

Appendix E

Comments on Final Environmental Impact Statement and Other Correspondence

City of
Westfield

Indiana 1834

"Old Town Charm, New City Style."

November 19, 2008

Mr. Pankaj Desai
INDOT US 31 Project Facilitator
Indiana Department of Transportation
Indiana Government Center North, Room N955
100 North Senate Avenue
Indianapolis, IN 46204

Mayor
ANDY COOK

City Council
JOHN DIDDLE
ROBERT L. HOKRAY
KEN KINGSHILL
ROBERT J. SMITH
TOM SMITH
ROB STORES
MELODY SWEAT

Clerk/Treasurer
CINDY J. COSSARD

Subject: Major Moves US 31, Comments on the SDEIS
Addendum Letter to July 23, 2008 letter

Dear Mr. Desai,

The City of Westfield has additional comments to the July 23, 2008 letter regarding the 2008 Major Moves US 31 Supplemental Draft Environmental Impact Statement (DEIS). For your convenience, a copy of the original letter is attached. The following are the City of Westfield's comments regarding the proposed and recommended interchange/overpass options and trails.

1. **Greyhound Pass Overpass**

The City of Westfield is in agreement of the overpass bridge not being needed. With the interchanges at 146th Street and 151st Street, it is an added cost that does not need to be incurred by INDOT. The elimination of the overpass is a large cost savings in the overall project.

2. **South Union Overpass**

The City of Westfield maintains its stance in the previous letter for an overpass connection to be designed and constructed prior to the construction of the proposed US 31 Freeway. An exhibit has been provided showing the conceptual layout of the bridge and the connecting roads. Please see exhibit B.

130 Penn Street • Westfield, IN 46074 • (317) 896-5570 • Fax (317) 867-2200 • Website: www.westfield.in.gov

3. **161st Street and US 31**

The City of Westfield maintains its stance in the previous letter for a Roundabout Interchange Design. The Roundabout configuration should be shown as the desired option to the Federal Highway Administration.

4. **SR 32 and US 31 Monon Trail crossing**

The City of Westfield did not mention the Monon Trail crossing at this intersection in the previous letter. INDOT has indicated they will provide pedestrian crossings at all intersections. The Monon Trail is a major pedestrian trail that extends from Indianapolis to Westfield. The crossing is shown in our trails master plan. A meeting has been held to discuss this issue. INDOT and RW Armstrong were in agreement on the location. An exhibit has been attached showing the proposed crossing. Please see exhibit C & D.

5. **191st Street and US 31**

The City of Westfield maintains its stance in the previous letter for an offset Roundabout Interchange Design. The Roundabout configuration should be shown as the desired option to the Federal Highway Administration. Several meetings have been held with IMMI, Westfield, RW Armstrong, and INDOT to come to an agreement on the interchange design. IMMI and Westfield are in agreement with the offset Roundabout Interchange Design.

6. **196th Street Overpass**

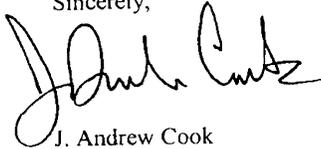
The City of Westfield maintains its stance in the previous letter for an overpass connection to be designed and constructed prior to the construction of the proposed US 31 Freeway. It is shown on the City's Thoroughfare Plan. This connection is vital for vehicles wanting to traverse over US 31 without having to travel to 191st Street or SR 38 interchanges. Please see exhibit D.

7. 202nd Street/203rd Street and US 31

The City of Westfield maintains its stance in the previous letter for an overpass connection to be designed as part of the design of the proposed US 31 Freeway. Provisions such as right of way, grading, drainage, etc. shall be made for a future bridge to be constructed. Please see exhibit D.

The City of Westfield would like to thank INDOT and RW Armstrong for their continued involvement after the SDEIS comment period has ended. Thank you for letting the local community have a voice in the process.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Andrew Cook". The signature is fluid and cursive, with the first name "J. Andrew" and the last name "Cook" clearly distinguishable.

