INDIANA DEPARTMENT OF TRANSPORTATION

Annual Report for 2013
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, 2014

Indiana
A State that Works

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."

This document is a reflection of how INDOT-CRO understands items to stand through January 31, 2014. Please forward any comments or revisions to Mary Kennedy via email: mkennedy@indot.in.gov.

The information in this report is divided into three categories and is outlined below.

Part I--List of Select and Non-Select Bridges that have been processed or for which actions came to light during 2013
Part II--List of Select Bridges that have been replaced outside of the Historic Bridge PA process
Part III--List of Non-Select Bridges that have been replaced outside of the Historic Bridge PA process

Part I

List of Select and Non-Select Bridges that have been processed or for which actions came to light during 2013

The following table lists the bridges for which the Indiana Department of Transportation (INDOT) Cultural Resources Office (CRO) has knowledge of actions taking place from January 2013 through January 2014. Additionally some other entries are for actions that took place prior to 2013, but had not yet been captured in an annual report. There is often some lag time between when locally funded projects are implemented and the information is incorporated into INDOT's system. Support documents related to these actions are included in the Attachments portion of the report.

Historic Bridge PA - 2013 Annual Update
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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 concluded under the HBPA procedures	Finding of "adverse effect" dated 8/16/12; SHPO concurrence letter dated 9/17/12; Public Involvement (Hearing) Certification dated 7/29/13 (See Attachment 1)	INDOT Des. No. 0801062
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 concluded under the HBPA procedures	Finding of "adverse effect" dated 12/5/12; SHPO concurrence letter dated 1/7/13; Public Involvement (Hearing) Certification dated 5/14/13 (See Attachment 2)	INDOT Des. No. 1006546
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 concluded under the HBPA procedures	Finding of "adverse effect" dated 4/3/13; SHPO concurrence letter dated 5/7/13; Public Involvement (Hearing) Certification dated 10/1/13 (See Attachment 4)	INDOT Des. No. 9982470
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 5)	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 concluded under the HBPA procedures	Finding of "adverse effect" dated 7/9/13; SHPO concurrence letter dated 8/14/13; Public Involvement (Hearing) Certification dated 12/26/13 (See Attachment 6)	INDOT Des. No. 0902251
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	Nothing of note to include with this report	INDOT Des. No. 0800910

Bridge	Action Taken	Support Documentation	Additional Comments
Delaware County Bridge No. 85 (NBI No. 1800070), CR 800 E over the Mississinewa River, Delaware County	Section 106 process for project involving this Select bridge concluded under the HBPA procedures	Finding of "adverse effect" dated 1/17/12; SHPO concurrence letter dated 2/17/12; Public Involvement (Hearing) Certification dated 6/11/12; Agreement transferring ownership of bridge to re-use as part of a trail in Muncie executed 6/21/13 (See Attachment 7)	INDOT Des. No. 0500078
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; Shelby County is currently preparing an alternatives analysis document
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 8)	INDOT Des. No. 0800072; public hearing still to be held
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; Public Involvement (Hearing) Certification dated 1/7/14; (See Attachment 9)	INDOT Des. No. 1173064
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 concluded under the HBPA procedures	Finding of "adverse effect" dated 2/22/12; SHPO concurrence letter dated 3/23/12; Public Involvement (Hearing) Certification dated 7/23/13; (See Attachment 10)	INDOT Des. Nos. 0400285 and 0800029
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 concluded under the HBPA procedures	Finding of "adverse effect" dated 8/15/12; SHPO concurrence letter dated 10/1/12; Public Involvement (Hearing) Certification dated 3/28/13 (See Attachment 11)	INDOT Des. No. 1005701
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 concluded under the HBPA procedures	Finding of "adverse effect" dated 6/20/11; SHPO concurrence letter dated 7/21/11; Public Involvement (Hearing) Certification dated 12/13/13 (See Attachment 12)	INDOT Des. No. 0500817

Bridge	Action Taken	Support Documentation	Additional Comments
DeKalb County Bridge No. 134 (NBI No. 1700135), CR 75 over CSX Railroad, DeKalb County	CSX/DeKalb County plan to remove this Select bridge with private money & possibly dismantle & store it	Nothing of note to include with this report	FHWA no longer participating in project under INDOT Des. No. 1173242
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 concluded under the HBPA procedures	Finding of "adverse effect" dated 3/20/13; SHPO concurrence letter dated 4/19/13; Public Involvement (Hearing) Certification dated 8/22/13 (See Attachment 13)	INDOT Des. No. 1005700
INDOT Bridge No. 026-34-03651B (NBI No. 6840), SR 26 over Mud Creek, Howard County	Section 106 process for project involving this Select bridge in progress under the HBPA procedures	Nothing of note to include with this report; Information packet that was sent out can be found on INDOT's Section 106 Consultation and Outreach Portal Enterprise (IN SCOPE) website: http://netservices.indot.in.gov/Section106Documents/Default.aspx	INDOT Des. No. 1006226; preliminary project information sent to consulting parties on 11/7/13
INDOT Bridge No. 026-34-03651B (NBI No. 6840), SR 26 over Mud Creek, Howard County	Project established for painting this Select Bridge within INDOT system; no environmental work initiated yet	Nothing of note to include with this report	INDOT Des. No. 1006341
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 nearly concluded under the HBPA procedures	Finding of "adverse effect" dated 11/18/13; SHPO concurrence letter dated 12/13/13; Public Hearing Notification dated 1/3/14 (See Attachment 14)	INDOT Des. No. 0800838; public hearing held 1/23/14
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) concluded under the HBPA procedures	Finding of "no adverse effect" dated 1/4/13; SHPO concurrence letter dated 2/6/13; Public Involvement (Hearing) Certification dated 10/7/13 (See Attachment 15)	INDOT Des. No. 1173072
INDOT Bridge No. (421)39-12-01793B (NBI No. 32210), US 421 over Kilmore Creek, Clinton 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. 1006286; preliminary project information sent to consulting parties on 10/15/13

Bridge	Action Taken	Support Documentation	Additional Comments
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
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 concluded under the HBPA procedures	Finding of "no adverse effect" dated 4/23/13; SHPO concurrence letter dated 5/28/13; Public Involvement (Hearing) Certification dated 9/25/13 (See Attachment 16)	INDOT Des. No. 1173243
Madison County Bridge 97 (NBI No. 4800086), CR 450 N over Killbuck Creek, Madison 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. 0100372; project re-coordination information & revised alternatives analysis sent to consulting parties on 11/5/13
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 concluded under the HBPA procedures	Finding of "adverse effect" dated 8/29/12; SHPO concurrence letter dated 10/31/12; Public Involvement (Hearing) Certification dated 3/25/13 (See Attachment 17)	INDOT Des. No. 1005658
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 nearly concluded under the HBPA procedures	Finding of "adverse effect" dated 6/3/13; SHPO concurrence letter dated 7/11/13 (See Attachment 18)	INDOT Des. No. 1006517; public hearing still to be held
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. (25)24-09-04178A (NBI No. 6000), SR 25 over the Eel River, Cass 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. 1173393

Bridge	Action Taken	Support Documentation	Additional Comments
INDOT Bridge No. 026-79-03346B (NBI No. 6690), SR 26 over South Fork of Wildcat Creek, Tippecanoe 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. 9608220; historic properties report sent to consulting parties on 6/17/13
INDOT Bridge No. (11)31A-36-01677E (NBI No. 10250), SR 11 over East Fork of the White River, Jackson County	Bridge deck overlay project for this Select Bridge exempt from Section 106 review under the Minor Projects Programmatic Agreement between the FHWA, SHPO & INDOT [MPPA]--under Category A Item 13	Nothing of note to include with this report	INDOT Des. No. 1298123
INDOT Bridge No. 036-83-03492A (NBI No. 11480), US 36 over Wabash River, Vermillion 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. 1296351
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
INDOT Bridge No. 075-08-03486 (NBI No. 24960), SR 75 over Middle Fork of Wildcat Creek, Carroll 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. 1296985

Bridge	Action Taken	Support Documentation	Additional Comments
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 concluded under the HBPA procedures	Finding of "adverse effect" dated 4/17/13; SHPO concurrence letter dated 5/15/13; Public Involvement (Hearing) Certification dated 9/16/13; (See Attachment 19)	INDOT Des. No. 1173249
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
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 concluded under the HBPA procedures	Finding of "adverse effect" dated 1/18/13; SHPO concurrence letter dated 2/20/13; Public Involvement (Hearing) Certification dated 9/6/13; (See Attachment 20)	INDOT Des. No. 1005846
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 concluded under the HBPA procedures	Finding of "adverse effect" dated 1/18/13; SHPO concurrence letter dated 2/20/13; Public Involvement (Hearing) Certification dated 9/6/13; (See Attachment 20)	INDOT Des. No. 1005848
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 concluded under the HBPA procedures	Finding of "adverse effect" dated 1/15/13; SHPO concurrence letter dated 2/13/13; Public Involvement (Hearing) Certification dated 10/10/13; (See Attachment 21)	INDOT Des. No. 0710687
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 concluded under the HBPA procedures	Finding of "adverse effect" dated 9/27/12; SHPO concurrence letter dated 10/29/12; Public Involvement (Hearing) Certification dated 4/15/13; (See Attachment 22)	INDOT Des. No. 1173180
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 articles announcing bridge reopening after repairs were completed (See Attachment 23)	No INDOT Des. No.; local project

Bridge	Action Taken	Support Documentation	Additional Comments
Shelby County Bridge No. 149 (Middletown Bridge)(NBI No. 7300137), CR 425 S over Conns Creek, Shelby County	FHWA, INDOT & SHPO approved Shelby County's request to reclassify this Select Bridge as Non-Select based on deteriorated structural condition	Memorandum from INDOT to Historic Bridge Task Group regarding reclassification approval dated 8/23/13 (See Attachment 24)	Shelby County demolished the structure a few months after the reclassification
Boone Co. Bridge No. 70 (NBI No. 0600052), CR 600 E over Mounts Run, Boone County	Section 106 process for project involving this Select bridge with US Army Corps of Engineers as lead federal agency put on hold by Boone County	Email from US Army Corps of Engineers staff indicating permit application had been withdrawn by applicant (See Attachment 25)	Not a FHWA project; US Army Corps of Engineers had been lead federal agency
Marion County Bridge No. 2410F (NBI No. 4900209), 16th St./MLK Blvd. over former IWC Canal, Indianapolis, Marion County	City of Indianapolis has requested that INDOT initiate the process to reclassify the bridge as non-National Register eligible and also remove it from the list of Select bridges. Based on information submitted to them for review & a site visit, SHPO agrees with reclassification.	Memorandum from RW Armstrong to INDOT dated 3/28/13 & SHPO letter dated 6/19/13 (See Attachment 26)	Next step is for City of Indianapolis to prepare materials for distribution to Historic Bridge Task Group for 30-day comment period. City has put request on hold, but plans to pursue in 2014.
Marion County Bridge No. 4101F (NBI No. 4900390), Franklin Road over Miller Ditch, Indianapolis, Marion County	Section 106 process completed for replacement project involving this Non-Select bridge with US Army Corps of Engineers as lead federal agency	US Army Corps of Engineers letter of 6/19/13 asserting that the bridge is not National Register eligible; SHPO concurrence letter dated 7/31/13 (See Attachment 27)	Not a FHWA project; US Army Corps of Engineers is lead federal agency
DNR Bridge No. P000-07-07101B (Ramp Creek Covered Bridge) (NBI No. 60310), Brown County State Park Road over North Fork Salt Creek, Brown County	Review of 100% State-funded repair project concluded under State law	SHPO determination letter for project under State law dated 8/27/13 (See Attachment 28)	INDOT Des. No. 1382702; DNR-Division of State Parks & Reservoirs is lead state agency

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Bridge	Action Taken	Support Documentation	Additional Comments
Morgan County Bridge No. 161 (NBI No. 5500125), Old SR 37 over Little Indian Creek, Morgan County	Select Bridge closed to traffic in September 2013	Newspaper article announcing bridge closure; Morgan County Board of Commissioners Meeting Summary (See Attachment 29)	INDOT Des. No. 0300381; alternatives analysis sent to consulting parties on 1/24/14
Morgan County Bridge No. 224 (NBI No. 5500142), Old SR 37 over Indian Creek, Morgan County	Select Bridge closed to traffic in September 2013	Newspaper article announcing bridge closure; Morgan County Board of Commissioners Meeting Summary (See Attachment 29)	None
Ripley County Bridge No. 70 (NBI No. 6900053), CR 650 N over Little Otter Creek, Ripley County	Section 106 process for project involving this Non-Select bridge in progress with US Army Corps of Engineers as lead federal agency	US Army Corps of Engineers letter of 10/21/13 indicating replacement of the bridge will be an "adverse effect" (See Attachment 30)	Not a FHWA project; US Army Corps of Engineers is lead federal agency
INDOT Bridge No. 001-90-00230A (NBI No. 380), SR 1 over the Wabash River, Bluffton, Wells County	Debris removal project (from surrounding wateryway) for this Select Bridge exempt from Section 106 review under the Minor Projects Programmatic Agreement between the FHWA, SHPO & INDOT [MPPA]--under Category A Items 9 & 10	Nothing of note to include with this report	INDOT Des. No. 1382160
INDOT Bridge No. 164-19-03717A (NBI No. 28450), SR 164 over Patoka River, Dubois 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. 1296985
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. 1382070; revised alternatives analysis sent to consulting parties on 12/11/13

Bridge	Action Taken	Support Documentation	Additional Comments
Wells County Bridge No. 193 (NBI No. 9000144), CR 300 W over the Wabash River, Wells 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. 1297550; Early coordination letter was sent to consulting parties 8/9/13
Newton County Bridge No. 149 (NBI No. 5600093), CR 650 E over Iroquois River, Newton County	Non-Select Bridge has been closed by the County	Newton County Government Highway Department Road and Bridge Notices Website (http://www.newtoncounty.in.gov/closings.html) (See Attachment 31)	None
Jennings County Bridge No. 15 (NBI No. 4000015), CR 400 N over Mutton Creek, Jennings County	Non-Select Bridge has been replaced with local funds	Nothing of note to include with this report	Bridge Inspection Report, NBI No. 4000201 (dated 1/9/2013) shows the bridge was replaced in 2010
Crawford County Bridge No. 11 (NBI No. 1300008), Bacon Hollow Rd over Whiskey Run, Crawford County	Non-Select Bridge has been replaced with local funds	Nothing of note to include with this report	Bridge Inspection Report, NBI No. 1300008 (dated 10/2/2013; in progress) shows the bridge superstructure was replaced in 2008
Posey County Bridge No. 163 (NBI No. 6500238), Huey Rd over Branch of Big Creek, Posey County	Select Bridge has been replaced with local funds	Nothing of note to include with this report	Bridge Inspection Report, NBI No. 6500238 (dated 1/18/2013) shows the bridge was replaced in 2012
Rush County Bridge No. 110 (NBI No. 7000099), CR 550 W over Farmers Stream, Rush County	Select Bridge has had a new deck & railing placed on the structure with local funds	Nothing of note to include with this report	Bridge Inspection Report, NBI No. 7000099 (dated 5/8/2013) shows the bridge deck and railing were modified in 2010
Franklin County Bridge No. 102 (NBI No. 2400072), Snowhill Road over Johnson Fork Whitewater River, Franklin County	Recent inspection reports show that Select bridge rehabilitation is complete	Nothing of note to include with this report	INDOT Des. No. 0089200
Martin County Bridge No. 73 (NBI No. 5100040), Rusk Road over Lost River, Martin County	Non-Select Bridge has been disassembled and moved to new location/use in Texas	Discussion found on Bridge Hunter Website: http://bridgehunter.com/in/martin/5100040/ (See Attachment 32)	None
Pike County Bridge No. 71 (NBI No. 6300057), Meridian Road over the Patoka River, Pike County	Non-Select Bridge has been replaced with local funds	Nothing of note to include with this report	Bridge Inspection Report, NBI No. 6300187 (dated 5/14/2013) shows bridge replaced in 2009; Historic Bridge Inventory database notes: "SHPO database status is 'replacement scheduled.'"

Bridge	Action Taken	Support Documentation	Additional Comments
Orange County Bridge No. 34 (NBI No. 5900024), CR 350 W over Lick Creek, Orange County	Select Bridge has been replaced with local funds	Nothing of note to include with this report	Bridge Inspection Report, NBI No. 5900118 (dated 5/31/2012) shows the bridge was replaced in 2008
Jennings County Bridge No. 8 (NBI No. 4000008), CR 400 W over Bear Creek, Jennings County	Non-Select Bridge has been replaced with local funds	Nothing of note to include with this report	Bridge Inspection Report, NBI No. 4000008 (dated 1/4/2012) shows the bridge was replaced in 2010; photos in the report also show the bridge on a trailer in a field near the new bridge
INDOT Bridge No. 225-79-04016F (NBI No. 29150), SR 225 over Wabash River, Tippecanoe County	Select Bridge has been posted with a weight limit restriction of 12 tons & speed limit of 10 mph	Online newspaper article: http://www.jconline.com/article/20140109/NEWS/301090025/Weight-speed-limit-placed-Indiana-225-bridge-Tippecanoe-County?gcheck=1&nclick_check=1 (See Attachment 33)	None
Allen County Bridge No. 537 (NBI No. 0200267), Tecumseh Street over the Maumee River, Ft. Wayne, Allen County	Select Bridge was scene of two separate fatal accidents (July 2013 & November 2013) with vehicles driving through railing	Online newspaper article: http://www.journalgazette.net/article/20131108/LOCAL07/311089972 (See Attachment 34)	None
Randolph County Bridge No. 226 (NBI No. 6800181), CR 400 S over Greenville Creek, Randolph County	Non-Select Bridge was closed to traffic on 3/12/2013	Nothing of note to include with this report	Randolph County, Indiana Bridge Inspection Summary Report (12/31/2013; in progress) provides date of closure
Washington County Bridge No. 58 (NBI No. 8800038), Canton/S. Boston Rd. over Middle Fork Blue River, Washington County	Non-Select Bridge was closed to traffic in September	Online newspaper article: http://www.salemleader.com/main.asp?SectionID=2&SubSectionID=20&ArticleID=7501 (See Attachment 35)	None
Jackson County Bridge No. 158 (NBI No. 3600103), CR 600 E over Smart Ditch, Jackson County	Non-Select Bridge was closed to traffic in 2011	Nothing of note to include with this report	Bridge Inspection Report, NBI No. 3600103 (dated 4/20/2013) shows the bridge was closed 8/22/2011
Martin County Bridge No. 137 (NBI No. 5100061), Deep Cut Connector (Historic Bridge Inventory Documents list Dale Courtwright Rd) over Beaver Creek, Martin County	Non-Select Bridge has been replaced with local funds	Nothing of note to include with this report	Bridge Inspection Report, NBI No. 5100068 (dated 2/21/2013) shows the bridge was replaced in 2013

Part II

Select Bridges that have been replaced outside of the Historic Bridge PA process

As outlined in the following table, INDOT-CRO has knowledge of twelve (12) Select Bridges that have been replaced outside of the Historic Bridge PA process.

Boone County Bridge No. 70 remains on the list. However, communication from the US Army Corps of Engineers in 2013 indicates that the permit application was put on hold (see Part I and Attachments).

Per Stipulation IV.G. of the Historic Bridge PA (below), when a Select Bridge is demolished with local funds, the County can no longer utilize the streamlining procedures of the Historic Bridge PA on other Select or Non-Select Bridge projects that utilize Federal Highway Administration (FHWA) funds. Rather, they must follow regular Section 106 procedures pursuant to 36 CFR Part 800 and would require execution of a Memorandum of Agreement (MOA) to resolve any adverse effects.

Anticipatory Demolition – If FHWA or Indiana SHPO determine a bridge owner intentionally demolishes or otherwise diminishes the historic integrity of a Select Bridge under the bridge owner's jurisdiction with non-Federal-aid funds, then FHWA will comply with 36 CFR Part 800 for any future federal-aid bridge project proposed by that bridge owner. After the next Bridge Survey update is completed in accordance with Stipulation II.C.2, FHWA may process federal-aid projects in accordance with this Agreement for that bridge owner.

The following list does not necessarily constitute a list of counties that are no longer able to utilize the Historic Bridge PA per Stipulation IV.G. because some of the replacement dates pre-date the completion of the Historic Bridge Inventory's Select/Non-Select list (December 2010) and the planning process for their replacement may have been well underway before commencement of the Historic Bridge Inventory's classification process. This proved to be the case with Madison County Bridge No. 87 (See Attachment 36). Before the environmental process progresses for any proposed FHWA-funded projects for bridges in any of the counties indicated below, FHWA and INDOT will need to make an assessment of whether it is appropriate to invoke Stipulation IV.G. and therefore comply with 36 CFR Part 800 instead of utilizing the Historic Bridge PA process.

Select Bridges That Have Been Replaced outside the Historic Bridge PA Process

County	Bridge No.	NBI No.	Road Carried	Feature Crossed	Year Replaced	Source of Information	Des. No.
Benton	00010	0400004	CR 500 W	Sugar Creek	2011	2011 Bridge Inspection Report, Benton County Bridge Report (Janssen & Spaans Engineering)	N/A
Boone	00018	0600011	CR 950 W	Goldsberry Creek	2009	Boone County, Indiana Bridge Inspection Summary Report (3/21/2012)	N/A
Boone	00070	0600052	CR 600 E	Mounts Run	N/A	2011 Historic Bridge PA Annual Report (Communication from the US Army Corps of Engineers in 2013 indicates the permit application for replacement was put on hold)	N/A
Crawford	00123	1300067	Main St.	Blue River	2010	2010 Historic Bridge PA Annual Report (also confirmed through bridge inspection reports)	N/A
Lawrence	00020	4700122	Old SR 37	Gulletts Creek	2012	Lawrence County, Indiana Bridge Inspection Report, Phase II - 2012 (RW Armstrong)	0201241 (eliminated)
Lawrence	00080	4700053	Twin Bridges Rd.	Branch of Rock Lick Creek	2012	Lawrence County, Indiana Bridge Inspection Report, Phase II - 2012 (RW Armstrong)	N/A
Madison	00087	4800077	CR 700 N	Little Killbuck Creek	2009	Madison County, Indiana Bridge Inspection Summary Report (12/5/2011)	N/A
Tipton	00009	8000009	CR 1050 W	Wilbert Crum Ditch	2010	Tipton County, Indiana Bridge Inspection Summary Report (7/05/2011)	N/A
Tipton	00059	8000051	CR 400 E	Schlater Ditch	2010	Tipton County, Indiana Bridge Inspection Summary Report (7/05/2011)	N/A
Wells	00074	9000058	CR 400 W	Rock Creek	2010	Wells County, Indiana Bridge Inspection Summary Report (6/13/2012)	9382490; MOA executed in 1995 for the replacement of this bridge
Posey	00163	6500238	Huey Rd	Branch of Big Creek	2012	Bridge Inspection Report, NBI No. 6500238 (1/18/2013)	N/A
Orange	00034	5900024	CR 350 W	Lick Creek	2008	Bridge Inspection Report, NBI No. 5900118 (dated 5/31/2012)	N/A

Part III

Non-Select Bridges that have been replaced outside of the Historic Bridge PA process

As outlined in the following table, INDOT-CRO has knowledge of twenty-five (25) Non-Select Bridges that have been replaced outside of the Historic Bridge PA process.

Non-Select Bridges That Have Been Replaced outside the Historic Bridge PA Process

County	Bridge No.	NBI No.	Road Carried	Feature Crossed	Year Replaced	Source of Information	Des. No.
Bartholomew	00001	0300003	CR 500 S	Bear Creek	2010	Bartholomew County, Indiana Bridge Inspection Summary Report (5/14/2012)	N/A
Bartholomew	00130	0300121	CR 1100 S	East Fork White Creek	2009	Bartholomew County, Indiana Bridge Inspection Summary Report (5/14/2012)	N/A
Brown	00042	0700031	Elkinsville Rd.	Gravel Creek	2011	Brown County, Indiana Bridge Inspection Summary Report (7/6/2012)	0100151; SHPO letter of 3/7/2002 states bridge is not NRHP eligible; finding of "No Historic Properties Affected" signed by FHWA 3/11/2002; SHPO concurrence letter dated 4/9/2002
Carroll	00502	0800129	CR 750 N	Ryan Appleton Ditch	2011	Carroll County, IN Bridge Inventory & Appraisal Report, Phase 2 – November 1, 2011 (Rumschlag Technical Services)	N/A
Delaware	00107	1800089	CR 700 N	Mississinewa River	2011	Delaware County, Indiana Bridge Inspection Summary Report (2/14/2013; in progress)	0301001 (eliminated)
Fountain	00104	2300081	CR 200 E	North Fork of Coal Creek	2009	Fountain County, Indiana Bridge Inspection Summary Report (4/18/2011)	N/A
Greene	00255	2800204	CR 1400 E	Indiana RR	2010	Phase II Bridge Inspection Report Greene County, Indiana, 2011 (Butler, Fairman & Seufert)	N/A
Greene	00021	2800014	CR 270 E	Richland Creek	2009	Phase II Bridge Inspection Report Greene County, Indiana, 2011 (Butler, Fairman & Seufert)	0200727; SHPO letter of 3/11/2003 states bridge is not NRHP eligible; finding of "No Historic Properties Affected" signed by FHWA 10/15/2003

Non-Select Bridges That Have Been Replaced outside the Historic Bridge PA Process

County	Bridge No.	NBI No.	Road Carried	Feature Crossed	Year Replaced	Source of Information	Des. No.
Knox	00377	4200147	Overhead Rd.	CSX RR	2009	Bridge Inspection Report, NBI No. 4200523 (1/30/2012)	0088500; SHPO letter of 5/30/2003 states bridge is not NRHP eligible; finding of "No Historic Properties Affected" signed by FHWA 7/15/2003
Lawrence	00068	4700042	Henderson Creek Rd.	Little Salt Creek	2010	Lawrence County, Indiana Bridge Inspection Report, Phase II - 2012 (RW Armstrong)	N/A
Lawrence	00079	4700052	Twin Bridges Rd.	Branch of Rock Lick Creek	2012	Lawrence County, Indiana Bridge Inspection Report, Phase II - 2012 (RW Armstrong)	N/A
Martin	00022	5100006	Cale Rd. (Mt. Olive Rd.)	Sulphur Creek	2010	Martin County, IN Bridge Inventory & Appraisal Report, Phase 1 – October 1, 2010 (Rumschlag Technical Services)	N/A
Morgan	00030	5500024	Mahalasville Rd.	Pike Creek	2010	Morgan County, Indiana Bridge Inspection Summary Report (6/03/2011)	N/A
Posey	00195	6500150	Upper Mt Vernon Rd	Little Creek	2010	Posey County, Indiana Bridge Inspection Summary Report (2/14/2013)	N/A
Putnam	00199	6700173	CR 1300 S	Mill Creek	2008	Bridge Inspection Report, NBI No. 6700249 (3/31/2011)	0200745; SHPO letter of 8/9/2004 states nothing in project APE is NRHP eligible; finding of "No Historic Properties Affected" signed by FHWA 7/15/2004; SHPO concurrence letter dated 9/21/2004
Spencer	00308	7400168	CR 700 E	Branch of Crooked Creek	2012	Spencer County, Indiana Bridge Inspection Summary Report (1/25/2013; in progress)	N/A

Non-Select Bridges That Have Been Replaced outside the Historic Bridge PA Process

County	Bridge No.	NBI No.	Road Carried	Feature Crossed	Year Replaced	Source of Information	Des. No.
Vigo	00151	8400113	Gannon Rd.	East Little Sugar Creek	2009	Bridge Inspection Report, NBI No. 8400342 (8/3/2011)	0200751; SHPO letter of 1/8/2003 states bridge is not NRHP eligible; finding of "No Historic Properties Affected" signed by FHWA 7/15/2003
Washington	00060	8800040	Harristown Rd.	Branch W Fork Blue River	2009	Washington County, IN Bridge Inventory & Appraisal Report, Phase 1 – April 1, 2011 (Rumschlag Technical Services)	N/A
Jennings	00015	4000015	CR 400 N	Mutton Creek	2010	Bridge Inspection Report, NBI No. 4000201 (1/9/2013)	N/A
Crawford	00011	1300008	Bacon Hollow Rd	Whiskey Run	2008	Bridge Inspection Report, NBI No. 1300008 (10/2/2013; in progress)	N/A
Ripley	00070	6900053	CR 650 N	Little Otter Creek	Proposed for replacement in 2013	US Army Corps of Engineers & SHPO communications	N/A
Marion	4101F	4900390	Franklin Rd	Miller Ditch	Proposed for replacement in 2013	US Army Corps of Engineers & SHPO communications	N/A
Pike	00071	6300057	Meridian Rd	Patoka River	2009	Bridge Inspection Report, NBI No. 6300187 (dated 5/14/2013); Historic Bridge Inventory database notes: "SHPO database status is 'replacement scheduled.'"	N/A
Jennings	00008	4000008	CR 400 W	Bear Creek	2010	Bridge Inspection Report, NBI No. 4000008 (dated 1/4/2012)	N/A
Martin	000137	5100061	Deep Cut Connector (Historic Bridge Inventory Documents list Dale Courtwright Rd)	Beaver Creek	2013	Bridge Inspection Report, NBI No. 5100068 (dated 2/21/2013)	N/A

Attachments

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

Attachment 1

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 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)

Indiana Department of Transportation

County Wayne Route Mineral Springs Road Des. No. 0801062 Project No. _____

FHWA-Indiana Environmental Document
CATEGORICAL EXCLUSION / ENVIRONMENTAL ASSESSMENT FORM
GENERAL PROJECT INFORMATION

Road No./County:	**Mineral Springs Road, Wayne County, Indiana**
Designation Number:	**0801062**
Project Description/Termini:	**Replacement of Wayne County Bridge No. 173 – Approach work along Mineral Springs Road extending approximately 1,100 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 _____ 08/02/13 _____ 8/7/13
ESM Signature Date ES Signature Date

_____ 8/7/2013
FHWA Signature Date

Release for Public Involvement JMGG (for JS) 4/15/13
ESM Initials Date

_____ 29 APR 13
ES Initials Date

Certification of Public Involvement Mary Wright 7/29/13
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 4/15/13

Name and organization of CE/EA Preparer: Jason A. Stone / DLZ Indiana, LLC

Attachment 1

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 Stallcup
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.

Indiana Department of Transportation

County Wayne Route Turnpike Road Des. No. 1006546 Project No. _____

FHWA-Indiana Environmental Document
CATEGORICAL EXCLUSION / ENVIRONMENTAL ASSESSMENT FORM
GENERAL PROJECT INFORMATION

Road No./County:	**Turnpike Road, Wayne County, Indiana**
Designation Number:	**1006546**
Project Description/Termini:	**Rehabilitation of Wayne County Bridge No. 197 Over Nettle 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 05/31/13 Date _____ ES Signature 6/6/13 Date

_____ FHWA Signature 6-17-2013 Date

Release for Public Involvement _____ ESM Initials 03/19/13 Date

_____ ES Initials 03/22/13 Date

Certification of Public Involvement _____ ~~EXAMINER~~ Manager Public Hearings Signature 5/14/13 Date

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

Reviewer Signature _____ Date 3/19/13 5/31/13

Name and organization of CE/EA Preparer: Jason A. Stone / DLZ Indiana, LLC

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
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
REPLACEMENT OF PUTNAM COUNTY BRIDGE NO. 137
DES. NO.: 9982470
FEDERAL PROJECT NO.: 9982470

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

The Area of Potential Effects (APE) encompasses properties within the 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 5 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:

Putnam County Bridge No. 137: NRHP eligible – Criterion C. Ca.1902 steel Pratt through-truss single span structure with span length of 112 feet and a total structure length of 121 feet. Since December 2010, Bridge 137 has been listed in the Indiana Historic Bridge Inventory as a Non-Select Bridge.

EFFECT FINDING

Putnam County Bridge No. 137: Adverse Effect

FHWA has determined an "Adverse Effect" finding is appropriate for this undertaking. FHWA respectfully requests the Indiana State Historic Preservation Officer provide written concurrence with the Section 106 determination of "Adverse Effect."

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

Putnam County Bridge No. 137: This resource is used for transportation purposes. This undertaking will have an "Adverse Effect" on Putnam County Bridge No. 137, 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 Putnam County Bridge No. 137.

for Lawrence M. Sa...

Karen A. Bobo,
Acting Division Administrator
FHWA-IN Division

4-3-2013
Approved Date

Attachment 4

DNR Indiana Department of Natural Resources

Michael R. Pence, 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 7, 2013

Karen A. Bobo
Acting Division Administrator
Federal Highway Administration, Indiana Division
575 North Pennsylvania Street, Room 254
Indianapolis, Indiana 46204

Federal Agency: Federal Highway Administration ("FHWA")

Re: Section 106 Finding of Adverse Effect, with supporting documentation, for the Replacement of Putnam County Bridge No. 137 (Des. No. 9982470; DLZ Project No. 1163-0779-90; DHPA No. 2847)

Dear Ms. Bobo:

Pursuant to Section 106 of the National Historic Preservation Act, as amended (16 U.S.C. § 470f), 36 C.F.R. Part 800, and the 2006 "Programmatic Agreement . . . Regarding Management and Preservation of Indiana's Historic Bridges," the staff of the Indiana State Historic Preservation Officer has reviewed the documents submitted under DLZ Indiana's April 4, 2013, cover letter, which we received on April 8, for the aforementioned project on County Road 100 E over Big Walnut Creek, in Greencastle Township, Putnam County, Indiana.

We concur with FHWA's April 3, 2013, Section 106 finding of Adverse Effect for the Replacement of Putnam County Bridge No. 137.

We also concur that Putnam County Bridge No. 137 will 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 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. Please direct questions about the bridge or other structures to John Carr at (317) 233-1949 or jcarr@dnr.IN.gov. In future correspondence regarding the Replacement of Putnam County Bridge No. 137, please continue to refer to DHPA No. 2847.

Until further notice, please address all written, Section 106 correspondence to the Indiana SHPO staff to Chad W. Slider, Assistant Director for Environmental Review, Division of Historic Preservation and Archaeology, Indiana Department of Natural Resources, 402 West Washington Street, Room W274, Indianapolis, Indiana 46204.

Very truly yours,

Chad W. Slider

Chris Smith
Interim Deputy Director
Indiana Department of Natural Resources

CS:JLC:WTT:jlc

Attachment 4

cc: Thomas Molt, DLZ Indiana, LLC

emc: Karen Bobo, Federal Highway Administration, Indiana Division
Lawrence Heil, P.E., Federal Highway Administration, Indiana Division
Patrick Carpenter, Indiana Department of Transportation
Shaun Miller, Indiana Department of Transportation
Melany Prather, Indiana Department of Transportation
Thomas Molt, DLZ Indiana, LLC
Mitchell Zoll, Pioneer Consulting Services, Inc.
Douglas Terpstra, ASC Group, Inc.
Ross Nelson, ASC Group, Inc.

Attachment 4

Indiana Department of Transportation

County Putnam Route County Road 100 East Des. No. 9982470 Project No. _____

FHWA-Indiana Environmental Document
CATEGORICAL EXCLUSION / ENVIRONMENTAL ASSESSMENT FORM
GENERAL PROJECT INFORMATION

Road No./County:	County Road 100 East (CR 100E), Putnam County, Indiana
Designation Number:	9982470
Project Description/Termini:	Replacement of Putnam County Bridge No. 137 over Big Walnut Creek – Approach work along CR 100E extending approximately 500 feet north and 700 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 _____ 10/21/2013 _____ _____
ESM Signature Date ES Signature Date

_____ _____
FHWA Signature Date

Release for Public Involvement MLE 7-17-2013
ESM Initials Date

CAA 8-5-2013
ES Initials Date

For: Ken McMullen

Certification of Public Involvement Mary Wright 10/1/13
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: Thomas F. Molt / DLZ Indiana, LLC

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

Attachment 5

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 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.

Attachment 5

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 PIKE COUNTY BRIDGE 147
PIKE COUNTY, INDIANA
DES. NO.: 0902251
FEDERAL PROJECT NO.: 0902251

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 5 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:

Pike County Bridge No. 147: NRHP eligible – Criterion C. Ca.1915 single span steel thru-truss 112 feet in length. Since December 2010, Bridge 147 has been listed in the Indiana Historic Bridge Inventory as a Non-Select Bridge.

EFFECT FINDING

Pike County Bridge No. 147: Adverse Effect

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

FHWA respectfully requests the Indiana State Historic Preservation Officer provide written concurrence with the Section 106 determination of effect for each property and the project's overall effect finding.

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

Pike County Bridge No. 147: This resource is used for transportation purposes. This undertaking will have an "Adverse Effect" on Pike County Bridge No. 147, 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 Pike County Bridge No. 147.

for Michelle Allen

Richard J. Marquis
Division Administrator
FHWA-IN Division

July 9, 2013
Approved Date

Attachment 6

Michael R. Pence, Governor
Cameron F. Clark, Director

DNR Indiana Department of Natural Resources

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

August 14, 2013

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

Federal Agency: Federal Highway Administration ("FHWA")

Re: Revised archaeological field reconnaissance report (Zoll, 5/22/2013) and FHWA's finding of adverse effect, with supporting documentation, concerning the replacement of Pike County Bridge No. 147, carrying CR 350 East over the Patoka River (Des. No. 0902251; DLZ Project No. 1063-0703-90; DHPA No. 10949)

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 Management and Preservation of Indiana's Historic Bridges" ("Historic Bridges PA"), the staff of the Indiana State Historic Preservation Officer ("Indiana SHPO") has conducted an analysis of the materials with DLZ Indiana's cover letters dated July 10 and 11, 2013, both of which were received on July 15, for the aforementioned project on CR 350 East over the Patoka River, south of the Town of Winslow, in Patoka Township, Pike County, Indiana.

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 additional proposed project area; and we concur with the opinion of the archaeologist, as expressed in the revised archaeological field reconnaissance report (Zoll, 5/22/2013), that no further work appears necessary at this proposed project area.

In our most recent comment letter of March 9, 2012, we commented that *Figure 3.* on page 17 of the historic properties report ("HPR"; Nelson, 1/6/2011) depicted the project area as including only the area necessary to construct the replacement bridge and did not include all of the existing, historic Bridge No. 147. We thought it was likely that the project area would have to be larger in order to remove the existing bridge. We have not found any indication in the documentation submitted here in support of the finding that an adjustment was made to the project area. Although it us unclear whether such an adjustment was made, we have notice that at least the right-of-way limits shown in the revised archaeological reconnaissance report (Zoll, 5/22/2013)—but not depicted in the HPR or the Section 4(f) alternatives analysis—are large enough to include the existing bridge. The archaeological report, however, is not available to the general public.

The June 2013 supporting documentation refers to a couple of changes to the preferred Alternative 6 in the updated Sec. 4(f) alternatives analysis made since we commented on March 9, 2012. We see that the proposed type of replacement bridge has been changed from a three-span, AASHTO Type II I-Beam Bridge to a single-span bulb-T beam bridge, and that the estimated cost of this alternative has risen from $1,157,000 to$1,242,000. As the updated alternatives analysis indicates, the cost of the least expensive rehabilitation alternative (Alternative 2) would still be well above the 40% of replacement cost limit on what would be considered a prudent expenditure of FHWA funds. Although we do not have a graphic depiction of the single-span bulb-T beam bridge that is now proposed, it seems unlikely that it would be visible

from any farther away than the type previously proposed would have been, so presumably the fairly nimble area of potential effects proposed in the HPR is still appropriate.

Accordingly, we concur with FHWA's July 9, 2013, Sec. 106 finding of Adverse Effect for the overall bridge replacement project.

We necessarily concur, also, for Section 4(f) purposes, that the effect on Pike County Bridge No. 147, the only historic property identified within the APE, is also adverse.

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 believe that it would be appropriate to document photographically this historic, 1915 pin-connected Pratt through truss bridge prior to its removal. We noticed that we erroneously had referred to it as a Parker through truss bridge in our March 9, 2012, letter). The once-common Pratt through truss bridge is becoming increasingly rare in Indiana, especially pin-connected examples. Enclosed is a copy of the latest version of the "Indiana DNR – Division of Historic Preservation and Archaeology Mininum Architectural Documentation Standards" (adopted July 27, 1011, with minor editorial clarifications of July 20, 2012). We ask that Pike County follow the applicable guidance of standards 1. and 2. in producing digital images and prints of the bridge. Also enclosed is a related document, "Certification of Meeting National Archive and Records Administration (NARA) Photographic Documentation Standards." Please note that we are asking only for *photographic* documentation.

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: a few examples of pin connections, at least one view of the latticed portals, at least one view of the builder plates (if extant and its whereabouts are known), the floor beams, and the abutments.

We also ask that the Pike County Commissioners 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 the Commissioners 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 the Commissioners 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 a public or not-for-profit organization or institution located within Pike County—such as a public library or historical or preservation society, museum, or archive—that the Commissioners ascertain would be willing to retain the disc and prints on a permanent basis, for the benefit of local researchers.

We ask that the Commissioners advise us of the name and address of the organization or institution that will be provided with this duplicate set of the photographic documentation.

If you have questions about archaeological issues, then 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 replacement of Pike County Bridge No. 147, please refer to DHPA No. 10949.

Please address all Section 106 correspondence intended for review by the Indiana SHPO staff, on this or any other project, to Chad W. Slider, Assistant Director for Environmental Review, Division of Historic Preservation and Archae-

ology, Indiana Department of Natural Resources, 402 West Washington Street, Room W274, Indianapolis, Indiana 46204.

Very truly yours,

Chad W. Slider

Chris Smith
Deputy Director
Indiana Department of Natural Resources

CS:WTT:JLC:jlc

Enclosures (2)

cc: Daniel J. Stevens, DLZ Indiana, LLC

emc: Michelle Allen, 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
Daniel Stevens, DLZ Indiana, LLC
Mitchell Zoll, Pioneer Consulting Services, Inc.
Mark McClain, ASC Group, Inc.

