



**MID-STATES  
CORRIDOR**

# **APPENDIX KK – SECTION 4(F) IMPACT ANALYSIS**

## **Mid-States Corridor Tier 1 Environmental Impact Study**

Prepared for  
Indiana Department of Transportation  
Mid-States Regional Development Authority

April 5, 2022

Prepared by  
Mid-States Corridor Project Consultant





# TABLE OF CONTENTS

Section 4(f) impact analysis ..... 4

    Introduction ..... 4

    Agency Coordination Process..... 5

    Parks, Recreational and Wildlife Refuge Properties..... 5

        Buffalo Pond Nature Preserve..... 7

        Daviess-Martin County Park (West Boggs Park) & Trails ..... 9

        Glendale Fish and Wildlife Area ..... 11

        Jasper Multi-Use Pathway ..... 13

        Loogootee Trail System – County Line Trail ..... 15

        Martin County 4-H Fairgrounds and Speedway ..... 17

        Martin State Forest..... 19

        Milwaukee Road Trail ..... 22

    Cultural Resource Properties ..... 23

        Harbison-Himsel Farm ..... 26

        Morgan C. Keane Farm ..... 28

        Orange County Bridge Number 21 ..... 30

        Brinegar Chapel ..... 32

        Shady Nook Motel ..... 34

    Archaeological Resources ..... 36



**Figures**

Figure 1. Buffalo Pond Nature Preserve and Sultan’s Run Golf Course ..... 8

Figure 2. Daviess-Martin County Park (West Boggs Park) & Trails..... 10

Figure 3. Glendale Fish & Wildlife Area ..... 12

Figure 4. Jasper Multi-Use Pathway ..... 14

Figure 5. Loogootee Trail System ..... 16

Figure 6. Martin County 4-H Club..... 18

Figure 7. Martin State Forest & Milwaukee Road Trail ..... 21

Figure 8. Potentially Eligible Historic Properties Impacted or near to New Alignments ..... 25

Figure 9. Harbison-Himsel Farm Photograph..... 26

Figure 10. Harbison-Himsel Farm Historic Property..... 27

Figure 11. Morgan C. Keane Farmhouse Photograph (c. 1992) ..... 28

Figure 12. Morgan C. Keane Farm Property Map..... 29

Figure 13. Orange County Bridge Number 21 Photograph (c. 2005) ..... 30

Figure 14. Orange County Bridge Number 21 Map..... 31

Figure 15. Brinegar Chapel Photograph (c. 2011) ..... 32

Figure 16. Brinegar Chapel Historic Property Map..... 33

Figure 17. Shady Nook Motel Photograph (c. 2011) ..... 34

Figure 18. Shady Nook Motel Historic Property Map..... 35

**Tables**

Table 1. Results of Agency Coordination ..... 6

Table 2. Potentially Eligible Individual Historic Properties within 2,000 Feet of Working Alignments..... 21



# SECTION 4(F) IMPACT ANALYSIS

## Introduction

This section provides additional details regarding the potential Section 4(f) “Uses” by the alternatives. As identified in Volume I, Section 4(f) of the Department of Transportation Act of 1966, 49 USC 303(c), requires that prior to the use of any land from protected resources, it must be determined that there are no prudent and feasible alternatives which avoid such use and that the project includes all possible planning to minimize harm to such resources. For the purposes of this Tier 1 documentation, a potential Section 4(f) Use may be referenced as an impact; however, a formal Use determination will be required in Tier 2 for both determining which properties are subject to Section 4(f) and whether the type of proposed impact is considered a Use.

There are three principal types of Section 4(f) Uses: Permanent Incorporation, Temporary Occupancy, and Constructive Use. Permanent incorporation is the permanent acquisition of or inclusion of a permanent easement on the property. Temporary occupancy involves actions such as temporary construction easements which potentially disturb the property and is only considered a Use when it is adverse in terms of the preservation purpose of the property. Constructive use is the most infrequent type and occurs when the proximity of the transportation project substantially impairs the qualifying activities, features, or attributes of the protected resource. Within this appendix, permanent incorporation and temporary occupancy will be referred to as potential direct impacts.

When considering the permanent incorporation or temporary occupancy of a Section 4(f) resource, FHWA may determine a *de minimis* impact is applicable. A *de minimis* impact is one that involves the use of a Section 4(f) resource that is usually minor, and due to avoidance, minimization, or mitigation, there is no adverse effect on the attributes, features, or activities of a Section 4(f) property. Application of a *de minimis* impact requires concurrence from the official with jurisdiction (OWJ) over the Section 4(f) resource. The OWJ is often the local parks and recreation department or other public entity; however, in the case of cultural resources, the State Historic Preservation Officer (SHPO) serves as the OWJ. An intended *de minimis* impact upon a publicly owned and accessible park, recreational facilities, or wildlife and waterfowl refuges requires the opportunity for public comment. A *de minimis* impact determination may not be made when there is a constructive use of the resource. Application of a *de minimis* finding by FHWA does not require an analysis of feasible and prudent alternatives or an avoidance alternative.

The summary paragraph in **Volume I, Section 3.27.5** provides an overview of potential impacts to resources which may receive Section 4(f) protection. This appendix further discusses the potential uses, avoidance alternatives and measures to minimize harm to identified Section 4(f) resources. Protected resources include two key categories:

- Historic sites of national, state, or local significance
  - *These resources may be publicly OR privately owned*
  - *Archaeological sites are only subject to 4(f) when they warrant preservation in place*
- Publicly owned lands specifically managed for recreation or conservation
  - *Publicly owned includes permanent easements and in certain cases, long term leases*
  - *These resources include parks, recreational and wildlife refuge properties*



## Agency Coordination Process

Relevant government agencies were contacted to identify managed lands within the Study Area, including those that may not be published in publicly accessible databases. Coordination with state and federal agencies identified managed lands at several key points during the project development. The initial contacts were via an August 5, 2019, Early Coordination Letter and an August 20, 2019, Agency Scoping Meeting. Both the letter and meeting recognized participating agencies' roles in identifying issues of concern regarding the project's potential environmental impacts, including to managed lands. Agency partners provided input that was used for a Screening of Alternatives that led to the identification of five alternatives, some with multiple facility types, for detailed study. These alternatives were documented in the February 2020 Screening of Alternatives Report.

A second Agency Coordination Meeting was held on March 3, 2020, followed by a field tour of the alternatives on March 4, 2020. Agency partners were asked to provide input for the refinement of alternative corridors. During the meeting and field tour, Mid-States Project Team members requested that participating agencies provide the most current GIS coverage of any known managed lands and other environmental resources within the 12 county Study Area.

Both USFWS and IDNR transferred digital data to the project team. The USFWS Hoosier National Forest District Ranger included the most recent information on the Hoosier Natural Forest. This included data on acquisition boundaries, ownership, and management areas. The IDNR, Natural Heritage Data Center Coordinator provided data on holdings, past and present, for the State of Indiana, while identifying the data as a "living layer" that is subject to change. The IDNR data are not an authoritative source of boundaries, and the topology is not set to be a parcel management layer. Additional coordination and research for data on managed lands was performed by searching publicly available data sets from several trusts and conservancies including IDNR Bicentennial Nature Trust, The Nature Conservancy, Sycamore Land Trust, Central Indiana Land Trust, Indiana Karst Conservancy, and Indiana Land Trusts.

Properties enrolled in the IDNR Classified Forests and Wildlands Program (CFWP) were identified using property data provided by the county governments. CFWP parcels were identified using the Land Type Codes listed in the Indiana Property Tax Management System Code List Manual (2017).

## Parks, Recreational and Wildlife Refuge Properties

**Table 1** summarizes parks, recreational and wildlife refuge properties identified as a result of this agency coordination. Subsequent sections provide detail information regarding each property. Historic resources are discussed in **Table 2** later in this appendix.

Three resources listed in **Volume I, Chapter 4, Section 4.2** are not discussed here (INDOT Veale Creek Mitigation Site, INDOT Doans Creek Mitigation Site, and Sultan's Run Golf Course). Sultan's Run Golf Course does not receive Section 4(f) protection, as the golf course is not publicly owned. The two INDOT mitigation sites are not discussed for reasons of confidentiality due to the protections in place for those locations and the sensitive nature of the sites.



The following subset of resources will be discussed in greater detail based on proximity to proposed alternatives:

- Buffalo Pond Nature Preserve
- Daviess-Martin County Park (West Boggs Park) & Trails
- Glendale Fish and Wildlife Area
- Jasper Multi-Use Pathway
- Loogootee Trail System - County Line Trail
- Martin County 4-H Fairgrounds and Speedway
- Martin State Forest
- Milwaukee Road Trail

**TABLE 1. RESULTS OF AGENCY COORDINATION**

Parks, Recreational, and Wildlife Refuge within 1,000 feet Ownership and Access Data						
Name	Owner	Access	LWCF	Program Manager	Acres	Data Source
Buffalo Pond	State/DNR Nature Preserves	Open Per Regulations	N	DNR Nature Preserves	22	IDNR MgLand
Glendale Fish And Wildlife Area	State/DNR Fish and Wildlife	Open Per Regulations	N	DNR Fish and Wildlife	8,117	IDNR MgLand
Buffalo Pond	State/DNR Nature Preserves	Restricted	Y;1800405F	DNR Nature Preserves	368	IDNR MgLand
Daviess-Martin Co. Park (West Boggs)	Local/Daviess-Martin Co. Park Board	Open Per Regulations	Y;1800042; 1800215	Daviess-Martin Co. Park Board	775	IDNR MgLand
Martin State Forest	State/DNR Forestry	Open Per Regulations	N	DNR Forestry	7,725	IDNR MgLand
Martin State Forest	State/DNR Forestry	Open Per Regulations	N	DNR Forestry	7,725	IDNR MgLand
Martin State Forest	State/DNR Forestry	Open Per Regulations	N	DNR Forestry	7,725	IDNR MgLand
Martin State Forest	State/DNR Forestry	Open Per Regulations	N	DNR Forestry	7,725	IDNR MgLand
Martin State Forest	State/DNR Forestry	Open Per Regulations	N	DNR Forestry	7,725	IDNR MgLand
Indiana Forest Bank Fee	The Nature Conservancy	Closed	N	The Nature Conservancy	98	TNC Land
WRP	Private	Closed		NRCS	37	NRCS Easements
WRP	Private	Closed	N	NRCS	41	NRCS Easements
WRP	Private	Closed	N	NRCS	71	NRCS Easements
Sultan's Run Golf Course	Private	Open		Private	212	GAP PAD2
Veale Creek WMA	State/DNR Fish and Wildlife	Closed	N	DNR Forestry	143	MitgArea I69
Doans Creek - Martin State Forest	State/DNR Forestry	Closed	N	DNR Fish and Wildlife	235	MitgArea I69



## Buffalo Pond Nature Preserve

### Description

Buffalo Pond Nature Preserve is located in Dubois County northeast of Jasper near Kellerville Road (**Figure 1**). It is owned by the State of Indiana and managed by the Indiana Department of Natural Resources (IDNR) Division of Nature Preserves. There is limited publicly available information about this site. Data provided by IDNR in 2020 indicates that Buffalo Pond is “open per regulations”. As a publicly owned nature preserve with public access, it is assumed to be a Section 4(f) resource.