J. Andrew Cook
Mayor
City of Westfield

Exhibit A
Original Comment Letter



July 23, 2008

Mr. Pankaj Desai
INDOT US 31 Project Facilitator
Indiana Department of Transportation
Indiana Government Center North, Room N955
Indianapolis, IN 46204

Mayor
ANDY COOPER
City Council
JOHN ENGLISH
KIMBERLY L. BOONKAY
KEN KING SMITH
CHRISTOPHER J. SMITH
TOM SMITH
DAN SWEENEY
MICHAEL SWEENEY
City Treasurer
CYNTHIA J. COOPER

RE: Major Moves U.S. 31 Limit Access Freeway

Dear Mr. Desai,

The City of Westfield has reviewed the 2008 Major Moves US 31 Supplemental Draft Environmental Impact Statement (DEIS) and evaluated all interchange options provided by INDOT via the design consultant, RW Armstrong. The following are the City of Westfield's comments regarding the proposed and recommended interchange/overpass options and trials and multiuse path options.

1. 146th Street/151st Street and U.S. 31 Interchange

• East Access Road

It is the request of the City of Westfield that funds be provided for local construction of this road from 146th Street to 151st Street. This road would be recommended to be constructed prior to any improvements on the U.S. 31 freeway project. This proposed road will aid in the economic vitality of the businesses in this area during the US 31 construction project and provide local traffic flow after the construction of the US 31 interchange, thus discouraging local traffic to use the US 31 Freeway for local commutes.

The construction of the East Access Road will provide access to the U.S. 31 Freeway, Keystone Avenue, and as mentioned above, provide alternative routing during the U.S. 31 freeway construction. This proposed road will also support and facilitate the Keystone Road access for the US 31/Keystone Corridor.

◦ **Western Way (future name – South Union)**

It is the request of the City of Westfield that funds be provided for local construction of this road from 146th Street to 151st Street. This road improvement would also extend further north for the connection to the proposed South Union/US 31 overpass.

It would also be requested that this road be constructed prior to construction of US 31 to facilitate traffic during the US 31 construction. Additionally, this road will aid in the economic vitality of the businesses in this area during the US 31 construction and provide local traffic flow after the construction of the US 31 interchange, thus discouraging local traffic from using the US 31 Freeway for local commutes.

◦ **151st Street**

The City of Westfield is requesting that INDOT, along with the RW Armstrong Consulting Team, reevaluate the use of “dumbbell” roundabouts at the intersection ramps of US 31 and 151st Street. Additionally with this proposal, the City of Westfield recommends the use of roundabouts at the intersections of the East Access Road, Thatcher Road, and the Western Way/South Union Extension. The use of these proposed designs will provide acceptable levels of service and will improve emergency equipment movement through these intersections over the proposed split diamond design.

◦ **146th to 151st Street Section of US 31**

The City of Westfield recommends that this section of the freeway be depressed to reduce noise and to improve the aesthetics in the area of this corridor. The City is aware that the DEIS reports indicates the use of sound barriers are not proposed, however the City is requesting this due to the future volumes of traffic through this area that may later increase the noise.

Additionally, the published DEIS design lacks the SB 31 to 146 exit ramp. The City has been made aware by RW Armstrong that this was accidentally left out of the DEIS and that this will be incorporated with the final design.

2. South Union Overpass (see Exhibit?)

◦ **South Union Overpass**

The City of Westfield is demanding that this overpass connection be designed and constructed prior to the construction of the proposed US 31 Freeway. This overpass will provide local traffic flow from the downtown and east side of the

Westfield area to the south without having to utilize the US 31 Freeway during or after the US 31 project. This extension would ultimately provide local traffic flow from downtown Carmel to downtown Westfield without having to utilize the US 31 Freeway, thus reducing local traffic flow and use of the US 31 Freeway.

Additionally, the City of Westfield is demanding that the 156th Street connector between the South Union Street extensions to the west of US 31 be built from the existing 156th Street to the proposed South Union Street extension.

3. Monon/Natalie Wheeler Trail Access

◦ Monon/Natalie Wheeler Trail Access at the Cool Creek Tributary (Wm Knight Regulated Drain)

The City of Westfield, as is the desire of the State of Indiana, is to promote and provide enhance safe trails systems in Indiana. Therefore, the City of Westfield is requesting that during the redesign of the bridge that spans this tributary crossing that a trail connection design be provided under the proposed bridge. The City of Westfield would construct the trail and this trail would provide connection between the Monon Trail, the Natalie Wheeler, and Cool Creek Park Trail. This connection would also eliminate the need to provide trail crossings at the following locations: 151st Street Interchange, South Union Overpass, and 161st Street Interchange (Multiuse paths or sidewalks would be recommended at those locations).

