November 3, 2011

Janice Osadczuk
Federal Highway Administration, Indiana Division
575 N Pennsylvania Street, Room 254
Indianapolis, IN 46204

Janice,

The attached findings present the Area of Potential Effects, eligibility determinations, and recommended effects findings for the supplemental Section 106 consultation process for the Louisville-Southern Indiana Ohio River Bridges (LSIORB) Project. Detailed information regarding these summary findings is presented in the *Identification Findings Report* and the *Effects Recommendations Document*, which serve as appendices to this 800.11(e) Report.

This documentation was prepared by:

John Mettille & Robert Ball
Wilbur Smith Associates
1648 McGrathiana Parkway, Ste 340
Lexington, KY 40511
859.254.5759
jmettille@wilbursmith.com

David Kroll & Benjamin Ross
Ratio Architects
107 S Pennsylvania Street
Indianapolis, IN 46204
317.633.4040
dkroll@ratioarchitects.com

Over fifty organizations have elected to participate in the ongoing Section 106 consultation process for the LSIORB project. This includes the Advisory Council on Historic Preservation, State Historic Preservation Offices (SHPO) in Kentucky and Indiana, multiple Native American tribal representatives, local governments, and historic preservation interest groups.

Copies of this determination, the *Identification Findings Report,* and the *Effects Recommendations Document* will be provided to these organizations to facilitate the consultation process. Documentation on the Section 106 consultation process and copies of input received will be provided as part of subsequent submittals.

Comments or questions relating to the materials herein should be directed to John Mettille at the contact information above.

Sincerely,

John Mettille, Wilbur Smith Associates

FEDERAL HIGHWAY ADMINISTRATION'S
SECTION 106 FINDINGS AND DETERMINATIONS
AREA OF POTENTIAL EFFECT,
ELIGIBILITY DETERMINATIONS, and
PROPOSED EFFECT FINDINGS
Louisville-Southern Indiana Ohio River Bridges Project

1. DESCRIPTION OF THE UNDERTAKING

The Louisville-Southern Indiana Ohio River Bridges (LSIORB) Project lies in portions of Jefferson County, Kentucky and Clark County, Indiana. The Project is a priority national transportation project which addresses long-term, cross-river transportation needs in Louisville and Southern Indiana. The project includes two new Ohio River Bridges and improvements to the Kennedy Interchange.

The April 8, 2003 Final Environmental Impact Statement (FEIS) and September 6, 2003 Record of Decision (ROD) announced the Selected Alternative. In 2011, Kentucky and Indiana proposed to modify the Selected Alternative in two ways: (1) charging tolls to assist in funding the Project as described in the Kentuckiana Regional Planning and Development Agency's (KIPDA) *Metropolitan Transportation Plan*, and (2) incorporating design changes, primarily intended to reduce costs.

A Supplemental EIS (SEIS) is being prepared because the changes to the Selected Alternative have the potential to result in environmental impacts, including effects upon historic resources that were not evaluated in the FEIS.

2. EFFORTS TO IDENTIFY HISTORIC PROPERTIES

a. Identification of the Area of Potential Effect

As part of the 2003 Final Environmental Impact Statement (FEIS) for the project, the project sponsors and Section 106 consulting parties worked together to identify historic resources within the Original APE, shown as the red outlined areas in Figure 1 in the attached *Identification Findings Report*.

Based on the proposed project design modifications to the Selected Alternative presented in the FEIS and the introduction of tolling, traffic patterns are likely to change compared to those discussed in the 2003 document. A multi-tiered screening process was used to identify areas where local surface streets were likely to experience changes in traffic volumes and operational characteristics to an extent that historic properties in these areas could potentially be affected. Through the results of this analysis and consultation with the State Historic Preservation Officers (SHPO) in both Kentucky and Indiana, five sub-areas were identified in which changes in traffic patterns could lead to indirect effects on surrounding historic properties. These five subareas – Jeffersonville, Clarksville/SR 62, New Albany, downtown Louisville, and River Road – comprise the 2011 APE extensions for the project. The 2011 Extended APE is shown as the blue areas in Figure 2 in the attached *Identification Findings Report*. Both SHPOs reviewed the APE

and concurred in its boundaries in letters dated September 6, 2011 (IN SHPO) and September 9, 2011 (KY SHPO); relevant correspondence is included in Appendix A to this report.