The property resides approximately 450 feet west of the C, M, O, and P working alignments. Direct use of the resource is not anticipated. Temporary use of the resource should be avoided. Potential constructive use of the resource was considered. At this Tier 1 level of analysis there is no information available indicating a possible constructive use of the Buffalo Pond Nature Preserve. Use of this Section 4(f) resource is not anticipated at this time.

### Direct Use

No right-of-way will be acquired from Buffalo Pond Nature Preserve and no temporary construction easements would be anticipated. With no right-of-way needed, no direct use of this Section 4(f) resource is anticipated.

### Constructive Use

The property is several hundred feet from the working alignments of alternatives. Appropriate planning in post Tier 1 NEPA studies, design and construction should preclude impairing this resource. No constructive use of this Section 4(f) resource is anticipated.

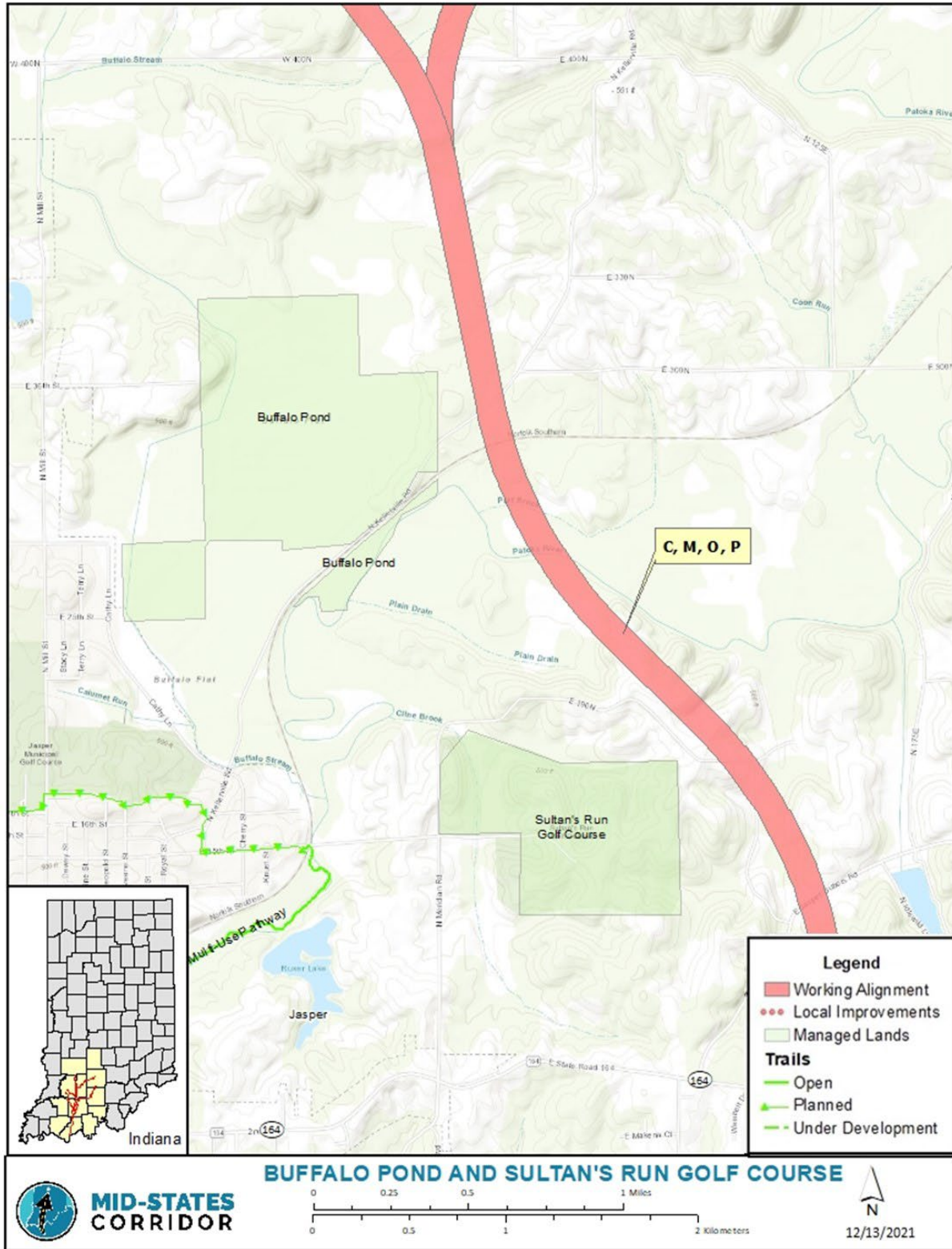
### Avoidance Alternatives

Not applicable. All alternatives avoid this resource.

### Measures to Minimize Harm

Not applicable. All alternatives avoid this resource.





**FIGURE 1. BUFFALO POND NATURE PRESERVE AND SULTAN'S RUN GOLF COURSE**





## Daviess-Martin County Park (West Boggs Park) & Trails

### Description

Daviess-Martin County Park (West Boggs Park) is located in Daviess and Martin counties north of Loogootee near US 231 (**Figure 2**). It is owned and managed by Daviess-Martin County Park Board (Board). The property is open to the public and provides recreational opportunities such as boating, fishing, hiking, camping, and golfing. As a publicly owned recreational facility that is open to the public, Daviess-Martin County Park (West Boggs Park) and associated trails are assumed to be Section 4(f) resources.

The Park is located immediately west of and potentially within Alternative P working alignment for the western route around Loogootee ( $P_w$ ). There are potential *de minimis* impacts by the Alternative  $P_w$  working alignments. Prior to the FEIS, there will be further consultation with the Board to confirm the current status and use of the parcels adjacent to and within Alternative  $P_w$ . Direct impacts to West Boggs Trails are not anticipated. Prior to the FEIS, the Alternative  $P_w$  working alignment also will be reviewed and modified (if needed) to avoid potential use of any Section 4(f) resource. The Alternative P working alignment for the eastern route around Loogootee ( $P_e$ ) does not have any impact on the West Boggs Park or Trails.

If Alternative  $P_w$  is selected, INDOT will engage in coordination with the Board. This will ensure that planning for the roadway takes into account key features for avoidance and minimization of impacts associated with the park. Temporary use of the resource should be avoided. At this Tier 1 level of analysis there is no information available indicating a possible constructive use of the West Boggs Park.

### Direct Use

Approximately 0.25 acre could be acquired from West Boggs Park. This will be confirmed during additional consultations prior to the FEIS. Direct impacts to West Boggs Trails are not anticipated. Due to potential acquisition of right-of-way from the park, direct use of this Section 4(f) resource is possible. Any right-of-way required from West Boggs Park is anticipated to be minimal and adjacent to the existing US 231 and any impact, if required, is anticipated to be *de minimis*.

### Constructive Use

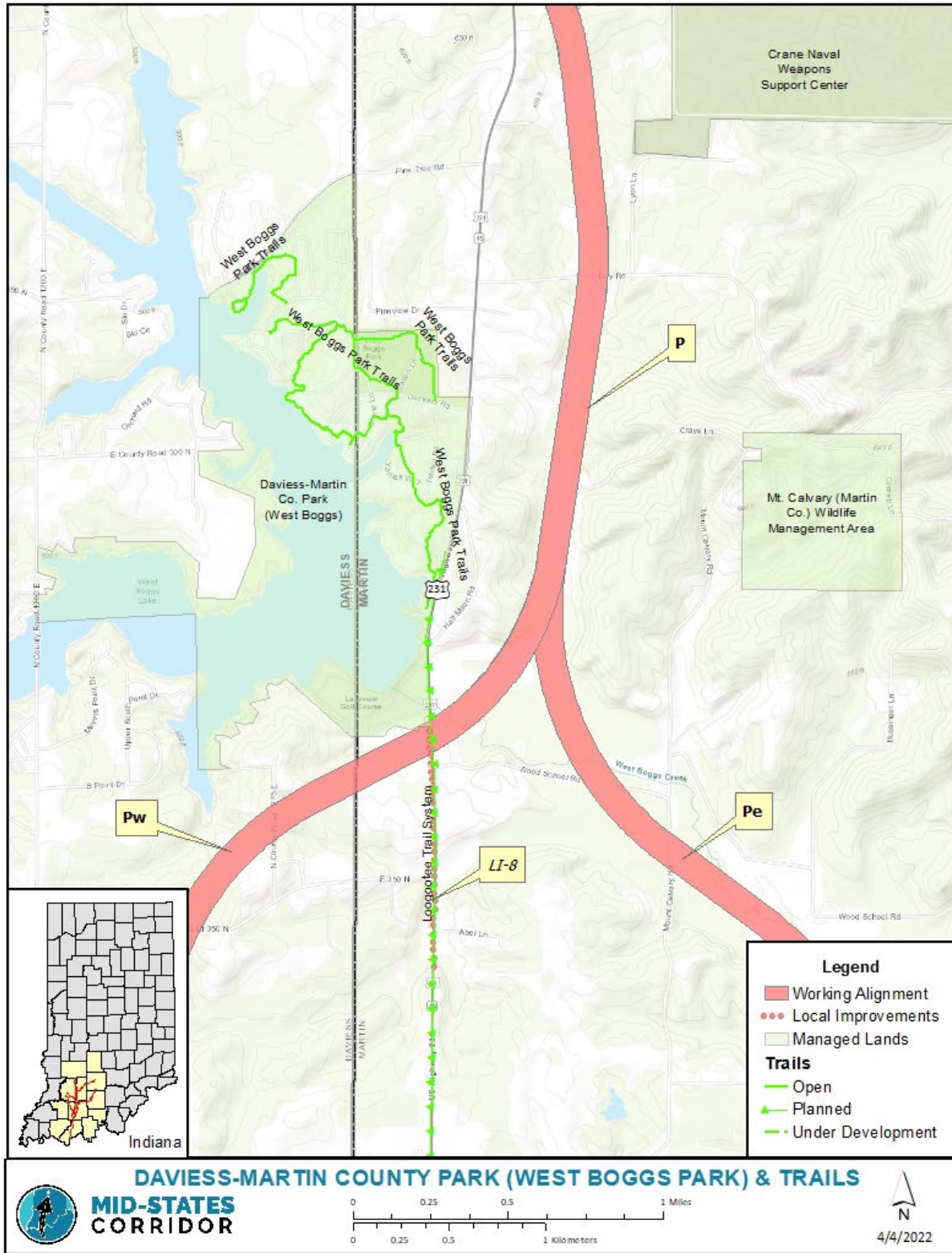
This property is adjacent to and potentially within working alignments for Alternative P. Further consultations will occur prior to the FEIS. Appropriate planning during Tier 2 NEPA studies, design and construction should preclude impairing this resource. No constructive use of this Section 4(f) resource is anticipated.