Indiana Department of Transportation

County Pike Route Bridge 147 (CR 350 East) Des. No. 0902251

FHWA-Indiana Environmental Document

CATEGORICAL EXCLUSION / ENVIRONMENTAL ASSESSMENT FORM

GENERAL PROJECT INFORMATION

Road No./County:	**Bridge No. 147 (CR 350 East) / Pike County**
Designation Number:	**0902251**
Project Description/Termini:	The project is the replacement of Pike County Bridge 147 that carries CR 350 East over the Patoka River located within Section 5, Township 2S, Range 7W, of Patoka Township, Pike County, Indiana. The project limits are 400 feet north and 550 feet south of the existing 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 Division)
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 Division, 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 Ernest D. Hoopes (ESM Signature) 01/08/2014 (Date) _____ (ES Signature) _____ (Date)

_____ (FHWA Signature) _____ (Date)

Release for Public Involvement

EAS (ESM Initials) 10/18/2013 (Date) KBM (ES Initials) 2013OCT18 (Date)

Certification of Public Involvement Mary Wright (Office of Public Involvement) 12/26/13 (Date)

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

INDOT ES/District Env. Reviewer Signature: _____ Date: _____

Name and Organization of CE/EA Preparer: Daniel J. Stevens, DLZ Indiana, LLC

Attachment 6

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.

Indiana Department of Transportation

County Delaware Route CR 800 East Des. No. 0500078 Project No. 0500078

FHWA-Indiana Environmental Document

CATEGORICAL EXCLUSION / ENVIRONMENTAL ASSESSMENT FORM

GENERAL PROJECT INFORMATION

Road No./County:	**Strong Road /County Road (CR) 800 East over the Mississinewa River, Delaware County**
Designation Number:	**0500078**
Project Description/Termini:	**Bridge Relocation Project, the proposed project includes the dismantling and storage of the existing Delaware County Bridge #85 and the construction of a replacement bridge along an adjusted alignment. The project will extend from the intersection of Strong Road and Edgewater Road to approximately 620 ft. north 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 08-07-12 Date ES Signature 8/2/12 Date

FHWA Signature 8-13-2013 Date

Release for Public Involvement ESM Initials 6-11-12

ES Initials For: EPO Mgr. 4-23-12 Date

Certification of Public Involvement EXAMINER Manager, Public Hearings Signature Mary Wright 6-11-12 Date

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

Reviewer Signature Date 8/7/13

Name and organization of CE/EA Preparer: Angela Kattmann, RW Armstrong

Attachment 7

COOPERATIVE AGREEMENT
Between
THE INDIANA DEPARTMENT OF TRANSPORTATION,
THE INDIANA DEPARTMENT OF NATURAL RESOURCES,
DELAWARE COUNTY,
And
CARDINAL GREENWAY, INC.
Concerning
RELOCATION AND TRANSFER OF OWNERSHIP
OF SELECT BRIDGE DELAWARE 85

EDS: A249-13-320814

This Agreement is made and entered into this 21st day of June 2013 by and between: the Indiana Department of Transportation (hereinafter referred to as "INDOT"); the Indiana Department of Natural Resources, acting by and through the State Historic Preservation Officer (hereinafter referred to as the "SHPO"); the Commissioners of Delaware County, Indiana (hereinafter referred to as the "COUNTY"); and Cardinal Greenway, Inc., an Indiana non-profit corporation (hereinafter referred to as "Cardinal Greenways"), and jointly referred to as the "PARTIES".

RECITALS

WHEREAS, pursuant to 36 C.F.R. 800.14(b) of the regulations implementing Section 106 of the National Historic Preservation Act of 1966 (Section 106) (16 U.S.C. 470f), INDOT, the SHPO, the Federal Highway Administration ("FHWA") and the Advisory Council have entered into Programmatic Agreement applicable to Federal-aid projects that result in the rehabilitation or replacement of historic bridges in Indiana (hereinafter referred to as the Historic Bridges PA, attached as Exhibit A and herein incorporated by reference); and

WHEREAS, historic bridges may be rehabilitated through several Federal-aid programs, such as the Transportation Enhancement Program, the Surface Transportation Program, and the Highway Bridge Replacement and Rehabilitation Program provided the appropriate eligibility criteria are satisfied; and

WHEREAS, the Historic Bridges PA Section III.A.8 provides that "If the preferred alternative includes transferring ownership of the historic bridge, then INDOT will initiate an agreement between INDOT, the bridge owner if the bridge does not belong to INDOT, the Indiana SHPO, and the proposed new bridge owner"; and

WHEREAS, the historic bridge known as Delaware No. 85, which carries traffic on Delaware County Road 800 East over the Mississinewa River (NBI No. 1800070), is scheduled to be replaced by Delaware County under INDOT LPA Project Des. No. 0500078; and

WHEREAS, Cardinal Greenways wishes to obtain ownership of the Delaware 85 historic bridge (hereinafter the "Bridge") and to relocate the Bridge for use in the Kitselman Gateway phase of the White River Greenway project (as shown and described in the attached Exhibit B, herein incorporated by reference); and

 Attachment 7

B. Under no circumstances shall the State of Indiana, IDNR or INDOT be liable for any cost associated with the Bridge, its relocation, or construction of the White River Greenway Project under this Agreement.

1.5. Duration and Renewal of Agreement. This term of this Agreement shall begin on the date of last signature to this Agreement and continue through December 31, 2038 or until the end of the useful life of the Bridge, whichever occurs last. This Agreement may be renewed under the same terms and conditions subject to the approval of all signing Parties.

II. GENERAL PROVISIONS

2.1. Access to Records. The COUNTY and Cardinal Greenways (individually and collectively referred to as the "SPONSORING PARTY") shall maintain all books, documents, papers, correspondence, accounting records and other evidence pertaining to the cost incurred under this Agreement, and shall make such materials available at their respective offices at all reasonable times during the period of this Agreement and for five (5) years from the date of final payment under the terms of this Agreement, for inspection or audit by INDOT, or its authorized representative, and copies thereof shall be furnished free of charge, if requested by INDOT. The SPONSORING PARTY agrees that, upon request by any agency participating in federally-assisted programs with whom the SPONSORING PARTY has Agreed to or seeks to agree to, INDOT may release or make available to the agency any working papers from an audit performed by INDOT of the SPONSORING PARTY in connection with this Agreement, including any books, documents, papers, accounting records and other documentation which support or form the basis for the audit conclusions and judgments.

2.2. Audit. The SPONSORING PARTY acknowledges that it may be required to submit to an audit of funds paid through this Agreement. Any such audit shall be conducted in accordance with IC 5-11-1, et. seq. and audit guidelines specified by the State and/or in accordance with audit requirements specified elsewhere in this Agreement.

The State considers the SPONSORING PARTY to be a "vendor" for purposes of this Agreement. However, if required by applicable provisions of the Office of Management and Budget Circular A-133 (Audits of States, Local Governments, and Non-Profit Organizations), following the expiration of this Agreement the SPONSORING PARTY shall arrange for a financial and compliance audit of funds provided by the State pursuant to this Agreement. Such audit is to be conducted by an independent public or certified public accountant (or as applicable, the Indiana State Board of Accounts), and performed in accordance with Indiana State Board of Accounts publication entitled "Uniform Compliance Guidelines for Examination of Entities Receiving Financial Assistance from Governmental Sources," and applicable provisions of the Office of Management and Budget Circulars A-133 (Audits of States, Local Governments, and Non-Profit Organizations). The SPONSORING PARTY is responsible for ensuring that the audit and any management letters are completed and forwarded to the State in accordance with the terms of this Agreement. Audits conducted pursuant to this paragraph must be submitted no later than nine (9) months following the close of the SPONSORING PARTY's fiscal year. The SPONSORING PARTY agrees to provide the Indiana State Board of Accounts and the State an original of all financial and compliance audits. The audit shall be an audit of the actual entity, or distinct portion thereof that is the SPONSORING PARTY, and not of a parent, member, or subsidiary corporation of the SPONSORING PARTY, except to the extent such an expanded audit may be determined by the Indiana State Board of Accounts or the State to be in the best interests of the State. The audit shall include a statement

from the Auditor that the Auditor has reviewed this Agreement and that the SPONSORING PARTY is not out of compliance with the financial aspects of this Agreement.

2.3. Authority to Bind SPONSORING PARTY. The signatory for the SPONSORING PARTY warrants that he/she has the necessary authority to enter into this Agreement. The signatory for the SPONSORING PARTY represents that he/she has been duly authorized to execute this Agreement on behalf of the SPONSORING PARTY, and has obtained all necessary or applicable approval to make this Agreement fully binding upon the SPONSORING PARTY when his/her signature is affixed to this Agreement.

2.4. Certification for Federal-Aid Contracts Lobbying Activities. The SPONSORING PARTY certifies, by signing and submitting this Agreement, to the best of its knowledge and belief that the SPONSORING PARTY has complied with Section 1352, Title 31, U.S. Code, and specifically, that:

A. No federal appropriated funds have been paid or will be paid, by or on behalf of the SPONSORING PARTY, to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal Agreements, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal Agreement, grant, loan, or cooperative agreement.

B. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this federal Agreement, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

C. The SPONSORING PARTY also agrees by signing this Agreement that it shall require that the language of this certification be included in all contractor agreements including lower tier subcontracts, which exceed $100,000, and that all such sub recipients shall certify and disclose accordingly. Any person who fails to sign or file this required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each failure.

2.5. Compliance with Laws.

A. The SPONSORING PARTY shall comply with all applicable federal, state and local laws, rules, regulations and ordinances, and all provisions required thereby to be included herein are hereby incorporated by reference. The enactment of any state or federal statute, or the promulgation of regulations thereunder, after execution of this Agreement, shall be reviewed by INDOT to determine whether formal modifications are required to the provisions of this Agreement.

B. The SPONSORING PARTY and its agents shall abide by all ethical requirements that apply to persons who have a business relationship with the State, as set forth in Indiana Code § 4-2-6, et seq., Indiana Code § 4-2-7, et. seq., the regulations promulgated thereunder, and Executive Order 05-12, dated January 12, 2005. If the SPONSORING PARTY is not familiar with these ethical requirements, the SPONSORING PARTY should refer any questions to the Indiana State Ethics Commission, or visit the Indiana State Ethics Commission website at

<<http://www.in.gov/ethics/>>>. If the SPONSORING PARTY or its agents violate any applicable ethical standards, the State may, at its sole discretion, terminate this Agreement immediately upon notice to the SPONSORING PARTY. In addition, the SPONSORING PARTY may be subject to penalties under Indiana Code §§ 4-2-6 and 4-2-7, and under any other applicable state or federal laws.

C. The SPONSORING PARTY certifies by entering into this Agreement, that neither it nor its principal(s) are presently in arrears in payment of its taxes, permit fees or other statutory, regulatory or judicially required payments to the State of Indiana. Further, the SPONSORING PARTY agrees that any payments in arrears and currently due to the State of Indiana may be withheld from payments due to the SPONSORING PARTY. Additionally, further work or payments may be withheld, delayed, or denied and/or this Agreement suspended until the SPONSORING PARTY becomes current in its payments and has submitted proof of such payment to INDOT.

D. The SPONSORING PARTY warrants that it has no current or outstanding criminal, civil, or enforcement actions initiated by the State of Indiana pending, and agrees that it will immediately notify INDOT of any such actions. During the term of such actions, the SPONSORING PARTY agrees that INDOT may delay, withhold, or deny work under any supplement, amendment, change order, contract or the like.

E. If a valid dispute exists as to the SPONSORING PARTY'S liability or guilt in any action initiated by the State of Indiana or its agencies, and INDOT decides to delay, withhold, or deny work to the SPONSORING PARTY, the SPONSORING PARTY may request that it be allowed to continue, or receive work, without delay. The SPONSORING PARTY must submit, in writing, a request for review to INDOT. A determination by the INDOT shall be final and binding on the Parties and not subject to administrative review. Any payments that the INDOT may delay, withhold, deny, or apply under this section shall not be subject to penalty or interest under IC 5-17-5.

F. The SPONSORING PARTY represents and warrants that the SPONSORING PARTY shall obtain and maintain all required permits, licenses, registrations and approvals, as well as comply with all health, safety, and environmental statutes, rules, or regulations in the performance of work activities for INDOT. Failure to do so may be deemed a material breach of this Agreement and grounds for termination and denial of further work with the State.

G. The SPONSORING PARTY hereby represents and warrants that, if it is an entity described in IC Title 23, it is properly registered and owes no outstanding reports with the Indiana Secretary of State.

H. As required by IC 5-22-3-7: (1) the SPONSORING PARTY and any principals of the SPONSORING PARTY certify that (A) the SPONSORING PARTY, except for de minimis and nonsystematic violations, has not violated the terms of (i) IC 24-4.7 [Telephone Solicitation Of Consumers], (ii) IC 24-5-12 [Telephone Solicitations] , or (iii) IC 24-5-14 [Regulation of Automatic Dialing Machines] in the previous three hundred sixty-five (365) days, even if IC 24-4.7 is preempted by federal law; and (B) the SPONSORING PARTY will not violate the terms of IC 24-4.7 for the duration of the Agreement, even if IC 24-4.7 is preempted by federal law. (2) The SPONSORING PARTY and any principals of the SPONSORING PARTY certify that an affiliate or principal of the SPONSORING PARTY and any agent acting on behalf of the SPONSORING PARTY or on behalf of an affiliate or principal of the SPONSORING PARTY (A) except for de minimis and nonsystematic violations, has not violated the terms of IC 24-4.7 in the previous three

hundred sixty-five (365) days, even if IC 24-4.7 is preempted by federal law; and (B) will not violate the terms of IC 24-4.7 for the duration of the Agreement, even if IC 24-4.7 is preempted by federal law.

2.6. Conflict of Interest.

A. As used in this section:
"Immediate family" means the spouse and the un-emancipated children of an individual.
"Interested Party," means:
1. The individual executing the Agreement;
2. An individual who has an interest of three percent (3%) or more of SPONSORING PARTY, if SPONSORING PARTY is not an individual; or
3. Any member of the immediate family of an individual specified under subdivision 1 or 2.

"Commission" means the State Ethics Commission.

B. INDOT may cancel this Agreement without recourse by the SPONSORING PARTY if any interested Party is an employee of the State of Indiana.

C. INDOT will not exercise its right of cancellation under Section B, above, if the SPONSORING PARTY gives INDOT an opinion by the Commission indicating that the existence of this Agreement and the employment by the State of the interested Party does not violate any statute or code relating to ethical conduct of state employees. INDOT may take action, including cancellation of this Agreement, consistent with an opinion of the Commission obtained under this section.

D. The SPONSORING PARTY has an affirmative obligation under this Agreement to disclose to INDOT when an interested Party is or becomes an employee of INDOT. The obligation under this section extends only to those facts that the SPONSORING PARTY knows or reasonably could know.

2.7. Disadvantaged Business Enterprise Program. Notice is hereby given to the SPONSORING PARTY that failure to carry out the requirements set forth in 49 CFR Sec. 26.13(b) shall constitute a breach of this Agreement and, after notification, may result in termination of this Agreement or such remedy as INDOT deems appropriate.

The referenced section requires the following policy and disadvantaged business enterprise ("DBE") assurance to be included in all subsequent Agreements between the SPONSORING PARTY and any contractors.

The SPONSORING PARTY shall not discriminate on the basis of race, color, national origin, or sex in the performance of this Agreement. The SPONSORING PARTY shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted Agreements. Failure by the SPONSORING PARTY to carry out these requirements is a material breach of this Agreement, which may result in the termination of this Agreement or such other remedy, as INDOT, as the recipient, deems appropriate.

As part of the SPONSORING PARTY'S equal opportunity affirmative action program, SPONSORING PARTY, it is required that the SPONSORING PARTY shall take positive

affirmative actions and put forth good faith efforts to solicit proposals or bids from and to utilize disadvantaged business enterprise, vendors or suppliers.

2.8. Drug-Free Workplace Certification. The SPONSORING PARTY hereby covenants and agrees to make a good faith effort to provide and maintain a drug-free workplace, and that it will give written notice to the Indiana Department of Transportation and the Indiana Department of Administration within ten (10) days after receiving actual notice that an employee of the SPONSORING PARTY in the State of Indiana has been convicted of a criminal drug violation occurring in the SPONSORING PARTY'S workplace. False certification or violation of the certification may result in sanctions including, but not limited to, suspension of Agreement payments, termination of the Agreement and/or debarment of contracting opportunities with the State of Indiana for up to three (3) years.

In addition to the provisions of the above paragraphs, if the total Agreement amount set forth in this Agreement is in excess of $25,000.00, the SPONSORING PARTY hereby further agrees that this Agreement is expressly subject to the terms, conditions and representations of the following certification:

This certification is required by Executive Order No. 90-5, April 12, 1990, issued by the Governor of Indiana. Pursuant to its delegated authority, the Indiana Department of Administration is requiring the inclusion of this certification in all Agreements with and grants from the State of Indiana in excess of $25,000.00. No award of an Agreement shall be made, and no Agreement, purchase order or agreement, the total amount of which exceeds $25,000.00, shall be valid, unless and until this certification has been fully executed by the SPONSORING PARTY and made a part of the Agreement as part of the Agreement documents.

The SPONSORING PARTY certifies and agrees that it will provide a drug-free workplace by:

a. Publishing and providing to all of its employees a statement notifying their employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the SPONSORING PARTY'S workplace and specifying the actions that will be taken against employees for violations of such prohibition;

b. Establishing a drug-free awareness program to inform its employees of (1) the dangers of drug abuse in the workplace; (2) the SPONSORING PARTY'S policy of maintaining a drug-free workplace; (3) any available drug counseling, rehabilitation, and employee assistance programs; and (4) the penalties that may be imposed upon an employee for drug abuse violations occurring in the workplace;

c. Notifying all employees in the statement required by subparagraph (a) above that as a condition of continued employment the employee will (1) abide by the terms of the statement; and (2) notify the SPONSORING PARTY of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction;

d. Notifying in writing the State within ten (10) days after receiving notice from an employee under subdivision (c)(2) above, or otherwise receiving actual notice of such conviction;

e. Within thirty (30) days after receiving notice under subdivision (c)(2) above of a conviction, imposing the following sanctions or remedial measures on any employee who is convicted of drug abuse violations occurring in the workplace: (1) take appropriate personnel action

against the employee, up to and including termination; or (2) require such employee to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State or local health, law enforcement, or other appropriate agency; and

f. Making a good faith effort to maintain a drug-free workplace through the implementation of subparagraphs (a) through (e) above.

2.9. Force Majeure. In the event that either Party is unable to perform any of its obligations under this Agreement or to enjoy any of its benefits because of natural disaster or decrees of governmental bodies not the fault of the affected Party (hereinafter referred to as a Force Majeure Event), the Party who has been so affected shall immediately give notice to the other Party and shall do everything possible to resume performance. Upon receipt of such notice, all obligations under this Agreement shall be immediately suspended. If the period of nonperformance exceeds thirty (30) days from the receipt of notice of the Force Majeure Event, the Party whose ability to perform has not been so affected may, by giving written notice, terminate this Agreement.

2.10. Funding Cancellation Clause. When the Director of the Office of Management and Budget makes a written determination that funds are not appropriated or otherwise available to support continuation of the performance of this Agreement, this Agreement shall be canceled. A determination by the Budget Director that funds are not appropriated or otherwise available to support continuation of performance shall be final and conclusive.

2.11. Governing Laws. This Agreement shall be construed in accordance with and governed by the laws of the State of Indiana and the suit, if any, must be brought in the State of Indiana.

2.12. Indemnification. The SPONSORING PARTY agrees to indemnify exculpate, and hold harmless the State of Indiana, INDOT, and their officials and employees from any liability due to loss, damage, injuries, or other causalities of whatever kind, or by whosoever caused, to the person or property of anyone on or off the Project arising out of, or resulting from the work covered by this AGREEMENT or the work connected therewith, or from the installation, existence, use, maintenance, condition, repairs, alteration or removal of any equipment or material, to the extent of negligence of the SPONSORING PARTY, including any claims arising out the Worker's Compensation Act or any other law, ordinance, order or decree. The SPONSORING PARTY agrees to pay all reasonable expenses and attorney's fees incurred by or imposed on the State and INDOT in connection herewith in the event that the SPONSORING PARTY shall default under the provisions of this Section.

2.13. Non-Discrimination.

A. Pursuant to I.C. 22-9-1-10 and the Civil Rights Act of 1964, the SPONSORING PARTY, shall not discriminate against any employee or applicant for employment, to be employed in the performance of work under this Agreement, with respect to hire, tenure, terms, conditions or privileges of employment or any matter directly or indirectly related to employment, because of race, color, religion, sex, disability, national origin, ancestry or status as a veteran. Breach of this covenant may be regarded as a material breach of this Agreement. Acceptance of this Agreement also signifies compliance with applicable federal laws, regulations, and executive orders prohibiting discrimination in the provision of services based on race, color, national origin, age, sex, disability or status as a veteran.

B The SPONSORING PARTY understands that INDOT is a recipient of federal funds. Pursuant to that understanding, the SPONSORING PARTY agrees that if the SPONSORING PARTY employs fifty (50) or more employees and does at least $50,000.00 worth of business with the State and is not exempt, the SPONSORING PARTY will comply with the affirmative action reporting requirements of 41 CFR 60-1.7. The SPONSORING PARTY shall comply with Section 202 of executive order 11246, as amended, 41 CFR 60-250, and 41 CFR 60-741, as amended, which are incorporated herein by specific reference. Breach of this covenant may be regarded as a material breach of Agreement.

It is the policy of INDOT to assure full compliance with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities. Title VI and related statutes require that no person in the United States shall on the grounds of race, color or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. (INDOT's Title VI enforcement shall include the following additional grounds: sex, ancestry, age, religion and disability.) The following are examples of where this policy shall be applied relative to the INDOT.

C. The SPONSORING PARTY shall not discriminate in its selection and retention of contractors, including without limitation, those services retained for, or incidental to, construction, planning, research, engineering, property management, and fee contracts and other commitments with persons for services and expenses incidental to the acquisitions of right-of-way.

D. The SPONSORING PARTY shall not modify the Project in such a manner as to require, on the basis of race, color or national origin, the relocation of any persons. (INDOT's Title VI enforcement will include the following additional grounds; sex, ancestry, age, religion and disability).

E. The SPONSORING PARTY shall not modify the Project in such a manner as to deny reasonable access to and use thereof to any persons on the basis of race, color or national origin. (INDOT's Title VI enforcement will include the following additional grounds; sex, ancestry, age, religion and disability.)

F. The SPONSORING PARTY shall neither allow discrimination by contractors in their selection and retention of subcontractors, leasors and/or material suppliers, nor allow discrimination by their subcontractors in their selection of subcontractors, leasors or material suppliers, who participate in construction, right-of-way clearance and related projects.

Attachment 7

2.16. Penalties, Interest and Attorney's Fees. INDOT will in good faith perform its required obligations hereunder, and does not agree to pay any penalties, liquidated damages, interest, or attorney's fees, except as required by Indiana law in part, IC 5-17-5, I. C. 34-54-8, and I. C. 34-13-1.

2.17. Severability. The invalidity of any section, subsection, clause or provision of this Agreement shall not affect the validity of the remaining sections, subsections, clauses or provisions of this Agreement.

2.18. Status of Claims. The SPONSORING PARTY shall be responsible for keeping INDOT currently advised as to the status of any claims made for damages against the SPONSORING PARTY resulting from services performed under this Agreement.

2.19. Termination. Any party may terminate this Agreement upon thirty (30) days written notice to the others, provided the agency requesting the termination can show cause that there has been a failure on the part of the other to substantially fulfill its responsibilities pursuant to this Agreement or that the Agreement is otherwise not working to the satisfaction of either party, and after providing notice and sufficient opportunity for remedy. The terminating party shall be responsible for any and all costs associated with or resulting from termination of the Agreement.

2.20. Employment Eligibility Verification.

A. The SPONSORING PARTY affirms under the penalties of perjury that it does not knowingly employ an unauthorized alien.

B. The SPONSORING PARTY shall enroll in and verify the work eligibility status of all his/her/its newly hired employees through the E-Verify program as defined in IC 22-5-1.7-3. The SPONSORING PARTY is not required to participate should the E-Verify program cease to exist. Additionally, the SPONSORING PARTY is not required to participate if the SPONSORING PARTY is self-employed and does not employ any employees.

C. The SPONSORING PARTY shall not knowingly employ or contract with an unauthorized alien. The SPONSORING PARTY shall not retain an employee or contract with a person that the SPONSORING PARTY subsequently learns is an unauthorized alien.

D. The SPONSORING PARTY shall require his/her/its subcontractors, who perform work under this contract, to certify to the SPONSORING PARTY that the subcontractor does not knowingly employ or contract with an unauthorized alien and that the subcontractor has enrolled and is participating in the E-Verify program. The SPONSORING PARTY agrees to maintain this certification throughout the duration of the term of a contract with a subcontractor.

E. The State may terminate for default if the SPONSORING PARTY fails to cure a breach of this provision no later than thirty (30) days after being notified by the State.

2.21. General. This Agreement represents the entire understanding between the Parties relating to the subject matter, and supersedes any and all prior oral and/or written communications, understandings or agreements relating to the subject matter. Any amendment or modification to this Agreement must be in writing, reference this Section 2.21 and be signed by duly authorized representatives of the Parties. Neither this Agreement nor any portions of it may be assigned, licensed or otherwise transferred by the SPONSORING PARTY without the prior written consent

Non-Collusion

The undersigned attests, subject to the penalties for perjury, that he/she is the properly authorized representative, agent, member or officer of the Party, that he/she has not, nor has any other member, employee, representative, agent or officer of the Party, directly or indirectly, to the best of his/her knowledge, entered into or offered to enter into any combination, collusion or agreement to receive or pay, and that he/she has not received or paid, any sum of money or other consideration for the execution of this Agreement other than that which appears upon the face of this Agreement.

In Witness Whereof, the Parties have, through duly authorized representatives, entered into this Agreement. The Parties having read and understand the forgoing terms of this Agreement do by their respective signatures dated below hereby agree to the terms thereof.

STATE OF INDIANA
Department of Transportation

Jason S. Washnock (for)
Michael B. Cline
Commissioner

Date: 5/1/2013

DELAWARE COUNTY
Board of Commissioners

Larry W. Bledsoe, Jr.
President

James King
Vice President

Sherry Riggin
Member

Date: April 15, 2013

STATE OF INDIANA
Division of Historic Preservation and Archaeology
Indiana Department of Natural Resources

(for)
Ron McAhron
Deputy Director

Date: 5/6/2013

Cardinal Greenway, Inc.

Angie Pool
Executive Director

Marta Moody
CGI Vice President

Tom Smith
CGI Secretary

Date: 4-5-13

APPROVALS

STATE OF INDIANA
State Budget Agency

for
Christopher D. Atkins, Director

Date: 5/31/2013

Approved as to Form and Legality:

(FOR)
Gregory F. Zoeller
Attorney General of Indiana

Date Approved: 6/21/13

STATE OF INDIANA
Department of Administration

Approved:

(For)
Jessica Robertson, Commissioner
Department of Administration

Date: 5/17/13

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

WHEREAS, the Federal Highway Administration (FHWA) has determined that the construction and improvement of highways and bridges with Federal Aid Highway funds (Federal-aid) may have an effect on bridges that are listed in the National Register of Historic Places (NRHP), or may be determined to be eligible for listing, hereafter referred to as "historic bridges"; and

WHEREAS, historic bridges may be rehabilitated through several Federal-aid programs, such as the Transportation Enhancement Program, the Surface Transportation Program, and the Highway Bridge Replacement and Rehabilitation Program provided the appropriate eligibility criteria are satisfied; and

WHEREAS, this Programmatic Agreement (Agreement) is applicable to Federal-aid projects that result in the rehabilitation or replacement of historic bridges in Indiana; and

WHEREAS, FHWA has consulted with the Advisory Council on Historic Preservation (Council) and the Indiana State Historic Preservation Officer (Indiana SHPO) pursuant to 36 CFR 800.14(b) of the regulations implementing Section 106 of the National Historic Preservation Act of 1966 (Section 106) (16 U.S.C. 470f); and

WHEREAS, FHWA formed a Historic Bridge Task Group (Task Group), including representatives from the Council, Indiana SHPO, Indiana Department of Transportation (INDOT), Indiana Local Technical Assistance Program (LTAP), Historic Landmarks Foundation of Indiana (HLFI), Historic Spans Task Force, Indiana Association of County Highway Engineers and Supervisors (IACHES), Indiana Association of County Commissioners (IACC), and Senator Richard Lugar's Office, to assist in the development of this Agreement and monitor its success upon implementation of the Agreement; and

WHEREAS, this Agreement defines a process to identify historic bridges that are most suitable for preservation and are excellent examples of a given type of historic bridge, hereafter referred to as "Select Bridges" and also identify those historic bridges that are not considered excellent examples of a given type of historic bridge or are not suitable candidates for preservation, hereafter referred to as "Non-Select Bridges"; and

WHEREAS, FHWA will not consider demolition to be a "prudent" alternative for any Federal-aid project involving a Select Bridge and FHWA will not participate in a project that would result in the demolition of a Select Bridge; and

Attachment 7

Exhibit A

WHEREAS, FHWA may participate in the demolition of a Non-Select Bridge provided there are no feasible and prudent alternatives to demolition of the Non-Select Bridge; and

WHEREAS, the Task Group recognizes that historic bridges are an important part of the history, culture and surface transportation system of the State of Indiana and its local units of government; and

WHEREAS, economic development and tourism benefits have been recognized from preserving historic bridges; and

WHEREAS, the rehabilitation, reuse and preservation of historic bridges constructed of a wide variety of materials can be facilitated with good information and procedures that encourage consideration of context sensitive design solutions and address this public interest; and

WHEREAS, it is understood that new bridge construction and routes may ultimately be required to address local and state transportation needs; and

WHEREAS, FHWA, in consultation with the Council and the Indiana SHPO, have invited INDOT to be a signatory to this Agreement; and

WHEREAS, FHWA in consultation with the Council and the Indiana SHPO have invited the LTAP, HLFI, Historic Spans Task Force, IACHES, and IACC to be concurring parties to this Agreement;

NOW, THEREFORE, FHWA, INDOT, the Indiana SHPO, and the Council agree that the following stipulations will be implemented for FHWA undertakings in the State of Indiana that involve historic bridges.

STIPULATIONS

FHWA shall ensure that the following stipulations are carried out:

I. INDOT will implement the following actions or program updates within one (1) year of executing this Agreement:

   A. INDOT will develop and include "Standards for Rehabilitation of Bridges on Low-Volume Roads" in the INDOT design manual, which will be utilized to evaluate if rehabilitation of a given historic bridge for vehicular use is feasible and prudent. Standards that define "feasibility" relate to the ability of an alternative to meet certain engineering requirements, such as structural capacity. Standards that define "prudent" relate to cost effectiveness of an alternative. The Task Group will be provided an opportunity to review and comment on the Standards before they are finalized and prior to any updates.

B. INDOT will inform the applicants for Federal-aid funds for any bridge project in the award letter that the scope of the bridge project (rehabilitation or replacement) will be determined by FHWA through the National Environmental Policy Act (NEPA) process and Section 4(f) of the Department of Transportation Act. The award letter will state that laws, regulations and design standards may ultimately dictate that the bridge be rehabilitated if the bridge is determined to be historic and FHWA concludes that rehabilitation is feasible and prudent.

C. INDOT will classify and label all historic bridge projects as "Bridge Project – Scope Undetermined" until after FHWA has identified a preferred alternative for the project. The classification and labeling will apply to award letters to federal-aid applicants, the Indiana Statewide Transportation Improvement Program and in electronic tracking systems maintained by INDOT. This generic classification for bridge projects will ensure that federal-aid applicants and the public do not have false expectations that the bridge will be replaced before the NEPA process is completed. The classification or label for the bridge project may be updated to reflect the scope identified in the approved NEPA document.

D. INDOT will work with the Transportation Enhancement Committee to develop and implement a scoring system that gives funding priority to Select Bridges within the historic projects category.

II. BRIDGE SURVEY

INDOT will complete a statewide survey of bridges on public roads and on public right-of-way (Bridge Survey) that were built in or before 1965. INDOT will gather the appropriate data to develop a historic context for bridges in Indiana, make NRHP eligibility recommendations, and recommend preservation priorities for historic bridges in accordance with "Attachment A - Scope of Services for the Development of a Historic Bridge Inventory (Appendix A of Consultant Contract)" of this Agreement. INDOT will collect data on all types of bridges (metal truss, concrete, masonry and timber), and will provide adequate opportunities for input to the Task Group and the public in completing the requirements of Attachment A and Stipulations II.A and II.B. Key points where INDOT will seek public comment include: NRHP eligibility, draft Select and Non-Select prioritization criteria, and the draft list of Select and Non-Select Bridges. Each notice requesting public comment will be mailed directly to the County Commissioners so bridge owners will be able to comment at each stage of the process.

A. NRHP Eligibility Determinations:

1. INDOT will provide NRHP eligibility recommendations to the Task Group, County Commissioners, and the public for a 60 day comment period. INDOT's recommendations will include the NRHP criterion, or criteria, that qualify the bridge for listing in the NRHP. INDOT will also list the bridges that are determined not to be eligible for the NRHP. INDOT will forward their final recommendations, along with any Task Group and public comments to FHWA and the Indiana SHPO for an eligibility determination.

2. FHWA, in consultation with the Indiana SHPO, will issue NRHP eligibility determinations for each bridge surveyed by INDOT. Bridges determined not to be NRHP eligible require no further consideration by INDOT and FHWA, unless later determined eligible for the NRHP in response to a nomination, or based on additional information or changed circumstances.

3. INDOT will make available to the public the NRHP eligibility determinations made by FHWA. The list will also include those bridges that FHWA determines not to be eligible for the NRHP.

B. Prioritization:

1. INDOT will develop criteria to identify each historic bridge as either Select or Non-Select in accordance with the process outlined in "Attachment A - Scope of Services for the Development of a Historic Bridge Inventory (Appendix A of Consultant Contract)."

2. INDOT will seek input from the Task Group and the public on the evaluation criteria for classifying historic bridges as Select and Non-Select. The Task Group, County Commissioners, and the public will have thirty (30) days to provide comments to INDOT on the criteria.

3. FHWA, in consultation with the Indiana SHPO, will review the comments from the Task Group and the public, modify the criteria as appropriate, and approve the criteria in cooperation with INDOT.

4. INDOT will apply the Select and Non-Select Bridge criteria to each historic bridge identified in the Bridge Survey. INDOT will seek comments from the Task Group and the public on the draft list of Select and Non-Select Bridges. For each bridge, the rationale for including the bridge on the Select list or Non-Select list will be described. The Task Group, County Commissioners, and the public will have sixty (60) days to provide comments to INDOT on the Select and Non-Select Bridges list.

5. INDOT will provide FHWA and the Indiana SHPO with the list of Select and Non-Select Bridges and the comments received from the Task Group and the public. FHWA, in consultation with the Indiana SHPO, will review the comments received and make appropriate changes to the list, if any. FHWA, in consultation with the Indiana SHPO, will ultimately approve the list of Select and Non-Select Bridges when both parties are satisfied with the classification of each bridge.

6. INDOT will make available to the Task Group and the public the final list of Select and Non-Select Bridges, the final criteria used to evaluate bridges as Select or Non-Select, and the rationale for the classification of each bridge.

C. Re-Evaluation of Historic Bridges

1. In unusual circumstances, a Select Bridge may no longer meet the Select Bridge criteria. Examples of unusual circumstances may include, but are not limited to, the bridge collapsing due to a flood or an overweight vehicle. A bridge owner may request that FHWA and the Indiana SHPO re-evaluate the Select Bridge determination if an unusual circumstance occurs. The following process will be followed to determine if re-classification of the Select Bridge is appropriate:

   a. The bridge owner must submit the request in writing to INDOT. The bridge owner should describe the unusual circumstance that has occurred and explain why the Select Bridge criteria no longer apply to the bridge.

   b. If INDOT determines the request has merit, then INDOT will notify FHWA, the Indiana SHPO, the Task Group, and the public of the request to re-classify the Select Bridge. INDOT will accept comments from the Task Group and the public for thirty (30) days.

   c. INDOT will provide a copy of all comments received to FHWA and the Indiana SHPO. FHWA and the Indiana SHPO will consult to evaluate the request and consider the comments received from the Task Group and the public.

   d. If FHWA and the Indiana SHPO agree on the classification of the bridge, then FHWA will notify INDOT of the decision within 30 days after receiving the documentation from INDOT. INDOT will notify the bridge owner, the Task Group and all individuals that provided comments on the bridge of the decision. If FHWA and the Indiana SHPO do not agree on the classification of the bridge, then the parties will invoke the Dispute Resolution provision, Stipulation IV.B. If necessary, INDOT will update the Select/Non-Select list by removing the Select Bridge from the list.

2. At least every ten (10) years, FHWA, INDOT, and the Indiana SHPO will consult to determine if conditions have changed that would require updating the list of bridges eligible for the NRHP, the criteria for identifying Select and Non-Select Bridges, and the list of Select and Non-Select Bridges. Any signatory may request that an update be completed more frequently if there have been substantial changes to the population of bridges identified in the Bridge Survey. If FHWA, INDOT and the Indiana SHPO agree that conditions have changed and an update is required, then the survey will be completed as described in Stipulation II of this Agreement. The FHWA, INDOT and the Indiana SHPO will consult to determine if the survey should be expanded to include bridges built after 1965. If FHWA, INDOT and the Indiana SHPO determine the existing survey is still valid, then INDOT will notify the Task Group, County Commissioners, and the public of the decision.

III. PROJECT DEVELOPMENT PROCESS FOR HISTORIC BRIDGES

FHWA will satisfy its Section 106 responsibilities for undertakings involving Select and Non-Select Bridges by completing the following processes. FHWA recognizes that additional historic properties, other than the historic bridge, may exist within the project's Area of Potential Effect (APE). To satisfy FHWA's Section 106 responsibilities for other historic resources that may be in the APE, FHWA will comply with the requirements of 36 CFR Parts 800.3-800.6.

Consulting parties shall be invited to consult pursuant to 36 CFR Part 800.3 and be notified that consultation with respect to the historic bridge will be completed in accordance with the Programmatic Agreement for the Management and Preservation of Indiana's Historic Bridges.

A. Project Development Process for Select Bridges

1. FHWA will work with INDOT, and the bridge owner if the historic bridge does not belong to INDOT, to develop a draft purpose and need statement (P&N) and alternatives analysis. Rehabilitation for vehicular use must be thoroughly evaluated before other alternatives are considered. Rehabilitation alternatives must include a one-way pair alternative that involves rehabilitating the existing bridge and constructing a new parallel bridge. If rehabilitation is not feasible and prudent, then the Select Bridge must be bypassed or relocated for another use. FHWA will not participate in a project that involves demolition of a Select Bridge.

2. If the bypass alternative is not feasible and prudent, relocation of the bridge will be required. INDOT will work with the bridge owner, if the bridge does not belong to INDOT, to identify a new location for the Select Bridge. Preference will be given to locations closest to the original location of the bridge. The NEPA document must include the proposed new location, description of how the new bridge will be utilized, and evaluate the associated impacts, in addition to those resulting from the bridge replacement.

3. Upon completion of the draft P&N and alternatives analysis, INDOT will forward to the consulting parties a copy of the draft P&N and alternatives analysis (including relocation proposal, if applicable) and give the consulting parties at least thirty (30) days to provide comments before the P&N and alternatives analysis are finalized.

4. FHWA will work with INDOT, and the bridge owner if the historic bridge does not belong to INDOT, to revise the P&N and alternatives analysis based on comments received. FHWA will identify a preferred alternative based on the P&N and alternatives analysis. INDOT will provide the revised P&N, alternatives analysis (including updated relocation proposal, if applicable), and preferred alternative to all consulting parties. The submittal to the Indiana SHPO will request concurrence with the FHWA preferred alternative.

5. If the Indiana SHPO objects to the preferred alternative within thirty (30) days of receiving the request for concurrence, FHWA will continue to consult with the

Indiana SHPO, INDOT, the bridge owner if the historic bridge does not belong to INDOT, and the consulting parties. If the Indiana SHPO and FHWA cannot reach agreement with respect to the preferred alternative, then FHWA will comply with the dispute resolution stipulation of this Agreement.

6. If the Indiana SHPO concurs with FHWA's preferred alternative, then the standard treatment approach, described in Attachment B (Standard Treatment Approach for Historic Bridges) will be initiated. The Indiana SHPO, the Council, and FHWA agree that implementation of the standard treatment approach for rehabilitation (rehabilitation is required for the Select Bridge) includes all possible planning to minimize harm to the historic bridge and fulfills all consultation requirements under Section 106.

7. The bridge owner will hold a public hearing prior to completion of NEPA. The bridge over will notify consulting parties by letter or e-mail (if available) of the public hearing and the availability of the environmental documentation. The environmental document, Section 106 documentation for other resources in the APE, and preliminary Section 4(f) evaluation, if one is required, will be made available prior to and at the public hearing for public review and comment.

8. If the preferred alternative includes transferring ownership of the historic bridge, then INDOT will initiate an agreement between INDOT, the bridge owner if the bridge does not belong to INDOT, the Indiana SHPO, and the proposed new bridge owner. The agreement shall include all applicable commitments required in Attachment B. INDOT will execute the agreement prior to NEPA approval.

9. FHWA and INDOT will work jointly so that all measures to minimize harm to the historic bridge are incorporated into the project as part of the environmental commitments made in documentation required pursuant to NEPA.

10. If there is no agreement ultimately regarding the preferred alternative, FHWA will comply with the dispute resolution stipulation of the Agreement.

B. Project Development Process for Non-Select Bridges

1. FHWA will work with INDOT, and the bridge owner if the bridge does not belong to INDOT, to develop a draft P&N and alternatives analysis. Rehabilitation for vehicular use must be thoroughly evaluated before other alternatives are considered. Rehabilitation alternatives must include a one-way pair alternative that involves rehabilitating the existing bridge and constructing a new parallel bridge.

2. If rehabilitation alternatives are not feasible and prudent, the bridge owner shall market the historic bridge for re-use. Proposals will be accepted for the immediate rehabilitation and reuse or for it's storage for future reuse. Proposals will also be accepted for the salvage of elements that may be stored for future repair of similar historic bridges. At a minimum, the following activities will be completed:

a. The bridge owner shall place a legal notice in a local newspaper and a statewide newspaper at a minimum six (6) months in advance of the public hearing to notify interested parties of the historic bridge availability for re-use. The advertisement should describe, at a minimum, the historic bridge length, width, height, condition, and availability.
b. The bridge owner shall place signs at both approaches to the historic bridge at a minimum six (6) months in advance of the public hearing to notify users that the historic bridge will be replaced. The signs will remain in place until completion of NEPA.
c. The bridge owner shall provide INDOT and HLFI with the information needed to post the historic bridge on INDOT's historic bridge marketing website and HLFI website, respectively, at a minimum six (6) months prior to the public hearing.