b. Identification of Above-Ground Historic Resources

As documented in the FEIS, seven historic districts and 33 properties listed on or eligible for listing in the National Register of Historic Places (NR) were identified in Indiana portions of the Original APE. Twelve historic districts and 44 properties listed on or eligible for listing in the NR were identified in Kentucky portions of the Original APE. Listed/eligible properties identified in 2003 are shown on Figures 4.3-16 through 4.3-20 in the FEIS. An additional 129 properties between the two states were examined and determined to be ineligible for listing in the NR.

Since the FEIS was completed, historic survey updates were completed for Clark County, Indiana and portions of the Original APE in Jefferson County, Kentucky as stipulated in the Section 106 Memorandum of Agreement. These updates were completed in 2011 by the Indiana SHPO and in 2010 by Kentucky Archaeological Survey, respectively.

As part of the current SEIS/Section 106 effort, historians reviewed information contained in the 2003 FEIS, the 2011 Clark County survey update, and the 2010 Jefferson County survey update (*A Survey Update of Butchertown, Phoenix Hill, Downtown Louisville, and River Road).* Field reviews were also conducted to identify any structures which (1) may have been demolished or significantly altered since these determinations were made or (2) may have attained eligibility since the previous surveys were conducted. The current status of historic districts and properties within the Original APE are discussed in Section 2 of the *Identification Findings Report*, appended to this finding. Both SHPOs reviewed the draft eligibility recommendations and concurred in these findings in letters dated October 14, 2011; relevant correspondence is included in Appendix A to this report.

c. Identification of Below-Ground Historic Resources

Work has been completed at various archaeological sites since the 2003 FEIS was published. A brief summary is presented below; additional information will be included in the Draft SEIS (DSEIS).

- Based on 2006 Phase II investigations, three sites near the East End approach in Indiana have been determined not eligible for the NRHP: Sites 12-CL-516, 12-Cl-525, and 12-Cl-527.
- Additional investigations were recommended in the 2003 FEIS for Sites 12-Cl-559 and 12-Cl-561 near the East End approach in Indiana; this has not yet been undertaken.
- Site 12-Cl-762 in Jeffersonville was identified after the 2003 FEIS was published; however, it was determined to be not eligible based on Phase I investigations in 2006.
- A new site was identified associated with the Spring Street Freight House since the 2003 FEIS was published; additional investigations will be undertaken to determine this site's eligibility.

- Additional investigations were recommended in the 2003 FEIS for Sites 15Jf677, 15Jf680, and 15Jf683 near the East End approach in Kentucky; this has not yet been undertaken.
- Phase I investigations were undertaken in 2006 at Sites 15Jf678, 15Jf679, and 15 Jf719 (added after the 2003 FEIS) near the East End approach in Kentucky; additional Phase II investigations are required before eligibility can be determined at these locations.
- Site 15Jf716 was identified in downtown Louisville after the 2003 FEIS was published; it was determined to be not eligible based on 2005 Phase I investigations.
- Sites 15JF717 and 15Jf718 in downtown Louisville were identified after the 2003 FEIS was published and they are NRHP eligible; Phase II data recovery efforts were completed in 2008.
- Site 15Jf720 was identified near the East End approach in Kentucky after the 2003 FEIS was published; Phase I investigations were conducted in 2008 but additional coordination is required to determine the site's eligibility.

