high-quality photographic grade papers, labeled as indicated in Standard 1. We ultimately will transmit them to the State Archives.

We think it would be appropriate, as well, for Wayne County to provide duplicates of the final version of the images and photo log on an archival Gold CD-R non-rewritable or DVD-R non-rewritable and another set of the prints on high-quality photographic grade papers, labeled as indicated in Standard 1., to an organization or institution within Wayne County, such as

a public library or a not-for-profit historical or preservation society, museum, or archive, that Wayne County ascertains would be willing to retain the disc and prints on a permanent basis, for the benefit of local researchers.

If you have questions about archaeological issues, please contact Dr. Rick Jones at (317) 233-0953 or rjones@dnr.IN.gov. Questions about buildings or structures should be directed to John Carr at (317) 233-1949 or jcarr@dnr.IN.gov. In any future correspondence regarding this project, please refer to DHPA No. 12867.

Very truly yours,

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

JAG:JLC:jlc

Enclosure

cc: Jason Stone, DLZ Indiana, LLC (with copy of enclosure)

emc: Lawrence Heil, P.E., Indiana Division, Federal Highway Administration (with copy of enclosure)
Patrick Carpenter, Indiana Department of Transportation (with copy of enclosure)
Mary Kennedy, Indiana Department of Transportation (with copy of enclosure)
Shaun Miller, Indiana Department of Transportation (with copy of enclosure)
Melany Prather, Indiana Department of Transportation (with copy of enclosure)
Jason Stone, DLZ Indiana, LLC (with copy of enclosure)

FEDERAL HIGHWAY ADMINISTRATION'S
SECTION 4(F) COMPLIANCE REQUIREMENTS (for historic properties) AND
SECTION 106 FINDINGS AND DETERMINATIONS
AREA OF POTENTIAL EFFECT
ELIGIBILITY DETERMINATIONS
EFFECT FINDING
REPLACEMENT OF WAYNE COUNTY BRIDGE NO. 197
DES. NO.: 1006546
FEDERAL PROJECT NO.:

AREA OF POTENTIAL EFFECTS (Pursuant to 36 CFR Section 800.4(a)(1))

The Area of Potential Effects (APE) encompasses properties within a viewshed of the proposed bridge and roadway construction activities. The APE was expanded or contracted based on visibility and the possibility of impact upon properties within the viewshed. Refer to Appendix A, Exhibit 3 of the attached Section 800.11(e) documentation for graphical depiction of the APE**.**

ELIGIBILITY DETERMINATIONS (Pursuant to 36 CFR 800.4(c)(2))

FHWA has determined that the following historic properties are located within the APE:

Wayne County Bridge No. 197: NRHP eligible – Criterion C. The bridge is a ca.1912, single span filled spandrel arch constructed of reinforced concrete. It is an excellent surviving example of a filled spandrel arch cast in concrete. The bridge's historic significance relates primarily to the engineering of the arch. The existing bridge deck and rail are not considered character defining features. Since December 2010, Bridge 197 has been listed in the Indiana Historic Bridge Inventory as a Select Bridge.

Teetor House: NRHP eligible – Criterion B. The Teetor House is of the Craftsman style with Tudor Revival style elements. It was built in 1911 by Werking & Son, a Hagerstown based architecture firm. The property is significant for its connection to the Teetor Family.

EFFECT FINDING

Wayne County Bridge No. 197: Adverse Effect

Teetor House: No Adverse Effect

FHWA has determined an "Adverse Effect" finding is appropriate for this undertaking.

SECTION 4(F) COMPLIANCE REQUIREMENTS (for historic properties)

Wayne County Bridge No. 197: This resource is used for transportation purposes. This undertaking will have an "Adverse Effect" on Wayne County Bridge No. 197, a Section 4(f) historic property; the FHWA has determined the appropriate Section 106 finding is "Adverse Effect"; and therefore a Section 4(f) evaluation must be completed for Wayne County Bridge No.

197. FHWA respectfully requests the Indiana State Historic Preservation Officer provide written concurrence with the Section 106 determination of "Adverse Effect."

Teetor House: This undertaking will convert property from the Teetor House, a Section 4(f) historic property, to a transportation use; INDOT, acting on FHWA's behalf, has determined the appropriate Section 106 finding is "No Adverse Effect"; therefore FHWA hereby intends to issue a "de minimis" finding for the Teetor House, pursuant to SAFETEA-LU, thereby satisfying FHWA's responsibilities under Section 4(f) for this historic property. INDOT respectfully requests the Indiana State Historic Preservation Officer provide written concurrence with FHWA's Section 106 determination of "No Adverse Effect" and the "de minimis" finding for the Teetor House.

Lawrence M. Heil
for Richard J. Marquis
Acting Division Administrator
FHWA-IN Division

12-5-2012
Approved Date

DNR Indiana Department of Natural Resources

Mitchell E. Daniels, Jr., Governor
Robert E. Carter, Jr., Director

Division of Historic Preservation & Archaeology•402 W. Washington Street, W274 · Indianapolis, IN 46204-2739
Phone 317-232-1646•Fax 317-232-0693 · dhpa@dnr.IN.gov

January 7, 2012

Richard J. Marquis
Acting Division Administrator
Federal Highway Administration—Indiana Division
575 North Pennsylvania Street, Room 254
Indianapolis, Indiana 46204

Federal Agency: Federal Highway Administration ("FHWA")

Re: FHWA's finding of Adverse Effect, with supporting documentation, regarding the Replacement of Wayne County Bridge No. 197 (Des. No. 1006546; DLZ No. 1163-0780-90; DHPA No. 7356)

Dear Mr. Marquis:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f), 36 C.F.R. Part 800, the "Programmatic Agreement . . . Regarding the Implementation of the Federal Aid Highway Program In the State of Indiana" ("Minor Projects PA"), the "Programmatic Agreement . . . Regarding Management and Preservation of Indiana's Historic Bridges" ("Historic Bridges PA") and Section 4(f) of the Department of Transportation Act, the staff of the Indiana State Historic Preservation Officer ("Indiana SHPO") has reviewed the materials under DLZ Indiana's cover letter dated December 5, 2012 and received on December 10, 2012, for the aforementioned project at the Turnpike Road crossing of Nettle Creek, west of the Town of Hagerstown in Wayne County, Indiana.

Although the heading on the finding document refers to this undertaking as the "Replacement of Wayne County Bridge No. 197," the supporting documentation refers to the undertaking in at least three places as a "rehabilitation" of that bridge, and it is my staff's recollection from the Section 106 consultation that what was proposed would be a rehabilitation—albeit a very extensive one—of this historic bridge, rather than a replacement of the bridge. If the project as currently proposed is no longer a rehabilitation of Bridge No. 197, then please advise us.

Based on our current understanding of the scope of this undertaking, we concur with FHWA's December 5, 2012, Section 106 finding of Adverse Effect for the undertaking as a whole.

We concur, for Section 4(f) purposes, that this undertaking will adversely affect the National Register of Historic Places-eligible Wayne County Bridge No. 197.

We also concur, for Section 4(f) purposes, that this undertaking will not adversely affect the National Register-eligible Charles N. Teetor House with its grounds (also known as Lightcroft), at 15692 Turnpike Road. Given our concurrence your No Adverse Effect finding for the Teetor House, it is our understanding that FHWA has the authority to issue a Section 4(f) *de minimis* finding for this historic property without our concurrence.

In regard to archaeology, as we previously have stated, based on the documentation available to the staff of the Indiana SHPO, we have not identified any currently known archaeological resources that are listed in or eligible for inclusion in the National Register of Historic Places within the proposed project area.

If any archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and -29) requires that the discovery be reported to the Department of Natural Resources within two (2) business days. In that event, please call (317) 232-1646. Be advised that adherence to Indiana Code 14-21-1-27 and -29 does not obviate the need to adhere to applicable federal statutes and regulations.

If you have questions about archaeological issues, please contact Dr. Rick Jones at (317) 233-0953 or rjones@dnr.IN.gov. Questions about buildings or structures should be directed to John Carr at (317) 233-1949 or jcarr@dnr.IN.gov. In all future correspondence regarding Des. No. 1006546, please refer to DHPA No. 7356.

Very truly yours,

Ron M Stucon
Deputy Director DNR

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

JAG:JRJ:JLC:jlc

cc: Jason Stone, DLZ Indiana, LLC

emc: Lawrence Heil, P.E., Indiana Division, Federal Highway Administration
Patrick Carpenter, Indiana Department of Transportation
Mary Kennedy, Indiana Department of Transportation
Shaun Miller, Indiana Department of Transportation
Melany Prather, Indiana Department of Transportation
Jason Stone, DLZ Indiana, LLC
Candace Hudziak, H&H Associates, LLP
Mitchell Zoll, Pioneer Consulting Services, Inc.

FEDERAL HIGHWAY ADMINISTRATION'S
SECTION 4(F) COMPLIANCE REQUIREMENTS (FOR HISTORIC PROPERTIES) AND
SECTION 106 FINDINGS AND DETERMINATIONS
AREA OF POTENTIAL EFFECT
ELIGIBILITY DETERMINATIONS
EFFECTS FINDING
STATE BOULEVARD RECONSTRUCTION
FROM SPY RUN TO CASS STREET
FORT WAYNE, ALLEN COUNTY, INDIANA
DES. NO. 0400587
FEDERAL PROJECT NUMBER: IN20071404

AREA OF POTENTIAL EFFECTS
(Pursuant to 36 CFR Section 800.4(a)(1))

The Area of Potential Effects (APE) is centered on State Boulevard in Fort Wayne, Wayne Township, Allen County, Indiana. From the alley west of Cass Street to the abandoned New York Central Railroad, the APE will extend 250 feet from the centerline of the existing roadway. It encompasses the first properties on the west side of Cass Street, north and south of West State Boulevard. From the abandoned railroad it continues east to the west property line of the property at 2239 Westbrook Drive. Following the north property line of 2239 Westbrook Drive, the APE continues east, crossing Westbrook Drive, Spy Run Creek and Eastbrook Drive, turning north to follow the east side of Eastbrook Drive to the north property line of 2342 Eastbrook Drive and turning east along that property line, including the north line of the property at 2335 Oakridge Road and continuing west along the south side of Neva Avenue to its intersection with North Clinton Street. From North Clinton Street east to Spy Run Avenue, the APE will extend 250 feet from the centerline of the existing roadway.

The archaeological APE is defined as the project footprint.

ELIGIBILITY DETERMINATIONS
(Pursuant to 36 CFR 800.4(c)(2))

Two historic properties are listed in the National Register of Historic Places (NR): Fort Wayne Park and Boulevard System Historic District and Brookview-Irvington Park Historic District. One historic property has previously been determined eligible for the NR: Bridge over Spy Run Creek.

Fort Wayne Park and Boulevard System Historic District (NR, 2010). The Fort Wayne Park and Boulevard System Historic District is generally bound by the 1912 plan for the City of Fort Wayne. It encompasses the system of eleven parks, four parkways (including ten "park or park-like areas" associated with the parkways), and ten boulevards envisioned by Charles Mumford Robinson and George Kessler. The district includes nearly 2,000 acres of parks, boulevards, and sites. Eight resources (seven of which are contributing) identified as part of the Fort Wayne Park and Boulevard System Historic District are located within the APE for this project. The FWPB is significant under Criteria A and C in the areas of Community Planning and Development, Entertainment/Recreation, and Landscape Architecture. The period of significance is 1909 to 1955.

Brookview-Irvington Park Historic District (NR, 2011). The Brookview-Irvington Park Historic District is roughly bound by Northfolk Avenue, Lima Road, Spy Run Avenue, North Clinton Street, and Jacobs Avenue. The district contains a total 424 Contributing resources including houses, garages, and the combined plats of the district, as well as the previously-determined eligible Bridge over Spy Run Creek (NBI No. 0200273). Ninety-two resources associated with the historic district are within the project APE. The district is significant under Criteria A and C in the areas of Community Planning and Development, Landscape Architecture, and Architecture. The period of significance is 1906 to 1965.

Bridge over Spy Run (NBI No. 0200273). The Bridge over Spy Run (NBI No. 0200273) is a reinforced concrete girder, T-Beam bridge constructed in 1927 by contractor Herman W. Tapp and featuring the design of A.W. Grosvenor and O. Darling. The bridge was previously determined eligible for listing in the NR per the *Indiana Statewide Historic Bridge Inventory* (2010). The Bridge over Spy Run is eligible under Criterion C for Engineering/Architecture and is a Non-Select bridge. The period of significance is 1927. The Bridge over Spy Run is also identified as a Contributing resource in the Fort Wayne Park and Boulevard System Historic District and the Brookview-Irvington Park Historic District.

EFFECT FINDING
Fort Wayne Park and Boulevard System Historic District (NR, 2010)—Adverse Effect
Brookview-Irvington Park Historic District (NR, 2011)—Adverse Effect
Bridge over Spy Run (NBI No. 0200273)—Adverse Effect

Federal Highway Administration (FHWA) has determined a finding of Adverse Effect is appropriate for this undertaking.

SECTION 4(F) COMPLIANCE REQUIREMENTS (for historic properties)
Fort Wayne Park and Boulevard System Historic District – This undertaking will convert property from the Fort Wayne Park and Boulevard System Historic District, a Section 4(f) historic property, to a transportation use; the FHWA has determined the appropriate Section 106 finding is "Adverse Effect"; and therefore a Section 4(f) evaluation must be completed for the Fort Wayne Park and Boulevard System Historic District. FHWA respectfully requests the Indiana State Historic Preservation Officer provide written concurrence with the Section 106 determination of "Adverse Effect."

Brookview-Irvington Park Historic District – This undertaking will convert property from the Brookview-Irvington Park Historic District, a Section 4(f) historic property, to a transportation use; the FHWA has determined the appropriate Section 106 finding is "Adverse Effect"; and therefore a Section 4(f) evaluation must be completed for the Brookview-Irvington Park Historic District. FHWA respectfully requests the Indiana State Historic Preservation Officer provide written concurrence with the Section 106 determination of "Adverse Effect."

Bridge over Spy Run (NBI No. 0200273) – This resource is used for transportation purposes. This undertaking will have an "Adverse Effect" on the Bridge over Spy Run, a Section 4(f) property; the FHWA has determined the appropriate Section 106 finding is "Adverse Effect"; and therefore a Section 4(f) evaluation must be completed for the Bridge over Spy Run. FHWA respectfully requests the Indiana State Historic Preservation Officer provide written concurrence with the Section 106 determination of "Adverse Effect."

Consulting parties will be provided a copy of the findings and determinations of FHWA, in accordance with FHWA's Section 106 procedures. Comments will be accepted for thirty (30) days upon receipt of the findings.

Joyce E. Newland

for Richard J. Marquis
Acting Division Administrator
Federal Highway Administration

August 27, 2012

Approved Date

DNR Indiana Department of Natural Resources

Mitchell E. Daniels, Jr., Governor
Robert E. Carter, Jr., Director

Division of Historic Preservation & Archaeology•402 W. Washington Street, W274 · Indianapolis, IN 46204-2739
Phone 317-232-1646•Fax 317-232-0693 · dhpa@dnr.IN.gov

October 4, 2012

Richard J. Marquis
Acting Division Administrator
Indiana Division
Federal Highway Administration
575 North Pennsylvania Street, Room 254
Indianapolis, Indiana 46204

Federal Agency: Federal Highway Administration ("FHWA")

Re: FHWA's finding of Adverse Effect, with supporting documentation, and draft memorandum of agreement for the State Boulevard Reconstruction Project (Des. No. 0400587; American Structurepoint Project No. IN20071404; DHPA No. 5903)

Dear Mr. Marquis:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f), 36 C.F.R. Part 800, the "Programmatic Agreement . . . Regarding the Implementation of the Federal Aid Highway Program In the State of Indiana" ("Minor Projects PA") and the "Programmatic Agreement . . . Regarding Management and Preservation of Indiana's Historic Bridges" ("Historic Bridges PA"), the staff of the Indiana State Historic Preservation Officer ("Indiana SHPO") has reviewed American Structurepoint's letters of August 29, 2012 (with enclosures) and September 18, 2012 (with enclosures), and has taken into consideration the discussion at the September 19, 2012 consulting parties meeting, regarding the aforementioned project in the City of Fort Wayne, Allen County, Indiana.

As we had said in our August 13, 2012 letter, based upon the submitted information and the documentation available to the staff of the Indiana SHPO, we have not identified any currently known archaeological resources listed in or eligible for inclusion in the National Register of Historic Places ("NRHP") within the additional portions of the proposed project area, and we concur with the opinion of the archaeologist, as expressed in the Indiana archaeological short report (Stillwell, 7/11/12), that no further investigations appear necessary at these additional portions of the proposed project area.

If any archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and -29) requires that the discovery be reported to the Department of Natural Resources within two (2) business days. In that event, please call (317) 232-1646. Be advised that adherence to Indiana Code 14-21-1-27 and -29 does not obviate the need to adhere to applicable federal statutes and regulations.

We concur with FHWA's August 27, 2012 Section 106 finding of Adverse Effect for this undertaking.

We also concur, for the purposes of Section 4(f) of the Department of Transportation Act, that the following historic properties will be adversely affected:

- Fort Wayne Park and Boulevard System;
- Brookview-Irvington Park Historic District; and
- Bridge on State Boulevard over Spy Run (NBI. No. 0200273).

If any archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and -29) requires that the discovery be reported to the Department of Natural Resources within two (2) business days. In that event, please call (317) 232-1646. Be advised that adherence to Indiana Code 14-21-1-27 and -29 does not obviate the need to adhere to applicable federal statutes and regulations.

Furthermore, we wish to offer some comments and suggestions about the draft memorandum of agreement, Version 8/24/2012 ("Draft MOA").

SUGGESTIONS FOR FURTHER MINIMIZATION

We think we understand the issues described in your September 18 letter that would make preservation of the houses at 112, 134, and 138 East State Boulevard problematic. We remain concerned about the extent to which the removal of all houses along the south side of existing State Boulevard between Terrace Road and Eastbrook Drive would change the setting of that interior part of the Brookview-Irvington Park Historic District. Having reflected further upon your September 18 letter, we wonder whether, as a minimization measure, it would be feasible to eliminate the sidewalk along the north side of the proposed new alignment of the reconstructed State Boulevard between Terrace Road and Eastbrook Drive. It is our impression that most of the existing sidewalk along the south side of State Boulevard could remain in place, and it seems to us that the existing sidewalk could serve pedestrians who would be walking along the north side of the new alignment, even though the northward bow in the existing State Boulevard would make one's walk slightly farther than if a sidewalk immediately paralleled the new alignment along its north side. We are sympathetic to the concerns of property owners at the September 19 meeting who expressed a preference to have their entire properties along the south side of the current alignment of State Boulevard, rather than to sell only large portions of their yards and have the new proposed right-of-way come within only several feet from their houses. However, we think that preserving even three houses (112, 134, and 138 East State Boulevard) along the south side of the existing State Boulevard that contribute to the Brookview-Irvington Park Historic District would help to reduce, but not eliminate, the adverse effect.

It appears to us that if the sidewalk and the grass buffer between the sidewalk and the curb were eliminated from the plans along the north side of the new alignment from Terrace to Eastbrook, and if a railing of some kind were constructed adjacent to the curb, then at least ten feet less right-of way would be needed along that north side of the new alignment. Furthermore, if a retaining wall were constructed near that railing, instead of a sloped embankment and a drainage swale, it appears to us that even less right-of-way would be needed along the north side of the proposed alignment. Also, if there were no sidewalk immediately adjacent to the north side of the new alignment, it appears to us that it might be feasible to eliminate one or both of the new sidewalks that are proposed along the Oakridge Road extension. If there were no sidewalk along the north side of the new alignment, then there would seem to be no need to provide new sidewalks extending southward along the Oakridge extension from the existing State Boulevard to the new alignment of State Boulevard.

We also wonder whether the reconstruction of State Boulevard, which would elevate the roadway above the existing grade as it runs west from Terrace, could be designed to serve to some extent as a levee to prevent most Spy Run floodwaters from reaching the three houses in question on the south side of the existing State Boulevard.

If some or all of the suggestions above prove to be feasible and prudent, then we think they should be incorporated into the memorandum of agreement, in an effort to avoid confusion in the future about the design parameters upon which agreement has been reached.

SUGGESTIONS FOR MITIGATION

Stipulation I. of the Draft MOA appropriately directs that context sensitive solutions be incorporated into the new construction and related landscaping and streetscape design. That stipulation also would establish an advisory team to review and comment on the specifics of that design work, in keeping with the directive contained in Stipulation I.B.ix. of the 2009 "Memorandum of Agreement. . . Regarding the US 27 Southbound Realignment and Bridge Replacement over Spy Run Creek in Fort Wayne, Allen County, Indiana" for future federal projects in the area. The advisory team that was established under that US 27 memorandum of agreement provided useful recommendations for context sensitive solutions for that project. However, we do not believe that there is a need for the Indiana SHPO to be directly involved in all of the meetings and activities of future advisory teams in the area. We believe that the most important input will arrive in the form of the Advisory Team members' recommendations, based on their perceptions of what is best for their community, and of the guidance from FHWA and the Indiana Department of Transportation regarding the feasibility of those recommendations. Consequently, we ask that the Indiana SHPO *not* be given a role in convening advisory team meetings, as is currently proposed in Stipulation I. B. and I.B.vi. of the Draft MOA, and that the Indiana SHPO's participation in meetings of the advisory team be left to the Indiana SHPO's discretion. It would be appropriate, however, for the Indiana SHPO to remain involved in the kind of consultative role that is prescribed in the final sentence of both I.B.vi. and of I.B.viii.

We anticipate that at least one consulting party will be making recommendations for crafting context sensitive solutions in keeping with the natural landscape of the project area and the landscape design philosophy of George Kessler or Arthur Shurcliff. This is an intriguing idea, and we would ask that serious consideration be given to any consulting party recommendations along those lines. It appears that regardless of the particulars of the final design of the reconstructed State Boulevard, a considerable amount of green space will be opened by this project, and how that green space is designed could play an important mitigative role.

We agree that the current State Boulevard bridge over Spy Run (NBI. No. 0200273) should be documented photographically, as provided for generally in the Historic Bridges PA and specifically in Stipulation II. of the Draft MOA. We would ask that such photo-documentation be performed in accordance with the version in effect, at that time, of the "Indiana DNR – Division of Historic Preservation and Archaeology Minimum Architectural Documentation Standards." It recently has been brought to our attention that the State Archives, rather than the State Library's Memory Project, is the legally-authorized repository of all state government records that are required to be preserved.

We also request that it be stipulated in the MOA that the portion of the Brookview-Irvington Park Historic District within and immediately adjacent to the proposed project area should be photographically documented. We recommend that streetscape and broad views of the setting of that part of the neighborhood be emphasized, but we think that at least a couple of photographs of each house that is to be demolished also should be included in the documentation. The photographs should be taken from oblique angles so as to document all four elevations of each house.

For both the State Boulevard bridge photographs and the streetscape and district photographs, we request that a set of the photographic images in both print and digital form, saved on a compact disc, and following, as closely as possible the guidance of the "Indiana DNR – Division of Historic Preservation and Archaeology Minimum Architectural Documentation Standards," be provided to our office for ultimate transfer to the State Archives. We also think that at a duplicate set of the electronic and print photo-documentation be prepared for and delivered to a local public library or not-for-profit institution that would be capable of and willing to retain the documentation on a permanent basis, so that it would be readily accessible to local researchers.

If you or American Structurepoint, Inc. would find it helpful, we could draft specific MOA stipulation language or modifications to language in Version 8/24/2012 to show how our recommendations might be incorporated into the MOA. If you wish to receive such suggestions of specific language, then, in order to facilitate our drafting efforts, we would appreciate receiving an electronic copy of the MOA in a format that would allow us to show changes and make explanatory comments.

If you have questions about buildings or structures, then please contact John Carr at (317) 233-1949 or jcarr@dnr.IN.gov. Questions about archaeological issues should be directed to Wade T. Tharp at (317) 232-1650 or wtharp1@dnr.IN.gov. In all future correspondence regarding the State Boulevard Reconstruction Project, please continue refer to DHPA No. 5903.

Very truly yours,

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

JAG:JLC:jlc

cc: Briana Hope, American Structurepoint, Inc.

emc: Joyce Newland, Indiana Division, Federal Highway Administration
Lawrence Heil, P.E. Indiana Division, Federal Highway Administration
Patrick Carpenter, Indiana Department of Transportation
Mary Kennedy, Indiana Department of Transportation
Shaun Miller, Indiana Department of Transportation
Melany Prather, Indiana Department of Transportation
Briana Hope, American Structurepoint, Inc.
Linda Weintraut, Ph.D., Weintraut & Associates, Inc.

FEDERAL HIGHWAY ADMINISTRATION'S
SECTION 4(F) COMPLIANCE REQUIREMENTS (for historic properties) AND
SECTION 106 FINDINGS AND DETERMINATIONS
AREA OF POTENTIAL EFFECT
ELIGIBILITY DETERMINATIONS
EFFECT FINDING
Improvement of Parke County Bridge No. 72, Wabash Township, Parke County, Indiana
DES. NO.: 0800716

AREA OF POTENTIAL EFFECT
(Pursuant to 36 CFR Section 800.4(a)(1))

The south end of the Area of Potential Effect (APE) is approximately 125 feet north of Coxville Road, and the APE extends north for 1,900 feet. The width of the APE is 300 feet on either side of the centerline of CR 600 West, except in the southwest quadrant of the APE where it extends farther to the west to encompass a farmstead. A map depicting the APE is available in Appendix A in the accompanying documentation.

ELIGIBILITY DETERMINATIONS
(Pursuant to 36 CFR 800.4(c)(2))

Parke County Bridge No. 72, constructed in 1939, is a three-span continuous steel beam bridge with a total length of 197 feet and a clear roadway width of 20.7 feet. The south abutment and two piers are concrete and are supported on spread footings bearing on rock, while the north abutment is supported on timber piling. The bridge has solid concrete railings with recessed panels. The Indiana Historic Bridge Inventory identified Parke County Bridge No. 72 as eligible for the NRHP under Criterion C.

EFFECT FINDING

Parke County Bridge No. 72: Adverse Effect

FHWA has determined an Adverse Effect finding is appropriate for this undertaking.

SECTION 4(F) COMPLIANCE REQUIREMENTS (for historic properties)

Parke County Bridge No. 72 - This resource is used for transportation purposes. This undertaking will have an Adverse Effect on Parke County Bridge No. 72, a Section 4(f) historic property; the FHWA has determined the appropriate Section 106 finding is Adverse Effect; therefore, a Section 4(f) evaluation must be completed for Parke County Bridge No. 72. FHWA respectfully requests the Indiana State Historic Preservation Officer provide written concurrence with the Section 106 determination of Adverse Effect.

for Robert F. Tally, Jr., P.E.
Administrator
FHWA-IN Division

8-8-2011

Approved Date

DNR Indiana Department of Natural Resources

Mitchell E. Daniels, Jr., Governor
Robert E. Carter, Jr., Director

Division of Historic Preservation & Archaeology•402 W. Washington Street, W274 · Indianapolis, IN 46204-2739
Phone 317-232-1646•Fax 317-232-0693 · dhpa@dnr.IN.gov

September 7, 2011

Robert F. Tally, Jr. P.E.
Division Administrator
Indiana Division, Federal Highway Administration
575 North Pennsylvania Street, Room 254
Indianapolis, Indiana 46204

Federal Agency: Federal Highway Administration ("FHWA")

Re: Notification of FHWA's finding of "adverse effect" and area of potential effect/eligibility determinations regarding the replacement of Bridge No. 72 carrying CR 600 West over Big Raccoon Creek (Designation No. 0800716; DHPA No. 10334)

Dear Mr. Tally:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f), 36 C.F.R. Part 800, and the "Programmatic Agreement among the Federal Highway Administration, the Indiana Department of Transportation, the Advisory Council on Historic Preservation, the Indiana State Historic Preservation Officer regarding the implementation of the Federal Aid Highway Program in the State of Indiana," the staff of the Indiana State Historic Preservation Officer has conducted an analysis of the materials dated August 8, 2011, and received on August 9, 2011, for the above indicated project in Wabash Township, Parke County, Indiana.

Thank you for providing notification of the FHWA's August 8, 2011, finding of adverse effect.

As we previously stated in our letter dated July 20, 2011, given that this Non-Select bridge is to be replaced, according to Attachment B of the Historic Bridges PA and Appendix 1 of the Historic Bridges PA Project Development Process, photographic documentation is needed. We recommend digital photographs be taken of the Parke County Bridge No. 72, in accordance with the "State of Indiana, Indiana DNR - Division of Historic Preservation and Archaeology Minimum Architectural Documentation Standards." Please coordinate with the staff of the INDOT Cultural Resources Office about this photographic documentation.

If you have questions about archaeological issues please contact Wade T. Tharp at (317) 232-1650 or wtharp1@dnr.IN.gov. If you have questions about buildings or structures please contact Toni Lynn Giffin at (317) 233-9636 or tgiffin@dnr.IN.gov. Additionally, in all future correspondence regarding the above indicated project, please refer to DHPA No. 10334.

Very truly yours,

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

JAG:TLG:WTT:wt

cc: Luella Beth Hillen, ASC Group, Inc.
emc: Staffan D. Peterson, Ph.D., Indiana Department of Transportation
Mary Kennedy, Indiana Department of Transportation
Shaun Miller, Indiana Department of Transportation
Melany Prather, Indiana Department of Transportation
Luella Beth Hillen, ASC Group, Inc.
Douglas S. Terpstra, ASC Group, Inc.

Indiana Department of Transportation

County Parke Route CR 600 W Des. No. 0800716 Project No. 0800716

FHWA-Indiana Environmental Document

CATEGORICAL EXCLUSION / ENVIRONMENTAL ASSESSMENT FORM

GENERAL PROJECT INFORMATION

Road No./County:	CR 600 W / Parke County
Designation Number:	0800716
Project Description/Termini:	Bridge Replacement. Parke County Bridge 72 over Big Raccoon Creek on CR 600 W, from 100 feet south of Wabash Rd. and extending north for 1000 feet along CR 600 W.

After completing this form, I conclude that this project qualifies for the following type of Categorical Exclusion (FHWA must review/approve if Level 4 CE):

	Categorical Exclusion, Level 2 – The proposed action meets the criteria for Categorical Exclusion Manual Level 2 - table 1, CE Level Thresholds. Required Signatories: ESM (Environmental Scoping Manager).
	Categorical Exclusion, Level 3 – The proposed action meets the criteria for Categorical Exclusion Manual Level 3 - table 1, CE Level Thresholds. Required Signatories: ESM, ES (Environmental Services).
X	**Categorical Exclusion, Level 4** – The proposed action meets the criteria for Categorical Exclusion Manual Level 4 - table 1, CE Level Thresholds. Required Signatories: ESM, ES, FHWA.
	Environmental Assessment (EA) – EAs require a separate FONSI. Additional research and documentation is necessary to determine the effects on the environment. Required Signatories: ES, FHWA.

Note: For documents prepared by or for Environmental Services, it is not necessary for the ESM of the district in which the project is located to release for public involvement or sign for approval.

Approval _____ (ESM Signature) _____ (Date) _____ (ES Signature) _____ (Date)

_____ (FHWA Signature) _____ (Date)

Release for Public Involvement

MLE (ESM Initials) 2/10/2012 (Date)

BJZ (ES Initials) 2-17-12 (Date)

Certification of Public Involvement

Mary Wright (Examiner, Public Hearings Signature) 4/12/12 (Date)

Note: Do not approve until after Section 106 public involvement and all other environmental requirements have been satisfied.

Reviewer Signature _____ Date 4/24/2012

Name and organization of CE/EA Preparer: Patrick W. Delp, P.E., Clark Dietz, Inc.