The City of Westfield is requesting that this bridge is built as early as possible in the construction sequence in order to support the trail plan.

4. 156th Street and U.S. 31

◦ Westfield Public Works Property

The City of Westfield owns the property located on the northwest corner of 156th Street and US 31. This property currently consists of a natural gas substation, which is leased to Citizens Gas, a private drive access to a private residency, and the Greyhound Pass Well #4.

The City of Westfield Public Works Department will need to meet and discuss with INDOT the use of this property and any potential loss of use or access impacts to this property.

5. 161st Street and U.S. 31

The City of Westfield is demanding that the Roundabout Interchange Design be used for the intersection of 161st Street and US 31. This roundabout design at this location will operate and provide a better level of service when compared to the proposed Diamond Interchange Design recommend in the DEIS. Additionally,

this roundabout design would provide cost savings for a four (4) lane wide bridge compared to a six (6) lane bridge recommended with the Diamond Interchange Design.

INDOT's concern of a right in/right out onto 161st Street from the proposed Lantern Commons Development on the north side of 161st Street has been evaluated and is recommended for both proposed alternatives, however, this right in/right out works best with the proposed roundabout design.

6. 169th Street (David Brown Drive) and U.S. 31

The City of Westfield concurs with the recommended underpass design at this location and requests that a four (4) lane cross sectional design and multiuse path be provided with the underpass design.

7. Monon Trail/Midland Trace Trail Connection

As mentioned previously, the City of Westfield, as is the desire of the State of Indiana, is to promote and provide enhance safe trails systems in Indiana. Therefore, the City of Westfield is requesting that during the redesign of the bridge that spans this stream crossing that a trail connection design be provided under the proposed bridge. The City of Westfield would construct the trail and this trail would provide connection between the Monon Trail, the Natalie Wheeler, and Midland Trace Trail. This connection would also eliminate the need to provide trail crossings at the following locations: US 31/SR 32 Interchange, 169th Street Overpass, and 161st Street Interchange (Multiuse paths or sidewalks would be recommended at those locations).

This trail connection will provide safe east/west trail connection for Westfield and connection from Westfield to Noblesville in the near future.

8. S.R. 32 and U.S. 31 Interchange

The City of Westfield is recommending that a Diamond Interchange design with 1200 foot spacing between ramp terminals for this intersection over the proposed DEIS recommendation of a Tight Diamond Interchange design. This Diamond Interchange design with 1200 foot spacing between ramp terminals recommendation would include four (4) lanes for the north and south bound entrance ramps and two (2) lane entrance ramps onto US 31. SR 32 would have two (2) lanes in each direction, two (2) dual turning lanes, and one (1) right turn lane eastbound and westbound approaches. For this recommendation, SR 32 has a bridge over US 31 and will be eight (8) lanes wide.

With this proposal, the SR 32 eastern ramp terminals would remain in the same location and the western ramp terminals would be located 1200 feet west of the eastern ramp terminals to provide for spacing for loop terminals in the future. This design will provide for flexibility in the future as the City of Westfield continues

to develop along the US 31 and SR 32 corridors and in overall growth in population.

The City of Westfield recommends that this section of freeway be depressed to reduce noise and to improve the aesthetics in the area of this corridor. The City is aware that the DEIS reports indicates the use of sound barriers are not proposed, however the City is requesting this due to the future volumes of traffic through this area that may later increase the noise.

9. U.S. 31/SR 32 Interchange and North Water Treatment Plant Access

The City of Westfield Public Works Department owns and operates the North Water Treatment Plant and Well field that is located north of SR 32 and east of US 31. The Public Works Department will want to discuss with INDOT and their design team, RW Armstrong, the impact to the well field and access to the plant with the proposed interchange design.

10. 181st Street and U.S. 31

The City of Westfield agrees with the proposed 181st Street Overpass Design. However, the City demands that INDOT consider the incorporation of a trail access with this overpass design. Additionally, the City would like for INDOT to incorporate landscaping with this proposed trail connection on the overpass. This trail will provide connection from the Monon Trail to the Asa Bales and Midland Trace Trails.

