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EIS SUMMARY

The following substantive changes have been made to this chapter since the Draft Environmental Impact Statement (DEIS) was published:

- Impacts for Alternative R and Refined Preferred Alternative P (RPA P) have been added.
- Narratives have been updated to describe project activities including the publication of the DEIS, consideration of comments on the DEIS and subsequent Tier 1 regulatory activities.
- In response to comments, an explanation of the role of the Regional Development Authority (RDA) has been added.

ES 1 A Summary of the Statement

The Mid-States Corridor Study is a tiered environmental document consistent with the guidance established by the Council of Environmental Quality (CEQ) under the National Environmental Policy Act (NEPA) and conforming to processes developed by the Federal Highway Administration (FHWA) and Indiana Department of Transportation (INDOT). Tiering separates the broader issues such as selection of the general location and mode choice in Tier 1 from the more detailed site-specific impacts in Tier 2. See **Section ES 1.2** for more details. This Tier 1 Final Environmental Impact Statement (FEIS) defines the need for the study, the analyses undertaken, alternatives considered and their effects and identifies a Preferred Alternative. The intent of the Tier 1 Study is to determine the Purpose and Need for the proposed action and, if a Build Alternative is selected, identify a preferred corridor. All effects presented are estimates based on the best available resource information, supplemented by community input and some field reviews. Final resource impacts will be identified in subsequent Tier 2 NEPA studies for the selected alternative. These Tier 2 studies will calculate impacts based upon field surveys. This summary highlights the key processes followed, estimated effects of the alternatives and decision outcomes.

Section ES 1 describes the entire study process. It summarizes the primary elements of the entire FEIS. **Sections ES 2** through **ES 7** give details about important components of this FEIS. **Section ES 8** addresses implementation of the project. **ES 9** provides a glossary of key terms used in the EIS.



Figure ES-1: Project Study Area



ES 1.1 Purpose and Need

The Notice of Intent (NOI) for the study was published in the Federal Register on July 5, 2019. The project is intended to improve the transportation linkage between SR 66 and I-69 in Southern Indiana. Regarding the connection to I-69, this could be either a direct connection or via connection through SR 37, which is an existing four-lane expressway north from Mitchell. The Study Area includes 12 counties: Crawford, Daviess, Dubois, Greene, Lawrence, Martin, Monroe, Orange, Perry, Pike, Spencer and Warrick (**Figure ES-1**).

Five previous studies provided support of the need for improved linkage. These include the *Conexus Indiana Southwest Regional Council – A Plan for Growing Southwest Indiana’s Logistic Sector* (2015); *Blue Ribbon Panel on Transportation Infrastructure – Final Report to Governor Pence* (2014); *I-67 Corridor Feasibility Study* (2012); *US 231 Jasper/Huntingburg – 2004 DEIS and 2011 SDEIS and the US 231 Corridor Assessment* (2018). After the release of the NOI, robust engagement efforts with stakeholders, the public and resource agencies occurred. Five key themes of need were identified from stakeholder engagement and were as follows. While anecdotal in nature, the points below represent consistent input received multiple times from stakeholders:

- **Economic Significance of Dubois County.** Dubois County is a major economic center in Southern Indiana. It is home to many large national corporations. Access to northern and southern markets is restricted by the design and capacity of US 231. This inhibits business growth and business attraction, causes unpredictable delivery times, increases freight costs and inhibits access to Crane Naval Surface Warfare Center and its supporting contractors. Access to major intermodal facilities in Indianapolis, Louisville and Chicago is limited.
- **Poor Safety, Unreliability and Inadequacy of US 231.** US 231 is the north/south transportation “spine” for the Study Area. Many local stakeholders described it as having poor safety, speed, congestion and travel time predictability. In most parts of the Study Area, it is a two-lane road with narrow shoulders, hilly topography, unrestricted county road access and slow-moving seasonal farm equipment. These factors lead to reduced speeds and unpredictable travel times. This restricts its use for motor freight.
- **Lack of North-South Connectivity throughout 12-county Study Area.** Businesses east of I-69 and west of I-65 generally have inadequate access to northern and southern markets. Many businesses avoid US 231 to/from northern markets, and instead go south to I-64 to go north on I-69 or I-65. This added time and distance raises freight costs.
- **Importance of Improved Intermodal Access to Business Expansion and Attraction.** Large airports with air freight services, such as FedEx in Indianapolis or UPS in Louisville, provide advantages to businesses. Air freight opportunities are limited by poor connections to intermodal centers. Improved access to rail centers such as Indianapolis and Chicago also would be advantageous to businesses. In addition, there are two major Ohio River ports (Tell City River Port and the Port of Indiana in Jeffersonville). Major businesses in the Study Area both source their business inputs and serve customers throughout many parts of the nation. Access to a range of transportation options is an important part of business operations.
- **Importance of Transportation to Business Attraction.** An important consideration in business location decisions is the presence of high-level, multi-lane roads. Many stated that the combination of poor access/logistics to the north and the competitive labor market discourages business attraction.

Sentiment received from the public in support of the study tended to focus on economic development issues. Specific locations which would be helped by improved access included Jasper, Huntingburg, Washington, French Lick, Mitchell, Bedford and the Naval Support Activity (NSA) center/base in Crane. Support for a broad range of industries, including tourism, was cited.



Analysis of the transportation needs in the Study Area found accessibility limits to Dubois County and aligned with the issues expressed by the stakeholders. Forecasting travel times using existing roadway speeds and speeds associated with a higher facility identified the potential to create higher trip time reductions (e.g., up to a potential 10-minute round trip reduction between Jasper and Crane).

To determine whether alternatives created would address the needs identified, seven goals were established as measurement tools. Three of these were classified as core goals and four as secondary goals. Core and secondary goals differ in that a proposed alternative must demonstrate adequate improvements on each core goal while secondary goals represent additional benefits. These are “other desirable outcomes”¹ but are not required to be addressed by the selected alternative. Goals 1, 2 and 7 are core goals, and Goals 3, 4, 5 and 6 are secondary goals. The seven goals and their performance criteria are as follows:

- 1) **Increase accessibility to major business markets (Core Goal). Alternatives must demonstrate:**
 - a. Reduced travel time from Jasper to Indianapolis, Chicago and Louisville
 - b. Reduced travel time from NSA Crane to Jasper, Rockport and Louisville
 - c. Reduced travel time from Bedford to Rockport and Louisville
 - d. Reduced travel time from French Lick to Indianapolis, Louisville and Rockport
 - e. Reduced travel time between I-64/US 231 and I-69/US 231
 - f. Increased labor force with 30-minute access to Jasper, Crane, Washington, French Lick and Bedford.
- 2) **Provide more efficient truck/freight travel in Southern Indiana (Core Goal). Alternatives must demonstrate:**
 - a. Reduced truck vehicle hours of travel (VHT) in 12-county Study Area for trips to, from or within the Study Area.
- 3) **Reduction in localized congestion in Dubois County (Secondary Goal). Alternatives must demonstrate:**
 - a. Reduced congestion at key locations within Jasper and Huntingburg.
- 4) **Reduce crashes at key locations in Southern Indiana (Secondary Goal). Alternatives must demonstrate:**
 - a. Reduction in annual crash costs at key locations in Southern Indiana.
- 5) **Increase levels of business activity within Southern Indiana (Secondary Goal). Alternatives must demonstrate:**
 - a. Increased regional gross domestic product within 12-county Study Area.
 - b. Increased total employment within 12-county Study Area.
 - c. Increased employment in high-wage industries in 12-county Study Area.
 - d. Increased employment in high-growth industries in 12-county Study Area.
- 6) **Increase personal economic well-being in Southern Indiana (Secondary Goal). Alternatives must demonstrate:**
 - a. Increased personal income within 12-county Study Area.

¹ Measurement of adequacy is defined in Chapter 1



- 7) **Increase access to major intermodal centers from Southern Indiana (Core Goal). Alternatives must demonstrate:**
- a. Reduced travel from Jasper to CSX Avon Yard, Senate Ave. Yard, Tell City River Port, Port of Indiana, Louisville Airport and Indianapolis Airport.
 - b. Reduced travel time from Crane to CSX Avon Yard, Senate Ave. Yard, Tell City River Port, Port of Indiana, Louisville Airport and Indianapolis Airport.

ES 1.2 Process Overview

NEPA established the framework to consider how federal actions may have an impact on the environment. From this framework, the CEQ created the three levels of environmental reviews, which are the EIS, Environmental Assessment (EA) and Categorical Exclusion (CE). Additionally, the CEQ provided the opportunity for major transportation actions processed as an EIS to be tiered (40 CFR § 1508.28: Tiering). Tiering separates the broader issues such as selection of the general location and mode choice in Tier 1 from the more detailed site-specific impacts that can be determined in Tier 2. For large, complex transportation projects tiering is beneficial for both the lead federal agency providing approval and the lead state agency planning the transportation improvement. With its 12-county Study Area, it was determined a tiered approach was appropriate for the Mid-States Corridor Study.

A participant in this Study is the Mid-States Corridor Regional Development Authority (RDA). It was established as provided in *IC 36-7.6, Regional Development Authorities*. This legislation allows RDAs to be formed throughout Indiana. It is an additional form of local government. An RDA allows local governments to collaborate for regional benefits.

RDAs may be formed to fund and develop projects of regional importance. These include airport projects, commuter transportation districts or other rail projects, regional transportation authority projects and services, economic development projects, intermodal transportation projects, regional trail or greenway projects, regional transportation infrastructure projects or any project that enhances the region with the goal of attracting people or business of regional economic importance.

On September 26, 2018, the RDA and INDOT entered into an agreement for the RDA to provide funding for the Tier 1 Environmental Impact Statement. The RDA is one of 17 participating agencies for this project. See **Table 7-1** in this FEIS. It does not direct the study or its findings. The project sponsor for this Mid-States Corridor Tier 1 EIS is the Indiana Department of Transportation, with the Federal Highway Administration as the lead federal agency.

Coordination between FHWA and INDOT resulted in determining the Tier 1 DEIS Build Alternatives should establish a continuous corridor through the entire project area and identify how it will connect to I-69 and propose what its Sections of Independent Utility (SIUs) would be in Tier 2. The SIUs would define their logical termini and prioritization for Tier 2 staging. Determination of a facility type will be deferred until Tier 2; however, the effects analysis must be based on construction footprints associated with design criteria of a given type of facility. To address this, each alternative has a range of costs and impacts for a partial access expressway and Super-2 rural arterial. A fully access-controlled freeway was removed from consideration during the study.

