MEETING SUMMARY

Section 106 Consultation Meeting
Louisville Southern Indiana Ohio River Bridges Project (LSIORB)
Crowne Plaza Hotel
Louisville, KY
September 29, 2011 from 1:00 p.m. – 3:30 p.m.

ATTENDEES

Section 106 Consulting Parties

- Butchertown Neighborhood Association: Jim Segrest
- Clark County Historian: Jeanne Burke
- Colgate-Palmolive/Boston Development Group: Andy Tandale
- Eastern Band of Cherokee Indians: Tyler Howe (by phone)
- Indiana Ombudsman: Carl Pearcy
- Indiana State Historic Preservation Officer (SHPO): John Carr
- Jefferson County Public Works: Ted Pullen
- Jeffersonville Historic Preservation Commission: Peggy Duffy
- Jeffersonville Main Street Association: Jay Ellis (by phone)
- Jeffersonville Office of Planning and Development: Brian Fogle (by phone)
- Kentucky Center for African-American Heritage: Martina Runnecke
- Kentucky Heritage Council: Vicki Birenberg
- Kentucky State Historic Preservation Officer (SHPO): Craig Potts
- Louisville Metro Historic Preservation Officer: Richard Jett, Cynthiana Johnson
- New Albany Historic Preservation Commission: Laura Renwick
- National Trust for Historic Preservation (NTHP): Elizabeth Merritt (by phone)
- Phoenix Hill Neighborhood Association: Steven Kersey
- Preservation Louisville: Marianne Zickuhr
- River Fields: Meme Runyon
- Rose Hill Neighborhood Association: Joe Rafferty
- Southern Regional Office Indiana Landmarks: Greg Sekula

State/Federal Agencies

- Advisory Council on Historic Preservation: Carol Legard (by phone)
- Federal Highway Administration: MaryAnn Naber, Janice Osadczuk, Duane Thomas

- Indiana Department of Transportation (INDOT): Kevin Hetrick (by phone), Staffan Peterson (by phone), Jennifer Jansen (by phone), Laura Hilden, Mary Kennedy
- Kentucky Transportation Cabinet (KYTC): Gary Valentine, Tim Foreman, David Waldner, Amanda Abner, Tim Hagerty, John Mettille, Tim Sorenson, Rebecca Thompson, Samantha Wright

Project Team Members

- Community Transportation Solutions (CTS): Jeff Vlach, John Sacksteder, Jim Hilton, Paul Hilton, Kevin Senninger, David Kroll, Benjamin Ross, Kathy Francis, Bob Lauder, Rich Glasser, Rachael Feldman

Public Attendees

- City Properties Group: Bill Weyland
- Clifton: Phil Samuel

PRESENTATION/DISCUSSION

1. Welcome/Introductions

John Mettille, MaryAnn Naber and Janice Osadczuk welcomed attendees to the meeting. John Mettille asked for introductions from those in the room and on the phone, and then reviewed some ground rules for the meeting. He gave an overview of the Identification Workbook, which was provided to the consulting parties prior to the meeting, and discussed the edits and corrections handout provided at the meeting.

2. Consulting Party Expectations

John Mettille gave a brief overview of the Section 106 process and explained the role of the Section 106 consulting parties.

3. Update on Recent Project Events

John Mettille gave a brief overview of the recent project events, including traffic projections, project meetings, continued work on the DSEIS and Financial Plan, and continued fulfillment of the commitments in the existing MOA.

4. Methodology and Recent Survey Updates

Kevin Senninger and David Kroll described the methodology and recent survey updates for the 2003 APE and the 2011 Extensions to the APE. Questions and comments included the following:

- Meme Runyon: On slide 18, 2nd paragraph, does this mean that all properties in the 2011 Extensions to the APE will be eligible?
- John Mettille: It means they will be treated as eligible for the purposes of this project.
- Meme Runyon: What about all properties in the 2003 APE that are 45 years or older now? Will they also be treated as eligible?

- John Mettille: Not the properties in the 2003 APE, only the properties in the 2011 Extensions to the APE. This is because the properties in the 2011 Extensions could have indirect effects, whereas the properties in the 2003 APE could have direct and/or proximity effects
- Meme Runyon: Why is there a difference for direct and indirect?
- MaryAnn Naber: The 2011 Extensions were developed to take into account indirect effects of traffic diversion only (such as additional or less traffic). These areas are being looked at on a neighborhood/district basis, rather than as individual properties. In the 2003 APE area, we are looking at individual properties and districts, direct and proximate impacts. These are two levels of analysis for the two areas. The SHPOs and Advisory Council have agreed with this approach.