11. 191st Street and U.S. 31

The City of Westfield is demanding that an offset Roundabout Interchange Design be used for the intersection of 191st Street and US 31. This roundabout design at this location will provide less of an impact to properties and loss of building in this area, and operate and provide a better level of service in the future when compared to the proposed Diamond Interchange Design recommended in the DEIS. Additionally, this offset roundabout design would provide cost savings for bridge construction as compared to the bridge recommended with the Diamond Interchange Design.

Additionally, this design needs to take into consideration the comments that were submitted by IMMI in their letter dated July 7, 2008.

12. North Union to East Street Connection

The City of Westfield is demanding that this street connection be constructed by INDOT prior to the elimination of the North Union/US 31 access and the construction of the US 31/SR 32 and 191st Street Interchanges. This road will be

necessary for north connection from North Union to 191st Street for the Westfield-Washington Schools and the businesses located in this vicinity.

13. East Street Extension from 191st Street to 196th Street

The City of Westfield concurs with the recommendation that the proposed East Street extension from 191st Street to 196th Street be constructed to a four-lane boulevard section prior to the construction of the US 31 Freeway. Additionally, the City requests that the 191st Street Interchange and this road extension be built prior to the access at 196th Street being removed or limited. The coordination of the location, the design, and construction of this road will need to be coordinated with the City of Westfield.

14. 196th Street and U.S. 31

The City of Westfield demands that an overpass be built at this location per the City of Westfield's thoroughfare plan and it is necessary for public safety continuity.

15. 202nd Street/203rd Street and U.S. 31

The City of Westfield concurs with the recommendation of no overpass construction at this location with the proposed US 31 Freeway. However, the City is requiring that INDOT design this overpass at this time to ensure that its future construction works with the proposed US 31 Freeway.

16. S.R. 38 and U.S. 31

The City of Westfield concurs with the recommended interchange design.

Enclosed with this letter is supporting data provided by the Parson's Group that supports the above recommended modifications of changes in design.

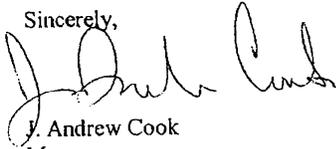
Throughout this process, police, fire, and safety concerns have been an important aspect for the City of Westfield. These concerns relate to the US 31 and adjacent local roads before, during and after the construction of the proposed US 31 Freeway. The City of Westfield will require that INDOT meet with the City of Westfield public safety departments throughout the entire process of this project.

Economic Development, as mentioned in previous US 31 CAC Meetings and local planning meetings, is a major concern for the City of Westfield. The City will need to be involved and updated of all impacts of local business in the area of the US 31 Corridor.

The City of Westfield would like to take this opportunity to thank INDOT and RW Armstrong for their aggressive outreach to the local government agencies throughout this planning process

and would like to commend those involved for the progress made to this point. The City would like to thank INDOT and RW Armstrong in advance for their continued commitment to build a quality project that meets both the state and local needs of the communities involved with this project.