### Avoidance Alternatives

Alternative  $P_w$  will be further evaluated for avoidance of impacts to the Park during subsequent development. All other alternatives avoid this resource.

### Measures to Minimize Harm

Since the Park boundary is adjacent to the working alignments for Alternative  $P_w$ , additional consultation with the Board will occur prior to the FEIS. Alternative  $P_w$  will be modified to limit impacts to the Section 4(f) resource and ensure any potential use would not exceed *de minimis*.



**FIGURE 2. DAVIESS-MARTIN COUNTY PARK (WEST BOGGS PARK) & TRAILS**



## Glendale Fish and Wildlife Area

### Description

Glendale Fish and Wildlife Area is located in Daviess County southeast of Washington, Indiana (**Figure 3**). It is owned by the State of Indiana and managed by the IDNR Division of Fish and Wildlife. It includes 8,060 acres of land and over 1,400 acres of open water. The property is open to the public and provides recreational opportunities such as hunting, fishing, camping and wildlife observation. As a publicly owned recreational area functioning as a wildlife refuge that is open to the public, Glendale Fish and Wildlife Area is assumed to be a Section 4(f) resource.

The property is approximately 830 feet east of the Alternative B working alignment. Direct use of the resource is not anticipated. Temporary use of the resource should be avoided. At this Tier 1 level of analysis there is no information available indicating a possible constructive use of the Glendale Fish and Wildlife Area. Use of this Section 4(f) resource is not anticipated at this time.

### Direct Use

No right-of-way will be acquired from Glendale Fish and Wildlife Area and no temporary construction easements are anticipated. With no right-of-way needed, no direct use of this Section 4(f) resource is anticipated.

### Constructive Use

The property is approximately 830 feet from the working alignments of Alternative B. Appropriate planning in post Tier 1 NEPA studies, design and construction should preclude impairing this resource. No constructive use of this Section 4(f) resource is anticipated.

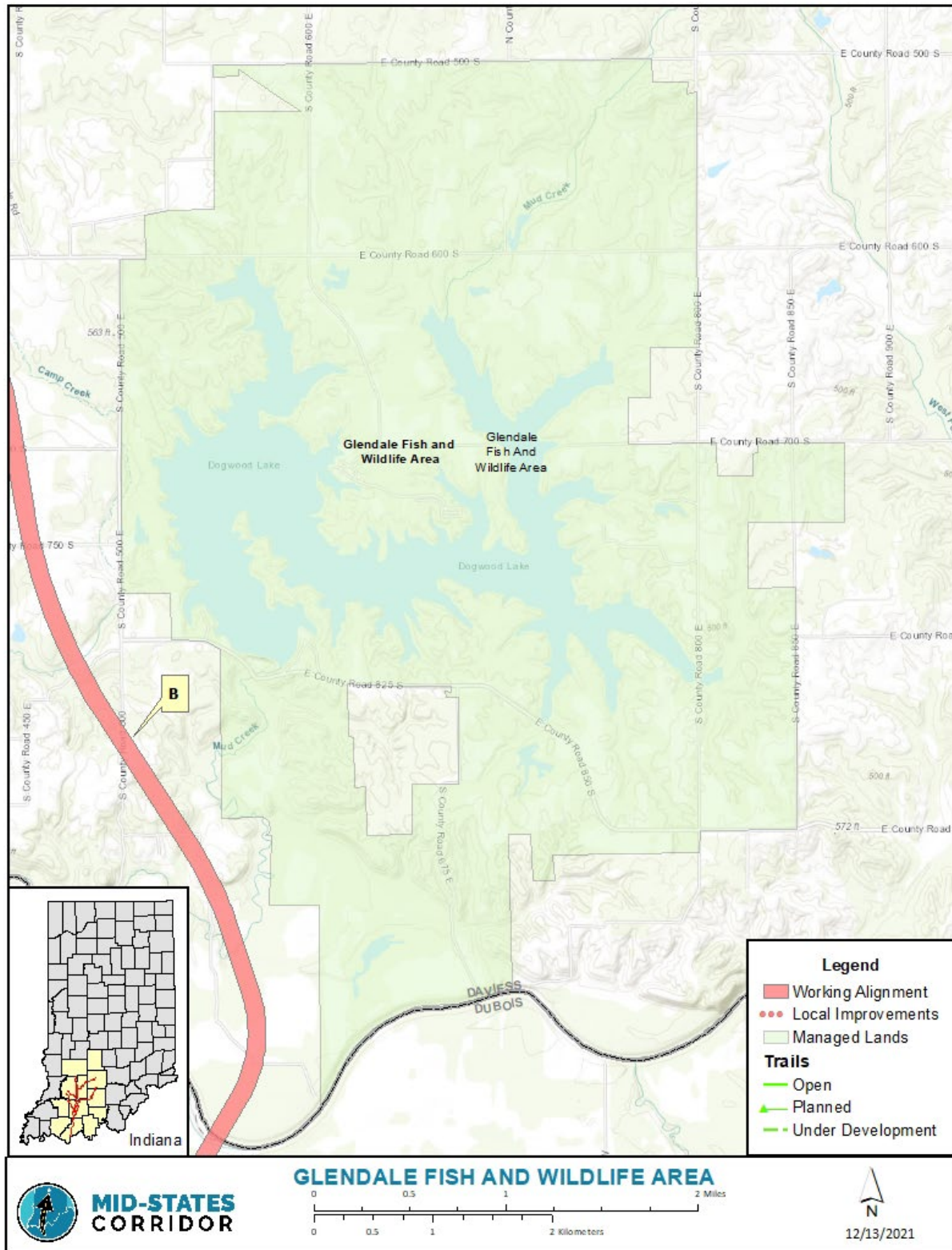
### Avoidance Alternatives

Not applicable. All of the alternatives avoid this resource.

### Measures to Minimize Harm

Not applicable. All of the alternatives avoid this resource.





**FIGURE 3. GLENDALE FISH & WILDLIFE AREA**



## Jasper Multi-Use Pathway

### Description

The Jasper Multi-Use Pathway is managed by the Jasper Parks and Recreation Department. The existing paths are not located along the alternatives or local improvements. A planned segment of this trail is along US 231 from 15<sup>th</sup> Street to Scheutter Road (**Figure 4**). Several planned segments cross US 231 within the limits of Local Improvements 3 and 4. Portions of the property slated for these planned trail segments are already owned by the City of Jasper; however, areas within US 231 right-of-way have not yet been acquired.

Portions of the property slated for these planned trail segments are already owned by the City of Jasper; however, areas along US 231 have not yet been acquired or secured. The planned segments of the trail are assumed to be a Section 4(f) resource along with the existing trail due to public ownership, recreational purpose, and formal designation in the Jasper Transportation Plan. The planned extensions that intersect Local Improvements 3 and 4 would be impacted (Alternatives B, C, M, O, and P); however, these Local Improvement will not require additional right-of-way or impact any resources.

If Alternatives B, C, M, O, or P are selected, the trail project should be monitored to determine any potential future Section 4(f) use, and coordination with the Jasper Parks and Recreation Department would occur, and evaluation for how the trail could be avoided or incorporated into the project would occur. Depending on the impact, a determination of any potential use of this Section 4(f) resource would be in Tier 2.

### Direct Use

If Alternatives B, C, M, O, or P are selected, INDOT will engage in joint development consultations with local entities of this resources to accommodate or incorporate future trails during roadway construction. Depending on the development of this trail and how the project would impact it, the impact may or may not be a Use.

### Constructive Use

No constructive use of this resource would be anticipated. If Alternatives B, C, M, O, or P are selected, INDOT will engage in joint development consultations with local entities to accommodate future trails during roadway construction.

### Avoidance Alternatives

Not applicable. The trail is only conceptual and does not yet exist.

### Measures to Minimize Harm

Not applicable. The trail is only conceptual and does not yet exist.







## Loogootee Trail System – County Line Trail

### Description

County Line Trail to West Boggs Park is a planned trail to connect Loogootee to West Boggs Park to the north (**Figure 5**). The trail would be owned and managed by the Loogootee Park Board and the City of Loogootee (Loogootee, Indiana Parks and Recreation Master Plan 2021-2025). However, the trail does not currently have funding. Portions of the property for the planned trail segments have not yet been acquired, but the City of Loogootee does own some of the property slated for the planned trail segments. If adequate funding is obtained and the trail planning progresses, the trail will be assumed to be a Section 4(f) resource due to its public ownership, recreational purpose, and designation in the master plan referenced above. Approximately 294 feet of the planned trail is within the working alignment for Alternative P<sub>w</sub>, and approximately 4,100 feet of the planned trail is within the working alignment for Local Improvement 8. If Alternative P<sub>w</sub> is selected, the trail project should be monitored to determine any potential use of this potential Section 4(f) resource in the future.