This Tier 1 FEIS and Record of Decision (ROD) selects a corridor, not an exact alignment. The Tier 2 projects will develop an alignment and construction footprint for determining environmental impacts. The type of environmental documentation, EIS, EA or CE for each Tier 2 project, will be determined during Tier 2 studies. Tier 1 regulatory actions involving agencies are described in **Section ES 7**. Anticipated permits and other regulatory actions during and after Tier 2 studies are described in **Section ES 1.5.1**. Environmental commitments described in Chapter 6 will be carried forward into Tier 2 as well as subsequent design and construction.



The ROD selected a preferred Build Alternative. As will be later described, the Build Alternative includes localized improvements to existing roadways associated with the selected corridor. The combination of these localized improvements with the new corridor enhanced the benefits obtained. Each localized improvement associated with the Preferred Alternative is illustrative, shown with approximate termini and will be processed as an individual Tier 2 project. Although these localized improvements may be processed as CEs, the level of environmental documentation will be determined later. Localized improvements not associated with the selected alternative will not be developed as a part of Mid-States Corridor Tier 2 activities. These may be evaluated for further development through INDOT's annual project evaluation process. These other localized improvements are associated with alternatives other than the selected alternative.

The Mid-States Corridor Tier 1 EIS uses several terms to describe the highway alignments considered. For details, see **FEIS Volume I, Sections 2.2 through 2.4** and **Volume II, Appendices C and D**.

- **Route.** In the conceptual and preliminary stages of this project, alignments were proposed by project staff, agencies and the public. These alignments were designated as "routes." They were proposed as portions of an alignment connecting I-64 and I-69/SR 37. A two-mile wide Study Band was identified for each route, with the route in the center of the Study Band.
- **Alternative.** When routes were combined to connect I-64 with I-69/SR 37, these were designated as alternatives. The term "route" continued to be used to refer to portions of alternatives. When an end-to-end alignment was combined with a single facility type, it also was designated as an "Alternative." Facility types considered in the Screening of Alternatives included freeway, expressway and Super-2. Subsequent to the Screening of Alternatives, the freeway facility type was eliminated. Alternatives then were designated as a single entity with a range of potential facility types (expressway and/or Super-2).
- **Corridor.** After identifying alternatives carried forward in the Screening of Alternatives, a corridor was identified for each alternative. That corridor is generally 2,000-feet wide, centered around the center line of the alternative. This Tier 1 study selects a preferred corridor. RPA P has four corridors in SIU 4 at Loogootee. During Tier 2 studies, a final alignment and facility type(s) will be selected within its Tier 1 corridor. This will include selecting a single corridor at Loogootee in SIU 4.
- **Discontinuing Use of Route.** Subsequent to the Screening of Alternatives, the decision was made to defer selection of specific facility type(s) until Tier 2 studies. The decision also was made to remove the freeway facility type from consideration. At this point, the use of "route" was discontinued. In the detailed analysis of alternatives in **Chapters 3 through 6**, only "alternative" is used to designate alignments connecting I-64 with I-69/SR 37. Each alternative was evaluated using a range of costs, impacts and benefits for both the expressway and Super-2 facility types.
- **Variation.** This term is used to refer to individual discrete elements within an alternative in this EIS. It is used to refer to a single corridor location where multiple corridors occur as part of the same alternative. It also is used to refer to a single facility type for a given alternative. For example, "Super-2 variation of Alternative X."

ES 1.3 Preliminary Screening and Alternatives Carried Forward

ES 1.3.1 Defining the Study Area

The Study Area encompasses 12 counties in Southern Indiana. While proposed Build Alternatives would provide a continuous alignment to connect the northern and southern termini, three distinct sections/regions were identified that would influence potential conceptual routes. These were divided into Sections 1-3 starting from the southern terminus and progressing north. Section 1 occupies the area between the southern terminus at SR 66 and I-64.

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CORRIDOR**

Section 2 continues from I-64 to north of Jasper, generally extending to the vicinity of the East Fork White River. Section 3 occupies the area between Section 2 and a connection point with I-69, either directly or via SR 37.

Section 1 is represented by the portion of US 231 which was upgraded to a four-lane expressway in 2011. At the initiation of the study, a fully access controlled freeway facility type was considered. This section would not have evaluated a new alignment, but could have resulted in converting this section of US 231 to a freeway. With the removal of freeway as a facility type, potential effects within this section became limited to identification of specific locations of access control, spot improvements and signage. However, no changes to access control or spot improvements were proposed as part of any alternative.

Section 2 is represented by the portion of the study which generally considered improvements near or on the existing alignment of US 231 in Dubois County near Huntingburg and Jasper.

Section 3 is represented by a much broader area and as such was further subdivided into three “families” within which alternatives were assigned. The intent was to categorize those that split off to the northwest to connect to I-69, those that maintain a relatively straight north-south alignment along the existing US 231 corridor and those that split off to the northeast to connect to SR 37. Each of these families would serve different communities in the Study Area. The Northwest Family more directly links population centers in or near Petersburg and Washington, the North Central Family more directly to Crane NSA and the Northeast Family to Bedford and Mitchell.

Figure ES-1a shows the general location of these Sections in the Study Area.

ES 1.3.2 Public and Agency Outreach

Public and resource agencies were engaged throughout each stage of the study and followed the *Indiana Department of Transportation and Federal Highway Administration Streamlined Environmental Impact Statement Procedures*, September 2007, which included both a formal Public Involvement Plan (PIP) and Coordination Plan. These plans were regularly updated during the project study and posted to the project website. The final version of these plans is provided in **Appendix BB**. The engagement strategy for the public involved in-person outreach, providing virtual connectivity and establishing a community presence. Agency coordination and engagement involved in-person coordination meetings, regular correspondence and workshops.

Public Engagement

Outreach included providing correspondence to key public representatives throughout the entire 12-county area at major milestones, in addition

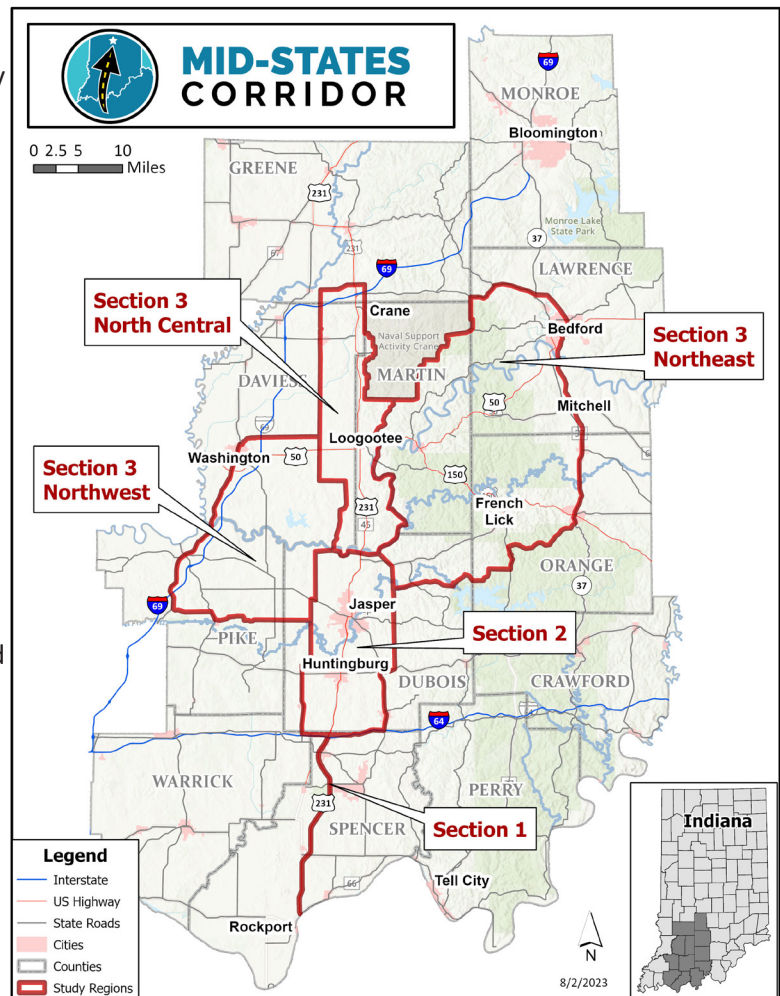


Figure ES-1a: Sections within Study Area



to the stakeholder and public meetings. A total of 18 economic development interviews with stakeholders were held during 2019. Four Regional Issues Involvement Teams composed of representative stakeholders from distinct geographic areas of the project were created, and meetings were held with each once in 2019 and once in 2020. Two rounds of public information meetings were held, the first during the scoping phase and the second to present the alternatives recommended to be carried forward for detailed study. Having such a large Study Area, three meetings were held during each round to afford the public multiple opportunities and to provide convenient meetings across the Study Area. The public meetings resulted in more than 1,600 people attending. More than a dozen additional ‘ad hoc’ meetings were held in 2019 and 2020. These were meetings with individuals or stakeholders requested independently.

A digital footprint was established to provide multiple forms of outreach and maximize engagement opportunities. A dedicated website was created (<https://midstatescorridor.com/>) in 2019 and regularly updated with project information and the ability to provide feedback and submit comments. This website also has a Spanish translation tool. Dedicated Facebook and Twitter accounts were created and have been maintained with up-to-date information. Hundreds of digital comments and questions have been received through these platforms. Traditional media outlets such as newspapers and local television have been used for announcements and notices of public informational material.

A project office was opened in the Jasper Campus of Vincennes University. Initially and during the DEIS comment period it was staffed by project team members three days a week and by appointment at other times. It was closed temporarily during the COVID pandemic. At other times it has been open one day a week and by appointment. See **Section 7.3.3** for details.

The combination of these efforts and media resulted in considerable public feedback during the entire project and through the publishing of this FEIS/ROD.

Agency Coordination

Early coordination letters were sent to 30 entities: 11 federal agencies, 15 state agencies, three local agencies and one tribal government. A total of 16 entities acted as participating agencies: nine federal agencies, three state agencies, three local agencies and one tribal government. In addition, the U.S. Fish and Wildlife Service (USFWS) acted as a cooperating agency. Two meeting/workshops were held at the project office on the Jasper Campus of Vincennes University, the first held as a scoping meeting and the second to present the screenings of alternatives. The second meeting also hosted a bus tour of the Study Area to observe the conditions in the vicinity of proposed alternative. USFWS hosted a meeting in 2019 to discuss appropriate Section 7 consultation at both the Tier 1 and 2 levels. Correspondence with agencies occurred throughout the project. Multiple agencies provided comments on the DEIS. Agency coordination continued through the preparation of this FEIS/ROD.