3. If no responsible party steps forward either prior to or during the public hearing to assume ownership of the Non-Select Bridge, then the bypass and relocation alternatives will be deemed not prudent and, therefore, Indiana SHPO, the Council, and FHWA agree that the bridge may be demolished.

4. FHWA will identify a preferred alternative based on the P&N and alternatives analysis. The standard treatment approach, described in Attachment B (Standard Treatment Approach for Historic Bridges) will be initiated. The Indiana SHPO, the Council, and FHWA agree that implementation of the standard treatment approach includes all possible planning to minimize harm to the historic bridge and implementation of the standard treatment approach fulfills all consultation requirements under Section 106.

5. The bridge owner will hold a public hearing for the project, prior to completion of NEPA. The bridge owner will notify consulting parties by letter or e-mail (if available) of the public hearing and the availability of the environmental documentation. The environmental document, Section 106 documentation for other resources in the APE, and preliminary Section 4(f) evaluation, if one is required, will be made available prior to and at the public hearing for public review and comment.

6. If the preferred alternative includes transferring ownership of the historic bridge, then INDOT will execute an agreement between INDOT, the bridge owner if the bridge does not belong to INDOT, the Indiana SHPO, and the proposed new bridge owner. The agreement shall include all applicable commitments required in Attachment B. INDOT will execute the agreement prior to NEPA approval.

7. FHWA will ensure all measures to minimize harm to the historic bridge are incorporated into the project as part of the environmental commitments made in documentation required pursuant to NEPA.

IV. ADMINISTRATIVE STIPULATIONS

A. Review – The Council and Indiana SHPO may monitor activities carried out pursuant to this Agreement and will review such activities, if so requested. FHWA and INDOT will cooperate with the Council and the Indiana SHPO in carrying out their review responsibilities.

B. Dispute Resolution – Should any signatory or invited signatory to this Agreement object at any time to any actions proposed or the manner in which the terms of this Agreement are implemented, FHWA shall consult with the objecting party(ies) to resolve the objection. If FHWA determines that such objection(s) cannot be resolved, FHWA will:

1. Forward all documentation relevant to the dispute to the Council in accordance with 36 CFR Section 800.2(b)(2). Upon receipt of adequate documentation, the Council shall review and advise FHWA on the resolution of the objection within thirty (30) days. Any comment provided by the Council, and all comments from the parties to the Agreement, will be taken into account by FHWA in reaching a final decision regarding the dispute.

2. If the Council does not provide comments regarding the dispute within thirty (30) days after receipt of adequate documentation, FHWA may render a decision regarding the dispute. In reaching the decision, FHWA will take into account all comments regarding the dispute from the parties to the Agreement.

3. FHWA's responsibilities to carry out all other actions subject to the terms of this Agreement that are not the subject of the dispute remain unchanged. FHWA will notify all parties of its decision in writing before implementing that portion of the undertaking subject to dispute under this stipulation. FHWA's decision will be final.

C. Annual Reporting – INDOT will maintain the list of bridges evaluated under Stipulation II and include at least the current status of eligibility, priority (Select or Non-Select), current owner, and scope of Federal-aid projects processed under this Agreement. 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.

D. Amendments and Noncompliance – If any signatory to this Agreement, including any invited signatory, determines that its terms will not or cannot be carried out or that an amendment to its terms must be made, that party shall immediately consult with the other parties, as well as the Task Group, to develop an amendment. The amendment will be effective on the date a copy is signed by all of the original signatories. If the signatories cannot agree to appropriate terms to amend the Agreement, any signatory may terminate the Agreement in accordance with the Termination stipulation. In the event FHWA does not carry out the terms of this Agreement, FHWA will comply with 36 CFR Part 800 with regard to individual undertakings covered by this Agreement.

E. Termination – The Council, Indiana SHPO, INDOT, or FHWA may propose to terminate this Agreement by providing thirty (30) calendar days notice to the other parties and explaining the reason(s) for the proposed termination. The Council, Indiana SHPO, FHWA, and INDOT will consult during this period to seek agreement on amendments or other actions that would avoid termination. In the event of termination, FHWA will comply with 36 CFR Part 800 with regard to individual undertakings covered by this Agreement.

F. National Historic Landmarks – National Historic Landmarks shall be treated in accordance with 36 CFR 800.3–800.6, and 800.10 rather than the terms of this agreement.

G. Anticipatory Demolition – If FHWA or Indiana SHPO determine a bridge owner intentionally demolishes or otherwise diminishes the historic integrity of a Select Bridge under the bridge owner's jurisdiction with non-Federal-aid funds, then FHWA will comply with 36 CFR Part 800 for any future federal-aid bridge project proposed by that bridge owner. After the next Bridge Survey update is completed in accordance with Stipulation II.C.2, FHWA may process federal-aid projects in accordance with this Agreement for that bridge owner.

Section 110(k) of the National Historic Preservation Act prohibits FHWA from providing Federal-aid funds for a given project, where the bridge owner, with the intent to avoid the requirements of Section 106, has intentionally adversely affected the historic bridge prior to completion of NEPA (see 36 CFR 800.9(c)).

H. Transition of existing projects – Until such time as the initial survey and prioritization of historic bridges called for in Stipulation II.B has been carried out, or for those projects that fall outside the scope of this agreement, projects must comply with the requirements of 36 CFR Part 800. Projects that have completed compliance with 36 CFR Part 800 shall not be reevaluated, provided the scope of work of the project and the mitigation measures, if any, are fully implemented as they were identified during the NEPA evaluation.

I. Duration – This Agreement shall become effective upon execution by FHWA, Indiana SHPO, INDOT, and the Council and shall remain in effect until December 31, 2030.

J. Option to Renew – No later than December 31, 2029, FHWA will consult with the Indiana SHPO, INDOT and the Council to determine interest in renewing this Agreement. The Agreement may be extended for an additional term upon the written agreement of the signatories.

Execution of this Agreement and implementation of its terms evidences that FHWA has considered the effects of its Federal-aid program on Indiana's historic bridges and afforded the Council a reasonable opportunity to comment.

SIGNATORIES

FEDERAL HIGHWAY ADMINISTRATION

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

8/2/06
Date

INDIANA HISTORIC PRESERVATION OFFICER

Kyle Hupfer
Director, Indiana Department of Natural Resources
Indiana State Historic Preservation Officer

7/26/06
Date

ADVISORY COUNCIL ON HISTORIC PRESERVATION

John M. Fowler
Executive Director

8/4/06
Date

INVITED SIGNATORY

INDIANA DEPARTMENT OF TRANSPORTATION

Thomas O. Sharp
Commissioner

7/21/06
Date

CONCURRING PARTY

HISTORIC SPANS TASK FORCE

22-Aug-2006

Paul Brandenburg
Chair

Date

Attachment 7

CONCURRING PARTY

HISTORIC LANDMARKS FOUNDATION OF INDIANA

October 27, 2006

Marsh Davis
President

Date

ATTACHMENT A

Scope of Services for the Development of a Historic Bridge Inventory

(Appendix A of Consultant Contract)

Appendix "A"

Information and Services to be furnished by the CONSULTANT:

The CONSULTANT will be responsible for the study of publicly owned bridges that exist in the National Bridge Inventory (NBI) and were built through 1965 in the State. The work will be accomplished following all of the relevant Federal Highway Administration regulations and guidance documents, as well as other federal and state requirements and Indiana Department of Transportation (INDOT) Procedural Manual for Preparing Environmental Studies. The work will be assigned and reviewed by the Office of Environmental Services (OES) Administrator. The completed study along with the appropriate number of copies will be transmitted for distribution to the OES.

HISTORIC BRIDGES INVENTORY:

The study will be divided into two phases. Phase I of the study will focus on bridges (approximately 3,443 bridges) constructed through 1942. Phase II of the study will focus on bridges (approximately 3,856 bridges) constructed from 1943 through 1965. The Phase I and Phase II evaluations will be completed concurrently. The Phase I evaluations are more critical given that many of these bridges are eligible for the National Register of Historic Places (National Register) and many of these structures have been lost in recent years.

Part 1 of the Agreement will extend through Task 4.2 and will include bridges built through 1965. Tasks 8, 9, and 10 will be completed concurrently with Tasks 1 through 4.2, as appropriate. The scope of work for succeeding tasks, beginning with Task 4.3, will be finalized as Part 2 of the Agreement after the number of bridges requiring inventory has been determined.

The CONSULTANT will provide the following scope of services for the development of a historic bridge inventory:

Task 1. Develop Contextual Study of Historic Bridges in Indiana – This task involves developing a historic context report for bridges in Indiana. The report will include a history of settlement and transportation in Indiana with an emphasis on nineteenth-century wagon routes, automobile transportation, and bridge engineering and design. Early road development, significant named highways, the interstate system, and important public works campaigns related to transportation will be addressed. The report will include a context for the historical development of transportation networks and systems at the local, regional, and state levels, as described in secondary literature, historic maps, county historical surveys, and INDOT annual progress reports. The report will also include a history of the evolution of the Indiana State Highway Commission into INDOT.

Attachment 7

Task 1.1 Conduct historical research

The CONSULTANT will conduct research into periods of bridge construction and general events and trends in transportation history in the United States and Indiana to prepare a historic context to assist in the evaluation of bridges through 1965.

Sources to be consulted are expected to include:

a. Secondary literature related to Indiana transportation history
b. INDOT's annual progress reports, major planning studies for bridges, and bridge design manuals for the period
c. Histories of construction and design firms actively working on Indiana bridges during this period
d. Engineering journals of the period covering the subject bridges, such as *Engineering News-Record* and *Public Roads*
e. Standard plans and construction drawings for the subject bridges, as needed
f. INDOT's Bridge Inventory Database
g. Indiana State Historic Preservation Office's (INSHPO) bridge database
h. Indiana county atlases and highway maps from the period, including the 1876 atlas of Indiana
i. Historic contexts for bridges of the period completed by other state departments of transportation and the National Cooperative Highway Research Program
j. Thematic surveys in the collection of INSHPO, including: *Iron Monuments to Distant Prosperity, Indiana's Metal Bridges*; *Artistry and Ingenuity in Artificial Stone, Indiana's Concrete Bridges*; *Indiana's Covered Bridges*; and *WPA Recreational Projects in the Hoosier State*
k. Transportation contexts provided in county and municipal surveys in the collection of INSHPO
l. Nominations and determinations of eligibility for bridges in the collection of INSHPO
m. Materials previously gathered by Professor James Cooper for statewide bridge studies and publications
n. Bridge information collected by the Local Technical Assistance Program (LTAP) in 2003

Research for this task will be conducted in Indianapolis; West Lafayette; and Madison, Wisconsin. Repositories to be visited are expected to include:

a. INDOT
b. INSHPO
c. Indiana State Archives, Indianapolis
d. Indiana State Library, Indianapolis
e. Indiana Historical Society, Indianapolis
f. Stewart Center Libraries, Purdue University, West Lafayette
g. Online sources
h. University of Wisconsin Engineering Library (for national journals)
i. Wisconsin Historical Society Library (collection on U.S. history)

Attachment 7

No research for this task is expected to be conducted at the local level of Indiana counties or cities.

Task 1.2 Conduct oral history interviews

The CONSULTANT will conduct interviews with up to 10 bridge engineers and transportation historians. The CONSULTANT will select interview subjects based on discussions with INDOT. Selected subjects are expected to include agency and consulting engineers, Purdue University and extension civil engineers, and transportation historians knowledgeable on the period of study. The results of the interviews will be incorporated into the historic context report.

Task 1.3 Prepare historic context outline

The CONSULTANT will prepare an outline for the historic context report for concurrent INDOT and INSHPO review. Within 10 days of receipt, INDOT will approve or provide written comments on the outline. If the draft outline requires extensive revision, INDOT and the CONSULTANT will have a teleconference to discuss comments and a revised draft will be submitted for review. The approved outline will be the basis for the draft historic context report.

Task 1.4 Prepare draft historic context report

Based on the results of research and interview efforts, the CONSULTANT will prepare the historic context report. The purpose of the report is to define relevant historic contexts that will be used in assessing historical significance and establishing periods of significance for bridges built in Indiana through 1965. These historic contexts will inform the stratification methodology (Task 2) and the Evaluation Criteria (Task 3). The primary historic contexts to be developed are expected to include:

a. Transportation history (specific to bridges) – Provides a narrative history of transportation in Indiana, including federal, inter-state, county, and municipal public works construction campaigns from the late nineteenth century to 1965. Transportation networks include early roads (as indicated on 1876 atlas), named highways, state-aid highways, and interstate highways. The history of the evolution of the Indiana State Highway Commission into INDOT will be included. In addition, attention will be given to the development of various inter-state highway associations with routes in Indiana, including the National Road, Lincoln Highway, and Dixie Highway. Information on county and municipal public works will be limited to that identified through secondary sources identified as Source k in Task 1.1.

b. Bridge engineering, innovations, and developments – Includes a history of bridge technology, understanding of bridge typology, including structural configurations and building materials, and identifies bridge types utilized in Indiana, as well as innovations in design, materials, and construction methods found in the state.

c. Significant engineers, designers, and builders – Identifies important private- and public-sector bridge designers and builders of Indiana bridges constructed in or before 1965. The context for notable people and firms will focus on Indiana. For nationally known figures whose careers are well documented, research will be limited to that necessary to understand the potential significance of their work in Indiana.

Other historic contexts are expected to play a lesser role in the evaluation of the eligibility of subject bridges. Relevant information for these contexts in relationship to bridges of the subject period may be limited. These secondary contexts are expected to include:

a. Economic development (specific to bridges as components of road networks) – Includes bridges whose construction stimulated economic development of a region or city, if any.
b. Community planning and development – Includes bridges designed and constructed as part of a comprehensive plan for a community, if any.
c. Social history – Includes bridges directly associated with significant social programs, if any.
d. Politics/government – Includes bridges associated with the enactment and administration of state laws, if applicable.
e. Aesthetics – Considers how bridges reflect design principles of the period.

The CONSULTANT will submit a draft version of the report to INDOT for review. INDOT will complete a quality review of the draft report within 5 days of receipt. If the draft appears satisfactory, it will be submitted for concurrent review by INDOT, INSHPO, and the Federal Highway Administration, Indiana Division (FHWA Indiana). If INDOT provides written comments, the CONSULTANT will revise the report to address and incorporate INDOT's comments and submit a revised draft. INDOT, INSHPO, and the FHWA Indiana will review the CONSULTANT's revised draft within 30 days of receipt. Based on that review, INDOT will compile INDOT, INSHPO, and FHWA Indiana comments and provide the CONSULTANT with one set of comments.

Task 1.5 Complete preliminary analysis of NBI

The CONSULTANT will obtain NBI databases for state and county bridges from INDOT. The CONSULTANT will consolidate the databases and conduct a preliminary analysis of relevant data. As addenda to the draft historic context report, the CONSULTANT will prepare a list of bridge types represented in Indiana during the subject period and a list of historic contexts that may be associated with the subject bridges. For each type, the CONSULTANT will present years in use, heyday of use, typical span length, and longest span, based on preliminary analysis of the NBI.

Task 1.6 Prepare final historic context report

Based on written comments and the review meeting (see Task 10.2), the CONSULTANT will prepare the report in final form to address and incorporate all comments provided by INDOT. The CONSULTANT will submit the final report to INDOT for review and approval. The final historic context report will be available to the public for review on the INDOT project website (see Task 9.2). INDOT will advise the CONSULTANT regarding which public comments will be addressed in the final historic context. A maximum of 40 hours are budgeted for addressing public comments. The CONSULTANT will work with INDOT to address the comments and not delay subsequent tasks. If this is not feasible, the CONSULTANT will work with INDOT to revise the schedule.

Project Deliverable: Historic context report for historic bridges in Indiana. Final report will be provided in hard copy (5 copies) and on CD in PDF format (10 copies).

Task 2. Develop Methodology for Bridge Inventory – Because it is not feasible or practical to field survey all of the bridges built through 1965, the CONSULTANT will develop a method for separating the bridge population into subgroups based upon type/level of data needed for their evaluation.

Task 2.1 Develop methodology for stratifying bridge population
After consulting with INDOT and other entities (see Task 10.3), the CONSULTANT will develop a methodology to separate INDOT's pre-1966 bridge population into bridge subgroups. Bridges that have previously been determined eligible or listed in the State and/or National Register will not require further data and will be eliminated from further study. Extant eligible and listed bridges will be reintroduced in Task 7 (to be scoped in the future). Bridges with superstructures replaced after 1965 and any non-bridge structures in the NBI will also be eliminated from further study. Remaining bridges will be separated into subgroups based on type/level of data needed for their evaluation.

Task 2.2 Test assumptions of methodology
The CONSULTANT will test assumptions regarding the proposed methodology for stratifying the bridge population by reviewing photographs, maintenance, and inspection files, and construction drawings for up to 100 bridges. These materials will be reviewed to confirm assumptions concerning data needed for evaluation of bridge subgroups.

Task 2.3 Prepare draft bridge stratification report with list of subgroups and data needs
The CONSULTANT will identify and present rationale for what type of data will be needed for the evaluation of each subgroup. The CONSULTANT will develop procedures for how the data will be collected and documented for each subgroup.

The CONSULTANT will prepare and submit a bridge stratification report that includes a list of bridge subgroups, data needs for evaluating subgroups, and written procedures for collecting and synthesizing data for each subgroup to INDOT for review. As an appendix, the CONSULTANT will prepare a preliminary list of bridges in each subgroup. INDOT will complete a quality review of the draft bridge stratification report within 5 days of receipt. If the draft appears satisfactory, it will be submitted for concurrent review by INDOT, INSHPO, and FHWA Indiana. If INDOT provides written comments, the CONSULTANT will revise the bridge stratification report to address and incorporate INDOT's comments. INDOT, INSHPO, and FHWA Indiana will review the CONSULTANT's revised draft within 30 days of receipt.

Based on that review, INDOT will compile INDOT, INSHPO, and FHWA Indiana comments and provide the CONSULTANT with one set of comments.

Task 2.4 Develop final bridge stratification report
The CONSULTANT will prepare the bridge stratification report in final form to address and incorporate all comments provided by INDOT. The CONSULTANT will revise the list of

bridges in each subgroup to address and incorporate comments. The CONSULTANT will submit the final report to INDOT for review and approval.

Project Deliverables: Final lists and procedures will be provided in hard copy (5 copies) and on CD in PDF format (10 copies).

Task 3. Develop Evaluation Criteria for National Register Eligibility – The evaluation criteria will be based on the Historic Context and National Register Criteria for Evaluation. The criteria and considerations will follow the guidelines of *National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation* and *National Register Bulletin 16A: How to Complete the National Register Registration Form*. INSHPO's *Guidelines for Assessing the Cultural Significance of Indiana's Extant Metal Truss Bridges (1872-1942)* will also be consulted.

Task 3.1 Prepare evaluation criteria
Based on the results of the historic context report and the meeting (see Task 10.4), the CONSULTANT will develop bridge evaluation criteria and implementation procedures for determining which bridges are National Register eligible. These criteria will focus on significance at the state level but will also identify significant local trends and developments found during research. If Indiana played a national role in any innovations affecting the subject structures, possible national levels of significance will also be identified.

Criterion A will be developed to recognize structures that have an important association with significant events, trends or patterns in transportation history. Some structures that are primarily significant for their transportation function may also be associated with secondary themes. Significant secondary themes will be identified as appropriate to clarify the possible significance of structures. Secondary themes may include:

- Community planning and development
- Industry and commerce
- Social history
- Politics/government

Criterion C will be developed to identify structures that are significant representations of:

- Features common to its type, period, or method of construction
- Technological advances
- A variation, evolution, or transition that reflects an important phase in bridge construction
- High artistic value
- The work of a master

It is not anticipated that structures will be evaluated for eligibility under Criteria B or D. The Criteria for Evaluation will explain in detail why Criteria B and D are not expected to apply.

Attachment 7

Task 3.2 Develop integrity considerations
Based on the results of the historic context report and the meeting (see Task 10.4), the CONSULTANT will develop integrity considerations that may apply to the subject structures. Integrity considerations, especially when inconsistent with the original design, may include:

- Widening the superstructure
- Replacing the superstructure after 1965
- Changing or removing a railing or parapet that is integral to the superstructure
- Replacing or adding main structural member

The CONSULTANT will review the work history field in the NBI database to determine types of alterations that will inform development of integrity considerations. These considerations will be incorporated into the draft and final evaluation criteria report.

Task 3.3 Prepare Draft evaluation criteria and implementation procedures
The CONSULTANT will submit a Draft Evaluation Criteria and Implementation Procedures report to INDOT for review. INDOT will complete a quality review of the draft report within 5 days of receipt. If the draft appears satisfactory, it will be submitted for concurrent review by INDOT, INSHPO, and FHWA Indiana. If INDOT provides written comments, the CONSULTANT will revise the evaluation criteria and implementation procedures to address and incorporate INDOT's comments. INDOT, INSHPO, and FHWA Indiana will review the CONSULTANT's revised draft within 30 days of receipt. Based on that review, INDOT will compile INDOT, INSHPO, and FHWA Indiana comments and provide the CONSULTANT with one set of comments.

Task 3.4 Final evaluation criteria and implementation procedures
Based upon that review, INDOT will compile INDOT, INSHPO, and FHWA Indiana comments and provide the CONSULTANT with any additional written comments, and the CONSULTANT will incorporate the comments. The CONSULTANT will submit the final report to INDOT for review and approval.

> Project Deliverables: Bridge evaluation criteria and implementation procedures. Final criteria and procedures will be provided in hard copy (5 copies) and on CD in PDF format (10 copies).

Task 4. Conduct Bridge Inventory

Task 4.1 Develop a historic bridge inventory database template
The CONSULTANT will work with INDOT System's Technology staff to develop a historic bridge inventory database template for all bridges built prior to and in the year 1965. The Database will be developed in Access and will include relevant NBI data elements (approximately 60 item numbers are expected to be included) and additional relevant fields not included in the NBI. The database will be separate from NBI, but compatible with NBI. Additional relevant fields not in NBI are expected to include:

- Historic bridge name (if known)
- Bridge number (County Bridge # or State Bridge #)

- Bridge located in park or on private property
- Bridge type details (especially for trusses not distinguished in NBI)
- Unique bridge number
- Unique design features
- Structural features
- Integrity problems
- Bridge designer and builder (if known)
- Aesthetic treatments
- Historical association
- Indiana Historic Sites and Structures (IHSS) inventory numbers
- National Register eligibility determinations
- "Select/Non-Select" status (this field will be filled after Task 7 is completed)
- Data to back up the "Select/Non-Select" decision (to be determined during Task 6)
- NBI Item 37 for historic significance (with corrected data)

Identification of selected NBI data elements and new data elements not presently in the NBI will be coordinated with INDOT, FHWA Indiana, and INSHPO. The CONSULTANT will submit the draft database template to INDOT. INDOT, INSHPO, and FHWA Indiana will review the draft database template with proposed fields based on NBI elements and other relevant information before any data is collected. Based upon that review, INDOT will provide the CONSULTANT with written comments. The CONSULTANT will incorporate the comments and INDOT will review and approve the final database template.

Project Deliverable: Historic bridge inventory database template recorded electronically in Access with Excel spreadsheet export capability, provided on CD (10 copies)

Task 4.2 Populate database
The CONSULTANT will populate the database with NBI data and LTAP data for approximately 7,300 bridges. This task includes quality review of data to identify and address errors, omissions, and inconsistencies.

Task 4.3 Incorporate non-NBI bridges into the database
The CONSULTANT, in consultation with INDOT, will incorporate up to 50 non-NBI bridges identified by the public and interest groups during Tasks 8.4 and 9.1 into the database. Not all NBI database fields will be available.

Task 4.4 Determine project approach for Part 2
The CONSULTANT, in consultation with INDOT (see Task 10.5), will determine the proposed approach for succeeding tasks. INDOT will receive a memo of understanding outlining the proposed approach for review and comment..

Subsequent items under this task will be completed under a separate work scope.

Task 4.5 Collect bridge inventory data for all subgroups – Reserved (a detailed scope and cost proposal will be developed at a later date).

Task 5. Analyze Inventory Data to Make Eligibility Determinations – Reserved (a detailed scope and cost proposal will be developed at a later date).

Task 6. Develop Criteria for Identification of "Select" and "Non-Select" Bridges – Reserved (a detailed scope and cost proposal will be developed at a later date).

Task 7. Analyze Inventory Data to Make "Select" and "Non-Select" Determinations – Reserved (a detailed scope and cost proposal will be developed at a later date).

Task 8. Public Involvement – This task will be undertaken concurrently with Tasks 1 through 4.1, as appropriate. Three public presentations will be made to share information regarding the bridge inventory project, including the proposed methodology and evaluation criteria.

Task 8.1 Prepare presentation materials
The CONSULTANT will prepare a PowerPoint presentation and handouts. The CONSULTANT will submit presentation materials and handouts to INDOT for review prior to the meeting. The CONSULTANT will incorporate INDOT comments into the final version of the presentation materials and handouts prior to distribution. The final version will be used for the three presentations.

Task 8.2 County Bridge Conference presentation
If invited, the CONSULTANT will make a presentation at the County Bridge Conference, sponsored by the LTAP and Purdue University, to be held in January 2007 in West Lafayette. The CONSULTANT will work with INDOT to obtain an invitation.

Task 8.3 Road School presentation
If invited, the CONSULTANT will make a presentation at Purdue Road School, to be held in spring 2007 in West Lafayette. The CONSULTANT will work with INDOT to obtain an invitation.

Task 8.4 Public presentation
The CONSULTANT will make three presentations at locations selected in consultation with INDOT. The locations will include Indianapolis, the northern part of the state, and the southern part of the state. The CONSULTANT, in consultation with INDOT and INSHPO, will identify and invite groups, including County Historians, Historic Landmarks Foundation of Indiana and its affiliates, and the Historic Spans Task Force, and individuals with an interest in historic bridges to the meeting. The presentation will be open to the public and advertised through a public notice in the newspaper. The CONSULTANT will solicit information from attendees on bridges not included in the NBI. Such bridges may include bypassed bridges and bridges in parks.

Task 9. Supply Information for Creation of a Project Website – This task will be undertaken concurrently with Tasks 1 through 4.1, as appropriate. As part of the public involvement campaign, the CONSULTANT will assist INDOT's Systems Technology staff, as directed, with

content and format recommendations and provide copy content drafts for INDOT approval. Development, maintenance, and technical management of the project website will be the responsibility of INDOT.

Task 9.1 Project information available on project website
On a quarterly basis, the CONSULTANT will provide information on project methodology, milestones, and public meetings to INDOT's Systems Technology staff for posting on the project website. The website will also include a form for the public to identify non-NBI bridges. This form can be printed, completed, and returned. INDOT will review all web information prepared by the CONSULTANT prior to posting and provide written comments. The CONSULTANT will incorporate INDOT comments prior to submittal to INDOT's Systems Technology staff for posting.

Task 9.2 Final historic context report available on project website
The CONSULTANT will provide the final historic context report to INDOT's Systems Technology staff in PDF format for posting on the project website.

> Project Deliverables: Electronic files containing project information and report in PDF format for public outreach.

Task 10. Meetings and Project Milestones – This task will be undertaken concurrently with Tasks 1 through 4.1, as appropriate. The CONSULTANT will meet with INDOT, and any other entities (such as FHWA Indiana) as decided by INDOT, to review the scope of services, schedule, and deliverables for the project. The CONSULTANT will develop a refined schedule with meetings and project milestones outlined. Meetings may be waived by INDOT or reallocated to occur in conjunction with a different task. Additional meetings would be considered extra services. The CONSULTANT will provide INDOT with weekly progress reports via e-mail.

Task 10.1 Kick-off meeting
The CONSULTANT will meet with INDOT and other invited entities to gather historical research materials, review the project schedule, discuss the public involvement campaign, and establish the communication protocol between project participants. INDOT's Systems Technology staff will be present to discuss content and format recommendations for the project website. Minutes will be prepared and distributed to participants.

Task 10.2 Draft historic context report meeting
The CONSULTANT will meet with INDOT and other invited entities to review and discuss written comments, as provided by INDOT, on the CONSULTANT's revised draft historic context report. Minutes will be prepared and distributed to participants.

Task 10.3 Methodology meeting
The CONSULTANT will consult with INDOT and other invited entities at a meeting to discuss a methodology to separate INDOT's pre-1966 bridge population into bridge subgroups. Minutes

that document the decisions on the stratification methodology will be prepared and distributed to participants.

Task 10.4 Evaluation criteria meeting
The CONSULTANT will meet with INDOT, and other entities as decided by INDOT, to discuss how the historic context report will influence the development of criteria for evaluation and integrity considerations. Minutes will be prepared and distributed to participants.

Task 10.5 Project approach meeting
The CONSULTANT will meet with INDOT, and other entities as decided by INDOT, to discuss the proposed approach for succeeding tasks. Minutes will be prepared and distributed to participants.

Task 11. Development of the Programmatic Agreement – Reserved (a detailed scope and cost proposal will be developed at a later date).

Attachment 7

ATTACHMENT B

Standard Treatment Approach for Historic Bridges

REHABILITATION

The following standard treatment approach applies to all Select Bridges and when the selected alternative includes preservation of a Non-Select Bridge[1]:

1. The bridge owner will develop plans to rehabilitate the bridge in accordance with the Secretary of the Interior's Standards for Rehabilitation, or as close to the Standards as is practicable.

2. The bridge owner will provide rehabilitation plans to the Indiana SHPO when the design is approximately 30% complete, 60% complete, and when final design plans are complete. If the project involves a bypass of the historic bridge, then the plan submittals will include a site plan and design of the new bridge and the historic bridge. The purpose of these reviews is to evaluate the design and proximity of the new bridge in relationship to the historic bridge (if historic bridge is bypassed), ensure compliance with the Secretary of Interior's Standards for Rehabilitation, and to incorporate context sensitive design features, where practicable.

3. The Indiana SHPO will have thirty (30) days to review and provide comments to the bridge owner and notify them of any photo documentation requirements. If comments are not received within thirty (30) days, the bridge owner may assume agreement from the Indiana SHPO on the plans submitted.

4. The bridge owner will provide a written response to Indiana SHPO comments before the design is advanced to the next phase. The Indiana SHPO comments must be addressed.

5. The bridge owner will ensure that the historic bridge will be maintained for a minimum period of 25 years.

6. If the bridge is currently listed on the NRHP, then INDOT will seek approval of the Department of Interior to keep it on the Register.

7. The bridge owner will complete any photo documentation in accordance with the specifications provided by the Indiana SHPO.

[1] Applicable whether rehabilitated at existing location or relocated, whether rehabilitated for vehicular or non-vehicular use.

8. The bridge owner will ensure that the above requirements are implemented before INDOT requests construction authorization from FHWA.

9. If there is any disagreement between the Indiana SHPO and the bridge owner in carrying out this standard approach, then FHWA will consult with the Indiana SHPO and the bridge owner to resolve the disagreement. If the disagreement cannot be resolved by FHWA, then FHWA will comply with the dispute resolution stipulation of the Agreement.

DEMOLITION

The following standard treatment approach applies to Non-Select Bridges when the selected alternative includes demolition of the Non-Select Bridge:

1. The bridge owner will consult with the Indiana SHPO to determine if photo-documentation of the bridge is needed. If needed, the Indiana SHPO will specify the photo documentation standards and distribution requirements. If the Indiana SHPO does not respond within thirty (30) days, the bridge owner may assume the Indiana SHPO does not require any photo documentation.

2. The bridge owner will complete any required photo documentation in accordance with the specifications provided by the Indiana SHPO.

3. The bridge owner will ensure that the above requirements are implemented before INDOT requests construction authorization from FHWA.

4. If there is any disagreement between the Indiana SHPO and the bridge owner in carrying out this standard approach, then FHWA will consult with the Indiana SHPO and the bridge owner to resolve the disagreement. If the disagreement cannot be resolved by FHWA, then the dispute resolution process identified in the Agreement will be followed.

5. Salvage of elements that may be stored and used for future repair of similar historic bridges, if a party was identified during the bridge marketing phase of project development (see Stipulation III.B.2).

August 24, 2011

Delaware County Board of Commissioners
Delaware County Building, Room 309
100 W. Main Street
Muncie, Indiana 47305

RE: Bridge 85

Dear Commissioners:

The Board of Directors of Cardinal Greenway, Inc. (CGI) remains committed to utilizing Bridge 85 in the design and development of the Kitselman Gateway which is Phase 5 of the White River Greenway.

With the completion of the Memorandum of Understanding (MOU), the Section 106 process can be finalized and Cardinal Greenway will then be assured that Bridge 85 will be available for Phase 5 where it will be used to cross the White River and connect the Cardinal Greenway with the White River Greenway. Please see the attached rendering which is a preliminary concept.

Our organization, in partnership with another nonprofit, Community Enhancement Projects, has accumulated over $1,000,000 that will be used to relocate Bridge 85 to the Gateway. Once the MOU is finalized, CGI will begin the INDOT RFP process that will include working with the City of Muncie which is the project's Local Public Agency. It has been our goal to have a consultant on board before the end of this year which would only be possible if the MOU can be completed in the next 1 – 2 months.

We look forward to another successful partnership with the Commissioners as we had with the Muncie Creek Bridge 515 project on the White River trail. Let us know if we can assist in any way.

Sincerely,

Angie Pool

Angie Pool
Executive Director

200 E. Wyatt St.
Muncie, IN 47305

CARDINAL GREENWAYS

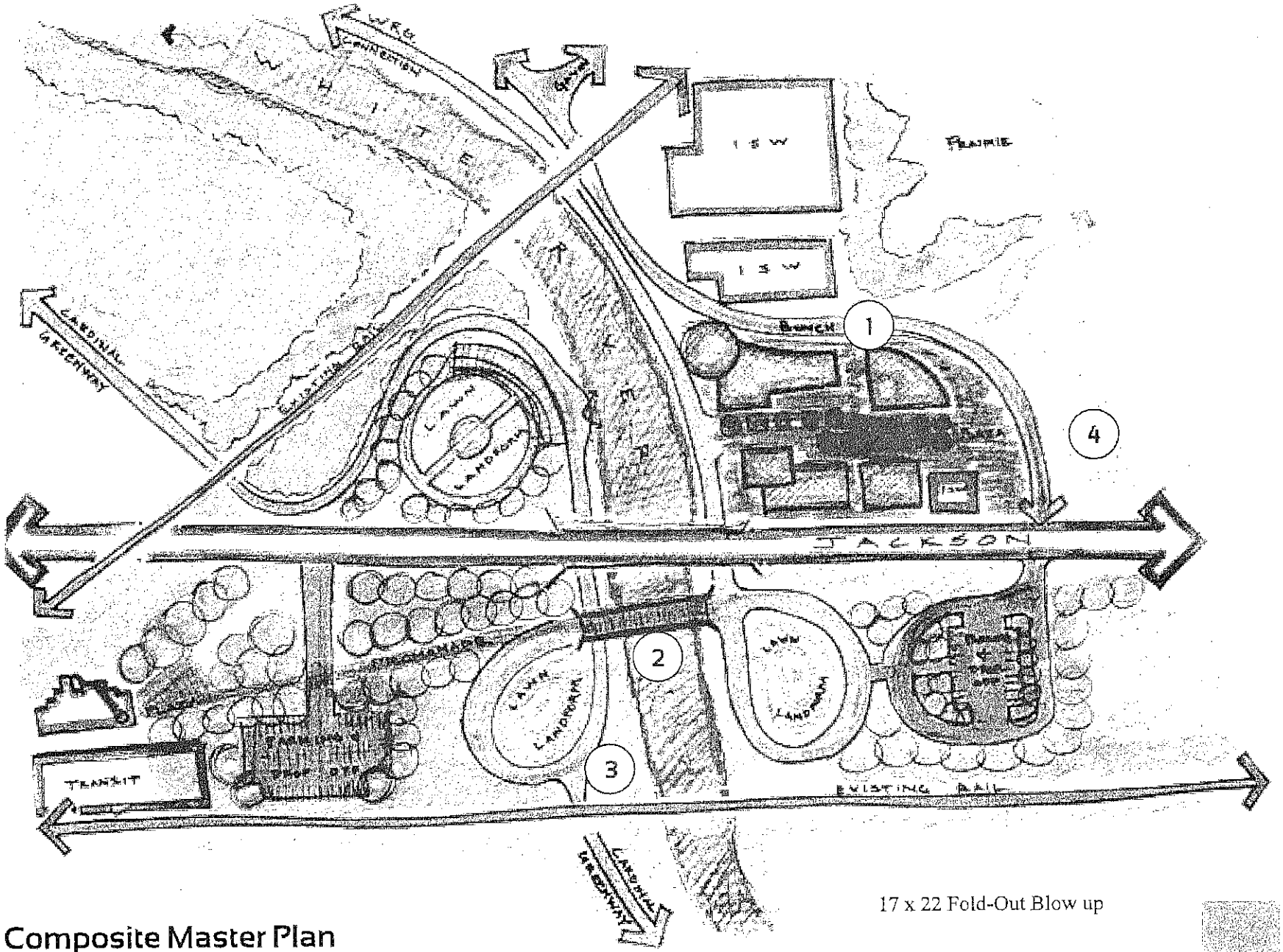
Making Connections Every Day

p. (765) 287-0398
f. (765) 287-0398

cardinalgreenways.org

Attachment 7

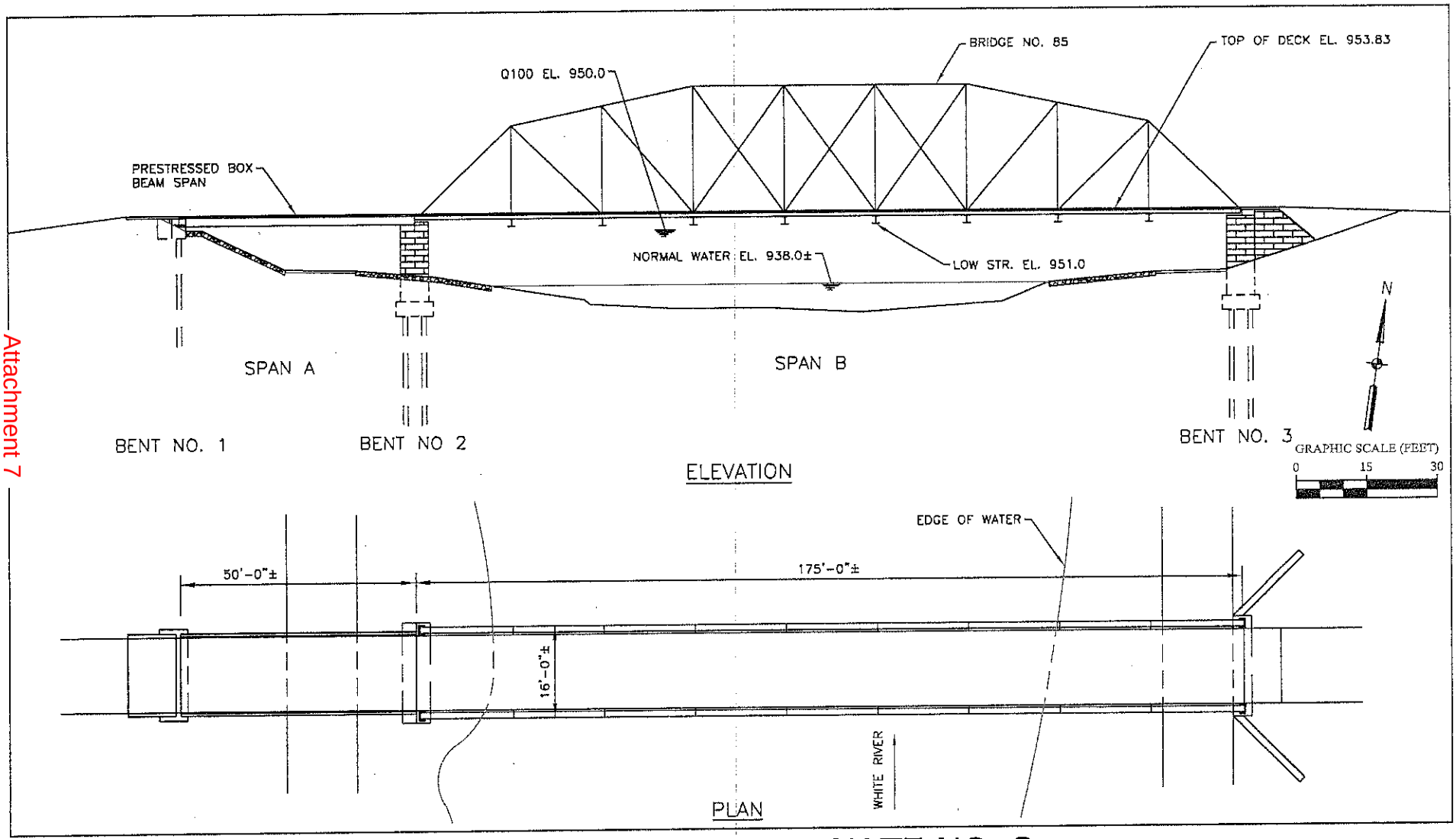
Exhibit B



Attachment 7

17 x 22 Fold-Out Blow up

Composite Master Plan



ALTERNATE NO. 3

DELAWARE COUNTY BRIDGE NO. 85

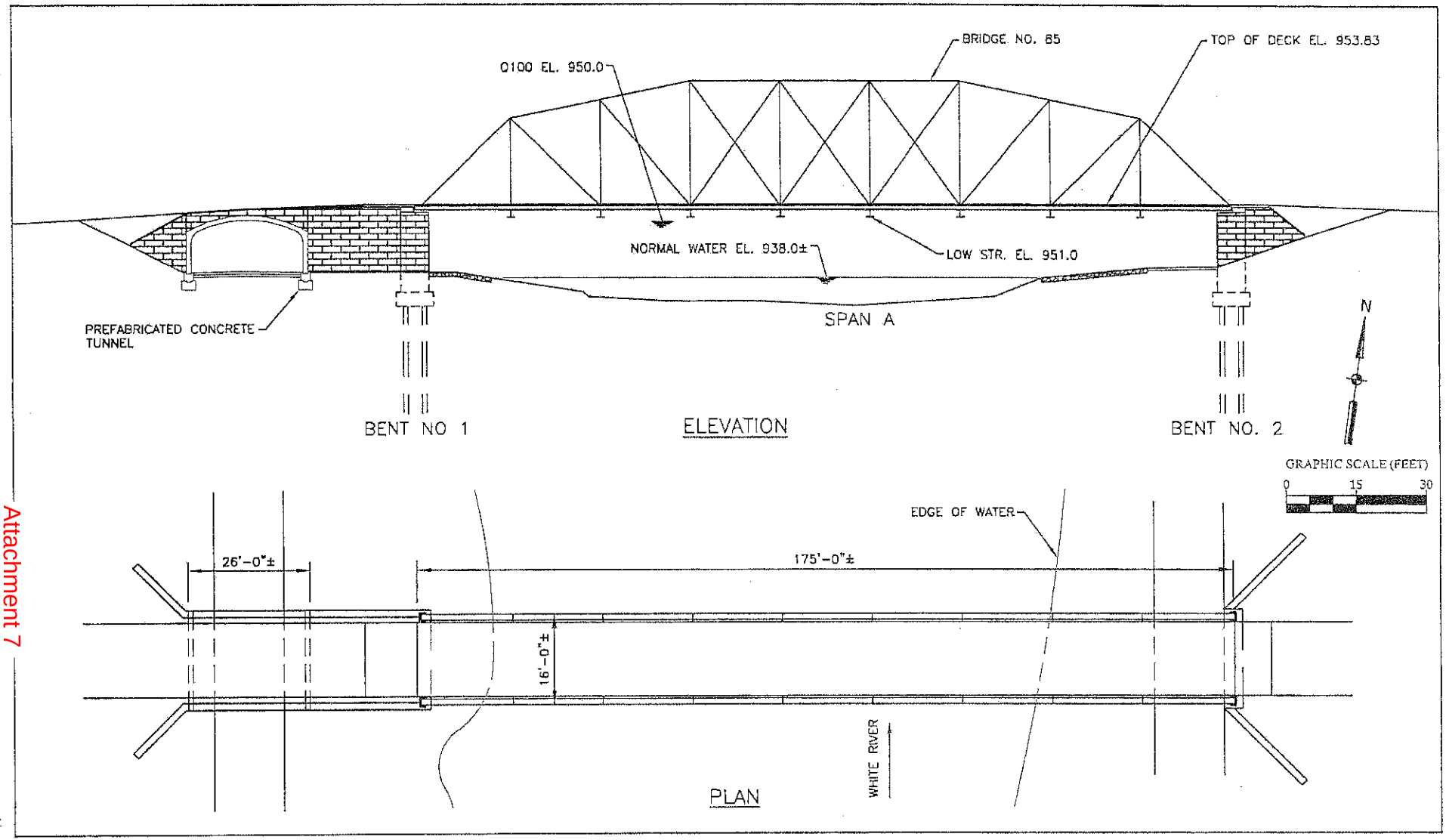
PROPOSED BRIDGE RELOCATION/CONSTRUCTION

CARDINAL GREENWAY - KITSELMAN TRAIL HEAD OVER THE WHITE RIVER

RW ARMSTRONG

Union Station / 300 S. Meridian St.
Indianapolis, IN 46225
PH 317.786.0461 // FX 317.788.0957
rwArmstrong.com

Attachment 7



ALTERNATE NO. 2

DELAWARE COUNTY BRIDGE NO. 85

PROPOSED BRIDGE RELOCATION/CONSTRUCTION

CARDINAL GREENWAY - KITSELMAN TRAIL HEAD OVER THE WHITE RIVER

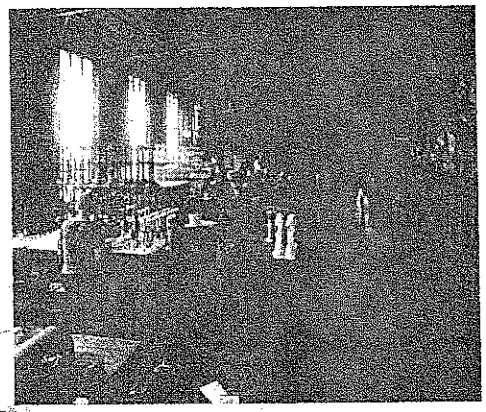
RW ARMSTRONG
Union Station / 300 S. Meridian St.
Indianapolis, IN 46225
PH 317.786.0461 // FX 317.788.0957
rwArmstrong.com

Attachment 7

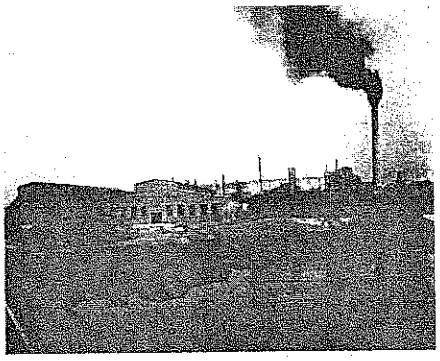
From Settlement to City

In the 1770s, the Miami allowed Delaware Indians who had been forced from their eastern homelands to settle along the White River. In 1818, Miami leaders surrendered those lands to the U.S. Government and most of the Delaware moved west. One of their abandoned settlements, Munseetown, was renamed "Muncie" and became the Delaware County seat in 1865.