FEDERAL HIGHWAY ADMINISTRATION'S
SECTION 4(F) COMPLIANCE REQUIREMENTS (FOR HISTORIC PROPERTIES) AND
SECTION 106 FINDINGS AND DETERMINATIONS
AREA OF POTENTIAL EFFECT
ELIGIBILITY DETERMINATIONS
EFFECT FINDINGS

BRIDGE REPLACEMENT
BRIDGE NO. 248
ON C.R. 1200 EAST OVER THE CSX RAILROAD
PARKE COUNTY, INDIANA
DES. NO.: 0900839

AREA OF POTENTIAL EFFECT
(Pursuant to 36 CFR Section 800.4(a) (1))

Pursuant to 36 CFR Section 800.4(a) (1), the Area of Potential Effect (APE) is proposed to encompass the area as follows: 0.25 mile radius centered from Parke County Bridge No. 248 over the CSX tracks. The APE includes the southeast corner of Parke County, the northeast corner of Clay County and a portion of the west side of Putnam County. The APE boundary is shown in the attached Appendix pages A-18 to A-19.

ELIGIBILITY DETERMINATIONS
(Pursuant to 36 CFR 800.4(c) (2))

Parke County Bridge No. 248 is a five span Continuous T-beam concrete bridge constructed in 1907. The bridge maintains sufficient integrity to meet the requirements of eligibility as an intact transportation feature that continues to convey its engineering significance of early concrete construction. The bridge is considered eligible for the National Register of Historic Places (NRHP) under Criterion C, due to its engineering significance at the local level.

EFFECT FINDING

Pursuant to 36 CFR 800.5(d) (2), an assessment of effects indicates that the proposed project will impact the historic Parke County Bridge No. 248 within the APE. The FHWA has determined an "Adverse Effect" finding is appropriate for this undertaking.

SECTION 4(F) COMPLIANCE REQUIREMENTS (for historic properties)

Parke County Bridge No. 248 is a resource used for transportation purposes. The FHWA has determined the appropriate Section 106 finding is "Adverse Effect", and therefore, a programmatic Section 4(f) evaluation must be completed for Parke County Bridge No. 248. FHWA respectfully requests the Indiana State Historic Preservation Officer provide written concurrence with the FHWA's Section 106 determination of "Adverse Effect".

Consulting parties will be provided a copy of FHWA's findings and determinations in accordance with INDOT and FHWA's Section 106 procedures. Comments will be accepted for 30-days upon receipt of the findings.

Robert F. Tally, Jr., P.E.
Administrator
FHWA - IN Division

5-13-2011
Approved Date

DNR Indiana Department of Natural Resources

Mitchell E. Daniels, Jr., Governor
Robert E. Carter, Jr., Director

Division of Historic Preservation & Archaeology•402 W. Washington Street, W274 · Indianapolis, IN 46204-2739
Phone 317-232-1646•Fax 317-232-0693 · dhpa@dnr.IN.gov

June 9, 2011

Robert F. Tally, Jr., P.E.
Division Administrator, Indiana Division
Federal Highway Administration
575 North Pennsylvania Street, Room 254
Indianapolis, Indiana 46204

Federal Agency: Federal Highway Administration ("FHWA")

Re: The Federal Highway Administration's area of potential effects and eligibility determinations and finding of Adverse Effect for the replacement of Parke County Bridge No. 248 on CR 1200 East over the CSX Railroad (Des. No. 0900839; DHPA No. 10750)

Dear Mr. Tally:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f), 36 C.F.R. Part 800, and the "Programmatic Agreement . . . Regarding Management and Preservation of Indiana's Historic Bridges," the staff of the Indiana State Historic Preservation Officer has reviewed the materials submitted under Beam, Longest and Neff's cover letter dated May 13, 2011 and received on May 16, for the aforementioned project in Parke and Putnam counties, Indiana.

We concur with FHWA's determination regarding the area of potential effects ("APE") and FHWA's determination that Bridge No. 248 is the only property within the APE that is eligible for inclusion in the National Register of Historic Places.

Furthermore, we concur with FHWA's finding of Adverse Effect for this project, because the project will result in the removal of the 1907 five-span, reinforced concrete girder and beam bridge.

We agree to the photographic documentation of Bridge No. 248, as proposed in Beam, Longest and Neff's May 13 letter.

If any archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and -29) requires that the discovery be reported to the Department of Natural Resources within two (2) business days. In that event, please call (317) 232-1646. Be advised that adherence to Indiana Code 14-21-1-27 and -29 does not obviate the need to adhere to applicable federal statutes and regulations.

If you have questions about archaeological issues, please contact Dr. Rick Jones at (317) 233-0953 or rjones@dnr.IN.gov. Questions about the bridge or other structures or buildings should be directed to John Carr at (317) 233-1949 or jcarr@dnr.IN.gov. In any future correspondence regarding this project, please refer to DHPA No. 10750.

Very truly yours,

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

for JAG:JRJ:JLC:jlc

cc: Brian Shaw, Beam, Longest and Neff, L.L.C.

emc: Lawrence Heil, P.E., Indiana Division, Federal Highway Administration
Staffan Peterson, Ph.D., Indiana Department of Transportation
Mary Kennedy, Indiana Department of Transportation
Shaun Miller, Indiana Department of Transportation
Melany Prather, Indiana Department of Transportation
Brian Shaw, Beam, Longest and Neff, L.L.C.

FHWA-Indiana Environmental Document

CATEGORICAL EXCLUSION / ENVIRONMENTAL ASSESSMENT FORM

GENERAL PROJECT INFORMATION

Road No./County:	**CR 1200 East / Parke County**
Designation Number:	**0900839**
Project Description/Termini:	**Replacement of Parke County Bridge No. 248 over the CSX Railroad from approximately 675 feet south of the CSX railroad to approximately 570 feet north of the CSX railroad.**

After completing this form, I conclude that this project qualifies for the following type of Categorical Exclusion (FHWA must review/approve if Level 4 CE):

	Categorical Exclusion, Level 2 – The proposed action meets the criteria for Categorical Exclusion Manual Level 2 - table 1, CE Level Thresholds. Required Signatories: ESM (Environmental Scoping Manager).
	Categorical Exclusion, Level 3 – The proposed action meets the criteria for Categorical Exclusion Manual Level 3 - table 1, CE Level Thresholds. Required Signatories: ESM, ES (Environmental Services).
X	**Categorical Exclusion, Level 4** – The proposed action meets the criteria for Categorical Exclusion Manual Level 4 - table 1, CE Level Thresholds. Required Signatories: ESM, ES, FHWA.
	Environmental Assessment (EA) – EAs require a separate FONSI. Additional research and documentation is necessary to determine the effects on the environment. Required Signatories: ES, FHWA.

Note: For documents prepared by or for Environmental Services, it is not necessary for the ESM of the district in which the project is located to release for public involvement or sign for approval.

Approval Michael L. Eubank (ESM Signature) 2/24/2012 (Date) (ES Signature) 2-27-12 (Date)

(FHWA Signature) (Date)

Release for Public Involvement MLE (ESM Initials) 11/30/2011 (Date)

(ES Initials) (Date)

Certification of Public Involvement Mary Wright (Examiner, Public Hearings Signature) 1/27/12 (Date)

Note: Do not approve until after Section 106 public involvement and all other environmental requirements have been satisfied.

Reviewer Signature _____ Date _____

Name and organization of CE/EA Preparer: Brian C. Shaw – Beam, Longest and Neff, L.LC.

FEDERAL HIGHWAY ADMINISTRATION'S
SECTION 4(F) COMPLIANCE REQUIREMENTS (for historic properties) AND
SECTION 106 FINDINGS AND DETERMINATIONS
AREA OF POTENTIAL EFFECT
ELIGIBILITY DETERMINATIONS
EFFECT FINDING
Improvements to the US 52 Eastbound Bridge over the Wabash River, Lafayette and West Lafayette, Tippecanoe County, Indiana
DES. NO.: 0400774

AREA OF POTENTIAL EFFECT
(Pursuant to 36 CFR Section 800.4(a)(1))

The Area of Potential Effect (APE) includes US 52/Sagamore Parkway from Soldiers Home Road in West Lafayette to east of the eastbound bridge over the Wabash River in Lafayette, 2,850 ft east and 2,450 ft west of the center of the bridge, and has an approximate width of 935 ft north and 950 ft south of the centerline of eastbound US 52. Please see Appendix A in the attached 800.11(e) documentation for a map depicting the APE.

ELIGIBILITY DETERMINATIONS
(Pursuant to 36 CFR 800.4(c)(2))

The US 52 Eastbound bridge over the Wabash River (Bridge No. 052-79-01784EEBL; NBI #19010) is 983 feet long and was completed in 1936. The steel deck truss bridge has eight spans with concrete abutments and a concrete deck. The bridge is eligible for listing in the National Register of Historic Places (NRHP) under Criterion C for its engineering significance.

EFFECT FINDING

US 52 Eastbound bridge over the Wabash River (Bridge No. 052-79-01784EEBL; NBI #19010): Adverse Effect

FHWA has determined an Adverse Effect finding is appropriate for this undertaking.

SECTION 4(F) COMPLIANCE REQUIREMENTS (for historic properties)

The US 52 Eastbound bridge over the Wabash River - This resource is used for transportation purposes. This undertaking will have an Adverse Effect on the US 52 Eastbound bridge over the Wabash River, a Section 4(f) historic property; the FHWA has determined the appropriate Section 106 finding is Adverse Effect; and therefore a Section 4(f) evaluation must be completed for the US 52 Eastbound bridge over the Wabash River. FHWA respectfully requests the Indiana State Historic Preservation Officer provide written concurrence with the Section 106 determination of Adverse Effect.

Robert F. Tally, Jr., P.E.
Administrator
FHWA-IN Division

8-11-2011
Approved Date

DNR Indiana Department of Natural Resources

Mitchell E. Daniels, Jr., Governor
Robert E. Carter, Jr., Director

Division of Historic Preservation & Archaeology•402 W. Washington Street, W274 · Indianapolis, IN 46204-2739
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September 14, 2011

Robert F. Tally, Jr., P.E.
Division Administrator, Indiana Division
Federal Highway Administration
575 North Pennsylvania Street, Room 254
Indianapolis, Indiana 46204

Federal Agency: Federal Highway Administration ("FHWA")

Re: Notification of FHWA's finding of Adverse Effect for Improvements to the US 52 Eastbound Bridge over the Wabash River (Des. No. 0400774; DHPA No. 9251)

Dear Mr. Tally:

Pursuant to Section 106 of the National Historic Preservation Act, as amended (16 U.S.C. § 470f), implementing regulations at 36 C.F.R. Part 800, and the "Programmatic Agreement . . . Regarding Management and Preservation of Indiana's Historic Bridges" ("Historic Bridges PA"), the staff of the Indiana State Historic Preservation Officer ("Indiana SHPO") has reviewed the materials provided at with ASC Group's cover letter dated the August 16, 2011 and received on August 17, for the aforementioned project in the cities of Lafayette and West Lafayette, Fairfield and Wabash townships, Tippecanoe County, Indiana.

We concur in FHWA's August 11, 2011 finding of Adverse Effect for this project. We also concur that this project will have an adverse effect, as a result of demolition, specifically on the US 52 Eastbound Bridge over the Wabash River (Bridge No. 052-79-01784EEBL; NBI No. 19010), which was determined to be eligible for inclusion in the National Register of Historic Places, but Non-Select, in the Indiana Historic Bridges Inventory, pursuant to the Historic Bridges PA.

If you have questions about archaeological issues, please contact Dr. Rick Jones at (317) 233-0953 or rjones@dnr.IN.gov. Questions about buildings or structures should be directed to John Carr at (317) 233-1949 or jcarr@dnr.IN.gov. In any future correspondence regarding the Improvements to the US 52 Eastbound Bridge over the Wabash River in Tippecanoe County, please refer to DHPA No. 9251.

Very truly yours,

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

JAG:JRJ:JLC:jlc

cc: Luella Beth Hillen, ASC Group, Inc.

emc: Lawrence Heil, P.E., Indiana Division, Federal Highway Administration
Staffan Peterson, Ph.D., Indiana Department of Transportation
Mary Kennedy, Indiana Department of Transportation
Shaun Miller, Indiana Department of Transportation
Melany Prather, Indiana Department of Transportation
Douglas S. Terpstra, ASC Group, Inc.
Dan Prevost, Parsons Transportation Group, Inc.

INDIANA DEPARTMENT OF TRANSPORTATION

Driving Indiana's Economic Growth

100 North Senate Avenue
Room N758
Indianapolis, Indiana 46204

PHONE: (317) 232-5533
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Mitchell E. Daniels, Jr., Governor
Michael B. Cline, Commissioner

14 September, 2012

Mr. Robert E. Carter, Jr.
State Historic Preservation Officer (SHPO)
Indiana Department of Natural Resources
Division of Historic Preservation and Archaeology
402 W. Washington Street, W274
Indianapolis, IN 46204

Re: Urgent 100% State-Funded Repair Work
SR 46 over Eel River (NBI No.17050; Bridge No.046-11-01316B)
Clay County
Des. No. 1297592

Dear Mr. Carter:

On July 31, 2012, INDOT informed your office of its intention to invoke the *Guidelines for Emergency Action Using State Funds* (as approved by the Indiana Historic Preservation Review Board on April 17, 2002), in order to undertake needed emergency repairs to the SR 46 Bridge over the Eel River in Clay County, Indiana (NBI No. 17050; Bridge No. 046-11-01316B). Since this bridge was listed in the National Register of Historic Places in 2000 and 100% State funds (100% of the project cost) were allocated to effect the emergency repairs, the bridge qualified as a historic structure, pursuant to Indiana Code § 14-21-1-18. Because the bridge was closed to traffic on July 31, 2012, the definition of an emergency situation was met per the above-referenced guidelines (*"...a demonstrable risk of harm to the health or safety of persons..."*).

Des. #1297592 was let on September 12, 2012, and a pre-construction conference was scheduled at the INDOT Terre Haute Sub-District for September 18. INDOT will direct its contractor to complete project work (weather permitting) on the bridge by October 12, 2012. (See the attached executive summary for project specifics.) It is INDOT's intention that the SR 46 Bridge over the Eel River be opened as soon as possible to traffic, while limiting the work to the minimum level of action necessary to reduce or eliminate the risk posed by the emergency. To the extent feasible, character-defining historic materials and features will be preserved by stabilization. If it is found to be necessary during construction, the materials will be repaired. If they cannot be repaired, they will be replaced with materials of the same kind and design. If the character-defining historic materials cannot be replaced with materials of the same kind and design, then either easily-removed materials will be temporarily substituted or materials as similar as possible to the original materials--in kind and design—will be used to replace the character-defining historic materials.

INDOT Crawfordsville District personnel and their consultant will provide at the next regularly scheduled meeting of the Review Board (Wednesday, October 24, 2012) a summation of the completed repair work. This information will include written and photographic documentation of the emergency that existed and will outline the nature and extent of the emergency action that was taken on the historic structure.

Sincerely,

Patrick A. Carpenter
Manager, Cultural Resources Office
INDOT Environmental Services

PAC/SRB/srb
Enclosures

cc: ES project files

emc: Mr. Michael Eubank, INDOT Crawfordsville District
Mr. Daniel Miller, INDOT Crawfordsville District
Ms. Ellie Dieckmeyer, INDOT Crawfordsville District
Ms. Anne Rearick, INDOT Director of Bridges
Mr. George Snyder, INDOT Central Office
Mr. Greg Carleton, INDOT Central Office

FEDERAL HIGHWAY ADMINISTRATION'S
SECTION 4(F) COMPLIANCE REQUIREMENTS (for historic properties) AND SECTION 106 FINDING AND DETERMINATIONS
AREA OF POTENTIAL EFFECT
ELIGIBILITY DETERMINATIONS
EFFECT FINDINGS
DELAWARE COUNTY BRIDGE #85 PROJECT
ALBANY, DELAWARE COUNTY, INDIANA
DES. NO.: 0500078
DHPA #: 3354

AREA OF POTENTIAL EFFECT
(Pursuant to 36CFR Section 800.4(a)(1))

The northern boundary of the area of potential effect (APE) for the existing bridge structure is approximately 825 feet south of Second Street in the town of Albany and extends approximately 700 feet west of the centerline and 1,250 feet west of the centerline of County Road (CR) 800 (Strong Road). The eastern boundary follows a line from the APE's northeast corner to the edge of a wooded area. Because of the limited line of sight provided by the woods, the APE boundary travels west along the edge of the woods and crosses the Mississinewa River 400 feet south of Delaware County Bridge #85. From the west bank of the river, the boundary travels south to a point 400 feet south of the intersection of Strong Road and Edgewater Road. Because of the area's flat terrain west of the Mississinewa, the APE also includes land bordered by Strong Road to the west and a line separating woods and pasture from cropland to the north.

The location of the relocated bridge was included in the APE for the proposed White River Greenway construction (Des. No. 0101336) project, approved on February 23, 2003. The APE for that project included the land between the north bank of the White River and the north right-of-way of the various roads that parallel the north bank of the river in addition to the parcels south of Jackson Street, both east and west of the White River. Please reference the maps in the appendix which shows the APE area (B-8).

ELIBIGILTY DETERMINATIONS
(Pursuant to 36 CFR 800.4(c) (2))

The Delaware County Bridge #85 over the Mississinewa River is a Camelback Through Truss bridge built in 1905 by the Indiana Bridge Company and is located within the APE. The bridge has been determined eligible for the National Register of Historic Places (NRHP) under Criterion C because of the engineering significance of the structure. In addition, the Indiana Historic Bridge Inventory also identified Delaware County Bridge #85 as eligible under Criterion C and listed the structure as a "Select Bridge".

The APE surrounding the area of the relocation of Delaware County Bridge #85 described in the previously approved Eligibility Determination for the White River Greenway construction project (Des. No. 0101336) contains no resources either listed in or considered eligible for listing in the NRHP.

EFFECT FINDING

Delaware County Bridge #85: Adverse Effect

The Indiana Department of Transportation (INDOT) on behalf of the Federal Highway Administration (FHWA) has determined an "Adverse Effect" is appropriate for this undertaking.

SECTION 4(F) COMPLIANCE REQUIREMENTS (for historic properties)

Delaware County Bridge #85

This resource is used for transportation purposes. This undertaking will have an "Adverse Effect" on the Delaware County Bridge #85, a Section 4(f) historic property; the INDOT, acting on behalf of the FHWA, has determined the appropriate Section 106 finding is "Adverse Effect"; and therefore a Section 4(f) evaluation must be completed for the Delaware County Bridge #85. INDOT, on behalf of the FHWA, respectfully requests the Indiana State Historic Preservation Officer provide written concurrence with the Section 106 determination of "Adverse Effect".

Consulting parties will be provided a copy of FHWA's findings and determinations in accordance with FHWA's Section 106 procedures. Comments will be accepted for thirty (30) days upon receipt of the findings.

Robert F. Tally, Jr., P.E.
Administrator
FHWA-IN Division

1-17-2012
Approved Date

DNR Indiana Department of Natural Resources

Mitchell E. Daniels, Jr., Governor
Robert E. Carter, Jr., Director

Division of Historic Preservation & Archaeology•402 W. Washington Street, W274 · Indianapolis, IN 46204-2739
Phone 317-232-1646•Fax 317-232-0693 · dhpa@dnr.IN.gov

February 17, 2012

Robert F. Tally, Jr., P.E.
Administrator, Indiana Division
Federal Highway Administration
575 North Pennsylvania Street, Room 254
Indianapolis, Indiana 46204

Federal Agency: Federal Highway Administration ("FHWA")

Re: FHWA's finding of Adverse Effect for Bridge Relocation Project, Delaware County Bridge #85, Strong Road (CR 800 East) over the Mississinewa River (Des. No. 0500078; DHPA No. 3354)

Dear Mr. Tally:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f), 36 C.F.R. Part 800, and the "Programmatic Agreement Among the Federal Highway Administration, the Indiana Department of Transportation, the Advisory Council on Historic Preservation and the Indiana State Historic Preservation Officer Regarding the Implementation of the Federal Aid Highway Program in the State of Indiana," the staff of the Indiana State Historic Preservation Officer has reviewed the materials with R. W. Armstrong & Associates' cover letter dated January 18, 2012 and received on January 19, for the aforementioned project in the Town of Albany, Delaware County, Indiana.

We concur with FHWA's finding, for Section 106 purposes, of Adverse Effect for this undertaking. We also concur, for the purposes of Section 4(f) of the Department of Transportation Act, with FHWA's finding of Adverse Effect for this undertaking's effect on Delaware County Bridge #85, which is eligible for inclusion in the National Register of Historic Places.

In regard to archaeology, please note our comments in our letters of January 31, 2006 and April 29, 2011 regarding archaeological matters.

If you have questions about archaeological issues, please contact Dr. Rick Jones at (317) 233-0953 or rjones@dnr.IN.gov. Questions about buildings or structures should be directed to John Carr at (317) 233-1949 or jcarr@dnr.IN.gov.

Very truly yours,

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

JAG:JLC:JRJ:jj

cc: Angela Kattmann, R. W. Armstrong & Associates, Inc.

emc: Lawrence Heil, P.E., Indiana Division, Federal Highway Administration
Staffan Peterson, Ph.D., Indiana Department of Transportation
Mary Kennedy, Indiana Department of Transportation
Shaun Miller, Indiana Department of Transportation
Patrick Carpenter, Indiana Department of Transportation
Melany Prather, Indiana Department of Transportation
Angela Kattmann, R. W. Armstrong & Associates, Inc.

FEDERAL HIGHWAY ADMINISTRATION
SECTION 4(f) COMPLIANCE REQUIREMENTS (for historic properties)
AND SECTION 106 FINDINGS AND DETERMINATIONS
AREA OF POTENTIAL EFFECTS
ELIGIBILITY DETERMINATIONS
EFFECT FINDING
REHABILITATION OF MARION COUNTY BRIDGE NO. 2502F
CARRYING ILLINOIS STREET OVER FALL CREEK
IN THE CITY OF INDIANAPOLIS, CENTER TOWNSHIP, MARION COUNTY, INDIANA
DES. NO.: 1173302
FEDERAL PROJECT NO.:

AREA OF POTENTIAL EFFECTS
(Pursuant to 36 CFR Section 800.4(a)(1))

The Area of Potential Effects (APE) includes the existing and proposed right-of-way (ROW), immediately adjacent properties and those areas where a visual differentiation may occur between an existing structure and the project area (see APE map on Appendix A4).

ELIGIBILITY DETERMINATIONS
(Pursuant to 36 CFR Section 800.4(c)(2))

The following properties are located within the APE and are eligible for listing or are listed in the National Register of Historic Places:

- American United Life Insurance Building (Site #098-296-00635): eligible under Criteria C as an excellent example of Neo-classical architecture
- 37 West Fall Creek Parkway South Drive (Site #098-296-00606): eligible under Criteria C as an excellent example of the Craftsman style
- Contributing Resources to the Indianapolis Parks & Boulevard System (NRHP listed under Criteria A and C with significance in areas of Landscape Architecture, Community Planning and Conservation, Health/Medicine, Transportation, Engineering, and Entertainment/Recreation):
    - Marion County Bridge 1809F (Meridian Street over Fall Creek), Site #098-296-00636
    - Sea wall
    - Marion County Bridge 2501F (Capitol Street over Fall Creek), Site #098-296-00604
    - Marion County Bridge 2502F (Illinois Street over Fall Creek), Site #098-296-00605

EFFECT FINDING

- American United Life Insurance Building (Site #098-296-00635)
  "No Adverse Effect"
- 37 West Fall Creek Parkway South Drive (Site #098-296-00606)
  "No Adverse Effect"
- Indianapolis Parks & Boulevard System
  "No Adverse Effect"

SECTION 4(f) COMPLIANCE REQUIREMENTS

American United Life Insurance Building (Site #098-296-00635) – This undertaking will not convert any property from the American United Life Insurance Building, a Section 4(f) historic property, to a transportation use; FHWA has determined the appropriate Section 106 finding is "No Adverse Effect"; therefore no Section 4(f) evaluation is required for the American United Life Insurance Building. FHWA respectfully requests the Indiana State Historic Preservation Officer provide written concurrence with the Section 106 determination of "No Adverse Effect".

37 West Fall Creek Parkway South Drive (Site #098-296-00606) – This undertaking will not convert any property from 37 West Fall Creek Parkway South Drive, a Section 4(f) historic property, to a transportation use; FHWA has determined the appropriate Section 106 finding is "No Adverse Effect"; therefore no Section 4(f) evaluation is required for 37 West Fall Creek Parkway South Drive. FHWA respectfully requests the Indiana State Historic Preservation Officer provide written concurrence with the Section 106 determination of "No Adverse Effect".

Indianapolis Parks & Boulevard System – This resource is used for transportation purposes. This undertaking will have "no adverse effect" on the Indianapolis Parks & Boulevard System, a Section 4(f) historic property; FHWA has determined the appropriate Section 106 finding is "No Adverse Effect"; and therefore no Section 4(f) evaluation must be completed for the Indianapolis Parks & Boulevard System. FHWA respectfully requests the Indiana State Historic Preservation Officer provide written concurrence with the Section 106 determination of "No Adverse Effect".

for Robert F. Tally, Jr. P.E.
Administrator
FHWA-IN Division

5-3-2012
Approved Date

DNR Indiana Department of Natural Resources

Mitchell E. Daniels, Jr., Governor
Robert E. Carter, Jr., Director

Division of Historic Preservation & Archaeology•402 W. Washington Street, W274 · Indianapolis, IN 46204-2739
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June 4, 2012

Patrick Carpenter
Interim Cultural Resources Manager
Environmental Services
Indiana Department of Transportation
100 North Senate Avenue, Room N642
Indianapolis, Indiana 46204

Federal Agency: Federal Highway Administration ("FHWA")

Re: Notification of FHWA's finding of "no adverse effect" and 800.11 documentation concerning the Illinois Street Bridge (2502F) over Fall Creek (Designation #1173302; DHPA #12596)

Dear Mr. Carpenter:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f), 36 C.F.R. Part 800, and the "Programmatic Agreement among the Federal Highway Administration, the Indiana Department of Transportation, the Advisory Council on Historic Preservation, the Indiana State Historic Preservation Officer regarding the implementation of the Federal Aid Highway Program in the State of Indiana," the staff of the Indiana State Historic Preservation Officer has conducted an analysis of the materials dated May 3, 2012 and received on May 7, 2012, for the above indicated project in Indianapolis, Center Township, Marion County, Indiana.

In regard to the identified historic resources, we do not believe the characteristics that qualify the American United Life Insurance Building (Site #098-296-00635), 37 West Fall Creek Parkway South Drive (Site #098-296-00606), and the Indianapolis Parks and Boulevard System for inclusion in the National Register of Historic Places will be diminished as a result of this project. Additionally, as stated in previous letters regarding this project, "based upon the documentation available to the staff of the Indiana SHPO, we have not identified any currently known archaeological resources listed in or eligible for inclusion in the National Register of Historic Places within the proposed project area. However, that identification is subject to the project activities remaining within areas disturbed by previous construction of a recent and non-historical nature. If archaeological deposits are encountered from the post-contact period, they will be evaluated regarding their eligibility for the National Register of Historic Places in consultation with the staff of the Indiana SHPO. Please contact our office if such deposits are encountered. The archaeological recording must be done in accordance with the Secretary of the Interior's 'Standards and Guidelines for Archaeology and Historic Preservation' (48 F.R. 44716), and a report of the archaeological documentation must be submitted to our office for review and comment."

Therefore, we concur with the Federal Highway Administration's May 3, 2012 finding of No Adverse Effect for this undertaking.

If any archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and 29) requires that the discovery must be reported to the Department of Natural Resources within two (2) business days. In that event, please call (317) 232-1646. Be advised that adherence to Indiana Code 14-21-1-27 and 29 does not obviate the need to adhere to applicable federal statutes and regulations.

If you have questions about archaeological issues please contact Dr. Rick Jones at (317) 233-0953 or rjones@dnr.IN.gov. If you have questions about buildings or structures please contact Whitney Airgood-Obrycki at (317)233-9636 or wairgoodobryeki@dnr.IN.gov or Chad Slider at (317) 234-5366 or cslider@dnr.IN.gov.

Very truly yours,

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

JAG:WAO:CWS:JRJ

enc: Patrick Carpenter, Indiana Department of Transportation
Mary Kennedy, Indiana Department of Transportation
Shaun Miller, Indiana Department of Transportation
Melany Prather, Indiana Department of Transportation
Mark Dollase, Indiana Landmarks
Kristi D. Hamilton, Butler, Fairman & Seufert, Inc

Indiana Department of Transportation

County Marion Route Illinois St. Des. No. 1173302 Project No. 1173302

FHWA-Indiana Environmental Document

CATEGORICAL EXCLUSION / ENVIRONMENTAL ASSESSMENT FORM

GENERAL PROJECT INFORMATION

Road No./County:	**Illinois Street/Marion County**
Designation Number:	**1173302**
Project Description/Termini:	**Rehabilitation of Marion County Bridge 2502F carrying Illinois Street over Fall Creek/ 30 feet north and south of the bridge**

After completing this form, I conclude that this project qualifies for the following type of Categorical Exclusion (FHWA must review/approve if Level 4 CE):

	Categorical Exclusion, Level 2 – The proposed action meets the criteria for Categorical Exclusion Manual Level 2 - table 1, CE Level Thresholds. Required Signatories: ESM (Environmental Scoping Manager).
	Categorical Exclusion, Level 3 – The proposed action meets the criteria for Categorical Exclusion Manual Level 3 - table 1, CE Level Thresholds. Required Signatories: ESM, ES (Environmental Services).
X	**Categorical Exclusion, Level 4** – The proposed action meets the criteria for Categorical Exclusion Manual Level 4 - table 1, CE Level Thresholds. Required Signatories: ESM, ES, FHWA.
	Environmental Assessment (EA) – EAs require a separate FONSI. Additional research and documentation is necessary to determine the effects on the environment. Required Signatories: ES, FHWA.

Note: For documents prepared by or for Environmental Services, it is not necessary for the ESM of the district in which the project is located to release for public involvement or sign for approval.

Approval ESM Signature 11/02/12 Date ES Signature 3 Nov 12 Date

FHWA Signature 11/5/2012 Date

Release for Public Involvement ESM Initials 09/04/12 Date

ES Initials CAR 9-6-12 Date

Certification of Public Involvement EXAMINER Mary Wright McMullen Manager, Public Hearings Signature 10/29/12 Date

Note: Do not approve until after Section 106 public involvement and all other environmental requirements have been satisfied.

Reviewer Signature Date 9-6-12 & 11/2/12

Name and organization of CE/EA Preparer: Kristi Hamilton/Butler, Fairman & Seufert, Inc.

FEDERAL HIGHWAY ADMINISTRATION'S
SECTION 4(F) COMPLIANCE REQUIREMENTS (for historic properties) AND
SECTION 106 FINDINGS AND DETERMINATIONS
AREA OF POTENTIAL EFFECT
ELIGIBILITY DETERMINATIONS
EFFECT FINDING
REHABILITATION OF MADISON COUNTY BRIDGE NO. 123 LOCATED IN JACKSON TOWNSHIP, APPROXIMATELY FOUR MILES WEST OF THE CITY OF ANDERSON, MADISON COUNTY, INDIANA
DES. NO.: 0801065
FEDERAL PROJECT NO.:

AREA OF POTENTIAL EFFECT
(Pursuant to 36 CFR Section 800.4(a)(1))

The Area of Potential Effect (APE) is an area along County Road (CR) 600 West from CR 200 North to Ryan Drive, approximately 1,712 feet in length, with a minimum width of 187 feet and maximum width of 890 feet.

ELIGIBILITY DETERMINATIONS
(Pursuant to 36 CFR 800.4(c)(2))

Madison County Bridge No. 123 (NBI No. 48000107) is located in Sections 1 and 6 in Jackson Township, approximately four miles west of the city of Anderson, Madison County, Indiana. The bridge carries traffic on CR 600 West of the White River. The bridge is a six-span structure with four spans of continuous reinforced concrete haunched girders and with two simple span concrete tee beam end spans. The bridge was constructed in 1961 and has a total length of 416 feet. The structure is built square and has an existing clear roadway of 24 feet and an out to out coping width of 28 feet. Madison County Bridge No. 123 is eligible for inclusion in the National Register of Historic Places (NRHP) under Criterion C because it represents a variation, evolution, or transition that is conveyed through important features or innovations related to bridge construction, design, or engineering, and it retains historic integrity necessary to convey its engineering significance. It displays exceptional overall or main span length for its type, representing an innovative design and/or construction method. The design of the railings is distinctive and adds to the bridge's historic character.