ES 1.3.3 Screening of Alternatives

The alternatives development process included identifying the No-Build Alternative, consideration of non-highway alternatives and routes which could serve as portions of an alternative connecting I-64 with I-69/SR 37. Any route considered was first analyzed for potential fatal flaws. Fatal flaws included concepts which did not meet the project’s Purpose & Need and/or would have the potential for major impacts to key sensitive resources when other similar concepts would avoid those resources. A fatal flaw is present when any element of a route prohibits or prevents its implementation. This could be from an established threshold, technological hurdle or a known restriction. Routes without fatal flaws were then progressed into a phased assessment. They were combined to form end-to-end alternatives. These were evaluated at a high level for impacts, costs and performance against the Purpose and Need criteria to determine which alternatives warranted more detailed evaluation.



Non-Highway Alternatives

Consideration of non-highway alternatives yielded 18 potential options which ranged in concept from expanding rail facilities to implementation of autonomous vehicles to a series of financial investments for items such as workforce development and broadband access. Each of the non-highway alternatives failed the fatal flaw analysis due to the inability to meet the core goals of the Purpose and Need. This analysis of non-highway alternatives is provided as part of **Appendix D – Screening of Alternatives Report**.

Build Alternatives

Development of Build Alternatives was done through extensive engagement with the public. Initial generation of routes was accomplished by creating two-mile wide study bands independently in Section 2 and 3 using input from the public and stakeholders. From these suggested routes, 18 combinations of these routes were combined to produce end-to-end alternatives. Ten of these alternatives were advanced to the Screening of Alternatives. These provided multiple representative alternatives for each of the “families”: Northwest = A, B, C; North Central = G, K, P, R; and Northeast = M, N, O. Except for Alternative R, a reasonable alignment was generated within each of the 10 two-mile wide study bands with generic impact buffers ranging between 400 and 800 feet, depending on the terrain. Terrain with more hills required a wider footprint. Alternative R represented the existing US 231 alignment. A buffer was generated to represent an improved facility, but the alignment was not altered. Impacts to key resources, cost estimates and preliminary performance for the Purpose and Need goals were calculated to select which alternatives warranted continued investigation.

The alternatives carried forward from the Screening of Alternatives were Alternatives B and C from the Northwest Family, Alternative P from the North Central Family and Alternatives M and O from the Northeast Family. The assessment and recommendations were released to the public and agencies for input. Public input tended to focus on localized access concerns depending on the alternative associated with their community. However, resource agencies requested details about how alternatives were identified. Three of these requests resulted in additional analysis and changes to the formulation of the alternatives. These are described in the following bullets:

- **Eliminate the Northeast Family of alternatives.** Resource agencies expressed concern that any alternative in the Northeast Family would have high impacts to sensitive resources and requested they be removed from consideration. The U.S. Army Corps of Engineers (USACE) expressed concern that neither Alternatives M nor O could be identified as the least environmentally damaging practicable alternative (LEDPA) during permitting under Section 404(b)(1) of the Clean Water Act. The decision was made to retain these alternatives for further analysis to maintain clear documentation of their impacts in comparison to the other alternatives.
- **Include alternative routes both east and west of Jasper/Huntingburg in Section 2.** Resource agencies requested any alternative with an eastern route in Section 2 be considered with a route west of Huntingburg and Jasper. The request resulted from the concern that a route east of these cities would be more impactful to key resources than the western route. Including both routes would have made the number of alternatives unmanageable as the project progressed, but the intent of the request to compare their differences was understood. To address these comments, a secondary analysis was conducted to isolate the two routes and determine their impacts and performance. This analysis identified that while neither route was substantially more impactful to key resources or more costly, the eastern route consistently had higher performance on the Purpose and Need measures. The impacts within the routes were not identical since each impacted resources differently. They were similar on balance. For example, the eastern route impacted more forest while the western route impacted more wetlands and streams. The result of the analysis was to retain only the eastern route for Alternatives O, P and M and shift Alternative C from a western route to an eastern route. Only Alternative B retained a western route due to its alignment to the west.



- **Further explore use of existing roadways for alternatives.** Resource agencies requested investigation of alternatives which used more existing roadways to reduce the impacts to sensitive environmental resources. This area of the state has dense forest resources, and it was desired to reduce further fragmentation from transportation networks. The project team further evaluated this by developing a modified hybrid alternative using portions of Alternatives P and R. Alternative R is an upgrade of existing US 231. Alternative R was not recommended to be carried forward for detailed consideration due to the high volume of impacts to the human environment, particularly relocations, cultural resources and potential local access issues.

The hybrid alternative proposed would use an eastern new terrain corridor in Section 2, then return to the existing US 231 alignment north of the East Fork White River. In Section 2, the eastern corridor reduced impacts in Huntingburg and Jasper compared with Alternative R. North of the East Fork White River, this hybrid upgrade targeted sections of US 231. These upgrades added passing lanes where they would be most effective and less impactful.

A screening-level analysis of performance and impacts for this hybrid found that its impacts were reduced but it also had poor performance. This analysis is documented in **Appendix V**. The hybrid alternative was not given further consideration. However, the process of investigating existing facility upgrades identified potential localized safety and congestion improvements. The study determined localized improvements could be incorporated to complement the new facility alignments to produce alternative-wide enhancements. For all alternatives, upgrades to existing roadways were identified to complement the new terrain alignments. These smaller scale upgrades on existing facilities could be made faster than constructing new terrain alignments. These localized improvements provide interim benefits prior to construction of a new terrain alignment. The localized improvements in this FEIS are illustrative but supported by this study and through funding announcements during the study process. Although these localized improvements were individually associated with the new routes, selection of a preferred would not “reject” a separate need for any of the other improvements. Localized improvements not associated with a Preferred Alternative may be identified as an independent need as part of INDOT’s annual call for projects. These localized improvements associated with each alternative are listed in **Section ES 2** and described in more detail in **Section 2.7**.

The result of the combined screening process, agency and public input and subsequent analyses was the reduction of 10 recommended Build Alternatives from the Screening of Alternatives to five alternatives with a range of facility types and a corresponding range of impacts. These are analyzed in **Chapter 3** through **Chapter 6** of this FEIS. For the selected Build Alternative, Tier 2 studies would finalize the facility type(s) within each SIU.

No-Build Alternative

The No-Build Alternative includes the existing highway network, plus added capacity projects included in state and local fiscally-constrained transportation plans through the year 2045. The year 2045 is the forecast year for traffic assignments. The No-Build Alternative is the point of comparison for evaluating costs, impacts and benefits of each alternative.

ES 1.4 Identification of DEIS Preferred Alternative

After detailed analysis and review of the available alternatives, The western bypass variation of Alternative P was identified as the DEIS Preferred Alternative for the Mid-States Corridor for the following reasons:

- 1) It produces the best combination of benefits associated with the defined goals for the project.
 - a. Most travel time saved to key destinations (Core Goal 1)
 - b. Third best increase in access to labor force (Core Goal 1)
 - c. Most annual truck hours saved (Core Goal 2)

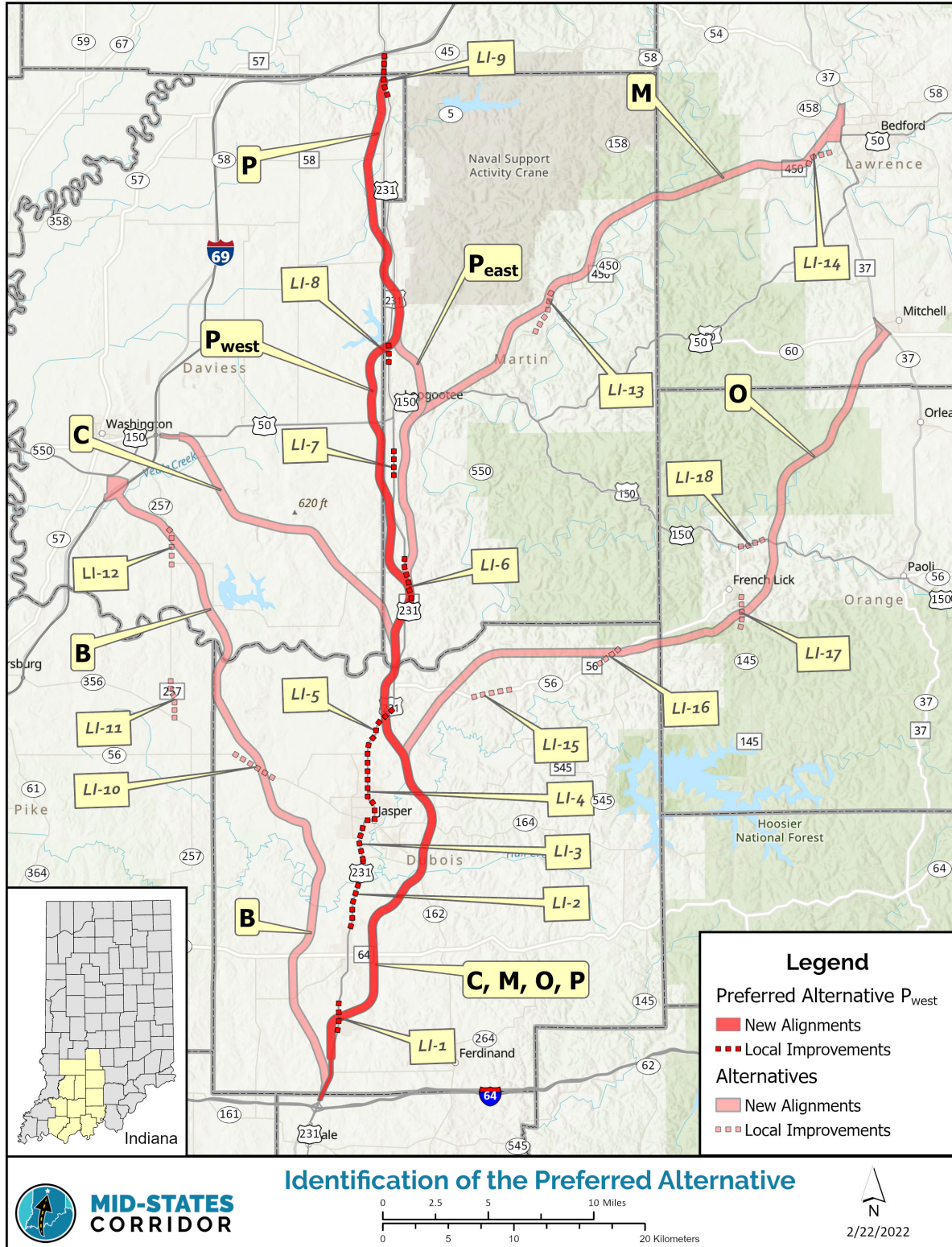


Figure ES-2: Identification of the DEIS Preferred Alternative



- d. Most travel time saved to major multi-modal centers from Crane and Jasper (Core Goal 7)
- 2) Although this alternative does not consistently produce the lowest impacts to environmental resources, it did produce the lowest impacts among Alternatives M, O and P. These three alternatives adequately address the project's Purpose and Need. While Alternatives B and C have lower impacts and costs, they fail to adequately address the project's Purpose and Need core goals. See **Section 5.1** for a discussion of alternatives' ability to adequately satisfy the Purpose and Need.
- 3) Alternative P produces a comparably low level of impacts for several key resources.
 - a. Wetlands – It has the potential to produce the smallest impacts.
 - b. Karst Features – No karst features are present along this alternative.

