

**Comments of Citizens for Appropriate Rural Roads  
On The Draft Environmental Impact Statement for I-69  
Submitted November 7<sup>th</sup> 2002**

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**CARR Comments on the DEIS for I-69**  
**Submitted November 7<sup>th</sup> 2002**

**COMMENTS OF CITIZENS FOR APPROPRIATE RURAL ROADS ON THE DRAFT  
ENVIRONMENTAL IMPACT STATEMENT FOR I-69  
SUBMITTED NOVEMBER 7<sup>TH</sup> 2002**

**Citizens for Appropriate Rural Roads (CARR)** hereby submit our comments of the draft environmental impact statement (DEIS) for the I-69 Evansville to Indianapolis highway project issued by the Indiana Department of Transportation (INDOT) on 31 July 2002.

In addition, we ask that our previous comments: "Comments of Citizens for Appropriate Rural Roads on the Draft Environmental Impact Statement for the Southwest Indiana Highway Corridor, July 1996 (Attachment A), and our comments on the draft Purpose and Need for this project: *The Untold Story* (Attachment B) also be included as comments on this DEIS. We have also submitted additional comments under separate cover in conjunction with The Environmental Law and Policy Center, the Hoosier Environmental Council, and Citizens Action Coalition of Indiana.

**GENERAL CONCLUSIONS**

We find that this DEIS fails on several grounds to show a valid purpose and need for the proposed highway project. Furthermore, an unbiased presentation of the conclusions of INDOT's own results would show no significant difference among all of the alternatives in satisfying the DEIS's performance measures, including the No Build Alternative.

Significant amounts of information needed to adequately review and analyze this DEIS have been denied to the public. Until this missing information is supplied, and the comment period extended to allow adequate time to study it, this DEIS must not go forward.

The Tiering process is misused in this DEIS. Enough information must be supplied in Tier 1 to avoid "pointing a loaded gun" at an alternative that would prove unacceptable, for environmental or other reasons, in Tier 2. This DEIS frustrates a valid comparison of these alternatives due to incomplete and missing information on the environmental, social and economic impacts among the various alternatives

For these, as well as other reasons detailed in the following comments, we ask that this DEIS be withdrawn in order to correct errors.

**GENERAL COMMENTS**

Scaling the performance measure scores does not reduce confusion and simplify the analysis, as suggested in Appendix A, page A 1. It does just the opposite. It makes small differences appear large and leads to a misunderstanding of the actual variations among the alternatives. Public presentations using scaled values and rankings are used as a deceptive tool to promote INDOT's "preferred" alternatives. This is a misrepresentation of the actual results of the studies. This problem is magnified when abstract, indirect measures are scaled. For example, most viewers of the presentation on "accessibility" will have no idea what the numbers and graphs actually measure since they are based on modeling data they have no access to. But they will be led to believe that there are vast differences among some of the alternatives when in fact there is little difference. This results in a graph appearing to show little overall impacts due to I-69 on these resources. Interestingly, data for farmland, forest, and wetland losses is not similarly scaled. If the graphs for the

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performance measures had been set up this way they would have shown little difference among the alternatives (*See our comments sent in under separate cover with The Environmental Law and Policy Center, et. al.*)

The No Build Alternative is not properly studied in this DEIS. In essence, it was dismissed as an alternative. For example, Table A-16 in Appendix A, shows a zero for the No Build Alternative on "All Personal Accessibility Measures". What does this mean? Is there not a current level of accessibility for the existing transportation system? Would that continue even if the I-69 extension were not built? Will not other planned transportation projects affect accessibility? In many other areas of this DEIS the No Build Alternative is dismissed without justification. NEPA requires a rigorous and complete analysis of the No Build Option. This DEIS fails to fulfill that requirement.

The only solution to the economic and transportation conditions set out in the DEIS is an interstate highway, thus eliminating all other transportation, and non-highway alternatives that would be more fiscally, socially and environmentally responsible. Such alternatives have been shown to be a much more efficient use of public funds. Improving and upgrading the existing highway network, as well as an analysis of non-highway options must be addressed in a supplemental DEIS.

The Study Area for this DEIS is too large. It includes counties that none of the proposed routes would traverse or be affected by. It also selectively omits data from the Indianapolis MPO counties when they do not support the predetermined picture of the Study Area that INDOT wishes to present to the public. This overly large area is covered in order to allow INDOT to pick and choose demographic data that suits its desire to show the need for another interstate highway in Southern Indiana.

There is a systematic bias against the US-41/I-70 option in this study. For example, under "Route Performance and Cost" is the statement: "Like the No Build Alternative, the major strength of Alternative A was its relatively low cost (pg. 3-15)." (*Note: Alternative A corresponds to Alternative 1.*) Besides being prejudicial, this is in fact untrue, as a correct interpretation of INDOT's own data shows. None of the alternatives show large increases over the No Build in performance measures. Cost and environmental impacts are the major differences among the options and on these measures Alternatives A and the No Build Alternative scores the highest.

The DEIS selectively assigns "committed" projects to the No Build Alternative. The widening of I-70 and the construction of the 641 bypass around Terre Haute are "committed" and assigned to the No Build Alternative, but "committed" projects on SR-37 are not assigned to the No Build Alternative. All of these projects are in INDOT's Long Range Plan. The result of this inconsistency is to diminish the performance of the US-41/I-70 option but not the performance of the routes using SR-37. This unfair manipulation of the study must be corrected.

The public outreach program for this project, much flaunted by INDOT, was little more than a public relations campaign designed to sell the project to a skeptical citizenry. Its newsletter was strongly supportive of the project and its preferred alternatives. Only token representation of the opposition was presented. INDOT presentations at public meetings and hearings were little more than PR events. Meanwhile, overwhelming opposition to the entire project or support of Alternative 1 was publicly dismissed by Commissioner Nicol as irrelevant. INDOT's Issue Involvement Team (IIT) was also a PR ploy. It was intended not so much to involve citizens in the process as to allow INDOT to falsely claim the public was involved. In reality, the IIT played a meager role in the process

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and its influence was negligible. For these reasons, our organization, as well as others, withdrew after a few frustrating meetings. We felt we were being used to promote a project that we strongly opposed.

The DEIS information on INDOT's website was not accessible to many people. We received many complaints that files could be downloaded but not opened, and it could take hours trying to download maps. We were never able to open many DEIS files.

INDOT's prohibition of signs in meeting rooms is discriminatory and possibly illegal. Such behavior is allowed under the First Amendment to the U.S. Constitution. INDOT's intention is to stifle dissent and control all aspects of the public hearings in contempt of the democratic process.

**Chapter 2 – PURPOSE AND NEED**  
**General Comments**

This Purpose and Need Statement (P&N) has several underlying goals:

- 1) It attempts to show, by highly selective use of data, that SW Indiana is economically depressed due to a lack of transportation facilities.
- 2) It then presents as the **only** solution to these contrived needs, a Canada to Mexico NAFTA interstate highway (Corridor 18).
- 3) It attempts to present all of its "preferred" alternatives as similar in their ability to satisfy the performance measures for the project, thereby allowing INDOT to choose whichever route it wants based on political considerations.
- 4) It systematically, by rigging the analysis, sets out to eliminate Alternative 1 as a reasonable option.
- 5) By the use of statistical manipulation it exaggerates the presumptive benefits of a new highway.

In addition, this P&N statement has many other problems. It does not compare counties on interstates with counties not on interstates. Such an analysis would likely show that interstates are not predictive of success in the measures studied. It shackles Alternative 1 by not including full benefits of the 641 bypass around Terre Haute and an upgraded I-70. It selectively includes or excludes counties in the Indianapolis MSA depending on how it wants to skew the data.