EFFECT FINDING

Madison County Bridge No. 123 (NBI No. 48000107): Adverse Effect

The Federal Highway Administration (FHWA) has determined that an Adverse Effect finding is appropriate for this undertaking.

SECTION 4(F) COMPLIANCE REQUIREMENTS (for historic properties)

Madison County Bridge No. 123 (NBI No. 48000107) is used for transportation purposes. The FHWA has determined the appropriate Section 106 finding is Adverse Effect, and therefore a Section 4(f) evaluation must be completed for Madison County Bridge No. 123. FHWA respectfully requests the Indiana State Historic Preservation Officer provide written concurrence with the Section 106 determination of Adverse Effect.

Lawrence M. Levi

for Robert F. Tally, Jr., P.E., Administrator
FHWA-IN Division

1/3/2012

Approved Date

DNR Indiana Department of Natural Resources

Mitchell E. Daniels, Jr., Governor
Robert E. Carter, Jr., Director

Division of Historic Preservation & Archaeology • 402 W. Washington Street, W274 · Indianapolis, IN 46204-2739
Phone 317-232-1646 • Fax 317-232-0693 · dhpa@dnr.IN.gov

January 27, 2012

Robert F. Tally, Jr., P.E.
Administrator, Indiana Division
Federal Highway Administration
575 North Pennsylvania Street, Room 254
Indianapolis, Indiana 46204

Federal Agency: Federal Highway Administration ("FHWA")

Re: FHWA's finding of Adverse Effect for the Rehabilitation of Madison County Bridge No. 123 Located in Jackson Township, Approximately Four Miles West of the City of Anderson, Madison County Indiana (Des. No. 0801065; DHPA No. 7318)

Dear Mr. Tally:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f), 36 C.F.R. Part 800, the Programmatic Agreement . . . Regarding Management and Preservation of Indiana's Historic Bridges," and the "Programmatic Agreement . . . Regarding the Implementation of the Federal Aid Highway Program in the State of Indiana," the staff of the Indiana State Historic Preservation Officer has reviewed the materials under United Consulting's cover letter dated January 4, 2012 and received on January 5, for the aforementioned project on CR 600West over the White River in Madison County, Indiana.

We concur with FHWA's January 3, 2012 finding of Adverse Effect for this undertaking. We also concur that Madison County Bridge No. 123 (NBI No. 48000107) is the only historic property within the area of potential effects and that Bridge No. 123 will be adversely affected.

If you have questions about issues pertaining to buildings or structures, please contact John Carr at (317) 233-1949 or jcarr@dnr.IN.gov. Questions about archaeological issues should be directed to Wade Tharp at (317) 233-0953 or wtharp1@dnr.IN.gov. In all future correspondence regarding this project, please continue to refer to DHPA No.7318.

Very truly yours,

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

JAG:JLC:jlc

cc: Michael Oliphant, AICP, United Consulting

emc: Lawrence Heil, P.E., Indiana Division, Federal Highway Administration
Staffan Peterson, Ph.D., Indiana Department of Transportation
Mary Kennedy, Indiana Department of Transportation
Patrick Carpenter, Indiana Department of Transportation
Shaun Miller, Indiana Department of Transportation
Melany Prather, Indiana Department of Transportation
Michael Oliphant, AICP, United Consulting

Indiana Department of Transportation

County: Madison County | Route: County Road 600 West | Des. No.: 0801065 | Project No.: 0801065

FHWA-Indiana Environmental Document

CATEGORICAL EXCLUSION / ENVIRONMENTAL ASSESSMENT FORM

GENERAL PROJECT INFORMATION

Road No./County:	**County Road 600 West / Madison County**
Designation Number:	**0801065**
Project Description/Termini:	**Bridge Rehabilitation: Madison County Bridge No. 123 carrying County 600 West over the White River. The project would extend 90 feet north of the structure and 350 feet south of the structure.**

After completing this form, I conclude that this project qualifies for the following type of Categorical Exclusion (FHWA must review/approve if Level 4 CE):

	Categorical Exclusion, Level 2 – The proposed action meets the criteria for Categorical Exclusion Manual Level 2 - table 1, CE Level Thresholds. Required Signatories: ESM (Environmental Scoping Manager).
	Categorical Exclusion, Level 3 – The proposed action meets the criteria for Categorical Exclusion Manual Level 3 - table 1, CE Level Thresholds. Required Signatories: ESM, ES (Environmental Services).
X	**Categorical Exclusion, Level 4** – The proposed action meets the criteria for Categorical Exclusion Manual Level 4 - table 1, CE Level Thresholds. Required Signatories: ESM, ES, FHWA.
	Environmental Assessment (EA) – EAs require a separate FONSI. Additional research and documentation is necessary to determine the effects on the environment. Required Signatories: ES, FHWA.

Note: For documents prepared by or for Environmental Services, it is not necessary for the ESM of the district in which the project is located to release for public involvement or sign for approval.

Approval _____ 07/09/12 _____ 7-9-12
ESM Signature — Date — ES Signature For: EPO Mgr. — Date

_____ _____
FHWA Signature — Date

Release for Public Involvement _____ 04/08/12
ESM Initials — Date

_____ 4-4-12
ES Initials — Date

Certification of Public Involvement Mary Wright 6/6/12
EXAMINER ~~Manager~~ Public Hearings Signature — Date

Note: Do not approve until after Section 106 public involvement and all other environmental requirements have been satisfied.

FEDERAL HIGHWAY ADMINISTRATION'S
SECTION 4(F) COMPLIANCE REQUIREMENTS (FOR HISTORIC PROPERTIES) AND
SECTION 106 FINDINGS AND DETERMINATIONS
AREA OF POTENTIAL EFFECT
ELIGIBILITY DETERMINATIONS
EFFECTS FINDING
COLLIER RIDGE ROAD OVER WEST FORK TANNER'S CREEK,
CSX RAILROAD TO BONNELL ROAD,
IN GUILFORD, YORK TOWNSHIP, DEARBORN COUNTY, INDIANA
DES NO.: 1005702

AREA OF POTENTIAL EFFECTS

(Pursuant to 36 CFR Section 800.4(a)(1)) The aboveground Area of Potential Effects (APE) was generally drawn as a one-thousand foot buffer around the proposed project location. The buffer was shortened in the vicinity of Bonnell Road where elevation and wooded tracts of land northeast of the road blocked views in part and eliminated the potential for impact to properties. The buffer was also shortened in the vicinity of the CSX railroad where topography and woods similarly blocked views and eliminated potential for impact. The archaeological APE was defined as the project footprint. (See Appendix A: Plans and Appendix B: APE Maps and Site Plans.)

ELIGIBILITY DETERMINATIONS

(Pursuant to 36 CFR 800.4(c)(2)) There are no properties listed in the National Register of Historic Places (NR). One historic property, Dearborn County Bridge No. 55, was previously determined eligible for listing in the NR. Two properties, the Hall-Dowden-Boyles Farmstead and the Lawrenceburg and Indianapolis Railroad Bridge are recommended eligible for listing in the NR.

Dearborn County Bridge No. 55

Dearborn County Bridge No. 55 (circa 1915) is a steel Pratt through truss bridge with riveted connections. The one-lane bridge carrying Collier Ridge Road over West Fork Tanner's Creek is 139 feet long and 25 feet wide with an 18-foot vertical clearance. Its cut-limestone abutments are from an earlier railroad bridge that crossed West Fork Tanner's Creek at this location (no longer extant) and they are topped with an additional concrete cap to support the bridge. The bridge was determined eligible for the NR in the *Indiana Historic Bridge Inventory* under Criterion C as a bridge representing an important phase in Indiana construction. The period of significance is circa 1915, the date the bridge was completed. The bridge was designated Non-Select in the *Indiana Historic Bridge Inventory.*

Hall-Dowden-Boyles Farmstead

The Hall-Dowden-Boyles Farmstead consists of resources spanning over a century of construction, including a house (c. 1840), an English barn (c. 1840), a stone foundation (ruins, c. 1840), and a stone culvert (c. 1840/1920) built by the property's first owner, a water pump (c. 1900), shed-roofed barn (c. 1940-1950), granary (c. 1900), gable-roofed utility building (c. 1900), shed-roofed utility building (c. 1900), and privy (c. 1920) added to the property by later owners; stone piles are present at different locations. The property also includes a modern barn, detached garage, and well house, all three of which are Non-contributing. The Hall-Dowden-Boyles Farmstead is recommended eligible for the NR under Criterion A in the areas of settlement and agriculture. The period of significance is 1840 to 1950, which represents the range of construction of the property's Contributing buildings.

Lawrenceburg and Indianapolis Railroad Bridge

Located approximately 630 feet southeast of Dearborn County Bridge No. 55 along the abandoned embankment of the Lawrenceburg and Indianapolis Railroad line, this single, fourteen-foot, semicircular, stone arch bridge was constructed circa 1849 out of locally quarried, roughly shaped limestone. This bridge crosses a flood plain and carries the twenty-foot wide

raised railroad embankment. The bridge is recommended eligible under Criteria A and C, for its association with the Lawrenceburg and Indianapolis Railroad and as indicative of early railroad bridges, representing an early phase of stone arch bridge construction in Indiana. The period of significance is circa 1849 to 1907, the date the bridge's construction and use as part of the Lawrenceburg and Indianapolis Railroad.

EFFECT FINDING

Dearborn County Bridge No. 55—Adverse Effect
Hall-Dowden-Boyles Farmstead—No Adverse Effect
Lawrenceburg and Indianapolis Railroad Bridge—No Adverse Effect

Federal Highway Administration (FHWA) has determined a finding of Adverse Effect is appropriate for this undertaking.

SECTION 4(F) COMPLIANCE REQUIREMENTS (for historic properties)

Dearborn County Bridge No. 55. This resource is used for transportation purposes. This undertaking will have an "Adverse Effect" on Dearborn County Bridge No. 55, a Section 4(f) historic property. The FHWA has determined the appropriate Section 106 finding is "Adverse Effect;" and therefore a Section 4(f) evaluation must be completed for Dearborn County Bridge No. 55. **FHWA respectfully requests the Indiana State Historic Preservation Officer provide written concurrence with the Section 106 determination of "Adverse Effect."**

Hall-Dowden-Boyles Farmstead. This undertaking will not convert property from the Hall-Dowden-Boyles Farmstead, a Section 4(f) historic property, to a transportation use. FHWA has determined the appropriate Section 106 finding is "No Adverse Effect"; therefore no Section 4(f) evaluation is required for the Hall-Dowden-Boyles Farmstead. **FHWA respectfully requests the Indiana State Historic Preservation Officer provide written concurrence with the Section 106 determination of "No Adverse Effect."**

Lawrenceburg and Indianapolis Railroad Bridge. This resource is used for transportation purposes. This undertaking will have "No Adverse Effect" on the Lawrenceburg and Indianapolis Railroad Bridge, a Section 4(f) historic property. FHWA has determined the appropriate Section 106 finding is "No Adverse Effect"; therefore no Section 4(f) evaluation is required for the Lawrenceburg and Indianapolis Railroad Bridge. **FHWA respectfully requests the Indiana State Historic Preservation Officer to provide written concurrence with the Section 106 determination of "No Adverse Effect."**

Consulting parties will be provided a copy of the findings and determinations of FHWA, in accordance with FHWA's Section 106 procedures. Comments will be accepted for thirty (30) days upon receipt of the findings.

Michelle Allen

for

Robert F. Tally, Jr., P.E.
Division Administrator
Federal Highway Administration

7-16-12

Approved Date

Division of Historic Preservation & Archaeology·402 W. Washington Street, W274·Indianapolis, IN 46204-2739
Phone 317-232-1646·Fax 317-232-0693·dhpa@dnr.IN.gov

HISTORIC PRESERVATION AND ARCHAEOLOGY

August 21, 2012

Robert F. Tally, Jr., P.E.
Division Administrator
Federal Highway Administration, Indiana Division
575 North Pennsylvania Street, Room 254
Indianapolis, Indiana 46204

Federal Agency: Federal Highway Administration ("FHWA")

Re: Finding of Adverse Effect, with supporting documentation, for a project involving Collier Ridge Road over West Fork Tanner's Creek (which includes the removal or demolition of Dearborn County Bridge No. 55) (Des. No. 1005702; American Structurepoint No. 201000689; DHPA No. 11330)

Dear Mr. Tally:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f), 36 C.F.R. Part 800, the "Programmatic Agreement . . . Regarding the Implementation of the Federal Aid Highway Program In the State of Indiana," and the "Programmatic Agreement . . . Regarding Management and Preservation of Indiana's Historic Bridges" ("Historic Bridge PA"), the staff of the Indiana State Historic Preservation Officer ("Indiana SHPO") has reviewed the documents submitted with American Structurepoint's cover letter dated July 20, 2012, and received on July 23, for the aforementioned project, to be constructed west of the community of Guilford in York Civil Township, Dearborn County, Indiana.

As previously indicated in regard to the Indiana archaeological short report (Stillwell, 07/28/2011), based upon the documentation available to the staff of the Indiana SHPO, we have not identified any currently known archaeological resources listed in or eligible for inclusion in the National Register of Historic Places within the proposed project area. Therefore, we concur with the opinion of the archaeologist that no further investigations appear necessary at this proposed project area. If any archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and -29) requires that the discovery be reported to the Department of Natural Resources within two (2) business days. In that event, please call (317) 232-1646. Be advised that adherence to Indiana Code 14-21-1-27 and -29 does not obviate the need to adhere to applicable federal statutes and regulations.

We concur with FHWA's July 16, 2012, Section 106 finding of Adverse Effect for this project as a whole.

We also concur, for the purposes of Section 4(f) of the Department of Transportation Act, that Dearborn County Bridge No. 55 will be adversely affected, that the Hall-Dowden-Boyles Farmstead will not be adversely affected, and that the Lawrenceburg and Indianapolis Railroad Bridge will not be adversely affected.

In our most recent comment letter of April 25, 2012, we stated that we believe that due to the significance of Bridge No. 55 and its integrity of design and materials, photographic documentation of the bridge is needed. At the time, we recommended that digital photographs be taken of Bridge No. 55, that a digital video disc (DVD) containing the photographs be provided to the Indiana SHPO staff, and that the photographs of the bridge be displayed online through the Indiana State Library's Memory Project. More recently, we have learned that the Memory Project does not constitute an authorized, permanent archive of photographs. Consequently, instead of providing the digital photographs to the Indiana State Library, we ask that a second digital DVD (or a compact disc) of the digital images, including the photo log, be provided to the Indiana SHPO staff for transmittal to the Indiana Digital Archive of the Commission on Public Records (State Archives). We also ask that the digital images and the photo log be produced in accordance with

standards 1. and 2. of the enclosed copy of the "Indiana DNR – Division of Historic Preservation and Archaeology Minimum Architectural Documentation Standards" (adopted July 27, 2011, with minor editorial clarifications July 20, 2012).

If you have questions about above-ground properties, please contact John Carr at (317) 233-1949 or jcarr@dnr.in.gov. Questions about archaeological issues should be directed to Wade T. Tharp at (317) 232-1650 or wtharp1@dnr.IN.gov. In all future correspondence regarding the project involving Collier Ridge Road over West Fork Tanner's Creek, please continue to refer to DHPA No. 11330.

Very truly yours,

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

JAG:JLC:jlc

Enclosure

cc: Benjamin Harvey, American Structurepoint, Inc. (with copy of enclosure)

emc: Michelle Allen, Indiana Division, Federal Highway Administration (with copy of enclosure)
Patrick Carpenter, Indiana Department of Transportation (with copy of enclosure)
Mary Kennedy, Indiana Department of Transportation (with copy of enclosure)
Shaun Miller, Indiana Department of Transportation (with copy of enclosure)
Melany Prather, Indiana Department of Transportation (with copy of enclosure)
Benjamin Harvey, American Structurepoint, Inc. (with copy of enclosure)
Linda Weintraut, Ph.D., Weintraut and Associates, Inc. (with copy of enclosure)

Indiana Department of Transportation

County Dearborn Route Collier Ridge Road Des. No. 1005702 Project No. 1005702

FHWA-Indiana Environmental Document

CATEGORICAL EXCLUSION / ENVIRONMENTAL ASSESSMENT FORM

GENERAL PROJECT INFORMATION

Road No./County:	Collier Ridge Road/Dearborn County
Designation Number:	1005702
Project Description/Termini:	Bridge Project, Collier Ridge Road over West Fork Tanners Creek / roadway realigned to the west of existing and will tie-in with existing Collier Ridge Road to the north and south of creek

After completing this form, I conclude that this project qualifies for the following type of Categorical Exclusion (FHWA must review/approve if Level 4 CE):

	Categorical Exclusion, Level 2 – The proposed action meets the criteria for Categorical Exclusion Manual Level 2 - table 1, CE Level Thresholds. Required Signatories: ESM (Environmental Scoping Manager).
	Categorical Exclusion, Level 3 – The proposed action meets the criteria for Categorical Exclusion Manual Level 3 - table 1, CE Level Thresholds. Required Signatories: ESM, ES (Environmental Services).
X	**Categorical Exclusion, Level 4** – The proposed action meets the criteria for Categorical Exclusion Manual Level 4 - table 1, CE Level Thresholds. Required Signatories: ESM, ES, FHWA.
	Environmental Assessment (EA) – EAs require a separate FONSI. Additional research and documentation is necessary to determine the effects on the environment. Required Signatories: ES, FHWA.

Note: For documents prepared by or for Environmental Services, it is not necessary for the ESM of the district in which the project is located to release for public involvement or sign for approval.

Approval _____ _____ _____ _____
ESM Signature Date ES Signature Date

_____ _____
FHWA Signature Date

Release for Public Involvement DGD 2012.11.14 11:59:26 -05'00'
ESM Initials Date

KBM 14 NOV 12
ES Initials Date

Certification of Public Involvement RC 1-10-13 _____ 1-10-13
Examiner, Public Hearings Signature Date

Note: Do not approve until after Section 106 public involvement and all other environmental requirements have been satisfied.

Reviewer Signature _____ Date _____

Name and organization of CE/EA Preparer: Benjamin Harvey, American Structurepoint, Inc.

FEDERAL HIGHWAY ADMINISTRATION'S
SECTION 4(F) COMPLIANCE REQUIREMENTS (for historic properties) AND
SECTION 106 FINDINGS AND DETERMINATIONS
AREA OF POTENTIAL EFFECT
ELIGIBILITY DETERMINATIONS
EFFECT FINDING
SR 57 Bridge Projects over the White River and White River Overflow, Cass and Washington Townships, Greene County, Indiana
DES. NO.: 0400090 and 0400091

AREA OF POTENTIAL EFFECT
(Pursuant to 36 CFR Section 800.4(a)(1))

The Area of Potential Effect (APE) extends from a point 1,600 ft north of the center of Bridge No. 057-28-03042D to 4th Street in the town of Newberry, with a width of 400 ft east and 1,500 ft west of the centerline of SR 57 in most locations.

ELIGIBILITY DETERMINATIONS
(Pursuant to 36 CFR 800.4(c)(2))

Bridge No. 057-28-03042D (055-375-65021): This steel Parker through-truss bridge carries SR 57 over the White River's Overflow north of the White River. It is approximately 410 ft in length and consists of two main spans and two approach spans. The trusses, railing, and concrete abutments are all original to the structure. Built in 1941, the bridge was rehabilitated in 1969 and again in 1982. The bridge has been determined eligible for the National Register of Historic Places (NRHP) under Criterion C through the Indiana Historic Bridges Inventory for their engineering significance for illustrating a standard Indiana State Highway Commission design of the 1940s.

Bridge No. 057-28-00341C (055-375-65022): This steel Parker through-truss bridge carries SR 57 over the White River. It is approximately 992 ft in length and consists of four main spans and two approach spans. The trusses, railing, and concrete abutments are all original to the structure. Built in 1941, the bridge was rehabilitated in 1969 and again in 1982. The bridge has been determined eligible for the NRHP under Criterion C through the Indiana Historic Bridges Inventory for their engineering significance for illustrating a standard Indiana State Highway Commission design of the 1940s.

Former gas station (055-375-61002): This ca. 1925 one-story commercial building, a former gas station, has a concrete foundation, brick masonry walls, and an asphalt shingle roof. The front canopy has a concrete base, with wood supports holding up a recessed roof with original wood plank siding on the ceiling. The windows are 3/1 and 5/1 original wood windows; the doors are replacements. A small chimney is found on the southeast corner of the building, and original woodwork on the eaves is still visible. The building is eligible for the NRHP under Criterion C as an outstanding example of an early twentieth century gas station type.

EFFECT FINDING

Bridge No. 057-28-03042D (055-375-65021): Adverse Effect

Bridge No. 057-28-00341C (055-375-65022): Adverse Effect

Former gas station (055-375-61002): No Adverse Effect

FHWA has determined an Adverse Effect finding is appropriate for this undertaking.

SECTION 4(F) COMPLIANCE REQUIREMENTS (for historic properties)

Bridge No. 057-28-03042D (055-375-65021): This resource is used for transportation purposes. This undertaking will have an Adverse Effect on Bridge No. 057-28-03042D (055-375-65021), a Section 4(f) historic property; the FHWA has determined the appropriate Section 106 finding is Adverse Effect; and therefore a Section 4(f) evaluation must be completed for Bridge No. 057-28-03042D (055-375-65021). FHWA respectfully requests the Indiana State Historic Preservation Officer provide written concurrence with the Section 106 determination of Adverse Effect.

Bridge No. 057-28-00341C (055-375-65022): This resource is used for transportation purposes. This undertaking will have an Adverse Effect on Bridge No. 057-28-00341C (055-375-65022), a Section 4(f) historic property; the FHWA has determined the appropriate Section 106 finding is Adverse Effect; and therefore a Section 4(f) evaluation must be completed for Bridge No. 057-28-00341C (055-375-65022). FHWA respectfully requests the Indiana State Historic Preservation Officer provide written concurrence with the Section 106 determination of Adverse Effect.

Former gas station (055-375-61002): This undertaking will not convert property from the former gas station (055-375-61002), a Section 4(f) historic property, to a transportation use; FHWA has determined the appropriate Section 106 finding is No Adverse Effect; therefore, no Section 4(f) evaluation is required for the former gas station (055-375-61002). FHWA respectfully requests the Indiana State Historic Preservation Officer provide written concurrence with the Section 106 determination of No Adverse Effect.

Michelle Allen

for Robert F. Tally, Jr., P.E.
Administrator
FHWA-IN Division

6.4.12

Approved Date

Division of Historic Preservation & Archaeology·402 W. Washington Street, W274·Indianapolis, IN 46204-2739
Phone 317-232-1646·Fax 317-232-0693·dhpa@dnr.IN.gov

June 13, 2012

Robert F. Tally, Jr., P.E.
Administrator
Indiana Division
Federal Highway Administration
575 N. Pennsylvania Street, Room 254
Indianapolis, Indiana 46204

Federal Agency: Federal Highway Administration ("FHWA")

Re: FHWA's finding of Adverse Effect, with supporting documentation, for the SR 57 Bridge Projects over the White River and White River Overflow, Cass and Washington Townships, Greene County, Indiana (Des. Nos. 0400090 and 0400091; DHPA No. 11263)

Dear Mr. Tally:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f), 36 C.F.R. Part 800, the "Programmatic Agreement . . . Regarding the Implementation of the Federal Aid Highway Program In the State of Indiana" ("Minor Projects PA") and the "Programmatic Agreement . . . Regarding Management and Preservation of Indiana's Historic Bridges" ("Historic Bridges PA"), the staff of the Indiana State Historic Preservation Officer ("SHPO") has considered the materials submitted with the ASC Group's letter dated June 4, 2012 and received on June 5, 2012 for the aforementioned project within and near the Town of Newberry in Greene County, Indiana. The Indiana Department of Transportation has requested our response no later than June 19, 2012.

In regard to archaeological resources, as previously indicated, based upon the submitted information and the documentation available to the staff of the Indiana SHPO, we concur with the opinion of the archaeologist, as expressed in the Phase Ic archaeological deep testing report (Snell, Snyder, Anderson, and Nelson, 12/2/11), that no additional deep geoarchaeological testing is recommended in Area 3 of the proposed project area.

As indicated in our April 8, 2011, letter to you, there is insufficient information regarding archaeological site 12-Gr-0389, which previously had been identified and was resurveyed during the archaeological field reconnaissance, to determine whether it is eligible for inclusion in the National Register of Historic Places ("NRHP"). However, that portion of this archaeological site that is within the proposed project area does not appear to contain significant archaeological deposits, and no further archaeological investigations are necessary in that portion. However, the portion of 12-Gr-0389 that lies outside of the proposed project area must either be avoided or subjected to further archaeological investigations. That area of the site should be clearly marked so that it is avoided by all project activities. If avoidance is not feasible, a plan for subsurface archaeological investigations must be submitted to the division of Historic Preservation and Archaeology ("DHPA") for review and comment. Any further archaeological investigations must be done in accordance with the "Secretary of the Interior's Standards and guidelines for Archeology and Historic Preservation" (48 F.R. 44716).

Additionally, we agree with the opinion of ASC Group, Inc., that archaeological site 12-Gr-1102, which previously had been identified and was resurveyed during the archaeological field reconnaissance, is not eligible for inclusion in the National Register of Historic Places. Therefore, no additional archaeological investigations appear necessary at this site.

Furthermore, we agree with ASC Group, Inc., that archaeological sites 12-Gr-1864, 12-Gr-1866, and 12-Gr-1867, all of which were identified during the archaeological field reconnaissance, are not eligible for inclusion in the National Register of Historic Places. Therefore, no additional archaeological investigations appear necessary at these sites.

Also, we agree with the opinion of ASC Group, Inc., that archaeological site 12-Gr-1865, which was identified during the archaeological field reconnaissance, is potentially eligible for inclusion in the National Register of Historic Places, and that the site must either be avoided or subjected to further archaeological investigations. The site boundaries should be clearly marked so that it is avoided by all project activities. If avoidance is not feasible, a plan for subsurface archaeological investigations must be submitted to the division of Historic Preservation and Archaeology ("DHPA") for review and comment. Any further archaeological investigations must be done in accordance with the "Secretary of the Interior's Standards and guidelines for Archeology and Historic Preservation" (48 F.R. 44716).

Additionally, we agree with ASC Group, Inc., that due to the potential of canal-related structures or the canal, itself, being present in the immediate area of the SR 57 bridge near what is believed to have been the canal route, that archaeological monitoring by a qualified professional archaeologist of the project activities in the vicinity of the areas is necessary in order to document and assess any possibly intact archaeological artifacts or deposits, both prehistoric and historic, which may be present. A plan for the monitoring should be submitted to and approved by the Division of Historic Preservation and Archaeology prior to further field investigations. If archaeological sites are encountered during monitoring, then work in that area will stop, and all necessary archaeological investigations will take place.

Furthermore, it is our understanding, from the May 3, 2012, conversation between Luella Beth Hillen (ASC Group, Inc.) and Wade Tharp (DHPA), that the realignment of SR 57 does not add any areas that have not been subjected to archaeological investigations to the proposed project area.

We note that the survey forms for sites 12-Gr-1864, 12-Gr-1865, 12-Gr-1866, and 12-Gr-1867, along with the resurvey forms for sites 12-0389 and 12-Gr1102, have been entered into the SHAARD database. These site forms have been reviewed and approved.

If any archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and 29) requires that the discovery must be reported to the Department of Natural Resources within two (2) business days. In that event, please call (317) 232-1646. Be advised that adherence to Indiana Code 14-21-1-27 and 29 does not obviate the need to adhere to applicable federal statutes and regulations.

We concur with FHWA's June 4, 2012 finding of Adverse Effect for the SR 57 Bridge Projects over the White River and White River Overflow.

For the purposes of Section 4(f) of the Department of Transportation Act, we also concur with the following effect findings for particular historic properties within the area of potential effects:

- Bridge No. 057-28-03042D (055-375-65021) over the White River Overflow: Adverse Effect
- Bridge No. 057-28-00341C (055-375-65022) over the White River: Adverse Effect
- Former gas station (055-375-61002) at the southeast corner of SR 57/Broad Street and Second Street in Newberry: No Adverse Effect

Questions about historic buildings or structures should be directed to John Carr at (317) 233-1949 or jcarr@dnr.IN.gov. Questions about archaeological issues should be directed to Wade T. Tharp at (317) 232-1650 or wtharp1@dnr.IN.gov. In any future correspondence regarding this project, please refer to DHPA No. 11263.

Very truly yours,

James A. Glass, Ph.D.
Director, Division of Historic Preservation & Archaeology

JAG:WTT:JLC:jlc

cc: Luella Beth Hillen, ASC Group, Inc.

emc: Michelle Allen, Indiana Division, Federal Highway Administration
Patrick A. Carpenter, Indiana Department of Transportation
Mary Kennedy, Indiana Department of Transportation
Shaun Miller, Indiana Department of Transportation
Melany Prather, Indiana Department of Transportation
Luella Beth Hillen, ASC Group, Inc.
Douglas S. Terpstra, ASC Group, Inc.
James A. Snyder, ASC Group, Inc.
John L. Carr, Division of Historic Preservation and Archaeology, Indiana Department of Natural Resources
Wade T. Tharp, Division of Historic Preservation and Archaeology, Indiana Department of Natural Resources

Indiana Department of Transportation

County Greene Route SR 57 Des. No. 0400091 Project No. _____

FHWA-Indiana Environmental Document

CATEGORICAL EXCLUSION / ENVIRONMENTAL ASSESSMENT FORM

GENERAL PROJECT INFORMATION

Road No./County:	**SR 57/Greene County**
Designation Number:	**0400091 (0400090)**
Project Description/Termini:	**Bridge Project, SR 57 over the White River and White River Overflow, 5.95 miles north of SR 58**

After completing this form, I conclude that this project qualifies for the following type of Categorical Exclusion (FHWA must review/approve if Level 4 CE):

	Categorical Exclusion, Level 2 – The proposed action meets the criteria for Categorical Exclusion Manual Level 2 - table 1, CE Level Thresholds. Required Signatories: ESM (Environmental Scoping Manager).
	Categorical Exclusion, Level 3 – The proposed action meets the criteria for Categorical Exclusion Manual Level 3 - table 1, CE Level Thresholds. Required Signatories: ESM, ES (Environmental Services).
X	**Categorical Exclusion, Level 4** – The proposed action meets the criteria for Categorical Exclusion Manual Level 4 - table 1, CE Level Thresholds. Required Signatories: ESM, ES, FHWA.
	Environmental Assessment (EA) – EAs require a separate FONSI. Additional research and documentation is necessary to determine the effects on the environment. Required Signatories: ES, FHWA.

Note: For documents prepared by or for Environmental Services, it is not necessary for the ESM of the district in which the project is located to release for public involvement or sign for approval.

Approval _____ _____ _____ _____
ESM Signature Date ES Signature Date

_____ _____
FHWA Signature Date

Release for Public Involvement EAS 7/14/12
ESM Initials Date

CAA 7-17-12
ES Initials P.P. EPO Mgr. Date

Certification of Public Involvement Mary Wright 9/4/12
EXAMINER Manager, Public Hearings Signature Date

Note: Do not approve until after Section 106 public involvement and all other environmental requirements have been satisfied.

Reviewer Signature _____ Date _____

Name and organization of CE/EA Preparer: Benjamin Harvey and Briana Hope, American Structurepoint, Inc

Division of Historic Preservation & Archaeology·402 W. Washington Street, W274·Indianapolis, IN 46204-2739
Phone 317-232-1646·Fax 317-232-0693·dhpa@dnr.IN.gov

HISTORIC PRESERVATION AND ARCHAEOLOGY

May 17, 2012

Patrick Carpenter
Acting Manager, Cultural Resources Office
Environmental Services
Indiana Department of Transportation
100 North Senate Avenue, Room N642
Indianapolis, Indiana 46204

State Agency: Indiana Department of Transportation ("INDOT")

Re: Certificate of Approval application for the 100% State-Funded Interim Repair Work, Des. No. 1296487: SR 57 over the White River and Abandoned Railroad (Bridge No. 57-28-0341C), 5.95 miles north of SR 58; and SR 57 over the White River overflow (Bridge No. 57-28-3042D), 6.47 miles north of SR 58 (DHPA No. 11263)

Dear Mr. Carpenter:

Pursuant to Indiana Code 14-21-1-18 and 312 IAC 20-4-10 and -11, the Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology ("DHPA") has conducted a review of the information submitted in and with Dr. Staffan Peterson's letter dated May 4, 2012 and received by DHPA the same day, for the aforementioned project north of the Town of Newberry in Greene County, Indiana. Your office has requested our response no later than May 18.