Figure ES-2 highlights the DEIS Preferred Alternative in comparison to the other DEIS Build Alternatives within the Study Area. Selection of the facility type is deferred to Tier 2 studies to provide maximum flexibility with future design to balance impacts, costs and benefits. Alternative P included the western bypass of Loogootee.

Based on comments on the DEIS, a modification of Alternative P, Refined Preferred Alternative P (RPA P), was added in the FEIS. As **Section ES 6** describes, RPA P is the selected alternative in this FEIS/ROD.

ES 1.5 Commitments and Regulatory Actions Associated with the Project

Effort has been made throughout the length of this Tier 1 Study to develop alternatives that maximize the performance benefits while avoiding and minimizing impacts to the human and natural environment. As a Tier 1 Study, the identification of a preferred Build Alternative does not require initiating permitting actions subsequent to approval of this FEIS/ROD. Commitments made in Tier 1 will be carried forward into Tier 2. **Chapter 6** provides these Tier 1 commitments. All regulatory permits will be obtained in association with each Tier 2 project. This section provides an overview of how permitting was considered during the development of Tier 1 alternatives.

ES 1.5.1 Permits

The U.S. Environmental Protection Agency (USEPA) delegates permitting authority for Section 404 of the Clean Water Act (CWA) to the USACE. Although no permits will be issued at the Tier 1 stage, the USACE was asked to review the DEIS and could comment on whether the Preferred Alternative could satisfy its permitting requirements. The East Fork White River is a federally jurisdictional and Traditional Navigable Water (TNW) for roughly 22 river miles upstream of the confluence with the White River. This section of the river extends to roughly Portersville which is approximately five miles downstream from Alternative P. Coordination with the USACE and the U.S. Coast Guard (USCG) will occur during Tier 2 to confirm the alternative remains outside of these jurisdictional limits. Impacts to bridges over TNW must receive a Section 9 Bridge Permit. Impacts below the normal high-water level of the waterway require a Section 10 Permit concurrent with the Section 404 Permit.

The following permits may be associated with Tier 2 projects. These include local, state and federal permits. These permits may be required for actions associated with, *but not limited to*, streams, wetlands, lakes, wells or karst. All necessary permits will be obtained prior to initiating any construction activities. The terms and conditions of these permits will be adhered to during the construction and maintenance of this facility.

- USACE Section 404
- USACE Section 10 Permit
- Indiana Department of Environmental Management (IDEM) Section 401 Water Quality Certification (WQC)
- IDEM Isolated Wetlands Permit



- IDEM National Pollutant Discharge Elimination System (NPDES) Section 402 Permit
- IDEM NPDES Construction Stormwater General Permit
- Indiana Department of Natural Resources (IDNR) Construction in a Floodway Permit
- IDNR Navigable Waterways Permit
- USCG Section 9 Bridge Permit
- U.S. Environmental Protection Agency (USEPA) Class 5 Injection Well Permit
- Local Permits and Ordinances

ES 1.5.2 Other Key Commitments

This FEIS documents commitments that will be maintained through the Tier 2 projects. This summary highlights key commitments initiated with other resource agencies as part of this Tier 1 study.

Cultural Resources. Tier 2 studies will assess the effects of the Preferred Alternative upon properties listed in the National Register of Historic Places (NRHP), as well as those eligible for listing. These studies will seek ways to avoid and minimize any adverse effects to these resources. A Programmatic Agreement (PA) with the State Historic Preservation Office (SHPO) for the Mid-States Corridor will guide Tier 2 studies. It was executed in compliance with the requirements of the Section 106 process. This PA is included in **Appendix P**.

Protected Species. Consultation with the USFWS has been initiated for federally listed and candidate bat, fish, mussel and insect species. Consultation will continue throughout the life of the Mid-States Corridor project. As part of this consultation, INDOT prepared a Tier 1 Biological Assessment, and USFWS provided a Tier 1 Biological Opinion. These documents are in FEIS **Appendix PP** and **Appendix QQ**, respectively. Detailed impact analysis and mitigation for impacts to federally and/or state listed species will occur during Tier 2 projects.

ES 2 Issues Raised by Agencies and the Public Prior to the DEIS

The Mid-States Corridor project is regional in scale and would affect a wide range of communities in the 12-county Study Area. Residential and commercial relocations are typically controversial for any community impacted, and the project would cause relocations in numerous communities along the alternative. The project occurs within a predominantly rural area. None of the proposed alternatives would generate a large concentration of relocations in any single location², but due to the rural nature of the area, each relocation is relatively impactful to the community. “Ruralness” is a key characteristic of the region. Some residents view expansion of either urbanization or transportation/utility corridors as detrimental to the region. Many residents regard its remoteness and abundant wildlife habitat as an important part of their community’s fabric. Engagement with the public and agencies identified these six major themes:

- **Wildlife and Natural Areas.** Tourism is a significant economic driver. In multiple communication channels, residents stated that it is important to protect the quality of the environment and the integrity of natural areas. The rural nature of this region was viewed as part of the identity of many of the communities. Winding and narrow road networks in the region were regularly cited as limiting both commercial and tourism growth, while protecting natural areas. Stakeholders, the broader public and agencies each requested that existing roadways be used where practical to limit habitat fragmentation and other impacts. Alternatives in the Northeast Family would cross the acquisition boundary of the Hoosier National Forest. Alternatives in this section were frequently cited as having the potential to impact wildlife and natural areas.

² This would not apply to Alternative R, which was considered in this FEIS in response to comments on the DEIS. Please refer to **Section ES 5.3**.



- **Access.** Each alternative would modify the existing highway network. Residents and business owners throughout the Study Area expressed concern that a new alignment and/or facility type would cause them to lose access to either their properties or local roads they use regularly. The agricultural community expressed concern that movement of farm equipment could be restricted on new roadways. The public and stakeholders throughout the Study Area requested a high level of engagement going forward regarding changes in access restrictions.
- **Relocations.** Residents across the Study Area are concerned about potential residential, commercial and industrial relocations. During multiple personal contacts from the public, burial areas were raised as concerns. Cemetery and burial avoidance is a primary focus, and multiple corridor adjustments were made to avoid cemeteries. Residents in several communities identified limited housing stock as a significant issue. Many noted that builders are interested in higher-end developments which do not address the need for middle- and lower-income housing. Taking of smaller/older housing stock could create issues with the availability of replacement housing. Amish residents expressed concerns about finding replacement housing given their need for homesteads and proximity to maintain community cohesion. All relocations, including those impacting the Amish community will be studied in greater detail during Tier 2.
- **Agricultural.** Maintaining access to agricultural properties was consistently expressed as a major concern. Related concerns include impacts to farming operations which separate farming infrastructure from agricultural fields, loss of multi-generational land, creation of uneconomical remnants and adverse operational travel. Significant concern was expressed repeatedly about impacts to farmland and farming operations.
- **Economic Effects.** Workforce shortage was a very common theme in meetings with stakeholders, businesses and community leaders. Residents and businesspeople in Huntingburg, Jasper, French Lick, Paoli, Loogootee and Bedford all identified a consistent trend of migration out of the area and issues for attracting young families into the area.
- **Consideration of No-Build Alternative.** Many public comments opposed the project and preferred the No-Build Alternative. The reasons offered for selecting the No-Build Alternative could be categorized into the following:
 - A Build Alternative would be an inappropriate use of tax funds.
 - Impacts to the environment are not warranted for the proposed improvements.
 - The public would benefit more through regular maintenance of the existing roads.
 - A Build Alternative would change the rural nature of the region.

ES 3 Major DEIS Alternative Decisions

ES 3.1 Decisions Impacting Consideration of Alternatives

The COVID-19 pandemic began near the release of the screening report for this study. A major reduction in vehicular travel occurred in 2020 during the development of the alternatives carried forward for detailed study. Uncertainty related to the extent and duration of these conditions and their impact to motor fuel tax revenue and future capital expenditures for INDOT led to two key decisions: removing consideration of freeways as a facility type and deferring a decision on the selection of facility type, either expressway or Super-2, until Tier 2. The purpose of these decisions was to reduce capital expenditure and afford greater flexibility in Tier 2. This was also responsive to agency comments received at the March 16, 2020 Screening of Alternatives meeting which requested that combinations of facility types be considered for the selected alternative. For this reason, benefits and impacts are provided in ranges rather than as discrete values.



ES 3.2 Evaluation of Routes in Dubois County

In response to the alternatives screening, agencies requested the eastern and western routes around Jasper and Huntingburg be evaluated as combinations with alternatives carried forward. Based on this input, an additional evaluation step was conducted to further analyze the Eastern and western routes in Dubois County to select a preferred route. This evaluation of eastern and western routes in Dubois County identified the eastern route as preferred based on performance and range of impacts. The eastern route was incorporated into the Build Alternatives carried forward, except for Alternative B.

ES 3.3 Incorporation of Local Improvements

Subsequent to the alternatives screening process additional evaluation of existing facility upgrades for alternatives carried forward was completed based on comments received. While this evaluation did not identify that these upgrades were viable to address the project purpose and need, this analysis did identify that there were some improvements to existing highways associated with each alternative which would offer local safety and congestion benefits. These local improvements were included as part of each alternative.

ES 3.4 Alternatives Carried Forward for Detailed Study

The alternatives screening process and subsequent evaluations of eastern and western routes in Dubois County produced five Build Alternatives carried forward for detailed study. Although the No-Build Alternative does not meet the Purpose and Need, it is carried forward as a basis of comparison. The five alternatives carried forward are B, C, M, O and P, each with an associated series of localized improvements. Some local improvements are associated with more than one alternative.

Table ES-1 summarizes the performance criteria, costs and impacts to key environmental resources for the five Build Alternatives in the DEIS. The table also includes two additional alternatives, RPA P and R, which were evaluated in the FEIS. See **Section ES 6** for a description of these added alternatives.