Sincerely,

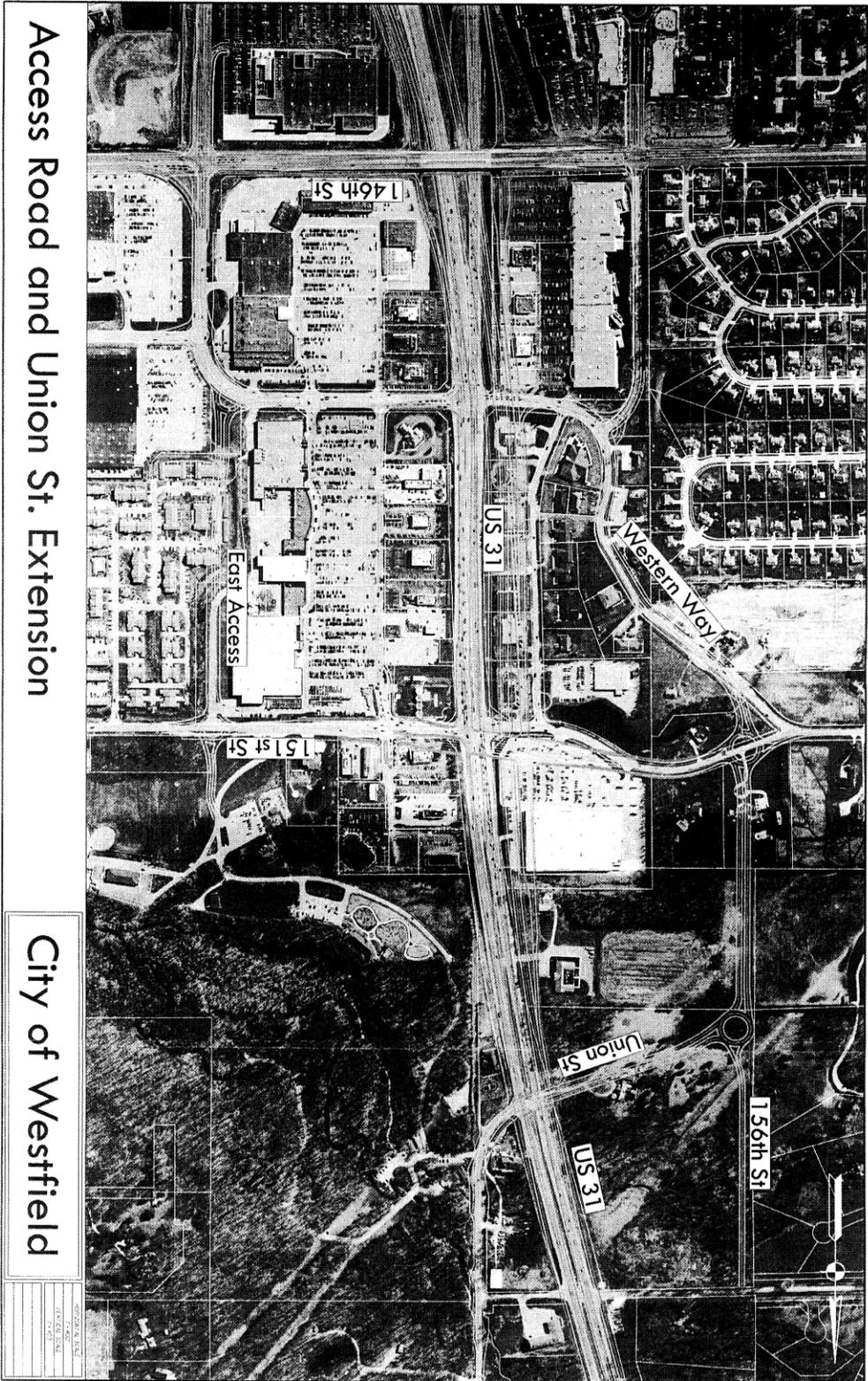


J. Andrew Cook
Mayor
City of Westfield

cc: Hamilton County Commissioners
Hamilton County Highway Department, Director
City of Carmel, Engineering
City of Westfield Common Council, Members
City of Westfield Public Works, Director
City of Westfield Police Department, Chief
City of Westfield Fire Department, Chief
City of Westfield Public Works, Director
City of Westfield Community Development, Director
City of Westfield Parks Department, Director
City of Westfield Economic Development, Director
INDOT, Director
INDOT, Greenfield District
Grand Junction Task Force

Exhibit B

South Union Overpass Conceptual Plan



Access Road and Union St. Extension

City of Westfield

Exhibit C

Monon Trail Crossing at SR 32 and US 31

Exhibit D
Westfield Thoroughfare Plan



INDIANA DEPARTMENT OF TRANSPORTATION

Driving Indiana's Economic Growth

100 N. Senate Ave., Room N642
Indianapolis, IN 46204
Phone 317-233-6511 Fax 317-233-4929

Mitchell E. Daniels, Jr., Governor
Karl B. Browning, Commissioner

January 14, 2009

The Honorable J. Andrew Cook
Mayor of Westfield
City of Westfield
130 Penn Street
Westfield, IN 46074

Subject: The New US 31 Hamilton County
Comment Letter

Dear Mayor Cook:

Thank you for submitting a second letter on November 19, 2008 with additional comments to the July 23, 2008 letter regarding The New US 31 Hamilton County Supplemental Draft Environmental Impact Statement (SDEIS). The comment period for the SDEIS closed on July 25, 2008 and then the project team compiled comments received and began the preparation of the Final Environmental Impact Statement (FEIS). The FEIS used current traffic analyses and comments received from both the public and agencies to select a Preferred Alternative. The FEIS was signed on December 1, 2008 by Indiana Department of Transportation (INDOT) and Federal Highway Administration (FHWA). The next step for the project team is to prepare a Record of Decision (ROD) to create a concise public record of the decisions made for the project. Several of the responses to your comments may be addressed in the forthcoming ROD. A response to your July 23, 2008 letter is located in the FEIS in Appendix F-1, beginning on page 124. This letter is in response your November 19, 2008 letter.