Both bridges that are the subject of the proposed interim repair work, Bridge No. 57-28-0341C and Bridge No. 57-28-3042D, were identified as being eligible for inclusion in the National Register of Historic Places in the "Indiana Historic Bridge Inventory." Accordingly, the DHPA staff considers them to be historic structures within the meaning of Indiana Code 14-21-1-18.

The former gas station (IHSSI No. 055-375-61002) that was identified and evaluated as being eligible for inclusion in the National Register of Historic Places and that is located in the southeast quadrant of the intersection of SR 57 (Broad Street) and 2nd Street, near the southern end of the larger project area for the Federal Highway Administration-assisted project to replace both bridges, is not listed in the National Register or the Indiana Register of Historic Sites and Structures and is not owned by the State of Indiana, based on information available to us. Furthermore, the former gas station appears to be located too far from the bridges for which interim repairs are proposed here to be altered in any way by this project.

Based on what we currently know, there will be no adverse impact on Bridge No. 57-28-0341C, Bridge No. 57-28-3042D, or any other historic site or historic structure that is state owned. Therefore, under Subsection 11(c) of 312 IAC 20-4, a certificate of approval will not be necessary from the Indiana Historic Preservation Review Board for this interim repair project.

Pursuant to 312 IAC 20-4-11(g), within fifteen (15) days after this determination, an interested person may request a member of the review board to provide public hearing and review under 312 IAC 2-3. The designated member

shall issue a determination whether an application for a certificate of approval must be filed. If the designated member determines an application must be filed, the division shall place the completed application on the agenda of the review board's next meeting. If the designated member determines that an application for a certificate is not required, the division director's letter of clearance is affirmed. A determination under this subsection is not effective until the later of the following:

(1) fifteen (15) days after issuance of the determination; or
(2) the day resulting from a notice given under 312 IAC 2-3-7(d).

If any archaeological artifacts, features, or human remains are uncovered during construction, state law (Indiana Code 14-21-1-27 and -29) requires that the discovery be reported to the Department of Natural Resources within two (2) business days. In that event, please call (317) 232-1646.

Questions about historic buildings or structures pertaining to INDOT's proposed, interim repair work on Bridge No. 57-28-0341C and Bridge No. 57-28-3042D (Des. No. 1296487) should be directed to John Carr at (317) 233-1949 or jcarr@dnr.IN.gov. Questions about archaeological issues should be directed to Wade T. Tharp at (317) 232-1650 or wtharp1@dnr.IN.gov. In any future correspondence regarding this state-funded project, please refer to DHPA No. 11263.

Very truly yours,

James A. Glass, Ph.D.
Director, Division of Historic Preservation & Archaeology

JAG:JLC:jlc

FEDERAL HIGHWAY ADMINISTRATION'S
SECTION 4(f) COMPLIANCE REQUIREMENTS (for historic properties) AND
SECTION 106 FINDINGS AND DETERMINATIONS
AREA OF POTENTIAL EFFECT
ELIGIBILITY DETERMINATIONS
EFFECT FINDING
SR 403 over Silver Creek Bridge Project
Bridge No. 403-10-01941A
CLARK COUNTY, INDIANA
DES NUMBER: 0800072

AREA OF POTENTIAL EFFECTS
(Pursuant to 36 CFR Section 800.4(a)(1))

The Area of Potential Effects (APE) for the SR 403 over Silver Creek Bridge Project encompasses all areas adjacent to the proposed project area and includes those properties which have a view shed of the project area.

ELIGIBILITY DETERMINATIONS
(Pursuant to 36 CFR 800.4(c)(2))

The APE for the proposed project contains one historic property considered eligible for listing in the National Register of Historic Places (NRHP) under Criterion C: SR 403 over Silver Creek Bridge (INDOT Structure No. 403-10-01941A; NBI No. 32000).

EFFECT FINDING
(Pursuant to 36 CFR 800.4(d)(1))

There is one historic property eligible for the NRHP within the APE for this undertaking.

1. SR 403 over Silver Creek Bridge (INDOT Structure No. 403-10-01941A; NBI No. 32000) – "Adverse Effect"

The Federal Highway Administration (FHWA) has determined an "Adverse Effect" finding is appropriate for this undertaking.

SECTION 4(f) COMPLIANCE REQUIREMENTS (for historic properties)
SR 403 over Silver Creek Bridge (INDOT Structure No. 403-10-01941A; NBI No. 32000): This resource is used for transportation purposes. This undertaking will have an "Adverse Effect" on INDOT Structure No. 403-10-01941A, a Section 4(f) historic property. The FHWA has determined the appropriate Section 106 finding is "Adverse Effect" and therefore a Section 4(f) evaluation must be completed for INDOT Structure No. 403-10-01941A. FHWA respectfully requests that the Indiana State Historic Preservation Officer provide written concurrence with FHWA's Section 106 determination of "Adverse Effect."

Consulting Parties will be provided a copy of FHWA's findings and determinations in accordance with FHWA's Section 106 procedures. Comments will be accepted for 30 days upon receipt of the findings.

Michelle Allen

Richard J. Marquis
Acting Division Administrator, Indiana Division
Federal Highway Administration

11.15.12

Approval Date

DNR Indiana Department of Natural Resources

Mitchell E. Daniels, Jr., Governor
Robert E. Carter, Jr., Director

Division of Historic Preservation & Archaeology•402 W. Washington Street, W274 · Indianapolis, IN 46204-2739
Phone 317-232-1646•Fax 317-232-0693 · dhpa@dnr.IN.gov

December 12, 2012

Richard J. Marquis
Acting Division Administrator, Indiana Division
Federal Highway Administration
575 North Pennsylvania Street, Room 254
Indianapolis, Indiana 46204

Federal Agency: Federal Highway Administration ("FHWA")

Re: Finding of Adverse Effect, with supporting documentation, for the SR 403 over Silver Creek Bridge Project—Scope Undetermined (Des. No.0800072; DHPA No. 11616)

Dear Mr. Marquis:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f), 36 C.F.R. Part 800, the "Programmatic Agreement . . . Regarding the Implementation of the Federal Aid Highway Program In the State of Indiana" ("Minor Projects PA") and the "Programmatic Agreement . . . Regarding Management and Preservation of Indiana's Historic Bridges" ("Historic Bridges PA"), the staff of the Indiana State Historic Preservation Officer ("Indiana SHPO") has reviewed the materials under Bernardin, Lochmueller & Associates' cover letter dated November 15, 2012 and received on November 16, for the aforementioned project in Charlestown and Silver Creek townships, Clark County, Indiana.

We concur that the SR 403 bridge over Silver Creek (INDOT Structure No. 403-10-01941A; NBI No. 32000) is the only historic property identified within the area of potential effects.

Section 6. of the supporting documentation quoted a statement we had made in our May 26, 2011 comment letter, to the effect that "Alternative 5 (construction of a new, two-lane structure alongside the historic bridge and then demolishing or disassembling the historic bridge) 'would have to be the only feasible and prudent alternative.'" While we did use those words, the way in which they were quoted in the documentation gives them an air of certainty and finality that we had not intended in our original comment. The full sentence in our May 26 letter, from which the language about "the only feasible and prudent alternative" was excerpted, read as follows: "Based on the characterization of this undertaking's purpose and need and on the cost estimates provided in the Section 4(f) alternatives analysis, it appears that Alternative 5 (construction of a new, two-lane structure alongside the historic bridge and then demolishing or disassembling the historic bridge) would have to be the only feasible and prudent alternative." Further evidence that we thought the argument in favor of the recommended alternative was not as persuasive as it could have been is the sentence in our May 26 letter that followed the quoted language and that included a suggestion that "the alternatives analysis would be strengthened if the original and current load capacity figures were provided."

We note that Section 5. of the supporting documentation advises that since Bernardin, Lochmueller & Associates' April 26, 2011 submission of the alternatives analysis to the Indiana SHPO and the other consulting parties, the Indiana Department of Transportation has issued new, draft guidelines for that analysis, and that the alternatives analysis for this project "has been revised slightly" as a consequence. Section 5. goes on to say, "The results of that analysis recommended replacing the existing bridge on the current SR 403 alignment as the preferred alternative and have not changed since the original submittal." We are not sure that we understand when the revision of the recommended alternative, from replacement of the historic bridge by building the new bridge alongside it to replacement of the historic bridge on its current alignment, took place. Despite the revision to the alignment of the new bridge, we do not see any reason to change our previous opinions about the lack of a feasible and prudent alternative to the recommended alternative or about the project's effect on the historic bridge—given the particular facts of this project.

Accordingly, we concur with FHWA's November 15, 2012 finding of Adverse Effect for this undertaking.

Bernardin, Lochmueller & Associates' November 15 cover letter asked whether, pursuant to the Indiana Historic Bridges PA, we wish to request photographic documentation of the SR 403 bridge. We do request that such photographic documentation be prepared in accordance with the standards identified in the November 15 letter and in consultation with our staff. We also add a request that the photographs be taken either by a qualified historic preservation professional or by a professional photographer.

If any archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and -29) requires that the discovery be reported to the Department of Natural Resources within two (2) business days. In that event, please call (317) 232-1646. Be advised that adherence to Indiana Code 14-21-1-27 and -29 does not obviate the need to adhere to applicable federal statutes and regulations.

If you have questions about archaeological issues, please contact Wade T. Tharp at (317) 232-1650 or wtharp1@dnr.IN.gov. Questions about buildings or structures should be directed to John Carr at (317) 233-1949 or jcarr@dnr.IN.gov. In all future correspondence regarding the above indicated project, please refer to DHPA No. 11616 (not to 20110838, which we mistakenly gave as the DHPA No. in our initial, May 26, 2011 comment letter on this project).

Very truly yours,

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

JAG:JLC:jlc

cc: Kyle Boot, Bernardin, Lochmueller & Associates, Inc.

emc: Michelle Allen, Federal Highway Administration, Indiana Division
Patrick Carpenter, Indiana Department of Transportation
Shaun Miller, Indiana Department of Transportation
Mary Kennedy, Indiana Department of Transportation
Melany Prather, Indiana Department of Transportation
Kyle Boot, Bernardin, Lochmueller & Associates, Inc.

FEDERAL HIGHWAY ADMINISTRATION'S
SECTION 4(F) COMPLIANCE REQUIREMENTS (for historic properties) AND
SECTION 106 FINDINGS AND DETERMINATIONS
AREA OF POTENTIAL EFFECT
ELIGIBILITY DETERMINATIONS
EFFECT FINDING
Bridge Project along SR 9
Over the Flat Rock River
Washington Township, Shelby County, Indiana
DES. NO. 0100327
FEDERAL PROJECT NO.

AREA OF POTENTIAL EFFECT
(Pursuant to 36 CFR Section 800.4(a)(1))

The above referenced Bridge Project is located on SR 9 over the Flat Rock River, approximately 8.8 miles south of SR 44 and 2.4 miles north of Norristown in Washington Township of Shelby County, Indiana. The project's Area of Potential Effect takes into account the physical and visual impacts of the project, and it is comprised primarily of residential and agricultural land with heavy wooded areas on the east and west sides of the structure *(see Appendix B)*.

ELIGIBILITY DETERMINATIONS
(Pursuant to 36 CFR 800.4(c)(2))

The subject Parker Steel Thru Truss *Bridge #009-73-1994B (NBI # 2410),* which was built in 1940, was automatically included in the *Indiana Historic Bridge Inventory* because it was previously determined through the Section 106 process to be eligible for listing in the National Register of Historic Places under Criterion C for its engineering significance. It has, however, been classified as a Non-Select bridge in this inventory. Non-Select bridges are those bridges, which are not considered excellent examples of a given type of historic bridge or are not suitable candidates for preservation.
A portion of the *Cave Mill Archaeological Site 12Sh349,* comprising of a historic scatter associated with the remains of a grist mill, was located within the project area. It was determined that although this portion of the site does not warrant preservation in place, the valuable information the site has yielded, makes it potentially eligible for inclusion in the National Register of Historic Places under Criterion D.

EFFECT FINDING

Both the recommended Alternatives 5 & 6 for this project call for the removal of the Parker Steel Thru Truss *Bridge #009-73-1994B (NBI # 2410)* from its present location and the construction of a replacement bridge designed to meet current design standards of a (3R) Rural Minor Arterial. Per Alternative 5, the Parker Steel Thru Truss *Bridge #009-73-1994B (NBI # 2410)* may be rehabilitated at another location for another use if another party besides INDOT comes forward to take responsibility for the bridge by the time of or at the public hearing. If a responsible party does not step forward to assume responsibility of the bridge, per Alternative 5, then Alternative 6, which calls for the demolition of the bridge, would be the preferred alternative.

The portion of the *Cave Mill Archaeological Site 12Sh349*A, located within the project's proposed R/W, was subjected to archaeological excavations, which yielded a significant number of historic and a few prehistoric artifacts. The removal of the artifacts from their original location during Phase II archaeological testing essentially destroyed that portion of the site. There is little potential for the unexamined portion of the site within the current project area to yield any additional information. It has also been determined through Section 106 consultation that the portion of the site within the existing and proposed R/W does not warrant preservation in place.

According to CFR 800.5(a)(1), the criteria of adverse effect applies to this bridge project because the undertaking will alter, directly or indirectly, characteristics of the Parker Steel Thru Truss *Bridge #009-73-1994B (NBI # 2410)* and the *Cave Mill Archaeological Site 12Sh349*A that qualify these resources for inclusion in the National Register of Historic Places in a manner that would diminish their integrity of location, design, setting, materials, workmanship, feeling, or association.

SECTION 4(F) COMPLIANCE REQUIREMENTS (for historic properties)

Bridge #009-73-1994B (NBI # 2410) -- This resource is used for transportation purposes. This undertaking will have an "Adverse effect" on Bridge #009-73-1994B (NBI # 2410), a Section 4(f) historic property; the FHWA has determined the appropriate Section 106 finding is "Adverse Effect"; and therefore a Section 4(f) evaluation must be completed for Bridge #009-73-1994B (NBI # 2410). FHWA respectfully requests the Indiana State Historic Preservation Officer provide written concurrence with the Section 106 determination of "Adverse Effect."

*Cave Mill Archaeological Site 12Sh349*A -- Mitigation for impacts on the Cave Mill Archaeological Site 12Sh349A does not require preservation-in-place, therefore it is not a Section 4(f) resource. This undertaking will not convert a section 4(f) resource to a transportation use; the FHWA has determined the appropriate Section 106 finding is "Adverse Effect"; FHWA respectfully requests the Indiana State Historic Preservation Officer provide written concurrence with the Section 106 determination of "Adverse Effect" and the determination that the archaeological site does not warrant preservation-in-place.

Consulting parties will be provided a copy of FHWA's findings and determinations in accordance with INDOT and FHWA's Section 106 procedures. Comments will be accepted for 30 days upon receipt of the findings.

Lawrence M. Levi

Robert F. Tally, Jr., P.E.
Division Administrator

3-8-2012

Approved Date

DNR Indiana Department of Natural Resources

Mitchell E. Daniels, Jr., Governor
Robert E. Carter, Jr., Director

Division of Historic Preservation & Archaeology•402 W. Washington Street, W274 · Indianapolis, IN 46204-2739
Phone 317-232-1646•Fax 317-232-0693 · dhpa@dnr.IN.gov

April 9, 2012

Robert F. Tally, Jr., P.E.
Division Administrator
Indiana Division
Federal Highway Administration
575 North Pennsylvania Street, Room 254
Indianapolis, Indiana 46204

Federal Agency: Federal Highway Administration ("FHWA")

Re: FHWA's Adverse Effect finding, with supporting documentation, and March 8, 2012 draft memorandum of agreement for the Bridge Project along SR 9 over the Flat Rock River, Washington Township, Shelby County, Indiana (Des. No. 0100327; DHPA No. 2829)

Dear Mr. Tally:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f), 36 C.F.R. Part 800, the "Programmatic Agreement . . . Regarding the Implementation of the Federal Aid Highway Program In the State of Indiana" ("Minor Projects PA") and the "Programmatic Agreement . . . Regarding Management and Preservation of Indiana's Historic Bridges" ("Historic Bridge PA"), the staff of the Indiana State Historic Preservation Officer ("Indiana SHPO") has reviewed the materials submitted with the Indiana Department of Transportation's letter dated March 8, 2012 and received on March 12, and the signed Adverse Effect finding dated March 8, 2012 and received on April 3, for the aforementioned project in Shelby County, Indiana.

We concur with FHWA's March 8, 2012 Section 106 finding of Adverse Effect for the Bridge Project along SR 9 over the Flat Rock River.

We also concur, for the purposes of Section 4(f) of the Department of Transportation Act, that this project's effect on the historic, 1940 SR 9 Parker through truss bridge (Bridge # 009-73-1994B; NBI # 2410) will be adverse.

We concur, further, for the purposes of Section 4(f) of the Department of Transportation Act, that this project's effect on Cave Mill Archaeological Site 12Sh349 will be adverse. We also concur that the portion of Cave Mill Archaeological Site 12Sh349A, within the proposed project area, does not warrant preservation in place.

It appears that sufficient archaeological investigations were completed within the proposed project area, and within the portion of Cave Mill Archaeological Site 12Sh349A within the proposed project area, and no further archaeological investigations appear necessary in these areas. However, the portions of archaeological site 12Sh349 that lie outside of the proposed project area must either be avoided by all project activities, or subjected to further archaeological investigations. This area should be clearly marked so that it is avoided by all project activities. If avoidance is not feasible, a plan for subsurface investigations must be submitted to the Division of Historic Preservation and Archaeology ("DHPA") for review and comment prior to further field investigations. Further archaeological investigations must be conducted in accordance with the "Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation" (48 F.R. 44716).

Given that the replacement of Bridge # 009-73-1994B is governed by the Historic Bridge PA, we agree that it is not necessary to include mitigation for the replacement in the proposed memorandum of agreement ("MOA"). We also agree with INDOT's proposal to take digital photographs of the bridge, ask the Indiana State Library to incorporate them into its online Indiana Memory Project collection, and provide the Indiana SHPO with a compact disc or digital video disc of the photographs.

In regard to archaeology, we do have some questions and comments concerning the draft memorandum of agreement. Regarding Stipulation I.A., if no further archaeological investigations are necessary in the portion of archaeological site 12Sh349 that was subjected to Phase II archaeological investigations (termed 12Sh349A), and the rest of the site will be avoided, why is it stated that Phase III archaeological data recovery will occur? Or, is this stipulation in case further tem-

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porary or other right-or-way may become necessary in the rest of site 12Sh349? Please clarify. Also, does this stipulation need to clarify that the portion of 12Sh349 within the proposed right-of-way that was investigated was termed 12Sh349A in the effect finding? In Stipulation I.G., there is a typographical error in the first line after the phrase "100 feet . . ." where the letter "f" occurs. Under Stipulation III, we suggest including 312 IAC 22 into the last sentence, as it refers to discoveries of human remains.

If any archaeological artifacts, features, or human remains are uncovered during construction, state law (Indiana Code 14-21-1-27 & 29) requires that the discovery must be reported to the Department of Natural Resources within two (2) business days. In that event, please call (317) 232-1646.

If you have questions about archaeological issues, please contact Dr. Rick Jones at (317) 233-0953 or rjones@dnr.IN.gov. Questions about the bridge or other structures or buildings should be directed to John Carr at (317) 233-1949 or jcarr@dnr.IN.gov. In all future correspondence regarding this project, please continue to refer to DHPA No. 2829.

Very truly yours,

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

JAG:JLC:JRJ:jj

cc: Staffan Peterson, Ph.D., Cultural Resources Office, Environmental Services, Indiana Department of Transportation

emc: Lawrence Heil, P.E., Indiana Division, Federal Highway Administration
Staffan Peterson, Ph.D., Cultural Resources Office, Environmental Services, Indiana Department of Transportation
Anuradha Kumar, Cultural Resources Office, Environmental Services, Indiana Department of Transportation
C. David Moffat, Cultural Resources Office, Environmental Services, Indiana Department of Transportation
Mary Kennedy, Cultural Resources Office, Environmental Services, Indiana Department of Transportation
Shaun Miller, Cultural Resources Office, Environmental Services, Indiana Department of Transportation
Melany Prather, Environmental Services, Indiana Department of Transportation

Indiana Department of Transportation

County Shelby Route SR 9 Des. No. 0100327 Project No. N/A

FHWA-Indiana Environmental Document

CATEGORICAL EXCLUSION / ENVIRONMENTAL ASSESSMENT FORM

GENERAL PROJECT INFORMATION

Road No./County:	**SR 9 / Shelby County**
Designation Number:	**0100327**
Project Description/Termini:	**SR 9 Bridge Project over Flat Rock River (Bridge # 009-73-01994B), located approximately 8.82 Miles South of SR 44, in Shelby County, Indiana**

After completing this form, I conclude that this project qualifies for the following type of Categorical Exclusion (FHWA must review/approve if Level 4 CE):

	Categorical Exclusion, Level 2 – The proposed action meets the criteria for Categorical Exclusion Manual Level 2 - table 1, CE Level Thresholds. Required Signatories: ESM (Environmental Scoping Manager).
	Categorical Exclusion, Level 3 – The proposed action meets the criteria for Categorical Exclusion Manual Level 3 - table 1, CE Level Thresholds. Required Signatories: ESM, ES (Environmental Services).
X	**Categorical Exclusion, Level 4** – The proposed action meets the criteria for Categorical Exclusion Manual Level 4 - table 1, CE Level Thresholds. Required Signatories: ESM, ES, FHWA.
	Environmental Assessment (EA) – EAs require a separate FONSI. Additional research and documentation is necessary to determine the effects on the environment. Required Signatories: ES, FHWA.

Note: For documents prepared by or for Environmental Services, it is not necessary for the ESM of the district in which the project is located to release for public involvement or sign for approval.

Approval _____ _____ _____ _____

ESM Signature Date ES Signature Date

_____ _____

FHWA Signature Date

Release for Public Involvement KS 4-12-12

ESM Initials Date

BJ2 4-10-12

ES Initials Date

Certification of Public Involvement Mary Wright 6/18/12

EXAMINER Manager, Public Hearings Signature Date

Note: Do not approve until after Section 106 public involvement and all other environmental requirements have been satisfied.

Reviewer Signature _____ Date _____

Name and organization of CE/EA Preparer: Aaron C. Lawson – INDOT Greenfield District

DNR Indiana Department of Natural Resources

Mitchell E. Daniels, Jr., Governor
Robert E. Carter, Jr., Director

Division of Historic Preservation & Archaeology • 402 W. Washington Street, W274 • Indianapolis, IN 46204-2739
Phone 317-232-1646 • Fax 317-232-0693 • dhpa@dnr.IN.gov

November 16, 2011

Staffan D. Peterson, Ph.D.
Manager, Cultural Resources Office
Environmental Services Division
Indiana Department of Transportation
100 North Senate Avenue, Room N642
Indianapolis, Indiana 46204

State Agency: Indiana Department of Transportation

Re: Project information regarding emergency repair work on Bridge No. 46-11-01316B (NBI No. 17050) on SR 46 over the Eel River (Des. No. 1173575; DHPA 12677)

Dear Dr. Peterson:

Pursuant to Indiana Code 14-21-1-18 and 312 IAC 20-4, the Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology ("DHPA") has conducted a review of the materials dated and received by the DHPA on November 16, 2011, for the above indicated project 0.45 miles west of the community of Bowling Green, Washington Township, Clay County, Indiana.

Thank you for your submission for the above indicated project. We concur with INDOT's assessment that "there are no archaeological concerns because this emergency work will be restricted to the bridge structure." Furthermore, although the project area is the SR 46 bridge (Bridge No. 046-11-01316A; NBI No.17050) over Eel River, which is eligible for inclusion in the National Register of Historic Places, based on what we currently know, there will be no adverse impact on any known historic site or historic structure that is state owned. Therefore, under Subsection 11(c) of 312 IAC 20-4, a certificate of approval will not be necessary from the Indiana Historic Preservation Review Board for this project.

Pursuant to 312 IAC 20-4-11(g), within fifteen (15) days after this determination, an interested person may request a member of the review board to provide public hearing and review under 312 IAC 2-3. The designated member shall issue a determination whether an application for a certificate of approval must be filed. If the designated member determines an application must be filed, the division shall place the completed application on the agenda of the review board's next meeting. If the designated member determines that an application for a certificate is not required, the division director's letter of clearance is affirmed. A determination under this subsection is not effective until the later of the following:

(1) fifteen (15) days after issuance of the determination; or
(2) the day resulting from a notice given under 312 IAC 2-3-7(d).

If any archaeological artifacts, features, or human remains are uncovered during construction, state law (Indiana Code 14-21-1-27 & 29) requires that the discovery must be reported to the Department of Natural Resources within two (2) business days. In that event, please call (317) 232-1646.

If you have any further questions regarding this determination, please contact the DHPA. Questions about archaeological issues should be directed to Dr. Rick Jones at (317) 233-0953 or rjones@dnr.IN.gov. Questions about historic buildings or structures pertaining to this project should be directed to Toni Lynn giffin at (317) 233-9636 or tgiffin@dnr.IN.gov. Additionally, in all future correspondence regarding the above indicated project, please refer to DHPA No. 12677.

Very truly yours,

James A. Glass, PhD
Director, Division of Historic Preservation & Archaeology
Indiana Department of Natural Resources

JAG:TLG:tlg

emc: Staffan D. Peterson, Ph.D., Indiana Department of Transportation
Mary Kennedy, Indiana Department of Transportation
Shaun Miller, Indiana Department of Transportation
Melany Prather, Indiana Department of Transportation
Tommy Kleckner, Western Regional Office, Indiana Landmarks
Evelyn Brown, Preservation Association of Clay County
Jeffrey Koehler, Clay County Historian

FEDERAL HIGHWAY ADMINISTRATION'S
SECTION 4(F) COMPLIANCE REQUIREMENTS (for historic properties) AND
SECTION 106 FINDINGS AND DETERMINATIONS
AREA OF POTENTIAL EFFECT
ELIGIBILITY DETERMINATIONS
EFFECT FINDING
REPLACEMENT OF MARION COUNTY BRIDGE NO. 1615F
LOCATED IN INDIANAPOLIS, WAYNE TOWNSHIP, MARION COUNTY, INDIANA
DES. NO.: 1173064
FEDERAL PROJECT NO.: Not yet assigned

AREA OF POTENTIAL EFFECT
(Pursuant to 36 CFR Section 800.4(a)(1))

The Area of Potential Effect (APE) encompasses Lafayette Road, from 581 ft north of the intersection of West 34th Street to 1,463 ft south of the center of Marion County Bridge No. 1615F, for a total length of 3,330 ft, and a maximum width of 704 ft north and east and 516 ft south and west of the centerline of Lafayette Road.

ELIGIBILITY DETERMINATIONS
(Pursuant to 36 CFR 800.4(c)(2))

Marion County Bridge No. 1615F is located .36 mile north of West 30th Street, on Lafayette Road over the CSX Railroad, in the city of Indianapolis, Wayne Township, Marion County, Indiana. The bridge is an approximately 329-ft long, five-span reinforced concrete bridge built in 1962. The Indiana Historic Bridges Inventory, sponsored by INDOT, has listed the Lafayette Road Bridge over the CSX railroad tracks (Marion County Bridge No. 1615F) as eligible for the NRHP under Criterion C, for representing a significant innovation in bridge engineering. The bridge has an exceptional length for a bridge of its type, and it has been built at a 53-degree skew.

EFFECT FINDING

Marion County Bridge No. 1615F: Adverse Effect

The Indiana Department of Transportation (INDOT), acting on the Federal Highway Administration's (FHWA) behalf, has determined that an Adverse Effect finding is appropriate for this undertaking.

SECTION 4(F) COMPLIANCE REQUIREMENTS (for historic properties)

Marion County Bridge No. 1615F is used for transportation purposes. The FHWA has determined the appropriate Section 106 finding is Adverse Effect, and therefore a Section 4(f) evaluation must be completed for Marion County Bridge No. 1615F. FHWA respectfully requests the Indiana State Historic Preservation Officer provide written concurrence with the Section 106 determination of Adverse Effect.

Robert F. Tally, Jr., P.E.
Administrator
FHWA-IN Division

2-27-2012

Approved Date

DNR Indiana Department of Natural Resources

Mitchell E. Daniels, Jr., Governor
Robert E. Carter, Jr., Director

Division of Historic Preservation & Archaeology·402 W. Washington Street, W274·Indianapolis, IN 46204-2739
Phone 317-232-1646·Fax 317-232-0693·dhpa@dnr.IN.gov

March 26, 2012

Robert F. Tally, Jr., P.E.
Administrator, Indiana Division
Federal Highway Administration
575 North Pennsylvania Street, Room 254
Indianapolis, Indiana 46204

Federal Agency: Federal Highway Administration ("FHWA")

Re: Notification of Federal Highway Administration's finding of "adverse effect" and 800.11 documentation regarding the replacement of Bridge No. 1615F carrying Lafayette Road over CSX Rail Line (Designation Nos. 1173064; DHPA No. 11176)

Dear Mr. Tally:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f), 36 C.F.R. Part 800, and the "Programmatic Agreement Among the Federal Highway Administration, the Indiana Department of Transportation, the Advisory Council on Historic Preservation and the Indiana State Historic Preservation Officer Regarding the Implementation of the Federal Aid Highway Program in the State of Indiana," and the "Programmatic Agreement ...Regarding the Management and Preservation of Indiana's Historic Bridges," the staff of the Indiana State Historic Preservation Officer has reviewed the materials with ASC Group Inc.'s cover letter dated February 27, 2012 and received on February 29, 2012 for the aforementioned project in Indianapolis, Wayne Township, Marion County, Indiana.

We concur with FHWA's finding, for Section 106 purposes, of Adverse Effect for this undertaking. We also concur, for the purposes of Section 4(f) of the Department of Transportation Act, with FHWA's finding of Adverse Effect for this undertaking's effect on Marion County Bridge No. 1615F, which is eligible for inclusion in the National Register of Historic Places.

If any archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and 29) requires that the discovery must be reported to the Department of Natural Resources within two (2) business days. In that event, please call (317) 232-1646. Be advised that adherence to Indiana Code 14-21-1-27 and 29 does not obviate the need to adhere to applicable federal statutes and regulations.

If you have questions about archaeological issues please contact Wade T. Tharp at (317) 232-1650 or wtharp1@dnr.IN.gov. If you have questions about buildings or structures please contact Chad W. Slider (317) 234-5366 or cslider@dnr.IN.gov. Additionally, in all future correspondence regarding the above indicated project, please refer to DHPA No. 11176.