These metrics provided a baseline comparison for identification of a DEIS Preferred Alternative. The No-Build Alternative would not result in the expenditure of dollars to construct an alternative nor result in impacts to key resources. It also would produce no transportation or economic benefits to the 12-county Study Area. It is not included in **Table ES-1**. It remains an option if the benefits of the preferred Build Alternative do not justify its costs and impacts. Three of the five DEIS Build Alternatives satisfy the core measures of the project's Purpose and Need. The No-Build Alternative does not. The five Build Alternatives considered in the DEIS are described in the following paragraphs.

ES 3.4.1 Alternative B

Alternative B extends 33 miles from I-64/US 231 to I-69 near Washington. This alternative begins at the I-64/US 231 interchange and travels west of Huntingburg and Jasper, avoiding developed areas near these cities. It continues northwest on a new route west of Glendale Fish and Wildlife Area and connects to I-69 at a new interchange south of the US 50 interchange. A total of six local improvements are included with Alternative B. These include Local Improvement (LI)-1, -2, -3, -10, -11 and -12.

Alternative B has the shortest length at 33 miles. It has the least construction costs, between approximately \$450 and \$575 million, and has the smallest impacts to many environmental resources. However, it has the second highest anticipated impacts to wetlands at 76 to 84 acres despite being the shortest alternative. This Build Alternative underperformed on the core goals of the Purpose and Need. Its connection to I-69 is the farthest to the west and south. This reduced its potential decreases in truck travel time. Its maximum potential benefit on Goal 2 is 150 truck



	Metrics/Units	Alternative B	Alternative C	Alternative M	Alternative O	Alternative P	RPA P	Alternative R
BENEFITS	Sum of time saved from all locations to key destinations/ Minutes (Core Goal 1)	8-10	15-18	30-35	18-24	25-43	25-43	5
	Increase in Labor Force Access to all destinations/ # Persons (Core Goal 1)	15,300-17,600	4,500-5,000	10,200-11,000	26,300-26,900	10,400-11,200	10,400-11,200	100
	Sum of time saved from Crane & Jasper to major rail & air multi-modal centers/ Minutes (Core Goal 7)	4-8	3-4	17-22	10-13	24-35	24-35	4
	Annual Truck Hours Saved/ Vehicle Hours Travel (Core Goal 2)	(-11,400)-150	1,800-34,150	7,800-35,900	(-3,000)-18,250	8,400-36,850	8,400-36,850	(-250)
COSTS	Total Miles (SR66 / US231 to I69) / Miles	33	41	62	53	54	54	49
	Total Construction Cost + Contingency / \$ Millions	449-576	554-759	1,105-1,395	1,074-1,320	735-1,052	730-1,061	599
	New Right-of-Way / acres	2,220-2,525	1,900-2,403	4,138-4,900	3,162-3,730	2,497-3,226	2,370-3,218	1,198
KEY IMPACTS	Potential Relocations (agricultural, business, institutions or residential) / #	90-96	92-116	187-214	141-189	109-149	114-156	418
	Cultural – Above Ground Historic Sites (NRHP Listed or Potentially Eligible)/ #	0	7	4	16	6	5-6	20
	Cultural – Archaeological Sites (Known Potential Sites)/ #	33	29	60	33	35-44	50	22
	Cultural – Cemeteries / #	5	1	3	6	4	4	6
	Agricultural – General / acres	1,517-1,763	1,082-1,408	1,465-1,857	1,091-1,381	1,354-1,832	1,272-1,832	146
	Agricultural – Prime Farmland / acres	531-602	234-321	571-724	304-378	520-733	495-693	151
	Protected Species – Potential Presence Within two miles / # of species (Federal)	6	5	9	10	11	11	11
	Protected Species – Indiana Bat Forests within <i>maternity</i> area/ acres	206-223	62-86	1,418-1,603	380-431	228-282	200-281	80
	Protected Species – Indiana Bat Forests within <i>hibernacula</i> area/ acres	0	0	0	493-516	0	0	0
	Protected Species – Northern Long-Eared Forests within <i>maternity</i> area/ acres	130-135	9-12	841-954	294-327	161-188	159-189	61
	Protected Species – Northern Long-Eared Forests within <i>hibernacula</i> area/ acres	0	0	651-712	1-2	0	0	0
	Managed Lands / acres (& miles of trails*)	0 / 0.0	5-10 / 0.5	32-46 / 0.3-0.4	5-10 / 0.3	10-16 / 0.3-0.4	10-16 / 0.3-0.6	28 / 4.3
	Special Lands – Section 4(f) & 6(f) / #	0 / 0	0 / 0	2 / 0	0 / 0	1 / 1	1 / 1	2 / 0
	Forests – Total / acres	312-347	424-556	1,994-2,311	1,588-1,756	629-923	607-874	97
	Forests – Core Blocks / #	2	7	18	16	7-10	1-4	0
	Potential Karst Features (caves, springs and sinkholes) / #	0**	0	87	58	0	0	0
	Streams & Rivers (intermittent and perennial only) / miles	7-8	6-7	12-14	11-13	8-11	8-12	4
	Floodplains / acres	394-441	380-470	957-1,092	389-452	419-607	413-601	132
	Potential Wetlands / acres	76-84	46-56	98-111	46-55	39-56	38-52	13
	Potential Noise Impacts / # Receptors	57-59	57-61	71-74	79-81	64-71	67-105	487

*Includes planned trails

**Alternative B has one known sinkhole present along the corridor, but this sinkhole is not associated with Karst topography

Table ES-1: Summary of Benefits, Costs, and Impacts

hours saved annually. This is lower than all other DEIS alternatives. This was the primary factor for not selecting this alternative. Secondary reasons included its performance on Goal 7, accessibility to major rail and air multi-modal centers, with only three to eight minutes of time saved. For Goal 1, the sum of travel time saved to the key destinations of Jasper, Crane, Bedford and French Lick from all destinations is only eight to 10 minutes.

ES 3.4.2 Alternative C

Alternative C extends 41 miles from I-64/US 231 to I-69 at the existing US 50 interchange. This alternative begins at the I-64/US 231 interchange and travels east of Huntingburg and Jasper, avoiding developed areas near these cities. It continues northwest on a new route east of Glendale Fish and Wildlife Area and connects to I-69 at the existing US 50 interchange, using a portion of US 50 east of the interchange. A total of four local improvements are included with Alternative C. These include LI-1, -2, -3 and -5.



Alternative C has the second shortest route at 41 miles. It has the second lowest construction costs, between \$544 and \$759 million. It has fewer impacts to many of the environmental resources, compared to Alternatives M, O or P. Although it performs better than Alternative B on the core goals, this alternative performed the worst on increasing access to labor force to all key destinations under Goal 1 by increasing labor force access by only 4,000 to 5,000 persons. This was the primary factor for not selecting this alternative. The secondary reason included its performance on Goal 7, accessibility to major rail and air multi-modal centers, with only three to four minutes of time saved to all destinations.

ES 3.4.3 Alternative M

Alternative M extends 62 miles from I-64/US 231 to SR 37 near Bedford. This alternative begins at the I-64/US 231 interchange and travels east of Huntingburg and Jasper, avoiding developed areas near these cities. It then continues north, mostly parallel to the existing US 231 alignment. It passes to the east of Loogootee and continues northeast either using or paralleling the existing SR 450 alignment. It continues to SR 37 at Bedford. A total of nine local improvements are included with Alternative M. These include LI-1, -2, -3, -4, -5, -6, -7, -13 and -14.

Alternative M's features contrast with those of Alternative B. It is the longest at 62 miles. It has the highest construction costs at \$1.1 to \$1.4 billion. It tends to have the highest impacts to most environmental resources. It does have consistently high performance. Alternative M is part of the Northeast Family of alternatives. Resource agencies expressed a high level of concern due to its high level of impacts to the natural environment. This alternative generally had the highest levels of impacts to key natural resources. This was especially so for impacts to protected species, specifically bats. Impacts to the areas with known current and historical maternity roosting areas of Indiana bats was a primary factor for not selecting this alternative. Impacts to known hibernacula areas of Northern long-eared bats also was an important factor. Roughly 70 percent of impacted forests contained maternity roosting areas for the Indiana bat. Forty percent contained maternity roosting areas for the Northern long-eared bats. This alternative often had more than double the impacts compared to the other alternative families for sensitive resources such as wetlands, floodplains, karst features and core forests. This alternative would likely be unable to satisfy the USACE's 404(b)(1) LEDPA guidelines.

ES 3.4.4 Alternative O

Alternative O extends 53 miles from I-64/US 231 to SR 37 near Mitchell. This alternative begins at the I-64/US 231 interchange and travels east of Huntingburg and Jasper, avoiding developed areas near these cities. It continues northeast parallel to the existing SR 56 alignment to French Lick. It passes French Lick and West Baden Springs to the south and then continues northeast, connecting to SR 37 south of Mitchell. A total of nine local improvements are included with Alternative O. These include LI-1, -2, -3, -4, -5, -15, -16, -17 and -18.

Alternative O is also part of the Northeast Family of alternatives. This alternative is the third longest at 53 miles. Its costs are similar to Alternative M at \$1.1 to \$1.3 billion. It also has a higher level of impacts to key resources in comparison to the other alternative families. While this alternative produced the greatest increase to the labor force access as part of Goal 1, it would require an expressway facility to produce any time savings for truck traffic as part of Goal 2. This was the only alternative which impacted both Indiana and Northern long-eared bat hibernacula. The proximity to several Indiana bat hibernacula was a primary factor for not selecting this alternative. This alternative would likely be unable to satisfy the USACE's 404(b)(1) LEDPA guidelines. Similar to Alternative M, the impacts to the key natural resources such as protected species, core forests and karst features provided numerous primary and secondary factors for its non-selection.



ES 3.4.5 Alternative P (DEIS Preferred Alternative)

Alternative P extends 54 miles from I-64/US 231 to I-69 at the existing US 231 interchange. This alternative begins at the I-64/US 231 interchange and travels east of Huntingburg and Jasper, avoiding developed areas near these cities. This alternative originally had a single alignment east of Loogootee, but a variation west of Loogootee was added after considering comments following release of the screening report. From north of Haysville the alternative parallels the existing US 231 alignment either to the east or west depending on which Loogootee variation is used. This alternative ends at the existing I-69 interchange at US 231. A total of nine local improvements are included with the Alternative P. These include LI-1, -2, -3, -4, -5, -6, -7, -8 and -9.