5. 2003 APE and 2011 Extensions

John Mettille provided a brief description of the 2003 Alternative-Specific Downtown APE, 2003 Alternative-Specific East End APE, and the methodology used to expand the 2003 APE based on the 2011 changes to the project. Questions and comments included the following:

- Meme Runyon: Could you explain the methodology for expanding the 2011 APE so far west in Indiana?
- John Mettille: The traffic model for the project identified patterns for changes in traffic when comparing the 2003 selected alternative to the 2011 alternative that includes tolling.
- Meme Runyon: Traffic diversion is obvious to the west, but it is surprising to not see extensions to the west on the KY side. Why is this?
- John Sacksteder: On the Indiana side, there are trends for traffic to divert from Jeffersonville/ Clarksville to the west toward New Albany, using the state routes and local streets. The change on the Kentucky side is on the interstate system, so the percentage change in the overall traffic on I-64 is small. We do see increases on 2nd Street in the downtown Louisville area, and the River Road connection shows some traffic diverting from Zorn Ave.
- Jim Segrest: We had asked that the 1600 block of Story Avenue be included in the APE. Frankfort Avenue in this area will also be impacted. The APE should cover these areas.

6. Historic Resources in 2003 APE

David Kroll and Kevin Senninger reviewed the changes to historic resources in the 2003 APE that have occurred between 2003 and the present time. Questions and comments included the following:

- Greg Sekula: Craig Arnold is the archaeologist doing research at the Smith Farmstead; the nomination is expected to go before the review board in October. This research is independent of the LSIORB project.

7. Historic Resources in Extensions to 2003 APE

David Kroll and Kevin Senninger reviewed character and representative features of the five subareas of the 2011 Extensions to the APE: Jeffersonville, Clarksville, New Albany, Downtown Louisville, and River Road. Questions and comments included the following:

- Meme Runyon: Would you please repeat the description of Vincennes Street and the properties that have been renovated there?
- Kevin Senninger: Some of the properties along Vincennes Street have been converted over time to commercial uses. The latest survey in New Albany survey is from 1994.

- Meme Runyon: Are these the ones listed in blue on the map? When were they built?
- Kevin Senninger: Pages 203-212 in the workbook show a series of commercial style buildings. These were built between the late 1800s and the 1930s.
- Meme Runyon: Page 205 looks like a 1950s update on a 1935 commercial building. If these buildings have been renovated/updated and are still considered eligible, why is the Nuttall House not eligible?
- Ben Ross: The updates in the 1950s generally reflect the architectural trends of that time. The Nuttall House is a later renovation that represents a false sense of style – it uses the older style in a later time period.
- Meme Runyon: The New Albany buildings also have some updates that appear to look like their original time period as well, so the eligibility recommendations are not consistent.
- MaryAnn Naber: We have agreed to treat these areas as eligible for this project; this is different than the individual eligibilities listed for properties like the Nuttall House.
- Greg Sekula: Since you are using eligible/not eligible recommendations, have these recommendations been vetted with the SHPOs?
- Kevin Senninger: The work in the 2011 Extensions was to get a sense of the character in these areas.
- John Mettille: We consulted with the SHPOs on the methodology for treating the properties within the 2011 APE Extensions.
- Meme Runyon: In the 2011 APE Extension in Downtown Louisville, there is a square omitted in the East Main St./East Market St. area where the 2003 APE touches the 2011 APE. River Fields would question why this was excluded.
- John Sacksteder: In this area, the 2003 APE was designed to look at the impacts from the reconstruction of the interchange. The 2011 APE Extension shows where traffic diversion is expected to increase movements to and from 2nd Street. The traffic model results did not show a similar change in traffic patterns for the East Main St./East Market St. area. We can verify this information in the traffic model results.
- Marianne Zickuhr: Since you were looking at a percentage of change for the 2011 APE Extensions, is there a matrix of traffic we can look at for this?
- John Mettille: Today we are looking at eligibility, but we are working on the traffic model reports now and they will be made available soon.
- Marianne Zickuhr: Will the model information be made available to the consulting parties? We want to understand the reasoning for the significant/non-significant change in traffic that results in the expanded APE areas.
- John Mettille: On page 89 of the workbook, there are some flow charts that show the screening used to interpret the model results. For more information on the traffic work, you can send a request to FHWA.
- Tim Sorenson: We used KIPDA's daily traffic model to create a network in the project area. Using the model, we can look at changes in traffic patterns based on changes to the roadways or tolling.
- Meme Runyon: Could you describe traffic impacts on I-64 on the Kentucky side?
- Tim Sorenson: Tolling can cause people to seek changes in trip patterns. Fewer people divert during the peak hour, so the percent change is not that great when you compare the increase on I-64 to