**Corridor 18**

Although Congress has designated Corridor 18 (Corr 18), a proposed interstate connecting Canada and Mexico, as a "high priority corridor", it has also stated that no state is required to complete its portion of this project (pg. 21). There are numerous Canada-Mexico interstate routes currently in use and NAFTA trade is ongoing and not hampered by the lack of another interstate highway. Furthermore, the relevance and need of Corr 18 for Indiana has not been shown.

Nor does the DEIS explain the need for Corr 18 other than to say it has been designated as a goal of Congress. The goals given for Corr 18 are purposes, not needs

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(pg. 2-5). One could present purposes for many projects without showing an actual need for them. The main purpose of providing an improved link between Evansville and Indianapolis which strengthens the transportation network and supports economic development in SW Indiana can be achieved without Corr 18 (pg. 21).

It is important to remember as the DEIS notes that Indiana is not required to complete I-69 (Corr 18) through the State. INDOT's decision to include the I-69 extension from Indianapolis to Evansville as a core goal is therefore arbitrary.

Since INDOT has utterly failed to show a compelling need for I-69 through Indiana, this goal should be removed from the DEIS.

The main performance measure supporting the Corr 18 core goal is truck Vehicle Hours Saved (VHS). Minutes from an MPO meeting, Nov. 2001, Appendix Y states that the truck VHS will be greatest for alternatives using SR-37, and that this is due mainly to diversion of traffic from I-65 south of Indianapolis (pg. 8). Comments from this same meeting also state that this diversion is "...only tangentially related to the objectives of this study." Yet the DEIS bases its ratings of the alternatives for the Corr 18 goal on this measure.

Since there are only slight improvements in truck VHS for any of the alternatives, and this measure is only a tangential result of this project, the entire performance justification for the Corr 18 goal is unfounded.

Nor does the completion of Corridor 18 require an all new interstate. Indeed, the February 2000 Corridor 18 Purpose and Need Document defined "overall goals" for I-69. Goal 6 states: "To upgrade existing facilities to be utilized as I-69 within the corridor to design standards suitable for an interstate highway and commensurate with projected demand (pg. 2-5)."

The state of Kentucky has decided to upgrade its existing parkway system to accommodate I-69. (See: *Evansville Courier & Press Western Kentucky Bureau 25 Feb. 02 and Indianapolis Star, 4 March 02*). It is important to note that Alternative 1 could be upgraded to satisfy Corr 18 at far less cost and fewer environmental impacts than any of INDOT's "preferred" alternatives.

It should be noted that labor costs overwhelmingly outrank infrastructure when it comes to location choices made by multi-national corporations. The Toyota truck manufacturing plant in Gibson County did not locate in southern Indiana due to its proximity to I-64 any more than RCA relocated to Mexico because of its good limited access truck highways. Toyota came here because labor and land are cheaper here than they are in Japan and because they were given huge economic incentives by the state.

It should also be noted that many manufacturing companies are now leaving Mexico because even cheaper labor costs can be found in Asia (*AP, 29 Oct. 02*). The current and future needs of another Canada to Mexico highway based on changing economic conditions should be studied before large sums of money and resources are put into a project that may be unneeded

Figures 2-3 and 2-5 show a new terrain route for the proposed I-69. Figure 2-5 even shows a connection with US-231. This indicates an inherent bias for a new terrain route for I-69.

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According to Figure 2-4, SW Indiana has few areas designated as "Economic Centers for Transportation Planning." Of these Vanderburgh and Dubois are already linked by I-64 and Vanderburgh and Vigo counties are linked by US-41. A north-south link will be achieved by completing the planned upgrade to US-231 from I-64 to I-70. Choosing US-41/I-70 for the I-69 extension, along with some improvements to SR-37, would fulfill the goals of INDOT's Highway System Policy. This would also fulfill INDOT's stated desire to select investments that "offer the best value" and to protect the environment.

Although INDOT attempts to show a lack of connectivity between Indianapolis and Evansville, it also admits there is no standard by which to judge how much connectivity is needed: "There is no recognized transportation industry standards suggesting by how much this connection should be improved (pg. 2-13)." Therefore, it cannot be assumed that an interstate highway is necessary to improve access between Indianapolis and Evansville. Furthermore, INDOT's discarding of non highway alternatives is based on a desire to complete Corr 18, which it is not required to build.

Another advantage of using the US-41 corridor would be reduced travel time from SW Indiana to NW Indiana. Improved access to the Gary-Hammond area and Chicago, as well as improved access to Indianapolis magnifies the benefits of Alternative 1. This advantage should have been addressed in this DEIS.

### **Travel Time and Distance**

INDOT did not choose the shortest route between Indianapolis and Evansville for its No Build Alternative. That would have been SR-57 to SR-231 and SR-67 to Indianapolis. Instead it chose US-41/I-70 as the No Build Alternative to compare the other alternatives to. Using the SR-57/231/67 would have demonstrated a better existing route and less time and distance savings by the new routes. INDOT should use this shorter route as the No build alternative for its analysis. (*Note: footnote 8, on page 2-12, is confusing. It reads: "Due to the planned construction of new project - e.g., SR-641 - Terre Haute bypass - some of the shortest time paths will change in the future."*). Was the SR-641 bypass included in the *No Build* calculations, as stated elsewhere or not (pg. 3-21)?

The methodology used to rate cities on access to Indianapolis is arbitrary and misleading. Its sole purpose is to make the access between Evansville and Indianapolis appear poor. Contrived data such as this serves to discredit the entire analysis.

It appears that the time savings benefits to trucking were not properly analyzed and may have been inflated. Truck hour benefits should be discounted at approximately 7% over 25 years. If there is no congestion, as in this case, then time savings benefits to businesses are insignificant, pennies per load on a trip from Indianapolis to Evansville. Reliability is more important than time savings for businesses. Also, time saved for businesses means lost wages to drivers; thus, this is not a societal benefit. A risk factor should also be included in the analysis, usually by adding to the discount rate.

### **Accessibility**

Methods used to determine accessibility appear arbitrary and are not predictive. For example, for all of the measures shown on the maps (Figs: 2-12,2-13,2-14,2-15,2-16,2-17) the existence of an interstate highway does not show improvements to the measures studied. Evansville has interstate connections to Louisville, Kentucky and

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St. Louis, Missouri yet the maps show low accessibility in the regions served by these interstates.

In Figure 2-17, NE Indiana with I-69 running through it, is no more accessible to Indianapolis than SW Indiana.

*(Note: Accessibility Index charts, Figure 2-17, showing high to low levels are incorrect; the high and low colors are reversed.)*

**Congestion**

Excluding the counties in the Indianapolis Metropolitan Statistical Area (MSA) from this analysis ignores existing problems and dodges the impacts a new I-69 will have on traffic in this area, especially on I-465.

Outside of the Indianapolis MSA, there is no overall congestion problem in the Study Area, Tables 2.4 and 2.3. These tables also show that congestion is not predicted to be a serious overall problem in the study area in the foreseeable future. Local congestion problems can be solved without I-69. There is inadequate data showing what congestion problems will be created with the proposed I-69 extension. Further analyses should be done, especially for I-465 and I-70 as well as for the Evansville area.

INDOT has already stated that it is only studying a new interstate for this project, therefore improvements to the transportation system other than simply building another major highway were not studied. Such improvements would have a greater impact on congestion management at far less cost and far fewer impacts on the environment.

**Safety**

Safety data did not show actual numbers but only rates and general statements. This has led to erroneous conclusions about the actual safety problems in SW Indiana.

Crash rates in urban areas with lots of traffic have consistently higher accident fatalities and injuries. The correlation between traffic volume and numbers of accidents is ignored by INDOT. Rates can be very misleading, e.g. Table 2-5, does not explain the high accident rate on Marion County interstates. Data in Table 2-5 is over 10 years old. Are these numbers still accurate?