3. DESCRIBE AFFECTED HISTORIC PROPERTIES

The following NRHP listed/eligible resources were identified within the APE.

a. Eligibility Determinations within the 2003 Original APE

As documented in Section 2 of the *Identification Findings Report*, the following properties within the Original APE have been identified as listed in or eligible for listing in the National Register:

Jeffersonville, Indiana
Colgate-Palmolive Historic District (NRHP Eligible under Criteria A & C)
Ohio Falls Car and Locomotive Company Historic District (NRHP Eligible under Criteria A & C)
Old Jeffersonville Historic District (NRHP Listed in 1987 under Criteria A & C)
Big Four Railroad Bridge (NRHP Eligible under Criterion A)
Pennsylvania Railroad Bridge (NRHP Eligible under Criterion A)
George Rogers Clark Memorial Bridge and Louisville Municipal Bridge Building (NRHP Listed in 1984 under Criteria A & C)
Spring Street Freight House/Train Depot (NRHP Listed in 2007 under Criteria A & C)
Jeffersonville City School (NRHP Eligible under Criteria A & C)
House, 519 Riverside Drive (NRHP Eligible under Criteria A & C)
House, 527 Riverside Drive (NRHP Eligible under Criteria A & C)

East End of Project near Utica Township, Indiana
Ranney Wells Historic District (NRHP Eligible under Criteria A & C)
INAAP Igloo Storage Historic District (NRHP Eligible under Criterion A)
Central Utica Historic District (NRHP Eligible under Criteria A & C)
Multiple Property Group: Utica Lime Industry - 4 kiln/quarry sites (NRHP Eligible under Criteria A & D)

WPA Sea Wall in Utica (NRHP Eligible under Criterion A)
Utica Methodist Episcopal Church (NRHP Eligible under Criteria A & C)
Utica Christian Chapel (NRHP Eligible under Criterion C)
Prather Farm, 4075 Herb Lewis Road (NRHP Eligible under Criteria A & C)
John Dellinger Farm, Middle Road (NRHP Eligible under Criterion A)
Howes Farm, 606 Old Salem Road (NRHP Eligible under Criteria A & C)
James A Smith Farmstead, Utica-Sellersburg Road (NRHP Eligible under Criterion D)
Farmstead, 1117 Utica-Sellersburg Road (NRHP Eligible under Criteria A & C)
Black Horse Tavern, 206 Second Street (NRHP Eligible under Criterion C)
William Brindle House, 115 Fourth Street (NRHP Eligible under Criterion C)
John Hoffman House, 2405 Utica Pike (NRHP Eligible under Criterion C)
Moss Family House, 3011 Utica Pike (NRHP Eligible under Criterion C)
Woods House, 3818 Utica Pike (NRHP Eligible under Criteria A & C)
Thomas Benton Jacobs House, 4002 Utica Pike (NRHP Eligible under Criterion C)
Fry House, Utica-Sellersburg Road (NRHP Eligible under Criteria A & C)
House, 3209 Utica Pike (NRHP Eligible under Criterion C)
House, 203 Fourth Street House (NRHP Eligible under Criterion C)
House, 108 Locust Street (NRHP Eligible under Criterion C)
House, 609 Locust Street (NRHP Eligible under Criterion C)
House, 200 block of Longview Drive (NRHP Eligible under Criterion C)
House, 4711 Middle Road (NRHP Eligible under Criterion A)
Utica Cemetery (NRHP Eligible under Criterion A)
Lentz Cemetery (NRHP Eligible under Criterion A)
Lentz Heirs Cemetery (NRHP Eligible under Criterion A)

Downtown Louisville, Kentucky
Peaslee-Gaulbert Paint Manufacturing Historic District (NRHP Eligible under Criterion A)
West Main/Tenth Street Manufacturing Historic District (NRHP Eligible under Criterion A)
West Main Street Historic District (NRHP Listed in 1974 under Criteria A & C)
Phoenix Hill Historic District (NRHP Listed in 1983 under Criteria A & C)
Butchertown Historic District (NRHP Listed in 1976 under Criteria A & C)
Belle of Louisville (National Historic Landmark Listed in 1989 under Criterion C)
Mayor Andrew Broaddus (National Historic Landmark Listed under Criterion C)
Signal Tower and Pennsylvania Railroad Bridge, Portland Canal
(NRHP Eligible under Criterion A)
Brown Tobacco Warehouse, W Main Street (NRHP Listed in 1983 under Criterion C)
Conrad-Rawls Shoe Company, Rowan Street (NRHP Eligible under Criteria A & C)
E J O'Brein Office, 1024 W Main Street (NRHP Eligible under Criterion C)
Givens Headley and Co Tobacco Warehouse, W Main Street
(NRHP Listed in 1983 under Criterion C)
Louisville Medical College Building, 101 Chestnut Street
(NRHP Listed in 1975 under Criterion C)
Pennsylvania Freight Depot, Portland Avenue (NRHP Eligible under Criteria A & C)