the total traffic. The toll studies considered various rates and how they impacted congestion on the river crossings in the area, including the I-64 bridge.

- Meme Runyon: Do we know if the toll assumptions used in the studies will be the actual tolls on the bridges?
- Tim Sorenson: The analysis considered a range of toll rates since the toll rates have not been set at this time; it is not expected that actual tolls would be much different than those in the toll studies.
- Jim Segrest: In the 2010 Jefferson County Update, there is a list of individual properties identified in Butchertown, including the houses on Mellwood Avenue. As part of this process, is someone going to do the administrative work to make these properties part of the National Register District?
- MaryAnn Naber: In the Section 106 process, we determine impacts on resources. It is a separate process to do the follow-through for nomination.
- Greg Sekula: There is the potential to do some of this work in the Effects/Mitigation phase; there may be an opportunity to do the nomination process as part of mitigation, if it is determined. If we are going to look at Effects and Mitigation, we need to know what is Eligible for listing. It could cause problems to say something is Eligible when it isn't.
- Greg Sekula: For the Jeffersonville resources, the 2011 Update Plan calls for expansion of the National Register District. Will this be finished as part of this process?
- John Mettille: That would be a separate issue; nomination is not handled as part of the Section 106 process.
- Kevin Senninger: For the Jeffersonville properties, a previous survey (20 years ago) identified a smaller district within the 2011 APE Extension. The SHPO did not move this forward.
- Consulting Party: If we have an established District boundary and the extended APE is not consistent with the boundary, it could cause problems when expanding the District in the future.
- Meme Runyon: The color does not show up well for the Districts on the Downtown Louisville maps; this should be fixed. On page 63, F & G are cut in half by the APE. The APE should be expanded to cover the F & G Districts.
- MaryAnn Naber: The APE is set before it is known whether historic resources are present. The boundary of an individual property is included in the APE, but this is not necessarily true for Districts. There are other considerations – how big is the District, what proportion of the District are we affecting, what resources are there, etc… This is a reasonable and good faith effort to identify properties that we may affect.
- Meme Runyon: If a District is considered one piece, how can you separate it with the APE boundary?
- MaryAnn Naber: The APE is defined by the area that our project may affect.
- Greg Sekula: If we are looking at indirect effects, one of our mitigation items might be to nominate a neighborhood as a District. If the APE does not cover the whole District, can the mitigation still go forward?
- MaryAnn Naber: There is the potential to craft mitigation outside of the APE if reason is shown.
- Meme Runyon: These are two different answers.
- MaryAnn Naber: The appropriate question is what addresses the impact, regardless of the boundary. Per the regulations, the Section 106 process does not set the APE boundary based on the resources present.

8. Next Steps

John Mettille provided an overview of the next steps in the Section 106 process.

9. Comment and Discussion Period

Additional questions and comments included the following:

- Meme Runyon: River Fields would like to recommend an additional property in the Upper River Road area where the 2003 APE cuts off a corner of Country Estates. This area should be included.
- David Kroll: We will verify the boundaries of the 2003 APE in this area.
- Richard Jett: For the 2011 APE Extension in Downtown Louisville, we will have some comments in writing to submit. We have additions to the blue dots shown on the mapping. On Page 220, this is a modern reconstruction that is made up of parts of an historic building – this should be corrected. There is another District that is not listed in the workbook and the buildings across the street are logically part of the District.
- Carol Legard: As a follow-up to the previous conversation about APE and historic property boundaries, the APE is not defined by and should not necessarily follow historic property boundaries.

With no further questions or comments, the meeting was dismissed at 3:30 p.m.