It cannot be assumed, as this study appears to do, that building another interstate highway through the area will result in fewer accidents. This assumption must be carefully documented. For example, what will be the impact on safety and travel efficiency of building another interstate through already congested, unsafe areas, such as around Indianapolis? Also, before and after data is available for areas that had interstates built through them. That data should be included in this study.

Numerous road closings will necessitate more travel on local roads that INDOT already considers unsafe. How will this change accident rates?

INDOT's safety analysis apparently does not account for induced travel. Increasing Vehicle Miles Traveled (VMT) will increase the number of accidents, even though the rates may not change. Appendix A (pg. A28) Table A 24 predicts only light reduction in fatalities over 20 plus years. It is clear why safety is not a core goal--INDOT cannot show significant

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improvements in safety attributable to the construction of I-69. Unfortunately, this table does not show what area of the state these numbers refer to.

Besides these comments, we refer INDOT to our previous comments on the subject of safety in our Purpose and Need analysis (*The Untold Story*. Sept. 2001).

**Economic Conditions**

INDOT's continued reliance on an inappropriate USDA study indicates a lack of data to support its claim that SW Indiana is economically depressed. Many economically stressed counties in the state are already on interstate highways. Proposing another interstate highway to help the economies of rural counties is little more than a shot in the dark. Nearness to an interstate highway is not predictive of overall economic well being.

**Population Growth**

As shown in Figure 2-22, the study area is growing at about the same rate as Indiana as a whole. Lack of an interstate has not kept the population of SW Indiana from growing.

**Employment Trends**

Figure 2-23 is incorrectly labeled and does not correspond to the accompanying text. Employment in the Study Area grew at a slightly higher annual rate (1974-2000) than Indiana as a whole. Also employment in the 20 most rapidly growing industries is the same in the Study Area as in the State as a whole. Table 2-6 lists six counties in the Study Area with high unemployment; it does not mention the other 20 counties. INDOT also eliminates the Indianapolis MSA from the analysis. Its inclusion would have yielded a very different picture of the Study Area.

**Personal Income**

Use of the "Effective Buying Income" category is arbitrary and suspect. This is not a valid or widely recognized measurement tool. Increasing accessibility to urban areas through rural areas may drive down wages. A larger labor pool tends to reduce wages.

**Poverty**

Note that in Table 2-8, "Poverty Rates In Selected Study Area Counties", six of the twelve counties are on or very near an existing interstate highway.

The Study Area has relatively low actual numbers of people in poverty, even though the rates may be high for some counties. This is because largely rural counties have less population. Marion County alone has more people in poverty than the rest of the Study Area combined. Marion County also has lots of interstates. Also, counties along existing I-69 have high numbers of people in poverty.

**General Principles**

The explanation on pages 2-30 of how transportation and businesses interrelate is laughably simplistic. In fact, transportation costs are a small fraction of the cost of doing business.

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The International Economic Development Council( IEDC) was hired because it could be relied upon to back up INDOT's claims. Their analysis is not objective. Despite that, they didn't advocate for this highway or any interstate. It concludes that four-lane highways are important for economic development, not necessarily interstates. The IEDC was also scheduled to do a study on the cost of the I-69 extension but that study was never done. Why?

**Crane**

On anecdotal evidence Crane NSWF has been injected into the study as an important factor with little justification. This facility has survived many rounds of base closings and is not, by any measures, in danger of closing. Crane does not need I-69. I-69 needs Crane to try to justify itself. Crane was included in this study because the economic development groups in Greene and Monroe Counties wanted it included. As a contrast, thousands of citizen comments against building a new terrain highway, presented over twelve years, have been ignored.

Crane's relative isolation in this time of terrorist fears is a plus for the base; the weapons and munitions stored there are safer now than they would be with a Canada to Mexico truck corridor nearby. An article in *Land Letter*, October 31, 2002, states: **"Growing communities near military installations should take such facilities into consideration as they plan future land-use projects and growth patterns, according to a National Governors Association report. In fact, a top Pentagon official this week said communities who fail to do so could decrease the facilities' value, making it a prime target for closure in 2005."** It continues: **"DOD insists that urban encroachment, coupled with land-use limitations put in place by environmental laws, can adversely affect military training and readiness, especially as fighting continues in Afghanistan and the United Nations debates what to do in Iraq."**

Crane's physical product, military ordnance, is more safely and economically carried by existing rail infrastructure (which connects to all important national military installations) while its knowledge products are best carried by fiber optic cables.

**Chapter 3 – ALTERNATIVES**

Tiering is being abused by INDOT to avoid comparing alternatives on detailed impacts. Apparently, INDOT views this process as a test case for tiering (Appendix Y, MPO Scoping Meeting Feb. 23, 2000) for which INDOT says there are no specific guidelines. Failure to do a sufficiently thorough analysis now will lead to many problems in Tier 2.

Alternative A does not perform well partially because it already has good performance and upgrading US-41 will not add that much to it. Instead of viewing this as a plus it is downgraded. In fact, using US-41 and I-70 with the 641 bypass around Terre Haute would satisfy all of INDOT's performance measures and functions well on all core goals.

The No Build Alternative apparently is US-41 with the 641 bypass and I-70 . It is the benchmark against which the other alternatives were measured. Alternative A is only an upgraded US-41. For some analyses, Level 2, no part of the National I-69 project is assumed to be built, including Evansville-Henderson (pg. 3-21). In level 3 it is assumed to

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be built. INDOT can give no assurance when the entire Corr 18 will be built, if ever; therefore, any assumptions based on the completion of Corr 18 are not reliable.

On pages 3-27 this statement appears: "This section contains the performance measure and cost information for the level 3- Detailed Analysis of Five Alternatives." Why only Five? Was a level 3 analysis performed only on the five "preferred" alternatives and not on Alternative 1 or the No Build Alternative?

Routes 3B and 3C are essentially the same except 3C enters SR-37 south of Bloomington and 3B enters SR-37 north of Bloomington. Why then is there a difference of 14,000 people within one hour of Indianapolis for these 2 routes, 6,000 within 2 hours, and 50,000 within three hours? (Table 3-5 "Year 2025 Increase in Number of People within Given Proximity") Why is there a difference of 26,000 in the number of people within 30 minutes of a major metropolitan area? Similar discrepancies appear on other similar routes. This may be due to a "cliff effect" and can be very misleading.

According to Table 3-7, "Summary of Study Area Congestion Performances Indicators, by Alternative", all alternative performances are about the same. INDOT's interpretation of this data is unfounded (Summary, pg. 3-36).

INDOT's interpretation of Table 3-9, "Summary of Forecasted year 2025 Annual Crash Reductions, by Alternatives", also appears to be exaggerated. There is very little difference in fatalities and performance does not correlate with the amount of SR-37 used. For example, Alternative 5 used a much longer stretch of SR-37 than does 2C, yet its performance is similar.

According to INDOT's, business accessibility tables (Tables 3-11, 3-12, pg. 39) "...alternatives differ greatly in the additional markets which they open up to business. Generally, the Evansville region receives the greatest benefits, followed by either the Indianapolis or Bloomington region (pg. 3-41)." This indicates that most of the rural counties in the study area will benefit little from the I-69 extension on this performance measure.

As the DEIS points out, "Changes in roadside business sales give an estimate of what will happen in the immediate vicinity of where the highway would be located (pg. 3-45)." However, most of the gains (or losses) would be offset by opposite changes elsewhere in SW Indiana. These are called "transfer effects" and indicate that for these sales there will be little overall improvement within the study area. Also, in Appendix W (pg. 3) under the heading "Localized Impacts", the DEIS states: "Overall, little or no **net** impact on sales in the study region would be expected as a result of traffic changes due to the highway project".