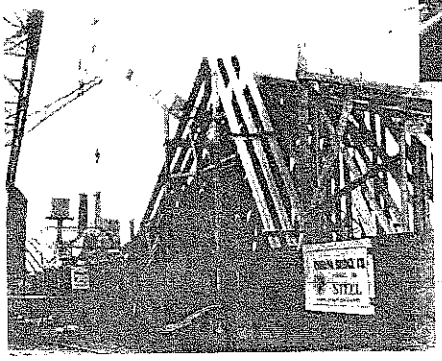
Two things transformed Muncie from a sleepy pioneer outpost into an industrial powerhouse: the arrival of railroads in the 1850s and the discovery of natural gas in 1886. In 1850, the town had a population of less than 700. But by 1900, more than 20,000 people lived in Muncie and the city's many factories produced everything from meat and dairy products to pottery, glass, automobiles, and



The Aladdin Lamp Company, 1925, 18th and Hackley Streets. Courtesy of Ball State University

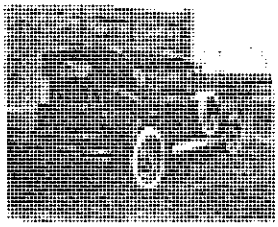


Indiana Steel and Wire Factory, 1914. In 1883, Kilselman brothers Alva, David, Edwin, and Carl began making roller skates in Ridgeville, Indiana. They expanded operations to include woven wire fence in 1887 and business boomed. In 1900 the Kilselmans moved to this location, then a small community called "Boycelon" after early Muncie businessman James Boyce. Here, the Kilselmans established Indiana Steel and Wire Company, which quickly became one of the largest wire companies in the country.



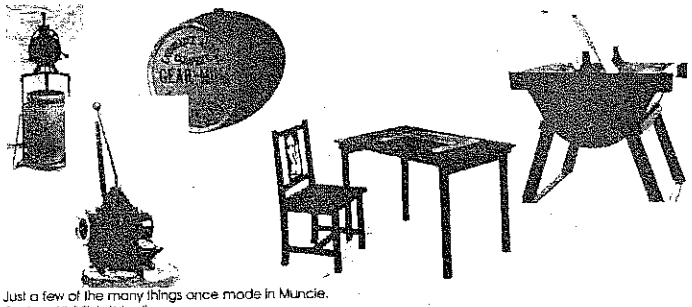
Indiana Bridge Company prepares to ship bridge components, 1923.

A Muncie-made Durant automobile in front of the factory once located at the intersection of Willard and Elliot Streets. For the better part of a century, automobile and automobile parts manufacturing were the foundation of Muncie's industrial economy. Courtesy of Ball State University.



Wellness is
Staying current in your

Wellness involves many dimensions – emotional, environmental, intellectual, physical, social, spiritual, and vocational.



Just a few of the many things once made in Muncie. Courtesy of Ball State University

If you keep your eyes open as you follow the river downstream, you might see some of the herons that have returned as the river has recovered. Lower(Left): Green Heron. Upper(Right): Great Blue Heron.

Muncie's Industrial Legacy

RIVER STORY

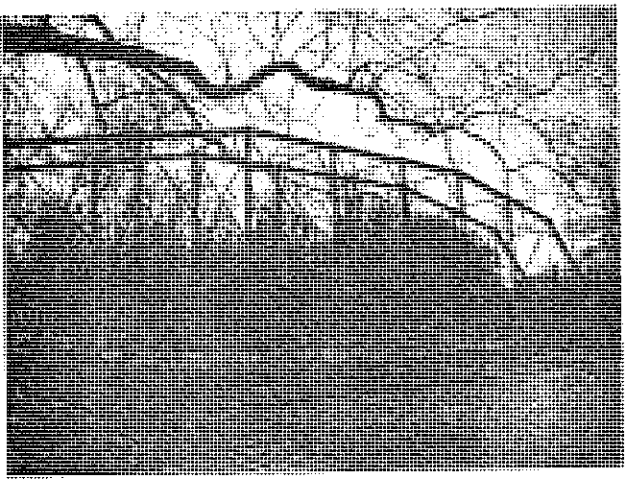
"Muncie possesses a peculiarly healthful location. There is absolutely nothing in its immediate surroundings to cause sickness . . . A perfect sewerage system conducts the drainage to White River, by which the refuse of the city is carried far away." -The Muncie Land Improvement Company, 1892.

Muncie's industrial prosperity came at a great cost to the White River. For decades, industrial chemicals, raw sewage, and other untreated wastes poured into the waters. By the 1960s, the river's fish and wildlife populations were nearly destroyed. In the 1970s, we began the hard work of cleaning up. Although it has taken many years, our efforts are beginning to reap rewards. Today, the White River is becoming a community showpiece, a place of

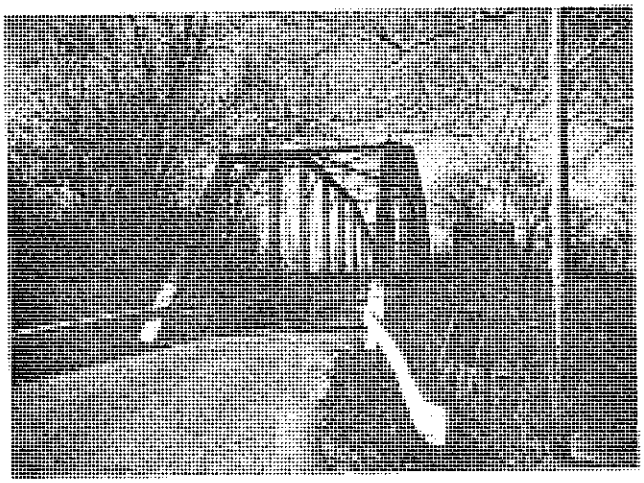
Attachment 7

Major support from the Harry and Janet Kilselman Fund enabled the construction of this trailhead.

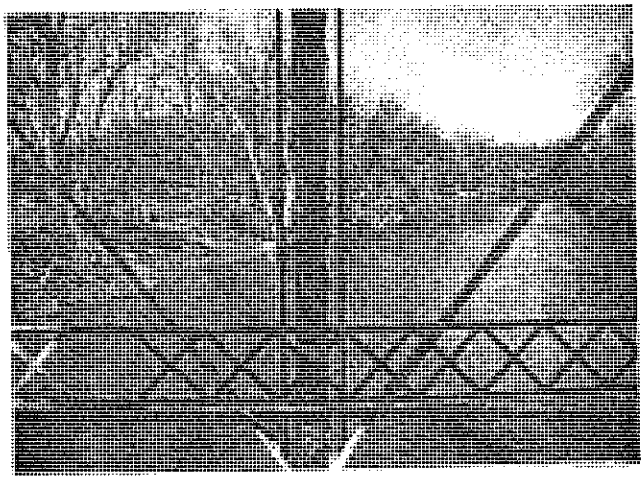
Attachment B



View from northwest quadrant, looking downstream at bridge.

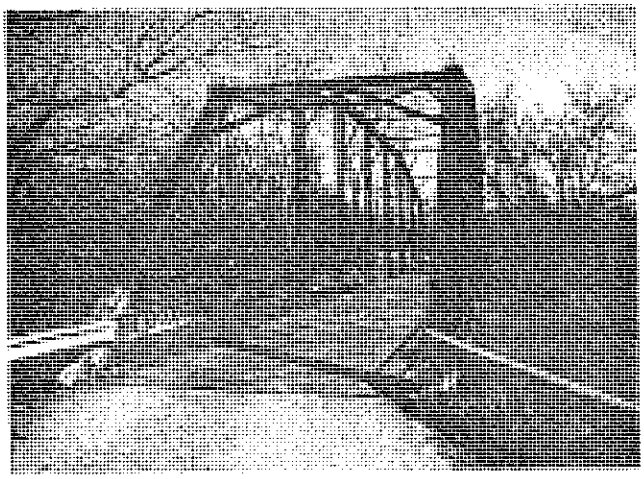


View south along CR 800 East

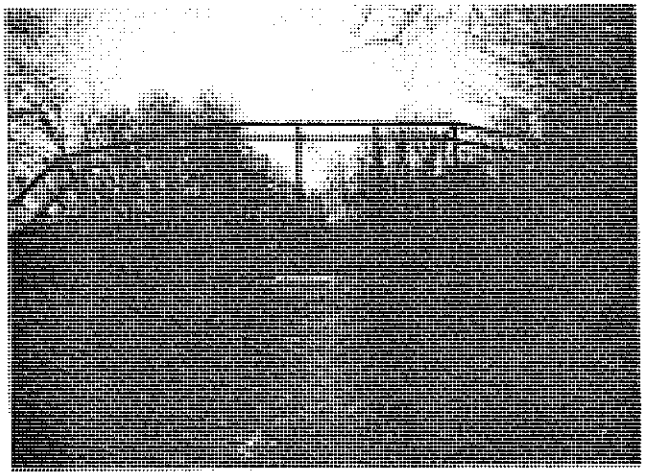


View northwest from center of bridge, looking upstream

View southeast from center of bridge, looking downstream.

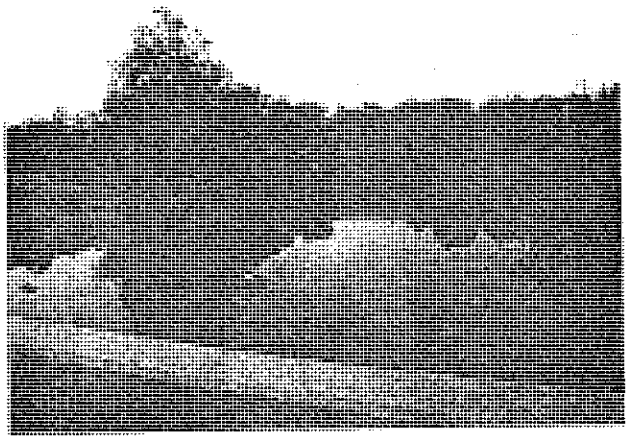


View north along CR 800 East

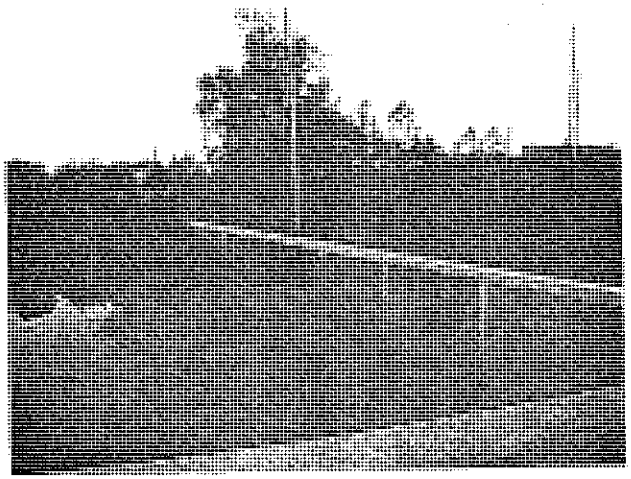


View from northwest quadrant, looking upstream at bridge.

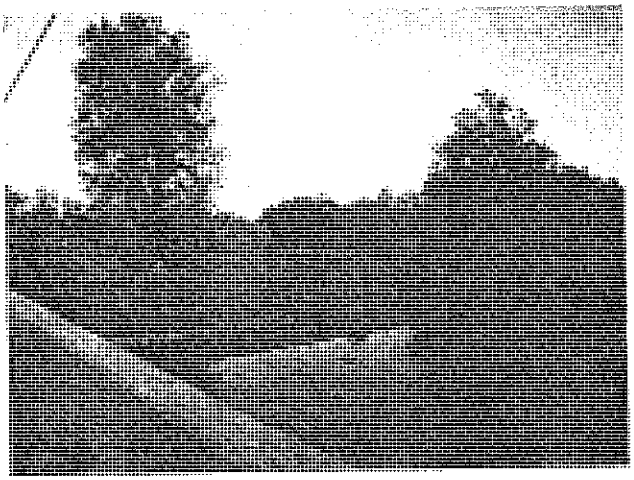
Attachment 7



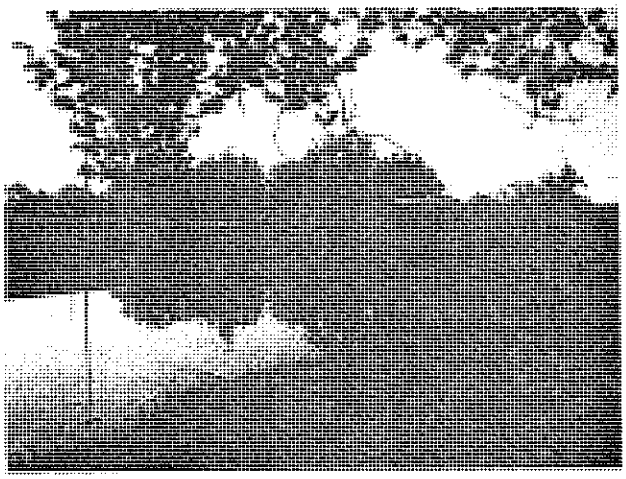
Proposed are of relocation of Delaware County Bridge #85, looking south from Jackson Street Bridge



Eastern bank of White River at the proposed area of relocation of Delaware County Bridge #85, looking southeast from Jackson Street Bridge



Western bank of White River at the proposed area of relocation from the Delaware County Bridge #85, looking southwest from the Jackson Street Bridge



Proposed area of relocation for the Delaware County Bridge #85, looking northeast from ground elevation, just north of the railroad bridge

700 E. Wysor St.
Muncie, IN 47305

Making Connections
Every Day

p: (765) 287-0399
f: (765) 287-0396

cardinalgreenways.org

September 4, 2008

Mr. Michael Denton
Delaware County Engineer
100 E Main Street
Muncie, IN 47305

REF: Kitselman Trailhead and County Bridge # 85

Dear Mr. Denton:

The 1995 White River Greenway Master Plan called for a trailhead to be constructed at State Road 32, White River, White River Greenway, and the Cardinal Greenway. This trailhead has been planned to have a pedestrian bridge installed over the White River that would connect the White River Greenway and the Cardinal Greenway together. It has always been hoped that that bridge would be a historic structure.

The Cardinal Greenway in conjunction with the Community Enhancement Project (CEP) has been working on the development of this major trailhead which is to be named the Kitselman Trailhead as a namesake of the founders of the defunct Indiana Steel and Wire Company that is adjacent to the trailhead area. The trailhead is planned to be an interpretive stop along the trail that celebrates Muncie's Industrial Heritage. Interpretive Signs have already been developed telling of the Ball, Indiana Steel and Wire, and Indiana Bridge Companies to name a few. Additional Interpretive signage at the trailhead will discuss the Railroads of Muncie.

The new opportunity to use Delaware County Bridge 85 as the pedestrian bridge linking the two greenways is ideal for our vision. Bridge 85 was manufactured in Muncie by Indiana Bridge Company. There are few of these single span camel back style bridges in place today. The Kitselman trailhead will be able to celebrate the local significance of Bridge 85 for the use and interpretation of over 250,000 trail users a year.

The Cardinal and White River Greenways support the relocation and use of Bridge 85 to the Kitselman trailhead. The Greenways will support the County in the endeavors of relocating Bridge 85 and would welcome and host an early

Attachment 7

coordination meeting with the consulting parties and the Indiana Department of Natural Resources Division of Historic Preservation and Archaeology.

Sincerely

Lenette Freeman
Executive Director

Attachment 7

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
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

Attachment 9

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

Indiana Department of Transportation

County Marion Route Lafayette Road Des. No. 1173064 Project No. _____

FHWA-Indiana Environmental Document

CATEGORICAL EXCLUSION / ENVIRONMENTAL ASSESSMENT FORM

GENERAL PROJECT INFORMATION

Road No./County:	**Lafayette Road, Marion County**
Designation Number:	**1173064**
Project Description/Termini:	**Bridge rehabilitation over CSX Railroad beginning 500 feet south of 34th Street and ending 1,900 feet north of 30th Street. Total project length is 0.13 mile.**

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 _____ 11/22/13
ESM Initials Date

CAA 11/25/2013
ES Initials For: Ken McMullen Date

RC 1-7-14

Certification of Public Involvement Tricia Clark 1-7-14
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 11/22/13

Name and organization of CE/EA Preparer: Ulrika S. Zay, ASC Group, Inc.

Attachment 9

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

Attachment 10

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

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.

Attachment 10

Indiana Department of Transportation

County Dearborn Route US 50 Des. No. 0400285 & 0800029 Project No. N/A

FHWA-Indiana Environmental Document

CATEGORICAL EXCLUSION / ENVIRONMENTAL ASSESSMENT FORM

GENERAL PROJECT INFORMATION

Road No./County:	**US 50/Dearborn**
Designation Number:	**0400285 & 0800029**
Project Description/Termini:	**US 50 Bridge Project –Over Tanners Creek approximately 0.08 mile east of SR 48 in Dearborn County**

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 2013.09.18 08:43:07 -04'00' 16 Sep 13

ESM Signature Date ES Signature Date

Michelle Allen 9.20.13

FHWA Signature Date

Release for Public Involvement DGD 2013.05.21 09:57:27 -04'00'

ESM Initials Date

DM 21 MAY 13

ES Initials Date

RC 7-22-13

Certification of Public Involvement Vickie Clark 7-23-13

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: Jaime S. Byerly/Bernardin, Lochmueller & Associates (BLA)

Attachment 10

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)

Indiana Department of Transportation

County: Jackson and Washington | Route: CR 550 West | Des. No.: 1005701 | Project No.: 1005701

FHWA-Indiana Environmental Document

CATEGORICAL EXCLUSION / ENVIRONMENTAL ASSESSMENT FORM

GENERAL PROJECT INFORMATION

Road No./County:	**CR 550 West / Jackson and Washington**
Designation Number:	**1005701**
Project Description/Termini:	**Jackson County Bridge #195 Project over Muscatatuck River / along CR 550 West, approximately 4.6 miles southeast of the Town of Medora**

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 _____ 2013.04.19 08:37:33 -04'00' _____ 23APR13
ESM Signature — Date — ES Signature — Date

_____ May 8, 2013
FHWA Signature — Date

Release for Public Involvement _____ 2013.02.18 09:25:08 -05'00' _____
ESM Initials — Date

_____ 18FEB13
ES Initials — Date

Certification of Public Involvement _____ 3/28/13
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: Jaime S. Byerly / Bernardin, Lochmueller & Associates (BLA)

Attachment 11

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
Strawtown Koteewi Park Pedestrian Bridge over White River Rehabilitation and Erection Project
White River Township, Hamilton County, Indiana
Des No: 0500817
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 all or a part of sixteen parcels of land that form a quarter-mile radius centered on the bridge. The area contains parkland to the east, a campground, farm fields and low-density residential buildings to the west. The river is flanked by wooded banks with steep slopes, which blocks the viewshed to this project for most of the residential properties within the APE.

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

Washington County Bridge #113

Originally located in Washington County carrying Fredericksburg Road over the south fork of the Blue River, Bridge #113 is a multiple intersection Warren truss steel bridge that spans 150 feet. Built in 1898, this bridge type is cited as the state's only triple-intersection Warren truss bridge by Dr. James Cooper in his 1987 work *Iron Monuments to Distant Posterity: Indiana's Metal Bridges, 1870-1930.* The 2008 Washington County IHSSI report rated this bridge as "Outstanding," and the 2010 Indiana Historic Bridge Inventory listed this bridge as "Select." All of these distinctions indicated that Bridge #113 met eligibility requirements for inclusion in the NRHP under Criteria C for embodying a distinctive type of bridge and for its unique method of construction. This bridge was dismantled and removed from its original location and is being stored for this project, as stipulated in a 2004 Memorandum of Agreement between the FHWA and the Indiana SHPO.

EFFECT FINDING

Washington County Bridge #113: 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)

Washington County Bridge #113 – This resource is used for transportation purposes. This undertaking will have an "adverse effect" on Washington County Bridge #113, 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.

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

6-20-2011
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

July 21, 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: FHWA's finding of Adverse Effect, 36 C.F.R. § 800.11(e) documentation, and request for comment on the applicability of Section 4(f) to Washington County Bridge #113 regarding the construction of the Strawtown Koteewi Park Pedestrian Bridge over the White River (Des. No. 0500817; DHPA No. 3405)

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 2007 "Programmatic Agreement . . . Regarding the Implementation of the Federal Aid Highway Program In the State of Indiana" ("Minor Projects PA") and the 2006 "Programmatic Agreement . . . Regarding Management and Preservation of Indiana's Historic Bridges" ("Historic Bridges PA"), and the 2004 "Memorandum of Agreement . . . Regarding the Replacement of Fredericksburg Road Over Blue River Bridge (Bridge No. 113) in Posey Township, Washington County, Indiana" ("2004 MOA") the staff of the Indiana State Historic Preservation Officer has considered the materials dated June 20, 2011 and received on June 21, 2011, for the above-indicated project in near Strawtown, Hamilton County, Indiana.

As we have previously indicated, based upon the documentation available to the staff of the Indiana SHPO, there do not appear to be any currently known archaeological resources listed in or eligible for inclusion in the National Register of Historic Places within the "West Project Area," and that the portion of archaeological site 12H993c located in the "East Project Area" does not appear to contain significant archaeological deposits, and no further archaeological investigations are necessary in that area. The portions of site 12H993, including 12H993c, that lie outside of the project area must be avoided or subjected to further archaeological investigations. The boundaries of the project area should be clearly marked, so that the rest of site 12H993 is not disturbed by project activities.

We agree that Washington County Bridge #113 is the only above-ground historic property that will be affected by this project. We also agree, in general, that this project, while ultimately resulting in the preservation of the bridge, in various ways could be said to alter characteristics of the bridge in a way that would diminish the bridge's integrity (36 C.F.R. § 800.5[a][1]).

Accordingly, we concur with FHWA's June 20, 2011, finding of Adverse Effect.

Finally, we agree that, while this project would adversely affect Washington County Bridge #113, the situation described in 23 C.F.R. § 774.13(g) appears to be applicable to this project's use of that bridge, and the project would qualify for the Section 4(f) exception.

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. Questions about our comments on Washington County Bridge #113 or other 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 continue to refer to DHPA No. 3405.

Very truly yours,

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

JAG:JRJ:JLC:jlc

cc: Candace Hudziak, H&H Associates, LLP

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
Candace Hudziak, H&H Associates, LLP

Indiana Department of Transportation

County Hamilton Route n/a Des. No. 0500817 Project No. n/a

FHWA-Indiana Environmental Document

CATEGORICAL EXCLUSION / ENVIRONMENTAL ASSESSMENT FORM

GENERAL PROJECT INFORMATION

Road No./County:	Strawtown Koteewi Park; Hamilton County
Designation Number:	0500817
Project Description/Termini:	Installation of Pedestrian Bridge over White River, Strawtown Koteewi Park

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 _____ 01/08/14 _____ _____

ESM Signature Date ES Signature Date

_____ _____

FHWA Signature Date

Release for Public Involvement _____ 09/04/13

ESM Initials Date

_____ _____

ES Initials Date

Certification of Public Involvement Mary Wright 12/13/13

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 9/4/13 KMG 1/21/14

Name and organization of CE/EA Preparer: Bhagwan C. Patel, VS Engineering Inc.

Attachment 12

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
DECATUR COUNTY BRIDGE NO. 2 - SCOPE UNDETERMINED
ADAMS TOWNSHIP, DECATUR COUNTY, INDIANA
DES. NO.: 1005700

AREA OF POTENTIAL EFFECT
(Pursuant to 36 CFR 800.4(a)(1))
The Area of Potential Effects (APE) has been drawn to encompass properties adjacent to the undertaking and extending 1,200 feet north and south from the project limits. The APE for archaeological resources was drawn to encompass the project footprint and the surrounding area, totaling 15.6 acres of land. (See Appendix A: Plans for project location and Appendix B: APE Maps.)

ELIGIBILITY DETERMINATIONS
(Pursuant to 36 CFR 800.4(c)(2))
There is one resource previously determined eligible for listing in the National Register of Historic Places (NR): Decatur County Bridge No. 2 (NBI No. 1600002).

Decatur County Bridge No. 2 (NBI No. 1600002). Decatur County Bridge No. 2 is a double-arch reinforced concrete bridge 204 feet in length, constructed in 1929. The balustrades have bush-hammered panels stretching all the way to the flared end walls. The end pieces of the walls used to contain a painted decal of the state of Indiana with a "29" inside, but these have faded and are barely visible today. Large sections of the balustrades are in disrepair, with rebar clearly visible and the concrete crumbling away. Decatur County Bridge No. 2 was previously determined eligible for listing in the NR by the FHWA in the Indiana Historic Bridge Inventory under Criterion A for its association with the Indiana State Highway Commission during the period of state highway development. The bridge has been determined Non-Select in the Indiana Historic Inventory.

EFFECT FINDING
Decatur County Bridge No. 2 (NBI No. 1600002)—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)
Decatur County Bridge No. 2 (NBI No. 1600002). This resource is used for transportation purposes. This undertaking will have an Adverse Effect on Decatur County Bridge No. 2, a Section 4(f) historic property; FHWA has determined the appropriate Section 106 finding is Adverse Effect and therefore a Section 4(f) evaluation must be completed for Decatur County Bridge No. 2. **FHWA respectfully requests the Indiana State Historic Preservation Officer provide written concurrence with the Section 106 documentation 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.

Michelle Allen

for Karen Bobo
Acting Division Administrator
Federal Highway Administration

March 20, 2013

Approved Date

Attachment 13

DNR Indiana Department of Natural Resources

Michael R. Pence, 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 19, 2013

Karen Bobo
Acting Division Administrator
Federal Highway Administration, Indiana Division
575 N. 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" concerning the replacement of Decatur County Bridge No. 2 carrying Old US 421 over Clifty Creek (Designation No. 1005700, DHPA No. 13463)

Dear Ms. Bobo:

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 conducted an analysis of the materials with your cover letter dated March 20, 2013, and received on March 21, 2013, for the aforementioned project in Adams Township, Decatur County, Indiana.

We concur with FHWA's March 20, 2013, Section 106 finding of Adverse Effect for the replacement of Decatur County Bridge No. 2 carrying Old US 421 over Clifty Creek (NBI No. 1600002).

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.

A copy of the revised 36 C.F.R. Part 800 regulations that took effect on August 5, 2004 may be found on the Internet at www.achp.gov. If you have questions about issues pertaining to buildings or structures, please contact Chad Slider at (317) 234-5366 or cslider@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 this project, please refer to DHPA No. 13463.

Very truly yours,

Chad W. Slider

Chris Smith
Interim Deputy Director
Indiana Department of Natural Resources

CS:WTT:CWS:cws

cc: Dr. Linda Weintraut, Weintraut & Associates, Inc.

emc: Patrick A. Carpenter, Indiana Department of Transportation
Shaun Miller, Indiana Department of Transportation
Melany Prather, Indiana Department of Transportation
Chad E. Costa, RW Armstrong

Attachment 13

Indiana Department of Transportation

County Decatur Route Old US 421 Des No. 1005700 Project No. 1005700

FHWA-Indiana Environmental Document

CATEGORICAL EXCLUSION / ENVIRONMENTAL ASSESSMENT FORM

GENERAL PROJECT INFORMATION

Road No./County:	**Old US 421 / Decatur County**
Designation Number:	**1005700**
Project Description/Termini:	**Replacement of Bridge No. 2, Old US 421 over Clifty Creek / Project limits extend from approximately 440 ft. northwest of Bridge No. 2 to a point approximately 450 ft. southeast of Bridge No. 2**

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 2013.09.09 11:53:18 -04'00' 9SEP11

ESM Signature Date ES Signature Date

9-13-13

FHWA Signature Date

Release for Public Involvement DGD 2013.06.18 15:03:42 -04'00'

ESM Initials Date

24 JUN 13

ES Initials Date

Certification of Public Involvement Mary Wright 8/22/13

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: Chad E. Costa / RW Armstrong

Attachment 13

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 46 BRIDGE PROJECT OVER BIRCH CREEK, PERRY AND SUGAR RIDGE TOWNSHIPS, CLAY COUNTY, INDIANA
DES. NO.: 0800838

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

The Area of Potential Effects (APE) ranges from 1,129 ft west of the bridge to 1,144 ft east of the bridge, and from a maximum of 332 ft north of the bridge to a maximum of 174 ft south of the bridge. A map of the APE is included in Appendix A of the 800.11(e) documentation.

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

Bridge No. 046-11-01313A/NBI No. 017202: The structure is a steel Warren pony truss bridge, with concrete abutments, a steel superstructure, and a concrete deck. Steel guardrails on both sides of the bridge were added during its last reconstruction. According to the National Bridge Inventory, the bridge was built in 1932 and was reconstructed in 1979. Bridge No. 046-11-01313A/NBI No. 017202 is listed in the Indiana Historic Bridges Inventory as eligible for the NRHP under Criterion C, for having an exceptional overall span length for this type of bridge, representing an innovation in the bridge's engineering.

EFFECT FINDING

Bridge No. 046-11-01313A/NBI No. 017202: Adverse Effect

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

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

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

Bridge No. 046-11-01313A/NBI No. 017202: This resource is used for transportation purposes. This undertaking will have an Adverse Effect on Bridge No. 046-11-01313A/NBI No. 017202, 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. 046-11-01313A/NBI No. 017202.

Lawrence M. Levy

Richard Marquis
Division Administrator
FHWA-IN Division

11-18-2013

Approved Date

Attachment 14

Michael R. Pence, Governor
Cameron F. Clark, Director

DNR Indiana Department of Natural Resources

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 13, 2013

Richard Marquis
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 the SR 46 Bridge Project over Birch Creek, Perry and Sugar Ridge Townships, Clay County, Indiana (Des. No. 0800838; DHPA No. 14327)

Dear Mr. Marquis:

Pursuant to Section 106 of the National Historic Preservation Act 0f 1966, as amended (16 U.S.C. § 470f), 36 C.F.R. Part 800, and 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 Bridges PA"), the staff of the Indiana State Historic Preservation Officer ("Indiana SHPO") has reviewed the finding and supporting documentation that were submitted under ASC Group's cover letter dated November 27, 2013, and received on December 3, and ASC Group's cover letter dated October 3, 2013, and received on October 4, for project involving the aforementioned project in Clay County, Indiana.

In previous correspondence, we expressed the opinion that Alternative F: Bridge Replacement/Demolition of Historic Bridge appeared to be the only alternative that is both feasible and prudent. Consequently, this project involving the SR 46 bridge over Birch Creek (Bridge No. 046-11-01313A; NBI No. 017202)—an unusually long Warren pony truss bridge built in 1932—as a practical matter, is now a replacement project.

We concur with FHWA's November 18, 2013, finding of Adverse Effect for this undertaking as a whole and for the SR 46 bridge over Birch Creek, which is the only historic property that was identified within the area of potential effects.

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.

As item 5. in the supporting documentation indicates, our office reviewed (under Indiana Code 14-21-1-18 and 312 IAC 20-4-11) the Indiana Department of Transportation's ("INDOT's") entirely state-funded project (Des. No. 1382819) that was designed to make urgent repairs to this bridge. INDOT asked us in its October 4, 2013, letter to review that repair project and respond no later than October 11. It is true that at the end of our review, we did not respond, in our October 8 comment letter, to INDOT's offer to attempt to do photographic documentation of this bridge prior to the proposed repair work. Had we accepted INDOT's offer in October, and had the photography been carried out before the repairs, the resulting photographs would have captured the appearance of the bridge prior to the alterations resulting from the proposed repair work, which presumably has been carried out by now. It appears that FHWA and INDOT have concluded that the Indiana SHPO has to request photographic documentation of the bridge under the federal Historic Bridges PA. We are not contesting that conclusion, but we want you to be aware that it is not clear to us that the Indiana Historic Preservation Review Board will feel bound by that conclusion when it considers INDOT's application for a state certificate of approval (pursuant to Indiana Code 14-21-1-18) for the replacement of the bridge at its January 22, 2014, meeting.

ASC Group's November 27 letter requests comments on the Adverse Effect finding "within 30 days of the date of this letter." We received the letter and the finding on December 3. Although 36 C.F.R. § 800.6 does not set a time limit for commenting on a finding of adverse effect, the usual expectation, based on other time limits in Part 800, is that comments may be made for 30 days after receipt of the finding. We ask that you and ASC Group continue to accept comments until at least January 6, because it is prudent to allow at least a couple of additional days for receipt of comments that have been submitted by mail.

A copy of the revised 36 C.F.R. Part 800 regulations that took effect on August 5, 2004, may be found on the Internet at www.achp.gov for your reference. 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 John Carr at (317) 233-1949 or jcarr@dnr.IN.gov. In all future correspondence regarding the SR 46 Bridge Project over Birch Creek, please refer to DHPA No. 14327.

Very truly yours,

Mitchell K. Zoll
Deputy State Historic Preservation Officer

MKZ:JLC:jlc

cc: Douglas Terpstra, ASC Group, Inc.

emc: Lawrence Heil, P.E., Federal Highway Administration, Indiana Division
Patrick Carpenter, Indiana Department of Transportation
Mary Kennedy, Indiana Department of Transportation
Shaun Miller, Indiana Department of Transportation
Dr. Matthew Coon, Indiana Department of Transportation
Melany Prather, Indiana Department of Transportation
Dan Prevost, Parsons
Mark McClain, ASC Group, Inc.
Douglas Terpstra, ASC Group, Inc.
Dr. Kevin Schwarz, ASC Group, Inc.
Ross Nelson, ASC Group, Inc.
Wade T. Tharp, Indiana Department of Natural Resources
John Carr, Indiana Department of Natural Resources

From:	State of Indiana
To:	Kennedy, Mary
Subject:	Public hearing regarding a proposed bridge replacement project on S.R. 46 over Birch Creek, 0.9 west of S.R. 59 in Clay County
Date:	Friday, January 03, 2014 10:45:57 AM

The Indiana Department of Transportation will hold a public hearing on **Thursday, January 23, 2014, at 5:30pm at the Clay County Perry Township Volunteer Fire Department, 500 South Center Street, Cory, Indiana 47846.** The purpose of the public hearing is to offer all interested persons an opportunity to comment on current design plans for the proposed SR 46 bridge replacement over Birch Creek, 0.9 mile west of SR 59, located in Clay County.

Bridge No. 046-11-01313A, a steel Warren pony truss bridge with concrete abutments, a steel superstructure, and a concrete deck, is eligible for the National Register of Historic Places (National Register) under Criterion C for its engineering significance. As part of the Indiana Historic Bridge Inventory project, the bridge was determined to be Non-Select. The bridge has been marketed for re-use for over six months and information about the bridge can be found on the following INDOT Historic Bridge Marketing website: http://www.in.gov/indot/3073.htm. This public hearing will be the last opportunity for a responsible party to step forward and provide the necessary sureties to obtain ownership of the bridge. Section 106 of the National Historic Preservation Act (NHPA) requires Federal agencies to take into account the effects of their undertakings on historic properties. The project will result in an "adverse effect" under Section 106 due to the subject bridge's replacement. Based on the replacement of the National Register eligible bridge, the Federal Highway Administration has issued an "adverse effect" finding for the project. In accordance with the NHPA, the views of the public are being sought regarding the effect of the proposed project on the historic elements as per 36 CFR 800.2(d), 800.3(e) and 800.6(a)(4). Pursuant to 36 CFR 800.6(a) (4), the documentation of "adverse effect" specified in 36 CFR 800.11 (e) is available for viewing along with the environmental document and preliminary design plans for the project at the locations below:

1. Hearings Examiner, Room N642, Indiana Government Center North, 100 North Senate Avenue, Indianapolis, Indiana 46204 2216, Phone # (317) 234 0796; 2. Planning & Programming Department, Indiana Department of Transportation Crawfordsville District office, 41 West 300 North, Crawfordsville, Indiana 47933, Phone # (888) 924-6368; 3. Brazil Public Library, 204 North Walnut Street, Indiana 47834 Phone # (812) 448-1981

The proposed project involves replacing the existing structure with a new 112-foot long, three span, reinforced concrete slab bridge on the existing alignment. The bridge would have a 33-foot "outside to outside" width, with two 12-foot through lanes and 3-foot usable shoulders. Road work would include necessary approach work and to stabilize the slopes. Guardrail would be installed where appropriate. Construction of the project will require approximately 0.8 acres of new permanent right-of-way. No displacement of residents or businesses will be involved with this project. Traffic is proposed to be detoured onto the official state routes using portions of SR 59, and I-70 during the construction period; however, local routes may be used by local traffic.

The tentative timetables for right of way acquisition and construction will be discussed during the formal presentation. Public statements for the record will be taken after the presentation. All comments collected before, during and for a period of two (2) weeks after the hearing will be evaluated and addressed before final design. The preliminary plans will be available for anyone interested in talking to the engineers about the project before and after the formal presentation. Conversations will not be part of the official record.

WINTER WEATHER NOTICE

In the event of inclement weather causing hazardous driving conditions, this meeting would be rescheduled for Saturday, January 25, 2014 at the same location as listed but with a starting time of 1:00pm if hazardous winter weather conditions arise. Should inclement weather prevail please call (317) 232-6601 or e-mail rclark@indot.in.gov to find out whether the meeting will be held or rescheduled.