Snead Manufacturing Company, 817 W Market Street
(NRHP Listed in 1978 under Criterion C)
Theodore Ahrens Trade School, S First Street (NRHP Eligible under Criteria A & C)

East End of Project in Kentucky
Upper River Road Historic District (NRHP Eligible under Criteria B & C)
Mockingbird Valley Historic District (NRHP Listed in 2007 under Criterion A)
Multiple Property Group: Ohio River Camps (NRHP Eligible under A)
- Juniper Beach Historic District (NRHP Eligible under Criterion A)

River Hill/Stonebridge Historic District (NRHP Eligible under Criterion C)
Woodhill Valley Historic District (NRHP Eligible under A)
Country Estates Historic District (NRHP Listed in 2000 under Criteria A & C)
- Drumanard Historic District (NRHP Listed in 1988 under Criterion C)
- Glenview Historic District (NRHP Listed in 1983 under Criterion C)
- Harrods Creek Historic District (NRHP Listed in 1991 under Criterion C)
- Nitta Yuma Historic District (NRHP Listed in 1983 under Criterion C)

Harrods Creek Village Historic District (NRHP Eligible under Criterion A)
Jacob School Road Historic District (NRHP Eligible under Criterion A)
James T Taylor Subdivisions Historic District (NRHP Eligible under Criterion A)
Upper River Road Bridge over Goose Creek (NRHP Eligible under Criterion C)
Upper River Road Bridge over Harrods Creek (NRHP Eligible under Criterion C)
Louisville Water Company Pumping Station, 3005 River Road
(National Historic Landmark Listed under Criterion C)
Edgewater Garden/Richmond Boat Club, 4417 Upper River Road
(NRHP Eligible under Criteria A & C)
St Francis in the Fields Church, 6710 Wolf Pen Branch Road (NRHP Eligible under Criterion A)
Green Castle Baptist Church, 216 Rose Island Road (NRHP Eligible under Criterion A)
Prospect Store, 2500 Rose Island Road (NRHP Eligible under Criterion A)
Stone Place Stables, 7718 Rose Island Road (NRHP Eligible under Criterion C)
Cedarbrook Farm, 4800 Springdale Road (NRHP Listed in 1990 under Criterion A)
Sutherland Farm, US Highway 42 (NRHP Eligible under Criterion C)
Dogwood Hill, 7001 US Highway 42 (NRHP Listed in 1993 under Criterion C)
Shirley/Baass/Taylor House, 6300 Bass Road (NRHP Eligible under Criteria B & C)
John Doolan House (Dunmanway), 701 Blankenbaker Road (NRHP Eligible under Criterion B)
Blankenbaker-Mattingly House, 901 Blankenbaker Road
(NRHP Listed in 1983 under Criterion C)
McFerran House, 5903 Jenness Court (NRHP Eligible under Criterion C)
Thomas Henry and Amelia Brown Payne House, 5025 Nitta Yuma
(NRHP Eligible under Criterion A, B, & C)
Midlands/Morris Belknap House, 25 Poplar Hill Road
(NRHP Listed in 1983 under Criterion C)
Addison Lee House, 4218 River Road (NRHP Listed in 2000 under Criterion B)
Croghan-Blankenbaker House, 4306 River Road (NRHP Listed in 1983 under Criterion C)
William Eifler House, 5209 River Road (NRHP Eligible under Criterion A)