Very truly yours,

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

JAG:CWS:cws

emc: Staffan D. Peterson, Ph.D., Indiana Department of Transportation
Mary Kennedy, Indiana Department of Transportation
Shaun Miller, Indiana Department of Transportation
Melany Prather, Indiana Department of Transportation
Luella Beth Hillen, ASC Group, Inc. - bhillen@ascgroup.net
James A. Snyder, ASC Group, Inc

FEDERAL HIGHWAY ADMINISTRATION'S
SECTION 4(f) COMPLIANCE REQUIREMENTS (for historic properties) AND
SECTION 106 FINDINGS AND DETERMINATIONS
AREA OF POTENTIAL EFFECT
ELIGIBILITY DETERMINATIONS
EFFECT FINDING
US 50 Bridge and Roadway Project – Scope Undetermined
LAWRENCEBURG, DEARBORN COUNTY, INDIANA
DES NUMBERS: 0400285 & 0800029

AREA OF POTENTIAL EFFECTS
(Pursuant to 36 CFR Section 800.4(a)(1))

The APE for this project encompasses properties adjacent to the proposed project, expanding in places where noise or view sheds are greater; in some areas, changes in elevation, vegetation, and the presence of structures that obstruct views have resulted in the APE being restricted: to the north, the APE extends to encompass the edge of the Joseph E. Seagrams & Sons Distillery Complex; the tall buildings are readily visible from portions of the construction limits. Although the levy blocks views from the bridge itself looking east, the portion of the proposed approach work east of the levy is visible one property deep, including views from beneath the new westbound bridge. To the south and west, vegetation largely obscures the view, except for the tall structures associated with the sewage treatment plant; however, the APE has been expanded to encompass the open space in anticipation that viewsheds may be larger during the winter when leaves have fallen. To the northwest, the strip mall blocks views of properties located on the north side of Doughty Road; properties higher on the hillside are not visible due to heavy vegetation. The western APE limits end where the curvature of the road cuts off viewsheds.

ELIGIBILITY DETERMINATIONS
(Pursuant to 36 CFR 800.4(c)(2))

The APE for the proposed project contains three historic properties considered eligible for listing in the National Register of Historic Places (NRHP): Bridge No. 050-15-00210A (Criterion A, Joseph E. Seagrams & Sons Distillery Complex (Criterion A), and Newtown Historic District (Criteria A and C).

EFFECT FINDING
(Pursuant to 36 CFR 800.4(d)(1))

There are three historic properties eligible for the NRHP within the APE for this undertaking.

1. Bridge No. 050-15-00210A – "Adverse Effect"
2. Joseph E. Seagrams & Sons Distillery Complex – "No Adverse Effect"
3. Newtown Historic District – "No Adverse Effect"

The Federal Highway Administration (FHWA) has determined an "Adverse Effect" finding is appropriate for this undertaking.

SECTION 4(f) COMPLIANCE REQUIREMENTS (for historic properties)

1. Bridge No. 050-15-00210A: This resource is used for transportation purposes. This undertaking will have an "Adverse Effect" on Bridge No. 050-15-00210A, a Section 4(f) historic property. The FHWA has determined the appropriate Section 106 finding is "Adverse Effect" and therefore a Section 4(f) evaluation must be completed for INDOT Bridge No. 050-15-00210A. FHWA respectfully requests that the Indiana State Historic Preservation Officer provide written concurrence with FHWA's Section 106 determination of "Adverse Effect."
2. Joseph E. Seagrams & Sons Distillery Complex: This undertaking will not convert property from the Joseph E. Seagrams & Sons Distillery Complex, a Section 4(f) historic property, to a transportation use. The FHWA has determined the appropriate Section 106 finding is "No Adverse Effect;" therefore, no Section 4(f) evaluation is required for the Joseph E. Seagrams & Sons Distillery Complex. FHWA respectfully requests that the Indiana SHPO provide written concurrence with FHWA's Section 106 determination of "No Adverse Effect."
3. Newtown Historic District: This undertaking will not convert property from the Newtown Historic District, a Section 4(f) historic property, to a transportation use. The FHWA has determined the appropriate Section 106 finding is "No Adverse Effect;" therefore, no Section 4(f) evaluation is required for the Newtown Historic District. FHWA respectfully requests that the Indiana SHPO provide written concurrence with FHWA's Section 106 determination of "No Adverse Effect."

Consulting Parties will be provided a copy of FHWA's findings and determinations in accordance with FHWA's Section 106 procedures. Comments will be accepted for 30 days upon receipt of the findings.

Michelle Allen

Robert F. Tally, Jr.
Administrator, Indiana Division
Federal Highway Administration

Feb. 22, 2012

Approval Date

Division of Historic Preservation & Archaeology·402 W. Washington Street, W274·Indianapolis, IN 46204-2739
Phone 317-232-1646·Fax 317-232-0693·dhpa@dnr.IN.gov

HISTORIC PRESERVATION AND ARCHAEOLOGY

March 23, 2012

Robert F. Tally, Jr., P.E.
Administrator, Indiana Division
Federal Highway Administration
575 North Pennsylvania Street, Room 254
Indianapolis, Indiana 46204

Federal Agency: Federal Highway Administration ("FHWA")

Re: Notification of the Federal Highway Administration's finding of "adverse effect" and 800.11(e) documentation concerning the US 50 Bridge and roadway project -scope undetermined- (Designation Nos. 0400285 and 0800029; DHPA No. 12066)

Dear Mr. Tally:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f), 36 C.F.R. Part 800, and the "Programmatic Agreement Among the Federal Highway Administration, the Indiana Department of Transportation, the Advisory Council on Historic Preservation and the Indiana State Historic Preservation Officer Regarding the Implementation of the Federal Aid Highway Program in the State of Indiana," the staff of the Indiana State Historic Preservation Officer has reviewed the materials with Bernardin, Lochmueller & Associates' cover letter dated February 23, 2012 and received on February 24, 2012 for the aforementioned project in Lawrenceburg Township, Dearborn County, Indiana.

We concur with FHWA's finding, for Section 106 purposes, of Adverse Effect for this undertaking. We also concur, for the purposes of Section 4(f) of the Department of Transportation Act, with FHWA's finding of Adverse Effect for this undertaking's effect on US 50 Bridge (Bridge No. 050-15-00210A), finding of No Adverse Effect on Joseph E. Seagrams & Sons Distillery Complex (IHSSI Site #029-347-34522), and finding of No Adverse Effect on Newtown Historic District; all of which are eligible for inclusion in the National Register of Historic Places.

If any archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and 29) requires that the discovery must be reported to the Department of Natural Resources within two (2) business days. In that event, please call (317) 232-1646. Be advised that adherence to Indiana Code 14-21-1-27 and 29 does not obviate the need to adhere to applicable federal statutes and regulations.

If you have questions about archaeological issues please contact Wade T. Tharp at (317) 232-1650 or wtharp1@dnr.IN.gov. If you have questions about buildings or structures please contact Chad W. Slider (317) 234-5366 or cslider@dnr.IN.gov. Additionally, in all future correspondence regarding the above indicated project, please refer to DHPA No. 12066.

Very truly yours,

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

JAG:WTT:CWS:cws

emc: Staffan D. Peterson, Ph.D., Indiana Department of Transportation
Mary Kennedy, Indiana Department of Transportation
Shaun Miller, Indiana Department of Transportation
Melany Prather, Indiana Department of Transportation
Shannon Hill, Bernardin, Lochmueller, and Associates, Inc.

FEDERAL HIGHWAY ADMINISTRATION'S
SECTION 4(f) COMPLIANCE REUIREMENTS (for historic properties)
AND SECTION 106 FINDINGS AND DETERMINATIONS
AREA OF POTENTIAL EFFECT
ELIGIBILITY DETERMINATIONS
EFFECT FINDING
REPLACEMENT OF FOUNTAIN COUNTY BRIDGE 97 (NBI No. 2300075)
CARRYING COUNTY ROAD 500 EAST OVER NORTH FORK OF COAL CREEK
RICHLAND TOWNSHIP, FOUNTAIN COUNTY, INDIANA
DES. NO.: 1005669
FEDERAL PROJECT NO.:

AREA OF POTENTIAL EFFECTS
(Pursuant to 36 CFR Section 800.4(a)(1))

The Area of Potential Effects (APE) includes the existing and proposed right-of-way, immediately adjacent properties and those areas where a visual differentiation may occur between the existing structure and the project area (see Appendix page A3 for APE map).

ELIGIBILITY DETERMINATIONS
(Pursuant to 36 CFR 800.4(c)(2))

The following properties are located within the APE and are eligible for inclusion in the National Register of Historic Places:

- Fountain County Bridge 97 (NBI No.: 2300075; Site #045-399-20023): eligible under Criterion C as it represents an early or distinctive phase in bridge construction, design or engineering and it retains the historic integrity necessary to convey its engineering significance. Additionally, it represents a variation, evolution or transition that is conveyed through important features or innovations related to bridge construction, design, or engineering, and it retains historic integrity necessary to convey its engineering significance.

No other structures, sites, districts or archaeological resources that are listed in or eligible for inclusion in the National Register of Historic Places (NRHP) are located within the APE.

EFFECT FINDING

Fountain County Bridge 97 (NBI No.: 2300075; Site #045-399-20023)
"Adverse Effect"

The FHWA has determined an "Adverse Effect" finding is appropriate for this undertaking.

SECTION 4(f) COMPLIANCE REQUIREMENTS

Fountain County Bridge 97 (NBI No.: 2300075; Site #045-399-20023) – This resource is used for transportation purposes. This undertaking will have an "Adverse effect" on Fountain County Bridge 97, a Section 4(f) historic property; the FHWA has determined the appropriate Section 106 finding is "Adverse Effect"; and therefore a Section 4(f) evaluation must be completed for Fountain County Bridge 97. FHWA respectfully requests the Indiana State Historic Preservation Officer provide written concurrence with the Section 106 determination of "Adverse Effect".

Lawrence M. Heil

Robert F. Tally, Jr., P.E.
FHWA Division Administrator

3-13-2012

Approved Date

Division of Historic Preservation & Archaeology·402 W. Washington Street, W274·Indianapolis, IN 46204-2739
Phone 317-232-1646·Fax 317-232-0693·dhpa@dnr.IN.gov

April 17, 2012

Robert F. Tally, Jr., P.E.
Administrator, Indiana Division
Federal Highway Administration
575 North Pennsylvania Street, Room 254
Indianapolis, Indiana 46204

Federal Agency: Federal Highway Administration ("FHWA")

Re: Notification of the Federal Highway Administration's finding of "adverse effect" and 800.11 documentation regarding replacement of Fountain County Bridge No. 97 carrying CR 500 E over the North Fork of Coal Creek (Designation Nos. 1005669; DHPA No. 11273)

Dear Mr. Tally:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f), 36 C.F.R. Part 800, and the "Programmatic Agreement Among the Federal Highway Administration, the Indiana Department of Transportation, the Advisory Council on Historic Preservation and the Indiana State Historic Preservation Officer Regarding the Implementation of the Federal Aid Highway Program in the State of Indiana," and the "Programmatic Agreement ...Regarding the Management and Preservation of Indiana's Historic Bridges," the staff of the Indiana State Historic Preservation Officer has reviewed the materials with Butler, Fairman, and Seufert, Inc.'s cover letter dated March 16, 2012 and received on March 19, 2012 for the aforementioned project in Richland Township, Fountain County, Indiana.

We concur with FHWA's finding, for Section 106 purposes, of Adverse Effect for this undertaking. We also concur, for the purposes of Section 4(f) of the Department of Transportation Act, with FHWA's finding of Adverse Effect for this undertaking's effect on Fountain County Bridge No. 97, which is eligible for inclusion in the National Register of Historic Places.

If any archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and 29) requires that the discovery must be reported to the Department of Natural Resources within two (2) business days. In that event, please call (317) 232-1646. Be advised that adherence to Indiana Code 14-21-1-27 and 29 does not obviate the need to adhere to applicable federal statutes and regulations.

If you have questions about archaeological issues please contact Wade T. Tharp at (317) 232-1650 or wtharp1@dnr.IN.gov. If you have questions about buildings or structures please contact Ashley Thomas (317) 234-7034 or asthomas@dnr.IN.gov. Additionally, in all future correspondence regarding the above indicated project, please refer to DHPA No. 11273.

Very truly yours,

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

JAG:ADT:WTT:wt

emc: Staffan D. Peterson, Ph.D., Indiana Department of Transportation
Mary Kennedy, Indiana Department of Transportation
Shaun Miller, Indiana Department of Transportation
Melany Prather, Indiana Department of Transportation
Kristi D. Hamilton, Butler, Fairman, and Seufert, Inc.

Indiana Department of Transportation

County Fountain Route CR 500 E Des. No. 1005669 Project No. 1005669

FHWA-Indiana Environmental Document

CATEGORICAL EXCLUSION / ENVIRONMENTAL ASSESSMENT FORM

GENERAL PROJECT INFORMATION

Road No./County:	**CR 500 E / Fountain**
Designation Number:	**1005669**
Project Description/Termini:	**Bridge Project, Fountain County Bridge 97 carrying CR 500 E over North Fork of Coal Creek / Approximately 695 feet south and north of the structure**

After completing this form, I conclude that this project qualifies for the following type of Categorical Exclusion (FHWA must review/approve if Level 4 CE):

	Categorical Exclusion, Level 2 – The proposed action meets the criteria for Categorical Exclusion Manual Level 2 - table 1, CE Level Thresholds. Required Signatories: ESM (Environmental Scoping Manager).
	Categorical Exclusion, Level 3 – The proposed action meets the criteria for Categorical Exclusion Manual Level 3 - table 1, CE Level Thresholds. Required Signatories: ESM, ES (Environmental Services).
X	**Categorical Exclusion, Level 4** – The proposed action meets the criteria for Categorical Exclusion Manual Level 4 - table 1, CE Level Thresholds. Required Signatories: ESM, ES, FHWA.
	Environmental Assessment (EA) – EAs require a separate FONSI. Additional research and documentation is necessary to determine the effects on the environment. Required Signatories: ES, FHWA.

Note: For documents prepared by or for Environmental Services, it is not necessary for the ESM of the district in which the project is located to release for public involvement or sign for approval.

Approval _____ _____ _____ _____
ESM Signature Date ES Signature Date

_____ _____
FHWA Signature Date

Release for Public Involvement MLE 10/19/2012
ESM Initials Date

KBM 22OCT12
ES Initials Date

Certification of Public Involvement Mary L Wright 12/31/12
EXAMINER ~~Manager~~ Public Hearings Signature Date

Note: Do not approve until after Section 106 public involvement and all other environmental requirements have been satisfied.

Reviewer Signature _____ Date _____

Name and organization of CE/EA Preparer: Kristi Hamilton/Butler, Fairman & Seufert, Inc.

FEDERAL HIGHWAY ADMINISTRATION'S
SECTION 4(f) COMPLIANCE REQUIREMENTS (for historic properties) AND
SECTION 106 FINDINGS AND DETERMINATIONS
AREA OF POTENTIAL EFFECT
ELIGIBILITY DETERMINATIONS
EFFECT FINDING
Jackson County Bridge 3195 over Muscatatuck River
NBI Number 3600130
JACKSON COUNTY, INDIANA
DES NUMBER: 1005701

AREA OF POTENTIAL EFFECTS
(Pursuant to 36 CFR Section 800.4(a)(1))

The Area of Potential Effects (APE) for the Jackson County Bridge #195 Project over Muscatatuck River includes the subject bridge and areas directly adjacent to the proposed project limits; the APE expands and contracts depending on potential viewsheds of the project limits, taking into account topography and foliage.

ELIGIBILITY DETERMINATIONS
(Pursuant to 36 CFR 800.4(c)(2))

The APE for the proposed project contains one historic property listed in the National Register of Historic Places (NRHP) under Criteria A and C: Jackson County Bridge #195 (Cavanaugh Bridge; NBI Number 3600130).

EFFECT FINDING
(Pursuant to 36 CFR 800.4(d)(1))

There is one historic property listed the NRHP within the APE for this undertaking.

1. Jackson County Bridge #195 (Cavanaugh Bridge; NBI Number 3600130) – "Adverse Effect"

The Federal Highway Administration (FHWA) has determined an "Adverse Effect" finding is appropriate for this undertaking.

SECTION 4(f) COMPLIANCE REQUIREMENTS (for historic properties)

Jackson County Bridge #195 (Cavanaugh Bridge; NBI Number 3600130): This resource is used for transportation purposes. This undertaking will have an "Adverse Effect" on Jackson County Bridge #195, a Section 4(f) historic property. The FHWA has determined the appropriate Section 106 finding is "Adverse Effect" and therefore a Section 4(f) evaluation must be completed for Jackson County Bridge #195. FHWA respectfully requests that the Indiana State Historic

Preservation Officer provide written concurrence with FHWA's Section 106 determination of "Adverse Effect."

Consulting Parties will be provided a copy of FHWA's findings and determinations in accordance with FHWA's Section 106 procedures. Comments will be accepted for 30 days upon receipt of the findings.

Michelle Allen

for Robert F. Tally, Jr.
Administrator, Indiana Division
Federal Highway Administration

8.15.12

Approval Date

DNR Indiana Department of Natural Resources

Mitchell E. Daniels, Jr., Governor
Robert E. Carter, Jr., Director

Division of Historic Preservation & Archaeology•402 W. Washington Street, W274 · Indianapolis, IN 46204-2739
Phone 317-232-1646•Fax 317-232-0693 · dhpa@dnr.IN.gov

October 1, 2012

Richard J. Marquis
Acting Division Administrator
Federal Highway Administration, Indiana Division
575 North Pennsylvania Street, Room 254
Indianapolis, Indiana 46204

Federal Agency: Federal Highway Administration ("FHWA")

Re: FHWA's finding of Adverse Effect, with supporting documentation, for the replacement of Jackson County Bridge #195 (Cavanaugh Bridge) on CR 550 West over the Muscatatuck River (Des. No. 1005701; DHPA No.12665)

Dear Mr. Marquis:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f), 36 C.F.R. Part 800, the "Programmatic Agreement . . . Regarding the Implementation of the Federal Aid Highway Program In the State of Indiana" ("Minor Projects PA") and the "Programmatic Agreement . . . Regarding Management and Preservation of Indiana's Historic Bridges" ("Historic Bridges PA"), the staff of the Indiana State Historic Preservation Officer has reviewed the materials under DLZ Indiana's cover letter dated August 29, 2012 and received on August 30, for the aforementioned project in Driftwood Township, Jackson County and Jefferson Township, Washington County, Indiana.

Bridge #195 was constructed ca. 1899 by the Lafayette Bridge Company, a prominent Indiana bridge builder of that era. It is our understanding that the greatest causes of Bridge #195's deficiencies are rust and section loss. Rehabilitation of this single-span bridge for vehicular use—including replacement of 90% of the original steel truss members with new steel members—has been estimated to cost $1,550,000, whereas the preferred alternative (replacement, on a new alignment, and demolition of this bridge that is currently on a low-volume road) is anticipated to cost $2,690,000.

Inasmuch as Jackson County Bridge #195 is the only historic property that has been identified within the area of potential effects, we concur with FHWA's August 15, 2012, Section 106 finding of Adverse Effect for this project.

We also concur, for the purposes of Section 4(f) of the Department of Transportation Act, that historic Bridge #195 will be adversely affected by this project.

If any archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and -29) requires that the discovery be reported to the Department of Natural Resources within two (2) business days. In that event, please call (317) 232-1646. Be advised that adherence to Indiana Code 14-21-1--27 and -29 does not obviate the need to adhere to applicable federal statutes and regulations.

Because Bridge #195 was constructed by a bridge builder holding a prominent place in Indiana history and because the bridge is listed in the National Register of Historic Places, we ask that Jackson County document Bridge #195 photographically, as authorized by the Historic Bridges PA, Attachment B, Standard Treatment Approach for Historic Bridges. Enclosed is a copy of the latest version of the "Indiana DNR – Division of Historic Preservation and Archaeology Minimum Architectural Documentation Standards" (adopted July 27, 1011, with minor editorial clarifications of July 20, 2012). We ask that Jackson County follow the applicable guidance of standards 1. and 2 in producing digital images and prints of the bridge.

In addition to following the guidance in standards 1. and 2., we recommend that the photographic images include, but not be limited to, the following features: examples of pin connections, at least one of the decoratively latticed portals, at least one of the builder plates (currently removed and in safe-keeping), and the cut stone abutments.

We also ask that Jackson County provide our office with a compact disc or digital video disc of the photographs and a draft, digital photo log, well in advance of the demolition, so that we may review and approve the images before it becomes too late to re-take certain views or to take additional images, if some important views or features appear to be under-represented in the images.

Once we have approved the images, we ask that Jackson County provide us with the final, archival Gold CD-R non-rewritable or DVD-R non-rewritable containing the digital images and the digital photo log, along with a set of black and white prints on high-quality photographic grade papers, labeled as indicated in Standard 1., and complete and submit the photographic certification form, which is also enclosed. We ultimately will transmit them to the State Archives.

We request, as well, that Jackson County provide duplicates of the final version of the images and photo log on an archival Gold CD-R non-rewritable or DVD-R non-rewritable and another set of the prints on high-quality photographic grade papers, labeled as indicated in Standard 1., to an organization or institution within Jackson County—such as a public library or a not-for-profit historical or preservation society, museum, or archive—that Jackson County ascertains would be willing to retain the disc and prints on a permanent basis, for the benefit of local researchers.

If you have questions about archaeological issues, please contact Dr. Rick Jones at (317) 233-0953 or rjones@dnr.IN.gov. Questions about buildings or structures should be directed to John Carr at (317) 233-1949 or jcarr@dnr.IN.gov. In any future correspondence regarding Jackson County Bridge #195 (Cavanaugh Bridge), please refer to DHPA No. 12665.

Very truly yours,

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

JAG:JRJ:JLC:jle

Enclosures (2)

cc: Connie Zeigler, Bernardin, Lochmueller & Associates, Inc. (with enclosures)

emc: Michelle Allen, Indiana Division, Federal Highway Administration (with enclosures)
Keith Hoernschemeyer, P.E., Indiana Division, Federal Highway Administration (with enclosures)
Patrick Carpenter, Indiana Department of Transportation (with enclosures)
Mary Kennedy, Indiana Department of Transportation (with enclosures)
Shaun Miller, Indiana Department of Transportation (with enclosures)
Melany Prather, Indiana Department of Transportation (with enclosures)
Connie Zeigler, Bernardin, Lochmueller & Associates, Inc. (with enclosures)
Frank Hurdis, Jr,. Division of Historic Preservation and Archaeology, Indiana Department of Natural Resources (with enclosures)

FEDERAL HIGHWAY ADMINISTRATION'S SECTION 4(F) COMPLIANCE REQUIREMENTS (for historic properties) AND SECTION 106 FINDINGS AND DETERMINATIONS
ELIGIBILITY DETERMINATIONS
EFFECT FINDING

The Rehabilitation of The James Covered Bridge, also known as the Graham Creek Covered Bridge, which crosses Graham Creek on County Road 625 South, in Section 10, Township 5 North, and Range 8 East, just south of Vernon, Lovett Township, Jennings County.

DES. NO: 0101264

AREA OF POTENTIAL EFFECT
(Pursuant to 36 CFR Section 800.4(a)(1))

The recommended boundary of the Area of Potential Effect is in the form of a rectangle that extends approximately 300' beyond each end of the bridge. It also extends approximately 300' feet each side of the roadway centerline for a total distance of approximately 600' (See APE map, attached).

ELIGIBILITY DETERMINATIONS
(Pursuant to 36 CFR 800.4(c)(2))

The James Covered Timber Bridge is a rare example of an extant timber bridge in Jennings County. It retains adequate integrity to convey the character of a nineteenth century structure. It is eligible for the NRHP under Criterion A for its association with transportation history in the state of Indiana and Jennings County. In addition, it is eligible for the NRHP under Criterion C, because it embodies the distinctive characteristics of a Howe Truss covered timber bridge. In particular it demonstrates a high degree of integrity in the masonry work, the use of local stone and the truss system.

EFFECT FINDING

INDOT, acting on FHWA's behalf, has determined a "No Adverse Effect" finding is appropriate for this undertaking.

SECTION 4(F) COMPLIANCE REQUIREMENTS (for historic properties)

The James Covered Bridge –This resource is used for transportation purposes. This undertaking will have "No Adverse effect" on the James Covered Bridge, a Section 4(f) historic property; the FHWA has determined the appropriate Section 106 finding is "No Adverse Effect. FHWA has determined that a Section 4(f) evaluation is not required. FHWA respectfully requests the Indiana State Historic Preservation Officer provide written concurrence with the Section 106 determination of "No Adverse Effect."

Staffan Peterson, Ph.D. for FHWA
Manager
INDOT Cultural Resources

12/20/2011
Approved Date

DNR Indiana Department of Natural Resources

Mitchell E. Daniels, Jr., Governor
Robert E. Carter, Jr., Director

Division of Historic Preservation & Archaeology•402 W. Washington Street, W274 · Indianapolis, IN 46204-2739
Phone 317-232-1646•Fax 317-232-0693 · dhpa@dnr.IN.gov

January 25, 2012

Staffan Peterson, Ph.D.
Manager, Cultural Resources Office
Environmental Services
Indiana Department of Transportation
100 North Senate Avenue, Room N642
Indianapolis, Indiana 46204

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

Re: INDOT's December 20, 2011 finding of No Adverse Effect, with supporting documentation, for the rehabilitation of the James Covered Bridge, also known as the Graham Creek Covered Bridge, which crosses Graham Creek on County Road 625 South, in Section 10, Township 5 North, and Range 8 East, just south of Vernon, Lovett Township, Jennings County, as well as plans dated November 9, 2011 and a special provisions document dated December 28, 2011 (Des. No. 0101264; CTS-ER-13433; DHPA No. 4588)

Dear Dr. Peterson:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f), 36 C.F.R. Part 800, the "Programmatic Agreement . . . Regarding the Implementation of the Federal Aid Highway Program in the State of Indiana," and the "Programmatic Agreement . . . Regarding Management and Preservation of Indiana's Historic Bridges" ("Historic Bridge PA"), the staff of the Indiana State Historic Preservation Officer has reviewed the finding and documentation submitted under The Westerly Group's transmittal memorandum and cover letter, both of which were dated December 27, 2011 and were received as one submission on December 30, for the aforementioned project in Lovett Township, Jennings County, Indiana. We also have reviewed plans and special provisions for the project that were submitted under a December 28, 2011 cover letter from FPBH, Inc. and that were received on December 29. Your staff has asked us to treat the plans and special provisions as being supplementary to the documentation for the finding and to comment on both in one letter.

As previously indicated, based upon the documentation available to the staff of the Indiana SHPO, we have not identified any currently known archaeological resources listed in or eligible for inclusion in the National Register of Historic Places within the proposed project area. However, this identification is subject to the project activities remaining within areas disturbed by previous construction.

Please keep in mind this identification is subject to the project activities remaining within areas disturbed by previous construction. Additionally, if any archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and 29) requires that the discovery must be reported to the Department of Natural Resources within two (2) business days. In that event, please call (317) 232-1646. Be advised that adherence to Indiana Code 14-21-1-27 and 29 does not obviate the need to adhere to applicable federal statutes and regulations.

The summary of consulting parties views in the supporting documentation states:

> In a letter dated April 6, 2011, SHPO agreed with INDOT-CRS determination of "Adverse Effect" for the project. However, in a second review in October, which resulted in a letter, dated November 14, 2011, SHPO also recommended a finding of "no adverse effect."

Although my staff recalls that the possible effects of the project may have been discussed during the March 9, 2011 site visit, we have found no record that INDOT was proposing an Adverse Effect finding at that time or that we said anything in our April 6 letter (commenting on the March 9 site visit and on materials provided during the site visit) that suggested we believed there would be an adverse effect. On the other hand, we were copied on an October 4, 2011 e-mail from INDOT to FPBH and The Westerly Group that indicates the consultants and your office were considering an Adverse Effect finding. It is true, however, that our November 14 letter implied that we thought the effect would *not* be adverse.

We otherwise agree with the supporting documentation's characterization of the Section 106 determinations and findings for this undertaking.

The supporting documentation contains the five-sheet set of rehabilitation plans, dated August 7, 2008, which we previously had reviewed when we commented on the historic properties report, the purpose and need statement, and the alternatives analysis in our November 14 letter. That set of plans still presents no issues of concern to us.

FPBH's December 27 submission includes the more highly detailed, 20-sheet, November 9, 2011 set of plans and the 35-page, December 28, 2011 special provisions. It is unclear to us whether the other consulting parties received this submission. Having now reviewed those more recent plans and the special provisions, we continue to believe that none of the aspects of the proposed rehabilitation work will diminish the bridge's integrity (see 36 C.F.R. § 800.5[a][1]). In two places on sheet 12, there is a note saying, "(REPLACE EX. SIDING AS NOTED ON SHEET 12)," which, at first glance, appears to call for the replacement of all of the siding on the north and south faces of the bridge. However, because the detailed elevations showing which areas will require replacement, as distinguished from repair, of siding boards on the north and south faces are on found on sheet 13, we believe the intent of the notes in question on sheet 12 was to refer to the elevations on sheet 13.

Accordingly, we concur with the INDOT's December 20, 2011 finding, on behalf of the FHWA, of No Adverse Effect for the rehabilitation of the James Covered Bridge. We also concur that the proposed work on the James Covered Bridge will have no adverse effect on that historic bridge

FPBH's December 28 cover letter says, "This would be considered the final opportunity to make comments prior to producing a final design for bidding." Because we previously had seen the August 7, 2008 plans, we infer from the quoted statement that the November 9 plans and the December 28 special provisions represent 60% of design, the submission of which is prescribed in Attachment B of the Historic Bridge PA and in Appendix 1 of the April 1, 2010 "Historic Bridge PA Project Development Process."

We appreciate the care with which the December 28 special provisions have been crafted. An example of that care is found on page 3, where the following instructions on cleaning the wood, prior to borate or fire retardant treatment, are recorded:

> Removal of graffiti is desired, but do not remove the remains of original painted match-marking numbers on the tops of truss chords (if found), which have historic significance. Cleaning shall not be so aggressive that wood is removed, i.e. do not produce "fuzzy" or grained surfaces.

In our opinion, the treatments proposed in the November 9 plans and the December 28 special provisions are in keeping with the rehabilitation standards of the "Secretary of the Interior's Standards for the Treatment of Historic Properties."

If you have questions about archaeological issues, please contact Dr. Rick Jones at (317) 233-0953 or rjones@dnr.IN.gov. Questions about buildings or structures should be directed to John Carr at (317) 233-1949 or jcarr@dnr.IN.gov.

Very truly yours,

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

JAG:JRJ:JLC:jlc

cc: Steve Gill, FPBH, Inc.
Camille Fife, The Westerly Group, Inc.

emc: Michelle Allen, Indiana Division, Federal Highway Administration
Staffan Peterson, Ph.D., Indiana Department of Transportation
Patrick Carpenter, Indiana Department of Transportation
Mary Kennedy, Indiana Department of Transportation
Shaun Miller, Indiana Department of Transportation
Melany Prather, Indiana Department of Transportation
Dan Wright, FPBH, Inc.
Steve Gill, FPBH, Inc.
Camille Fife, The Westerly Group, Inc.

Indiana Department of Transportation

County Jennings Route CR 625 S. Des. No. 0101264 Project No. 9940021

FHWA-Indiana Environmental Document

CATEGORICAL EXCLUSION / ENVIRONMENTAL ASSESSMENT FORM

GENERAL PROJECT INFORMATION

Road No./County:	**CR 625 S. / Jennings County**
Designation Number:	**0101264**
Project Description/Termini:	This project is to rehabilitate the existing historic covered bridge designated as Jennings County Bridge #85 and is know as the James Covered Bridge. The project limits are 75 feet on either end of the James Covered Bridge.

After completing this form, I conclude that this project qualifies for the following type of Categorical Exclusion (FHWA must review/approve if Level 4 CE):

	Categorical Exclusion, Level 2 – The proposed action meets the criteria for Categorical Exclusion Manual Level 2 - table 1, CE Level Thresholds. Required Signatories: ESM (Environmental Scoping Manager).
	Categorical Exclusion, Level 3 – The proposed action meets the criteria for Categorical Exclusion Manual Level 3 - table 1, CE Level Thresholds. Required Signatories: ESM, ES (Environmental Services).
X	**Categorical Exclusion, Level 4** – The proposed action meets the criteria for Categorical Exclusion Manual Level 4 - table 1, CE Level Thresholds. Required Signatories: ESM, ES, FHWA.
	Environmental Assessment (EA) – EAs require a separate FONSI. Additional research and documentation is necessary to determine the effects on the environment. Required Signatories: ES, FHWA.

Note: For documents prepared by or for Environmental Services, it is not necessary for the ESM of the district in which the project is located to release for public involvement or sign for approval.