In accordance with the “Americans with Disabilities Act”, if you have a disability for which the Indiana Department of Transportation needs to provide accommodations, please call the Public Hearings office at (317) 232-6601, by Thursday, January 16, 2014.

This notice is published in compliance with Code of Federal Regulations, Title 23, Section 771 (CFR 771.111(h)(1) states: “Each State must have procedures approved by the FHWA to carry out a public involvement/public hearing program.” 23 CFR 450.212(a)(7) states: “Public involvement procedures shall provide for periodic review of the effectiveness of the public involvement process to ensure that the process provides full and open access to all and revision of the process as necessary.”, approved by the Federal Highway Administration, U.S. Department of Transportation on August 16, 2012. INDOT, Mary Wright, Public Hearings Examiner, Phone # (317) 234-0796, E-Mail: mwright@indot.IN.gov

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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 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

Attachment 15

DNR Indiana Department of Natural Resources

Michael R. Pence, 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 6, 2013

Patrick A. Carpenter
Manager
Cultural Resources Office, Environmental Services Division
Indiana Department of Transportation
100 North Senate Avenue, Room N758
Indianapolis, Indiana 46204

Federal Agency: Federal Highway Administration ("FHWA")
State Agency: Indiana Department of Transportation ("INDOT")

Re: Dual Review and notification of the Indiana Department of Transportation's finding of "no adverse effect" on behalf of the Federal Highway Administration concerning the rehabilitation of the bridge carrying SR49 over the Kankakee River, 4.59 miles south of SR 8 (Des. No. 1173072; DHPA No. 14180)

Dear Mr. Carpenter:

Pursuant to Indiana Code 14-21-1-18 and Emergency Rule LSA Document #12-453(E), the Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology ("DHPA") has conducted an analysis of the materials provided with your letter dated January 4, 2013 and received by the DHPA on January 8, 2013 for the above indicated project in Kankakee Township, Jasper County, and Pleasant Township, Porter County, Indiana. 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 Management and Preservation of Indiana's Historic Bridges" ("Historic Bridges PA"), the staff of the Indiana State Historic Preservation Officer ("Indiana SHPO") has conducted an analysis for the above indicated project.

We concur with INDOT's finding of No Adverse Effect for the undertaking. Therefore, under Emergency Rule LSA Document #12-453(E), a certificate of approval will not be necessary from the Indiana Historic Preservation Review Board for this 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.

Pursuant to Emergency Rule LSA Document #12-453(E) and IC 4-21.5-3-5, within fifteen (15) days after this determination, a member of the Indiana Historic Preservation Review Board may request review by the Review Board for the purpose of acting upon a certificate of approval for this project. If a request for review is made, the division will place a completed application on the agenda of the next meeting of the Review Board for a determination. If no request for review is made, 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 you have any further questions regarding this determination, please contact the DHPA. Questions about archaeological issues should be directed to Wade T. Tharp at (317) 232-1650 or wtharp1@dnr.IN.gov. Questions about historic buildings or structures pertaining to this review should be directed to Chad 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. 14180.

Very truly yours,

Chad W. Slider

for Ron McAhron
Deputy Director
Indiana Department of Natural Resources

RM:CWS:ews

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
Larry Clark, Porter County Historian
Kevin M. Pazour, Historical Society of Porter County
John P. Hodson, Kankakee Valley Historical Society
Judy Kanne, Jasper County Historian
Dori Hancock, Jasper County Historical Society
Joshua D. Palmer, Indiana Historic Preservation Review Board
Daniel Kloc, Indiana Historic Preservation Review Board
Mitchell K. Zoll, Indiana Historic Preservation Review Board
Beth McCord, Indiana Historic Preservation Review Board
Jim Corridan, Indiana Historic Preservation Review Board
Richard A. Butler, Indiana Historic Preservation Review Board
Kevin Orme, Indiana Historic Preservation Review Board

Indiana Department of Transportation

County Jasper Route SR 49 Des. No. 1173072 Project No. _____

FHWA-Indiana Environmental Document

CATEGORICAL EXCLUSION / ENVIRONMENTAL ASSESSMENT FORM

GENERAL PROJECT INFORMATION

Road No./County:	**SR 49/ Jasper County, Indiana**
Designation Number:	**1173072**
Project Description/Termini:	**Bridge Rehabilitation on SR 49, over the Kankakee River, 4.59 miles south of SR 8. (RP 15+81)**

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. **This project involves a INDOT Historic Bridge Inventory "Select" Bridge.**
	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 _____ 10/22/13 _____ 2013 OCT 22

ESM Signature Date ES Signature Date

_____ 10.30.13

FHWA Signature Date

Release for Public Involvement TLM 7/17/2013

ESM Initials Date

KBC 7/31/13

ES Initials Date

RC 10-7-13

Certification of Public Involvement _____ 10-7-13

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: Amber Thomas- INDOT-LaPorte District

Attachment 15

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
HUNTINGTON COUNTY BRIDGE No. 133 (NBI No.: 3500088) – SCOPE UNDETERMINED
HUNTINGTON, HUNTINGTON TOWNSHIP, HUNTINGTON COUNTY, INDIANA
DES NO.: 1173243

AREA OF POTENTIAL EFFECTS
(Pursuant to 36 CFR Section 800.4(a)(1)) The aboveground Area of Potential Effects (APE) was drawn to encompass potential impacts from the undertaking and includes properties on all sides of the bridge as well as those properties that might reasonably have a view of the improvements. The archaeological APE was defined as the project footprint. (See Appendix A: Plans and Appendix B: APE Maps.)

ELIGIBILITY DETERMINATIONS
(Pursuant to 36 CFR 800.4(c)(2)) Within the APE, there are no properties listed in the National Register of Historic Places (NRHP). One historic property, Huntington County Bridge No. 133 (NBI No.: 3500088), was previously determined eligible for listing in the NRHP per the Indiana Historic Bridge Inventory (2009).

Huntington County Bridge No. 133 (NBI No.: 3500088)
Huntington County Bridge No. 133 is a continuous reinforced concrete girder bridge constructed in 1960. This three-span bridge is 243 feet long, with the single largest span measuring 98 feet, and carries two lanes of traffic over the Little Wabash River. The bridge deck and superstructure are supported by concrete abutments on the north and south riverbanks and by two rounded piers and foundations in the river bed. Bridge walls are faced by arched spans. On the bridge deck, aluminum posts support three rows of horizontal aluminum tube rails to form the wall and railing, and tie to sloped, stepped concrete walls at the approaches. The bridge was determined eligible for the NRHP in the Indiana Historic Bridge Inventory under Criterion C as a bridge representing an innovative design and/or construction method. The bridge was designated Non-Select in the Indiana Historic Bridge Inventory.

EFFECT FINDING
Huntington County Bridge No. 133—No Adverse Effect

The Indiana Department of Transportation (INDOT), on behalf of the Federal Highway Administration (FHWA) has determined a finding of No Adverse Effect is appropriate for this undertaking. INDOT respectfully requests the Indiana State Historic Preservation Officer provide written concurrence with the Section 106 determination of "No Adverse Effect."

SECTION 4(F) COMPLIANCE REQUIREMENTS (for historic properties)
Huntington County Bridge No. 133 (NBI No.: 3500088). This resource is used for transportation purposes. This undertaking will have a "No Adverse Effect" on Huntington County Bridge No. 133, a Section 4(f) historic property. INDOT, acting of 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 Huntington County Bridge No. 133.

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.

Patrick Carpenter
Manager, Cultural Resources Office
Environmental Services
Indiana Department of Transportation

4-23-2013
Approved Date

DNR Indiana Department of Natural Resources

Michael R. Pence, 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 28, 2013

Patrick A. Carpenter
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 the Indiana Department of Transportation's finding of "no adverse effect" on behalf of the Federal Highway Administration for the rehabilitation of Bridge No. 133 carrying Broadway Street over the Little Wabash River (Des. No. 1173243; DHPA No. 14004)

Dear Mr. Carpenter:

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") conducted an analysis of the materials dated April 24, 2013, and received on April 26, 2013, for the aforementioned project in the City of Huntington, Huntington 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 proposed project area; and we concur with the opinion of the archaeologist, as expressed in the Indiana archaeological short report (Alexander, 9/24/12), that no further investigations appear necessary at this proposed project area. However, this 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 NRHP 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.

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.

Furthermore, we agreed that Huntington County Bridge No. 133 (NBI No. 3500088) is the only historic property within the area of potential effects that is considered eligible for inclusion in the NRHP. We do not believe the characteristics that qualify it for inclusion in the National Register of Historic Places will be diminished as a result of this project.

Therefore, we concur with the INDOT's April 23, 2013 finding, on behalf of the FHWA, of No Adverse Effect for this undertaking.

If you have questions about buildings or structures, please contact Chad Slider at (317) 234-5366 or cslider@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, please continue to refer to DHPA No. 14004.

Very truly yours,

Chad W. Slider

Chris Smith
Interim Deputy Director
Indiana Department of Natural Resources

CS:WTT:CWS:cws

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
Linda Weintraut, Ph.D., Weintraut & Associates, Inc.
Sara Dyer, Dyer Environmental Services

Indiana Department of Transportation

County Huntington Route Broadway Street Des. No. 1173243 Project No. _____

FHWA-Indiana Environmental Document

CATEGORICAL EXCLUSION / ENVIRONMENTAL ASSESSMENT FORM

GENERAL PROJECT INFORMATION

Road No./County:	**Broadway Street over Little Wabash River / Huntington County**
Designation Number:	**1173243**
Project Description/Termini:	**Rehabilitation of Huntington County Bridge 133 over Little Wabash 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):

	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 Jason A Kaiser 10-24-13 Leon Ulmer 25 oct 13

ESM Signature Date ES Signature Date

_____ _____

FHWA Signature Date

Release for Public Involvement DAK 7-25-13

ESM Initials Date

KBR 8/7/13

ES Initials Date

Certification of Public Involvement Mary Wright 9/25/13

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

Attachment 16

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.

Attachment 17

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.

Indiana Department of Transportation

County Huntington Route Rangeline Road Des. No. 1005658 Project No. _____

FHWA-Indiana Environmental Document

CATEGORICAL EXCLUSION / ENVIRONMENTAL ASSESSMENT FORM

GENERAL PROJECT INFORMATION

Road No./County:	**Rangeline Road / Huntington County**
Designation Number:	**1005658**
Project Description/Terminal:	**Rehabilitation of Huntington County Bridge 123 carrying Rangeline Road over the Wabash River / Approximately 50 feet south and 80 feet north 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 James A Kaiser 4-10-13 _____ 10 APR 13
ESM Signature Date ES Signature Date

Joyce E Newkirk May 1, 2013
FHWA Signature Date

Release for Public Involvement VAK 1-16-13
ESM Initials Date

KBM 16 JAN 13
ES Initials Date

Certification of Public Involvement TMW Wright 3/25/13
FHWA 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) Miniello/Butler, Fairman & Seufert, Inc.

Attachment 17

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
Crossing of Cold Springs Road over Whitaker Creek, Sparta Township, Dearborn County, Indiana
DES. NO.: 1006517

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

The Area of Potential Effect (APE) extends approximately 1,416 ft along the centerline of the Baltimore and Ohio (B & O) Railroad, from 277 ft north of the intersection of the B & O Railroad and Cold Springs Road to 489 ft south of current Dearborn County Bridge No. 24. The width of the APE ranges from 158 ft east to 548 ft west of the centerline of the B&O Railroad tracks.

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

AL001/Dearborn County Bridge No.24/NBI No. 1500021 is a one-span reinforced concrete bridge and is approximately 50 ft in length. It was built in 1910, which makes the bridge a very early example of a reinforced concrete bridge. The property has been determined eligible for the NRHP under Criterion C, through the Indiana Historic Bridges Inventory. INDOT has classified this bridge as a non-select bridge in the Indiana Historic Bridges Inventory.

EFFECT FINDING

AL001/Dearborn County Bridge No.24/NBI No. 1500021: Adverse Effect

INDOT, acting on FHWA's behalf, has determined an Adverse Effect finding is appropriate for this undertaking.

INDOT respectfully requests the Indiana State Historic Preservation Officer provide written concurrence with the Section 106 determination of effect for each property and the project's overall effect finding.

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

AL001/Dearborn County Bridge No.24/NBI No. 1500021 - This resource is used for transportation purposes. This undertaking will have an Adverse Effect on AL001/Dearborn County Bridge No.24/NBI No. 1500021, 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 AL001/Dearborn County Bridge No.24/NBI No. 1500021.

Michelle Allen

for Karen A. Bobo
Acting Division Administrator
FHWA-IN Division

June 3, 2013
Approved Date

Michael R. Pence, Governor
Cameron F. Clark, Director

DNR Indiana Department of Natural Resources

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

July 11, 2013

Richard J. Marquis
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" regarding improvements to Cold Springs Road over Whitaker Creek, including the replacement of Dearborn County Bridge No. 24 (NBI No. 1500021) (Designation No. 1006517; DHPA No. 11980)

Dear Mr. Marquis:

Pursuant to Section 106 of the National Historic Preservation Act, as amended (16 U.S.C. § 470f), 36 C.F.R. Part 800, and the 2006 "Programmatic Agreement . . . Regarding Management and Preservation of Indiana's Historic Bridges," the staff of the Indiana State Historic Preservation Officer has conducted an analysis of the materials dated June 10, 2013, and received on June 11, 2013, for the above indicated project in Sparta Township, Dearborn County, Indiana.

We concur with FHWA's June 3, 2013, Section 106 finding of Adverse Effect for the Replacement of Dearborn County Bridge No. 24.

We also concur that Dearborn County Bridge No. 24 will be adversely affected by the project.

A copy of the revised 36 C.F.R. Part 800 that went into effect on August 5, 2004, may be found on the Internet at www.achp.gov for your reference. 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 at (317) 234-7034 or asthomas@dnr.IN.gov. Additionally, in all future correspondence regarding the above indicated project, please refer to DHPA No. 11980.

Very truly yours,

Chad W. Slider

Chris Smith
Deputy Director
Indiana Department of Natural Resources

CS:ADT:WTT:wt

emc: Richard J. Marquis, 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
Mark S. McClain, ASC Group, Inc.

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
MORGAN COUNTY BRIDGE No. 44 PROJECT
MORGAN COUNTY, INDIANA
DES. NO.: 1173249
DHPA #: 13147

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

The Area of Potential Effect (APE) encompasses a 0.25 mile radius area center from Morgan County Bridge No. 44.

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

The Morgan County Bridge No. 44 over the South Prong of Stotts Creek is a filled-spandrell arch structure built in 1911, designed by H.A. Blunk and constructed by E.O. Gilbert and is located within the APE. The bridge has been determined eligible for the National Register of Historic Places (NRHP) under Criterion C due to the engineering significance at the local level of the structure. In addition, the Indiana Historic Bridge Inventory (2009) identified Morgan County Bridge No. 44 as previously determined eligible for the NRHP and listed the structure as a "Non-Select Bridge".

EFFECT FINDING

Morgan County Bridge No. 44: 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)

Morgan County Bridge No. 44
This resource is used for transportation purposes. This undertaking will have an "**Adverse Effect**" on the Morgan County Bridge No. 44, 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 Morgan County Bridge No. 44. 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.

Michelle Allen

for Karen Bobo
Assistant Division Administrator
FHWA-IN Division

April 17, 2013
Approved Date

DNR Indiana Department of Natural Resources

Michael R. Pence, 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 15, 2013

Karen Bobo
Assistant 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 the Federal Highway Administration's finding of "adverse effect" concerning the replacement of Morgan County Bridge No. 44 carrying Peavine Road over Turnan Creek (Designation No. 1173249; DHPA No. 14440)

Dear Ms. Bobo:

Pursuant to Section 106 of the National Historic Preservation Act, as amended (16 U.S.C. § 470f), 36 C.F.R. Part 800, and the 2006 "Programmatic Agreement . . . Regarding Management and Preservation of Indiana's Historic Bridges," the staff of the Indiana State Historic Preservation Officer ("Indiana SHPO") has conducted an analysis of the materials dated April 17, 2013, and received on April 18, 2013, for the above indicated project in Green Township and Jackson Township, Morgan County, Indiana.

As previously indicated, based upon the documentation available to the staff of the Indiana SHPO, we have not identified any currently known surface archaeological resources listed in or eligible for inclusion in the National Register of Historic Places ("NRHP") within the proposed project area. However, we concur with the opinion of the archaeologist, as expressed in the Indiana archaeological short report (Zoll, 12/28/12), that if ground-disturbing project-related activities are planned for those portions of the proposed project area consisting of stable alluvial soil (as indicated in the map entitled, *An aerial of the project area showing methodology, cores, riparian areas and stable alluvium*), then additional archaeological investigations nay be necessary.

With that understanding, we concur with FHWA's April 17, 2013, Section 106 finding of Adverse Effect for the Replacement of Morgan County Bridge No. 44.

We also concur that Morgan County Bridge No. 44 will 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 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.

A copy of the revised 36 C.F.R. Part 800 that went into effect on August 5, 2004, may be found on the Internet at www.achp.gov for your reference. 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. 14440.

Very truly yours,

Chris Smith
Interim Deputy Director
Indiana Department of Natural Resources

CS:WTT:wt

emc: Karen Bobo, Federal Highway Administration, Indiana Division
Lawrence Heil, P.E., Federal Highway Administration, Indiana Division
Patrick A. Carpenter, Indiana Department of Transportation
Anuradha Kumar, Indiana Department of Transportation
Shaun Miller, Indiana Department of Transportation
Melany Prather, Indiana Department of Transportation
Angela R. Kattmann, RW Armstrong
Larry Smith, Morgan County Engineer

Indiana Department of Transportation

County Morgan Route Peavine Road Des. No. 1173249 Project No. 1173249

FHWA-Indiana Environmental Document

CATEGORICAL EXCLUSION / ENVIRONMENTAL ASSESSMENT FORM

GENERAL PROJECT INFORMATION

Road No./County:	**Peavine Road, Morgan County**
Designation Number:	**1173249**
Project Description/Termini:	**Replacement of the structure which carries Peavine Road over the South Prong of Stotts Creek, Morgan County, Indiana (NBI #55-00044, Morgan County Bridge No. 44). The new bridge would be constructed on a shifted alignment, approximately 85 ft. northwest of the existing bridge. The construction of the road realignment would extend approximately 325 ft. west and 390 ft. northeast of the new 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 _____ 2013.09.25 11:26:03 -04'00' _____ 9-25-13
ESM Signature Date ES Signature for: Kris McMullen Date

_____ 10-7-13
FHWA Signature Date

Release for Public Involvement DGD 2013.08.02 09:40:22 -04'00'
ESM Initials Date

_____ 8/2/13
ES Initials Date

Certification of Public Involvement _____ 9/16/13
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: Angela Kattmann, RW Armstrong

Attachment 19

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

DNR Indiana Department of Natural Resources

Michael R. Pence, 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 20, 2013

Patrick Carpenter
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 Federal Highway Administration ("FHWA")

Re: INDOT's finding of No Adverse Effect, with supporting documentation, as well as 60% design plans, for the Pike County Bridges #81 and #246 Rehabilitation Project (Des. Nos. 1005848 and 1005846; DHPA No. 13483)

Dear Mr. Carpenter:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f), regulations at 36 C.F.R. Part 800, Stipulation I.C. of the "Memorandum of Agreement . . . Regarding I-69 Evansville to Indianapolis Project: Section 2, From SR 64 near Oakland City to US 50 East of Washington in Columbia Township, Gibson County, Jefferson, Washington, Logan Townships, Pike County, and Washington and Veale Townships, Daviess County Indiana,"("I-69 Section 2 MOA)," the "Programmatic Agreement . . . Regarding Management and Preservation of Indiana's Historic Bridges" ("Historic Bridges PA"), or the "Programmatic Agreement . . . Regarding the Implementation of the Federal Aid Highway Program In the State of Indiana" ("Minor Projects PA"), the staff of the Indiana State Historic Preservation Officer has reviewed Bernardin, Lochmueller & Associates' January 22, 2013, cover letter and enclosure, which we received on January 23, for the aforementioned project on CR 300W over the Patoka River in Pike County, Indiana.

In light of the summary of the consultation provided in the documentation and the 60% design plans in Appendix G of the documentation, we do not object to INDOT's January 18, 2013, findings, on behalf of FHWA, of No Adverse Effect on the Patoka Bridges Historic District and No Adverse Effect for this undertaking as a whole.

As we have advised in previous correspondence, if any archaeological artifacts or human remains are uncovered during demolition, earthmoving, or construction 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 our comments here, please contact John Carr at (317) 233-1949 or jcarr@dnr.IN.gov. Questions about archaeological issues should be directed to Dr. Rick Jones at (317) 233-0953 or rjones@dnr.IN.gov. In all future correspondence regarding the Pike County Bridges #81 and #246 Rehabilitation Project, please continue to refer to DHPA No. 13483.

Very truly yours,

Ron McAhron
Deputy Director
Indiana Department of Natural Resources

RM:JLC:jlc

cc: Connie Zeigler, Bernardin, Lochmueller & Associates, Inc.

cmc: Michelle Allen, Federal Highway Administration, Indiana Division
Laura Hilden, 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
Connie Zeigler, Bernardin, Lochmueller & Associates, Inc.
Jason DuPont, P.E., Bernardin, Lochmueller & Associates, Inc.
Kia Gillette, Bernardin, Lochmueller & Associates, Inc.
Timothy Miller, Bernardin, Lochmueller & Associates, Inc.
Kyle Boot, Bernardin, Lochmueller & Associates, Inc.
Linda Weintraut, Ph.D., Weintraut & Associates, Inc.
Beth McCord, Gray & Pape, Inc.

Indiana Department of Transportation

County Pike Route CR 300 West Des. No. 1005846 & 1005848 Project No. _____

FHWA-Indiana Environmental Document

CATEGORICAL EXCLUSION / ENVIRONMENTAL ASSESSMENT FORM

GENERAL PROJECT INFORMATION

Road No./County:	**CR 300 West / Pike**
Designation Number:	**1005846 & 1005848**
Project Description/Termini:	**Pike County Bridges #81 over the Patoka River and #246 over the South Fork Patoka River Rehabilitation / along CR 300 West**

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 _____ 10/1/13 _____ 20CT13
ESM/Signature For Erme Stygs — Date — ES Signature — Date

Michelle Allen Oct. 10, 2013
FHWA Signature — Date

Release for Public Involvement EAS 6-20-2013
ESM Initials — Date

KBM 6/24/13
ES Initials — Date

Certification of Public Involvement Mary Wright 9/6/13
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 10/1/13

Name and organization of CE/EA Preparer: Jaime S. Byerly / Bernardin, Lochmueller & Associates (BLA)

Attachment 20

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

Attachment 21

DNR Indiana Department of Natural Resources

Michael R. Pence, 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 13, 2013

Karen A. Bobo
Acting Division Administrator
Federal Highway Administration, Indiana Division
575 North Pennsylvania Street, Room 254
Indianapolis, Indiana 46204

Federal Agency: Federal Highway Administration ("FHWA")

Re: Section 106 Finding of Adverse Effect, with supporting documentation, and request for concurrence in the Section 4(f) exception found in 23 C.F.R. § 774.13(g) for the Shieldstown Covered Bridge Rehabilitation Project (Des. No. 0710687; DHPA No. 13737)

Dear Ms. Bobo:

Pursuant to Section 106 of the National Historic Preservation Act, as amended (16 U.S.C. § 470f), 36 C.F.R. Part 800, and the 2006 "Programmatic Agreement . . . Regarding Management and Preservation of Indiana's Historic Bridges," the staff of the Indiana State Historic Preservation Officer has reviewed the documents submitted under H&H Associates' January 14, 2013, cover letter, which we received on January 16, for the aforementioned project over the East Fork of White River, in Brownstown Township, Jackson County, Indiana.

As we had advised in our August 27, 2012, letter to H&H Associates, LLP, we did not identify 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.

We agree that the Shieldstown Covered Bridge is the only known property within the area of potential effects that is eligible for inclusion in the National Register of Historic Places.

We concur with FHWA's January 15, 2013, Section 106 finding of Adverse Effect for the Shieldstown Covered Bridge Rehabilitation Project.

For the purposes of the exception to Section 4(f) of the Department of Transportation Act of 1966 found in 23 C.F.R. § 774.13(g), we agree that "[t]he use of the Section 4(f) property [i.e., the Shieldstown Covered Bridge] is solely for the purpose of preserving or enhancing an activity, feature, or attribute that qualified the property for Section 4(f) protection."

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. Please direct questions about the bridge or other structures to John Carr at (317) 233-1949 or jcarr@dnr.IN.gov. In future

correspondence regarding the Shieldstown Covered Bridge Rehabilitation Project, everyone refer to DHPA No. 13737 and address the correspondence to Chad W. Slider, Assistant Director for Environmental Review, Division of Historic Preservation and Archaeology, Indiana Department of Natural Resources, 402 West Washington Street, Room W274, Indianapolis, Indiana 46204.

Very truly yours,

Chad W. Slider

Ron McAhron
Deputy Director
Indiana Department of Natural Resources

RM:JLC:jlc

cc: Candace Hudziak, H&H Associates, LLC

emc: Karen Bobo, Federal Highway Administration, Indiana Division
Michelle Allen, Federal Highway Administration, Indiana Division
Patrick Carpenter, Indiana Department of Transportation
Mary Kennedy, Indiana Department of Transportation
Shaun Miller, Indiana Department of Transportation
Melany Prather, Indiana Department of Transportation
Candace Hudziak, H&H Associates, LLP
Larry Stillwell, Archaeological Consultants of Ossian

Indiana Department of Transportation

County Jackson Route CR 200N Des. No. 0710687 Project No. _____

FHWA-Indiana Environmental Document

CATEGORICAL EXCLUSION / ENVIRONMENTAL ASSESSMENT FORM

GENERAL PROJECT INFORMATION

Road No./County:	**Adjacent to CR 200N / Jackson County**
Designation Number:	**0710687**
Project Description/Termini:	**Rehabilitation of the Shieldstown Covered Bridge and pavement paving from CR 300N to drive entrance on CR 200N**

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 _____ _____ _____ 3 JAN 14

ESM Signature Date ES Signature Date

_____ _____

FHWA Signature Date

Release for Public Involvement DGD 2013.08.01 13:31:25 -04'00' _____

ESM Initials Date

KSR 8/2/13

ES Initials Date

Certification of Public Involvement Mary U Wright 10/10/13

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: Patricia Conner, Janssen and Spaans Engineering

Attachment 21

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

Attachment 22

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.

Attachment 22

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.

Indiana Department of Transportation

County Putnam Route CR 650 N Des. No. 1173180 Project No. 1173180

FHWA-Indiana Environmental Document

CATEGORICAL EXCLUSION / ENVIRONMENTAL ASSESSMENT FORM

GENERAL PROJECT INFORMATION

Road No./County:	CR 650 N / Putnam County
Designation Number:	1173180
Project Description/Termini:	Putnam County Bridge 52 (Baker's Camp Covered Bridge) Rehabilitation on CR 650 N over Big Walnut Creek, from 0.7 mi. west of CR 475 E and extending east along CR 650 N for approximately 300 feet.

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 — 4/30/2013 — Date — ES Signature — 5/2/2013 — Date

Lawrence M. Hoi — FHWA Signature — 5-6-2013 — Date

Release for Public Involvement MLE — ESM Initials — 2/14/2013 — Date

KBM — ES Initials — 20 Feb 13 — Date

Certification of Public Involvement Mary Wright — Examiner, Public Hearings Signature — 4/15/13 — Date

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

Reviewer Signature Ronald E. Bales Date 4-29-13

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

Attachment 22

The bridge was originally built in the 1870's.

updated: 6/19/2013 12:39:45 PM

Historic Covered Bridge Set to Reopen

Dan McGowan, InsideINdianaBusiness.com

A historic northeast Indiana covered bridge, damaged by a truck crash last year, could reopen next week. DeKalb County Highway Department Director Eric Patton tells Inside INdiana Business repairs to the Spencerville Covered Bridge are complete, but it must pass an inspection scheduled for Tuesday before it can handle traffic.

Continued Below...

Indiana Business News

IEDC Launches Marketing Campaign
Ivy Tech Earns Top Ranking
Ice Cream Plant to Close
Baseball Team Secures Stadium Site Deal
[VIDEO] Mayor Links Annexation, Economic Development
Lutheran Health CEO Takes New Position
International School Elects Board President
Jugglers to Convene in West Lafayette
South Bend-Area Health Providers Merging

More News...

If the bridge meets inspectors' approval, vehicles could begin crossing the span later that day.

print email newsletters

He says the project cost more than $140,000.

Patton says crews discovered more damage to the cedar shake roof than expected.

Sources: Inside INdiana Buisness, DeKalb County Highway Department

print email newsletters

Attachment 23

Today 3:00 am

Published: June 26, 2013 12:41 p.m.

Rebuilt Spencerville covered bridge opens

Associated Press

SPENCERVILLE, Ind. – A historic covered bridge that was badly damaged when a semi drove through it more than nine months ago has reopened to traffic.

The 140-year-old Spencerville Covered Bridge passed a final inspection Tuesday. Traffic under 12 feet, 6 inches and weighing less than 3 tons is again allowed to travel the span.

Bridge rehabilitator Bonnie Money told The Star in Auburn (http://bit.ly/1cmjmTo) that little of the span was salvageable after the semi tore apart its interior. Crews were able to save some of the iron shoes that held the trusses in place and used new parts to rebuild the bridge the way it was initially constructed in the 1870s.

Money says the crews are happy to have brought the bridge back for the community.

Attachment 23

THE REPUBLIC
Columbus, Indiana

140-year-old covered bridge reopens to smaller traffic 9 months after being damaged by semi

By AARON ORGAN The Star
June 26, 2013 - 11:38 am EDT

SPENCERVILLE, Indiana — Bonnie Money has handled the rehabilitation of six historic bridges over her long career as an engineer.

She's never come across a project like the repair of the historic Spencerville Covered Bridge.

"You just don't run into that," Money told The Star in Auburn (http://bit.ly/1cmjmTo) Tuesday.

More than nine months after a semi rig barreled through the 140-year-old bridge and ripped its insides out, the span has been put back to normal.

Its rehabilitation complete, the bridge passed a detailed final inspection Tuesday and officially reopened to traffic — that is, traffic under 12 feet, 6 inches and three tons.

Money said the rehabilitation was a tremendous undertaking, considering what the designers with USI Consultants and contractor Jutte Excavating had to work with. Money said when her team came upon the wreckage last September, after the "shock" wore off, the process began to determine what could be salvaged and reused in the repair work.

The short answer, Money said: "There was nothing, almost nothing that could be reused."

A little over half of the iron shoes that held the timber trusses in place were able to be saved and reused. The rest "exploded" when the tractor-trailer drove through the span, along with numerous 6-by-6-inch crossbeams and the faÃ§ade and signage on each approach to the bridge. With the bracing annihilated, the bridge's roof began to sag.

Repairs began with the welding of new shoes that held new timber trusses imported from the Pacific Northwest and repurposed from local barns. New steel — not iron — rods were installed for support. New approach signage was carved and painted to match the original.

We also have more stories about:
(click the phrases to see a list)

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Attachment 23

Money said repairs had been made to the bridge over the years that were not done the way the bridge was constructed in the 1870s. USI and Jutte fixed those, as well.

It's the old bridge, but new.

"It's all put back the way it was initially constructed," Money said. "Now it's done correctly, and everything fits in exactly the way it's supposed to. You would never know what happened."

Money said the crew was proud to rehabilitate not just a historic bridge, but such an important piece of the Spencerville and DeKalb County fabric. She said the bridge is strong, and it is apparent the community has taken ownership of its well-being.

"The community should be pleased with this," said Money. "They have really taken care of it, and we're happy to bring it back for them. It's a beautiful bridge. The engineering was minimal. The contractor did a wonderful job."

Think your friends should see this? Share it with them!

INDIANA DEPARTMENT OF TRANSPORTATION
Driving Indiana's Economic Growth

100 North Senate Avenue
Room N642
Indianapolis, Indiana 46204

PHONE: (317) 232-5348
FAX: (317) 232-4929

Michael R. Pence, Governor
Karl B. Browning, Commissioner

MEMORANDUM

August 23, 2013

To: Historic Bridge Task Group

From: INDOT

RE: Final Determination of Select/Non-Select Status of Shelby County Bridge #00149 (NBI#7300137)

This memo serves as the Federal Highway Administration (FHWA), the Indiana Department of Transportation (INDOT) and the Indiana State Historic Preservation Officer's (Indiana SHPO) final approval of the request by the Shelby County Board of Commissioners for reclassification of Shelby County Bridge #00149 (NBI#7300137) from "Select" to "Non-Select" in the *Indiana Historic Bridge Inventory*, based on its present structural condition.

The *Indiana Historic Bridge Inventory* was completed by INDOT as part 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 (ACHP) Regarding Management and Preservation of Indiana's Historic Bridges* (*Historic Bridge PA*).A Historic Bridge Task Group comprising of representatives from the ACHP, Indiana SHPO, INDOT, Indiana Local Technical Assistance Program (LTAP), Historic Landmarks Foundation of Indiana (now Indiana Landmarks), Historic Spans Task Force, Indiana Association of County Highway Engineers and Supervisors and Indiana Association of County Commissioners, assisted in the development of the *Historic Bridge PA* and continue to monitor its success upon implementation.

Shelby County Bridge #149 (NBI #7300137) (also known as the Middletown bridge), which carries CR 425S over Conns Creek, was identified in the *Indiana Historic Bridge Inventory* as eligible for listing in the National Register of Historic Places (NRHP) in 2009. In 2010, this four span stone arch bridge was listed in the NRHP under Criterion A for its association with Michigan Road and Criterion C, as an uncommon highway bridge type in Indiana. It was also determined as "Select" in the *Indiana Historic Bridge Inventory*. "Select" bridges are defined in the inventory as those NRHP listed or eligible bridges that are the best candidates for preservation. It should be noted that in the analysis, Shelby County Bridge #149 was determined to be Select if exceptions to the Low Volume Road Standards could be obtained. The *Indiana Historic Bridge Inventory* recommended that the structural capacity of 22 tons could be accepted as an exception to the low volume standard of 27 tons and that the roadway width of 15.5' could be accepted as an exception to the low volume standard of 16'. It was also noted that if the average daily traffic (ADT) was less than 100, only 15 tons and 15' roadway width would be required.

For the past several years, the county attempted to extend the life of the bridge by undertaking repairs, such as the construction of concrete toe walls around the pier footings to strengthen the structure, and periodic repointing of the masonry to prevent moisture infiltration. However, these measures were only able to partially address the ongoing deterioration, and in 2012, the bridge's condition became significantly serious to prompt the closure of a short segment of CR 425 on which the structure is located. The unusually cold winter and wet spring of 2013 made matters worse and probably contributed to the rapid and catastrophic failure of one of the spans of the bridge. At present, over half of the arch barrel, fill and arch ring stones have been lost and portions of the downstream spandrel wall have failed. Other spans are in imminent danger of similar failure as well. It must be noted that the county has no plans to re-open Shelby County Bridge #149, due to the fact that this roadway is a leftover spur of Old US 421 (now Michigan Road) and closure does not cause undue hardship on any users of this roadway.

It appears that several design elements may have contributed to the onset of failure of the stone arches. The roadway has an asphalt overlay, which encourages water to drain toward the spandrel walls. The asphalt terminates at the spandrel walls without a moisture barrier at the base of the wall and this allows moisture to infiltrate the arch fill. The fill in the arch is a fine sandy-clay that appears to retain moisture rather than encouraging drainage through the stone arches. Over the years, this moisture retention appears to have subjected the arch to damage from the effects of freeze-thaw. The type of stone used in the original construction of the bridge has contributed to the evident extensive deterioration of the bridge. Many of the stones are extremely weathered, cracked or delaminated. Incompatible mortar patches to the faces of the arches also appear to have trapped moisture within the arch barrels and led to subsequent damage.

In Stipulation II.C.1 of the *Historic Bridge PA*, it is noted that "in unusual circumstances, a Select Bridge may no longer meet the Select Bridge criteria. Examples of unusual circumstances may include, but are not limited to, the bridge collapsing due to a flood or an overweight vehicle. A bridge owner may request that FHWA and the Indiana SHPO re-evaluate the Select Bridge determination if an unusual circumstance occurs." Stipulation II.C.1 (a through d) also outlines the procedures for the reclassification of a NRHP listed or eligible bridge from "Select" to "Non-Select".

In April 2013, in accordance with Stipulation II.C.1 (a) of the *Historic Bridge PA*, the Shelby County Board of Commissioners submitted documentation supporting their request for reclassification of Shelby County Bridge #00149 (NBI #7300137) to INDOT for consideration. The county requested reclassification prior to the planned pursuit of demolition of the structure with 100% local funds because they do not wish to invoke Stipulation IV.G of the *Historic Bridge PA* regarding the consequences of "anticipatory demolition" of a Select bridge. Although no formal study has been conducted, based on previous experience with bridge repairs of this type, engineering consultants for the county, USI Consultants, Inc. (USI), estimate that the repair of the bridge will be extremely expensive costing approximately $1,350,000. The county has indicated that committing such a large amount of funds to the rehabilitation of this bridge does not seem economically feasible and there are genuine safety/liability issues that must be considered as well. Therefore, the county is unable to justify utilizing its limited funds to repair this structure, which serves only 6 homes, at the expense of bridges that do serve traffic that are in need of replacement or repair.

In order to determine the merit of this request, INDOT, FHWA, the Indiana SHPO, members of the Historic Bridge Task Force and other interested parties met with the Shelby County Commissioners and USI at the bridge site on May 30, 2013. During this meeting it became apparent to all parties that the reclassification request had merit and the bridge in its current state posed an extreme public safety hazard not only due to the 10' (+) diameter hole in the bridge deck, but also the potential for collapse of the spans of the bridge. As such, in accordance with Stipulation II.C.1(b) of the *Historic Bridge PA*, INDOT notified FHWA, the Indiana SHPO, the Task Group, and the public of Shelby County's request to re-classify the Select Bridge though a public notice placed in the local newspapers on June 7, 2013.

Comments received through the close of business on Monday, July 8, 2013, were forwarded to FHWA and the Indiana SHPO for consideration per Stipulation II.C.1(c) of the *Historic Bridge PA*. Representatives of Indiana Association of County Highway Engineers and Supervisors and Indiana Association of County Commissioners expressed their support for the reclassification request through email communications on May 21, 2013 and May 30, 2013 respectively. The responses from the Historic Michigan Road Association, received on June 10, 2013, and from historian Glory-June Greiff, on June 23, 2013, indicated that they did not want the bridge to be demolished and that they would like to see it stabilized and preserved in place (see attachment).

Indiana Landmarks and the Historic Spans Task Force, in a letter dated July 8, 2013, did not oppose the reclassification of Shelby County Bridge #149, because they agreed that its structural condition was critical and there was a genuine concern for public safety on the part of the county. Based on information provided to them, it was apparent that the county did not have the funds to repair the structure, and the county had no other option but the demolition of the structure to prevent any potential injury or loss of life. However, Indiana Landmarks and the Historic Spans Task Force in their letter requested that Shelby County agree to mitigate the loss of the significant historic bridge by agreeing to rehabilitate in place and reopen for vehicular traffic the metal thru truss, Shelby County Bridge #13 (NBI # 7300013), which was determined "Select" in the *Indiana Historic Bridge Inventory for non-vehicular use (see attachment)*. It should be noted that in the analysis, Shelby County Bridge #13, with a structural capacity of 13 tons and roadway width of 15.4', was determined to be inadequate for a future ADT of 750. It was noted that structural improvements could provide increased load capacity for non-vehicular use.

Shelby County has indicated their commitment to maintaining their historic bridges to the greatest extent practical. Shelby County Bridge #13 is currently closed to traffic. The county has requested that INDOT approve the moving of funds from their CR 500 East project to the Shelby County Bridge #13 project. In accordance to Stipulation III. A(1 to 10) of the *Historic Bridge PA*, the county will work with INDOT and FHWA to develop a draft purpose and need statement (P&N) and alternatives analysis for Shelby County Bridge #00013 (NBI # 7300013). Without the completion of the alternatives analysis, FHWA, INDOT and Shelby County are unable to commit to rehabilitation for continued vehicular use per the request by Indiana Landmarks and the Indiana Historic Spans Task Force. The alternatives analysis once completed will be provided to SHPO and consulting parties. As alternatives are investigated for the bridge, we request that Indiana Landmarks please forward the bridge study to Shelby County to aide in their analysis.

We agree with Indiana Landmarks and the Indiana Historic Spans Task Force recommendation that county officials should be provided information on the use of the Historic Bridge PA. It has been three years since the finalization of the Select/Non-Select list and we understand the need to provide updated guidance. In the near future, INDOT will convene a meeting with Indiana Landmarks, Indiana Historic Spans Task Force, SHPO and FHWA to discuss how to better disseminate the Historic Bridge PA information to county officials.

In summary, after taking into consideration all of the comments received as well as the compromised and critical structural condition of the bridge, FHWA, INDOT and the Indiana SHPO have agreed that Shelby County Bridge #00149 (NBI #7300137) should no longer be considered "Select". The bridge will, therefore, be reclassified as "Non-Select" in the *Indiana Historic Bridge Inventory*. INDOT in accordance of Stipulation II.C.I(d) of the *Historic Bridge PA* is hereby notifying the Shelby County Commissioners, members of the Task Group and all other individuals that provided comments on the bridge of this decision. In accordance with Stipulation IV.C of the *Historic Bridge PA,* INDOT will include this designation change in the next annual report that includes the list of "Select" and "Non-Select" Bridges that have been processed during the previous calendar year.

By signature of this Memo, FHWA, INDOT, and Indiana SHPO hereby affirm their approval of a change in designation for Shelby County Bridge #00149 from "Select" to "Non-Select".