1. Greyhound Pass Overpass

The City of Westfield is in agreement of the overpass bridge not being needed as a part of this project. No response required.

2. South Union Overpass

The City of Westfield's Thoroughfare plan shows South Union Street extending across US 31. The final alignment and location for the South Union Street has not been finalized by the City of Westfield and however a conceptual exhibit was provided. In order to advance this proposal, further coordination with the City will be required as stated in the FEIS, page 146. Specifically, additional information will be needed regarding the City's current design standards, specific alignment characteristics, while also taking in account existing utilities, proposed design speeds and property ownership.

3. 161st Street and US 31

This comment will be addressed in the US 31 Record of Decision (ROD). Table 2-1 of the ROD has been revised to include the roundabout interchange design. Below is an excerpt from the ROD with an explanation of the change:

One revision has been made in Table 2-1 (Table 2.6-1 of the FEIS) for the interchange type recommendation at 161st Street. Previously, a diamond interchange design was recommended, although an alternate (roundabout) design concept was described in Section 2.6.2 of the FEIS. The alignment for the roundabout alternate is confined to the study limits previously documented in the FEIS at this interchange location, and future traffic operations at the roundabouts have been analyzed and determined to be consistent with INDOT and FHWA requirements. The roundabout design was conditioned on the relocation of a proposed regional multi-use trail crossing US 31 at 161st Street. On December 11, 2008 the City Council of Westfield adopted and passed Resolution 08-59 to amend the *Westfield-Washington Thoroughfare Plan/Pedestrian and Bicycle Circulation and Trail Plan*. This resolution establishes the Monon-Midland Trace Trail Loop connections to the south under US 31 at Cool Creek Trail along the Anna Kendall Creek Trail, and to the north over US 31 at the 181st Street (Hoover Street) overpass. These connections of the multi-use trail allow for the project to eliminate the US 31 crossing proposed at 161st Street. With approval of this amendment the safety concerns for bicyclists have been reconciled and, for this reason, the roundabout interchange design at 161st Street is incorporated into the Selected Alternative. A copy of Resolution 08-59 is provided in Appendix B.

4. SR 32 and US 31 Monon Trail Crossing

This comment will be addressed in the US 31 ROD. Below is an excerpt from the ROD:

On December 11, 2008 the City Council of Westfield adopted and passed Resolution 08-59 to amend the *Westfield-Washington Thoroughfare Plan/Pedestrian and Bicycle Circulation and Trail Plan*. This resolution establishes the Monon-Midland Trace Trail Loop connections to the south under US 31 at Cool Creek Trail along the Anna Kendall Creek Trail, and to the north over US 31 at the 181st Street (Hoover Street) overpass.

The resolution addresses the crossing of US 31. INDOT will coordinate the location of the regional Monon Trail as it crosses SR 32 with the City of Westfield.

5. 191st Street and US 31

The City of Westfield has reiterated its request for an offset roundabout interchange design at this location. An analysis will be conducted to include the

The Honorable J. Andrew Cook
Mayor of Westfield

January 14, 2009
Page 3

roundabout interchange type at 191st Street and an Additional Information Study will be prepared to determine environmental, geometric and traffic impacts resulting from the interchange modification.

6. 196th Street Overpass

This is considered a preferred local road improvement and is not warranted by existing or future traffic conditions, and as such, can be implemented at the appropriate time by the City of Westfield.

7. 202nd Street/203rd Street and US 31

This is considered a preferred local road improvement and is not warranted by existing or future traffic conditions, and as such, can be implemented at the appropriate time by the City of Westfield.

For additional information please visit our website at <http://us31hamiltoncounty.in.gov/> for the most current information as well as the DEIS, SDEIS and FEIS where alternatives studied are identified and discussed.