The factors listed on pages 3-29 are peripherally related to the project goals but are not project goals in themselves; however, they appear to become so for some of the alternative routes, e.g., Service to Bloomington, Service to Crane, Service to SR-37. Elevating these "factors" to the level of project goals disturbs and biases the alternatives analysis for this project. Alternative 1 cannot satisfy these factors and is put at an unfair advantage. The importance of these "factors" is stated in several places in this DEIS (e.g., pg. 3-55). This is an unfair distortion of the alternatives analysis.

The benefits of an improved US-41/I-70 are not all counted because the DEIS rigs the analysis to downplay the value of that alternative. It does this by ignoring the improvement of the entire route and only counting the improvements due to upgrading

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US-41. Since the 641 bypass and I-70 improvements are considered "committed projects" their benefits are ignored for Alternative 1. The same approach is not used for SR-37 where several ongoing and planned improvement projects are **not** counted as "committed projects". If they were, the benefits of I-69 for the alternatives that use SR-37 would be lessened, as was done for Alternative 1. This clear bias must be corrected. Also, improved service to Crane is already in INDOT's Long Range Plan: "US-231 is part of the National Highway System, and is likely to be upgraded to 4 lanes by the time I-69 is constructed (pg. 3-57)."

As calculated using Table 3-25 the number of jobs predicted due to INDOT's "preferred" alternatives are minimal (pg. 3-45). They range from 4.1 to 6.6 per county per year over a 25 year period. It is unclear from this chart if the DEIS factored in the transfer effect of jobs lost on US-41 if a "preferred" alternative is chosen. This illustrates why job creation is not a core goal of this project, and why the economic benefits of the project are exaggerated.

In the areas of Business Accessibility, Long-term Economic Growth, and Personal Accessibility, the DEIS may be double counting benefits. Are benefits counted for Corr 18 counted again in benefits to local and regional economies?

The statement, "There has been considerable anecdotal testimony offered which states that the loss of young workers due to lack of economic opportunity is a major factor limiting economic growth in SW Indiana (pg. 3-48)" is totally unsubstantiated and irrelevant. As shown in Table 4-4 "Age Distribution" there is a higher percentage of people in the 18-64 category in the study area than in the State as a whole. *(Note: using anecdotal hearsay from supporters of a new I-69 but ignoring voluminous, documented information by opponents indicates INDOT's bias in this study.)*

The use of "Transfer Payments" as a future economic indicator is likewise nonsense. What do veteran's benefits and disability benefits have to do with building a new interstate highway? Doesn't Marion County with all its interstate highways have more of these payments than any county in rural southwest Indiana?

The Daily Truck Hours Saved performance is biased against Alternative 1 because it calculates savings over the No Build Alternative. This means only the benefits of an improved US-41 are counted, not the benefits of the 641 bypass or improvements to I-70.

As shown in Table 3-34, Operations and Maintenance costs for Alternative 1 are significantly less than all other alternatives.

### **Intermodal Connectivity**

Alternative 1 scores low even though it connects to the Indianapolis airport and the CSX Avon Freight Terminal. This is because these facilities are along I-70 and Alternative 1 benefits appear to be based solely on improvements to US-41.

## **Chapter 4 – AFFECTED ENVIRONMENT**

Although the GIS information was used extensively in this DEIS, the digital route overlays were withheld from the public. Therefore, it is not possible to verify or contradict the DEIS's GIS data. This makes much of this study unverifiable and questionable. All of

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the GIS data should be released and the comment period extended to allow citizens and agencies to do an adequate review of the DEIS.

Since the "build" alternative will be based on a corridor, not just a working alignment, entire corridors should be studied in detail in Tier 1, not just the working alignments (pg. 42). The analysis of working alignments done for this DEIS was too restrictive.

The DEIS's study of karst areas was very incomplete. Many karst features were missed and the potential impacts of highway construction through the karst areas was superficial. We refer INDOT to comments on this subject submitted by Mr. Gary Milhoan to Commissioner Nicol.

One of the basic tenants of the Karst Memorandum of Understanding (MOU) is to "avoid karst areas and use alternative drainage where possible." There are alternatives that do not cut through karst areas, e.g. Alternative 1.

As shown in Table 4-2, "Population Growth" the population of southwest Indiana, with and without the Indianapolis MSA counties, is growing. It is important to understand that rapid growth is not necessarily good or desirable. Age distribution in the Study Area is very similar to the State as a whole (Table 4-4, pg. 4-22). Simply to say that parts of the Study Area are not growing as fast as other areas is meaningless. To promote growth for the sake of growth is not a valid purpose for this project.

As shown in Table 4-7 "Education", the percent of the population within the Study Area in the various education levels corresponds closely to the State as a whole. The Study Area is approximately one third of the state and it has approximately one third of its population in each education level.

Employment growth in the Study Area, as shown in Table 4-8, is the same as the rest of Indiana. Even excluding the Indianapolis MSA, employment is growing significantly in SW Indiana. This is confirmed in Table 4-9. (*Note: this data appears to contradict Figure 2-23. Which is correct?*)

In the *Regional Economic Needs Analysis*, data from the Indianapolis MSA is excluded in some calculations. The DEIS states that this is because "...the hoped for economic impacts of the project are not directed at the Indianapolis region, but rather at the area in SW Indiana that lacks adequate highway access." This is a very prejudicial statement. It appears to rule out Alternative 1 as a viable option. What is the definition of "adequate?" Also the DEIS acknowledges that many of the economic benefits of an I-69 extension on the "preferred" routes will go to the Evansville, Bloomington, and Indianapolis regions (pg. 3-39).

Per Capita income in the Study Area, even excluding the Indianapolis MSA, is similar to the rest of the state (Table 4-10). There is only about a 5% difference, and this does not account for cost-of-living differences. Cost-of-living differences are not mentioned in this study.

As the DEIS shows, there is no lack of Colleges, Universities or airports in the Study Area.

Hospitals: The DEIS says that: "A four-lane interstate would provide a safer and faster transport for patients (pg. 4-27)". This is irrelevant. Most critically injured patients

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are transported by Lifeline Helicopter Service. In other cases, speed is not necessary and in rural SW Indiana highways are safer than in many other parts of the state.

According to information derived from the DEIS, approximately 93 to 143 local roads will be permanently closed, depending on the alternative chosen, due to the construction of this limited access highway. This will have a major impact of local transportation, local businesses, emergency vehicle service, school bus routes and safety. The social and economic impact of these closings has been inadequately addressed in this study. The impacts to the Amish community that some of the routes would traverse would be especially disruptive.

## **Chapter 5 – ENVIRONMENTAL CONSEQUENCES**

Because INDOT has refused to release the digital route overlays for the GIS Study, we were unable to verify INDOT's data for indirect impacts.

The potential number of interchanges is on the high side (pg. 5-4). How does this affect other calculations, e.g. economic impacts? Accessibility? It also may give a false sense of access to local communities that could be potentially cut off. The number of acres per interchange (10 acres, pg. 5-4) also seems low, especially where I-69 will connect with I-70, I-465 and I-64. Because specific number and locations of interchanges will not be finalized until Tier 2, this information cannot be used to compare alternatives in Tier 1.

Indirect land use impacts, appears very low (Figure 5.2-2, pages 5-8). The Toyota plant site in Gibson County has taken more than 1000 acres. Yet 1300 acres is the maximum projected indirect land use for any of the alternatives. Low indirect land use implies low economic development from I-69. The DEIS states that most indirect impacts and land use change will occur along SR-37 and SR-57 (pg. 5-11). Again, this implies that most future economic development will occur in those areas, not in other rural counties.