Date: 8/28/2013

Laura Hilden
Director of Environmental Services
Indiana Department of Transportation

Date: 8/29/2013

Richard J. Marquis
Division Administrator
Federal Highway Administration – Indiana Division

Date: 8/26/2013

Chris Smith
Deputy Director
Indiana Department of Natural Resources

INDIANA LANDMARKS
Central Regional Office
1201 Central Avenue, Indianapolis, IN 46202
317 639 4534 / 800 450 4534 / www.indianalandmarks.org

July 8, 2013

Anuradha Kumar (VIA EMAIL: **akumar@indot.IN.gov**)
Architectural Historian
Indiana Department of Transportation
100 N. Senate Avenue
Indianapolis, IN 46204

RE: Shelby County Bridge #149

Dear Ms. Kumar:

Thank you for inviting Indiana Landmarks and the Historic Spans Task Force to comment on the plans being developed to remove Shelby County Bridge #149, and to reclassify it from "Select" to "Non-Select" status. It should be noted that Bridge #149 is a rare surviving example of a stone arch bridge in Indiana. It is listed in the National Register of Historic Places, an initiative championed by Indiana Landmarks with funds provided by the Efroymson Family Fund of the Central Indiana Community Foundation. The bridge is also an important landmark on the Michigan Road State Historic Byway, a status awarded by Lt. Governor Skillman in September 2011. For many reasons, this important structure should be preserved and repaired.

However, under the Programmatic Agreement, factors such as condition are also important to consider. The Shelby County Commissioners, who to their credit requested reclassification prior to pursuit of demolition with local funds, are faced with a difficult quandary. They have been advised that the bridge has reached a "4" rating, or poor condition, which has resulted in the bridge's closure. Additionally, a significant failure of Span 2 of the four span arch bridge has resulted in a dangerous structure, which the Commissioners have stated they do not have the funds to repair. The bridge no longer serves as a functional road for more than several nearby structures, so its removal will not inconvenience the general motoring public. Indiana Landmarks and the Historic Spans Task Force are concerned that anticipatory demolition not be allowed due to neglect of "Select" bridges, but do not believe that is the intent in this instance.

Indiana Landmarks and the Historic Spans Task Force continue to monitor the effectiveness of the Programmatic Agreement in statewide bridge preservation efforts. It has come to our attention as a result of the last Annual Report that nine counties have replaced at least that many "Select" bridges without contact with the Indiana Department of Transportation. That analysis came at the request of Indiana Landmarks, and points to a larger issue of a needed reporting process and regular training for elected officials in their roles a Bridge Owners. Newly-elected county commissioners, and newly-hired county highway supervisors may not be familiar with the Programmatic Agreement, and proceed to replace important bridges without knowing the ramifications. Indiana Landmarks and the Historic Spans Task Force is willing to assist in developing a process to address the educational needs of these officials. In addition, as we re-examine the effectiveness of the Programmatic Agreement, we believe that adding new "Select" bridges to the inventory for each one lost should be part of a modified PA.

Attachment 24

Finally, Indiana Landmarks and the Historic Spans Task Force will not oppose the reclassification of Shelby County Bridge #149, with conditions. We would request that Shelby County agree to mitigate the loss of this significant historic bridge by agreeing to rehabilitate in place and reopen for vehicular traffic Shelby County Bridge #13. This metal truss structure is an important "Select" bridge which the County closed several years ago and attempted to replace. The Indiana Department of Transportation made funding available to the County for rehabilitation, but they did not proceed. Over 500 local residents signed a petition urging rehabilitation, and while this stopped its replacement, the bridge remains closed and neglected. As outlined in the Programmatic Agreement, vehicular use of a "Select" bridge is preferred to other alternatives. Indiana Landmarks funded a study to rehab Bridge #13 in its current location, which indicated it could be done for less than $200,000 (available upon request). A current plan to move it to a park and spend $1 million for rehab in a pedestrian use is not the best use of taxpayer funds. We would request that to proceed with reclassification on Bridge #149, mitigation be agreed to that would include rehabilitation and continued use of Shelby County Bridge #13.

This has been a difficult conclusion to reach. Seeing that this is an unusual set of circumstances, we hope to not have to face these circumstances again soon.

Sincerely,

Mark Dollase
Vice President of Preservation Services

emc: Paul Brandenburg, Indiana Historic Spans Task Force
Marsh Davis, Indiana Landmarks
John Carr, Indiana Div. of Historic Preservation & Archaeology
Ron Hamilton, Shelby County Historian
Larry Heil, FHWA-IN
Patrick Carpenter, INDOT

From:	GJ Greiff
To:	Kumar, Anuradha
Cc:	Carpenter, Patrick A; Mark Dollase
Subject:	Shelby County Bridge #149
Date:	Sunday, June 23, 2013 10:37:21 AM

Dear Mr. Kumar,

As a historian with a focus on historic roads, I cannot stress enough the importance of preserving the bridge now known as Shelby County Bridge #149. I know it as the only quadruple-arch stone bridge on the Michigan Road; before I became a historian, the sight of it for the first time over 30 years ago caused me to screech to a halt in amazement! I have visited it and photographed it for many years up to quite recently, albeit before this spring's deterioration.

Last year the Michigan Road was officially designated a historic byway for its vital role in Indiana settlement and its nearly 200-year history as our first major highway. Passing through fourteen counties, it linked two major water routes into the Midwest (the Great Lakes and the Ohio River) and provided a means for Hoosiers-to-be to reach the interior of the state. Fully half the pioneers of the northwest quarter of the state traveled over it to reach their new homes. As the state grew, residents of 35 counties used the Michigan Road to travel to the state capital. In the early twentieth century, with a clamor for improved roads and designated automobile routes, the long-established Michigan Road rose to importance. Parts of it north of Indianapolis became part of the Dixie Highway.

As you know, the bridge quite rightly is listed in the National Register of Historic Places, one of numerous National Register listings along the length of the Michigan Road. While each of these, including the bridge, is important individually, they are part of the whole and help to tell the Road's story. This bridge, architecturally and historically, is very significant as a three-dimensional document in interpreting the road. Even the fact that it was bypassed in the 1920s tells a story. Its demolition would be a terrible loss to this historic byway.

Close it to traffic if you must, but allow it to be stabilized and retained as one of the most significant artifacts of the Michigan Road.

Thank you.

Glory-June Greiff

Glory-June Greiff, MA
Historian-at-Large
1753 South Talbott Street
Indianapolis, Indiana 46225
317-637-6163
glory@indy.net

The past is never dead; it's not even past.
William Faulkner

Historic Michigan Road Association
5838 N Victoria Dr
Indianapolis, IN 46228

10 June 2013

Anuradha Kumar
Indiana Department of Transportation
100 N Senate Ave
Indianapolis, IN 46204

Dear Ms. Kumar:

I write on behalf of the Historic Michigan Road Association about Shelby County Bridge #149, also known as the Middletown Bridge. Word has reached us that one of this bridge's arches has collapsed and that Shelby County commissioners want to have this select bridge reclassified as non-select so they can remove the bridge.

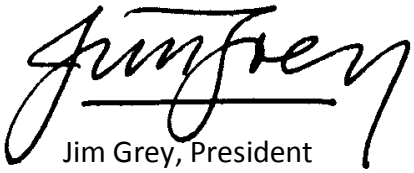
This bridge is on an original alignment of the Michigan Road. Built in the 1830s, it stretches from Madison on the Ohio River to Michigan City on Lake Michigan, uniting Indiana and providing a key pathway for early settlers. As such, the Michigan Road is a historic treasure in Indiana.

In September of 2011, Lt. Governor Becky Skillman designated the Michigan Road a State Historic Byway. The Historic Michigan Road Byway Association was then formally organized under the direction of volunteers from each of the fourteen counties the Byway serves. The Association promotes this historic route for tourism, preservation, and education.

Shelby County Bridge #149, built in 1903, is one of three remaining stone-arch bridges on the Michigan Road, and is the only one in Shelby County. As such, it is part of the Michigan Road's early history. The Historic Michigan Road Association and its representatives in Shelby County would like to include it in future efforts to showcase the road's history for tourists. Those efforts could include building interpretive panels at the site and creating historic bridge tours along the route with this bridge being a featured stop.

The rarity of stone-arch bridges in Indiana makes this an exceptional opportunity for preservation, which is no doubt why it was originally given the select status. There are few historic resources along our Byway that are directly tied to the Michigan Road. Given this connection we would greatly appreciate your consideration in retaining the bridge's select status. We believe ultimately that resources such as this will be the engine that drives tourism and economic benefit along the route, which was the Historic Michigan Road Association's stated purpose when we won the Byway designation for the Michigan Road.

Sincerely,



Jim Grey, President
Historic Michigan Road Association

cc: Mark Dollase, Indiana Landmarks

From: Stephanie Yager [stephanie@indianacountycommissioners.com]
Sent: Thursday, May 30, 2013 4:25 PM
To: Kumar, Anuradha
Subject: RE: Shelby County Bridge #149

I approve of their request for reclassification of Shelby County Bridge #149 per the Historic Bridge Inventory to be reclassified as "Non Select", based on its condition.

Stephanie Yager
Executive Director
Indiana Association of County Commissioners
5294 St Rd 46 E
Nashville, In 47448
812-988-4233
812-988-4213 fax
stephanie@indianacountycommissioners.com
www.indianacountycommissioners.com

From: Larry Smith [lsmith@morgancoin.us]
Sent: Tue 5/21/2013 8:17 AM
To: Kumar, Anuradha
Subject: RE: Shelby County Bridge #149

I will not be able to attend the field meeting. All the data collection and rating for the Select/non-select bridges were accomplished by FHWA, INDOT and SHPO through the use of an outside consultant with little to no input from the Task Group. Several members of the group were left out of the decisions and consequently refused to sign the final document. If the members are allowed to provide input on the demolition/repair of the structure, my decision would be to allow the demolition as the structure presently provides no benefit to the community as the roadway has been bypassed at least twice. The structure in fact hampers the flow of the waterway and may present a hazard to the health and welfare of the community it once served.

Larry Smith
Morgan County Engineer
5400 Blue Bluff Rd
Martinsville, IN 46151
(317) 831-7989
Fax: (317) 831-3928

OFFICE
Indiana
8415 East 56th Street
Indianapolis, Indiana 46216
Phone: 317-544-4996
Fax: 317-544-4997

Initials MJO Date 5/13 Sheet No ____ of ____
Chkd by ____ Date ____ Job No ____
Subject SHELBY #149
STONE ARCH REHAB
ESTIMATED COSTS

SPANDREL WALLS

AREA ≅ [(141 LFT (LENGTH) × 18' (HEIGHT)) − (π (13')²/2 (RADIUS)) (4 ARCH OPENINGS)] (2 SIDES)

≅ [2,538 SFT − 1,062 SFT] (2) ≅ 2,952 SFT +/-

VOLUME ≅ (2,952 SFT × 2.5' THICK AVG) 1/27 ≅ 273.3 CYS

COST ≅ 273.3 CYS @ $1,500/CYD ≅ $410,000.00

ARCH RINGS

CIRCUMFERENCE ≅ (π) (13' RADIUS) (HALF CIRCLE) ≅ 40.8' +/-

AREA OF ARCH RINGS ≅ (40.8') (20.5') (4 ARCHES) ≅ 3,345 SFT

VOLUME = (3,345 SFT) (3' THICK AVG.) (1/27) ≅ 371.6 CYS

COST ≅ 371.6 CYS @ $1,500/CYD ≅ $560,000.00

− APPROACHES / FILL / PAVEMENT / SUBSTRUCTURE STABILIZATION ⇒ ADD 40%
MOB / DEMOB / PROJECT DEVELOPMENT FEES / INSPECTION FEES / ETC.

TOTAL ESTIMATED COST ≅ ($410,000 + $560,000) (1.40)

≅ $1,350,000.00 +/-

consultants
engineers & land surveyors
8415 E. 56th Street, Suite A • Indianapolis, IN 46216 • phone: 317.544.4996 • fax: 317.544.4997 • www.usiconsultants.com

CLOSURE RECOMMENDATION DATED MARCH 29, 2012

Shelby County Bridge No. 149, a four span stone arch under fill, carries CR 450S over Conns Creek in southeastern Shelby County. Currently, the bridge is rated a "4", in poor condition, and is posted at 10 tons capacity. On March 22, 2012, as part of the Quality Control process for Bridge Inspections, Bonnie Money, PE, Quality Control Engineer, and Dennis Barnett, Bridge Technician, visited the bridge.

The north ends of Pier 3 and Pier 4 have been encased in concrete. A large pile of drift has collected at the north end of Pier 3. A review of inspection photos over the past 6 years shows this to be a recurring problem.

Stones and mortar are missing from the barrels of all spans. Spans 1 and 4 are in fair condition with a few stones and mortar missing . Spans 2 and 3, particularly at Pier 3, have extensive areas of section loss, i.e. missing stones and mortar, from about eight (8) feet above the water line and down. A coating of mortar on the interior of the barrel of span 2 at pier 3 has failed, is falling off and pulling fractured pieces of stone with it. A probe into one of the voids created by the missing stone extended over 24 inches into the arch.

Figure 1 - West Face of Pier 3 - 2012.

A review of past inspection reports and photos shows the bridge has deteriorated significantly over the past 6 years, between 2006 and 2012 (see photos below).

Based on the current condition of the bridge and the rapid rate of deterioration over the past six years, we recommend the bridge be closed to traffic.

Attachment 24

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Figure 2 - 2012 - looking at Pier 3 west face- note voids and missing stones

Figure 3 - 2012 - Looking at Pier 3 west face - note probe

Figure 4 - West Face Pier 3 - 2009

Figure 5 - West Face of Pier 3 - 2006

Figure 2 - Pier 2, east face - 2012

Figure 3 - Pier 2, east face, 2006

Attachment 24

05/16/2013 Shelby County Bridge 149 photos The hole continues to grow as the arch continues to deteriorate. Shelby County has placed riprap and "No Trespassing" signs to deter the public.

Attachment 24

INDOT - Indiana Historic Bridge Inventory Condition Score Calculation

NBI Field Number	Structure Number 00149 7300137 StructureType 811 STONE ARCH Location Shelby County Criteria	NBI Value	Assessment Calculations
64A	Structural Capacity (Tons)	22	3.06
67	NBI Structural Evaluation	4	4
59	NBI Superstructure Rating	4	4
60	NBI Substructure Rating	4	4
51/29	Roadway Width Compared to ADT (NBI Factor H)	9.375	1.875
51/32	Approach Width Compared to Bridge Roadway Width		5
68	NBI Deck Geometry Evaluation	5	5
71	Waterway Adequacy	5	5
72	NBI Approach Roadway Alignment Evaluation	4	4

Total Condition Score	35.935
Sufficiency Rating	36.8
Eligibility Score	15

DATA INPUT FROM NBI RECORDS

28	Number of Lanes	1
29	ADT (Average Daily Traffic)	50
30	ADT Year	2008
32	Approach Width	13
51	Roadway Width	15.5
59	NBI Superstructure Rating:	4
60	NBI Substructure Rating:	4
64A	Structural Capacity (Tons)	22
67	NBI Structural Evaluation	4
68	NBI Deck Geometry Evaluation	5
71	Waterway Adequacy	5
72	Approach Alignment Evaluatio	4
114	Future ADT	110
115	Future ADT Year	2028

SR Factor H 9.375

(X) ADT/Lane = 50

(Y) Width/Lane = 15.5

Assessment Legend

Indicates User Input Required or Values Read from NBI

Indicates assigned values corresponding to the NBI rating with a maximum value of 5 to a lower value of 0

If Future ADT is less than 400, also complete *Low Volume Road Intial Screening* matrix

Attachment 24

NBI Number: 7300137

Indiana Historic Bridge Inventory

State Bridge Number:

County: Shelby

County Bridge Number: 00149

Individual Review Process (if applicable)

Individual Review Form

NBI Number: 7300137
County/State Bridge No: 00149
County: Shelby
Selection Matrix Box: 2 Stone Arch

Low Volume Test
Refer to if applicable
Passes? No
Exception to LVS Applies? Yes
Structural: no
Functional no (2 lanes) no (1 lane)
Roadway Width: 15.5
Future ADT: 110

Points Assigned

Candidate Bridge

9 — Condition Score 35.9 — Identify bridge deficiencies leading to low condition score (points = 0.25 x CS, max. 10 points)

7.5 — Eligibility Score 15 — Review eligibility scoring (points = 0.5 x ES, max. 10 points), Identify character-defining features

____ Better candidate for long-term preservation (25 points) ← **yes** — Check 1: Can the existing superstructure and substructure be restored to an NBI condition 5? Superstructure Rating: 4 Substructure Rating: 4 — **no** → Less desirable candidate for long-term preservation (0 points)*

____ Better candidate to carry vehicles (20 points) ← **yes** — Check 2: Does the bridge meet minimum load capacity standards for the functional class of the roadway? Structural Capacity (Tons): 22 Functional Class: 09 Structural Evaluation: 4 — **no** → Less desirable candidate to carry vehicles (0 points)*

____ Better candidate to carry vehicles (15 points) ← **no** — Check 3: Is the bridge functionally obsolete? **67** 4 **68** 5 **69** N **71** 5 **72** 4 — **yes** → Less desirable candidate to carry vehicles (0 points)*

Attachment 24

Rehabilitation less likely to compromise historic integrity (15 points)

no

Check 4: Are major deficiencies tied to character-defining features?

yes

Rehabilitation more difficult to execute to retain historic integrity (0 points)

1 point for each factor answered no (Maximum 5 points)

no

Check 5: Additional factors: Points:

- Salted Roadway?
- Sag Vertical Curve?
- Open Deck Joints?
- No — High Accident Rate? 1
- No — Long Detour? 001 1

yes

0 points

Select / non-select status: Select

Exception to Low Volume Standard recommended

____ Total Points

(Maximum individual review score is 100 points.)

Individual Review-Non-Vehicular Use for Inventory Review:

NBI Number (#8): 7300137

County: Shelby

Selection Matrix Box: 2

Non-Vehicular Use Individual Review Form

Candidate Bridge

Individual Bridge Review Score = ____

Individual Bridge Review Score qualifies it for consideration for non-vehicular use.

Check 1A: Can the existing superstructure and substructure be restored to an NBI condition 5?

Superstructure Rating: 4

Substructure Rating: 4

no

Non-Select

yes

Check 2A: Does the bridge offer sufficient capacity for pedestrian use at a minimum 8 foot width?

Permitted width based on Inventory Rating: 19.6

Permitted width based on Operating Rating: 23.9556

no

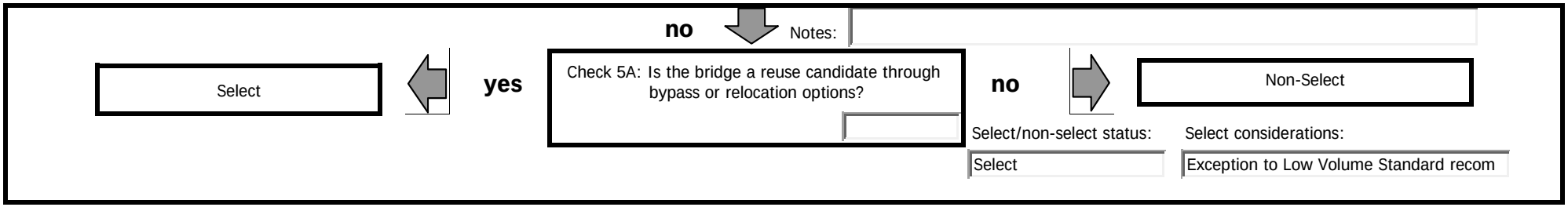
Non-Select

yes

Check 4A: Are major deficiencies tied to character-defining features? If so, provide description to left.

yes

Non-Select


no
Notes:
Select
yes
Check 5A: Is the bridge a reuse candidate through bypass or relocation options?
no
Non-Select
Select/non-select status:
Select considerations:
Select
Exception to Low Volume Standard recom

From: Atz, Leiellen M LRL (Contractor)
To: Kennedy, Mary
Subject: Boone County Bridge #70 (UNCLASSIFIED)
Date: Friday, May 10, 2013 10:31:59 AM

Classification: UNCLASSIFIED
Caveats: NONE

Mary,

Good morning. I was reading the 2012 Historic Bridge Annual Report Addendum and noticed that the second to last paragraph on the first page states "...although the Section 106 process for the replacement of Boone County Bridge #70 appears to have been completed with the U.S. Army Corps of Engineers as the lead agency, the bridge is still standing."

I wanted to let you know that the applicant actually withdrew the permit application and decided to put the project on hold (a Department of the Army Nationwide Permit would have been required for the project because of proposed impacts to Waters of the U.S.). The 106 process was never finished because they withdrew the application after the first consulting parties meeting. I don't know if you need this information, but I thought I would let you know.

Cheers,
Leiellen Atz
Contract Archaeologist
Louisville District
Regulatory Branch
US Army Corps of Engineers
Phone: 502-315-6688

Comments on our Regulatory Services are invited:
http://ice.disa.mil/index.cfm?fa=card&site_id=915&service_provider_id=116097

Classification: UNCLASSIFIED
Caveats: NONE

RW ARMSTRONG a CHA company

Memo

DATE: March 28, 2013

TO: Patrick Carpenter, INDOT Cultural Resources Office

FROM: Chad Costa, Senior Environmental Planner

RE: Bridge No. 2410F, 16th Street / MLK Boulevard over the former IWC Canal Indianapolis, Marion County

1.0 Description of Project

The City of Indianapolis, Department of Public Works (DPW) proposes a resurfacing project at the intersection of 16th Street and Dr. Martin Luther King Jr. (MLK) Drive. Resurfacing would extend along MLK Drive south and north of the intersection. Additionally, the resurfacing includes approximately 1,400 ft. along 16th Street between Alonzo Watford Sr. Drive and Senate Boulevard. As part of the project, the remaining section of the bridge which carries the 16th Street / MLK Drive intersection over the former Indianapolis Water Company (IWC) Canal (Bridge No. 2410F) would be removed. Mapping showing the location of this bridge is included in Appendix A. The project is to be funded with 100% local money; no Federal dollars have been applied for or committed to the project.

Bridge No. 2410F is a four span continuous reinforced concrete slab structure that was originally constructed in 1935 and rehabilitated in 1979 and 2008. It has a total structure length of approximately 137.8 ft. and a deck width of 55.8 ft. As of 2010 the average annual daily traffic (AADT) crossing Bridge No. 2410F was 41,914 vehicles per day. In 2010, the deck condition and superstructure condition was rated as poor, while the substructure was rated satisfactory. Overall, the bridge is structurally deficient with a sufficiency rating of 33.51. It was identified by the Indiana Department of Transportation (INDOT) as eligible for inclusion in the National Register of Historic Places (NRHP) and is listed in the *Indiana Historic Bridge Inventory* as a Select Bridge.

As detailed in this memo, Bridge No. 2410F underwent significant modifications between 2007 and 2008 which now compromises its continued eligibility for inclusion in the NRHP. To that end, the DPW requests INDOT initiate the process to reclassify the bridge as non-eligible and also removed from the list of Select bridges.

2.0 Bridge Historical Significance

Bridge No. 2410F is identified in the *Indiana Historic Bridge Inventory, Volume 2; Listing of Historic and Non Historic Bridges (February 2009)* prepared by the INDOT as a bridge eligible for inclusion in the NRHP. Through this report the bridge was determined to be NRHP-eligible under Criterions A and C. Under Criterion A properties are listed or determined eligible for inclusion in the NRHP due to their association with significant local, state or national events. In

the case of Bridge No. 2410F, this included its association with the Dixie Highway and the development of the state's transportation system. Properties determined eligible under Criterion C typically possess significant architectural or engineering qualities. Bridge No. 2410F was found to have employed a distinctive engineering method to address the engineering challenge of its substantial skew. Additionally, it was determined to have an innovative substructure and/or superstructure design in order to endure the live-load forces of two intersecting roadways.

Bridge No. 2410F is identified as a Select bridge in the subsequently prepared *Indiana Historic Bridge Inventory, Volume 4: List of Select and Non-Select Bridges (December 2010)*. According to this report, Bridge No. 2410F was Programmatically Determined Select. The *Indiana Historic Bridge Inventory, Volume 3: Methodology to Identify Select and Non-Select Bridges (December 2010)* indicates that through the Selection Matrix bridges determined to have a medium-high condition and high eligibility score were programmatically determined to be Select bridges.

3.0 Prior Studies and Considerations

A Programmatic Categorical Exclusion (PCE) was issued by INDOT on February 3, 2006 for a DPW project involving pedestrian enhancements at the intersection of 16th Street and MLK Drive (Des. No. 0401266) (Appendix C). Specifically, the project involved the replacement or addition of new sidewalks, curbs and landscape strips on the north side of 16th Street from Alonzo Watford Boulevard to the Clarian People Mover Station near the intersection of 16th Street and Senate Boulevard. As part of this pedestrian enhancement project, substantial sections of Bridge No. 2410F in the northwest section were removed including, the concrete bridge slab (curb, walk and parapet) and the top of the retaining wall. Left in-place was the retaining wall, culvert wall and foundation. The northwest opening of the structure was closed off by a newly constructed concrete retaining wall and the area leading to this side of the structure backfilled with earthen material to meet the grade of MLK Drive and 16th Street. According to the currently available bridge inspection report, completed on September 8, 2010, removal of the bridge was recommended as it no longer serviced the canal and has already been partially removed leaving the southeast section partially open serving as shelter for vagrants.

According to the February 3, 2006 transmittal letter from INDOT, a PCE was issued as the project did not require additional right-of-way and was not located within the boundaries of a NRHP listed or eligible district. The State Historic Preservation Office (SHPO) stated four and a half months earlier, on October 25, 2005, that the Pandell Florist at 1601-1609 North Capital was located within the Area of Potential Effect (APE) and meets the criteria of eligibility for inclusion in the NRHP; however, found that the project would not adversely affect the property. Although Bridge No. 2410F was located within the APE, no mention of the bridge's eligibility for inclusion in the NRHP was made. Although, it is unclear from the project description provided to the SHPO whether they were aware of the projects intent to remove a portion of the structure. Additionally, it is also unclear whether the FHWA issued an effects determination for the project. Nonetheless, the PCE was appropriately issued. Final plans for the pedestrian enhancement project were signed on September 13, 2007 and construction appears to have occurred in either late 2007 or early 2008.

Around the time DPW was advancing the pedestrian enhancement, INDOT was initiating their efforts to fulfill their commitment resulting from the *Programmatic Agreement Regarding Management and Preservation of Indiana's Historic Bridges (Programmatic Agreement)*. That

agreement was executed by the Federal Highway Administration (FHWA), INDOT, Indiana SHPO and the Advisory Council on Historic Preservation (ACHP) between July and August 2006. The referenced commitment involved the completion of a statewide survey of bridges on public roads and on public right-of-way that were constructed prior to 1965 (Stipulation II of the Programmatic Agreement). The intended result of this survey was to first identify those bridges in the state that were considered eligible for inclusion in the NRHP and second to prioritize the NRHP-eligible bridges into Non-Select and Select categories. A designation of Select meant the bridge was required to be preserved and could not be demolished.

Following the execution of the Programmatic Agreement, INDOT completed in February 2007 a Historic Context Study of Indiana bridges constructed circa 1830's through 1965. As indicated in the Executive Summary of the document, the report represented the culmination of the first steps in developing the statewide historic bridge inventory. From this study, the framework to understand the broad patterns of roadway transportation development and bridge design and construction in Indiana was established. More specifically, the context study assisted in understanding how bridges may qualify for inclusion in the NRHP.

Between 2007 and 2009, INDOT conducted data gathering on the various types of engineering and historical information for Indiana's pre-1966 bridges to determine NRHP eligibility. Part of this effort included field surveys for select bridges that based on the identification or likelihood of characteristics may possess significance and required additional information to complete the eligibility evaluation. Some of the characteristics of bridges selected for field survey were those that represented an uncommon type in the state, possessed special features related to engineering innovations and architectural treatments and associated with a significant transportation route (*Indiana Historic Bridge Inventory, Volume 1: National Register Eligibility Results, February 2009, pg. 13*).

Needless to say, as evident in the attached photographs (Appendix B), the modifications to northwest section of Bridge No. 2410F were made following INDOTs field inspection of it and subsequent determination as an NRHP-eligible and Select Bridge. Additionally, it is logical that if the prior is known then it is likely that the pedestrian enhancement project compromised the integrity of the bridge subsequent to INDOTs field inspection of the bridge, but prior to their determination that the bridge was a NRHP-eligible property and a Select Bridge. In fact, communication from the INDOT, Cultural Resources Office (CRO) confirmed that the bridge was surveyed on August 20, 2007 by Mead & Hunt, the consultant responsible for completing the statewide survey of historic bridges for the state, almost one month prior to the approval of the final plans and several months prior to construction of the pedestrian enhancement project at the intersection.

4.0 Summary and Conclusion

According to the *Historic Bridge PA Project Development Process (April 1, 2012)*, a local agency can remove a Select bridge if utilizing 100% local funds (Historic Bridge PA Project Development Process, Appendix 2-3). However, it also states that if the FHWA or SHPO determine a bridge owner intentionally demolishes the historic integrity of a Select Bridge under the bridge owner's jurisdiction with non-Federal-aid funds, then the knowing owner will be required to advance any future bridge projects under their jurisdiction through the normal Section 106 process until at least the next update to the bridge inventory. In other words, the use of the streamlined procedures of the Historic Bridge PA would not be allowed by FHWA.

Although it should be noted that this is not likely the case given the timing of the construction of the pedestrian enhancement project and INDOTs completion of the Historic Bridge Inventory.

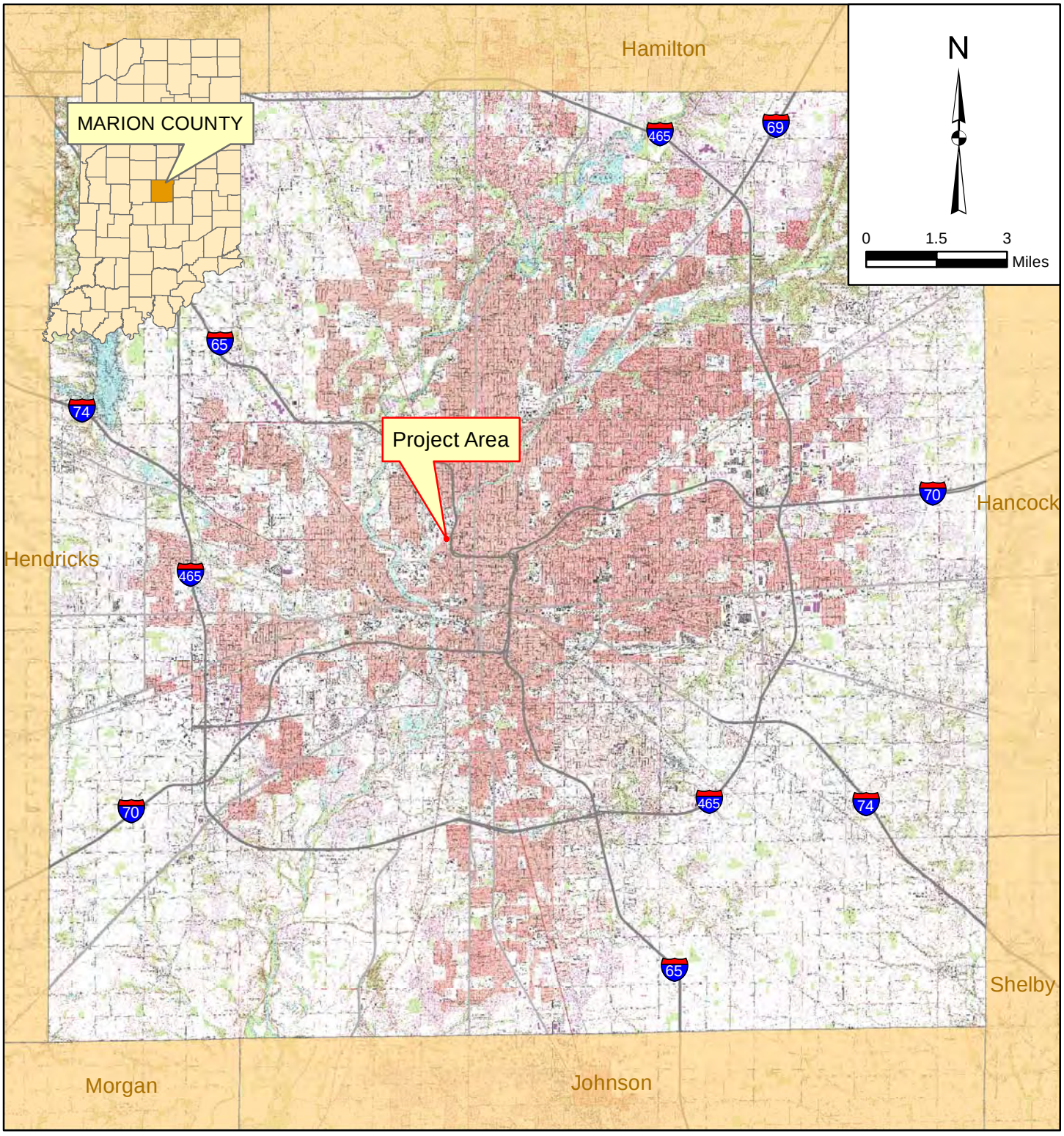
The Historic Bridges PA contains a stipulation, Stipulation H, meant to address projects that completed the Section 106 process prior to the initial survey and prioritization of historic bridges. This stipulation exempts projects from re-evaluation, provided the scope of work and mitigation measures are fully implemented as identified during the NEPA evaluation. However, upon evaluation of the PCE and coordination letters between the SHPO and Finks, Roberts and Petrie, Inc. (consultant that oversaw the design and environmental process for the pedestrian enhancement project), it does not appear the removal of the northwest section of Bridge No. 2410F was mentioned in the discussion of the scope. Therefore, Stipulation H of the Historic Bridges PA is not able to be invoked.

As demonstrated in their March 2013 evaluation of Bridge No. 2410F, Weintraut & Associates, qualified professionals satisfying the Secretary of the Interior Standards, concluded the historic integrity of the bridge was substantially compromised by the removal of the northwest section in 2007-2008 (Appendix B). This means the characteristics qualifying it for inclusion in the NRHP have been compromised and the bridge is no longer eligible for the NRHP. The *Indiana Historic Bridge Inventory, Volume 3: Methodology to Identify Select and Non-Select Bridges (December 2010)* defines a process by which the owner of an historic bridge is able to request re-classification from non-NRHP eligible to eligible or from eligible to non-NRHP eligible status (pg. 22). **At this time, the DPW is requesting Bridge No. 2410F be reclassified as non-NRHP eligible and removed from the list of Select bridges in the *Indiana Historic Bridge Inventory***. As shown in this memo, the partial removal of Bridge No. 2410F occurred at a time prior to INDOTs release of its list of historic bridges in the state and their prioritization. As such, it is fair to say DPW partially removed Bridge No. 2410F before its formal designation as a NRHP-eligible bridge in 2009 and Select status in 2010 and did not act knowing the future status of the bridge.

Appendix A

Maps

Attachment 26



BRIDGE 2410F - 16TH & MLK DR OVER FORMER IWC CANAL
INDIANAPOLIS DEPARTMENT OF PUBLIC WORKS

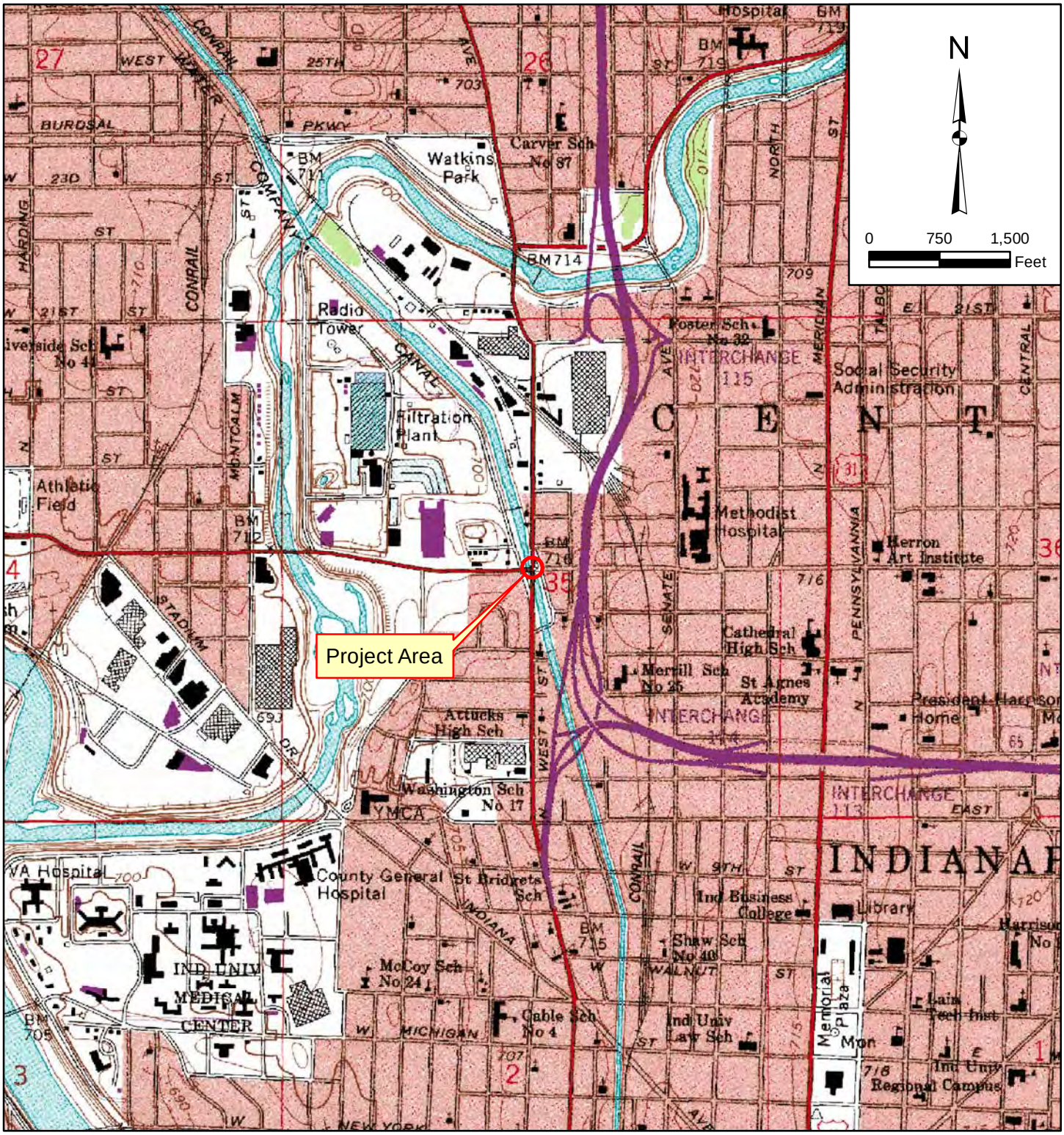
NRCS GEOSPATIAL DATA GATEWAY
1:24K TOPO - INDIANA SPATIAL DATA PORTAL

LOCATION MAP

RW ARMSTRONG

Union Station / 300 South Meridian Street
Indianapolis, IN 46225
PH 317.786.0461 // FX 317.788.0957
rwArmstrong.com

Attachment 26



BRIDGE 2410F - 16TH & MLK DR OVER FORMER IWC CANAL
INDIANAPOLIS DEPARTMENT OF PUBLIC WORKS

PROJECT AREA: S 35, T 16 N, R 3 E, CENTER TWP
USGS 7.5 MINUTE QUADRANGLE MAP - INDIANAPOLIS WEST, IN
INDIANA SPATIAL DATA PORTAL

USGS MAP

RW ARMSTRONG
Union Station / 300 South Meridian Street
Indianapolis, IN 46225
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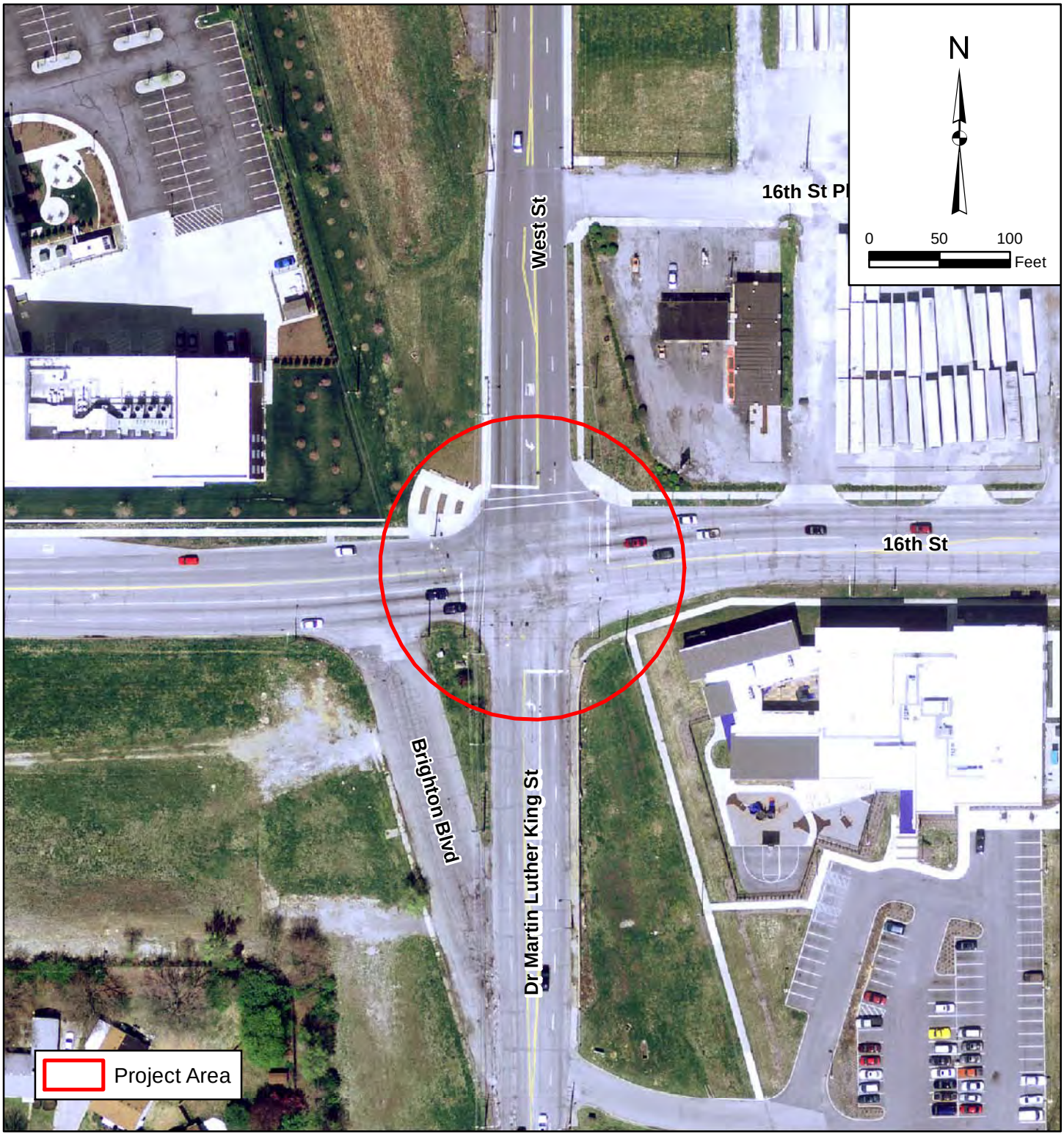
rwArmstrong.com



BRIDGE 2410F - 16TH & MLK DR OVER FORMER IWC CANAL
INDIANAPOLIS DEPARTMENT OF PUBLIC WORKS

ROADS - NRCS GEOSPATIAL DATA GATEWAY
2011 AERIAL - INDIANA SPATIAL DATA PORTAL

AERIAL MAP

RW ARMSTRONG

Union Station / 300 South Meridian Street
Indianapolis, IN 46225
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rwArmstrong.com

Appendix B

Re-Evaluation Completed by Qualified Professional

Attachment 26

WEINTRAUT & ASSOCIATES, INC.
4649 Northwestern Drive | P.O. Box 5034 | Zionsville, Indiana 46077 Tel: (317) 733-9770 Fax: (317) 733-9773

March 15, 2013

Chad Costa
RW Armstrong
Union Station
300 S. Meridian St.
Indianapolis, IN 46225

Dear Mr. Costa,

Re: Marion County Bridge 2410F (NBI No. 4900209), 16th Street / MLK Jr. Boulevard over the former IWC Canal, Indianapolis, Marion County, Indiana

R.W. Armstrong under contract with the Indianapolis Department of Public Works has charged Weintraut & Associates, Inc. (W&A), with identification and evaluation of Bridge 2410F (NBI No. 4900209), to ascertain if it presently possesses sufficient integrity to retain its status as a resource eligible for inclusion in the National Register of Historic Places (NRHP). Bridge 2410F, which carries 16th Street and Martin Luther King (MLK) Jr. Boulevard over the former Indianapolis Water Company (IWC) Canal, in the City of Indianapolis, Marion County, Indiana, has been determined eligible for listing in the NRHP as part of the Indiana Historic Bridge Inventory (2009).