### Direct Use

If Alternative P<sub>w</sub> is selected, INDOT will engage in joint development consultations with local entities of this resources to accommodate or incorporate future trails during roadway construction. Depending on the development of this trail and how the project would impact it, the impact may or may not be a use.

### Constructive Use

No constructive use of this resource would be anticipated. If Alternative P<sub>w</sub> is selected, INDOT will engage in joint development consultations with local entities to accommodate future trails during roadway construction.

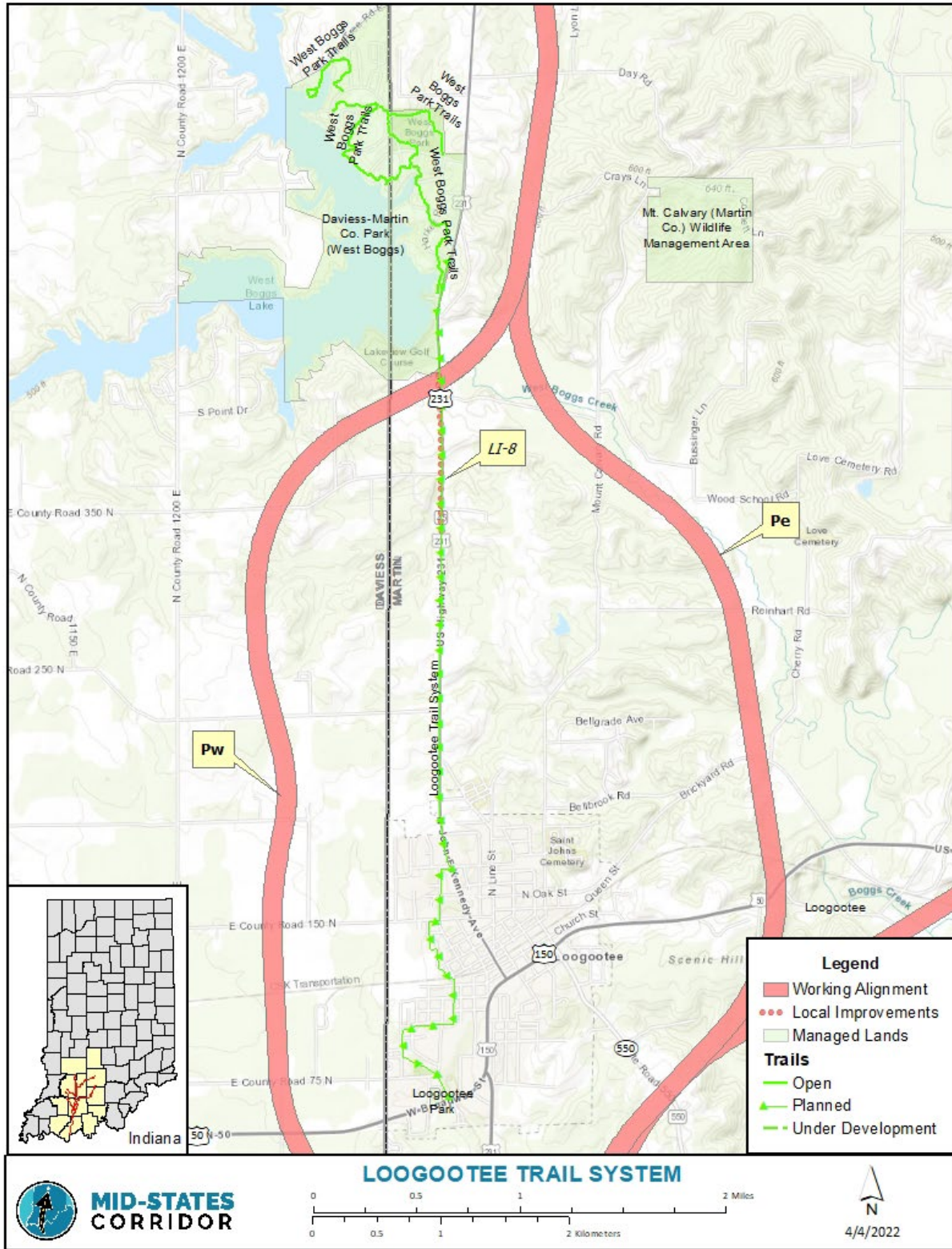
### Avoidance Alternatives

Not applicable. The trail is only conceptual and does not yet exist.

### Measures to Minimize Harm

Not applicable. The trail is only conceptual and does not yet exist.





**FIGURE 5. LOOGOOTEE TRAIL SYSTEM**



## Martin County 4-H Fairgrounds and Speedway

### Description

The Martin County 4-H Fairgrounds and Speedway is located in Martin County east of Loogootee near US 50 (**Figure 6**). It is owned by the Martin Co 4-H Club Council Inc. It is currently unclear if this is a public entity. The property operates as a 4-H fairground as well as a county community center. The property is adjacent to the Alternative M working alignments. The property is currently not identified to be a general public park or recreation area that would qualify it as a Section 4(f) resource. If the property is determined to be a Section 4(f) resource as a result of further coordination, further evaluation of potential use and avoidance of the property is anticipated. If Alternative M is selected, further coordination should occur to define the nature of the ownership of the property and park functions to determine if it is a Section 4(f) resource.

### Direct Use

Alternative M may require right-of-way acquisition from the Martin County 4-H Club. The exact acreage is unknown, due to inconsistencies in parcel boundaries shown in within the Indiana Section 4(f) Properties GIS source and the Martin County GIS website. However, regardless of which source's parcel boundaries were used, the property owned by the Martin Co 4-H club overlapped with Alternative M. For consistency with other maps presented in this Appendix, the parcel boundaries for the Indiana Section 4(f) Properties GIS source was utilized for mapping this resource and can be observed in **Figure 6**. It is estimated that the right-of-way acquisition would total less than one acre.

### Constructive Use

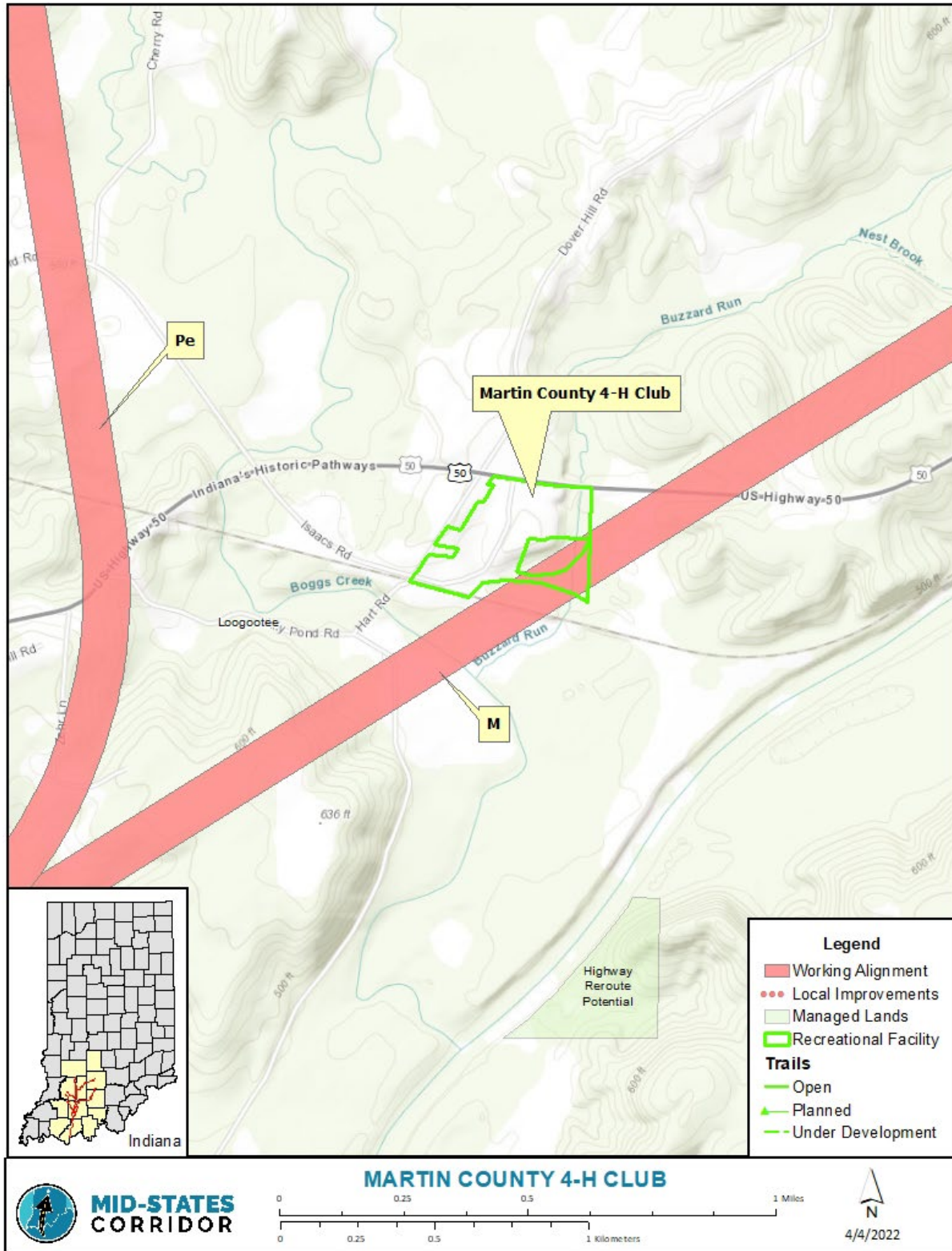
Alternative M may require a small amount of right-of-way acquisition and the facility would be in close proximity to the fairgrounds. However, the type of activities occurring at the park would not be anticipated to be impaired by the new roadway.

### Avoidance Alternatives

Avoidance alternatives exist in the western, central, and southeastern portions of the 12-county Study Area. The avoidance alternatives include Alternatives B, C, O and P.

### Measures to Minimize Harm

If Alternative M were chosen, the alignment could be shifted south to avoid impacts to the property.



**FIGURE 6. MARTIN COUNTY 4-H CLUB**





## Martin State Forest

### Description

Martin State Forest is located in Martin County northeast of Shoals (**Figure 7**). It is owned by the State of Indiana and managed by the IDNR Division of Forestry and consists of 7,863 acres. The property is open to the public and provides recreational opportunities such as hunting, fishing, camping, and picnicking. As a publicly owned multiple-use land holding that is open to the public, Martin State Forest may include features that qualify as Section 4(f) resources.