Dr. J C Metcalfe House, 5901 River Road (NRHP Eligible under Criterion C)
Merriwether House, 6421 River Road (NRHP Listed in 1989 under Criterion A)
Kerzinger Property, 7314 River Road (NRHP Eligible under Criterion C)
House, 906 East Riverside Drive (NRHP Eligible under Criterion A)
House, 906 West Riverside Drive (NRHP Eligible under Criterion A)
House, 4210 Riviera Drive (NRHP Eligible under Criterion A)
Alice Speed Stoll House, 5711 Stoll Hill (NRHP Eligible under Criteria B & C)
Rosewell/Barber House, 6415 Transylvania Avenue
(NRHP Listed in 1983 under Criteria A & C)
J J Gaffney House, 4525 Upper River Road (NRHP Listed in 1983 under Criterion C)
Bennett/Griesbaum/Lang House, 6317 Upper River Road
Belleview, 6600 Upper River Road (NRHP Listed in 1992 under Criterion A)
James Taylor/James Chandler House, 6209 Wolf Pen Branch Road
(NRHP Eligible under Criteria B & C)
Allison-Barrickman House, 6909 Wolf Pen Branch Road
(NRHP Listed in 1983 under Criterion C)
Crowfoot/R F Cate House, 7500 Wolf Pen Branch Road (NRHP Eligible under Criterion C)
Fincastle, 7501 Wolf Pen Branch Road (NRHP Listed in 2000 under Criterion C)
J E Skinner House, 7811 Wolf Pen Branch Road (NRHP Eligible under Criterion C)
T G Peyton House, 7849 Wolf Pen Branch Road (NRHP Eligible under Criterion C)
Bruce House, 5641 Wolf Ridge Road (NRHP Eligible under Criterion C)
Horner House, 3509 Woodside Drive (NRHP Listed in 1983 under Criterion C)

b. Eligibility Determination within the 2011 Extended APE

Historic properties within the 2011 Extended APE are expected to experience only indirect effects as a result of the project modifications; direct effects are limited to the Original APE. Indirect effects from changes in traffic patterns will be similar for individual properties along travel corridors and property-specific impact information cannot be provided given the uncertain natures of these proposed indirect effects. Therefore, effects can be assessed at the district or neighborhood level. As a result, in addition to all previously identified historic districts, all properties within the 2011 Extended APE over 45 years in age will be considered NRHP eligible for the purposes of this project.

Historians researched a variety of data sources to identify samples and groups of properties over 45 years in age. This effort included reviews of SHPO records, aerial photography from online mapping sources, information from Louisville Metro Planning and Design Services, and county property valuation administrator GIS services. Following this research, qualified professionals conducted field visits to identify a representative sample of properties within the extensions of the original APE. A summary of historic districts and representative properties within the 2011 Extended APE are discussed in Section 4 of the *Identification Findings Report*.

c. Eligibility Status of Archaeological Sites Associated with the FEIS Selected and the Modified Selected Alternatives

The table below identifies the archaeological resources located within the current alignments of both the FEIS Selected Alternative and the Modified Selected Alternative that have already been determined National Register eligible or which require further investigations to determine eligibility.

Site	Description	National Register Eligibility Determination	Build Alternative Corridor
INDIANA			
12-CL-559	Historic Site Associated with Farmstead	Additional Investigations Required Before Eligibility Can Be Determined	East End
12-CL-561	Historic Site Associated with Lime Industry	Potentially Eligible; Additional Investigations Required	East End
N/A	Spring Street Freight House – Associated with Historic Site ID-HC-61007 (referred to as the Train Depot)	Investigations Required Before Eligibility can be Determined	Downtown
KENTUCKY			
15Jf677	Prehistoric Site	Potentially Eligible; Additional Investigations Required	East End
15Jf678	Prehistoric Site	Historic Site is a Contributing Element to the National Register Property; Phase 1 Investigations Conducted in 2006, Phase 2 Required before Eligibility Can Be Determined, Pending Right of Entry	East End
15Jf679	Prehistoric Site, Historic Site Associated with Rosewell Plantation (JF-452/Site 18)	Potentially Eligible; Phase 1 Investigations Conducted in 2006, Phase 2 Required before Eligibility Can Be Determined, Pending Right of Entry	East End
15Jf680	Prehistoric Site	Contributing Element to the National Register Property; Additional Investigations Required	East End
15Jf683	Historic Site Associated with Allison-Barrickman Plantation (JF-563/Site 33)	Potentially Eligible; Additional Investigations Required	East End
15Jf717	Historic Site from mid-1800s to the present	Eligible; Phase 3 Data Recovery Completed in 2008	Downtown
15Jf718	Historic Site from mid-1800s to the present	Eligible; Phase 3 Data Recovery Completed in 2008	Downtown
15Jf719	Historic Complex	Phase 1 Investigations Conducted in 2006, Phase 2 Required before Eligibility Can Be Determined, Pending Right of Entry	East End
15Jf720	Prehistoric Site	Phase 1 Investigations Conducted in 2008. Site Potentially Eligible, Further Coordination Required	East End