As the DEIS states impacts to karst areas caused by indirect private development that follows the new highway could cause problems (pg. 5-13). INDOT disavows responsibility for these secondary and cumulative impacts. Alternative 1 does not impact karst areas so INDOT has an option to avoid these sensitive areas, as recommended in the karst MOU.

Right-of-way and relocation costs are underestimated based on the statement on pages 5-15. Indeed, utility relocation costs have not been included, ROW and proposed interchanges have been estimated only. There is no mention of grade separation costs. Relocation costs are general and based on a "field survey" only. Mitigation costs are unknown but will be significant. Land values are generally underestimated. It is clear that the actual cost of this highway will far exceed the current estimates, as is typical for projects of this kind ( See: "*Underestimating Costs in Public Works Projects, error or lie?*" *American Planning Association Journal, Summer 2002, Vol. 68, No 3*).

### **Traffic Impacts**

It is unclear which scenario this DEIS used to calculate Table 5.8-1: "Year 2025 Percentage change in VMT on Major Corridors." Was induced and national/international travel included? Level of service (LOS) on I-70 is already "C" without adding travel lanes. Why is adding travel lanes a necessary project for the highway? According to the DEIS, "LOS C is better than accepted planning LOS Standards for urban interstate (pg. 5-43)."

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For Alternatives 2C, 3B, 3C, and 4C traffic on segments of I-465 would increase significantly (Table 5.8-1). The DEIS assumes this will be mitigated by making I-465 ten lanes; however, there is no indication when that widening would occur. If an acceptable LOS on I-465 depends on lane additions then the cost of that widening must be at least partially attributed to the I-69 project. Without the I-465 widening traffic congestion would increase on that highway with the I-69 increases.

None of the major corridors along the preferred alternatives would lose large amounts of traffic if alternative 1 were chosen for I-69. The opposite is not true for US-41 (Table 5.8-1). The businesses along US-41 would suffer disproportionately if one of INDOT's preferred alternatives is chosen.

This DEIS tries to have it both ways when considering increase in traffic due to I-69 and economic development. Pages 5-46 claim that in the 26 county study area VMT would be less than 1% due to I-69 yet elsewhere in the DEIS it implies effects on the regional and state economy would be significant. However, the DEIS states: "These model tests lead to the conclusion that the combined traffic effects of national I-69 travel and new economic development on the highway network would be minimal (pg. 5-41)." This DEIS has not made the case that these apparently conflicting outcomes are verifiable. This is another example of how this DEIS downplays the negative impacts of the I-69 project and exaggerates the benefits, making its conclusions unreliable and suspect.

The DEIS states that the I-69 extension would have little impact on the VMT for I-65 – 4% to less than 1% diversion of traffic (pg. 5-44). Yet other parts of this DEIS claim that this diversion would have major impacts on NAFTA truck traffic flow for some alternatives (pg. 3-50). Since alternatives were scored very differently on this core performance measure, this apparent contradiction must be better explained. In fact, there seems to be little difference among the alternatives for this measure.

### **Air Quality**

No detailed local air quality analysis was done for the DEIS (pg. 5-47). Documentation of the claim of no significant impacts on air quality is assumed but will not be addressed until Tier 2 (pg. 5-52). This is not acceptable. This air quality analysis is based on VMT but this data is not given. Until the DEIS states the actual VMT predictions this analysis cannot be verified. Simply stating that the data comes from a model does not satisfy the need for the public or policy makers to confirm that INDOT's predictions are credible.

Labeling and explanations of Tables 5.9-1 and 5.9-2 are inadequate. Are these predicted levels over the baseline? There is virtually no difference in the predicted emissions amounts among the alternatives. This would indicate no difference in the expected traffic volumes among the alternatives. Likewise, Tables A-13 and A.14, Appendix A show little difference in the actual percentages of predicted vehicle miles and vehicle hours of travel (VMT & VHT) on major highways in the Study Area. This does not correspond to the DEIS's predicted improvements in economic activity for the various alternatives. Also, Alternative 1 has less predicted traffic volumes but equal amounts of emissions? This must be explained.

The air quality analysis was done for Marion and Vanderburgh Counties only. What are the expected air quality impacts for other areas, especially those areas that currently have very clean air?

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**Noise**

It is indisputable that there will be widespread and serious noise impacts due to the I-69 extension through SW Indiana. These impacts will be especially severe and widespread in rural areas. Unfortunately, the DEIS downplays noise impacts in rural areas because fewer people will be affected. The DEIS makes no statement on the noise impacts to wildlife. Non-human noise impacts must be addressed.

The noise analysis was insufficient and arbitrary for the entire 26 county Study Area (Table 5.10-2). A ten minute reading of noise levels at 11 sites in the middle of the day in early June is hardly representative of noise levels throughout a 24 hour period or throughout the year. The readings are especially suspect since all "noise" is treated equally, e.g., the DEIS states: "Sound sources such as chirping birds, distant barking dogs, farm tractors in the background, distant thunder and the occasional car or truck passing along the rural road were not excluded from the sampling since these sources are considered part of the ambient noise environment (pg. 5-56)." To equate chirping birds in the middle of the day to heavy truck traffic at midnight is ludicrous. Also, the noise readings were apparently taken during the BLA/INDOT bus tour for agency personnel. This would also add to the noise level. If the reading were done in this way in order to increase the baseline for rural noise impacts it is deceptive and misleading.

A high baseline noise level means higher DBA's must be reached to achieve mitigation levels (15 DBA above baseline, pg. 5-54). In fact, the DEIS states: "To assess the relative impact of each alternative, the number of potential residential receivers within the 66 DBA zone in urban/suburban settings and the 65 DBA zone in rural settings was determined (pg. 5-57)." This means noise levels in rural areas must reach nearly the same level as in urban areas to be considered a problem, thus dismissing the importance of relative quiet in rural areas. Lower noise impacts have higher impacts in rural areas.

Noise mitigation for this project is unlikely, as shown on pages 5-68: For abatement measures to be undertaken they must be considered by INDOT to be "feasible and reasonable". The conditions set by INDOT before mitigation is required are unlikely to be met, especially in rural areas.

**Archaeology**

Please enter as comments the attached letter from consulting archaeologists Professors Patrick and Carol Munson. (Attachment C)

Figure 2 is not reliable or predictive.

More thorough methods than those used for this DEIS have been used elsewhere and are more predictive. These methods can be used without compromising the protection of sensitive archeological sites.

The Maryland Ridge potential historic district is divided by Alternative 3. See attached comments. (Attachment D)

The first meeting of all the Section 106 consulting parties was not held until May of 2002. This was very late in the development process and left insufficient time for potential Section 106 impacts to be adequately addressed by all parties. Also insufficient information was supplied for consulting members to verify the locations of potentially impacted historic

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sites in relation to the proposed alignments. For example, the Goss house near Paragon is within a proposed ROW but was not listed.

Figures 5.13-1, 2, 3, 4, and 5 appear to show far more potentially eligible properties for Section 106 designation than does Table 5.13-1. Why the apparent discrepancy?

Alternative 1 affects the fewest archeological sites (pg. 5-93).

The DEIS states that "creative mitigation" measures can be employed to reduce adverse effects on historic properties (pg. 5-95). What is "creative mitigation" and are those additional costs included in the cost estimates?

### **Mineral Resources**

Once again, lack of the digital route overlays prevents us from verifying the DEIS's data on mineral resource impacts. Until this missing information is supplied, this DEIS is incomplete.