Between 27 and 35 acres of Martin State Forest would be impacted by the Alternative M working alignments, which would result in a direct use. Due to the location of other Martin State Forest tracts in the vicinity of Alternative M and the proximity of the East Fork White River to the east of Alternative M, it may be difficult to avoid the Martin State Forest property; however, it may be possible to shift the alignment to the west to avoid impacts. Depending on the impact, a determination of any potential use of this Section 4(f) resource would be in Tier 2. At this Tier 1 stage, no preliminary Section 4(f) approval has been made due to the need for more information and continued coordination. As the project development process and planning continues into the Tier 2 study, opportunities to minimize harm or use of this Section 4(f) resource have not been precluded by decisions made at this Tier 1 stage.

Only the impacted portion of Martin State Forest that is designated recreational or significant wildlife and waterfowl refuges within the boundary would be eligible as a 4(f) resource. Section 4(f) would not cover the whole property boundary, as discussed in 23 CFR 771.135(d) below.

71.135 Section 4(f) (49 U.S.C. 303)

*(d) Where Federal lands or other public land holdings (e.g., State forests) are administered under statutes permitting management for multiple uses, and, in fact, are managed for multiple uses, section 4(f) applies only to those portions of such lands which function for, or are designated in the plans of the administering agency as being for, significant park, recreation, or wildlife and waterfowl purposes. The determination as to which lands so function or are so designated, and the significance of those lands, shall be made by the officials having jurisdiction over the lands. The Administration will review this determination to assure its reasonableness. The determination of significance shall apply to the entire area of such park, recreation, or wildlife and waterfowl refuge sites.*

### Direct Use

Between 27 and 35 acres of Martin State Forest would be impacted by the Alternative M working alignments. Based on the current preliminary evaluation no specific features exist which would qualify this parcel as a Section 4(f) resource. Further evaluation of the management plans and coordination with the Division of Forestry would be required to further evaluate this resource.

### Constructive Use

Alternative M would bisect one forest parcel. No constructive use is anticipated as this parcel is not identified as a Section 4(f) resource. If Alternative M is selected, additional evaluation will be conducted to determine if further impacts resulted to the resource beyond the permanent incorporation of the land.

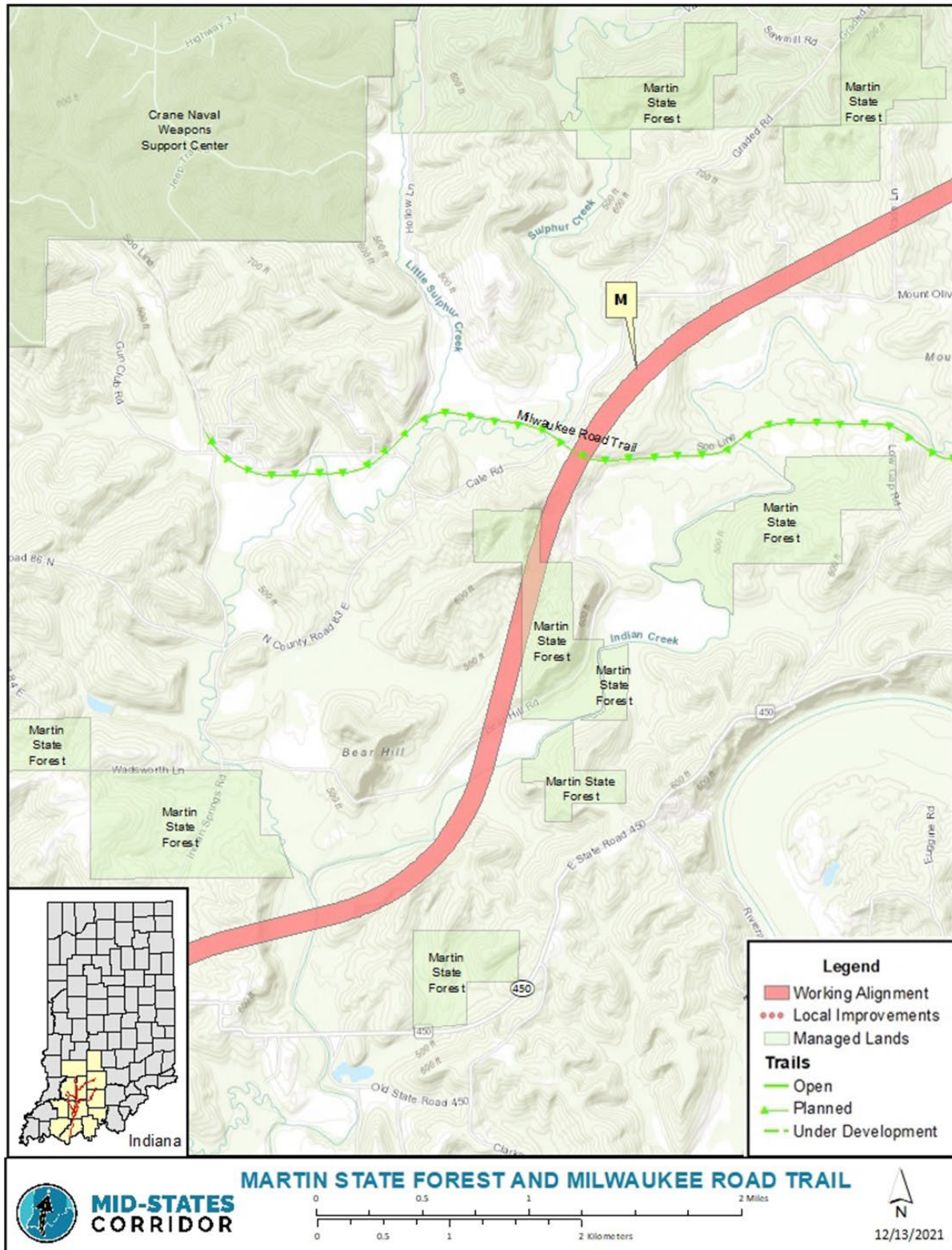


### Avoidance Alternatives

Avoidance alternatives exist in the western, central, and southeastern portions of the 12-county Study Area. The avoidance alternatives include Alternatives B, C, O and P.

### Measures to Minimize Harm

Due to the location of other Martin State Forest tracts in the vicinity of Alternative M and the proximity of the East Fork White River to the east of Alternative M, it may be difficult to avoid the Martin State Forest property. If Alternative M is selected, it may be possible to shift the alignment to the west to avoid impacts to this resource.



**FIGURE 7. MARTIN STATE FOREST & MILWAUKEE ROAD TRAIL**



## Milwaukee Road Trail

### Description

The Milwaukee Road Trail is a 10.9-mile public rail trail extending from Williams to Bedford through the Hoosier National Forest in Lawrence County (**Figure 7**). The trail is owned and managed by the Hoosier National Forest and is open to the public. There are plans to extend the trail from Williams to Indian Springs in Martin County. As a publicly owned recreational trail that is open to the public, Milwaukee Road Trail is assumed to be a Section 4(f) resource. However, only the planned trail is potentially impacted. Whether this planned portion would be considered a Section 4(f) resource would depend on if the public agency has formally designated it to be significant for recreational purposes and inclusion its function as a Section 4(f) property into a Master Plan. It is likely that this trail will be considered a Section 4(f) resource upon its construction.

Between 502 and 556 feet of the planned extension of the Milwaukee Road Trail would be impacted by Alternative M. Portions of the property slated for the planned trail segments are already publicly owned. If Alternative M is selected, coordination with the U.S. Forest Service would occur and evaluation for how the trail could be avoided or incorporated into the project would occur. Depending on the impact, a determination of any potential use of this Section 4(f) resource would be in Tier 2.

### Direct Use

If Alternative M is selected, INDOT will engage in joint development consultations with the Hoosier National Forest (U.S. Forest Service) to accommodate future trails during roadway construction.

### Constructive Use

No constructive use of this resource would be anticipated. If Alternative M is selected, INDOT will engage in joint development consultations with the Hoosier National Forest to accommodate future trails.

### Avoidance Alternatives

Not applicable. The trail is only conceptual and does not yet exist.

### Measures to Minimize Harm

Not applicable. The trail is only conceptual and does not yet exist.





## **Cultural Resource Properties**

**Table 2** lists all potentially NRHP eligible properties within 2,000 feet of the new alignments and identifies the distance between these property boundaries and the working alignment(s) of one or more alternatives. While properties greater than 500 feet from the new alignments may have indirect effects associated with the project, those effects are anticipated to be limited and would not constitute a Constructive Use relative to Section 4(f). Additional information and mapping of all potentially NRHP eligible properties identified are included in **Appendix O**.

**Figure 8** identifies historic resource properties potentially eligible for the National Register of Historic Places (NRHP), which could be impacted by one or more of the Mid-States alternatives or are within approximately 500 feet of the new alignments. These properties are listed below:

- Harbison-Himsel Farm
- Morgan C. Keane Farm
- Orange County Bridge Number 21
- Brinegar Chapel
- Shady Nook Motel

The following sections discuss these properties located within approximately 500 feet of the new alignments which are potentially eligible for the NHRP. A final Section 4(f) determination will be made in the Tier 2 studies. The final determination will be based on determining historic property boundaries if the properties are determined eligible.