4. EFFECTS ON HISTORIC PROPERTIES

The assessment of adverse effects has been conducted according to the criteria of adverse effect (36 CFR 800.5). Per regulations from the Advisory Council on Historic Preservation, an adverse effect is an "alteration to the characteristics of a historic property qualifying it for inclusion in or eligibility for the National Register of Historic Places" such that a property's location, design, setting, materials, workmanship, feeling, or association is diminished. This can include both direct effects (displacement or other proximity effects caused by the project) and indirect effects (reasonably foreseeable effects caused by the project but occurring later in time or farther removed).

Within the Original APE, six analysis categories were considered to define potential effects on historic properties: encroachment, noise, visual, vibration, air quality, and construction. Because the footprint of the Selected Alternative has generally been reduced for the Modified Selected Alternative with Tolls, effects presented in the 2003 FEIS generally represent a worst-case scenario. For this supplemental evaluation effort, updated encroachment limits, traffic volumes, noise levels were applied to determine effects from the newly developed Modified Selected Alternative. A full description of the effects findings for the Original APE is included in Section 5 of the *Effects Recommendations Document.*

Within the Extensions to the Original APE, the effects analysis for historic properties focused on the impacts of diverted traffic, which are indirect. Because of the nature of indirect impacts, effects were evaluated based on their impacts at the district or subarea level, rather than on a building-by-building basis. The analysis describes potential effects due to noise, visual, vibration, or air quality impacts. While increases and decreases in traffic can affect accessibility, parking, or pass-by trips in historic districts, the extent of changes in traffic patterns forecast for this Project are minimal and would not result in an economic loss that would alter the characteristics that qualify the historic buildings in which businesses are located for inclusion in or eligibility for the National Register of Historic Places. A full description of the effects findings for the Extensions to the Original APE is included in Section 7 of the *Effects Recommendations Document.*

With regard to below-ground resources, known archaeological sites (as listed in the table in Section 3.c) could be impacted by either the FEIS Selected Alternative or the Modified Selected Alternative.

5. APPLICATION OF CRITERIA OF ADVERSE EFFECT

The assessment of adverse effects has been conducted according to the criteria of adverse effect (36 CFR 800.5). Per regulations from the Advisory Council on Historic Preservation, an adverse effect is an "alteration to the characteristics of a historic property qualifying it for inclusion in or eligibility for the National Register of Historic Places" such that a property's location, design, setting, materials, workmanship, feeling, or association is diminished. This can include both direct effects (caused by the action and occurring at the same time and place) and indirect effects (reasonably foreseeable effects caused by the project but occurring later in time or farther removed). Examples of Adverse Effects would include physical destruction or

damage; inconsistent alterations, relocation of the property; changes in the character of the property's use or setting; introduction of incompatible visual, atmospheric, or audible elements; neglect leading to deterioration; or transfer, lease, or sale without preservation restrictions.

Section 5 of the *Effects Recommendations Document* provides effects determinations for each of the properties identified as NRHP eligible or listed within the Original APE. The following properties were identified as experiencing an adverse effect from the project:

Jeffersonville, IN
Colgate-Palmolive Historic District (visual, noise)
Ohio Falls Car and Locomotive Company Historic District (visual, noise, vibration)
Old Jeffersonville Historic District (encroachment, visual, noise, vibration)
Clark Memorial Bridge (encroachment, visual, vibration, construction)
Louisville Municipal Bridge Building (encroachment, visual, vibration, construction)