Sincerely,



Gary Pence

INDOT Project Manager



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

JAN 06 2009

REPLY TO THE ATTENTION OF:

E-19J

Mr. Robert F. Tally, Jr.
Division Administrator
Federal Highway Administration - Indiana Division
575 North Pennsylvania St., Room 254
Indianapolis, IN 46204

**Re: US 31 Hamilton County, Indiana Project
Final Environmental Impact Statement (CEQ No. 20080505)**

Dear Mr. Tally:

I am providing comments on the Final Environmental Impact Statement (EIS) for the US 31 Hamilton County Project, consistent with our responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act. The FEIS identifies and evaluates alternatives for upgrading US 31 in Hamilton County, Indiana to freeway standards, including grade separated interchanges, controlled access, and removal of traffic signals on the mainline. The FEIS includes alternatives from the original 2003 Draft EIS (DEIS) and the alternative proposed in a 2008 Supplemental DEIS (SDEIS), which is the preferred alternative.

The United States Environmental Protection Agency - Region 5 (EPA) has been in contact with the Federal Highway Administration (FHWA) and the Indiana Department of Transportation (INDOT) on this project, and we have provided input throughout the process. Our letter on the SDEIS in July 2008 provided comments on water resources, floodplains, and wellhead protection zones.

Our comments have been addressed in the Final EIS, and EPA has no objections to the project. We note that:

- INDOT states their intent to work with the City of Westfield, Indiana on protective measures in wellhead protection zones, and will use detention basins for stormwater management.
- the FEIS discusses setback recommendations for wetland near aviation sites, and notes that INDOT will consult further with the Federal Aviation Administration if compensation sites are established in the vicinity of the airfield and as future plans for the airfield develop.

Recycled/Recyclable • Printed with Vegetable Oil Based Inks on 100% Recycled Paper (50% Postconsumer)

- INDOT will investigate reforestation opportunities within its acquired right-of-way for the project.

We continue to recommend that the Record of Decision include information on emergency plans with the City of Westfield for highway spills in the vicinity of the municipal wellhead protection zones. We also encourage spanning the 100-year floodplain for Cool Creek and Lindley Ditch and voluntary mitigation of upland forest; we understand these measures will be considered further in the design phase.

Thank you very much for the opportunity to review the FEIS for this project; we look forward to receiving the ROD for our records. If you have any questions on our comments, please contact Anna Miller of my staff at (312) 383-3145 or at miller.anna@epa.gov.

Sincerely,



Kenneth A. Westlake
Supervisor, NEPA Implementation
Office of Enforcement and Compliance Assurance

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

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



January 7, 2009

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

Federal Agency: Federal Highway Administration ("FHWA")

Re: The New US 31 Hamilton County Project (I-465 to SR 38), Hamilton County, Indiana, Final
Environmental Impact Statement (FHWA-IN-EIS-03-01-F; Des. No. 990550; DHPA #3683)

Dear Mr. Tally:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f), 36 C.F.R. Part 800, the "Programmatic Agreement 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 National Environmental Policy Act of 1969 (42 U.S.C. § 4321, *et seq.*), the staff of the Indiana State Historic Preservation Officer has reviewed the F.E.I.S. submitted with your cover letter dated December 5, 2008 and received on December 9, for the above indicated project.

In regard to 3.21.5 Archaeological Resources, for unanticipated discoveries of a previously unidentified historic property or human remains, we would suggest inclusion of additional language clarifying that the FHWA will follow the provisions of the "Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation," IC 14-21-1, 312 IAC 21, and 312 IAC 22. The FHWA will ensure that work cease in the area and consult with the SHPO and other consulting parties as necessary. If human remains are discovered, the appropriate County Coroner and law enforcement officials will be notified immediately, and the discovery of any human remains dating on or before December 31, 1939 must be also reported to the IDNR within two (2) business days. The discovery must be treated in accordance with IC 14-21-1 and 312 IAC 22. If a Native American Indian burial ground is discovered, the DNR shall immediately provide notice to the Indiana Native American Indian Affairs Commission as per IC 14-21-1-25.5.

If you have questions regarding our comments regarding archaeology, 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,

A handwritten signature in black ink, appearing to read "James A. Glass".

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

JAG:JRJ:JLC:jlc

cc: Christopher Koeppel, Indiana Department of Transportation

emc: David Bourff, R.W. Armstrong
Larry Heil, Federal Highway Administration, Indiana Division
Mary Kennedy, Indiana Department of Transportation

An Equal Opportunity Employer
Printed on Recycled Paper