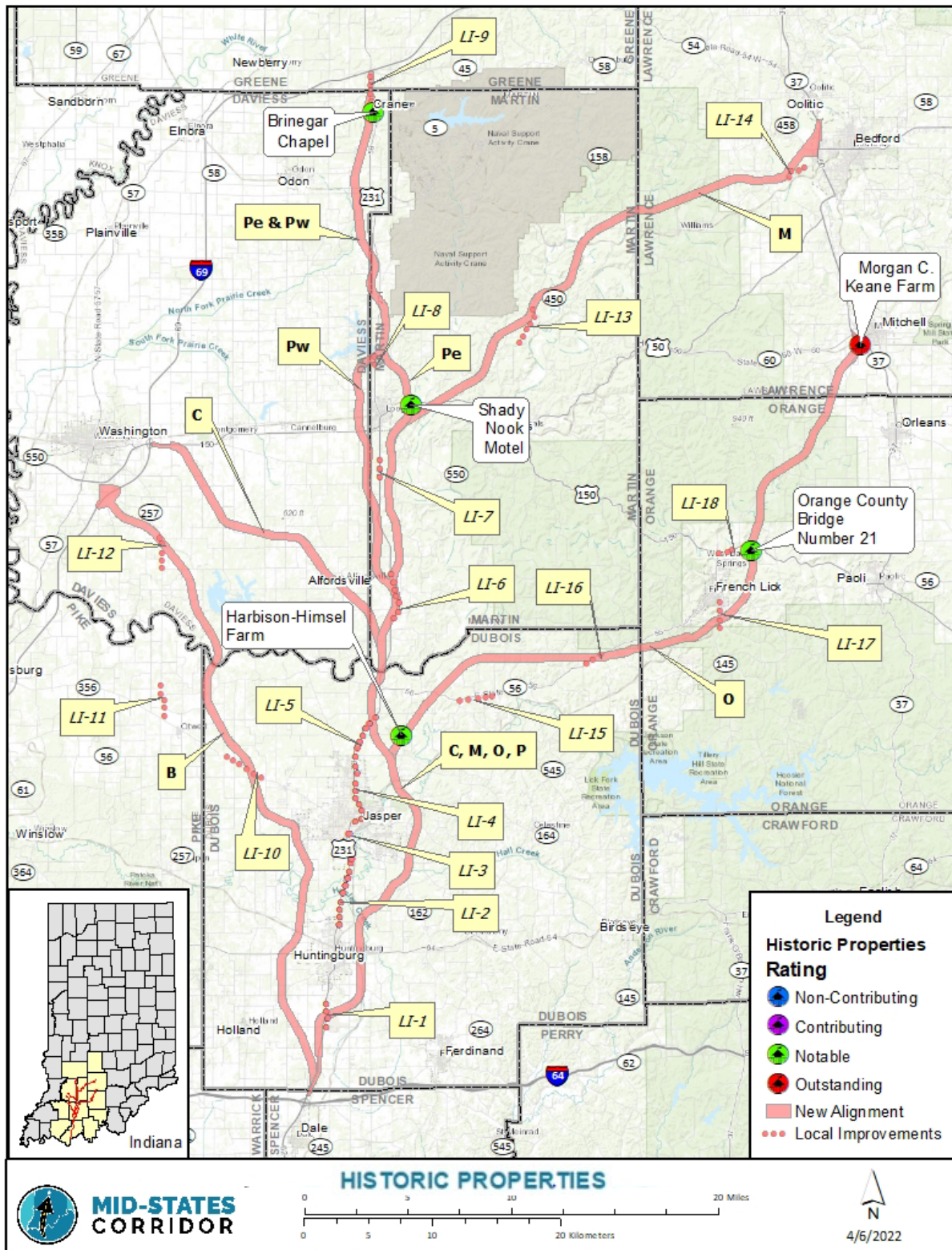
Eligibility determinations will be made, and property boundaries identified, in Tier 2 studies. This proximity evaluation is appropriate for comparing alternatives at a Tier 1 level.



**TABLE 2. POTENTIALLY ELIGIBLE INDIVIDUAL HISTORIC PROPERTIES WITHIN 2,000 FEET OF NEW ALIGNMENTS**

Section 4(f) Analysis - Potentially Eligible Above-Ground Historic Properties									
Photo ID	County Survey ID	County	Property Name	Nearest Distance	B	C	M	O	P*
1079	093-416-40036	Lawrence	Morgan C. Keane Farm	0				X	
905	117-226-20016	Orange	Orange County Bridge Number 21	0				X	
1116	037-304-05071	Dubois	Harbison-Himsel Farm	141				X	
1389	027-576-00004	Daviess	Brinegar Chapel	442					X
1340	101-367-05035	Martin	Shady Nook Motel	509					X(e)
372		Dubois	Log House	552		X	X	X	X
884	117-226-20046	Orange	House	606				X	
1259	027-367-25097	Daviess	Frank Cunningham House	625					X(w)
1260	027-367-25053	Daviess	Chandler Peilemeyer House	721					X
1156	101-008-30010	Martin	Craney Farmstead	789					X(w)
1115	037-304-05072	Dubois	House	973				X	
885	117-226-20037	Orange	Brick School	1,079				X	
473	037-304-06018	Dubois	Saint Paul's Evangelical Lutheran	1,117		X	X		X
628	027-008-46026	Daviess	Alfordsville United Methodist	1,415		X			
1059	117-238-10020	Orange	Dr. Ritter House	1,531				X	
998	117-226-27082	Orange	Campbell House	1,592				X	
898	117-276-20054	Orange	Burton Tunnel	1,615				X	
635	027-008-46018	Daviess	House	1,620		X			
904	117-226-20017	Orange	George Campbell House	1,703				X	
1283	101-367-05032	Martin	Martin County Bridge Number 58	1,788					X(e)
1099	093-416-40043	Lawrence	Burton Farm	1,829				X	
1056	117-238-10019	Orange	Orangeville School	1,958				X	
640	027-008-46014	Daviess	Alfordsville Town Hall	1,960		X			
1178	117-238-10013	Orange	Farm	1,973				X	
<b>TOTAL:</b>					<b>0</b>	<b>5</b>	<b>2</b>	<b>14</b>	<b>8</b>

\*Designations for Alternative P and identify proximity associated with east (e) or west (w) routes around Loogootee specifically. Those without designations are associated with common alignment areas for P<sub>e</sub> and P<sub>w</sub>.



**FIGURE 8. POTENTIALLY ELIGIBLE HISTORIC PROPERTIES IMPACTED OR NEAR TO NEW ALIGNMENTS**



Harbison-Himsel Farm

**Description**

The original log house on the Harbison-Himsel Farm was built in 1852 by a Harbison. The present house was built in 1918. The two-story house is a blend of gabled ell and Queen Anne styles. The Indiana Historic Sites and Structures Inventory (IHSSI) for Dubois County assigned the farm an “notable” rating. In general, buildings with “notable” or “outstanding” ratings may be eligible for listing on the NRHP.

**Direct Use**

The portion of land where this house is situated is outside of the working alignment and right-of-way for Alternative O. No direct use of this resource is anticipated.

**Constructive Use**

No constructive use of this resource would be anticipated.

**Avoidance Alternatives**

Not applicable. All of the alternatives avoid this resource.

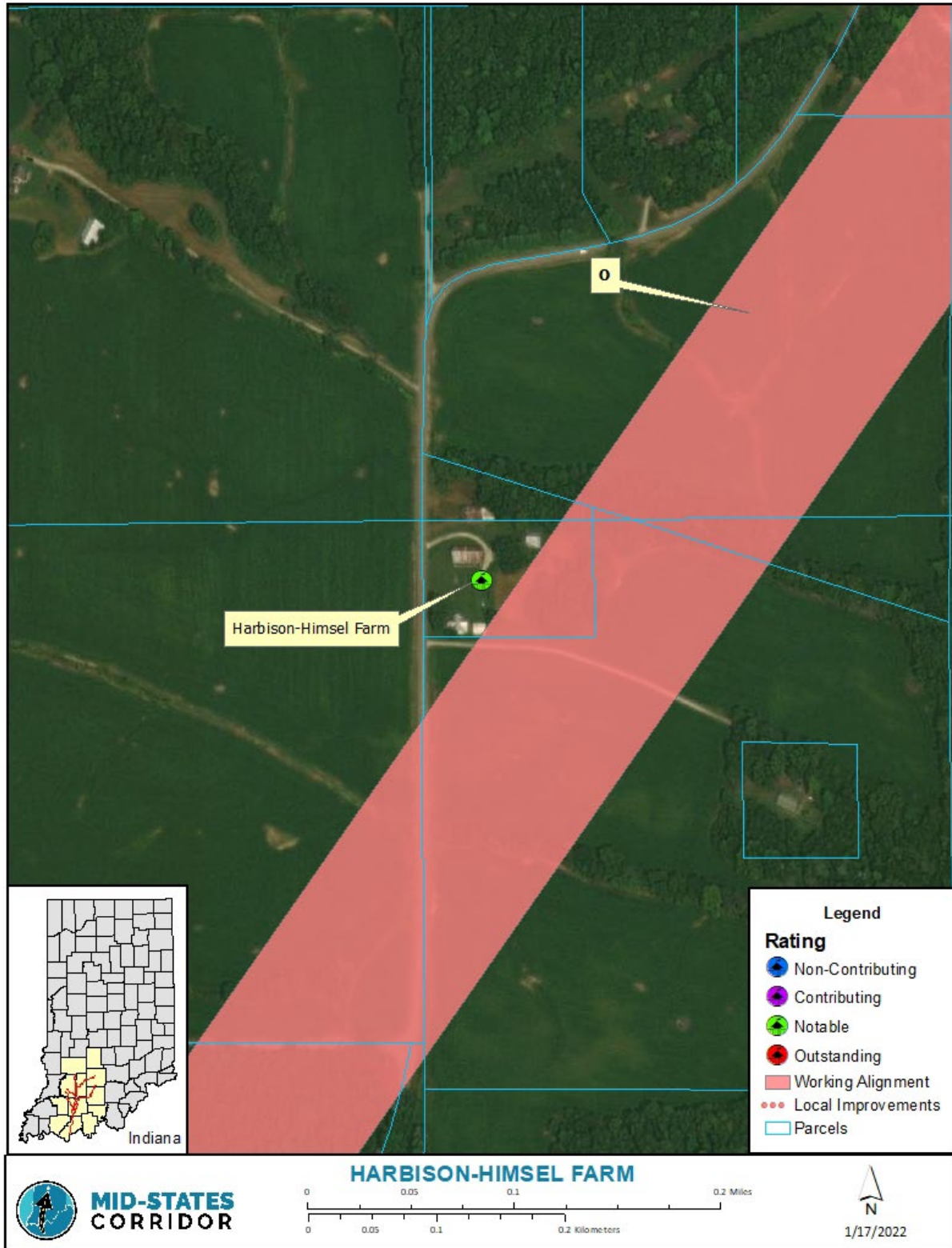
**Measures to Minimize Harm**

Not applicable. All of the alternatives avoid this resource.