For example, the DEIS states that Alternatives 3B and 4C do not cross any areas of potential limestone deposits, but figure 5.14-6 shows these routes crossing limestone areas (pg. 5-99). Also, the Indiana Geological Survey publication: *Geology for Environmental Planning in Monroe County, IN*, contains a map (Figure 7, pg. 14) showing dimensional limestone deposits from southern Monroe County to the north of Stinesville. Routes 3A,B,and C traverse this region. No dollar value is put on the resources that could be impacted by the various alternatives. Some of these resources, e.g. dimensional limestone, could increase costs considerably on some of the alternatives. The DEIS for the Southwest Indiana Highway Corridor, 1996, Appendix H, contains a letter from Norman Hester, State Geologist, in which he estimates the value of the dimensional limestone could be hundreds of millions of dollars, depending on the route chosen. The routes he referred to are similar to some of the routes in this DEIS.

Alternative 1 has no impacts on limestone resources (Table 5:14, pg. 5-96).

### **Visual Impacts**

Except perhaps to highway engineers and politicians, interstates are not pretty. Simply listing the places a new I-69 would pass through does not explain the very serious visual impacts this highway would have, especially in rural areas. As in other areas of environmental concern, Alternative 1 has the fewest visual impacts because it mainly uses existing four lane highways.

Excessive lighting would also impact the visual enjoyment of the night sky. The economic impacts of loss of visual pleasure, as with noise impacts, can be considerable. This cost should be included.

Under the No Build option the value of the scenery will not just remain the same, it will increase. This should be calculated for this DEIS.

### **Hazardous Sites**

Bennett's' Dump is on the edge of the working alignment for Route 3B. Although it may not be directly impacted by construction, there may be underground contamination that could be disturbed and spread by nearby construction. This situation needs to be much

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more carefully studied. The simple dismissal of concern shown in the DEIS is careless and dangerous. In addition, and as the DEIS acknowledges, cleanup costs can be very expensive.

Alternative 3C has the most hazardous waste sites, Alternative 1 has the least.

**Threatened and Endangered Species**

Despite the DEIS's claim to have attempted to avoid threatened and endangered species, high quality natural communities and environmentally sensitive areas, many such areas are still impacted by INDOT's preferred alternatives. This is especially true of karst areas and the Patoka National Wetlands project.

All of the preferred Alternatives impact Indiana Bat habitat. Hibernacula are impacted on Alternative 3.

The karst areas along Alternative 3 have been poorly surveyed, if at all, and many karst features were missed and not shown on the Environmental Atlas. Potential impacts on caves, especially, is unknown. The area of sinking stream basins shown along route 3C is too small. We are aware of numerous springs and sinking intermittent streams not shown on the atlas. Many, many sinkholes were missed on Route 3 through Greene and Monroe Counties and in Owen County on Alternatives 2 and 4.

The karst study done for this DEIS is completely inadequate and will lead to serious environmental problems if a route through the karst areas is chosen. This amounts to "pointing a loaded gun" at an environmentally sensitive area, a practice very much discouraged by NEPA.

Table 5.17-1 is not complete, especially for bird species. The red-shouldered hawk, e.g., has nested very close to the center line in Alternative 3C.

There is no analysis of secondary impacts on threatened, endangered and at risk species. These impacts must be addressed in this DEIS.

**Wetlands**

We could not verify the DEIS's data on wetlands impacted because INDOT/BLA have refused to allow us to see the digital route overlays for the GIS data. Apparently, calculations of exact amounts of wetlands impacts was not done and is not known (pg. 5-142).

Table 5.19-1 estimates the amount of wetlands for mitigation but it does not show where they will occur, or how they will be constructed. The DEIS "anticipates" that the floodplain of the Patoka River will be bridged. This would be a very expensive project, especially since it would have to be built to withstand a major earthquake. SW Indiana is in the New Madrid Fault Zone and subject to major earthquakes. No estimate of the cost of this construction is given, nor is it assured that a bridge will be constructed.

Figure 5.19-4 shows only major wetland impacts; many smaller wetlands will also be impacted but are not shown. For this reason, it is highly probable that significant wetland impacts were not included.

Alternative 1 has the fewest impacts on floodplains and wetlands.

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**Agricultural Impacts**

Indiana is losing farmland at an unacceptable rate. From 1992-1997, 124,200 acres of prime farmland were converted to developed land. Indiana ranks second in the U.S. in the highest percent of prime farmland converted. From 1978-1992, an average of 88,714 acres of farmland per year have been lost to other uses (pg. 5-151). Comparable losses continue today.

The analysis of potential farmland impacts for this project did not follow the regular Farmland Conversion Impact Rating System (pg. 5-155). However, the methodology used was not explained, except to say it relied on the GIS data. Once again, this data cannot be examined as we do not have access to the GIS digital route overlays.

The crop output of farmland varies from year to year due to varied growing conditions, but the yield is generally upward over time. This variability is not noted in the DEIS. Indeed, this DEIS uses a three year period for determining crop yields that were some of the worst years for crop yields in many SW Indiana counties (1998, 1999, 2000). For some counties it was the lowest yields ever for corn and also low for soybeans. An eight to ten year average should have been used for crop yields in order to get an accurate picture of crop production.

Prime farmland along SR-37 must be included as such and not devalued because it may be taken at some later time for development.

The methodology described on pages 5-158 for farmland impacts appears to be flawed. The actual impacts on yields do not follow prescribed percentages and may vary widely, year to year and place to place, as shown in Table 5.20-3.

The DEIS's dismissal of farmland losses as a small percent of total farmland in the entire state is misleading. Local impacts will be significant not just because of the lost crop yields but also because of subsequent losses in related farm businesses. Road closings will also increase the difficulty and cost of farming and must be addressed in this analysis.

Secondary impacts must also be accurately estimated. Estimates of secondary impacts for this project appear unrealistically low. The Toyota industrial site in Gibson county took more than 1000 acres, yet the DEIS estimates a range of 955 to about 1200 among all its preferred alternatives for the entire route from Indianapolis to Evansville. In fact, the preferred alternatives of this project would take more farmland, directly and indirectly, than any other project proposed in the state. Denying this serious loss, in light of Indiana's continuing high losses elsewhere, indicate a reluctance to admit the seriousness of the impacts of this project on Indiana's farming economy.

Agricultural land values of \$1288 to \$4369 per acre are very low (pg. 5-152). More realistic values would range for \$4000 to \$10,000 per acre in Monroe County and much higher in Morgan and Marion counties. Farmland prices in rural agricultural counties to the south are more in the range of \$3500-\$4000 per acre. Current land value appraisals must be used for accurate and realistic estimates.

As noted in DEIS "Agricultural impacts in the form of permanent conversion of farmland to non-farmland use generally cannot be mitigated easily by the creation of new farmland elsewhere (pg. 5-167)."

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Alternative 1 has the fewest impacts to farmland.

**Forests**

As the DEIS correctly states, "Impacts to forests resulting from the proposed project could be significant, depending on the alternative selected (pg. 5-169)." In fact, all of INDOT's "preferred" alternatives will have more impacts on forest resources than Alternative 1.

Table 5.26-3 shows exactly the same amount of estimated forest acreage in SW Indiana in 2025 for all alternatives except Alternative 1. Alternatives 2-5 each show a loss of exactly 1500 acres. This table shows significant variation among the routes for direct and indirect losses of forest land, yet the DEIS apparently assumes no long-term variations. This overly simplified, generalized analysis is highly unrealistic.

The DEIS data on forest impacts could not be verified because we have been denied access to the necessary GIS data.

Alternative 1 has the least impacts on forest resources.

Mitigation plans for loss of forests are totally inadequate. There are no ratios given and no indication where mitigation might occur or when, and no cost estimates are given.