On February 20, 2013, Qualified Professional Bethany Natali, M.A., and Planner Jennifer Weintraut, M.P., from W&A conducted a site survey of Bridge 2410F during which they took photographs and recorded notes about the condition and characteristics of the bridge. Staff historians reviewed these photographs and survey notes against earlier photographs of the bridge

taken on August 20, 2007, by Indiana Department of Transportation (INDOT) consultants Mead & Hunt. Staff also reviewed the Indiana Historic Bridge Inventory, Sanborn Fire Insurance Maps (1915-1956), modern and historic aerial photographs of the bridge location (1937-2012), and the original Indiana State Highway Commission Plans (1934) for information about the bridge.

Background

Marion County Bridge 2410F is a four-span continuous reinforced concrete slab bridge constructed in 1934, rehabilitated in 1979, and altered once more sometime between 2008 and 2009.

Historically, the bridge deck featured concrete sidewalks and bush-hammered balustrades along the east side of modern MLK Jr. Boulevard (shown as N. West Street on the original bridge plans) and at the northwest corner of the intersection of N. West Street and 16th Street.

When it was built, Bridge 2410F was located near the confluence of four roadways. Constructed on a skew to accommodate the path of the IWC Canal (formerly the Central Canal), it carried a portion of the intersection of modern MLK Jr. Boulevard / historic N. West Street and 16th Street. Northwestern Avenue ran parallel to the canal on the east side while Brighton Boulevard ran parallel on the west side. As shown on the original design plans, Bridge 2410F tied into Northwestern Drive north of 16th Street and connected to N. West Street and Brighton Boulevard south of 16th Street.[1] Prior to construction of Bridge 2410F, no canal crossing was present at 16th Street.[2] The bridge was built on the route of the Dixie Highway, a north-south national highway route conceived by Indianapolis Motor Speedway co-founder Carl G. Fisher in the 1920s.[3] Design and construction of the bridge was completed as a National Resource Management project, a Depression-era federal relief program.

1 State of Indiana, State Highway Commission, *Bridge Plans for Spans Over 20 Feet on N. R. M. Project No. 40 Sec. F and N. R. M. Project No. 221 Sec. E.* (1934) (File available at the Department of Public Works at the City County Building, Indianapolis, Indiana), plan sheet 20.

2 Sanborn Map Company, *Indianapolis, Indiana* [map], 1915, accessed via IUPUI Digital Collections of University Library, Indianapolis Sanborn Map and Baist Atlas Collection, http://www.ulib.iupui.edu/digitalscholarship/collections/sanbornjp2 (accessed March 1, 2013), map sheet 377.

3 Russell S. Rein and Jan Shupert-Arick, *Dixie Highway in Indiana* (Charleston, SC: Arcadia Publishing, 2011), 71; David J. Bodenhamer and Robert G. Barrows, eds., *The Encyclopedia of Indianapolis* (Bloomington, Ind.: Indiana University Press, 1994), s.vv. "Carl Graham Fisher"; M&H Architecture, Inc., *Indiana Bridges Historic Context Study, 1830s-1965* (Glen Carbon, Ill: Mead and Hunt, Inc., 2007), 21-23.

Indiana Historic Bridge Inventory Determination

When Mead & Hunt completed the field survey of Bridge 2410F in 2007, the bridge conveyed its significance. At that time, the bridge carried portions of MLK Jr. Boulevard, 16th Street, and the intersection of those roads. Only portions of Brighton Boulevard and Northwestern Avenue were present near the bridge, but both roads continued to tie into the bridge at their historic locations. The bridge crossed a dry portion of the IWC Canal but the canal bed was still discernable on the landscape. The bridge's bush hammered balustrades were extant, and the substructure and bridge deck features were both intact. A marker to the west of the bridge noted it was constructed as part of the National Resource Management program. (See Enclosed Photographs and Map.)

In 2009, Federal Highway Administration (FHWA) determined Bridge 2410F eligible for listing in the NRHP as part of the Indiana Historic Bridge Inventory under NRHP Criteria A and C. Under Criterion A, the bridge is eligible based on an association "with Dixie Highway and development of the state's transportation system" and the "National Resource Management program." Under Criterion C, the bridge is eligible for use of a "distinctive construction method to address the engineering challenge of its substantial skew" and as "[a] bridge carrying intersecting roadways . . . [enduring] . . . live-load forces moving in two directions requiring specially engineered substructures and/or superstructure, resulting in an innovative design." For both criteria, FHWA's determination states the bridge "retains the historic integrity necessary to convey its historical significance."[4]

Based on the conditions at the time, Bridge 2410F was designated as "Select" in the Indiana Historic Bridge Inventory. Per the inventory, Select bridges "are relatively better candidates for preservation based on their present condition and potential to remain in use for years into the future without a significant rehabilitation."[5]

4 M&H Architecture, Inc., *Indiana Historic Bridge Inventory*, vol. 2, *Listing of Historic and Non-Historic Bridges* (Glen Carbon, Ill.: Mead and Hunt, Inc., 2009), 119.

5 M&H Architecture, Inc., *Indiana Historic Bridge Inventory*, vol. 3, *Methodology to Identify Select and Non-Select Bridges* (Glen Carbon, Ill.: Mead and Hunt, Inc., 2009), 1.

Attachment 26

Present Condition

In 2013, Bridge 2410F demonstrates significant alterations completed in connection with an Indianapolis Department of Public Works pedestrian improvement project. These changes occurred circa 2008-2009, prior to publication of Indiana Historic Bridge Inventory and FHWA's determination of eligibility.[6]

Changes include:

- Removal of a curvilinear sidewalk and bush-hammered balustrade at the northwest corner of MLK Boulevard and 16th Street which were replaced with a new sidewalk and seating.

- Closure of the bridge opening at the northwest corner by the construction of a concrete retaining wall.[7]

- Filling of the portion of the dry canal which ran northwest from the bridge opening with "earthen material,"[8] making it difficult to discern the canal path on the landscape.

- Removal of the portion of Northwestern Drive which formerly connected north of the bridge.

Portions of the substructure remain open to the southeast, but a chain link fence has been installed to prevent access. The marker to the west of the bridge remains intact. (See Enclosed Photographs and Map.)

6 R.W. Armstrong to the City of Indianapolis Department of Public Works, Regarding Bridge No. 2410F, 16th Street / MLK Boulevard over the former IWC Canal Indianapolis, Indiana, January 7, 2013, page 2; 2007 and 2009 Aerial Photography, Map Indy, City of Indianapolis and Marion County, Indiana, http://maps.indy.gov/MapIndy/ (accessed March 1, 2013).

7 R.W. Armstrong to the City of Indianapolis Department of Public Works, Regarding Bridge No. 2410F, 16th Street / MLK Boulevard over the former IWC Canal Indianapolis, Indiana, January 7, 2013, page 2.

8 Ibid.

Recommendations

Following a field review of Bridge 2410F in February 2013, it is the opinion of professional historians for W&A that modifications made after the 2007 survey and prior to the publication of FHWA's findings in 2009 no longer make Bridge 2410F a good candidate for preservation and therefore it no longer meets the "Select" criteria. It no longer possesses the signature elements of its historic appearance; therefore, preservation is not feasible.

Further, it is the professional opinion of W&A that the bridge is no longer eligible for listing in the NRHP: alterations to this resource have impaired its ability to convey significance under Criteria A and C.

The alteration of the northwest portion of the bridge, the in-filling of a portion of the dry canal, and the further removal of portions of Northwestern Drive near Bridge 2410F, have affected this resource's integrity of setting, feeling, and association. Under Criterion A, this bridge is associated with the Dixie Highway, Indiana's transportation system, and the National Resource Management program, but integrity losses, particularly in the northwest portion of the bridge and along a portion of the dry canal, have compromised it to an extent that it no longer "retains the historic integrity necessary to convey its historical significance."[9] Under Criterion C, this bridge is eligible for distinctive construction on a skew and for carrying two unique, live-load forces. Closing of the northwest opening with a concrete retaining wall and removal of portions of the bridge sidewalk and balustrades have impaired the workmanship, materials, and design and have caused the bridge to no longer function as it was originally intended.

It is the opinion of W&A that Bridge 2410F should no longer be considered eligible for listing in the NRHP.

9 M&H Architecture, Inc. *Indiana Historic Bridge Inventory*, vol. 2 *Listing of Historic and Non-Historic Bridges* (Glen Carbon, Ill.: Mead and Hunt, Inc., 2009), 119.

Sincerely,

Linda Weintraut, Ph.D.
Weintraut & Associates

W&A Photographs taken on February 20, 2013

1_Looking SE to MLK & 16th St along former canal route

2_Looking SE to MLK & 16th St along former canal route near stormwater drainage

3_Looking SE across intersection of MLK & 16th St

4_Bridge 2410F E elevation looking SW

5_Bridge 2410F E elevation looking SW

6_Bridge 2410F E elevation looking NW

7_Looking NE from Brighton & MLK to 2410F

W&A Photographs taken on February 20, 2013
Location Map
Bridge 2410F/ NBI No. 4900209
City of Indianapolis, Marion County, Indiana
2010 Aerial Photo

March 11, 2013

WEINTRAUT & ASSOCIATES, INC.

Note: Information shown on this map is not warranted for accuracy or merchantability. GIS data used to create this map are from the best known sources existing at this time. However, experience shows that many national datasets are not all inclusive. Use of this map should be limited to planning, and should not replace field review or background checks with other sources. It is intended to serve as an aid in graphic representation only. This map does not represent a legal document.

Attachment 26

INDOT Photographs taken on August 20, 2007

1_Looking SE at the intersection fo 16th St and MLK Dr

2_Looking SE at the intersection fo 16th St and MLK Dr

3_Looking E at the NW section of Bridge 2410F

4_Looking NW at Bridge 2410F from the SE quadrant of the intersection

5_Looking SW from the SE quadrant of the intersection

6_Looking NW at the SE section of Bridge 2410F

7_Looking NE at teh railing of the SE section of Bridge 2410F

INDOT Photographs taken on August 20, 2007
Location Map
Bridge 2410F/ NBI No. 4900209
City of Indianapolis, Marion County, Indiana
2010 Aerial Photo

March 11, 2013

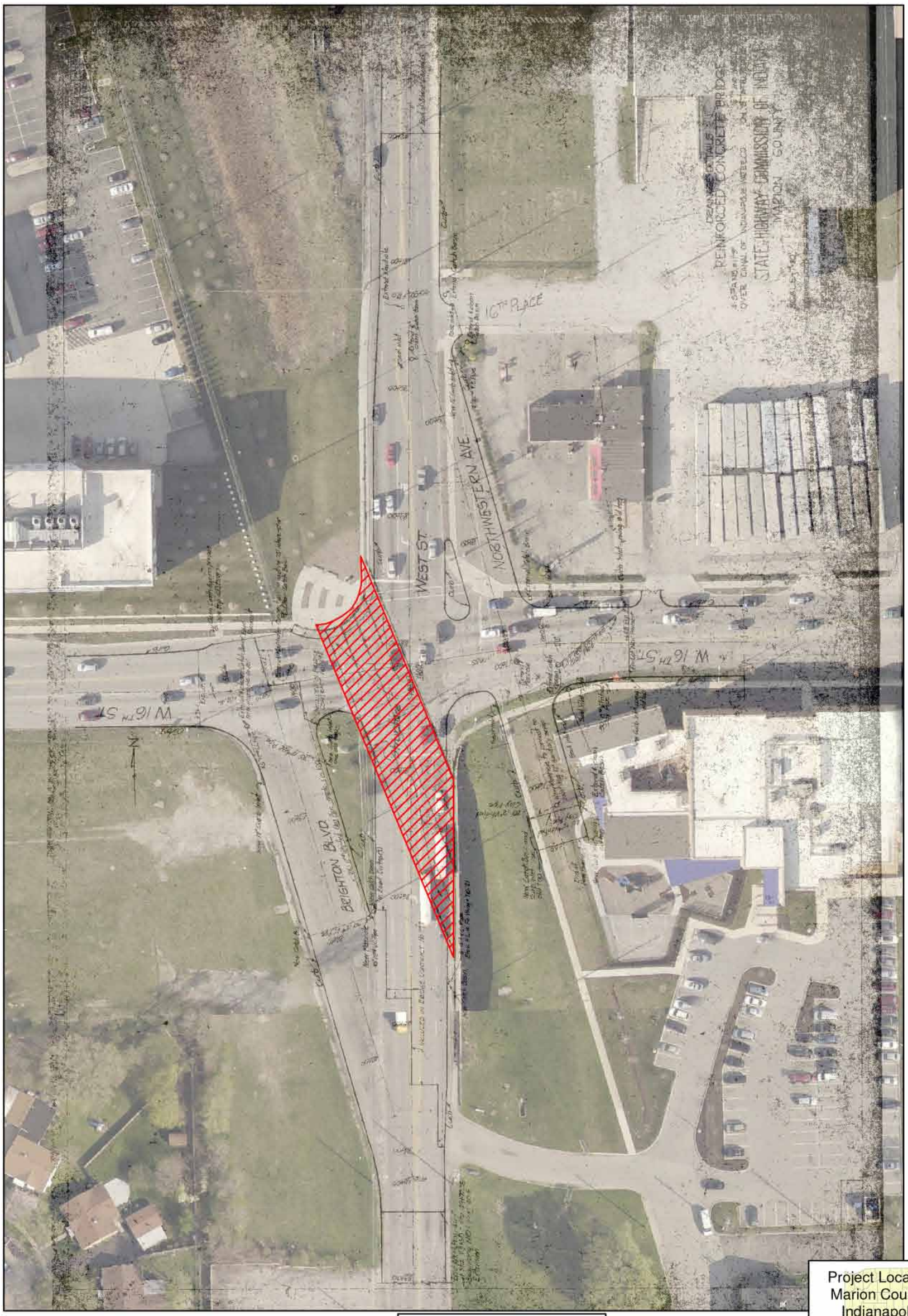
WEINTRAUT & ASSOCIATES, INC.

Note: Information shown on this map is not warranted for accuracy or merchantability. GIS data used to create this map are from the best known sources existing at this time. However, experience shows that many national datasets are not all inclusive. Use of this map should be limited to planning, and should not replace field review or background checks with other sources. It is intended to serve as an aid in graphic representation only. This map does not represent a legal document.

Attachment 26

1934 Indiana State Highway Commission
Bridge 2410F/ NBI No. 4900209
City of Indianapolis, Marion County, Indiana
2012 Aerial Photo

March 11, 2013



WEINTRAUT & ASSOCIATES, INC.

Note: Information shown on this map is not warranted for accuracy or merchantability. GIS data used to create this map are from the best known sources existing at this time. However, experience shows that many national datasets are not all inclusive. Use of this map should be limited to planning, and should not replace field review or background checks with other sources. It is intended to serve as an aid in graphic representation only. This map does not represent a legal document.

Attachment 26

Appendix C

Programmatic CE Issued for the Pedestrian Enhancement Project

Attachment 26

INDIANA DEPARTMENT OF TRANSPORTATION
100 North Senate Avenue
Room N758
Indianapolis, Indiana 46204-2216
(317) 232-5533 FAX: (317) 232-0238
An Equal Opportunity Employer • http://www.in.gov/dot

MITCHELL E. DANIELS, JR., Governor
THOMAS O. SHARP, Commissioner

Writer's Direct Line

February 3, 2006

Mr. David T. Lash, P.E.
Fink, Roberts and Petrie, Inc
4040 Vincennes Circle, Suite 300
Indianapolis, Indiana 46268

Re: Project: (unassigned), Des. No.: 0401266, 16th Street pedestrian enhancement project in Indianapolis, Marion County, Indiana.

Dear Mr. Lash:

Based on the information provided to me in your letter of January 13, 2006 and contrary to your request that this project be approved as a Statewide Categorical Exclusion, it is my opinion that this project falls within the guidelines of a Programmatic Categorical Exclusion (PCE). More specifically, it falls within the PCE guidelines of items 3, 7 and 8 for projects involving the construction of bicycle and pedestrian lanes, paths and facilities, landscaping and the installation of fencing, signs, pavement markings, small passenger shelters, traffic signals and railroad warning devices where no substantial land acquisition or traffic disruption will occur. No additional right-of-way will be required for the proposed improvements and this project is not located within the boundaries of a National Register of Historic Places listed or eligible district.

This letter shall be considered as the necessary environmental documentation required for this project. The approval date shall be the date of this letter. Should you have any questions regarding the preceding or the environmental process, please do not hesitate to contact me.

Sincerely,

Christopher A. Andrews, Environmental Coordinator
Local Service Center
Indiana Department of Transportation

CAA/caa

cc: Mr. Bruno F. Canzian
FHWA
file

Attachment 26

FINK ROBERTS & PETRIE, INC.

Established in 1944

Consulting Engineers

4040 Vincennes Circle
Suite 300
Indianapolis, Indiana 46268

http://www.frpinc.com

317-872-8400 Telephone
317-876-2408 *Fax*

January 13, 2005

Mr. Christopher A. Andrews
Environmental Coordinator
Indiana Department of Transportation
Indiana Government Center North, Rm N751
Indianapolis, Indiana 46204

Re: 16th Street Pedestrian Enhancement
Des: 0401266, Marion County

Dear Mr. Andrews:

We are requesting that the Statewide Categorical Exclusion (SCE) be approved for this project. We have reviewed the files of the Indianapolis Historic Preservation Commission for Historic Districts and Conservation Districts and have determined that this project does not impact these districts. We have also contacted the Deputy State Historic Preservation Officer, Jon Smith, for confirmation that this project has no "adverse effect" finding on any historic property.

The Historic Preservation Officer determined that pursuant to Section 106 of the National Preservation Act (16 U.S.C. § 470f) and 36 C.F.R. Part 800, the staff of the "Indiana SHPO" had not identified any archaeological resources listed in or eligible for inclusion in the National Register of Historic Places within the probable area of potential effects. The DNR correspondence is attached to this letter.

This project is for the construction of pedestrian enhancements along the north side of 16th street between Alonso Watford Sr. Blvd. and the Clarian People Mover station at Methodist Hospital in Indianapolis, Indiana. This project will consist of replacing or adding new sidewalk, curbs, and landscape strips. The traffic signal at Dr. Martin Luther King Jr. Street and 16th street will be modified to accommodate pedestrian traffic better and pavement markings will be added for pedestrian crosswalks. Please note that the State of Indiana Forensic & Health Sciences Laboratories project is currently under construction.

No new permanent or temporary right-of-way will be required to build this project. The project is tentatively scheduled for letting in 2006.

Please contact me if you have any questions or desire additional information.

Sincerely,

David T. Lash

David T. Lash, PE
Vice President

PCE, items 3, 7 & 8

Attachments

Attachment 26

FHWA-INDIANA
Environmental Document

GENERAL PROJECT INFORMATION

Road No./County:	**Intersection 16th Street & Martin Luther King Jr. Drive Marion County**
Designation Number:	**0401266**
Project Description/Termini:	**16th Street Pedestrian Enhancement**

RELEASE FOR PUBLIC INVOLVEMENT

After completing this form, I conclude that this project qualifies for the following type of Categorical Exclusion and hereby release it for NEPA public involvement (FHWA must review if Section 4(f) property is used): (Explanation)

Statewide CE (SCE): (Approval requires only INDOT signature)	✓
FHWA CE: (Approval requires both INDOT and FHWA signature)	
Environmental Assessment (EA)	

Signature (FHWA must sign for FHWA EAs.) _____ Date _____

APPROVAL

INDOT Signature _____ Date _____

FHWA Signature _____ Date _____
(Required for FHWA CE only. EAs require a separate FONSI)

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

Attachment 26

Road No./County:	**Intersection 16th Street & Martin Luther King Jr. Drive Marion County**
Designation Number:	**0401266**
Project Description/Termini:	**16th Street Pedestrian Enhancement**

PURPOSE AND NEED

Existing Conditions:

The existing sidewalks, curbs and curb cuts are in poor condition at several locations through the project limits. These items are in need of repair.

Need for Improvement:

With the completion of the new State of Indiana Forensic Health and Sciences building at the northwest corner of MLK and 16th street and the ongoing City of Indianapolis' Life Sciences initiative in this area increased pedestrian traffic is anticipated. Portions of the sidewalks, curbs and curb cuts are in need of repair. This project will address these needs as well as provide needed landscaping to the area.

ALTERNATIVES

Proposed improvement:

This project will consist of replacing or adding new sidewalk, curbs, and landscape strips on the North side of 16th street from Alonzo Watford Blvd. to the Clarian People Mover station at Methodist Hospital. The traffic signal at Dr. Martin Luther King Jr. Street and 16th street will be modified to accommodate pedestrian traffic better and pavement markings will be added for pedestrian crosswalks.

Other alternatives considered – **Describe Section 4(f) and Section 404 avoidance alternatives and measures to minimize harm.**

The only alternative considered was the "do nothing" alternative and this would not provide the desired result.

Attachment 26

Road No./County:	**Intersection 16th Street & Martin Luther King Jr. Drive Marion County**
Designation Number:	**0401266**
Project Description/Termini:	**16th Street Pedestrian Enhancement**

STATEWIDE CATEGORICAL EXCLUSION DETERMINATION

Note: If all answers below are "no", then INDOT can approve SCE. For any answered "yes", explain in the Support Documentation section why significant impacts will not occur and seek FHWA approval of CE.

	No	Yes
Travel Patterns – Does this project include a bypass or convert a local street into a higher order roadway? Will this project have an impact on travel patterns?	✓	
Relocations – Will the project require more than five (5) relocations (any combination of residential and/or commercial displacements that total more than five relocations)?	✓	
Historic Resources – Has the Section 106 consultation resulted in an "adverse effect" finding on any historic property?	✓	
Sections 4(f) – Does the project require the use of any Section 4(f) property?	✓	
Air Quality/Land Use – Is (1) the project is a non-attainment or maintenance area, (2) does the current design concept and scope add capacity, and (3) is this current design concept and scope NOT incorporated in a Conforming MPO 20 year Transportation Plan (TP)?	✓	
Noise – Is a noise analysis required for this project?	✓	
Wetlands – Is an individual Army Corps of Engineers permit required for this project?	✓	
Sole Source Aquifers – Is a detailed groundwater impact assessment required for this project?	✓	
Threatened and Endangered Species – Has consultation with the USFWS/IDNR resulted in an adverse effect determination on any federally listed or proposed threatened or endangered species or critical habitat?	✓	

Attachment 26

Mitchell E. Daniels, Jr., Governor
Kyle J. Hupfer, Director

DNR Indiana Department of Natural Resources

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 25, 2005

David T. Lash
Fink, Roberts, and Petrie, Inc.
4040 Vincennes Circle, Suite 300
Indianapolis, Indiana 46268

Federal Agency: Federal Highway Administration ("FHWA")

Re: Additional information regarding pedestrian enhancements along the north side of 16th Street between Alonzo Watford Sr. Boulevard and the Clarian People Mover station at Methodist Hospital (Designation #0401266)

Dear Mr. Lash:

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 October 12, 2005, and received on October 14, 2005, for the above indicated project in Indianapolis, Center Township, Marion County, Indiana.

Based upon the documentation available to the staff of the Indiana SHPO, we have not identified any archaeological resources listed in or eligible for inclusion in the National Register of Historic Places within the probable area of potential effects.

This identification is subject to the project activities remaining within areas disturbed by previous construction.

Also, be advised that 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 the event that artifacts or features are discovered during the implementation of the Federally assisted project, activity, or program and a plan has not been developed, it is the Federal agency's responsibility to make reasonable efforts to avoid, minimize or mitigate adverse effects in accordance with 36 C.F.R. § 800.13.

In regard to buildings and structures, we have identified the Pandell Florist at 1601 - 1609 North Capital (Site #098-296-01412 per the *Center Township, Marion County Interim Report*) within the probable area of potential effects, and we believe that it meets the criteria of eligibility for inclusion in the National Register of Historic Places as an outstanding example of the use of terra cotta as a building material and as the work of a master architectural firm, Pierre & Wright.

However, based on the information provided to our office, we believe that there will not be any alterations to the characteristics of the Pandell Florist qualifying it for inclusion in or eligibility for the National Register (*see* 36 C.F.R. § 800.16[i]).

Upon completing its own identification and evaluation efforts, it would be appropriate for the FHWA to analyze the information that has been gathered from the Indiana SHPO, the general public, and any other consulting parties and make the necessary determinations and findings. Refer to the following comments for guidance:

1) If the FHWA believes that a determination of "no historic properties affected" accurately reflects its assessment, then it shall provide documentation of its finding as set forth in 36 C.F.R. § 800.11 to the Indiana SHPO, notify all consulting parties, and make the documentation available for public inspection (36 C.F.R. §§ 800.4[d][1] and 800.2[d][2]).

2) If, on the other hand, the FHWA finds that an historic property may be affected, then it shall notify the Indiana SHPO, the public and all consulting parties of its finding and seek views on effects in accordance with 36 C.F.R. §§ 800.4(d)(2) and 800.2(d)(2). Thereafter, the FHWA may proceed to apply the criteria of adverse effect and determine whether the project will result in a "no adverse effect" or an "adverse effect" in accordance with 36 C.F.R. 800.5.

We look forward to receiving notice of the FHWA's findings. *A copy of the revised 36 C.F.R. Part 800 that went into effect on August 5, 2004, may be found on the Internet at www.achp.gov for your reference.* If you have questions about our comments, please call our office at (317) 232-1646. Questions about archaeological issues should be directed to Dr. Rick Jones or Christopher R. Andres. Questions about historic buildings or structures pertaining to this project should be directed to Shana Kelso.

Very truly yours,

For Jon C. Smith
Deputy State Historic Preservation Officer

JCS:SNK:CRA:cra

cc: Robert F. Tally, Division Administrator, Federal Highway Administration
emc: Mark Dollase, Central Regional Office, Historic Landmarks Foundation of Indiana

FINK ROBERTS & PETRIE, INC.

Established in 1944

Consulting Engineers

4040 Vincennes Circle
Suite 300
Indianapolis, Indiana 46268

http://www.frpinc.com

317-872-8400 Telephone
317-876-2408 *Fax*

October 12, 2005

Mr. Jon C. Smith
Deputy State Historic Preservation Officer
Indiana Department of Natural Resources
402 W. Washington Street, W274
Indianapolis, IN 46204-2739

Re: Additional Information Request
16th Street Pedestrian Enhancement
Des: 0401266

Dear Mr. Smith:

Per your letter dated September 23, 2005 we are providing the following information:

1. Define the area of potential effect.
   Area of potential effect is outlined in Exhibit-1

2. Provide the relevant portion of a town, city, county, U.S. Geological Survey quadrangle, or interim report map containing:
   - Clearly mark the precise location of the proposed project.
     Please refer to Exhibit-1 and Exhibit-2
   - In dark ink, mark the boundaries of the area of potential effects.
     Please refer to Exhibit-1
   - Clearly label the names of nearby landmarks (e.g., major streets, roads, highways, railroads, rivers, lakes)
     Please refer to Exhibit-1

3. Give the precise location of any buildings, structures, and objects within the area of potential effects (e.g. address and a site map with properties keyed to it)
   Please refer to Exhibit-3

4. Give the known or approximate date of construction for buildings, structures, objects, and districts within the area of potential effects.
   We examined a 1956 aerial map and the structures identified on Exhibit 1 were not there in 1956 so they were constructed sometime after this.

Attachment 26

5. Submit historical documentation for buildings, structures, objects, and districts within the area of potential effects.
   There are no historic buildings in the area of potential effect.

6. List all sources checked for your historical research of the area of potential effects.
   The files of the Indianapolis Historic Preservation Commission for Historic Districts and the Center Township, Marion County Interim Report were reviewed and it was determined that no historic properties exist in the area of potential effect.

7. We have noted that two photographs were submitted: however they are small and unclear. Please provide clear, recent photographs or good quality computer-generated images (not photocopies), keyed to a site plan, showing any buildings, structures, objects, or land that could be affected in any way by the project.
   Please refer to Exhibits-4 thru 8 for additional pictures. The actual picture locations are referenced on Exhibit-1.

8. Describe the current and past land uses within the project area; in particular, state whether or not the ground is known to have been disturbed by construction, excavation, grading, or filling, and if so, indicate the part or parts of the project that have been disturbed and the nature of the disturbance.
   The land use in the project area is primarily commercial and medical. A new State of Indiana Forensic and Health Sciences Laboratory is currently being constructed in the project area. The entire area of potential effect has been disturbed by some form of construction whether it be site grading, parking lot construction or building construction.

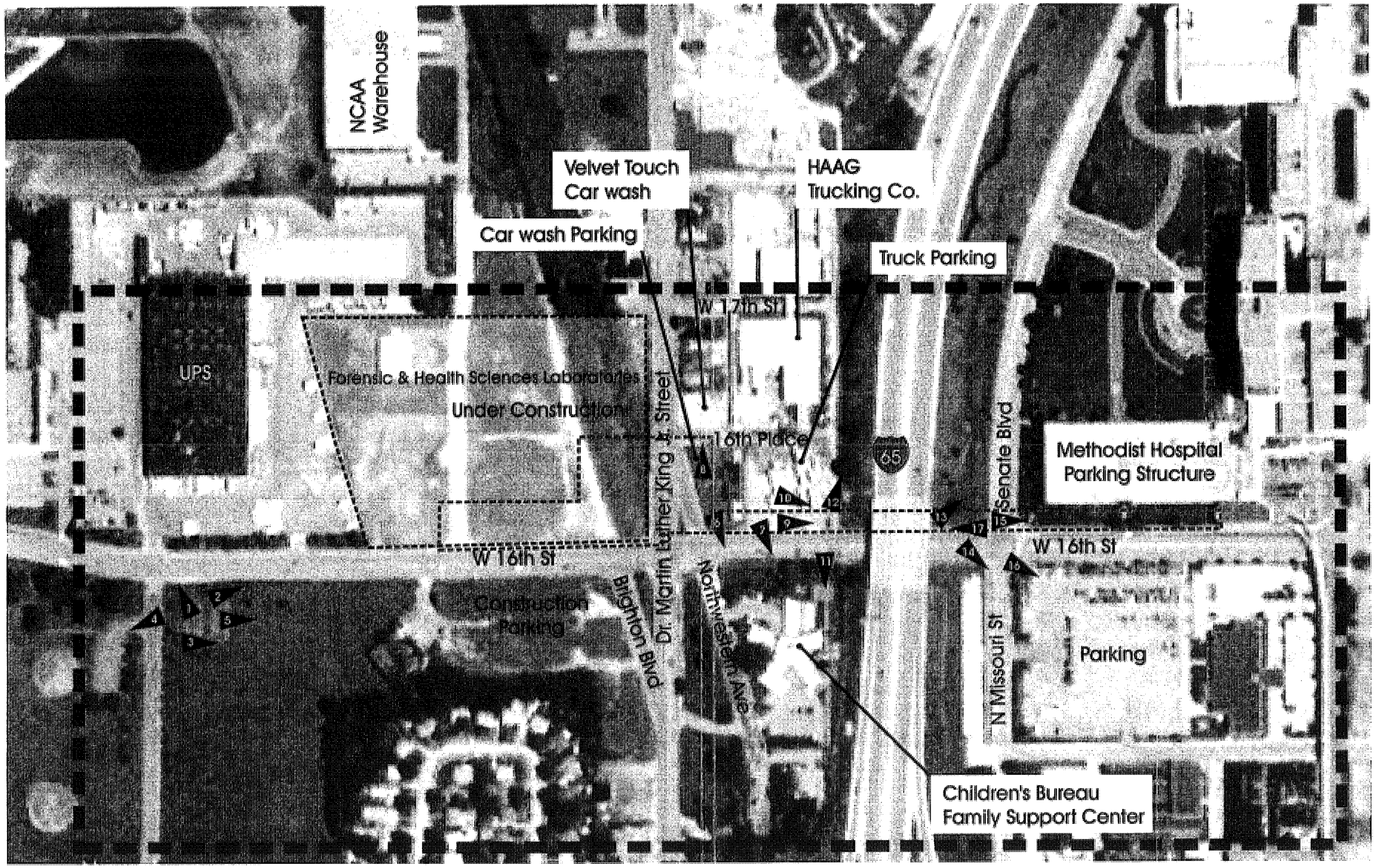
We believe the above information addresses all your questions, but if you desire additional information please contact our office.

Sincerely,

David T. Lash

David T. Lash, P.E.
Vice President

Exhibit-3



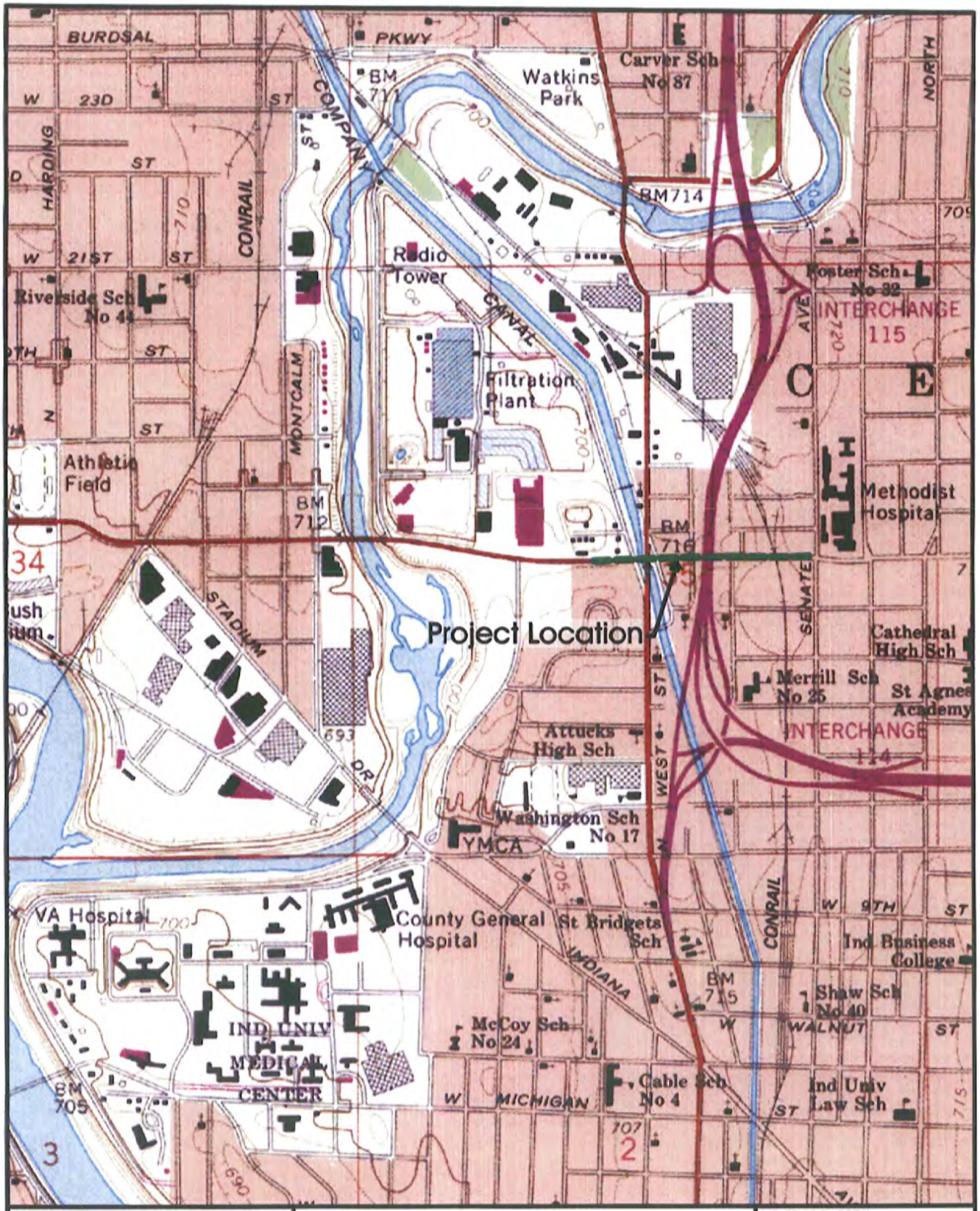
Area of potential effect

Proposed Construction limits

Photo identifier

16th Street Pedestrian Enhancement
Des. No: 0401266

EXHIBIT–1



INDIANA

QUADRANGLE LOCATION

Indianapolis West Quadrangle
Indiana - Marion Co.

16th Street Pedestrian Enhancement

INDOT PROJECT#	
DES. NO.	0401266
DATE	09-29-2005

Attachment 26

EXHIBIT–2

Michael R. Pence, Governor
Cameron F. Clark, Director

DNR Indiana Department of Natural Resources

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 19, 2013

Chad Costa
R.W. Armstrong & Associates
300 South Meridian Street
Indianapolis, Indiana 46225-1193

Federal Agency:

Re: Request for the Indiana SHPO to comment on the eligibility status and declassification of Marion County Bridge No. 2410F carrying 16th Street/MLK Boulevard over the former IWC canal (DHPA #14880)

Dear Mr. Costa:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f) and 36 C.F.R. Part 800 and in accordance with the "Programmatic Agreement among the FHWA and INDOT, the Indiana SHPO Regarding Management and Preservation of Indiana's Historic Bridges" ("Historic Bridge PA"), the staff of the Indiana State Historic Preservation Officer ("Indiana SHPO") has conducted an analysis of the materials dated May 1, 2013 and received on May 2, 2013, as well as the site visit to the bridge on June 18, 2013, for the above indicated project in Indianapolis, Marion County, Indiana.

In the 2009 Indiana Historic Bridge Inventory, conducted by Mead & Hunt, Marion County Bridge No. 2410F was determined eligible for listing in the National Register under Criterion A, for its association with the Dixie Highway and the general development of transportation infrastructure in Indiana. It was also determined to meet Criterion C because the bridge's design involved innovative engineering to accommodate its substantial skew.

However, the staff of the Indiana SHPO notes that the Dixie Highway was substantially constructed between 1915-1927, eight to ten years before the construction of the bridge, suggesting that any association with the highway was after its initial construction and secondary at best. Also, further investigation indicated that the route of the Dixie Highway through Indianapolis substantially followed the route of present-day US 31, several blocks east of Marion County Bridge No. 2410F, casting doubt on a clear and direct association between the bridge and the Dixie Highway. The claim that the bridge is significant for its association with the development of transportation infrastructure in Indiana is too broad to give the bridge National Register significance. Consequently, the staff of the Indiana SHPO does not believe the bridge has significance under Criterion A.

In terms of Criteria C, there is no evidence to indicate that the innovative engineering claimed as part of the bridge's design was influential on later local or regional bridge construction. The Indiana SHPO believes that engineering solutions that have no subsequent applicability are "one of a kind" and, therefore, of limited significance and, consequently, generally are not National Register eligible. Furthermore, the recent rehabilitation of the bridge has removed some of the railing and altered the structure's relationship to its setting, reducing its physical integrity and its ability to convey any historic association or design features. Consequently, the staff of the Indiana SHPO does not believe the bridge is eligible under National Register Criterion C.

Therefore, based on our analysis, we believe it would be appropriate to reclassify Marion County Bridge No. 2410F as ineligible for the National Register of Historic Places.

If you have questions regarding our comments please contact Ashley Thomas at (317) 234-7034 or asthomas@dnr.IN.gov. Additionally, in all future correspondence regarding the above indicated project, please refer to DHPA #14880.