Approval [signature] 2012.09.12 11:30:42 -04'00' [signature] 9-12-12
ESM Signature Date ES Signature for: Ken McMullen Date

FHWA Signature Date

Release for Public Involvement DGD 2012.07.02 09:41:59 -04'00'
ESM Initials Date

CAA 7-2-12
ES Initials for: EPO Mgr. Date

Certification of Public Involvement Mary Wright Date: 8/13/12
Jennings County Bridge #85 (James Covered Bridge) 4/17/12

Form version: March 2011
Attachment 2

FEDERAL HIGHWAY ADMINISTRATION'S
SECTION 4(f) COMPLIANCE REQUIREMENTS (for historic properties) AND
SECTION 106 FINDINGS AND DETERMINATIONS
AREA OF POTENTIAL EFFECTS
ELIGIBILITY DETERMINATIONS
EFFECT FINDING
PUTNAM CR 550 SOUTH OVER BIG WALNUT CREEK,
WASHINGTON TOWNSHIP, PUTNAM COUNTY, INDIANA
PUTNAM COUNTY BRIDGE NO. 125 (DES. NO. 1006547)
PUTNAM COUNTY BRIDGE NO. 625 (DES. NO. 0900908)

AREA OF POTENTIAL EFFECT
(Pursuant to 36 CFR 800.4(a)(1))

The Area of Potential Effects (APE) was drawn to extend 1,752 linear feet east of Houck Covered Bridge along County Road (CR) 550 and 1,690 linear feet west and north of the bridge along CR 550 and CR 500, encompassing properties on all sides of the undertaking. Historians also examined the APE within a broader landscape setting. The APE for archaeological resources was drawn to encompass the project footprint. (See Appendix A: Plans and Appendix B: APE Maps and Site Plans.)

ELIGIBILITY DETERMINATIONS
(Pursuant to 36 CFR 800.4(c)(2))

There is one historic resource previously determined eligible for listing in the National Register of Historic Places (NR): Houck Covered Bridge (Putnam County Bridge No. 125/NBI No. 6700111).

Houck Covered Bridge. Built in 1880, this Howe Truss covered bridge crosses Big Walnut Creek at CR 550 South. Resting on cut limestone abutments and a center pier, the truss design is constructed of Douglas Fir with cast iron shoes and wrought iron tie-rods where diagonals and counters meet at the lower and upper chords. The sixteen-foot-wide flush wooden deck sits atop wood stringers over floor beams supported by timber cross-bracing with cast iron shoes and wrought iron tie rods. The *Indiana Historic Bridge Inventory* lists this bridge as Select and as previously determined eligible for listing in the NR. The bridge is recommended eligible under Criterion A, for an association with events that have made a contribution to broad patterns of our history and under Criterion C, for Architecture/Engineering.

EFFECT FINDING

Houck Covered Bridge: No Adverse Effect

The Indiana Department of Transportation (INDOT), acting on behalf of the Federal Highway Administration (FHWA), has determined a finding of No Adverse Effect is appropriate for this undertaking.

SECTION 4(F) COMPLIANCE REQUIREMENTS (for historic properties)

Houck Covered Bridge. This resource is used for transportation purposes. This undertaking will have No Adverse Effect on Houck Covered Bridge, a Section 4(f) historic property; INDOT, acting on FHWA's behalf, has determined the appropriate Section 106 finding is No Adverse Effect and therefore no Section 4(f) evaluation must be completed for Houck Covered Bridge. **INDOT respectfully requests the Indiana State Historic Preservation Officer provide written concurrence with the Section 106 documentation of No Adverse Effect.**

Consulting parties will be provided a copy of the findings and determinations of INDOT, acting on behalf of FHWA, in accordance with INDOT's and FHWA's Section 106 procedures. Comments will be accepted for thirty (30) days upon receipt of the findings.

Staffan Peterson for FHWA
Manager
INDOT Cultural Resources Office

2/16/2012
Approved Date

DNR Indiana Department of Natural Resources

Mitchell E. Daniels, Jr., Governor
Robert E. Carter, Jr., Director

Division of Historic Preservation & Archaeology·402 W. Washington Street, W274·Indianapolis, IN 46204-2739
Phone 317-232-1646·Fax 317-232-0693·dhpa@dnr.IN.gov

March 23, 2012

Staffan D. Peterson, Ph.D.
Manager
Cultural Resources Office
Indiana Department of Transportation
100 North Senate Avenue, Room N642
Indianapolis, Indiana 46204

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

Re: INDOT's finding of No Adverse Effect for Putnam County CR 550 South over Big Walnut Creek, Washington Township, Putnam County, Indiana: Rehabilitation of Putnam County Bridge No. 125 (Des. No. 1006547), and construction of Putnam County Bridge No. 625 (Des. No. 0900908; DHPA No. 11370)

Dear Dr. Peterson:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f), 36 C.F.R. Part 800, and the "Programmatic Agreement Among the Federal Highway Administration, the Indiana Department of Transportation, the Advisory Council on Historic Preservation and the Indiana State Historic Preservation Officer Regarding the Implementation of the Federal Aid Highway Program In the State of Indiana," the staff of the Indiana State Historic Preservation Officer ("Indiana SHPO") has reviewed the materials submitted with USI Consultants' cover letter dated February 23, 2012 and received on February 24, for the aforementioned project in Washington Township, Putnam County, Indiana.

As previously indicated, in regard to archaeological resources, based upon the submitted information and the documentation available to the staff of the Indiana SHPO, we have not identified any currently known archaeological resources listed in or eligible for inclusion in the National Register of Historic Places within the proposed project area. Therefore, we concur with the opinion of the archaeologist, as expressed in the Phase Ic archaeological subsurface reconnaissance report (Alexander and Plunkett, 8/26/11), that no further investigations appear necessary in the proposed project area.

We agree that there is only one property within the area of potential effects that is eligible for inclusion in the National Register of Historic Places, Putnam County Bridge No. 125 (Houck Covered Bridge).

We appreciate having been advised, in the documentation supporting the finding, that the plans that were submitted to the Indiana SHPO on December 14, 2011 depicted the 60% stage of planning.

We concur with the Indiana Department of Transportation's February 16, 2012 finding, on behalf of FHWA, of No Adverse Effect for this undertaking.

If any archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and -29) requires that the discovery be reported to the Department of Natural Resources within two (2) business days. In that event, please call (317) 232-1646. Be advised that adherence to Indiana Code 14-21-1-27 and -29 does not obviate the need to adhere to applicable federal statutes and regulations.

If you have questions about archaeological issues, please contact Wade T. Tharp at (317) 232-1650 or wtharp1@dnr.IN.gov. Questions about buildings or structures should be directed to John Carr at (317) 233-1949 or

jcarr@dnr.IN.gov. In any future correspondence regarding this undertaking involving Putnam County bridges nos. 125 and 625, please continue to refer to DHPA No. 11370.

Very truly yours,

Chad W. Slider

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

JAG:JLC:WTT:wt

cc: Bonnie Money, P.E., USI Consultants, Inc.

emc: Lawrence Heil, P.E., Indiana Division, Federal Highway Division
Staffan Peterson, Ph.D., Environmental Services, Indiana Department of Transportation
Mary Kennedy, Environmental Services, Indiana Department of Transportation
Shaun Miller, Environmental Services, Indiana Department of Transportation
Melany Prather, Environmental Services, Indiana Department of Transportation
Mike Wink, Crawfordsville District, Indiana Department of Transportation
Jim Smith, Putnam County Highway Supervisor
Bonnie Money, P.E., USI Consultants, Inc.
Mike Halterman, P.E., USI Consultants, Inc.
Sara Dyer, Dyer Environmental Services
Linda Weintraut, Ph.D., Weintraut & Associates, Inc.
Jeff Plunkett, Weintraut & Associates, Inc.

Indiana Department of Transportation

County Putnam Route CR 550S Des. No. 0900908 1006547 Project No. 0900908 1006547

FHWA-Indiana Environmental Document

CATEGORICAL EXCLUSION / ENVIRONMENTAL ASSESSMENT FORM

GENERAL PROJECT INFORMATION

Road No./County:	**Putnam CR 550S over Big Walnut Creek / Putnam County**
Designation Number:	**0900908 (Proposed Bridge No. 625); 1006547 (Existing Bridge No. 125)**
Project Description/Termini:	**Rehabilitation of Putnam County Bridge No. 125 and construction of a new Bridge No. 625 to carry CR 550S over Big Walnut Creek**

After completing this form, I conclude that this project qualifies for the following type of Categorical Exclusion (FHWA must review/approve if Level 4 CE):

	Categorical Exclusion, Level 2 – The proposed action meets the criteria for Categorical Exclusion Manual Level 2 - table 1, CE Level Thresholds. Required Signatories: ESM (Environmental Scoping Manager).
	Categorical Exclusion, Level 3 – The proposed action meets the criteria for Categorical Exclusion Manual Level 3 - table 1, CE Level Thresholds. Required Signatories: ESM, ES (Environmental Services).
X	**Categorical Exclusion, Level 4** – The proposed action meets the criteria for Categorical Exclusion Manual Level 4 - table 1, CE Level Thresholds. Required Signatories: ESM, ES, FHWA.
	Environmental Assessment (EA) – EAs require a separate FONSI. Additional research and documentation is necessary to determine the effects on the environment. Required Signatories: ES, FHWA.

Note: For documents prepared by or for Environmental Services, it is not necessary for the ESM of the district in which the project is located to release for public involvement or sign for approval.

Approval _____ _____ _____ _____
ESM Signature Date ES Signature Date

_____ _____
FHWA Signature Date

Release for Public Involvement MLE 6/21/2012
ESM Initials Date

CAA 6-21-12
ES Initials for: EPO Mgr. Date

Certification of Public Involvement Mary Wright 8/9/12
EXAMINER ~~Manager~~, Public Hearings Signature Date

Note: Do not approve until after Section 106 public involvement and all other environmental requirements have been satisfied.

Reviewer Signature _____ Date _____

Name and organization of CE/EA Preparer: Sara Dyer – Dyer Environmental Services

From http://www.bannergraphic.com/story/1936065.html
Accessed 31 January 2013

Houck Covered Bridge damaged by apparent drunk driving accident

Wednesday, January 30, 2013
By JARED JERNGAN Assistant Editor

An alleged drunk driver crashed into one of the county's oldest covered bridges in a recent early-morning accident.

County highway officials estimate it will take between $1,500 and $2,000 to repair Houck Covered Bridge, which crosses Big Walnut Creek in northern Washington Township.

The damage to the 133-year-old bridge appears to be entirely cosmetic.

Shortly before 1 a.m. on Wednesday, Jan. 23 Jeremy L. Hutson, 41, Greencastle, was westbound on County Road 550 South, just east the bridge, in a 2001 Chevrolet Blazer.

Deputy T.J. Smith reported that Hutson's vehicle left the right side of the road and hit the guardrail leading to the bridge.

Houck Covered Bridge was damaged during an early-morning accident on Wednesday. The accident occured when an alleged drunk driver left the right side of the road and hit the guardrail until it struck the corner of the bridge.
[Click to enlarge]

The SUV continued along the guardrail until it struck the northeast corner of the bridge and came to rest.

Hutson was transported to Putnam County Hospital, where he was treated for minor bleeding and tested for alcohol.

When Hutson tested above the legal limit of .08, he was taken to the Putnam County Jail and booked in at 4:24 a.m. for operating while intoxicated.

Deputy Smith estimated total damages in the accident between $2,501 and $5,000.

Built by the Massillon Bridge Co., Houck Covered Bridge is a 210-foot, two-span bridge that carries County Road 550 South across Big Walnut Creek.

Along with the Dick Huffman Bridge in Washington Township and Dunbar Bridge in Greencastle Township, Houck is among the oldest remaining covered bridges in Putnam County. All three were erected across Big Walnut in 1880.

Houck Bridge was rehabilitated in 1994, and will be bypassed with a modern bridge in the coming years.

The new bridge will be constructed upstream of the covered bridge with two primary goals for the project.

The first is to increase the safety of the intersection of county roads 550 South and 500 West. As currently configured, 550 South takes a 90-degree turn onto 500 West immediately west of the bridge.

Not only will the new bridge connect the two roads at a safer angle, it will also take away the blind entrance to the turn (not a factor in this case) caused by the covered bridge.

An alleged drunk driver smashed into the corner of the historic Houck Covered Bridge on Wednesday morning, causing an estimated $1,500-$2,000 worth of damage.
[Click to enlarge]

The second goal is to preserve the historic structure as a walking bridge with room for visitors to get out of traffic and tour the bridge at their leisure.

Bids on the project will be accepted later in 2013, with the bridge likely to be completed in late 2014.

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FEDERAL HIGHWAY ADMINISTRATION's
SECTION 4(f) COMPLIANCE REQUIREMENTS (for historic properties) AND
SECTION 106 FINDINGS AND DETERMINATIONS
AREA OF POTENTIAL EFFECT
ELIGIBILITY DETERMINATIONS
EFFECT FINDING
SR 933/Michigan Street
Bridge Project
Over the St. Joseph River
South Bend, Portage Township, St. Joseph County
DES. NO. 1173149
FEDERAL PROJECT NO.

AREA OF POTENTIAL EFFECT
(Pursuant to 36 CFR Section 800.4(a)(1))

The project is located on SR 933/Michigan Street over the St. Joseph River in the City of South Bend, Portage Township, St. Joseph County. The area of potential effect (APE) includes those areas of existing and proposed right-of-way and incidental construction, including immediately adjacent properties. The preferred alternative for this project will include removal and replacement of the existing bridge railing panels between Abutment 1 and Abutment 4, the performance of minor repairs to the railing posts, and major repairs to the arch ring. All work will be restricted to the existing bridge structure; no new right-of-way will be acquired.

ELIGIBILITY DETERMINATIONS
(Pursuant to 36 CFR 800.4(c)(2))

The APE contains three NR- listed resources: **1)** Leeper Park Historic District (#201-598-34001-34018; listed 2000 under Criterion C: Landscape Architecture); **2)** Samuel Leeper, Jr. House (#201-598-37018; listed 1985 under Criterion C: Architecture); **3)** North Pumping Station (site #201-598-37014l; listed 1997 under Criterion C; Architecture). The APE also contains four resources recommended eligible for listing in the National Register of Historic Places: **1)** Leeper Bridge (Bridge No. (933) 31-71-03690-B/NBI No. 11046; #201-598-34018; "Outstanding" resource in the NR-listed LPHD. It is eligible under Criterion C: Landscape Architecture; **2)** Harter Heights Historic District (HHHD)/#201-597/598-35001-277); **3)** Northshore Triangle Historic District (NSTHD)/#201-598-36001-290); **4)** West North Shore Historic District (WNSHD)/#201-598-37001-020). The HHHD, NSTHD and WNSHD are NR-eligible under Criterion A: Exploration/Settlement and Community Planning/Development and under Criterion C: Architecture.

EFFECT FINDING
(Pursuant to 36 CFR 800.4(d)(1))

INDOT, acting on FHWA's behalf, has determined a "No Adverse Effect" finding is appropriate for this undertaking because the project will not introduce any new visual, atmospheric or audible elements that would alter any of the characteristics that qualify the Leeper Park Historic District (#201-598-34001-34018), Samuel Leeper, Jr. House (#201-598-37018), or North Pumping Station (site #201-598-37014l) for listing in the National Register of Historic Places.

The project will also will not introduce any new visual, atmospheric or audible elements that would alter any of those characteristics or qualities that qualify the following resources, recommended eligible for National Register-listing: **1)**) Leeper Bridge (Bridge No. (933) 31-71-03690-B/NBI No. 11046; #201-598-34018); **2)** Harter Heights Historic District (HHHD)/#201-597/598-35001-277); **3)** Northshore Triangle Historic District (NSTHD)/#201-598-36001-290); **4)** West North Shore Historic District (WNSHD)/#201-598-37001-020).

In addition, per "Programmatic Agreement Regarding Management and Preservation of Indiana's Historic Bridges" (Historic Bridge PA), the project scope activities conducted as part of Des. #1173149 shall adhere to the Secretary of the Interior's Standards for Rehabilitation, and will not introduce negative impacts as defined in 36 CFR §800.5(a)(ii) to the NR-eligible Leeper Bridge (Bridge No. (933) 31-71-03690-B/NBI No. 11046; #201-598-34018).

SECTION 4(f) COMPLIANCE REQUIREMENTS (for historic properties)

Leeper Park Historic District (LPHD; #201-598-34001-018), bounded roughly by the St. Joseph River on the north and east, by Park Lane and Bartlett Street to the south and the east property lines of properties to the west)--This undertaking will not convert

property from *Leeper Park Historic District LPHD, a designed-landscape park bounded roughly by the St. Joseph River on the north and east, by Park Lane and Bartlett Street to the south and the east property lines of properties to the west*), a Section 4(f) historic property, to a transportation use; INDOT, acting on FHWA's behalf, has determined the appropriate Section 106 finding is "No Adverse Effect"; therefore, no Section 4(f) evaluation is required. INDOT respectfully requests the Indiana State Historic Preservation Officer provide written concurrence with the Section 106 determination of" No Adverse Effect."

The North Pumping Station (#201-598-34014; 830 N. Michigan Avenue) --This undertaking will not convert property from *The North Pumping Station (#201-598-34014; 830 N. Michigan Avenue),* a Section 4(f) historic property, to a transportation use; INDOT, acting on FHWA's behalf, has determined the appropriate Section 106 finding is "No Adverse Effect"; therefore, no Section 4(f) evaluation is required. INDOT respectfully requests the Indiana State Historic Preservation Officer provide written concurrence with the Section 106 determination of" No Adverse Effect."

Samuel Leeper House (#201-598-37018; 113 North Shore Drive)--This undertaking will not convert property from *Samuel Leeper House (#201-598-37018; 113 North Shore Drive),* a Section 4(f) historic property, to a transportation use; INDOT, acting on FHWA's behalf, has determined the appropriate Section 106 finding is "No Adverse Effect"; therefore, no Section 4(f) evaluation is required. INDOT respectfully requests the Indiana State Historic Preservation Officer provide written concurrence with the Section 106 determination of" No Adverse Effect."

Leeper Bridge (Bridge No. (933) 31-71-03690-B/NBI No. 11046; #201-598-34018)--This resource is used for transportation purposes. This undertaking will have a "No Adverse Effect" on *Leeper Bridge (Bridge No. (933) 31-71-03690-B/NBI No. 11046; #201-598-34018),* a Section 4(f) historic property. INDOT, acting on FHWA's behalf, has determined the appropriate Section 106 finding is "No Adverse Effect"; therefore, no Section 4(f) evaluation is required. INDOT respectfully requests the Indiana State Historic Preservation Officer provide written concurrence with the Section 106 determination of" No Adverse Effect."

Harter Heights Historic District (HHHD); #201-597-598-35001-277), roughly bounded by Angela Boulevard to the north, Michigan Street to the east, Stanfield Street to the west and Corby Boulevard to the south)--This undertaking will not convert property from *Harter Heights Historic District (HHHD); #201-597-598-35001-277), roughly bounded by Angela Boulevard to the north, Michigan Street to the east, Stanfield Street to the west and Corby Boulevard to the south),* a Section 4(f) historic property, to a transportation use; INDOT, acting on FHWA's behalf, has determined the appropriate Section 106 finding is "No Adverse Effect"; therefore, no Section 4(f) evaluation is required. INDOT respectfully requests the Indiana State Historic Preservation Officer provide written concurrence with the Section 106 determination of" No Adverse Effect."

West North Shore Historic District (WNSHD; #201-598-37001-020, roughly bounded by the St. Joseph River to the south, by Michigan Street to the west, Iroquois Street to the east and West North Shore Drive to the north)--This undertaking will not convert property from *West North Shore Historic District (WNSHD; #201-598-37001-020) roughly bounded by the St. Joseph River to the south, by Michigan Street to the west, Iroquois Street to the east and West North Shore Drive to the north),* a Section 4(f) historic property, to a transportation use; INDOT, acting on FHWA's behalf, has determined the appropriate Section 106 finding is "No Adverse Effect"; therefore, no Section 4(f) evaluation is required. INDOT respectfully requests the Indiana State Historic Preservation Officer provide written concurrence with the Section 106 determination of" No Adverse Effect."

Northshore Triangle Historic District (NTHD; #201-498-36001-290)roughly bounded by Angela Boulevard to the north, Marquette Avenue to the south, railroad tracks and Michigan Street to the east and Iroquois Street to the east)--This undertaking will not convert property from *Northshore Triangle Historic District (NTHD; #201-498-36001-290)roughly bounded by Angela Boulevard to the north, Marquette Avenue to the south, railroad tracks and Michigan Street to the east and Iroquois Street to the east),* a Section 4(f) historic property, to a transportation use; INDOT, acting on FHWA's behalf, has determined the appropriate Section 106 finding is "No Adverse Effect"; therefore, no Section 4(f) evaluation is required. INDOT respectfully requests the Indiana State Historic Preservation Officer provide written concurrence with the Section 106 determination of" No Adverse Effect."

Consulting parties will be provided a copy of the findings and determinations in accordance with INDOT and FHWA's Section 106 procedures. Comments will be accepted for 30 days upon receipt of the findings.

Staffan D. Peterson, Ph.D., for FHWA
Manager, Cultural Resources Office
INDOT Environmental Services

9/21/2012

Approved Date

DNR Indiana Department of Natural Resources

Mitchell E. Daniels, Jr., Governor
Robert E. Carter, Jr., Director

Division of Historic Preservation & Archaeology • 402 W. Washington Street, W274 · Indianapolis, IN 46204-2739
Phone 317-232-1646 • Fax 317-232-0693 · dhpa@dnr.IN.gov

March 23, 2012

Staffan Peterson, Ph.D.
Cultural Resources Manager
Environmental Services
Indiana Department of Transportation
100 North Senate Avenue, Room N642
Indianapolis, Indiana 46204

Federal Agency: Federal Highway Administration ("FHWA")

Re: Notification of INDOT's finding of "no adverse effect" and 800.11 documentation regarding the SR 933 Bridge carrying Michigan Street over the St. Joseph River (Designation # 1173149; DHPA #12724)

Dear Dr. Peterson:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f), 36 C.F.R. Part 800, and the "Programmatic Agreement among the Federal Highway Administration, the Indiana Department of Transportation, the Advisory Council on Historic Preservation, the Indiana State Historic Preservation Officer regarding the implementation of the Federal Aid Highway Program in the State of Indiana," the staff of the Indiana State Historic Preservation Officer has conducted an analysis of the materials dated February 21, 2012 and received on February 23, 2012 for the above indicated project in South Bend. St. Joseph County, Indiana.

As previously indicated, we do not believe the characteristics that qualify the identified historic properties for inclusion in the National Register of Historic Places will be diminished as a result of this project. In regard to archaeological resources, based upon the submitted information and the documentation available to the staff of the Indiana SHPO, we have not identified any currently known archaeological resources listed in or eligible for inclusion in the National Register of Historic Places ("NRHP") within the proposed project area.

Therefore, we concur with the INDOT's February 21, 2012 finding, on behalf of the FHWA, that there are no historic buildings, structures, districts, objects, or archaeological resources within the area of potential effects that will be adversely affected by the above indicated project.

Please keep in mind this identification is subject to the project activities remaining within areas disturbed by previous construction of a recent and non-historical nature. Additionally, if any archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and 29) requires that the discovery must be reported to the Department of Natural Resources within two (2) business days. In that event, please call (317) 232-1646. Be advised that adherence to Indiana Code 14-21-1-27 and 29 does not obviate the need to adhere to applicable federal statutes and regulations.

If you have questions about archaeological issues please contact Wade Tharp at (317) 232-1650 or wtharp1@dnr.IN.gov. If you have questions about buildings or structures please contact Chad Slider at (317) 234-5366 or cslider@dnr.IN.gov.

Very truly yours,

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

JAG:CWS:cws

emc: Staffan D. Peterson, Ph.D., INDOT
Mary Kennedy, INDOT
Shaun Miller, INDOT
Susan Branigin, INDOT
Melany Prather, INDOT

Indiana Department of Transportation

County St. Joseph Route SR 933 Des. No. 1173149 Project No. _____

FHWA-Indiana Environmental Document

CATEGORICAL EXCLUSION / ENVIRONMENTAL ASSESSMENT FORM

GENERAL PROJECT INFORMATION

Road No./County:	**SR 933/St. Joseph County**
Designation Number:	**1173149**
Project Description/Termini:	Bridge Rehabilitation and Repair on SR 933 over the St. Joseph river.

After completing this form, I conclude that this project qualifies for the following type of Categorical Exclusion (FHWA must review/approve if Level 4 CE):

X	**Categorical Exclusion, Level 2** – The proposed action meets the criteria for Categorical Exclusion Manual Level 2 - table 1, CE Level Thresholds. Required Signatories: ESM (Environmental Scoping Manager).
	Categorical Exclusion, Level 3 – The proposed action meets the criteria for Categorical Exclusion Manual Level 3 - table 1, CE Level Thresholds. Required Signatories: ESM, ES (Environmental Services).
	Categorical Exclusion, Level 4 – The proposed action meets the criteria for Categorical Exclusion Manual Level 4 - table 1, CE Level Thresholds. Required Signatories: ESM, ES, FHWA.
	Environmental Assessment (EA) – EAs require a separate FONSI. Additional research and documentation is necessary to determine the effects on the environment. Required Signatories: ES, FHWA.

Note: For documents prepared by or for Environmental Services, it is not necessary for the ESM of the district in which the project is located to release for public involvement or sign for approval.

Approval _____ _____ _____ _____
ESM Signature Date ES Signature Date

_____ _____
FHWA Signature Date

Release for Public Involvement TZM 2-22-12
ESM Initials Date

_____ _____
ES Initials Date

-RC 4-6-12 Rickie Clark 4-6-12
Certification of Public Involvement
Manager, Public Hearings Signature Date

Note: Do not approve until after Section 106 public involvement and all other environmental requirements have been satisfied.

Reviewer Signature _____ Date _____

Form version: March 2011
Attachment 2

FEDERAL HIGHWAY ADMINISTRATION's
SECTION 4(f) COMPLIANCE REQUIREMENTS (for historic properties) AND
SECTION 106 FINDINGS AND DETERMINATIONS
AREA OF POTENTIAL EFFECT
ELIGIBILITY DETERMINATIONS
EFFECT FINDING
SR 49
Bridge Project
Over the Kankakee River
Kankakee Township, Jasper County, Pleasant Township, Porter County
DES. NO. 1173072
FEDERAL PROJECT NO.

AREA OF POTENTIAL EFFECT
(Pursuant to 36 CFR Section 800.4(a)(1))

The project is located on SR 49 over the Kankakee River in Kankakee Township, Jasper County and Pleasant Township, Porter County. Land use in the proposed project area is rural/agricultural with a few residences. The APE has been determined as the existing and proposed right-of-way (R/W) and the area immediately surrounding it, including incidental construction, and it takes into account the properties that might experience physical and/or visual impacts from the project. Project activities will be restricted to the subject structure; no new right-of-way will be required.

ELIGIBILITY DETERMINATIONS
(Pursuant to 36 CFR 800.4(c)(2))

The APE contains one resource recommended eligible for listing in the National Register of Historic Places: **1)** *SR 49 Bridge over the Kankakee River (Bridge No. 049-37-01938B/NBI No. 17940)*. It is eligible under Criterion C: Engineering.

EFFECT FINDING
(Pursuant to 36 CFR 800.4(d)(1))

INDOT, acting on FHWA's behalf, has determined a "No Adverse Effect" finding is appropriate for this undertaking because the project will not introduce any new visual, atmospheric or audible elements that would alter any of those characteristics or qualities that qualify the following resource as being recommended eligible for National Register-listing: **1)** *SR 49 Bridge over the Kankakee River (Bridge No. 049-37-01938B/NBI No. 17940)*.

In addition, per the "Programmatic Agreement Regarding Management and Preservation of Indiana's Historic Bridges" (Historic Bridge PA), the project scope activities conducted as part of Des. #1173072 shall adhere to the Secretary of the Interior's Standards for Rehabilitation, and will not introduce negative impacts as defined in 36 CFR §800.5(a)(ii) to the NR-eligible *SR 49 Bridge over the Kankakee River (Bridge No. 049-37-01938B/NBI No. 17940)*.

SECTION 4(f) COMPLIANCE REQUIREMENTS (for historic properties)

SR 49 Bridge over the Kankakee River (Bridge No. 049-37-01938B/NBI No. 17940)--This resource is used for transportation purposes. This undertaking will have a "No Adverse Effect" on *SR 49 Bridge over the Kankakee River (Bridge No. 049-37-01938B/NBI No. 17940)*, a Section 4(f) historic property. INDOT, acting on FHWA's behalf, has determined the appropriate Section 106 finding is "No Adverse Effect"; therefore, no Section 4(f) evaluation is required. INDOT respectfully requests the Indiana State Historic Preservation Officer provide written concurrence with the Section 106 determination of" No Adverse Effect."

Consulting parties will be provided a copy of the findings and determinations in accordance with INDOT and FHWA's Section 106 procedures. Comments will be accepted for 30 days upon receipt of the findings.

Patrick A. Carpenter

Patrick A. Carpenter, for FHWA
Manager, Cultural Resources Office
INDOT Environmental Services

1-4-2012

Approved Date

MEMORANDUM OF AGREEMENT
BETWEEN THE FEDERAL HIGHWAY ADMINISTRATION AND
THE INDIANA STATE HISTORIC PRESERVATION OFFICER
SUBMITTED TO THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
PURSUANT TO 36 C.F.R. SECTION 800.6(b)(iv)
REGARDING THE REPLACEMENT OF CRAWFORD COUNTY BRIDGE 129
CARRYING MAIN STREET OVER THE NORFOLK SOUTHERN RAILROAD
IN MILLTOWN, WHISKEY RUN TOWNSHIP, CRAWFORD COUNTY, INDIANA

WHEREAS the Federal Highway Administration (FHWA) funded the replacement of Crawford County Bridge 129 carrying Main Street over the Norfolk Southern Railroad in Milltown, Whiskey Run Township, Crawford County, Indiana; and

WHEREAS the FHWA, in consultation with the Indiana State Historic Preservation Officer (Indiana SHPO), has defined this bridge replacement's area of potential effects, as the term defined in 36 C.F.R. Section 800.16(d), to be the area within a polygon measuring approximately 1,000 feet by 1,300 feet surrounding the curved structure; and

WHEREAS the FHWA, in consultation with the Indiana SHPO, has found that Crawford County Bridge 129 is within the area of potential effects; and

WHEREAS the FHWA, in consultation with the Indiana SHPO, has determined, pursuant to 36 C.F.R. Section 800.4(c), that Crawford County Bridge 129 is eligible for inclusion in the National Register of Historic Places; and

WHEREAS the FHWA, in consultation with the Indiana SHPO, has determined pursuant to 36 C.F.R. Section 800.5(a) that the bridge replacement will have an adverse effect on Crawford County Bridge 129; and

WHEREAS the FHWA has consulted with the Indiana SHPO in accordance with Section 106 of the National Historic Preservation Act (16 U.S.C. 470f) and it's implementing regulations (36 C.F.R. Section 800) to resolve the adverse effect on Crawford County Bridge 129; and

WHEREAS the public was given an opportunity to comment on the undertaking's adverse effect in a notice published on September 12, 2012 in the *Clarion News*; and

WHEREAS in a letter dated September 13, 2012 the FHWA has notified the Advisory Council on Historic Preservation (Council) of the adverse effect and invited the Council's participation in the project, pursuant to 36 C.F.R. Section 800.6(a)(1); and

WHEREAS the Council declined participation in a letter to the FHWA dated October 17, 2012; and

WHEREAS the FHWA, in consultation with the Indiana SHPO, has invited the Indiana Department of Transportation (INDOT) and the Crawford County Commissioners to participate in the consultation and become signatories to this memorandum of agreement; and

WHEREAS the FHWA has consulted with the Indiana SHPO in accordance with Section 106 of the National Historic Preservation Act (16 U.S.C. 470f) and its implementing regulations (36 C.F.R. Part

800) concerning the scope of work as presented in the materials and plans dated May 7, 2012 and September 6, 2012 and agreed to proceed with the project as proposed; and

NOW, THEREFORE, the FHWA and the Indiana SHPO agree that, upon the submission of a copy of this executed memorandum of agreement, as well as the documentation specified in 36 C.F.R. Section 800.11(e) and (f) to the Council (pursuant to 36 C.F.R. Section 800.6[b][1][iv]) and upon the FHWA's approval of the replacement of Crawford County Bridge 129, the FHWA shall ensure that the following stipulations are implemented in order to take into account the effect of the replacement of Crawford County Bridge 129 on historic properties.