Increasingly rare and valuable core forest habitat would also be disrupted. There is virtually no way to mitigate this type of loss and its impacts on wildlife, including Threatened, Endangered and At Risk species. Habitat loss continues to be one of the major factors in the decline of many species of plants and animals in Indiana. The treatment of forests impacts for this DEIS is very inadequate, contradictory and generally unreliable.

**Water Body Impacts**

"Alternative 1 crosses the least amount of Open Water Habitat and is similar to the other alternatives for number of crossed perennial and intermittent streams (pg. 5-175)." However, INDOT's preferred routes would cross streams in new locations, whereas the crossings on US-41 already exist. Alternative 3 also crosses extensive karst areas with the potential for serious negative impacts on water quality. There would be no karst impacts on Alternative 1. The existing bridges on that route would be modified and utilized (pg. 5-178).

**Ecosystem Impacts**

All of INDOT's preferred alternatives have core forest impacts (pg. 5-195). These areas are especially valuable and increasingly rare and should not be disturbed.

Alternative 3B's impact on Garrison Chapel Valley has not been adequately addressed. This sensitive karst area with known Endangered species must be more thoroughly studied.

Alternative 1 has no impacts on core forests.

Subsurface drainage areas are impacted by Alternative 3B and C. These crossings occur in areas other than along SR 37. For example, Alternative 3 crosses sinking stream basins not shown on the Environmental Atlas. These drainage patterns should be studied now and not put off until in Tier 2. Serious consequences to water quality could result from

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construction in these areas that many not be mitigable. Many people in these areas rely on wells for their water supply and these may be threatened.

GIS data for analyses of these sites was not verifiable because the digital route layers were withheld from the public.

**Water Quality Impacts**

The analyses of pollutants in highway runoff was based on one 1981 study that is out of date and unreliable (pg. 5-204). This highway will be a major truck corridor and hazardous materials route. Twenty-year-old studies are not adequate for this project. Many current studies on the impacts of highway runoff are available and should be used. This problem is especially significant in karst areas where runoff and accidental spills will be a major concern.

The analysis of runoff impacts in this DEIS is inadequate. This section should also address the potential for accidental spills, especially in karst areas and how they will be handled.

**Cumulative Impacts**

Cumulative impacts on rivers and streams, karst areas, wildlife, including at risk species, must be included in this Tier 1 study. The percent of wetland losses are based on acreage in 1980. What is the current acreage of wetlands?

Figure 5.26-7 is misleading. It appears to show all route alternatives having essentially the same amount of "other" losses of farmland. This must be explained as it seems rather improbable. Alternate 1 uses existing highways where many of the farmland impacts could be expected to have already occurred. The other routes use mostly new terrain so more additional losses are expected.

Figure 5.26-4 has no predicted forest acreages for 2025. However, pages 221 and 223, and Table 5-26.3 indicate very low impacts to forest land from I-69 over time. For routes 2C, 3A,B, and C, and routes 5A and 5B, Table 5.26-3 shows forest land increasing over the losses due to I-69. These optimistic projections are unfounded. Although forest losses declined in Indiana over a period of years they are once again increasing.

The DEIS assumes farmland will continue to be lost at the same rate in the future as it has been in the past (pg. 221). This assumption may not be justified as concern for farmland loss is growing. This concern for loss of farmland is one of main objections to INDOT's preferred alternatives for I-69. The *Hoosier Farmland Preservation Task Force Final Report*, 1 January 1999, is an indication of the growing concern for the loss of farmland in Indiana.

Cumulative effects of salt and other pollutants over time must be addressed in this DEIS, especially in karst areas.

Depending upon the alternative, anywhere from around 100 to 150 local roads will be closed because of this project. The cumulative impacts of these closing on local communities has not been thoroughly studied. Increases in energy use (fuel), safety impacts as well as economic impacts due to road closing must be studied and shown for this project.

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**Energy Impacts**

The differences between Alternative 3C and 3B in Table 5.27-1, "Additional Energy Consumed", is suspicious. These alternatives are essentially the same as most of the route and enter SR-37 only a few miles apart. This difference must be explained. Is it once again due to the cliff effect?

The DEIS lists noise, visual impacts, impacts to wildlife, wetlands and forest, as well as home and business relocations as "temporary" (pg. 5-228). In fact these disturbances are permanent.

An Amish settlement occurs along Alternatives 3 and 4. This district may be eligible for the National Register. The DEIS acknowledges that "intensive research must be conducted" to determine the viability and boundaries of the district. Although the DEIS stresses the paucity of historic buildings, this area may be a traditional cultural landscape rather than an historic district. Consideration of the impacts on the Amish settlements along Alternatives 3 and 4 are inadequate.

**ENVIRONMENTAL ATLAS**

There is much useful information in the GIS overlays of the aerial photos; however, because the digital route overlays were withheld, the GIS as a whole is essentially worthless for confirming the impacts given in the DEIS. Failure to release these vital overlays prevents a thorough review of the GIS and the entire DEIS. Why is this information being withheld? What is INDOT hiding?

The portion of Route 3C from where it separates from 3A and 3B until it connects to SR-37 is a heavily karstic area. There are numerous sinkholes, sinking streams, and springs in the area that are not shown in the Environmental Atlas. The same is true of 3B from where it separates from 3C until it connects to SR-37. Because these karst areas have been poorly surveyed, many karst features were not recorded and therefore these areas are not correctly characterized for these features. These omissions will cause serious problems and delays if route 3C or 3B is selected for the I-69 extension. This will also greatly increase the cost of building through these areas. Karst areas on Alternatives 2 and 4 in Owen County were also missed.

Many small cemeteries were omitted from the Environmental Atlas for routes 3A, B and C. Other larger, clearly visible cemeteries are shown on the Environmental Atlas as being directly in the ROW, e.g., the Storm Cemetery (Sec. 36, Center Township, Greene Co.) is shown in the Atlas as directly on the centerline where a bridge will cross Indian Creek. There are 75-100 tombstones in this cemetery, three of which are for veterans of the Revolutionary War. This cemetery is located in a place where the working alignment is narrowed to cross Indian Creek so there is no wiggle room to avoid the cemetery on this alignment.

Many newer homes are not shown on the Environmental Atlas and were apparently not included in the impacts for the preferred atlas. We were unable to check this carefully because we did not have access to the digital overlays for the GIS.

Because of the poor quality of the aerial photos many local roads could not be precisely located. Since many of these roads will be closed their location must be clearly shown to assess the impact on communities and local travel.

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**Chapter 7 – MITIGATION**

This chapter on mitigation of impacts is so vague and general that it is virtually worthless. No mitigation is assured. Although some specific measures are listed they are qualified by statements such as: "In the Tier 2 NEPA studies, the mitigation identified in Tier 1...will be refined with greater detail (pg. 7-11)."

Mitigation of impacts "where reasonable" is a phrase read often in this document. E.g. under "Noise Impacts" the document states: "Once highway noise impacted sites have been identified, they must be further evaluated to determine whether abatement is both *feasible* and *reasonable*." The document then gives a long list of criteria for what is feasible and reasonable, but nothing will be decided until Tier 2.

Under Water Quality Impacts many of the mitigation measures are qualified, e.g. "... cross rivers and streams at their narrowest floodway width, and reduce the number of stream relocations and floodplain encroachments **where reasonable** (*emphasis added*) (pg. 7)."

"3... disturbed in stream habitat should be returned to its original condition **when possible** upon completion of the construction in the area."

"4... **minimize** tree clearing near streams and rivers."

"5...avoid wetlands **as much as possible**..."

"8...avoid sinking basins and sinkholes **as much as possible**..."

Impacts to floodplains will be "minimized, when reasonable..." by design practices. But there is no detail or assurances.