East End of Project near Utica Township, Indiana
INAAP Igloo Storage Historic District (vibration)
Multiple Properties Group: Utica Lime Industry – kiln/quarry 48002 (vibration)
Multiple Properties Group: Utica Lime Industry – kiln/quarry 48003 (encroachment, vibration, construction)
Multiple Properties Group: Utica Lime Industry – kiln/quarry 48004 (encroachment, vibration, construction)

Downtown Louisville, KY
Phoenix Hill Historic District (encroachment, visual, noise, vibration, construction)
Butchertown Historic District (encroachment, visual, noise, vibration, construction)

East End of Project in Kentucky
Multiple Properties Group: Ohio River Camps (visual, noise, vibration, construction)
Country Estates Historic District (visual, noise, vibration, construction)
- Drumanard Estates Historic District (visual, noise, vibration, construction)
- Harrods Creek Historic District (visual)

Harrods Creek Village Historic District (visual)
Merriweather House (visual, noise, vibration)
Rosewell (visual, noise, vibration, construction)
John Determan House (visual, noise, vibration, construction)
J. Schildknecht House (visual, noise, vibration, construction)
Upper River Road over Harrods Creek (visual, vibration)
Belleview (visual, noise, vibration, construction)
James T Taylor/James W Chandler House (visual, noise, vibration)
St Francis in the Fields Church (visual, vibration, construction)
Allison-Barrickman House (visual, noise, vibration, construction)

Within the Extensions to the Original APE, no historic district or neighborhoods were identified as experiencing adverse effects due to indirect effects of the Project. A full description of the effects findings for the Extensions to the Original APE is included in Section 7 of the *Effects Recommendations Document*.

With regard to below-ground resources, the undertaking may have an adverse effect on Sites 12-CL-559, 12-CL-561, and the Freight House Associated Site (Indiana), and Sites 15Jf677, 15Jf678, 15Jf679, 15Jf680, 15Jf683, 15Jf717, 15Jf718, 15Jf719, and 15Jf720 (Kentucky) because it may directly alter the characteristics of the sites that may qualify them for inclusion in the NRHP by diminishing the integrity of their locations and materials. Additional investigations are necessary. If the Memorandum of Agreement is amended, the additional investigations will be stipulated as appropriate. All future archaeological investigations will be coordinated with the respective SHPOs.

As the Section 106 process continues, the project team will work with consulting parties to resolve these adverse effects, identifying measures to avoid, minimize, or mitigate these impacts. The original 2003 Memorandum of Agreement will remain in effect until this effort can be competed; it will be amended as necessary to incorporate changes based on the updated effects analysis discussed herein.

6. CONSULTING PARTY COMMENTS AND PUBLIC VIEWS

Correspondence received from consulting parties to date is included as Appendix A, available through the project website. The Section 106 process accompanying this supplemental EIS effort was initiated in April 2011. A kick-off meeting was held for consulting parties on June 1, 2011 in Jeffersonville. Draft recommendations on the eligibility of historic properties were provided to consulting parties on September 14, 2011 with a request for comments within 30 days. On September 29, 2011, consulting parties met in Louisville to review the preliminary eligibility recommendations provided by the project team for resources within the Original APE and Extensions to the Original APE. A meeting is scheduled in November 2011 to discuss effects findings; final determinations will be incorporated into the FSEIS in early 2012. Coordination with consulting parties on measures to avoid, minimize, or mitigate adverse effects will occur prior to the signature of the FSEIS.

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

7. SECTION 4(f) COMPLIANCE

The following resources will be addressed in the Section 4(f) chapter of the DSEIS. Aside from the five resources discussed below, this undertaking will not convert any other section 4(f) historic properties to a transportation use. As discussed in the *Effects Recommendations Document*, FHWA has determined the appropriate Section 106 findings are No Effect or No Adverse Effect; therefore no Section 4(f) evaluation is required for these resources. INDOT

respectfully requests the SHPOs in Indiana and Kentucky provide written concurrence with the Section 106 determinations presented in the *Effects Recommendations Document*.