Stipulations

I. MITIGATION

A. Per the Indiana Minimum Architectural Documentation Standards, Crawford County will undertake photographic documentation of Bridge 129 before the solicitation of bids for construction. The document shall consist of digital images on an archival gold non-rewriteable Compact Disc-Recordable (CD-R) or non-rewriteable Digital Versatile Disc-Recordable (DVD-R), or black and white photographic prints and negatives. Depending upon the size and complexity of the structure to be recorded, ten (10) to thirty (30) views may be necessary. Views must include all exterior facades, the major entrance, significant interior spaces, such as principal rooms and stairs, and interior and exterior architectural details. Photographs must be taken with adequate lighting to insure clear depiction of architectural or engineering details and character-defining features. Oblique views of elevations or specific features are acceptable as long as all architectural or engineering details are clearly discernible. Two sets of photographic documentation will be prepared and submitted to the Indiana SHPO, with one set provided by the Indiana SHPO to the State Archives, and one set of photographic documentation will be prepared and submitted to the Crawford County Commissioners and archived at the Crawford County Library.

1. For digital images, the following procedures shall be followed:

a. A camera of at least 5.0 megapixel quality with a .TIF setting capability shall be used.

Please note: .TIF is not an option on many digital cameras, so please check your owner's manual. If a .TIF option is not available, images may be taken in another format, but they must be capable of conversion to the following size and resolution: size of each .TIF image must be 1600 x 1200 pixels at 300 ppi (pixels per inch) or larger. Photographs should not be manipulated in any way other than conversion (if necessary) to .TIF. It is recommended that digital images be saved in an 8-bit (or larger) color format, which provides maximum detail even when printed in black in white.

b. A compact disc (CD) or digital versatile disc (DVD) containing a digital photo log and the electronic image files shall be provided to the Indiana SHPO.

i. The CD or DVD must be labeled with the name of the property, township and county in which the property is located.

ii. There must be a photo log for all photos, and the photo numbers of the saved digital images must correspond to the photo log.

iii. The photo log must contain the following:
- Property name
- Address
- Township and county
- Location, cardinal direction of camera and description of view
- Date of photograph

iv. The individual image files must be labeled so that they reference the state and county in which the property is located. For example, the image files for Union Station in Marion County, Indiana would be saved as "IN_MarionCounty_UnionStation1.tif", "IN_MarionCounty_UnionStation2.tif", and so on.

v. The electronic image files must be saved as uncompressed .TIF (Tagged Image File format) in keeping with the guidance on digital photographic records issued by the U.S. National Archives and Records Administration.

2. For black and white photographic prints and negatives, the following procedures shall be followed:

   a. Kodak Ti-X or Plus X, Ilford FP4 or HP 5, or Agfa Pan 35 mm film must be used in a suitable Single Lense Reflect camera.
   b. Prints cannot be smaller than 5" x 7".
   c. Each print must be labeled in pencil or with an archival photographic marker as follows:
      - Property name
      - Address
      - Township and county
      - Location, cardinal direction of camera and description of view
      - Date of photograph

3. If available, copies or high resolution scans of historic photographs should be included with information on the source of the original photographs.

B. Before the solicitation of bids for construction, Crawford County will prepare the following historic documentation information that shall be saved as a Microsoft Word document on a CD or DVD. Additionally, the information should be printed and presented in some notebook form (either spiral bound or 3-ring binder) measuring 8.5" x 11" with cover, and two copies must be submitted to the Indiana SHPO. The Indiana SHPO will submit one copy to the State Archives:

   1. A cover page with the historic name or names (i.e. Crawford County Bridge 129), most recent name, and street address of the historic property.

   2. A brief description of the structure and its condition should include at least the following:

a. Architectural or engineering style, plan, number of stories, building materials, organization of major elevations, details, and significant interior and exterior elements.

3. A statement of significance using the equivalent of one to two standard pages of text should include at least the following:

a. A summary paragraph that succinctly discusses the date or era of construction and why the building is important (what makes it National Register eligible).

b. Enough history and background should be presented to establish the structure's importance. If the structure is architecturally significant, the statement must indicate how it is an outstanding example of an important architectural style, type, or the work of a significant architect.

c. Include any dates and descriptions of major alterations.

d. Include a list of bibliographic sources, including author, title, place of publication and publisher, and date of publication.

4. If available, include architectural drawings, reduced to 8.5" x 11" or scanned into a readily available viewing program, such as PDF. Drawings should include a site plan, floor plans, building elevations, and building sections and details.

Include a sketch plan of the site, on 8.5" x 11" paper. The site plan does not need to be drawn to scale and may be omitted altogether, if the original or existing site plan is included under the previous item.

C. Crawford County will make every effort to replicate the existing alignment and railing in the new bridge structure. The railing will need to meet current design and safety standards, regardless of any aesthetic choices. Before the solicitation of bids for construction, Crawford County will submit the plans and specifications for the bridge to the Indiana SHPO and the consulting parties for a thirty (30) day comment period. Crawford County will endeavor to incorporate into the design of the bridge any comments or suggestions received during the thirty (30) days, subject to feasibility. If any disagreements should arise, all final decisions concerning the design will rest with FHWA. Should the plans be changed as a result of the comment process, Crawford County will distribute the revised plans to the Indiana SHPO and the consulting parties for their files.

II. OBJECTION RESOLUTION PROVISION

Disagreement and misunderstanding about how this memorandum of agreement is or is not being implemented shall be resolved in the following manner:

A. If the Indiana SHPO or any invited signatory to this memorandum of agreement should object in writing to the FHWA regarding any action carried out or proposed with respect to the replacement of Crawford County Bridge 129 or implementation of this memorandum of agreement, then the FHWA shall consult with the objecting party to resolve this objection. If after such consultation the FHWA determines that the objection cannot be resolved through consultation, then the FHWA shall forward all documentation relevant to the objection to the

Council, including the FHWA's proposed response to the objection. Within 45 days after receipt of all pertinent documentation, the Council shall exercise one of the following options:

i. Provide the FHWA with a staff-level recommendation, which the FHWA shall take into account in reaching a final decision regarding its response to the objection; or

ii. Notify the FHWA that the objection will be referred for formal comment pursuant to 36 C.F.R. Section 800.7(c), and proceed to refer the objection and comment. The FHWA shall take into account the Council's comments in reaching a final decision regarding its response to the objection.

B. If comments or recommendations from the Council are provided in accordance with this stipulation, then the FHWA shall take into account any Council comment or recommendations provided in accordance with this stipulation with reference only to the subject of the objection. The FHWA's responsibility to carry out all actions under the memorandum of agreement that are not the subjects of the objection shall remain unchanged.

III. POST REVIEW DISCOVERY

In the event that one or more historic properties—other than Crawford County Bridge 129—are discovered or that unanticipated effects on historic properties are found during the implementation of this memorandum of agreement, the FHWA shall follow the procedure specified in 36 C.F.R. Section 800.13, as well as IC 14-21-1-27 and IC 14-21-1-29, by stopping work in the immediate area and informing the Indiana SHPO and the INDOT Cultural Resources Office of such unanticipated discoveries or effects within two (2) business days. Any necessary archaeological investigations will be conducted according to the provisions of IC 14-21-1 and 312 IAC 21, the most current *Guidebook for Indiana Historic Sites and Structures Inventory – Archaeological Sites*.

IV. AMENDMENT

Any signatory to this memorandum of agreement may request that it be amended, whereupon the parties shall consult to consider the proposed amendment. 36 C.F.R. 800.6(c)(7) shall govern the execution of any such amendment.

V. TERMINATION

A. If the terms of this memorandum of agreement have not been implemented by December 31, 2022, then this memorandum of agreement shall be considered null and void. In such an event, the FHWA shall so notify the parties to this memorandum of agreement and, if it chooses to continue with the replacement of Crawford County Bridge 129, then it shall reinitiate review of the replacement of Crawford County Bridge 129 in accordance with 36 C.F.R. Sections 800.3 through 800.7.

B. Any signatory to the memorandum of agreement may terminate it by providing thirty (30) days notice to the other parties, provided that the parties shall consult during the period prior to termination to seek agreement on amendments or other actions that would avoid termination. In the event of termination, the FHWA shall comply with 36 C.F.R. Sections 800.3 through 800.7 with regard to the review of the replacement of Crawford County Bridge 129.

C. In the event that the FHWA does not carry out the terms of this memorandum of agreement, the FHWA shall comply with 36 C.F.R. Sections 800.3 through 800.7 with regard to the review of the replacement of Crawford County Bridge 129.

The execution of this memorandum of agreement by the FHWA, INDOT, and the Indiana SHPO, the submission of it to the Council with the appropriate documentation specified in 36 C.F.R. Section 800.11(e) and (f), and the implementation of its terms evidence that the FHWA has afforded the Council an opportunity to comment on the replacement of Crawford County Bridge 129 and its effect on historic properties and that the FHWA has taken into account the effects of the replacement of Crawford County Bridge 129 on historic properties.

SIGNATORIES:

FEDERAL HIGHWAY ADMINISTRATION

Signed by: Michelle Allen Date: December 10, 2012

for Richard J. Marquis
Acting Division Administrator

INDIANA STATE HISTORIC PRESERVATION OFFICER

Signed by: _____ Date: 11/9/2012

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

INVITED SIGNATORIES:

INDIANA DEPARTMENT OF TRANSPORTATION

Signed by: _____ Date: 10/15/2012

Laura Hilden
Director, Environmental Services

CRAWFORD COUNTY COMMISSIONERS

Signed by: _____ Date: 11/29/12
Jim Schultz
Crawford County Commissioner

Signed by: _____ Date: 11-29-12
Daniel Crecelius
Crawford County Commissioner

Signed by: Randy Gilmore Date: 11-29-2012
Randy Gilmore
Crawford County Commissioner

FEDERAL HIGHWAY ADMINISTRATION'S
SECTION 4(F) COMPLIANCE REQUIREMENTS (for historic properties) AND
SECTION 106 FINDINGS AND DETERMINATIONS
AREA OF POTENTIAL EFFECT
ELIGIBILITY DETERMINATIONS
EFFECT FINDING
Keystone Avenue Bridge over Fall Creek Overflow Project, City of Indianapolis, Marion County, Indiana
DES. NO.: 1173063

AREA OF POTENTIAL EFFECT
(Pursuant to 36 CFR Section 800.4(a)(1))

The Area of Potential Effect (APE) encompasses Keystone Avenue, from 418 ft north to 1,467 ft south of its intersection with Fall Creek Parkway, with a maximum width of 407 ft east and 662 ft west of the centerline of Keystone Avenue. The APE also includes Fall Creek Parkway, 428 ft east and 754 ft west of the centerline of Keystone Avenue.

ELIGIBILITY DETERMINATIONS
(Pursuant to 36 CFR 800.4(c)(2))

Keystone Avenue Bridge over Fall Creek Overflow (Bridge No. 1807F) [AL002/097-295-06217]: This reinforced concrete girder bridge has concrete decking and abutments. The bridge is 301 ft in length, with seven spans, four 12-ft travel lanes, and 1-foot curb offsets. The end bent caps are supported by steel-encased concrete piles and the interior bent caps are supported by precast concrete piles. The bridge was built in 1950. The bridge was determined eligible for the NRHP under Criteria A and C through the Indiana Historic Bridges Survey, but was rated non-select.

The Indianapolis Park and Boulevard System Historic District: This historic district is listed in the NRHP under Criteria A and C for associations with transportation, community planning, recreation, social history, health, and landscape architecture. The district has 164 contributing properties (20 buildings, 28 sites, 109 structures, and seven objects) and 101 non-contributing properties (60 buildings and 41 structures). Its period of significance is 1873–1952. Indianapolis Water Company Dam (AL003/097-295-06145) is a contributing resource to the historic district. The ca. 1915 7-ft high concrete dam crosses Fall Creek.

EFFECT FINDING

Keystone Avenue Bridge over Fall Creek Overflow (Bridge No. 1807F) [AL002/097-295-06217]: Adverse Effect

The Indianapolis Park and Boulevard System Historic District: No Adverse Effect

FHWA has determined an Adverse Effect finding is appropriate for this undertaking.

SECTION 4(F) COMPLIANCE REQUIREMENTS (for historic properties)

The Indianapolis Park and Boulevard System Historic District - This undertaking will not convert property from the Indianapolis Park and Boulevard System Historic District, a section 4(f) historic property, to a transportation use; FHWA has determined the appropriate Section 106 finding is No Adverse Effect; therefore no Section 4(f) evaluation is required for the Indianapolis Park and Boulevard System Historic District. FHWA respectfully requests the Indiana State Historic Preservation Officer provide written concurrence with the Section 106 determination of No Adverse Effect.

Keystone Avenue Bridge over Fall Creek Overflow (Bridge No. 1807F) [AL002/097-295-06217] - This resource is used for transportation purposes. This undertaking will have an Adverse Effect on the Keystone Avenue Bridge over Fall Creek Overflow, a Section 4(f) historic property; the FHWA has determined the appropriate Section 106 finding is Adverse Effect; and therefore a Section 4(f) evaluation must be completed for the Keystone Avenue Bridge over Fall Creek Overflow. FHWA respectfully requests the Indiana State Historic Preservation Officer provide written concurrence with the Section 106 determination of Adverse Effect.

Robert F. Tally, Jr., P.E.
Administrator
FHWA-IN Division

4-3-2012

Approved Date

DNR Indiana Department of Natural Resources

Mitchell E. Daniels, Jr., Governor
Robert E. Carter, Jr., Director

Division of Historic Preservation & Archaeology • 402 W. Washington Street, W274 • Indianapolis, IN 46204-2739
Phone 317-232-1646 • Fax 317-232-0693 • dhpa@dnr.IN.gov

April 30, 2012

Robert F. Tally, Jr., P.E.
Division Administrator
Indiana Division
Federal Highway Administration
575 North Pennsylvania Street, Room 254
Indianapolis, Indiana 46204

Federal Agency: Federal Highway Administration ("FHWA")

Re: FHWA's finding of Adverse Effect for the Keystone Avenue Bridge (Marion County Bridge No. 1807F) over Fall Creek Overflow Project (Des. No. 1173063; DHPA No. 11175)

Dear Mr. Tally:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f), 36 C.F.R. Part 800, and the "Programmatic Agreement Among the Federal Highway Administration, the Indiana Department of Transportation, the Advisory Council on Historic Preservation and the Indiana State Historic Preservation Officer Regarding the Implementation of the Federal Aid Highway Program In the State of Indiana," the staff of the Indiana State Historic Preservation Officer ("Indiana SHPO") has reviewed the materials submitted with United Consulting's cover letter dated April 5, 2012 and received on April 9, for the aforementioned project in the City of Indianapolis, Washington Township, Marion County, Indiana.

We concur with FHWA's April 3, 2012 finding of Adverse Effect for this undertaking, the Keystone Avenue Bridge (Marion County Bridge No. 1807F) over Fall Creek Overflow Project.

Because FHWA has determined that the Keystone Avenue Bridge over Fall Creek Overflow does not contribute to the significance of the Indianapolis Park and Boulevard System, which is listed in the National Register of Historic Places, we concur that this project will not adversely affect that historic district.

Finally, we concur that this project will have an adverse effect on the Keystone Avenue Bridge over Fall Creek Overflow, which is considered to be individually eligible for the National Register.

In our January 11, 2012 letter, we had recommended that "digital photographs be taken of Marion County Bridge No. 1807F, in accordance with the 'State of Indiana, Indiana DNR – Division of Historic Preservation and Archaeology Minimum Architectural Documentation Standards,'" It has occurred to us that it would be more advantageous, instead, to have the digital photographs of the bridge recorded on a compact disc or a digital video disc for our office and to have the digital photographs provided also to the Indiana State Library, along with a request that the State Library display the photographs online through its Indiana Memory Project.

If any archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and -29) requires that the discovery be reported to the Department of Natural Resources within two (2) business days. In that event, please call (317) 232-1646. Be advised that adherence to Indiana Code 14-21-1-27 and -29 does not obviate the need to adhere to applicable federal statutes and regulations.

If you have questions about archaeological issues, please contact Wade T. Tharp at (317) 232-1650 or wtharp1@dnr.IN.gov. Questions about buildings or structures should be directed to John Carr at (317) 233-1949 or

jcarr@dnr.IN.gov. In any future correspondence regarding the Keystone Avenue Bridge over Fall Creek Overflow Project, please refer to DHPA No. 11175.

Very truly yours,

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

JAG:JLC:jlc

cc: Michael Oliphant, United Consulting

emc: Lawrence Heil, P.E., Indiana Division, Federal Highway Administration
Staffan Peterson, Ph.D., Indiana Department of Transportation
Mary Kennedy, Indiana Department of Transportation
Shaun Miller, Indiana Department of Transportation
Melany Prather, Indiana Department of Transportation
Michael Oliphant, United Consulting

Indiana Department of Transportation

County Marion Route Keystone Ave. Des. No. 1173063 Project No. 1173063

FHWA-Indiana Environmental Document

CATEGORICAL EXCLUSION / ENVIRONMENTAL ASSESSMENT FORM

GENERAL PROJECT INFORMATION

Road No./County:	**Keystone Avenue/Marion County**
Designation Number:	**1173063**
Project Description/Termini:	**Historic Bridge Project: Marion County Bridge No.1807F Carrying Keystone Avenue over the Fall Creek Overflow Indianapolis, Indiana. The project would extend 100 feet north of the bridge and 150 feet south of the bridge.**

After completing this form, I conclude that this project qualifies for the following type of Categorical Exclusion (FHWA must review/approve if Level 4 CE):

	Categorical Exclusion, Level 2 – The proposed action meets the criteria for Categorical Exclusion Manual Level 2 - table 1, CE Level Thresholds. Required Signatories: ESM (Environmental Scoping Manager).
	Categorical Exclusion, Level 3 – The proposed action meets the criteria for Categorical Exclusion Manual Level 3 - table 1, CE Level Thresholds. Required Signatories: ESM, ES (Environmental Services).
X	**Categorical Exclusion, Level 4** – The proposed action meets the criteria for Categorical Exclusion Manual Level 4 - table 1, CE Level Thresholds. Required Signatories: ESM, ES, FHWA.
	Environmental Assessment (EA) – EAs require a separate FONSI. Additional research and documentation is necessary to determine the effects on the environment. Required Signatories: ES, FHWA.

Note: For documents prepared by or for Environmental Services, it is not necessary for the ESM of the district in which the project is located to release for public involvement or sign for approval.

Approval _____ 11/01/12 _____ 11/01/12

ESM Signature Date ES Signature Date

_____ _____

FHWA Signature Date

Release for Public Involvement JES 08/22/12

ESM Initials Date

KBR 8/22/12

ES Initials Date

Certification of Public Involvement Mary Wright 10/29/12

EXAMINER ~~Manager~~, Public Hearings Signature Date

Note: Do not approve until after Section 106 public involvement and all other environmental requirements have been satisfied.

FEDERAL HIGHWAY ADMINISTRATION'S
SECTION 4(f) COMPLIANCE REQUIREMENTS (for historic properties)
AND SECTION 106 FINDINGS AND DETERMINATIONS
AREA OF POTENTIAL EFFECT
ELIGIBILITY DETERMINATIONS
EFFECT FINDING
REHABILITATION OF HUNTINGTON COUNTY BRIDGE 123 (NBI No. 3500083)
CARRYING RANGELINE ROAD OVER THE WABASH RIVER
HUNTINGTON TOWNSHIP, HUNTINGTON COUNTY, INDIANA
DES. NO.: 1005658
FEDERAL PROJECT NO.:

AREA OF POTENTIAL EFFECTS
(Pursuant to 36 CFR Section 800.4(a)(1))

The Area of Potential Effects (APE) measures 0.30 square mile around the bridge due to the topography of the land, dense riparian corridor along the Wabash River and winding nature of the roads within the area (see Appendix page A3 for APE map).

ELIGIBILITY DETERMINATIONS
(Pursuant to 36 CFR 800.4(c)(2))

The following properties are located within the APE and listed in the National Register of Historic Places:

- Huntington County Bridge 123 (NBI No.: 3500083; Site #069-049-20029): listed under Criteria A and C for its association with Transportation and Engineering

- Chief Richardville House and Miami Treaty Grounds/Forks of the Wabash (Site #069-049-20031): listed under Criterion A for its association with Ethnic Heritage

No other structures, sites, districts or archaeological resources that are listed in or eligible for inclusion in the National Register of Historic Places (NRHP) are located within the APE.

EFFECT FINDING

Huntington County Bridge 123 (NBI No.: 3500083; Site #069-049-20029)
"Adverse Effect"

Chief Richardville House and Miami Treaty Grounds/Forks of the Wabash (Site #069-049-20031)
"No Adverse Effect"

The FHWA has determined an "Adverse Effect" finding is appropriate for this undertaking.

SECTION 4(f) COMPLIANCE REQUIREMENTS

Huntington County Bridge 123 (NBI No.: 3500083; Site #069-049-20029) – This resource is used for transportation purposes. This undertaking will have an "Adverse effect" on Huntington County Bridge 123, a Section 4(f) historic property; the FHWA has determined the appropriate

Section 106 finding is "Adverse Effect"; and therefore a Section 4(f) evaluation must be completed for Huntington County Bridge 123. FHWA respectfully requests the Indiana State Historic Preservation Officer provide written concurrence with the Section 106 determination of "Adverse Effect".

Chief Richardville House and Miami Treaty Grounds/Forks of the Wabash (Site #069-049-20031) – This undertaking will not convert property from Chief Richardville House and Miami Treaty Grounds/Forks of the Wabash, a Section 4(f) historic property, to a transportation use; FHWA has determined the appropriate Section 106 finding is "No Adverse Effect"; therefore, no Section 4(f) evaluation is required for Chief Richardville House and Miami Treaty Grounds/Forks of the Wabash. FHWA respectfully requests the Indiana State Historic Preservation Officer provide written concurrence with the Section 106 determination of "No Adverse Effect".

Joyce E Newkirk

Richard J. Marquis
Acting Division Administrator

August 29, 2012
Approved Date

DNR Indiana Department of Natural Resources

Mitchell E. Daniels, Jr., Governor
Robert E. Carter, Jr., Director

Division of Historic Preservation & Archaeology • 402 W. Washington Street, W274 · Indianapolis, IN 46204-2739
Phone 317-232-1646 • Fax 317-232-0693 · dhpa@dnr.IN.gov

October 31, 2012

Richard J. Marquis
Acting Division Administrator
Indiana Division
Federal Highway Administration
575 North Pennsylvania Street, Room 254
Indianapolis, Indiana 46204

Federal Agency: Federal Highway Administration ("FHWA")

Re: FHWA's finding of Adverse Effect, with supporting documentation, for the Rehabilitation of Huntington County Bridge 123 (NBI No. 3500083) Carrying Rangeline Road over the Wabash River, Huntington Township, Huntington County, Indiana (Des. No. 1005658; DHPA No. 11886)

Dear Mr. Marquis:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f), 36 C.F.R. Part 800, and the "Programmatic Agreement . . . Regarding Management and Preservation of Indiana's Historic Bridges" ("Historic Bridge PA"), the staff of the Indiana State Historic Preservation Officer ("Indiana SHPO") has reviewed the materials under cover letter from Butler, Fairman and Seufert, Inc. dated October 1, 2012 and received on October 2, for the aforementioned project in Huntington County, Indiana.

Although the supporting documentation is somewhat inspecific about the reason for finding that Huntington County Bridge will be adversely affected, we agree that, depending on the extent of the rehabilitation, the bridge might be adversely affected.

As previously indicated, in regard to archaeological resources, based upon the documentation available to the staff of the Indiana SHPO, we have not identified any currently known archaeological resources listed in or eligible for inclusion in the National Register of Historic Places ("NRHP") within the proposed project area as depicted as those areas within the black boundary line on the *Aerial Closeup with Study Area* map of the Indiana archaeological short report (Zoll, 11/3/11). Therefore, we concur with the opinion of the archaeologist, as expressed in the Indiana archaeological short report (Zoll, 11/3/11), that no further investigations appear necessary at this proposed project area. It is our understanding that no ground-disturbing project-related activities (e.g., staging, etc.) will take place outside of the proposed project area. If ground-disturbing project-related activities are planned outside of the proposed project area, then further archaeological investigations will be necessary.

We concur with the Section 106 finding of Adverse Effect for this federal undertaking.

We also concur, for the purposes of Section 4(f) of the Department of Transportation Act, that Huntington County Bridge 123 will be adversely affected by this project and that the Chief Richardville House and Miami Treaty Grounds/Forks of the Wabash will not be adversely affected by the project.

If any archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and -29) requires that the discovery be reported to the Department of Natural Resources within two (2) business days. In that event, please call (317) 232-1646. Be advised that adherence to Indiana Code 14-21-1-27 and -29 does not obviate the need to adhere to applicable federal statutes and regulations.

If you have questions about archaeological issues, please contact Wade T. Tharp at (317) 232-1650 or wtharp1@dnr.IN.gov. Questions about buildings or structures should be directed to John Carr at (317) 233-1949 or jcarr@dnr.IN.gov. In all future correspondence regarding the above indicated project, please refer to DHPA No. 11886.

Very truly yours,

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

JAG:JLC:WTT:wt

cc: Kristi Hamilton, Butler, Fairman and Seufert, Inc.

emc: Joyce Newland, Indiana Division, Federal Highway Administration
Lawrence Heil, P.E., Indiana Division, Federal Highway Administration
Patrick Carpenter, Indiana Department of Transportation
Mary Kennedy, Indiana Department of Transportation
Shaun Miller, Indiana Department of Transportation
Melany Prather, Indiana Department of Transportation
Kristi Hamilton, Butler, Fairman and Seufert, Inc.

FEDERAL HIGHWAY ADMINISTRATION'S
SECTION 4(f) COMPLIANCE REQUIREMENTS (FOR HISTORIC PROPERTIES) AND
SECTION 106 FINDINGS AND DETERMINATIONS
AREA OF POTENTIAL EFFECT
ELIGIBILITY DETERMINATIONS
EFFECT FINDINGS

REHABILITATION OF BRIDGE NO. 149
HUNTSVILLE PIKE OVER FALL CREEK
TOWN OF PENDLETON, MADISON COUNTY, INDIANA
DES. NO.: 0810458

AREA OF POTENTIAL EFFECT
(Pursuant to 36 CFR Section 800.4(a) (1))

Pursuant to 36 CFR Section 800.4(a) (1), the Area of Potential Effect (APE) is proposed to encompass the area as follows: 400 feet north and south of the centerline of Huntsville Pike and extending 375 feet beyond the eastern and western terminus points for the project. The APE boundary is shown on Appendix pages A-7 and A-8.

ELIGIBILITY DETERMINATIONS
(Pursuant to 36 CFR 800.4(c) (2))

Madison County Bridge No. 149 is a single-span, Pratt-thru-truss style bridge constructed in 1920 and rehabilitated in 1985. The bridge was listed on the National Register of Historic Places (NRHP) on December 22, 2008 under Criterion C, due to its engineering and transportation significance at the local level. The bridge represents the only surviving Pratt-thru-truss bridge in Madison County and provides a gateway to the nearby Historic Falls Park. Madison County Bridge No. 149 continues to maintain sufficient integrity to meet the requirements of eligibility as an intact transportation feature which conveys its engineering and transportation significance.

EFFECT FINDING

Pursuant to 36 CFR 800.5(d) (2), an assessment of effects indicates that the proposed project will impact the historic Madison County Bridge No. 149 within the APE. FHWA has determined a "No Adverse Effect" finding is appropriate for this undertaking.

SECTION 4(f) COMPLIANCE REQUIREMENTS (for historic properties)

Madison County Bridge No. 149 - This resource is used for transportation purposes. This undertaking will have a "No adverse effect" on Madison County Bridge No. 149, a Section 4(f) historic property; INDOT acting on FHWA's behalf, has determined the appropriate Section 106 finding is "No Adverse Effect"; and therefore no Section 4(f) evaluation must be completed for Madison County Bridge No. 149. INDOT respectfully requests the Indiana State Historic Preservation Officer provide written concurrence with the Section 106 determination of "No Adverse Effect."

Consulting parties will be provided a copy of FHWA's findings and determinations in accordance with INDOT and FHWA's Section 106 procedures. Comments will be accepted for 30-days upon receipt of the findings.

Staffan Peterson, for FHWA
Manager, Cultural Resources Office

4/30/2012
Approval Date

DNR Indiana Department of Natural Resources

Mitchell E. Daniels, Jr., Governor
Robert E. Carter, Jr., Director

Division of Historic Preservation & Archaeology·402 W. Washington Street, W274·Indianapolis, IN 46204-2739
Phone 317-232-1646·Fax 317-232-0693·dhpa@dnr.IN.gov

May 29, 2012

Patrick A. Carpenter
Acting Manager
Cultural Resources Office, Environmental Services Division
Indiana Department of Transportation
100 North Senate Avenue, Room N642
Indianapolis, Indiana 46204

Federal Agency: Federal Highway Administration ("FHWA")

Re: Notification of INDOT's finding of "no adverse effect" and 800.11 documentation regarding the rehabilitation of Bridge No.149 carrying Huntsville Pike over Fall Creek (Designation No. 0810458; DHPA No. 11306)

Dear Mr. Carpenter:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f), 36 C.F.R. Part 800, and the "Programmatic Agreement among the Federal Highway Administration, the Indiana Department of Transportation, the Advisory Council on Historic Preservation, the Indiana State Historic Preservation Officer regarding the implementation of the Federal Aid Highway Program in the State of Indiana," the staff of the Indiana State Historic Preservation Officer has conducted an analysis of the materials dated April 30, 2012, and received on May 1, 2012, for the above indicated project in Fall Creek Township, Madison County, Indiana.

It is our understanding, per the Historic Bridges PA, that additional plans will be provided to the Indiana SHPO when the design is 60% complete and when final design plans are complete.

As previously indicated, we do not believe the characteristics that qualify the identified historic property for inclusion in the National Register of Historic Places will be diminished as a result of this project. Additionally, as previously indicated, based upon the submitted information and the documentation available to the staff of the Indiana SHPO, we have not identified any currently known archaeological resources listed in or eligible for inclusion in the National Register of Historic Places within the proposed project area; and we concur with the recommendation of the archaeologist, as expressed in the archaeological field reconnaissance report (King, 4/6/11), that no further archaeological investigation appears necessary.

Therefore, we concur with the INDOT's April 30, 2012, finding, on behalf of the FHWA, that there are no historic buildings, structures, districts, objects, or currently known archaeological resources within the area of potential effects that will be adversely affected by the above indicated project.

If any archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and 29) requires that the discovery must be reported to the Department of Natural Resources within two (2) business days. In that event, please call (317) 232-1646. Be advised that adherence to Indiana Code 14-21-1-27 and 29 does not obviate the need to adhere to applicable federal statutes and regulations.

If you have questions about archaeological issues please contact Wade T. Tharp at (317) 232-1650 or wtharp1@dnr.IN.gov. If you have questions about buildings or structures please contact Whitney Airgood-Obrycki at (317) 233-9636 or wairgoodobrycki@dnr.IN.gov or Ashley D. Thomas at (317) 234-7034 or asthomas@dnr.IN.gov.