Alternative P performed highly on several core goals. These included the sum of time saved to key destinations at 25 to 43 minutes, the sum of time saved to major multi-modal centers at 23 to 35 minutes and annual truck hours saved at 8,400 to 36,850. This alternative has a moderate level of impacts to key natural resources. While it has the highest number of potential protected species within two miles of the corridor at 11, it does not contain any known hibernacula for Indiana or Northern long-eared bats. Impacts to forests are higher than the Northwest Family but lower than Northeast Family. Although the new alignment is one mile longer than Alternative O at 54 miles, the estimated construction cost is lower at \$735 million to \$1 billion. It also has the potential to have the lowest wetland impacts at 39 to 56 acres.

This alternative included eastern and western variations around Loogootee. Consideration of a western variation was added after considering input on the Screening of Alternatives Report. Analysis identified no differences on Purpose and Need performance measures. The western variation had fewer impacts to several key resources including wetlands (seven to eight fewer acres), intermittent and perennial streams (one fewer miles), forests (107 to 131 fewer acres) and floodplains (88 to 101 fewer acres). Additionally, the western bypass variation is estimated to be \$36 to \$69 million less to construct. Both an eastern and western variation for the alternative were included due in part to the presence of West Boggs Park located on the northwest side of Loogootee. The park is a 4(f) resource. Refinements made to the working alignment indicate that impacts from a Tier 2 project likely will be limited to a *de minimis* impact to this resource.

ES 4 DEIS Comments

ES 4.1 Comment Period and Opportunities for Input

The Notice of Availability for the DEIS was published in the Federal Register Friday, April 15, 2022. The DEIS was made widely available throughout the project area. It could be viewed in person at the Mid-States Project Office, INDOT offices in Vincennes and Indianapolis and 17 area libraries. It also was available for viewing on the project website (<https://midstatescorridor.com>).

Formal public hearings were held Tuesday, April 26, 2022 in Odon and Thursday, April 28 in Jasper. In addition to the public hearings, comments could be submitted in person at the Project Office, via U.S. mail, via e-mail, via a comment portal on the project website or at one of the 17 area libraries. Initially the comment period extended through May 31, 2022. In response to requests, the comment period was extended through June 14, 2022.

One thousand and seventy-five unique comments were received. This includes comments submitted to federal and state officials. All comments were transcribed and archived. All comments were afforded equal consideration. Responses were prepared to each comment. In some cases, identically-worded comments from the same individual were submitted to multiple project, federal and state officials. For such comments, a single response was prepared. All comments and responses are provided in FEIS **Volume IV, Responses to Comments**.



ES 4.2 Key Themes of Comments on DEIS

The following are the key themes of comments on the DEIS. For details, please refer to FEIS **Section 7.2.2** – Summary of Major DEIS Comment Themes.

- **Impacts to Loogootee community.** The Preferred Alternative’s western variation at Loogootee is potentially harmful to that community.
- **Alternatives M and O.** Resource agencies stated their opposition to Alternative M and Alternative O due to their high levels of impacts to key resources.
- **Relocations.** The number of relocations for Alternative P are high, and replacement housing for those displaced is inadequate.
- **Agriculture.** There are unacceptably high impacts to agricultural land.
- **US 231 Improvements.** Improvements to US 231 announced by Indiana Governor Holcomb are adequate to address project needs.
- **Role of RDA.** There were questions both about the RDA’s role and its ability to influence the study.
- **Impacts to Amish Communities in Daviess and Martin Counties.** The travel patterns and land ownership of the Amish communities would be unduly impacted.
- **Reconsideration of Alternative R.** Many requested that Alternative R, an upgrade of US 231, be considered in addition to the DEIS alternatives. It was not carried forward to the DEIS from the Screening of Alternatives.

ES 5 Post DEIS Activities

Three additional post-DEIS efforts were undertaken to respond to some of these comments. The first included adding variations to the Preferred Alternative in the vicinity of Loogootee, and deferring the selection of a single variation at Loogootee to Tier 2 studies. The second included additional post-DEIS outreach to the Amish community, with the anticipation that targeted outreach will continue during Tier 2 studies. The third included detailed reconsideration of Alternative R.

ES 5.1 Reconsideration of Preferred Alternative Alignment at Loogootee

Most elected officials in Loogootee and Martin County commented that the DEIS Preferred Alternative’s variation to the west of Loogootee was potentially harmful to Loogootee’s business community and community cohesion. They suggested that a through-town variation or variations to the east of Loogootee be considered. In response to these comments, the decision was made to defer the decision of a single variation in the Loogootee area to Tier 2 studies. Four variations were incorporated into the FEIS Preferred Alternative, designated as Refined Preferred Alternative P (RPA P). These variations are confined to Section of Independent Utility 4 (SIU 4) of RPA P. These four variations include the DEIS Preferred Alternative variation west of Loogootee, an upgrade of US 231 through Loogootee, a variation east of Loogootee near to the city and a fourth variation further to the east.

The decision for the FEIS Preferred to have four variations at Loogootee was announced March 1, 2023. Information was provided on the project website and at local libraries. One hundred sixty comments on this announcement were received through the end of the comment period March 31, 2023. This outreach effort, including comments received during the comment period, is detailed in **Appendix NN – Post-DEIS Martin County Outreach**.



ES 5.2 Additional Amish Community Outreach

Additional outreach with members of the Amish communities in Daviess and Martin counties was conducted after the release of the DEIS. Two formal meetings were held after the release of the DEIS. Key feedback items included potential impacts to Amish travel patterns in the project area, specific considerations in accommodating horse-drawn travel, cost and availability of replacement farm ground for Amish residents, potential negative impacts on Amish residents and potential cultural impediments to Amish participation in project activities. These meetings, as well as earlier project meetings, provide a basis for continued communication during Tier 2 studies. This outreach effort is detailed in **Appendix OO – Amish Outreach**.

ES 5.3 Reconsideration of Alternative R

Alternative R was considered as a preliminary alternative, but not carried forward after the Screening of Alternatives. Comments on the DEIS requested that it be considered in addition to the alternatives presented in the DEIS. To address these comments, Alternative R was added as an alternative for detailed study in the FEIS. Its costs, impacts and benefits were compared with those of other alternatives.

ES 6 Identification of FEIS Preferred Alternative

In addition to the alternatives identified in **Section ES 3.4**, the FEIS considered two additional alternatives. These are described in the following sections. The cost, performance and impacts of these added alternatives are also provided in **Table ES-1**.

ES 6.1 Alternative R

Alternative R was not considered in Chapters 3 through 6 of the DEIS. It was discarded in the Screening of Alternatives. The DEIS did not evaluate the costs, impacts or benefits of Alternative R in these chapters to compare with DEIS alternatives.

Alternative R extends 52 miles from I-64/US 231 to I-69 at the existing US 231 interchange. This alternative begins at the I-64/US 231 interchange and follows existing US 231, going through Huntingburg, Jasper and Loogootee. The alternative was evaluated for the Super-2 facility type only. It would not be possible to construct an expressway through Huntingburg, Jasper and Loogootee and maintain appropriate design speeds without unacceptably high impacts. No local improvements are associated with Alternative R.

Alternative R impacts the fewest agricultural lands, prime farmland, fewest wetlands, floodplains and forests. It has the most unfavorable rating for travel time savings between key city pairs, increase in labor force access and annual truck hours savings. It has the highest impacts to managed lands and potential noise receptors. It has the highest relocations, roughly twice those of the next-highest alternative, Alternative M.

Its poor performance is a direct result of operating at slower speeds when it passes through communities. The high number of relocations are due to changes in the horizontal and vertical geometry of existing US 231 to meet design standards. In addition, existing US 231 would be widened in many locations. This would provide limited opportunities to avoid relocating existing houses, commercial buildings and agricultural structures adjacent to the road.

ES 6.2 Refined Preferred Alternative P (RPA P)

RPA P represents a modification of Alternative P to respond to comments on the DEIS. It includes four variations at Loogootee and defers the decision of the final variation in SIU 4 until Tier 2. The variations for the western and eastern bypass in Alternative P diverge roughly seven miles south of Loogootee. RPA P maintains the western



variation; however, it creates three new variations which diverge roughly one mile south of Loogootee. RPA P includes the original western variation (designated RPA P1) around Loogootee, a through-town variation (designated RPA P2), a nearby eastern variation (designated RPA P3) and an outer eastern variation (designated RPA P4). **Figure ES-3** has an inset map which depicts these four variations.

All nine local improvements associated with Alternative P also are associated with RPA P. The modifications at Loogootee were in response to local official and community comments on the DEIS, as well as continuing input from local officials after the close of the DEIS comment period. The primary difference of RPA P from Alternative P is that it provides flexibility to respond to community and local official input on issues which could not be fully addressed in this Tier 1 study. RPA P and Alternative P have similar ranges of costs and impacts.

RPA P has the most favorable rating on three of the four core goal performance measures. These include travel time savings to key destinations (25 to 43 minutes), travel time savings to intermodal centers (24 to 35 minutes) and annual truck hours saved (8,400 to 36,850 hours). It has the most favorable rating for impacts to forests within hibernacula areas, with no forest impacts proximate to known hibernacula. It also impacts no known karst features. It impacts fewer wetlands (38 to 52 acres) than any other Build Alternative other than Alternative R. It has the least favorable rating for protected species within two miles (11 species). RPA P overall has a median level of impacts to key natural resources.

ES 6.3 FEIS Preferred Alternative

RPA P is the Preferred Alternative in this FEIS/ROD. Its key metrics, along with those of Alternative R, also are provided in **Table ES-1**. Its costs, benefits and impacts are compared to Alternative P, which was the DEIS Preferred Alternative. Its important advantage over Alternative P is that it provides flexibility to respond to community and local official input from Loogootee and Martin County which could not be fully addressed in this Tier 1 study. It has four variations in SIU 4 at Loogootee. A single variation will be selected in Tier 2 studies which will fully consider local issues.

RPA P is similar to Alternative P. It differs only in SIU 4 at Loogootee. In SIU 4, it has four variations, which are designated P1 through P4 from west to east. Variation P1 has the same alignment as Alternative P. Variation P2 is an upgrade of US 231 through Loogootee. Variations P3 and P4 are to the east of Loogootee.

Figure ES-3 portrays the alternatives considered in this FEIS, including the Preferred Alternative, Refined Preferred Alternative P (RPA P). It also depicts the variations for SIU 4 for RPA P.

ES 7 Final EIS and ROD

Following the public hearings, public comment period and review and consideration of all comments, INDOT recommended and FHWA accepted the recommendation that RPA P be selected as the Preferred Alternative in a combined FEIS/ROD. This chapter is the summary of key findings in that FEIS/ROD.