**FIGURE 9. HARBISON-HIMSEL FARM PHOTOGRAPH**





**FIGURE 10. HARBISON-HIMSEL FARM HISTORIC PROPERTY**



Morgan C. Keane Farm

**Description**

The Morgan C. Keane Farm was built circa 1888. The main feature of the property is a two-story house with a wraparound porch constructed in the Queen Anne architectural style. According to SHAARD, the house is in excellent condition. Other buildings on the property include two barns, a privy, a corn crib, and a shed. The property is located near the proposed junction of Alternative O with SR 37 on the southwest side of Mitchel, Indiana in Lawrence County. The IHSSI for Lawrence County assigned the farm an “outstanding” rating. In general, sites with “notable” or “outstanding” ratings may be eligible for listing on the NRHP.

**Direct Use**

The portion of land where this house is situated would be permanently incorporated as right-of-way for Alternative O and the house would be demolished, which would result in the direct use of a Section 4(f) resource.

**Constructive Use**

As noted above, this property would be taken by Alternative O. The loss of the resource would eliminate any further analysis to determine the potential for a constructive use.

**Avoidance Alternatives**

The avoidance alternatives include Alternatives B, C, M, and P.

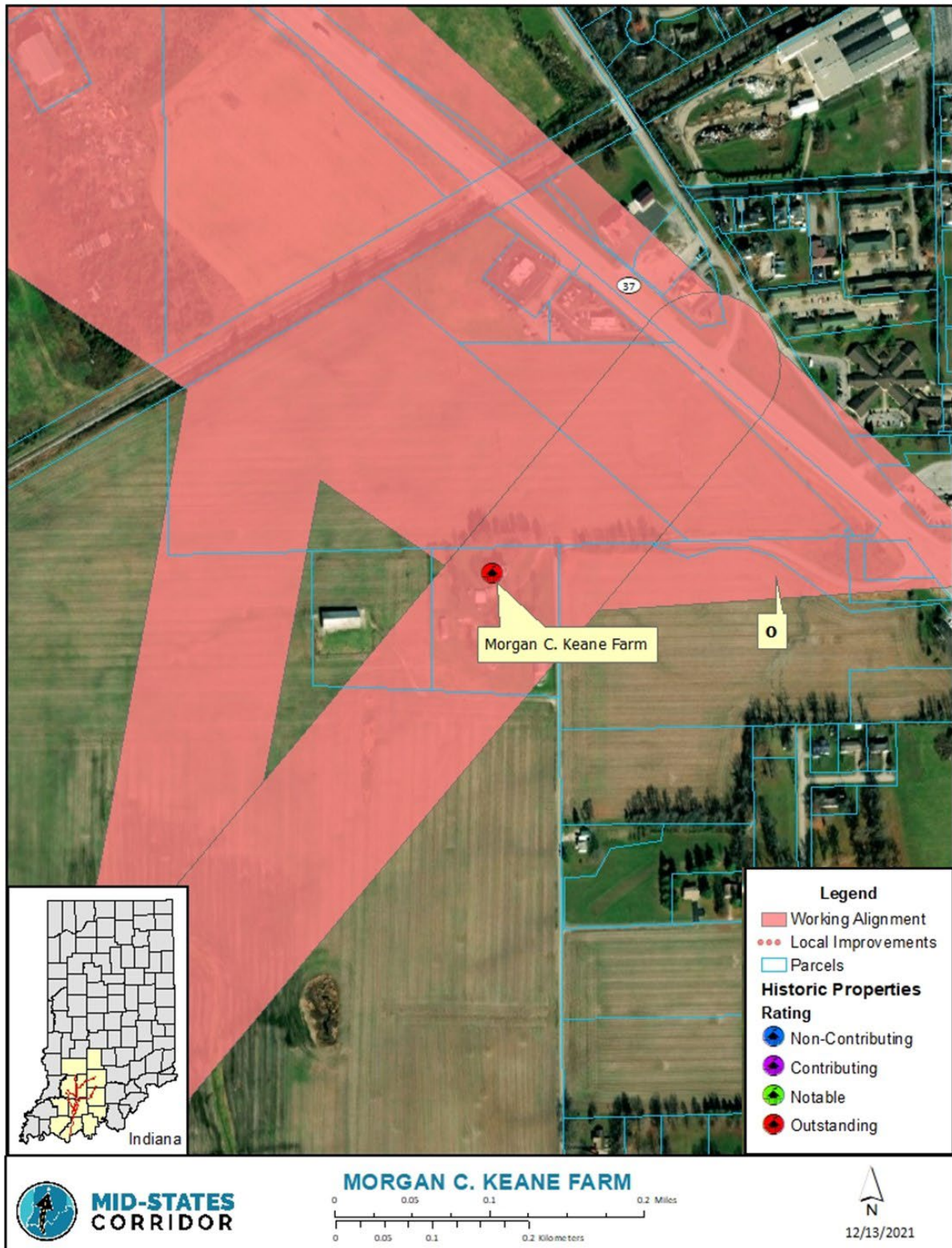
**Measures to Minimize Harm**

If Alternative O were chosen, the interchange could be redesigned to avoid impacts to the property.



**FIGURE 11. MORGAN C. KEANE FARMHOUSE PHOTOGRAPH (c. 1992)**





**FIGURE 12. MORGAN C. KEANE FARM PROPERTY MAP**





Orange County Bridge Number 21

**Description**

Orange County Bridge Number 21 was built circa 1900 and was not identified in the Indiana Historic Bridges inventory, likely due to its existence on what appears to be a private road. The bridge is a steel, single span, pin-connected Pratt through span bridge with a wooden deck. The bridge is located near the proposed junction of Alternative O with US 150, northeast of West Baden Springs and French Lick, Indiana. The IHSSI for Orange County assigned the bridge a “notable” rating but indicated that the condition of the bridge is deteriorating. In general, structures with “notable” or “outstanding” ratings may be eligible for listing on the NRHP. However, further evaluation may reveal that the bridge is no longer eligible for the NRHP if its condition is severely deteriorated.

**Direct Use**

The portion of land where this bridge is situated would be permanently incorporated as right-of-way for Alternative O and the bridge would be demolished, resulting in the direct use of a Section 4(f) resource if it is determined that the bridge is eligible for listing on the NRHP.

**Constructive Use**

As noted above, this property would be taken by Alternative O. The loss of the resource would eliminate any further analysis to determine the potential for a constructive use.

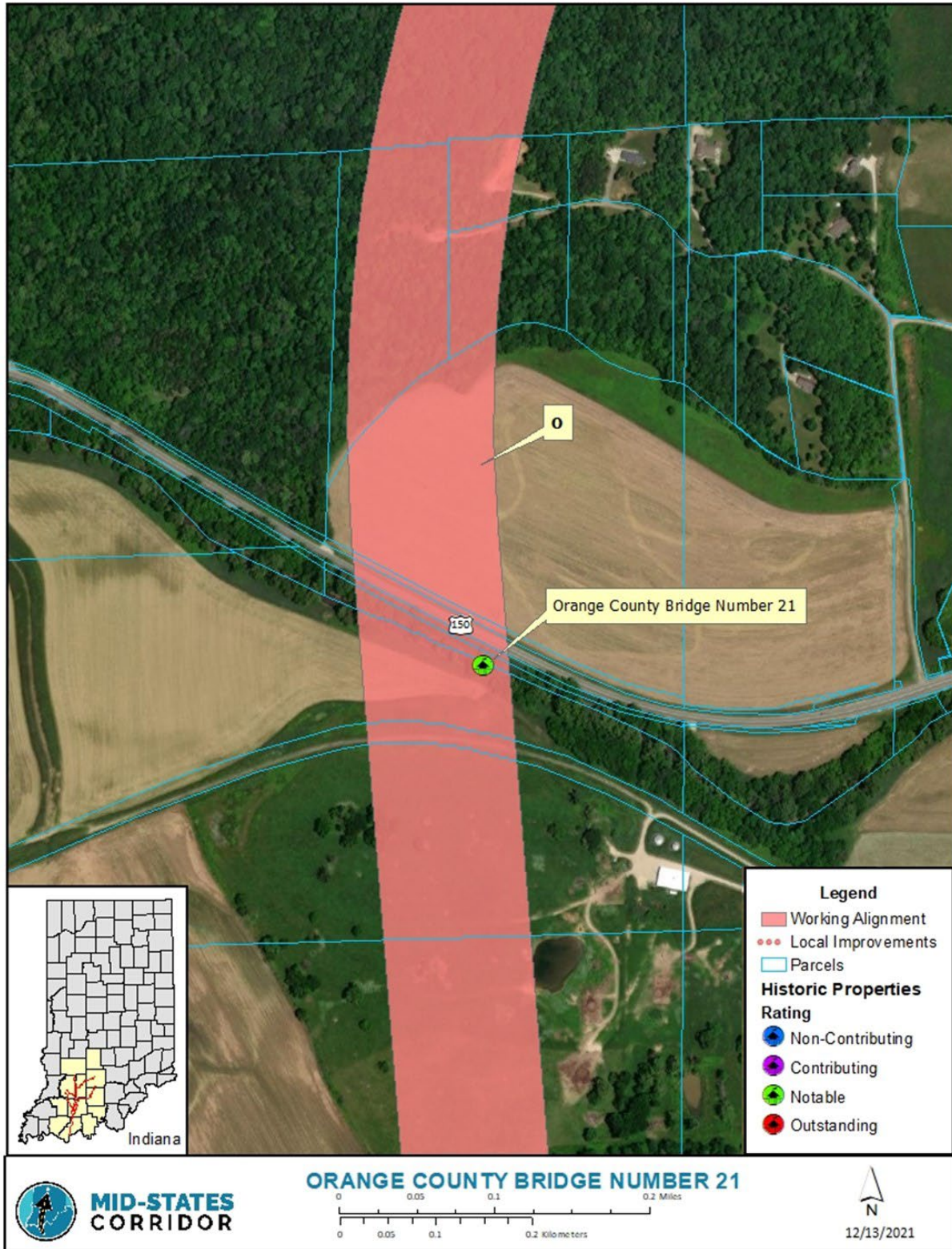
**Avoidance Alternatives**

Avoidance alternatives include Alternatives B, C, M, and P.