Utica Lime Kilns/Quarries

Both the FEIS Selected Alternative and Modified Selected Alternative would use approximately 0.84 acre of the quarry that is associated with Kiln 48004 and approximately 0.22 acre of the quarry that is associated with Kiln 48003, for a total of approximately 1.06-acre use from the resource. This use would not include use of the any of the four kilns themselves. Recent coordination from the Indiana SHPO, dated October 23, 2011, states that the quarries would not warrant preservation in place as long as additional documentation is performed on those quarry walls, floors, and other spaces to be impacted.

Mitigation for impacts on the Utica Lime Kilns/Quarries does not require preservation-in-place, therefore it is not a Section 4(f) resource. This undertaking will not convert a section 4(f) resource to a transportation use; the FHWA has determined the appropriate Section 106 finding is Adverse Effect.

Old Jeffersonville Historic District

Both the FEIS Selected Alternative and the Modified Selected Alternative would result in the use of approximately 3.0 acres of the district. Seven contributing resources within the district would be displaced by either alternative. Some visual impacts are anticipated to other contributing resources and NRHP-listed and eligible properties within the district. Mitigation measures were outlined in the 2003 FEIS and Section 4(f) Evaluation that have been implemented since that time in regard to the Old Jefferson Historic District.

This undertaking will convert property from within the Old Jeffersonville 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 Old Jeffersonville Historic District. FHWA respectfully requests the Indiana SHPO provide written concurrence with the Section 106 determination of Adverse Effect.

Phoenix Hill Historic District

The FEIS Selected Alternative and the Modified Selected Alternative would require the use of approximately 1.0 acre of land from the district and would displace two contributing structures: one industrial building (former Vermont American Building) and one commercial building (former Baer Fabrics Company). These same impacts were identified during the 2003 FEIS and have not changed with the revisions of the FEIS Selected Alternative since that time. Mitigation measures were outlined in the 2003 FEIS and Section 4(f) Evaluation that have been implemented since that time in regard to the Phoenix Hill Historic District.

This undertaking will convert property from within the Phoenix Hill 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 Phoenix Historic District. FHWA respectfully requests the Kentucky SHPO provide written concurrence with the Section 106 determination of Adverse Effect.

Butchertown Historic District

The FEIS Selected Alternative, which involves reconstructing the Kennedy Interchange to the south of its current location, would use approximately 0.24 acre from this district and displace one contributing structure. The Modified Selected Alternative, which involves reconstructing the Kennedy Interchange in-place, would use approximately 0.19 acre of the district and would displace the same structure. Mitigation measures were outlined in the 2003 FEIS and Section 4(f) Evaluation that have been implemented since that time in regard to the Butchertown Historic District.

This undertaking will convert property from within the Butchertown 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 Butchertown Historic District. FHWA respectfully requests the Kentucky SHPO provide written concurrence with the Section 106 determination of Adverse Effect.

US 31 Bridge & Louisville Municipal Bridge Building

Proposed improvements to the connections and approaches to the George Rogers Clark Memorial Bridge for both the FEIS Selected Alternative and the Modified Selected Alternative may, for engineering reasons, require moving the pylons flanking the approach to the bridge on the Indiana side. Either alternative would also use approximately 0.1 acre of the property upon which the pylons are located. This impact has not changed from the 2003 FEIS.

This resource is used for transportation purposes. This undertaking will have an Adverse Effect on the George Rogers Clark Memorial Bridge and the Municipal Bridge Building, 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 George Rogers Clark Memorial Bridge and the Municipal Bridge Building. FHWA respectfully requests the Indiana SHPO provide written concurrence with the Section 106 determination of Adverse Effect.

FHWA has determined that the findings described in the *Identification Findings Report* and the *Effects Recommendations Document,* and summarized in this *Draft 800.11(e) Report* are appropriate for the LSIORB Project. FHWA respectfully requests the State Historic Preservation Officers in Kentucky and Indiana provide written concurrence with the determinations contained within this report.

John Ballantyne

John Ballantyne, FHWA

November 03, 2014

Date

Appendices:

Consulting Party Correspondence & Meeting Summaries to date – available online
Identification Findings Report – mailed to consulting parties on Nov 3 and available online
Recommended Effects Document – mailed to consulting parties on Nov 3 and available online