Very truly yours,

Chad W. Smith

Chris Smith
Deputy Director
Indiana Department of Natural Resources

CS:ADT:adt

emc: Lawrence Heil, P.E., Federal Highway Administration, Indiana Division
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

DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, LOUISVILLE
CORPS OF ENGINEERS
INDIANAPOLIS REGULATORY OFFICE
8902 OTIS AVENUE, SUITE S106B
INDIANAPOLIS, INDIANA 46216
FAX; (317) 547-4526
http://www.lrl.usace.army.mil/
June 19, 2013

Operations Division
Regulatory Branch (North)
ID No. LRL-2013-250-sjk

Mr. Chris Smith
Deputy Director
Indiana Deparment of Natural Resources
Division of Historic Preservation
& Archaeology
402 W. Washington Street, W274
Indianapolis, IN 46204

Dear Mr. Smith:

This is in regard to our review of an application submitted by Williams Creek, on behalf of the Indianapolis Department of Public Works, for verification for a Department of the Army permit for impacts to waters of the U.S. (WOUS) associated with the proposed replacement of the superstructure of Bridge 4101F, Marion County. Bridge 4101F is a 44-foot long, single span, pre-stressed concrete box beam structure with concrete bent caps on steel-encased concrete pile abutments. The applicant proposes to repair the existing bridge due its poor condition, including spalls with exposed strands, longitudinal cracks in the bottom of the box beams and leaching between the beams. Existing pilings and abutments would be left in place and the abutments would be extended to the west; only the bridge superstructure would be replaced. Additionally, the applicant would include a sidewalk for pedestrian access across the structure and place railings on the outside of the sidewalk. The grade of the roadway would be raised approximately 9 inches to accommodate the beams and concrete deck. In order to facilitate the proposed rehabilitation the applicant would impact approximately 131 linear feet of Miller Ditch for rip rap and drilling of inspection holes.

Work proposed in the upland consists of construction of a sidewalk within the existing road right of way that would connect with the sidewalk on the new bridge superstructure. The sidewalk outside of the proposed new superstructure could be constructed without impacting waters of the U.S.; therefore, the Corps Permit Area is limited to the impacts and a 100 foot buffer zone, which includes the bridge.

Bridge 4101F was surveyed as part of the Indiana Department of Transportation statewide historic bridge inventory (Meade and Hunt 2009). According to the survey report, the bridge is considered eligible for the National Register of Historic Places under Criterion C because it uses a "distinctive construction method to address the engineering challenge of its substantial [62 degree] skew" (Note: the National Bridge Inventory indicates that the skew is 60 degrees). Bridge 4101F was constructed in 1965 and, therefore, does not meet the 50 year

criteria for consideration for inclusion in the NRHP. While properties under 50 years of age may be included in the NRHP, the properties must be extraordinary.

A review of the INDOT historic bridge inventory identified 102 concrete slab, beam, or girder bridges considered eligible for the NRHP. Information available in the National Bridge Inventory indicates that the bridges were constructed between 1905 and 1965 and that 49 of the 102 bridges were constructed on skews ranging from 10 to 99 degrees. Nineteen (39 percent) of the skewed bridges were constructed on skews of 50 degrees or greater. Seven of the bridges with skews of 50 degrees or greater were constructed in or prior to 1935 including a reinforced concrete slab bridge constructed in 1905 on a 50 degree skew, two reinforced concrete slab bridges constructed in 1930 on a 60 degree skew, a 1930 reinforced concrete slab bridge on a 55 degree skew, and a 1935 reinforced concrete slab bridge on a 68 degree skew. The number of concrete bridges built on extreme skews prior to the 1940s suggests that skew did not represent a significant engineering problem by the 1960s.

Bridge 4101F is described as a prestressed concrete beam-multiple bridge. In addition to 4101F, there are nine other prestressed concrete beam-multiple bridges constructed between 1954 and 1965 that are considered eligible for the NRHP. Six of the nine bridges are built on similar skews, including two constructed in 1964 and 1965 on 60 degree skews (Elkhart Bridge #303 and Vigo Bridge #322). In December 2012, at the request of the Federal Highways Administration, the Advisory Council on Historic Preservation issued a Program Comment on post-1945 concrete and steel bridges. The Program Comment relieves all federal agencies from the Section 106 requirements to individually consider the effects of undertakings on common bridges and culverts constructed after 1945. Reinforced concrete slab bridges and reinforced concrete beam and girder bridges are covered by the Program Comment. The Program Comment can be applied if there is at least one eligible example of the bridge type in a given state, and the bridge to be replaced has not been determined to be eligible for the NRHP.

As noted above, there are nine other eligible concrete beam bridges constructed on a skew similar to Bridge 4101F, including seven that meet the 50 year consideration criteria and two constructed during the same time period as Bridge 4101F. Considering that the bridge does not meet the 50 year criteria, and that there are numerous other examples of NRHP-eligible concrete beam-multiple bridges, including two constructed during the same time period as bridge 4101F, and the fact that the existing abutments and piers would be utilized so the skew would remain the same, it is the Corps' opinion the ACHP Program Comment is applicable to this project. We respectfully disagree that Bridge 4101F is eligible for the NRHP.

Attachment 27

All work will take place either on the bridge structure or in areas previously disturbed by road and industrial development; therefore the potential for intact archaeological deposits is low. The Corps has determined that in accordance with 36 C.F.R. 800.4(d)(1); 33 C.F.R. 325, Appendix C(7)(b); and the Interim Guidance issued by the U.S. Army Corps of Engineers on April 25, 2005, the proposed undertaking would have no effect on historic properties.

Enclosed, please find a project description, project maps and photos, and a conceptual rendering of the proposed replacement superstructure. The Corps has invited Indiana Landmarks Central and the Historic Spans Task Force to participate as consulting parties. In phone conversation with our contract archaeologist on June 18, Patrick Carpenter of the Indiana Department of Transportation (INDOT) stated that INDOT did not wish to be a consulting party, but would like to be kept advised of the result of the 106 process. The Corps will keep INDOT informed. Your response to the determination of effect is requested within 30 days from the date of this letter. If you have any questions concerning this matter, please contact this office at the above address, ATTN: CELRL-OP-FN or call me at (317) 543-9424. You may also contact the Regulatory Branch's contract archaeologist Ms. Leiellen Atz at 502-315-6688. Any correspondence on this matter should refer to our ID Number LRL-2013-250-sjk.

Sincerely,

Sarah Keller
Regulatory Project Manager
Regulatory Branch

Cc: Patrick Carpenter, INDOT

Attachment 27

Michael R. Pence, Governor
Cameron F. Clark, Director

DNR Indiana Department of Natural Resources

Division of Historic Preservation & Archaeology • 402 W. Washington Street, W274 · Indianapolis, IN 46204-2739
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July 15, 2013

Sarah Keller
Indianapolis Regulatory Office
U.S. Army Corps of Engineers
8902 Otis Avenue, Suite S106B
Indianapolis, Indiana 46216

Federal Agency: U.S. Army Corps of Engineers

Re: Project information and the U.S. Army Corps of Engineers' finding of "no historic properties affected" concerning the replacement of bridge #112 carrying CR 1300 N. over Tub Creek (LRL-2013-250-SJK; DHPA #15056)

Dear Ms. Keller:

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 June 19, 2013 and received on June 21, 2013, for the above indicated project in Indianapolis, Marion County, Indiana.

We have reviewed the information provided by the U.S. Army Corps of Engineers regarding the eligibility of the Bridge 4101F for listing on the National Register of Historic Places. According to the INDOT Historic Bridge Inventory, Bridge 4101F is eligible for listing on the National Register of Historic Places under criterion C because of the "distinctive construction method to address the engineering challenge of its substantial skew." Due to the fact that the bridge was constructed in 1965 (and therefore does not meet the 50 year criteria for the National Register of Historic Places) and because there are nine other eligible concrete beam bridges constructed on a skew similar to Bridge 4101F, including seven that meet the 50 year consideration criteria and two constructed during the same time period as Bridge 4101F, we agree with the U.S. Army Corps of Engineers' assessment that Bridge 4101F is not eligible for listing on the National Register of Historic Places.

Therefore, we concur with the U.S. Army Corps of Engineers' June 19, 2013 finding that there are no historic buildings, structures, districts, objects, or archaeological resources within the area of potential effects that will be 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 Amy Johnson at (317) 232-6982 or ajohnson@dnr.IN.gov. If you have questions about buildings or structures please contact Ashley Thomas at (317) 234-7034 or asthomas@dnr.IN.gov.

Very truly yours,

Chris Smith
Deputy Director
Indiana Department of Natural Resources

CS:ADT:ALJ:aj

emc: Leiellen Atz, U.S. Army Corps of Engineers, Louisville District
Patrick Carpenter, Indiana Department of Transportation
Melany Prather, Indiana Department of Transportation
Mary Kennedy, Indiana Department of Transportation
Shaun Miller, Indiana Department of Transportation

Michael R. Pence, Governor
Cameron F. Clark, Director

DNR Indiana Department of Natural Resources

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

July 31, 2013

Sarah Keller
Indianapolis Regulatory Office
U.S. Army Corps of Engineers
8902 Otis Avenue, Suite S106B
Indianapolis, Indiana 46216

Federal Agency: U.S. Army Corps of Engineers

Re: Project information and notification of the U.S. Army Corps of Engineers finding of "no historic properties affected" concerning the replacement of Bridge 4101F carrying Franklin Road over Miller Ditch (LRL-2013-250-SJK; DHPA #15056)

Dear Ms. Keller:

Please note that this letter supersedes our letter dated July 15, 2013.

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 June 19, 2013 and received on June 21, 2013, for the above indicated project in Indianapolis, Marion County, Indiana.

We have reviewed the information provided by the U.S. Army Corps of Engineers regarding the eligibility of the Bridge 4101F for listing on the National Register of Historic Places. According to the INDOT Historic Bridge Inventory, Bridge 4101F is eligible for listing on the National Register of Historic Places under criterion C because of the "distinctive construction method to address the engineering challenge of its substantial skew." Due to the fact that the bridge was constructed in 1965 (and therefore does not meet the 50 year criteria for the National Register of Historic Places) and because there are nine other eligible concrete beam bridges constructed on a skew similar to Bridge 4101F, including seven that meet the 50 year consideration criteria and two constructed during the same time period as Bridge 4101F, we agree with the U.S. Army Corps of Engineers' assessment that Bridge 4101F is not eligible for listing on the National Register of Historic Places.

Therefore, we concur with the U.S. Army Corps of Engineers' June 19, 2013 finding that there are no historic buildings, structures, districts, objects, or archaeological resources within the area of potential effects that will be 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 Amy Johnson at (317) 232-6982 or ajohnson@dnr.IN.gov. If you have questions about buildings or structures please contact Ashley Thomas at (317) 234-7034 or asthomas@dnr.IN.gov.

Very truly yours,

Chad W. Slider

Chris Smith
Deputy Director
Indiana Department of Natural Resources

CS:ADT:ALJ:aj

emc: Leiellen Atz, U.S. Army Corps of Engineers, Louisville District
Patrick Carpenter, Indiana Department of Transportation
Melany Prather, Indiana Department of Transportation
Mary Kennedy, Indiana Department of Transportation
Shaun Miller, Indiana Department of Transportation
Jason Steckel, Williams Creek Consulting

Michael R. Pence, Governor
Cameron F. Clark, Director

DNR Indiana Department of Natural Resources

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

August 27, 2013

Benjamin Clark
Indiana Department of Natural Resources
Division of State Parks and Reservoirs
402 W. Washington Street, W298
Indianapolis, Indiana 46204

State Agency: Indiana Department of Natural Resources, Division of State Parks and Reservoirs

Re: Certificate of approval application to repair the Ramp Creek Covered Bridge (DHPA #15159)

Dear Mr. Clark:

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 July 18, 2013, for the above indicated project in Brown County State Park, Brown County, Indiana.

Thank you for your submission for the above indicated project. Although the project area includes the Ramp Creek Covered Bridge, which is considered 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.

Williams and Jacksonburg cemeteries have been recorded in Section 20, but the exact locations remain unknown. Williams Cemetery has been recorded along Wychwood Road within Brown County State Park. Provisions of relevant state statutes regarding cemeteries (including IC 23-14 and IC 14-21-1) must be adhered to.

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. 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 any further questions regarding this determination, please contact the DHPA. Questions about archaeological issues should be directed to Cathy Draeger-Williams at (317) 234-3791 or cdraeger-williams@dnr.IN.gov. Questions about historic buildings or structures pertaining to this project should be directed to Ashley Thomas at (317) 234-7034 or asthomas@dnr.IN.gov. Additionally, in all future correspondence regarding the above indicated project, please refer to DHPA #15159.

Very truly yours,

Chris Smith
Deputy Director
Indiana Department of Natural Resources

CS:ADT:CDW:cdw

cc: Diana Biddle, Brown County Historian
Brown County Historical Society
emc: Benjamin Clark, Division of State Parks & Reservoirs
Doug Baird, Property Manager, Brown County State Park
Greg Sekula, Director, Southern Regional Office, Indiana Landmarks

Commissioners approve repairing, closing bridges

By Tim Grimes
tgrimes@reporter-times.com

MARTINSVILLE

The Morgan County Commissioners approved Monday, the repairing of one bridge and the closure of two others.

The winner of the bid to repair Bridge No. 220, which is on Old Ind. 144 and crosses Sinking Creek in Madison Township, is R.L. Vuckson Excavating from Scottsburg, Ind. for $225,839.50. The Morgan County Commissioners received five bids for repairing the bridge. R.L. Vuckson has 120 calendar days to complete the project.

The commissioners approved closing bridge No. 224, which is on Old Ind. 37 over Indian Creek in Washington Township, and bridge No. 161, which is on Old Ind. 37 over Little Indian Creek in Washinton Township. Both bridges will be closed beginning Sept. 30 to all car traffic. Bikes and foot traffic will still be allowed.

Bridge No. 224 is being closed until it can be repaired because it has a three-ton limit and is not safe for most vehicles. Bridge No. 161 is closed because County Engineer Larry Smith said he doesn't want the state to use it for the increased traffic the road will get when I-69 is built. He said the bridge is "not as safe as it should be." Smith said the bridge is narrow, but has a 12 to 15 ton limit.

The commissioners also approved the 911 Dispatch Board's preference for a location for the new dispatch center on Lincoln Hill Road, between Blue Bluff Road and Lincoln Hill Road. Martinsville donated the land, which is 2.5 acres. The measure was approved 2-1. Commissioner Don Adams voted against it because he doesn't think the county should consolidate into one dispatch center.

In other business, the commissioners:

— Were told by Dave Barrow of ProLiance Energy Services that the county has been getting natural gas for less money during the last year, as was promised by ProLiance last year. ProLiance is an Indianapolis-based natural gas marketing and supply company that transports the county's natural gas. Vectren Energy, as the local distribution company, will continue to deliver the gas supply through its piping system to the jail.

"It's working like it's supposed to, so I'm happy," Barrow said.

The entity that uses the most natural gas is the jail, and Barrow said the county is paying $500 less per month at the jail. The contract was up for renewal and the commissioners unanimously approved it. Barrow said Morgan County is one of the first county to use the service, but Barrow said he expects more counties to use the service in the next year.

— Approved the 2014 holiday schedule, which includes all of the traditional holidays, but puts George Washington's birthday on Dec. 26 and Abraham Lincoln's birthday on the day after Thanksgiving. Commissioner Norman Voyles said this is so that county employees not only get Thanksgiving and Christmas off, but the day after as well. The schedule is in-line with the state's holiday schedule.

"I just wonder where the state got their history lesson," Adams said.

— Tabled a discussion about a possible noise ordinance amendment because Adams said he hadn't got many comments about the ordinance. To see the ordinance and give your opinion, go to morgancounty.in.gov

— Heard a report from Joe Miller from Banning Engineering about the Lake Ditch Watershed. Miller also presented a report to the Morgan County Drainage Board. The watershed is 42 square miles and has 12 drains. The watershed covers a part of the western half of Morgan County, touching the western part of Monrovia and all of Eminence. It also goes a little bit into southern Hendricks county. There will be an information meeting about the watershed at 6:30 p.m. Sept. 28 at Eminence Jr.-Sr. High School, 6760 Indiana 42, Eminence, and a public hearing at 11 a.m. Oct. 7 after the Morgan County Commissioners meeting at the Morgan County Administration Building, 180 S. Main St, Martinsville.

Attachment 29

THE MORGAN COUNTY BOARD OF COMMISSIONERS MET IN A REGULAR SESSION ON MONDAY, AUGUST 19, 2013 AT 6:30 P.M.

MEMBERS PRESENT WERE NORMAN VOYLES, BRIAN GOSS, AND DON ADAMS. BRENDA ADAMS, MORGAN COUNTY AUDITOR; DEB VERLEY, ADMINISTRATIVE ASSISTANT; AND PETE FOLEY, COUNTY ATTORNEY, WERE ALSO PRESENT.

NORMAN VOYLES ASKED FOR A MOMENT OF SILENT PRAYER

NORMAN VOYLES CALLED THE MEETING TO ORDER.

PETITION TO VACATE *(Huggin Hollow Road - tabled)*
Norman Voyles reminded the Board that this item was tabled indefinitely and the parties are still not ready.

BID OPENING – *Bridge #220*
Larry Smith, Morgan County Highway Engineer, opened bids for Bridge #220 on Old SR 144 over Sinking Creek as follows: R. L. Vuckson $225,839.50; Duncan Robertson $242,404.86; Tristler Construction $243,477.76; Force Construction $324,792.16; CLR Inc. $228,815.98. Mr. Smith stated that he would review the bids and report back at the end of the meeting.

MONROE TOWNSHIP FIRE DISTRICT
Brenda Adams stated that the Fire District has advertised for a Cumulative Fire Fund tax rate and according to statute, the county legislative body must approve a resolution to pass the rate. The fire district currently has a rate of rate of .016 and they are asked for a rate of up to .0333. Pete Foley stated that the County Council and the fire district board have already approved it. Don Adams stated that he would like more information and made a motion to table the item. Motion seconded by Brian Goss. Motion carried 3-0.

PROLIANCE ENERGY SERVICES RENEWAL
Dave Barrow, ProLiance Energy, handed out spreadsheets showing the savings the county has realized over the last 10 months since signing the contract with ProLiance to provide natural gas. The jail has saved $5,224 (17.76%) and the six month savings for the Courthouse, Administration Building, Annex, EMA, and Highway Department is $1,347 (13.64%). Mr. Barrow stated that the contract will automatically renew and he will send a confirmation. Brian Goss made a motion to renew the ProLiance Energy Savings Contract. Motion seconded by Don Adams. Motion carried 3-0.

NOISE ORDINANCE AMENDMENT DISCUSSION
Don Adams stated that a proposed ordinance is on the website and there haven't been many comments. He asked that this item be tabled while they gather more input and made a motion to table. Motion seconded by Brian Goss. Norman Voyles stated that he added some suggestions to the paragraph regarding vehicle noise. Motion carried 3-0.

PUBLIC SAFETY DISPATCH SITE
Norman Voyles stated that in the joint Council and Commissioner meeting, it was mentioned that the Board had not voted to accept the recommendation of the Public Safety Dispatch Board to use the proposed dispatch center site on Lincoln Hill in Martinsville. Brian Goss made a motion to accept the recommendation. Norman Voyles seconded the motion. Don Adams asked about a former dump on the property. Pete Foley stated that it is his understanding that the 2.5 acre tract that is being donated was not the location of the dump. Motion carried 2-1. Don Adams was opposed. (See May 20, 2013 minutes.)

TORT CLAIM
Brian Goss made a motion to send the Frentz tort claim to the insurance company. Motion seconded by Don Adams. Motion carried 3-0.

2014 HOLIDAY SCHEDULE
Brian Goss made a motion to approve the 2014 Holiday Schedule. The schedule is the same as the state. Don Adams noted that president's birthdays were not being observed on the correct month and he would be writing a letter to the state. Motion seconded by Don Adams. Motion carried 3-0.

SHERIFF/JAIL UPDATE
Sheriff Robert Downey stated that that there are 334 inmates in the jail, 27 are DOC inmates, 21

inmates on the jail corrections program, and 19 inmates are on work release. There were 6,029 law enforcement calls for the year and 10,343 CAD calls, 16,125 911 calls for the year.

DONATION TO HUMANE SOCIETY

Sheriff Downey stated that he has a van in the jail fleet that he is ready to retire and it will not have much trade-in value. The Humane Society has expressed interest in obtaining the van. Sheriff Downey asked if the van could be donated to them. Pete Foley stated that he would research Indiana Code for the specifics of the transaction and report back. Don Adams made a motion to approve the donation pending the legality. Motion seconded by Brian Goss. Motion carried 3-0.

HIGHWAY UPDATE

Jimmy Waggoner, Acting Highway Superintendent, stated that since school started they have had a rash of limbs hitting buses. Crews are chip sealing, boom mowing, cutting trees, hot patching, ditching, replacing culverts, and roadside mowing.

ENGINEER UPDATE

Larry Smith stated that the low bid for Bridge #220 was R. L. Vuckson and everything was in order. The completion date is 120 calendar days after notice to proceed with a $500 fine for each day that exceeds the deadline. Don Adams made a motion to accept the bid. Motion seconded by Brian Goss. Motion carried 3-0.

Wallace is finishing the paving on Baltimore Road and the Wiser Addition. Milestone is to start next week.

There is a triple truss bridge (#224) on Old 37 off of Jordan Road that has a three ton weight limit and Mr. Smith recommended that it be closed to vehicular traffic and left open to bikes and pedestrians. Mr. Smith stated that when I-69 goes through they probably won't have access to the road anyway. It is a "select" bridge; which means that it is historical and cannot be replaced, they would only be able to rehabilitate it. Mr. Smith stated that there are other access points for the area, Burton Lane, or Liberty Church Road. Norman Voyles suggested making the closure effective September 30 so that anyone who normally uses the bridge would have notice. Norman Voyles made a motion to erect a sign stating that the bridge will be closed to all but bicycle and pedestrians as of September 30th. Motion seconded by Brian Goss. Motion carried 3-0.

Mr. Smith stated that Bridge #161, an old concrete arch bridge, is also a "select" bridge and cannot be replaced. It is south of Hacker Creek Road on Old 37 is not weight limited, but it is narrow and presently doesn't serve a purpose. The state owns several properties around it and Mr. Smith stated that he is concerned that when I-69 comes through it could push too much traffic onto the bridge and it can't handle it. Mr. Smith suggested closing the road to vehicular traffic and leaving it open to bikes and pedestrians. Brian Goss made a motion to close the bridge on September 30 to all but bicycles and pedestrians. Motion seconded by Norman Voyles. Motion carried 3-0.

Don Adams stated that there is a problem on Orchard Road and made a motion to concur with the county engineer and support his position regarding the design of the roundabout on SR 144 by sending a letter to the INDOT district. Motion seconded by Brian Goss. Mr. Adams stated that he would hand deliver the letter. Motion carried 3-0.

ADJOURNMENT

Brian Goss made a motion to adjourn the meeting. Motion seconded by Don Adams. Motion carried 3-0.

Morgan County Board of Commissioners

_____
Norman Voyles

_____
Brian Goss

Attest:

_____
Brenda Adams, Morgan Co. Auditor

_____
Don Adams

DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, LOUISVILLE
CORPS OF ENGINEERS
INDIANAPOLIS REGULATORY OFFICE
8902 OTIS AVENUE, SUITE S106B
INDIANAPOLIS, INDIANA 46216
FAX; (317) 547-4526
http://www.lrl.usace.army.mil/

RIPLEY 70
NON-SELECT

October 21, 2013

Operations Division
Regulatory Branch (North)
ID No. LRL-2013-830-sjk

Mr. Paul Brandenburg
Indiana Historic SPANS Task Force
5868 Croton Circle
Indianapolis, IN 46254

Dear Mr. Brandenburg:

This is in regard to our review of an application from the Ripley County Highway Department for a Department of the Army permit to authorize impacts to waters of the U.S. (WOUS) associated with the proposed replacement of National Register of Historic Places-eligible Ripley County Bridge 70 which carries County Road 650 North over Little Otter Creek. In accordance with 36 CFR 800.2(c) of Section 106 of the National Historic Preservation Act (NHPA), the Corps would like to invite you to participate as a consulting party in the Section 106 process.

The existing bridge is a circa 1885 stone arch bridge with stone wingwalls. The spandrel walls, which act as guardrails, have been heavily damaged by farm equipment and are capped with concrete. Additionally, the northwest wingwall is failing and the footings are exposed (but are sitting on bedrock). No documented maintenance activities or alterations have occurred at this structure. The applicant proposes to replace the existing bridge with either a steel grate span or a 3-sided box structure. Either option would include wingwalls, riprap scour protection, and minor channel grading on the north side of the bridge to correct excessive erosion. The exact amount of impacted waters has not been determined, but it is likely to be a minimum of 25 feet.

According to the INDOT state Historic Bridge Inventory (Mead and Hunt 2009), Bridge 70 is considered eligible for the National Register of Historic Places (NRHP) under Criterion C as a significant example of a stone arch bridge. The National Register Information System online research database and the Indiana Historic Sites and Structures Inventory interim report for Ripley County was review on September 27, 2013, and they identified no other NRHP-listed or eligible properties within a 2-km (1.24 mile) search zone. Examination of the Indiana State Historic Architecture and Archaeological Resources Database (SHAARD) identified no previously recorded archaeological sites in the Permit Area.

Attachment 30

Since the final bridge replacement design has not been determined, the potential for impacting archaeological sites is unclear; however, the proposed dimensions of the replacement bridge would increase the width from 19.2 ft to 24 ft and increase the length from 28 ft to 30 ft. Therefore, it is presumed that the approaches would be widened to match the proposed new bridge dimensions, but work would remain mostly within the existing bridge footprint and disturbed right-of-way.

The Corps finds that, in accordance with 36 C.F.R. §800.5(d)(2); 33 C.F.R. §325, Appendix C(7)(c), and the Interim Guidance issued by the Corps of Engineers on April 25, 2005, the proposed undertaking would have an adverse effect on a historic property.

Enclosed, please find a project description, project maps and photos, and a copy of the most recent bridge inspection report. The Corps has submitted the determination of adverse effect to a historic property to the Indiana Department of Historic Preservation and Archaeology (DHPA) for review. If you wish to participate as a consulting party, your comments on the effects determination are requested within 30 days from the date of this letter. If you have any questions concerning this matter, please contact this office at the above address, or call me at (317) 543-9424. You may also contact the Regulatory Branch's contract archaeologist Ms. Leiellen Atz at 502-315-6688. Any correspondence on this matter should refer to our ID Number LRL-2013-830-sjk

Sincerely,

Sarah Keller
Project Manager
Indianapolis Regulatory Office

Attachment 30

Welcome to

Newton County Government

Highway Department Road and Bridge Notices

Bridge #127

300 W between 900 S & 1000 S
Bridge closed permanently

Bridge #149

on 650 E & 700 S
Bridge closed permanently

Kankakee River Bridge

600 E North of 1300 N (DeMotte Thayer Road)
3 Ton Load Limit (New Maximum Limit)

Bridge #9

on 600 W South of 300 S
5 Ton Load Limit

Please contact the Newton County Highway Department at 219-285-2595 for more information.

Help Center

Highway Home
Frost Law Information
Road and Bridge Notices
Project Schedule

Attachment 31

Sources

- Robert Stephenson - seinfeld99 [at] yahoo [dot] com
- Tony Dillon - spansaver [at] hotmail [dot] com
- Luke Harden - lukemh9 [at] gmail [dot] com

Comments

Butler Bridge

Posted September 15, 2013, by Clark Vance (cvance [at] dogmail [dot] com)

Bravo! Send pictures and the new name.

Butler Bridge

Posted September 15, 2013, by Bob Nichols (bobnich [at] bellsouth [dot] net)

We have completed bridge re-assembly at its new home in RiverHead Ranch, Camp Wood, Texas. Future home of our horse ranch for special needs and underpriviledged children.

It is a beautiful bridge.

Butler Bridge

Posted February 12, 2013, by Tony Dillon (spansaver [at] hotmail [dot] com)

A tricky categorization here as I changed the bridge from not being lost...just relocated. Hopefully, I can eventually find out more info and update it further.

Would have liked to have seen it stay in state...especially given all of the historic bridges that are available in Texas. But in the end better saved than demolished!

Butler Bridge

Posted February 12, 2013, by Dan Reitmeyer (dan [at] clrconsruction [dot] com)

This bridge is now located in Texas, about 2 hours southwest of Dallas, it was purchased by a large ranch that contains wildlife and many films are filmed there on location. It was purchased and shipped there in the spring/summer of 2012

Butler Bridge

Posted May 1, 2012, by Steve

This bridge was dismantled sometime during 2011.

Attachment 32

Weight, speed limits placed on Indiana 225 bri County

Jan. 9, 2014 | Comments

A car comes over the Indiana 225 bridge near Battle Ground. The Indiana Department of Transportation has placed a 12-ton weight limit and 10 mph speed limit on the bridge that spans the Wabash River in Tippecanoe County. / Michael Heinz/Journal & Courier

Attachment 33

Written by
Justin L. Mack

FILED UNDER

News

New weight and speed limits are now in place for an aging Tippecanoe County bridge.

The Indiana Department of Transportation announced Thursday that a weight limit restriction of 12 tons is in effect for the Indiana 225 Bridge over the Wabash River in Tippecanoe County. The speed limit is 10 mph.

According to INDOT spokeswoman Debbie Calder, the restriction is the result of an annual inspection conducted in mid-December.

During the inspection, officials found deteriorated diagonal members on the bridge, Calder said.

Opal Kuhl, county highway director, said the limits are not expected to result in additional heavy truck traffic on other county roads.

As an older, one-lane bridge, the structure is fairly low volume for the kind of traffic now prohibited.

“Most trucks use the major routes already,” she said. “We knew it was going to come eventually because the bridge is older, and (INDOT) keeps a pretty good eye on it.”

Signs reading “Weight Limit 12 Tons” have been posted on both sides of the bridge. The signs also are at the intersection of Indiana 43 and Indiana 225, and the intersection of Old Indiana 25 and Indiana 225.

Calder said no official detour will be posted.

INDOT officials are considering repair options, and more information should be released in the coming months.

Attachment 33

Last updated: November 8, 2013 9:07 a.m.

How, when fatal bridge crash happened is still a mystery

More photos:

- Photo gallery: Fatal crash Tecumseh Street Bridge | Nov. 7, 2013

Chad Ryan | The Journal Gazette

A rig hoists a pickup truck out of the Maumee River, where it had plunged Thursday after crashing through the limestone railing of the Tecumseh Street bridge. Two bodies were recovered from the truck.

Archie Ingersoll and Ron Shawgo | The Journal Gazette

A man and woman drowned Thursday morning after the pickup truck that was carrying them across the Tecumseh Street bridge crashed through a limestone railing and plunged into the Maumee River, authorities said.

A commuter driving over the bridge, which links the Lakeside and East Central neighborhoods, noticed that part of the railing was missing from a point on the bridge deck that's 25 to 30 feet above the water. That person called 911 shortly before 7:30 a.m., and rescue divers found the white Dodge truck underwater, upside down, city fire officials said.

The divers pulled two people from the cab of the truck and brought them to shore, where they were pronounced dead. The deceased were identified as Mark Wayne Staulters, 53, and Tamee Ann Staulters, 44, both city residents, according to the Allen County Coroner's Office. The two were divorced in 2011, court records show.

The coroner's office confirmed that they had drowned, but it has not yet ruled on whether the crash was an accident, so it was unclear whether foul play was involved.

City police did not immediately find any witnesses to the crash. Investigators were trying to determine when the wreck happened and what caused it, authorities said.

Attachment 34

And while it's not clear who was driving the truck, Indiana court records show that Mark and Tamee Staulters each had two convictions for operating a vehicle while intoxicated.

The pickup truck broke through the west railing and plummeted off the south half of the bridge – right next to the spot where another vehicle busted through the railing in July.

In that fatal crash, the driver, 23-year-old Irvin Gates, lost control of a vehicle as he went north across the bridge. He landed in the river, and rescuers soon pulled him from the water. His death was ruled an accidental drowning.

Dan Allen, chief projects manager for the Allen County Highway Department, said that after the July crash – in which speed was a factor – city and county officials examined the safety of the bridge and its approaches. They concluded that no changes were needed.

"It's well within design criteria for the posted speed limit," he said.

The Journal Gazette

Allen, who's spent 38 years with the highway department, could not recall any other crashes on the bridge like the two fatal ones this year.

"We'd like to assure the traveling public it's not a death trap out there by any means," he said of the 113-year-old bridge.

To make it into the river, a vehicle on the bridge has to jump an 8-inch curb, cross a sidewalk and plow through a limestone railing. Allen said he has no concerns about the sturdiness of the railings, which were replaced in 2010 as part of a restoration.

After the July crash, a steel guardrail was installed in place of the 20-foot section of railing that had been destroyed. Allen said the same will happen with the section of railing lost in Thursday's crash.

Eventually, those steel guardrails will be replaced with limestone railings to match the rest of the bridge. He estimates that will cost $50,000 to $70,000.

Because the Tecumseh Street bridge is part of a traffic detour during the reconstruction of the North Anthony Boulevard bridge, officials will consider fixing the damage during a weekend or after the North Anthony bridge is finished in the spring, Allen said. The repair will require a lane closure.

After the crash Thursday, the Tecumseh Street bridge was closed to traffic. Parker's Towing used a rig to hoist the truck from the river. The truck belonged to Shawnee Construction & Engineering, a local firm that employed Mark Staulters for more than 20 years, company President Matt Schenkel said.

Schenkel said Staulters, a father of three, did various types of construction work and specialized in metal buildings. "He was an all-around good employee," Schenkel said.

aingersoll@jg.net

rshawgo@jg.net

S&P 500	1795.30	+21.10
AEP	48.24	+0.65
Comcast	54.195	+1.135
GE	25.5675	+0.2775
ITT Exelis	19.72	+0.32
LNC	48.04	+1.17
Navistar	32.60	+1.10
Raytheon	91.32	+2.69
SDI	16.725	+0.125
Verizon	47.71	+0.02

Attachment 34

9/19/2013 12:03:00 PM

Bridge near South Boston closed due to damage

By MARCIA WALKER
Staff Writer

An overweight vehicle may be responsible for damage to a bridge near South Boston, forcing the highway superintendent to close it. The bridge is Number 58 and located on Canton-South Boston Road.

Commissioner Phil Marshall brought up the topic during the Tuesday, Sept. 17, meeting of the Washington County Commissioners. He said the bridge had been moved east about a foot.

Jerald Shanks, acting highway superintendent, said the southeast corner has been moved. He suspects the damage may have occurred when an overweight vehicle was driven over it.

The bridge, built in 1930 and spanning Middle Fork Blue River, is rated 12 tons. Shanks said that rating is adequate for vehicles such as a pickup truck pulling a cow trailer but nothing heavier, such as log trucks or grain trucks.

Shanks said he closed the structure after being contacted by Leo Rumschlag, with Rumschlag Technical Services. Rumschlag has the contract for bridge inspections in the county. Shanks said Rumschlag is in the process of assessing the damage.

"I wouldn't be surprised if he came back and said it needs to be tore out," Shanks told the commissioners. "And we didn't budget for that."

Commissioner David Brown said the bridge is 105 feet long. He described it as a big bridge with lots of rusted T-rails. It was scheduled for rehabilitation next year and $90,000 had been included in next year's budget.

"That (the $90,000) is not going to touch it," Brown said. "I'm not sure we can save it now."

Shanks said that the highway department received a call about the damage Friday morning. "We don't know if it can be refurbished as we planned on or if we will have to build a new one," Shanks said.

Three bridges had been slated for work next year. In addition to Bridge 58, the plan calls for work on Bridge 80 on Canton Road South and Bridge 141 on Valeene Pike.

The 2014 budget for the county's bridge program totals $420,000.

Attachment 35

Kennedy, Mary

From: LHEIL@dot.gov
Sent: Tuesday, September 10, 2013 2:53 PM
To: Kennedy, Mary
Cc: Carpenter, Patrick A; michelle.allen@dot.gov; Joyce.Newland@dot.gov
Subject: RE: Madison County Bridge 87
Attachments: Madison 87 photos.pdf; Madison 87 Plans 11-16-07.pdf; UCE Agreement for Br 87 (signed 2-6-07) (3).pdf; February 6, 2007 Commissioner's Minutes.pdf; Madison County Bridge 87 prilim_ cost est_ 01-10-07.txt; Aerial 87 BLN.PDF

Mary,

The County was advancing the project using 100% local funds, and thus that project was not subject to Section 106 consultation. The Select List was finalized after the bridge was demolished, and so I agree that the County can still utilize the PA. It makes sense that the associated PA stipulation should only apply to bridges there were demolished after the Select was officially approved.

Larry Heil
FHWA Indiana Division

From: Kennedy, Mary [mailto:MKENNEDY@indot.IN.gov]
Sent: Tuesday, September 10, 2013 12:04 PM
To: Heil, Larry (FHWA)
Cc: Carpenter, Patrick A; Allen, Michelle (FHWA); Newland, Joyce (FHWA)
Subject: FW: Madison County Bridge 87

Larry,

Earlier this year in an addendum to the Historic Bridge Inventory Annual Report, INDOT reported that Madison County would no longer be able to utilize the Historic Bridge PA because of the demolition of Select Bridge No. 87. The County has had a project in progress for Non-Select Bridge No. 97 for several years. John Mauser of HWC Engineering is reviving that project (an alternative analysis under the new format has been submitted for our review). John met with me & Patrick last week to discuss Madison County's PA status and how the project for Bridge 97 should proceed. He let us know that the Madison County Commissioners would like to challenge the ruling that they can no longer utilize the PA because the demolition and replacement of Bridge 87 occurred before the bridge was deemed Select. Therefore, they do not think that Stipulation IV.G. of the PA should be invoked in this instance.

It does appear that the county replaced Madison 87 long before it was known it was Select. Below is a timeline of events regarding Bridge No. 87 and the Historic Bridge PA/Inventory project:

August 2006, Historic Bridge PA is signed
June 2006, NTP to Mead & Hunt to work on Historic Bridge Inventory
February 2007, Madison County Commissioners approve a Bridge Replacement Design Contract with United Consulting Engineers for Madison County Bridge 87 (100% local money)
November 2007, Plan sheets finalized for replacement of Bridge 87
April 1 through May 31, 2008, Public Comment Period for Historic Bridge Inventory National Register recommendations
Late September 2008, Right-of-way clearing for replacement of Bridge 87 complete & bridge still in place
October 2008, Bridge 87 removed
February 23, 2009, Final Historic Bridge Inventory National Register List Published with Determination Memo by FHWA, SHPO & INDOT
September 4 through November 6, 2009, Public Comment Period for Historic Bridge Inventory Select/Non-Select recommendations
January 10, 2011, Historic Bridge Inventory Final Select/Non-Select List Published with Determination Memo by FHWA, SHPO & INDOT

At the time that the county approved a contract to replace Bridge 87, the draft National Register recommendations weren't even known yet. One might have guessed the bridge would be NR eligible since it was a pony truss, but that was not necessarily a given as some pony trusses were not NR eligible in the final determinations. Clearly when the county approved the contract, Select/Non-Select was not even being talked about yet. The bridge was removed even before the final NR list was published. It was removed a year before the draft Select/Non-Select list was published. It appears to be a matter of not having updated data as the inventory project progressed. If INDOT had been aware of the demolition of Bridge 87, it would not have been subjected to a Select/Non-Select analysis.

If you agree that Stipulation IV.G. of the PA should not be invoked in this instance because the county had plans to replace Bridge 87 well before Select/Non-Select analysis began, we can notify the consultant how to proceed under the PA for the Bridge 97 project.

Documents from the county supporting the above information are attached.

Please don't hesitate to let us know if you have any questions.

Mary E. Kennedy
Indiana Department of Transportation
(317) 232-5215
mkennedy@indot.in.gov

From: John Mauser [mailto:jmauser@hwcengineering.com]
Sent: Friday, September 06, 2013 11:48 AM
To: Carpenter, Patrick A
Cc: Kennedy, Mary
Subject: RE: Madison County Bridge 97

Patrick/Mary,
I have attached two additional photos with dates showing the R/W clearing completed (with the old bridge still in place on 9/23/08) and the new bridge construction under way on 10/30/08. Unfortunately there do not appear to be other records available. The best statement we can make is that the new bridge construction was under way and the old bridge (since it was on the same alignment as the new one) was demolished by 10/30/08.

Please let me know the outcome with FHWA and SHPO. I am preparing the letter to consulting parties, as you suggested, and have some questions that I will send to you later.

Thank you for your help in this matter and have a good weekend.

From: Carpenter, Patrick A [mailto:PACarpenter@indot.IN.gov]
Sent: Thursday, September 05, 2013 9:07 AM
To: John Mauser; Kennedy, Mary
Subject: RE: Madison County Bridge 97

John,

You told us when we met, but can you remind me-when did construction commence on the replacement? Just want to make sure we have that information. We can share these documents with FHWA and SHPO to make sure they are ok with the bridge following the PA process, but it should be no problem.

Thank you,

Patrick Carpenter
Manager, Cultural Resources Office
Environmental Services

Indiana Department of Transportation
100 N Senate Ave., IGCN-Rm. N-642
Indianapolis, IN 46204-2216
317-233-2061

From: John Mauser [mailto:jmauser@hwcengineering.com]
Sent: Wednesday, September 04, 2013 5:27 PM
To: Kennedy, Mary
Cc: Carpenter, Patrick A
Subject: FW: Madison County Bridge 97

Mary/Patrick,
Will the submitted documents regarding Bridge 87 provide sufficient evidence for Cultural Resources to approve the Programmatic Agreement process for Bridge 97?

From: John Mauser
Sent: Friday, August 30, 2013 2:40 PM
To: Mary Kennedy
Subject: Fw: Madison County Bridge 97

Mary,
Here are several documents concerning the construction of Bridge 87 for your review. I will call you next week to discuss.
Sent via BlackBerry from T-Mobile

From: Charles Leser <cleser@MadisonCounty.IN.Gov>
Date: Fri, 30 Aug 2013 11:06:01 -0400
To: John Mauser (jmauser@hwcengineering.com)<jmauser@hwcengineering.com>
Subject: Madison County Bridge 97

John,

I have attached the signed contract with United Consulting for the design of the replacement of Bridge 87. Also, is a copy of the Commissioner's minutes for that contract.

I also attached an aerial of Bridge 87 that was done by Beam, Longest and Neff as preliminary work to see how the creek could be moved and the new bridge set. This aerial is dated January 17, 2007. I had been working with BLN in 2006 on this project and this was our final preliminary drawing that was given to UCE for their design. There is also an email from BLN dated January 10, 2007 for a cost estimate.

I also added the plans that are dated November 16, 2007.

Please forward this information to Mary Kennedy and let me know what she says.

Thanks,
Chuck

Charles E. Leser, P.E.
Madison County Highway Engineer
2830 West Eighth Street
Anderson, IN 46011-1949
Work: 765-646-9245
Fax: 765-646-9251
Email: cleser@madisoncounty.in.gov
Web Site: www.madisoncounty.in.gov