Very truly yours,

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

JAG:WAO:WTT:wt

emc: Patrick A. Carpenter, Ph.D., Indiana Department of Transportation
Mary Kennedy, Indiana Department of Transportation
Shaun Miller, Indiana Department of Transportation
Melany Prather, Indiana Department of Transportation
Mitchell K. Zoll, Pioneer Consulting Services, Inc.
Brian Shaw, Beam, Longest & Neff, LLC
Elayna Stoner Phillips, Beam, Longest & Neff, LLC

Indiana Department of Transportation

County: Madison Route: Huntsville Pike Des. No. 0810458

FHWA-Indiana Environmental Document
CATEGORICAL EXCLUSION / ENVIRONMENTAL ASSESSMENT FORM
GENERAL PROJECT INFORMATION

Road No./County:	**Huntsville Pike / Madison County**
Designation Number:	**0810458**
Project Description/Termini:	**Bridge Project - Madison County Bridge No. 149 over Fall Creek**

After completing this form, I conclude that this project qualifies for the following type of Categorical Exclusion (FHWA must review/approve if Level 4 CE):

	Categorical Exclusion, Level 2 – The proposed action meets the criteria for Categorical Exclusion Manual Level 2 - table 1, CE Level Thresholds. Required Signatories: ESM (Environmental Scoping Manager).
	Categorical Exclusion, Level 3 – The proposed action meets the criteria for Categorical Exclusion Manual Level 3 - table 1, CE Level Thresholds. Required Signatories: ESM, ES (Environmental Services).
X	**Categorical Exclusion, Level 4** – The proposed action meets the criteria for Categorical Exclusion Manual Level 4 - table 1, CE Level Thresholds. Required Signatories: ESM, ES, FHWA.
	Environmental Assessment (EA) – EAs require a separate FONSI. Additional research and documentation is necessary to determine the effects on the environment. Required Signatories: ES, FHWA.

Note: For documents prepared by or for Environmental Services, it is not necessary for the ESM of the district in which the project is located to release for public involvement or sign for approval.

Approval _____ 10/11/12 _____ 11OCT12
ESM Signature Date ES Signature Date

_____ 10-15-2012
FHWA Signature Date

Release for Public Involvement _____ 08/07/12
ESM Initials Date

_____ 8/3/12
ES Initials Date

Certification of Public Involvement Mary Wright 9/6/12
Examiner, Public Hearings Signature Date

Note: Do not approve until after Section 106 public involvement and all other environmental requirements have been satisfied.

Reviewer Signature _____ Date 8-7-12 & 10-11-12

Name and organization of CE/EA Preparer: Brian C. Shaw – Beam, Longest and Neff, LLC.

FIRST AMENDED MEMORANDUM OF AGREEMENT

BETWEEN THE FEDERAL HIGHWAY ADMINISTRATION AND

THE INDIANA STATE HISTORIC PRESERVATION OFFICER

SUBMITTED TO THE ADVISORY COUNCIL ON HISTORIC PRESERVATION

PURSUANT TO 36 C.F.R. SECTION 800.6(b)(iv)

REGARDING THE REPLACEMENT OF BRIDGE NO. 26

IN BARTHOLOMEW COUNTY, CLIFTY TOWNSHIP, INDIANA

WHEREAS the Federal Highway Administration (FHWA) proposes to fund the replacement of Bartholomew County Bridge No. 26 (Bridge No. 26) carrying CR 850E over Clifty Creek in Clifty Township, Bartholomew County, Indiana; and

WHEREAS the FHWA, in consultation with the Indiana State Historic Preservation Officer (Indiana SHPO), has defined this replacement of Bridge No. 26's area of potential effects, as the term defined in 36 C.F.R. Section 800.16(d), to be the area within the potential right-of-way and adjacent properties; and

WHEREAS the FHWA, in consultation with the Indiana SHPO, has found that Bridge No. 26 is within the area of potential effects; and

WHEREAS the FHWA, in consultation with the Indiana SHPO, has determined, pursuant to 36 C.F.R. Section 800.4(c), that Bridge No. 26 is eligible for inclusion in the National Register of Historic Places; and

WHEREAS the FHWA, in consultation with the Indiana SHPO, has determined pursuant to 36 C.F.R. Section 800.5(a) that the replacement of Bridge No. 26 will have an adverse effect on Bridge No. 26; and

WHEREAS the FHWA has consulted with the Indiana SHPO in accordance with Section 106 of the National Historic Preservation Act (16 U.S.C. 470f) and its implementing regulations (36 C.F.R. Section 800) to resolve the adverse effect on the Bridge No. 26 replacement project; and

WHEREAS the public was given an opportunity to comment on the undertaking's adverse effect in a notice published on March 15, 2007 in The Republic newspaper, Columbus, Indiana, and the Hope Star-Journal, Hope, Indiana; and

WHEREAS the FHWA has notified the Advisory Council on Historic Preservation (Council) of the adverse effect and invited the Council's participation in the project, pursuant to 36 CFR Section 800.6(a)(1), in a letter dated June 22, 2007; and

WHEREAS in a letter dated September 12, 2007, the Council declined to participate in consultation; and

WHEREAS the FHWA has consulted with the Indiana SHPO in accordance with Section 106 of the National Historic Preservation Act (16 U.S.C. 470f) and its implementing regulations (36 C.F.R. Part 800) concerning the scope of work as presented in the materials and plans dated March 9, 2007, and agreed to proceed with the project as proposed; and

WHEREAS the FHWA, Indiana SHPO, the Indiana Department of Transportation (INDOT), the Bartholomew County Commissioners, and the Bartholomew County Parks and Recreation Board executed a memorandum of agreement (Original MOA) in October 2007 (signed October 19, October 8, October 9, October 1, October 4) taking into account the adverse effects on Bridge No. 26; and

WHEREAS the Bartholomew County Parks and Recreation Board moving Bridge No. 26 to Anderson Falls Park, as outlined in the Original MOA, is no longer a viable option due to issues related to the site terrain; and

WHEREAS the City of Columbus Parks and Recreation Board is willing to accept ownership of Bridge No. 26 and is committed to finding a relocation site for Bridge No. 26; and

WHEREAS the Bartholomew County Commissioners have requested that Bridge No. 26 will be relocated to a location within the City of Columbus, Indiana, People Trail System and the City of Columbus Parks and Recreation Board has agreed to such a relocation; and

WHEREAS the signatories of this agreement have agreed that Bridge No. 26 may be dismantled and stored for up to a period of five years so that preparations can be made for the bridge's placement within the People Trail System; and

WHEREAS the same signatories and invited signatories that executed the Original MOA document have agreed that an amendment to the memorandum of agreement should be executed;

NOW, THEREFORE, the FHWA and the Indiana SHPO agree that, upon the submission of a copy of this executed amended memorandum of agreement, as well as the documentation specified in 36 C.F.R. Section 800.11(e) and (f) to the Advisory Council on Historic Preservation (Council pursuant to 36 C.F.R. Section 800.6[b][1][iv]) and upon the FHWA's approval of the replacement of Bridge No. 26, the FHWA shall ensure that the above-referenced memorandum of agreement of October 2007 is amended by deleting all of its stipulations and replacing them with the following in order to take into account the effect of the replacement of Bridge No. 26 on historic properties.

STIPULATIONS

I. MITIGATION STIPULATIONS

Mitigation for the replacement of Bartholomew County Bridge No. 26 will consist of the following measures.

A. The County shall construct a replacement structure on existing alignment. Consideration will be given to reuse of the existing stone abutments in the relocation site design.

B. The City of Columbus Parks and Recreation Board has agreed to accept ownership of Bridge No. 26.

C. Bridge No. 26 will be relocated to one of three locations along the People Trail. The preferred relocation site is across Haw Creek in Lincoln Park, as illustrated in Attachment 1. Alternatives sites for the relocation are across Clifty Creek in Clifty Creek Park and across Haw Creek, on the section of trail that parallels Marr Road between Rocky Ford Road and E 300 N. If the second or third relocation alternative is selected, instead of the preferred site in Lincoln Park, consulting parties will be notified.

D. Environmental review, including archaeological investigations, of the relocation site and trail approach modifications will be completed as part of the relocation project, which will be treated as a separate undertaking for Section 106 purposes.

E. Relocation of the existing bridge to one of the three sites along the People Trail will be accomplished within 5 years, measured from the date the bridge is dismantled. The Bartholomew County Commissioners will store Bridge No. 26 in a secure location until it is relocated to the selected site. The larger components shall be placed on blocks or railroad ties and stored off the ground to discourage further deterioration of the bridge members. Smaller components (e.g., detached gusset plates, bearings, pins, bracing rods, and lower chord eye-bars, etc.) and other detached members shall be stored indoors or in an otherwise locked facility.

F. The Bartholomew County Commissioners will have the bridge's components match-marked and mapped to facilitate its later reassembly. A draft disassembly plan for Bridge No. 26 shall be submitted to FHWA, INDOT, and the Indiana SHPO for a 30-day comment period before any construction activities related to the disassembly take place. If any of the agencies respond with recommendations, a good faith effort to accommodate the recommendations will be made. The County will inform the agencies of its response to such recommendations and the final disassembly plan will be provided to the agencies for their files.

G. The Bartholomew County Commissioners shall apply previously awarded Transportation Enhancement Funds to costs associated with rehabilitation efforts for Bridge No. 26, including, but not limited to, painting, replacement of stringers and wooden decking, and relocation costs. Detailed rehabilitation and reassembly plans for Bridge No. 26 will be submitted to consulting parties as part of the environmental review for the relocation project.

H. The City of Columbus Parks and Recreation Board hereby agrees to the following terms:

i. Leave the bridge open to the public.
ii. Maintain the features that give the bridge its historic significance for a minimum period of 25 years from the date on which the recipient(s) take title to the bridge.
iii. Assume future legal and financial responsibility for the bridge.
iv. Give consideration to reuse of the existing stone bridge abutments in the relocation site design.
v. Placement of signage at the relocation site that depicts the history of the bridge. A draft signage concept shall be submitted to the Indiana SHPO for a 30-day comment period. If the Indiana SHPO responds with recommendations, a good faith effort to accommodate the recommendations will be made. The Board will inform the Indiana SHPO of its response to such recommendations and the final signage concept will be provided to the Indiana SHPO for their files.

II. OBJECTION RESOLUTION PROVISION

Disagreement and misunderstanding about how this amended memorandum of agreement is or is not being implemented shall be resolved in the following manner:

A. If the Indiana SHPO or any invited signatory to this amended memorandum of agreement should object in writing to the FHWA regarding any action carried out or

proposed with respect to the replacement of Bridge No. 26 or implementation of this amended memorandum of agreement, then the FHWA shall consult with the objecting party to resolve this objection. If after such consultation the FHWA determines that the objection cannot be resolved through consultation, then the FHWA shall forward all documentation relevant to the objection to the Council, including the FHWA's proposed response to the objection. Within 45 days after receipt of all pertinent documentation, the Council shall exercise one of the following options:

i. Provide the FHWA with a staff-level recommendation, which the FHWA shall take into account in reaching a final decision regarding its response to the objection; or

ii. Notify the FHWA that the objection will be referred for formal comment pursuant to 36 C.F.R. Section 800.7(c), and proceed to refer the objection and comment. The FHWA shall take into account the Council's comments in reaching a final decision regarding its response to the objection.

B. If comments or recommendations from the Council are provided in accordance with this stipulation, then the FHWA shall take into account any Council comment or recommendations provided in accordance with this stipulation with reference only to the subject of the objection. The FHWA's responsibility to carry out all actions under the amended memorandum of agreement that are not the subjects of the objection shall remain unchanged.

III. POST REVIEW DISCOVERY

In the event that one or more historic properties, other than Bridge No. 26, are discovered or that unanticipated effects on historic properties are found during the implementation of this amended memorandum of agreement, the FHWA shall follow the procedure specified in 36 C.F.R. Section 800.13, as well as and IC 14-21-1-27 and IC 14-21-1-29, by stopping work in the immediate area and informing the Indiana SHPO and the INDOT Cultural Resources Section of such unanticipated discoveries or effects within two (2) business days. Any necessary archaeological investigations will be conducted according to the provisions of IC 14-21-1, 312 IAC 21, 312 IAC 22 and the most current *Guidebook for Indiana Historic Sites and Structures Inventory – Archaeological Sites*.

IV. AMENDMENT

Any signatory to this amended memorandum of agreement may request that it be amended again, whereupon the parties shall consult to consider the proposed amendment. 36 C.F.R. 800.6(c)(7) shall govern the execution of any such amendment.

V. TERMINATION

A. If the terms of this amended memorandum of agreement have not been implemented within ten years of the completion of the removal of Bridge No. 26 from its original location, then this amended memorandum of agreement shall be considered null and void. In such an event, the FHWA shall so notify the parties to this amended memorandum of agreement and, if it chooses to continue with the replacement of Bridge No. 26, then it shall reinitiate review of the replacement of Bridge No. 26 in accordance with 36 C.F.R. Sections 800.3 through 800.7.

B. Any signatory to the amended memorandum of agreement may terminate it by providing thirty (30) days notice to the other parties, provided that the parties shall consult during the period prior to termination to seek agreement on amendments or other actions that would avoid termination. In the event of termination, the FHWA shall comply with 36 C.F.R. Sections 800.3 through 800.7 with regard to the review of the replacement of Bridge No. 26.

C. In the event that the FHWA does not carry out the terms of this amended memorandum of agreement, the FHWA shall comply with 36 C.F.R. Sections 800.3 through 800.7 with regard to the review of the replacement of Bridge No. 26.

The execution of this amended memorandum of agreement by the FWHA, INDOT, Bartholomew County Commissioners, Bartholomew County Parks and Recreation Board, City of Columbus Parks and Recreation Board, and the Indiana SHPO, the submission of it to the Council with the appropriate documentation specified in 36 C.F.R. Section 800.11(e) and (f), and the implementation of its terms evidence that the FHWA has afforded the Council an opportunity to comment on the replacement of Bridge No. 26 and its effect on historic properties and that the FHWA has taken into account the effects of the replacement of Bridge No. 26 on historic properties.

PREFERRED BRIDGE NO. 26 RELOCATION SITE
LINCOLN PARK

25TH STREET AND US 31

STRAND ASSOCIATES®

ATTACHMENT 1

4008.014

File: S:\COL\4000--4099\4008\014\Acad\Attachment.dwg Time: Jul 16, 2012 - 10:14am

SIGNATORIES (required):

FEDERAL HIGHWAY ADMINISTRATION

Signed by: Michelle Allen Date: 11.15.12

Name and Title: Michelle Allen Planning & Environmental Specialist

(Typed or printed)

SIGNATORIES (required):

INDIANA STATE HISTORIC PRESERVATION OFFICER

Signed by: _____ Date: 11/9/2012

Name and Title: James A. Glass, Deputy SHPO

(Typed or printed)

INVITED SIGNATORIES

INDIANA DEPARTMENT OF TRANSPORTATION

Signed by: _____ Date: 10/19/2012

Name and Title: Director of Environmental Services

(Typed or printed)

INVITED SIGNATORIES

BARTHOLOMEW COUNTY COMMISSIONERS

Signed by: Jay S. Kleinhenz Date: 10/25/2012

Name and Title: Larry S. Kleinhenz, Bartholomew County Commissioner Chairman

(Typed or printed)

INVITED SIGNATORIES

BARTHOLOMEW COUNTY PARKS AND RECREATION BOARD

Signed by: Mike Ferree Date: 11/14/12

Name and Title: Mike Ferree, Park Board Member

(Typed or printed)

INVITED SIGNATORIES

CITY OF COLUMBUS PARKS AND RECREATION BOARD

Signed by: _____ Date: 10/1/12

Name and Title: Brian Rumell, President

(Typed or printed)

FEDERAL HIGHWAY ADMINISTRATION'S
SECTION 4(F) COMPLIANCE REQUIREMENTS (for historic properties) AND
SECTION 106 FINDINGS AND DETERMINATIONS
AREA OF POTENTIAL EFFECT
ELIGIBILITY DETERMINATIONS
EFFECT FINDING
Pike County Bridges #81 and #246 Rehabilitation Project
Pike County, Indiana
Des Nos. 1005848 and 1005846
DHPA No. 13483

AREA OF POTENTIAL EFFECT (Pursuant to 36 CFR Section 800.4(a)(1)

The Area of Potential Effects (APE) is the area in which the proposed project may cause alterations in the character or use of historic resources. The APE includes all alternative locations for all elements of the project; all locations where the project may result in disturbance of the ground; all locations from which elements of the project may be visible or audible; all locations where the activity may result in changes in traffic patterns, land use, or public access; and all areas where there may be direct or indirect effects. The APE for this project encompasses all areas adjacent to the proposed project area and includes those properties which have a view shed of the project area; because of the wooded nature of the project area, the APE was expanded to approximately 200 feet from construction limits to account for potential audible impacts (See Appendix A for maps).

ELIGIBILITY DETERMINATIONS (Pursuant to 36 CFR 800.4(c)(2))

Patoka Bridges Historic District (NRHP, 2005)
The Patoka Bridges Historic District includes bridges Pike #81 and Pike #246 and the section of road that connects them. The district is listed on the National Register under Criterion A for Social, Transportation and Ethnic History and Criterion C for engineering.

EFFECT FINDING (Pursuant to 36 CFR 800.4(d)(1))

There is one historic property listed on the National Register of Historic Places within the APE of the undertaking: **Patoka Bridges Historic District**

The Federal Highway Administration (FHWA) has determined a **"No Adverse Effect"** finding is appropriate for this undertaking.

SECTION 4(F) COMPLIANCE REQUIREMENTS (for historic properties)

Patoka Bridges Historic District – This resource is used for transportation purposes. This undertaking will not convert property that previously did not have a transportation use within the Patoka Bridges Historic District, a Section 4(f) historic property, to a transportation use; therefore no Section 4(f) evaluation is required. The qualities that make the Patoka Bridges Historic District significant would not be adversely affected and FHWA has determined the appropriate Section 106 finding is "No Adverse Effect". FHWA respectfully requests the SHPO provide written concurrence with the Section 106 determination of No Adverse Effect.

Consulting parties would be provided a copy of the FHWA findings and determinations in accordance with Section 106 procedures. Comments will be accepted for thirty (30) days upon receipt of the findings.

Patrick Carpenter
Manager, Cultural Resources Office, Environmental Services
Indiana Department of Transportation for
Federal Highway Administration

1-18-2013
Approval Date

FEDERAL HIGHWAY ADMINISTRATION'S
SECTION 4(F) COMPLIANCE REQUIREMENTS (for historic properties) AND
SECTION 106 FINDINGS AND DETERMINATIONS
AREA OF POTENTIAL EFFECT
ELIGIBILITY DETERMINATIONS EFFECT FINDING
Shieldstown Covered Bridge Rehabilitation Project
Brownstown Township, Jackson County, Indiana
Des No: 0710687
Federal project no: pending

AREA OF POTENTIAL EFFECT
(Pursuant to 36 CFR Section 800.4(a)(1))

The APE has been drawn to encompass properties within a viewshed of the undertaking. The APE takes into account the properties on all sides of the undertaking and/or with a view of it. The APE for archaeological resources is the project footprint.

ELIGIBILITY DETERMINATIONS
(Pursuant to 36 CFR 800.4(c)(2))

There are no historic properties listed in the National Register of Historic Places (NRHP); one property is recommended eligible for listing in the NRHP: Shieldstown Covered Bridge.

Shieldstown Covered Bridge

This double span Burr Arch bridge was designed by master bridge builder Joseph J. Daniels and it was erected in 1876. Along with the Medora Covered Bridge, the Shieldstown Covered Bridge is one of only two remaining covered bridges extant in Jackson County. The Shieldstown Covered Bridge is eligible for NRHP listing under Criterion A for transportation developments during Jackson County's settlement period, and under Criterion C for its outstanding example of a Burr Arch truss embodying the distinctive characteristics of master builder Joseph J. Daniels.

EFFECT FINDING

Shieldstown Covered Bridge: Adverse Effect

INDOT, acting on FHWA's behalf has determined an "Adverse Effect" finding is appropriate for this undertaking.

SECTION 4(F) COMPLIANCE REQUIREMENTS (for historic properties)

Shieldstown Covered Bridge – Although this resource is no longer in vehicular use it was historically used for transportation purposes. The rehabilitation work on the bridge will result in an "Adverse effect" on the Shieldstown Covered Bridge, a Section 4(f) historic property; the FHWA has determined the appropriate Section 106 finding is "Adverse Effect."

FHWA believes that the bridge work qualifies for the Section 4(f) exception in 23§774.13(g), which applies to:

(g) Transportation enhancement projects and mitigation activities, where:
- (1) The use of the Section 4(f) property is solely for the purpose of preserving or enhancing an activity, feature, or attribute that qualifies the property for Section 4(f) protection; and
- (2) The official(s) with jurisdiction over the Section 4(f) resource agrees in writing to paragraph (g)(1) of this section.

FHWA respectfully requests that the Indiana State Historic Preservation Officer provide written concurrence that they are in agreement with paragraph (g)(1) above and that the project qualifies for the Section 4(f) exception.

Consulting parties will be provided a copy of the findings and determinations in accordance with INDOT and FHWA's Section 106 procedures. Comments will be accepted for thirty (30) days upon receipt of the findings.

Michelle Allen

Ms. Karen A. Bobo, Acting Division Administrator
Federal Highway Administration

Jan. 15, 2013
Approved Date

FEDERAL HIGHWAY ADMINISTRATION'S
SECTION 4(F) COMPLIANCE REQUIREMENTS (for historic properties) AND
SECTION 106 FINDINGS AND DETERMINATIONS
AREA OF POTENTIAL EFFECT
ELIGIBILITY DETERMINATIONS
EFFECT FINDING
Rehabilitation of Baker's Camp Covered Bridge (Putnam Co. Bridge No. 52)
Carrying County Road 650 North over Big Walnut Creek
Approximately 2.2 miles south and east of the Town of Bainbridge, Floyd Township
Putnam County, Indiana
DES. NO.: 1173180
FEDERAL PROJECT NO.

AREA OF POTENTIAL EFFECT
(Pursuant to 36 CFR Section 800.4(a)(1))

The area of potential effect (APE) for the rehabilitation of Baker's Camp Covered Bridge includes existing right-of-way and applicable adjacent properties within the viewshed of the proposed project, including structures and forest on the north side of CR 650 N, portions of Big Walnut Creek, and portions of the roadway (see maps in appendix C-5 and C-6). Approximately 0.55 acres of permanent right-of-way and 0.12 acres of temporary right-of-way will be required from non-historic properties for the rehabilitation of the bridge. This project will temporarily change traffic patterns during construction, as the bridge will be temporarily closed during rehabilitation. There will be no utility relocations.

ELIGIBILITY DETERMINATIONS
(Pursuant to 36 CFR 800.4(c)(2))

The Baker's Camp Covered Bridge (IHSSI #133-250-25011), which is the bridge to be rehabilitated in this project, was recommended to be eligible for the National Register of Historic Places under Criteria A: the bridge is associated with significant local covered bridge history and events; and C: the bridge does exhibit distinct characteristics of a type, period, and method, and is the work of a master.

EFFECT FINDING

Baker's Camp Covered Bridge: The proposed project will result in a finding of "No Adverse Effect" for Putnam County Bridge No. 52, #133-250-25011.

INDOT, acting on FHWA's behalf, has determined a "No Adverse Effect" finding is appropriate for this undertaking.

SECTION 4(F) COMPLIANCE REQUIREMENTS (for historic properties)

Baker's Camp Covered Bridge: This resource is used for transportation purposes. This undertaking will have a "No Adverse Effect" on Baker's Camp Covered Bridge, a Section 4(f) historic property; INDOT, acting on FHWA's behalf, has determined the appropriate Section 106 finding is "No Adverse Effect;" and therefore no Section 4 (f) evaluation must be completed for Baker's Camp Covered Bridge. INDOT respectfully requests the Indiana State Historic Preservation Officer provide written concurrence with the Section 106 of "No Adverse Effect."

Patrick Carpenter, for FHWA
Cultural Resource Manager
INDOT Cultural Resources Office

9-27-2012
Approved Date

DNR Indiana Department of Natural Resources

Mitchell E. Daniels, Jr., Governor
Robert E. Carter, Jr., Director

Division of Historic Preservation & Archaeology·402 W. Washington Street, W274·Indianapolis, IN 46204-2739
Phone 317-232-1646·Fax 317-232-0693·dhpa@dnr.IN.gov

HISTORIC PRESERVATION AND ARCHAEOLOGY

October 29, 2012

Patrick A. Carpenter
Manager, Cultural Resources Office
Environmental Services Division, Indiana Department of Transportation
100 North Senate Avenue, IGCN, Room N642
Indianapolis, Indiana 46204

Federal Agency: Federal Highway Administration ("FHWA")

Re: Revised APE, Indiana archaeological short report (Zoll and Zoll, 9/25/12), notification of INDOT's finding of "no adverse effect," and 800.11 documentation regarding rehabilitation of Baker's Camp Covered Bridge, also known as Putnam County Bridge No. 52 (Designation No. 1173180; DHPA No. 13449)

Dear Mr. Carpenter:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f), 36 C.F.R. Part 800, and the "Programmatic Agreement among the Federal Highway Administration, the Indiana Department of Transportation, the Advisory Council on Historic Preservation, the Indiana State Historic Preservation Officer regarding the implementation of the Federal Aid Highway Program in the State of Indiana," the staff of the Indiana State Historic Preservation Officer ("Indiana SHPO") has conducted an analysis of the materials dated September 27 and 28, 2012, and received on September 28 and October 1, 2012, for the above indicated project in Floyd Township, Putnam County, Indiana.

As previously indicated, based upon the submitted information and the documentation available to the staff of the Indiana SHPO, we have not identified any currently known archaeological resources listed in or eligible for inclusion in the National Register of Historic Places ("NRHP") within the original portions of the proposed project area as described in the Indiana archaeological short report (Zoll and Zoll, 5/1/12). Additionally, based upon the submitted information and the documentation available to the staff of the Indiana SHPO, we have not identified any currently known archaeological resources listed in or eligible for inclusion in the NRHP within the original portions of the proposed project area as described in the addendum Indiana archaeological short report (Zoll and Zoll, 9/25/12). Please keep in mind that these identifications are subject to the project activities remaining within areas disturbed by previous construction of a recent and non-historical nature. If archaeological deposits are encountered from the post-contact period, they will be evaluated regarding their eligibility for the National Register of Historic Places in consultation with the staff of the Indiana SHPO. Please contact our office if such deposits are encountered. The archaeological recording must be done in accordance with the Secretary of the Interior's "Standards and Guidelines for Archaeology and Historic Preservation" (48 F.R. 44716) and a report of the archaeological documentation must be submitted to our office for review and comment.

As previously indicated, based on the information contained in the preliminary plans provided for our review, the Indiana SHPO believes that the treatments proposed are consistent with the 'Secretary of the Interior's Standards for the Rehabilitation of Historic Properties.' Therefore, we do not believe the characteristics that qualify the Baker's Camp Covered Bridge (Putnam County Bridge No. 52) for inclusion in the National Register will be diminished as a result of this project.

Therefore, we concur with the INDOT's September 27, 2012, finding, on behalf of the FHWA, that there are no historic buildings, structures, districts, objects, or currently known archaeological resources within the area of potential effects that will be adversely affected by the above indicated project.

If any archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and 29) requires that the discovery must be reported to the Department of Natural Resources within two (2) business days. In that event, please call (317) 232-1646. Be advised that adherence to Indiana Code 14-21-1-27 and 29 does not obviate the need to adhere to applicable federal statutes and regulations.

If you have questions about archaeological issues please contact Wade T. Tharp at (317) 232-1650 or wtharp1@dnr.IN.gov. If you have questions about buildings or structures please contact Chad W. Slider at (317) 234-5366 or cslider@dnr.IN.gov. Additionally, in all future correspondence regarding the above indicated project, please refer to DHPA No. 13449.

Very truly yours,

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

JAG:WTT:wt

emc: Patrick A. Carpenter, Indiana Department of Transportation
Mary Kennedy, Indiana Department of Transportation
Shaun Miller, Indiana Department of Transportation
Melany Prather, Indiana Department of Transportation
Dawn Kroh, Green 3, LLC
Erin Mulryan, Green 3, LLC
Mitchell K. Zoll, Pioneer Consulting Services, Inc.

From http://www.indianasnewscenter.com/news/local/Spencerville-Covered-Bridge-to-be-Repaired-by-Ohio-Company-Photos-181240181.html

Accessed 29 January 2013

Spencerville Covered Bridge to be Repaired by Ohio Company (With Photos)

By Scott Sarvay

November 28, 2012

Updated Nov 28, 2012 at 5:17 PM EST

Spencerville, Ind. (www.incnow.tv) – Monday night the DeKalb County Commissioners approved an Ohio based engineering firm to conduct the repairs to the historic covered bridge that was damaged in September.

Jutte Excavating from Fort Recovery, Ohio won the $103,000 contract. The DeKalb County Commissioners approved Jutte based on a recommendation from an engineering firm and because it was cheapest.

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Don Kaufman, (R) DeKalb County Commissioner said, "cheapest is not always best, but Jutte was highly recommended."

And the case against the man accused of damaging the landmark moves forward.

Attorneys couldn't reach at deal for 46-year-old Gerard Hudson of Waukegan, Illinois. So Hudson could be headed for a jury trial on January 16th.

He faces criminal mischief and "driving with a suspended license" charges.

Hudson says he was just following his GPS, pressed his luck and tried to pass over the St. Joseph River using the covered bridge, instead of the more modern bridge located nearby along CR 68.

The truck broke crossbeams and roof supports the entire length of the bridge as it crossed the span heading eastbound. As the truck reached the end it knocked the bridge's east end sign to the ground.

The Spencerville Covered Bridge was built in 1873, and is declared a National Historical Landmark. It is the only covered bridge in DeKalb County.

GALLERY

(Rachel Martin)



5 photos

RELATED:

- Covered Bridge Not Being Moved
- Photographing Spencerville's Covered Bridge to Help Pay Repairs
- The Spencerville Covered Bridge: A History
- Bridge's Primary Structure is in Good Shape
- Spencerville Covered Bridge Damaged

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October 9, 2012

Scott Matthews
Regulatory Project Manager
Indianapolis Regulatory Office
U.S. Army Corps of Engineers
8902 Otis Avenue, Suite S106B
Indianapolis, Indiana 46216-1055

Federal Agency: U.S. Army Corps of Engineers

Re: Project information and notification of the U.S. Army Corps of Engineers' finding of "no adverse effect" regarding rehabilitation of Bridge No. 2514F carrying Rural Street over Pogue's Run (DHPA No. 11950)

Dear Mr. Matthews:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f) and 36 C.F.R. Part 800, the staff of the Indiana State Historic Preservation Officer ("Indiana SHPO") has conducted an analysis of the materials dated September 6, 2012, and received on September 7, 2012, for the above indicated project in the City of Indianapolis, Center Township, Marion County, Indiana.

Thank you for your recent submission. We note that Marion County Bridge 2514F (NBI No. 4900226) is a contributing resource to the Indianapolis Parks and Boulevard System, listed in the National Register of Historic Places on March 28, 2003. The scope of work includes removing and replacing the existing concrete wingwalls, box beams and sidewalks, spandrel walls, contemporary metal railings, and three feet of the existing concrete arch ring. In addition, the roadway will be replaced and a historically appropriate concrete bridge railing will be constructed.

Based on the information provided to our office, we do not believe the characteristics that qualify Marion County Bridge 2514F or the Indianapolis Parks and Boulevard System for inclusion in the National Register will be diminished as a result of this project. Therefore, we concur with the Corps of Engineers' September 6, 2012, finding that no historic buildings, structures, districts, objects, or currently known archaeological resources within the area of potential effects will be adversely affected by the above indicated project.

This identification is subject to the following condition:

- The project activities remain within areas disturbed by previous construction.

If any archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and 29) requires that the discovery must be reported to the Department of Natural Resources within two (2) business days. In that event, please call (317) 232-1646. Be advised that adherence to Indiana Code 14-21-1-27 and 29 does not obviate the need to adhere to applicable federal statutes and regulations.

If you have questions about archaeological issues please contact Wade T. Tharp (317) 232-1650 or wtharp1@dnr.IN.gov. If you have questions about buildings or structures please contact Chad Slider at (317) 234-5366 or cslider@dnr.IN.gov.

Very truly yours,

James A. Glass, PhD
Deputy State Historic Preservation Officer

JAG:CWS:WTT:wt

emc: Patrick A. Carpenter, Indiana Department of Transportation
Mary Kennedy, Indiana Department of Transportation
Shaun Miller, Indiana Department of Transportation
Melany Prather, Indiana Department of Transportation