**FIGURE 13. ORANGE COUNTY BRIDGE NUMBER 21 PHOTOGRAPH (C. 2005)**





**FIGURE 14. ORANGE COUNTY BRIDGE NUMBER 21 MAP**



## Brinegar Chapel

### Description

Brinegar Chapel was built 1962. It is a rare example of a modernist religious building. The defining features of the chapel are its limestone veneer and mosaic-stained glass windows. According to SHAARD, the structure is in good condition. The property is located along US 231, immediately south of Local Improvement 9 (Alternative P) southwest of Crane, Indiana in Daviess County. The IHSSI for Daviess County assigned the chapel an “notable” rating. In general, buildings with “notable” or “outstanding” ratings may be eligible for listing on the NRHP.

### Direct Use

The portion of land where this resource is situated is outside of the working alignment and right of way for Alternative P. No direct use of this resource is anticipated.

### Constructive Use

Constructive use is not anticipated with the current alignments.

### Avoidance Alternatives

Not applicable. All of the alternatives avoid this resource.

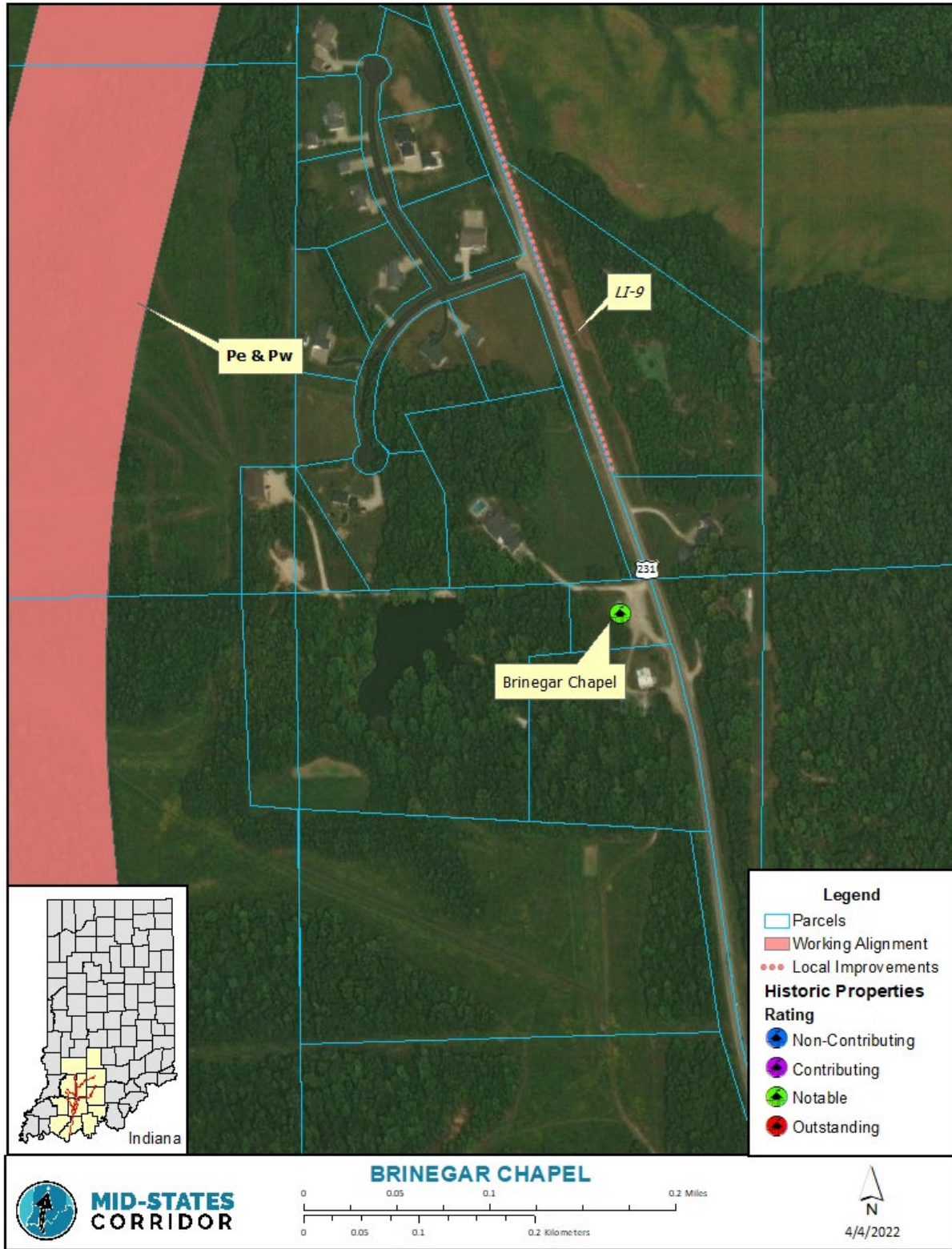
### Measures to Minimize Harm

Not applicable. All of the alternatives avoid this resource.



**FIGURE 15. BRINEGAR CHAPEL PHOTOGRAPH (c. 2011)**





**FIGURE 16. BRINEGAR CHAPEL HISTORIC PROPERTY MAP**



Shady Nook Motel

**Description**

Shady Nook Motel was built in 1935 and the motel was in business until 1979. The motel began with 18 cabins but now there are only five remaining. According to SHAARD, the structures are in fair condition. The property is located on Highway 50 near Loogootee, Indiana in Martin County. The IHSSI for Martin County assigned the chape an “notable” rating. In general, building with “notable” or “outstanding” ratings may be eligible for listing on the NRHP.

**Direct Use**

The portion of land where this resource is situated is outside of the working alignment and right-of-way for Alternative P. No direct use of this resource is anticipated.

**Constructive Use**

Constructive use is not anticipated with the current alignments.

**Avoidance Alternatives**

Not applicable. All of the alternatives avoid this resource.

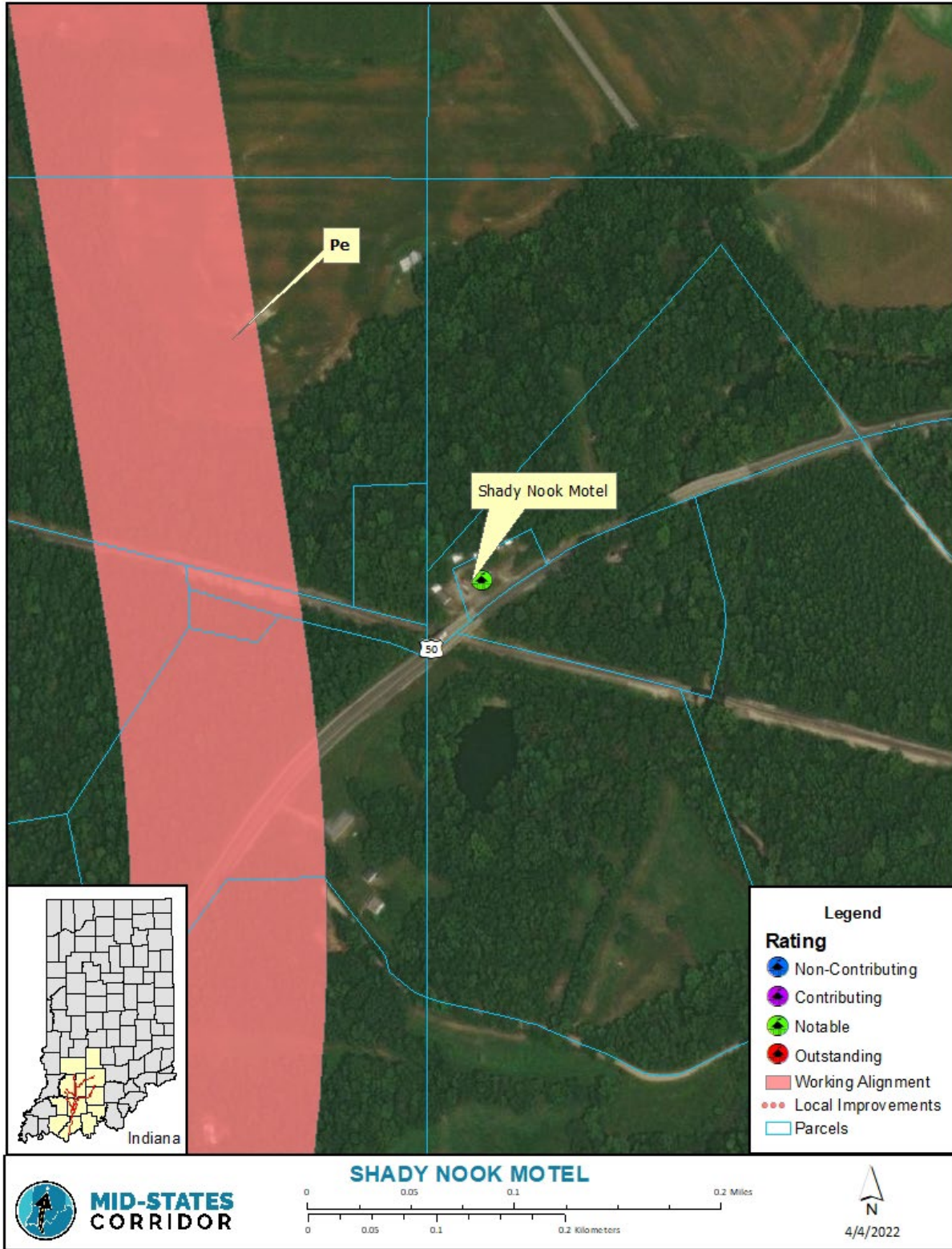
**Measures to Minimize Harm**

Not applicable. All of the alternatives avoid this resource.



**FIGURE 17. SHADY NOOK MOTEL PHOTOGRAPH (C. 2011)**





**FIGURE 18. SHADY NOOK MOTEL HISTORIC PROPERTY MAP**



## **Archaeological Resources**

Below-ground historic properties (archaeological sites) within the working alignments were evaluated for Section 4(f) eligibility. Archaeological resources enjoy Section 4(f) protection only when they warrant preservation in place. No archaeological sites within the working alignments have been listed on the NRHP, and only one site has been determined to be potentially eligible. The remaining 23 sites identified have not been assessed for NRHP eligibility; thus, they will be considered potentially eligible for the sake of this analysis until determined otherwise. Even if these sites are determined eligible after further analysis, they will be considered Section 4(f) resources only if they warrant preservation in place. Impacts to these sites may constitute direct use of Section 4(f) resources. Further investigation into the eligibility of these sites may be undertaken during the Tier 2 studies.