Other regulatory actions associated with this project in Tier 1 are documented in the ROD. These include:

- **Tier 1 Biological Opinion.** INDOT entered into Tier 1 formal Section 7 consultation with the U.S. Fish and Wildlife Service (USFWS). INDOT formally submitted a Tier 1 Biological Assessment to USFWS on January 27, 2023. USFWS issued a Tier 1 Biological Opinion (BO) and Conference Opinion (CO) dated June 29, 2023. This Tier 1 BO and CO determined that the project is not likely to jeopardize the continued existence of the Indiana bat, Northern long-eared bat, fanshell mussel, fat pocketbook mussel, tricolored bat, little brown bat, salamander mussel and monarch butterfly. The BO also concurred with the determination that the project will not result in adverse modification of any critical habitat. The BO also provides the parameters for Tier 2 formal consultation under Section 7 of the Endangered Species Act. USFWS also concurred with

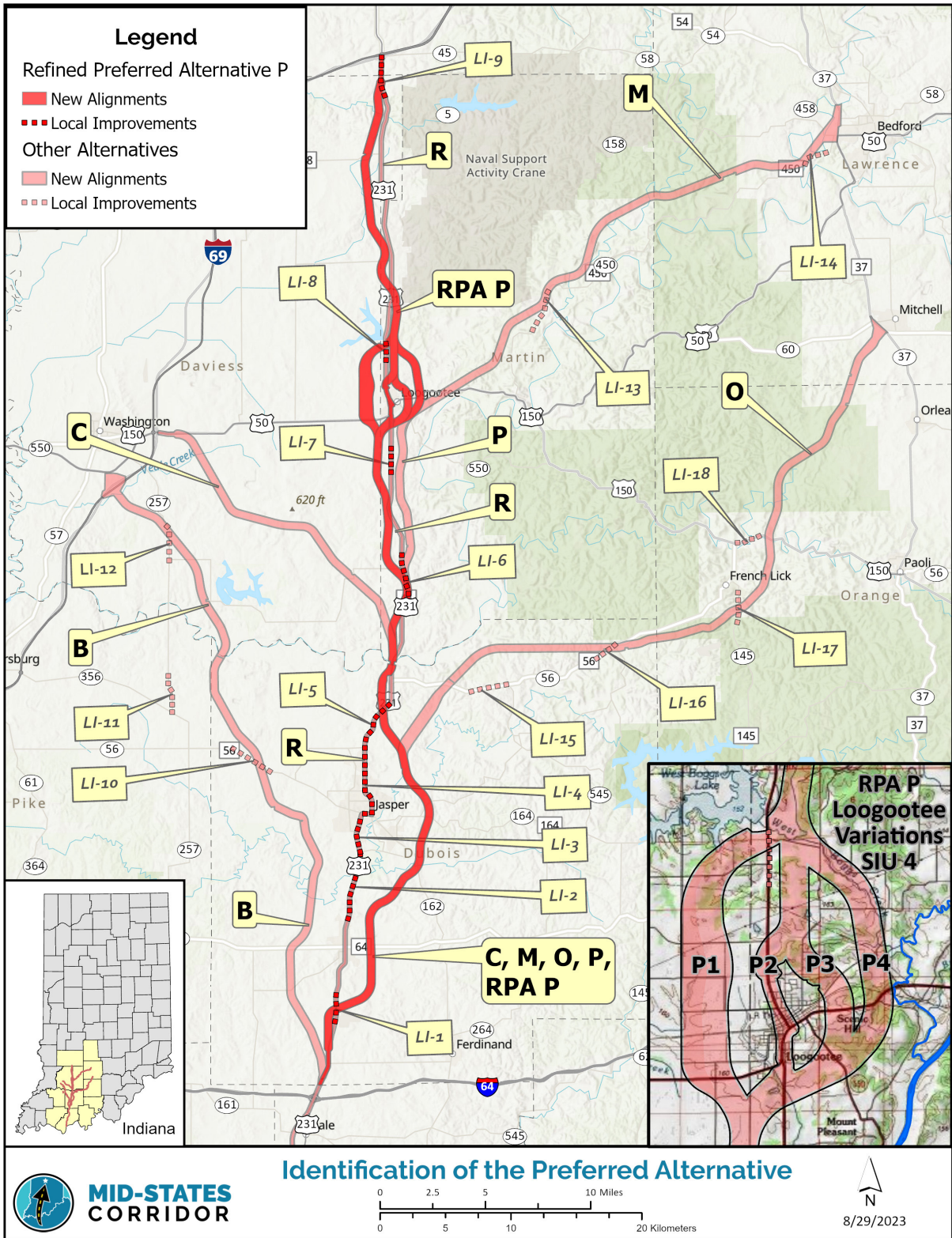


Figure ES-3: Identification of the FEIS Preferred Alternative



the determination that the project “may affect, but is not likely to adversely affect” the gray bat, sheepsnose mussel, rough pigtoe mussel and lake sturgeon. The BA and BO are provided in **Appendices PP and QQ**, respectively, of this FEIS.

- **Air Quality Conformity.** RPA P impacts Greene County, which is subject to conformity determination requirements under Clean Air Act (CAA) of 1977 and the Clean Air Act Amendments (CAAA) of 1990. A conformity determination for Greene County was made by FHWA on August 14, 2023. **Appendix SS** documents this conformity determination.
- **Tier 1 Section 106 Programmatic Agreement. Section 3.13 and Appendices N, O and P** document the Tier 1 process to comply with Section 106 of the National Historic Preservation Act. In this Tier 1 study, the potential impacts of each alternative on cultural resources were determined in a manner appropriate for comparing alternatives at a Tier 1 level of evaluation. In this Tier 1 study, no formal eligibility determinations or effects findings were made. **Appendix P** contains a Programmatic Agreement (PA) entered into by FHWA, the Indiana State Historic Preservation Officer (SHPO) and INDOT on June 25, 2023. It states the principles which will be followed in Tier 2 studies to comply with the requirements of the National Historic Preservation Act, as well as measures to be implemented during these Tier 2 studies.
- **Section 4(f) Determinations.** For this FEIS, properties were identified which would enjoy protection under Section 4(f) of the Department of Transportation Act. This includes properties potentially impacted by RPA P. This FEIS provides preliminary Tier 1 determinations about the potential for alternatives to use Section 4(f) protected resources, as well as the potential for avoiding and minimizing harm to those resources during Tier 2 studies. Tier 2 studies will further evaluate these resources for the selected alternative, evaluate any additional resources identified and further consider avoidance and minimization options to comply with the provisions of Section 4(f). This will include conferring with jurisdictional entities and identifying opportunities for joint development activities.
- **Financial Planning.** 23 USC 106(i) requires preparation of financial plans for projects exceeding \$100 million in construction costs. Formal financial plans will be developed during Tier 2 for those projects that exceed the \$100 million threshold. The Mid-States project will be subject to INDOT’s normal programming process to incorporate project elements into INDOT’s Statewide Transportation Improvement Program.

Section ES 1.5.1 identifies additional permitting and regulatory activities which will occur during Tier 2 studies.

ES 8 Implementation

This Tier 1 FEIS/ROD considers and addresses comments on the DEIS. Key comments are summarized in **Section ES 4**. After the Tier 1 FEIS/ROD, INDOT will program Tier 2 projects³. Due to the project scale, the new alignment SIUs are anticipated to be developed sequentially rather than concurrently. The local improvement elements could be implemented earlier. They can undergo Tier 2 studies and be constructed more quickly than the larger new alignment sections. For local improvements, some Tier 2 studies could begin as soon as one year after the Tier 1 FEIS/ROD, with construction activities within two to three years.

The four new alignment SIUs each will require a separate Tier 2 environmental analysis. Securing and programming funding to complete construction of each SIU may take nine to 15 years in several distinct phases of three to five years. These three phases include Tier 2 NEPA documentation, final design, preparation of construction documents and construction. Tier 2 NEPA documents for these SIUs are anticipated to be developed sequentially rather than

³ “Program” refers to a project being added to INDOT’s fiscally-constrained Statewide Transportation Improvement Program (STIP). When Tier 2 projects are added to the STIP, it will designate their funding level and fiscal year(s) in which that funding will be expended.



concurrently. Preparation of Tier 2 NEPA documents for other SIUs may coincide with final design and construction activities of prior SIUs.

Please refer to **Figure ES-4** which depicts SIUs and **Figure ES-5** which depicts the Local Improvements for RPA P.