Under "Water Body Modification" the DEIS states: "Best Management Practices (BMP) **should** be used to avoid and **minimize** impacts to rivers and streams." No assurances.

For Section 106--Historic Resources, the DEIS says that mitigation will be "considered" for 106 sites. Again, no assurances. In fact, most if not all, mitigation decisions are relegated to Tier 2, so there is little basis for determining what will actually be done.

Although INDOT states it will follow the *Memorandum of Understanding* for karst areas and wetlands, these measures apparently will not be in force until Tier 2. The karst MOU states, "INDOT in cooperation with the IDNR, IDEM, and USFWS shall determine the location of sinkholes, caves, underground streams, and other related karst features and their relationship prior to proposed alterations or construction in karst regions of the state...the choice of the consultant retained by INDOT will be subject to the review of IDNR, USFWS and IDEM (Item 1, pg. 1)." To date, this has not been done. As a result, many karst features have been missed and comparison of alternatives with regard to karst impacts cannot be verified.

The karst MOU further states: "The interest of INDOT is to avoid karst areas and use alternative drainages where possible." Since Alternative 1 does not disturb karst areas, karst impacts can reasonably be avoided.

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There is no mention in the DEIS of compliance with the Federal Cave Protection Act which may be relevant here.

Although the DEIS states that the MOU for wetlands will be followed, there are no details as to where the mitigation of wetlands will occur. In some instance (Appendix Y, letter from IDNR dated 16 July 01) there is an indication that replacement of wetland losses may occur far from the areas where the loss occurs. However, Natural Resources Commission Information Bulletin #17, Subject: Wetlands & Habitat Mitigation states: "The standard minimum ratio may be increased if replacement does not occur on the same stream or within a 2.5 mile diameter of the disturbed site." Also, on pg. 4 of this document is the statement: "mitigation outside of the 8 digit hydrologic unit will likely be denied." Does INDOT intend to follow these rules? If not, are the wetland mitigation measures discussed in this DEIS credible?

The first item in the MOU for wetlands states: "INDOT will utilize the Federal Manual for Identifying and Delineating Jurisdictional Wetlands. The IDNR and USFWS will be requested to review and comment on INDOT's findings at the earliest coordination phase of project development (pg. 1, MOU for Wetland Mitigation, 28 Jan 91)." For this DEIS, INDOT did not use the this manual and wetlands potentially impacted were not delineated (pg. 5-142). Since wetland impacts are unknown at this stage, due to the lack of a careful study, fulfillment of all further requirements of the MOU are in doubt.

There is little detail or commitment on forest mitigation for this project. Simply to state: "INDOT will consult appropriate resource agencies" is simply not adequate. Mitigation ratios must be given and areas for mitigation specified.

It is important to note that the DEIS defines a forest as: "Land that is at least 1 acre in area, 129 feet wide, and 10% covered by trees of any size." For mitigation purposes this definition will not satisfy the loss of larger tracts of mature forests, especially core forest areas. It appears that loss of, and damage to forests, and all their attendant values by this project will be extensive and permanent, depending on the route chosen. Alternative 1 has the least forest impacts and no impacts to large, core forest areas.

Simply stating that social impacts will be mitigated "where reasonable" by the use of frontage and access roads to maintain accessibility is vague and offers no assurance of any mitigation. The same is true of noise mitigation. The DEIS qualifies all proposed measures by stating they will be carried out where "feasible and reasonable". Who is to decide what is feasible and reasonable? How much will depend on available funding?

The DEIS acknowledges that it is difficult to replace lost farmland and apparently no attempt will be made to do so. The DEIS merely states, for agricultural mitigation, "Corridors should follow existing property lines and minimize dividing or splitting of large tracts of farmland **where reasonable** (*emphasis added*)."  
In short, there is virtually no assurance of mitigation for loss of farmland due to this project.

On the whole, the DEIS completely fails to give mitigation enough detail or with adequate assurances to ensure mitigation for impacts will be done. All mitigation measures should be spelled out in detail and be prescriptive, clearly stating the ratios and measures to be used and specifying where they will be done and when.

Mitigation could involve the purchase of thousands of acres of additional land, yet there is no indication of the potential cost of these purchases and how they may vary among the alternatives. After-the-fact determination of mitigation measures in Tier 2 will be

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subject to cost and time constraints with little leverage by concerned agencies or the public to influence decisions.

**Chapter 8 – 4 (f)**

4 (f) properties appear to have been missed in the DEIS. A park along Mann Road in Morgan County will be impacted as well as a portion of Martin State Forest in Greene County. A potential Historic District in Greene County is also impacted on Alternative 3. (See the Maryland Ridge Application to the National Registry of Historic Places, Attachment D.)

Rural Preservation Districts and Multiple Property Resources need to be identified. This process takes time and the methodology of the consultants was insufficient to identify all of the eligible properties. More time should have been spent traveling all of the prospective routes so that meaningful comparisons could be made. For example, SR-67 has numerous examples of early and mid twentieth century roadside architectural and sections that are virtual time warps of the 1930s and other periods, but most of these have not been identified. The reconfiguration of SR-37 into I-69 along a new Mann Road Corridor proves that obviously important historic resources were ignored. The Nicholson-Rand House, likely the most magnificent nineteenth century house in Decatur Township and a rare example of rural Gothic Revival architecture, is threatened even as the process is well underway for its listing in the National Register of Historic Places. To the consultant's credit, this resource has been reclassified, but only after the owner persisted in having them reexamine their finding that it was not eligible. How many others were missed?

**Section 6(f) Resources**

A letter from Patrick Ralston, past Director of IDNR, appears in Appendix Y and indicates that Alternatives 3 and 4 may impact the Sugar Ridge Fish and Wildlife Area. Portions of this area have been acquired or developed (or both) with federal Land and Water Conservation Act (LAWCON) funds. Any negative impacts to this or other LAWCON sites may require a Section 6(f) conversion. Alternatives 3 and 4 come so close to this facility as to impair its use for conservation and recreation, thereby indirectly/constructively converting at least a part of it. Such conversions cannot be done without approval of the US National Park Service pursuant to statute and regulations.

**Chapter 11 – COMMENTS, etc.**

The DEIS states "Thus, while this study focuses on the proposed completion of I-69 from Evansville to Indianapolis, it does not assume that this section of I-69 must be built. Rather, this study is intended to assist government decision makers in deciding (1) whether to complete I-69 as an Interstate between Evansville and Indianapolis and if so, (2) which corridor should be selected as this project (pg. 11-3)." Based on this statement, all references to Corridor 18, the Canada to Mexico project should be excluded from this document. The completion of Corridor 18 through Indiana as a core goal of the project should be removed. All analyses that use data that depend on the completion of, or need for, Corridor 18 should be taken out of this DEIS.

Since completion of Corridor 18 is not a valid reason for the project, non highway alternatives and other measures for economic development should be considered and included in this DEIS

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Pages 1-7 and 11-10 list the meetings that took place between INDOT/BLA and various groups. A total of 144 meetings are listed 64 (44%) were with pro new terrain highway groups, 20 (14%) were with supporters of the US-41/I-70 groups, and 60 (42%) were with neutral groups. Three times as many meeting were held with pro-new terrain groups as with pro US-41/I-70 groups. A clear bias shows here. In addition, the INDOT sponsored I-69 newsletter is blatantly pro new highway and little more than a propaganda tool for INDOT's preferred alternatives.

This DEIS states that "Some type of response to the comments made for the 1996 Study will be made in the current study (pg. 11-12)." We wish to make it clear that our comments on the 1996 DEIS for this project are also submitted as official comments on this current study.

***Submitted by***  
***Thomas Tokarski, President***  
***Citizens for Appropriate Rural Roads. Inc***  
***5 November 2002***