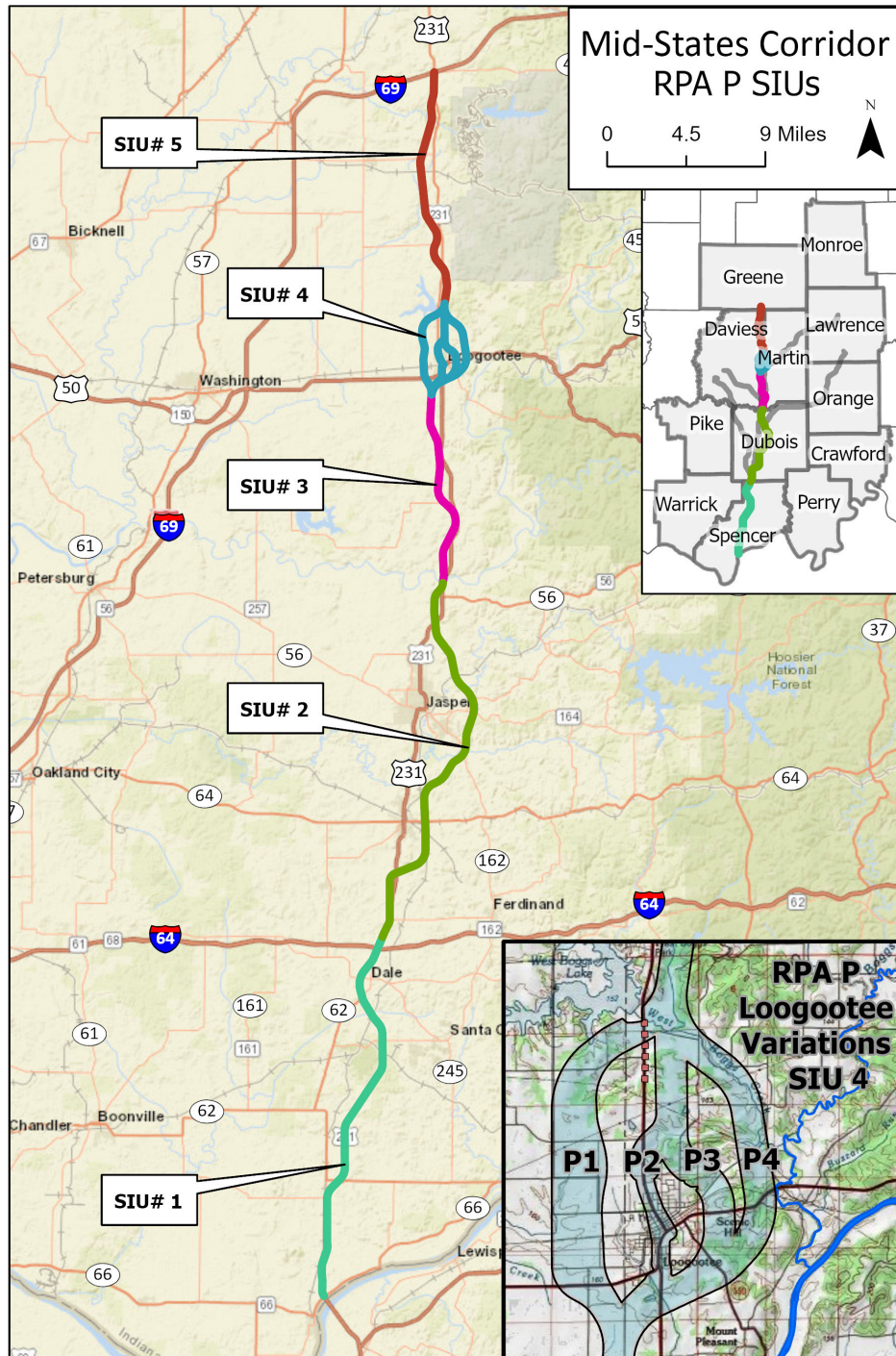


Figure ES-4: Identification of RPA P SIUs

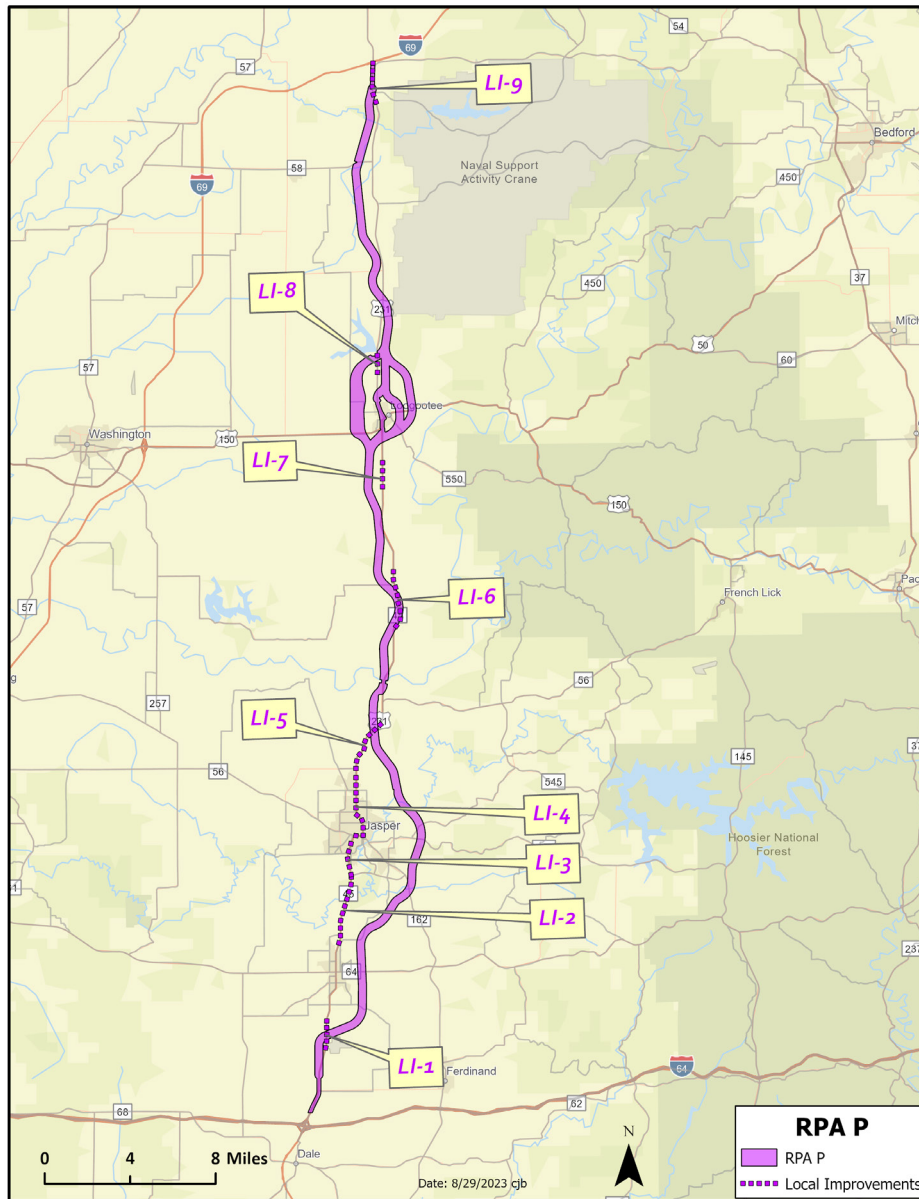


Figure ES-5: Identification RPA P Local Improvements

ES 9 Glossary of Key Terms

These are key terms used in the FEIS/ROD. A complete list of terms and acronyms used in this FEIS/ROD is in **Chapter 11 – Glossary & Acronyms** in this FEIS.

Several definitions in this glossary refer to Section 1, Section 2 or Section 3 of an alternative in this Tier 1 Study. These are defined in the entry “**Sections**.” A similar term with a different definition in this glossary is “**Sections of Independent Utility**.” This term refers to individual Tier 2 NEPA studies.



Alternative. When routes were combined to connect I-64 with I-69/SR 37, these were designated as alternatives. The term “route” continued to be used to refer to portions of alternatives. When an end-to-end alignment was combined with a single facility type, it also was designated as an “Alternative.” Facility types considered in the Screening of Alternatives included freeway, expressway and Super-2. Subsequent to the Screening of Alternatives, the freeway facility type was eliminated. Alternatives then were designated as a single entity with a range of potential facility types (expressway and/or Super-2).

For evaluation of costs, impacts and benefits in the EIS, alternatives were evaluated by considering both expressway and Super-2 facility types for each alternative (including route variations for Alternative P and RPA P) connecting I-64 with I-69/SR 37.

Bypass (General). Throughout the text, alternatives are described as being a “bypass” or “bypassing” communities. This refers to the alternative being located on a new alignment in order to avoid the impacts of using existing roads which pass through the community. This term has a specialized use in **Section 3**. See following entry.

Bypass – Section 3. Alternative P and RPA P have bypass variations both to the east and west of Loogootee, for both expressway and Super-2 facility types. No other alternatives have bypass variations in Section 3.

Corridor. After identifying alternatives carried forward in the Screening of Alternatives, a corridor was identified for each alternative. That corridor is generally 2,000-foot wide, centered around the center line of the alternative. This Tier 1 study selects a preferred corridor. RPA P has four corridors in SIU 4 at Loogootee. During Tier 2 studies, a final alignment and facility type(s) will be selected within its Tier 1 corridor. This will include selecting a single corridor at Loogootee in SIU 4.

Facility Type(s). The type of highway design. Initially, three facility types were considered: freeway, expressway and Super-2. Facilities are coded as expressway = 2 and Super 2 = 3 in appendix alternative references. See **Nomenclature (Alternatives)** below.

- **Freeway.** The freeway facility type assumed two lanes of traffic in each direction, separated by grassy medians at least 60-foot wide and accessible only via interchanges with all cross-traffic grade separated. The freeway facility type was considered through the Screening of Alternatives phase. It was eliminated prior to the detailed analysis of alternatives.
- **Expressway.** The expressway facility type assumed two lanes of traffic in each direction with a 60-foot wide grassy median separating the directional flow except in areas where narrower medians may be warranted to avoid impacts. Access to the road varies between interchanges and at-grade intersections depending on the connecting route.
- **Super-2.** The Super-2 facility type assumed one lane of travel in each direction but included additional passing or auxiliary lanes along the length of the route. The Super-2 facility type used in this Tier 1 study meets current INDOT design standards. Existing US 231 does not meet them in some circumstances. Access to a Super-2 is provided at-grade for all routes.

Families (Alternatives). Alternatives are grouped into three geographic families based upon their corridor locations in Section 3 (described below). Alternatives were grouped based upon where they connect to I-69. The Northwest family of alternatives consists of Alternatives B and C. They connect directly to I-69 at Washington. The North Central family of alternatives consists of Alternatives P, RPA P and R. They connect directly to I-69 at Crane. The Northeast family of alternatives consists of Alternatives M and O. They connect to I-69 via SR 37. During screening, preliminary alternatives were evaluated in comparison only with other alternatives in their family. This ensured a geographically diverse range of alternatives would be analyzed in detail.



Geographic Information System (GIS). An information system which stores and analyzes spatial data. Data can be generated and displayed to show physical locations. Each data set with a certain type of information (e.g., the location of wetlands) constitutes a “layer” in the GIS. GIS layers can be superimposed to show the relationship between the locations of different items. Impact analyses in this Tier 1 study are estimated using GIS tools.

National Environmental Policy Act (NEPA). Legislation passed by Congress in 1969 which established the framework to consider how federal actions may impact the environment. Based on NEPA, the Council on Environmental Quality (CEQ) created three levels of environmental review. These are an Environmental Impact Statements (EIS), Environmental Assessments (EA) and Categorical Exclusions (CE).

No-Build Alternative. The scenario in which a proposed project is not built. It may be referred to as the No-Action Alternative. The No-Build Alternative represents conditions in the forecast year assuming that all other projects in the fiscally constrained long-range plans of Indiana Department of Transportation (INDOT) and local agencies are implemented. Performance and impact measures use the no-build scenario as a baseline condition.

Nomenclature (Alternative). The route, facility type (expressway=2; Super-2=3;), and route (capital letter)/bypass (lower-case letter). This nomenclature is used primarily in Volume II appendices. Its format is: alternative\facility\route2\bypass3 (Alternative P only). For Alternative P, the first letter describes the Section 2 route and the second letter describes the Section 3 bypass. Other alternatives have a designation only for the route in Section 2.

- Alternative B2W, B3W (indicates that Alternative B has only a western route in Section 2).
- Alternative C2E, C3E or C2W, C3W (indicates that at earlier phases of the project, Alternative C was considered with both eastern and western routes in Section 2).
- Alternative M2E, M3E or M2W, M3W (indicates that at earlier phases of the project, Alternative M was considered with both eastern and western routes in Section 2).
- Alternative O2E, O3E or O2W, O3W (indicates that at earlier phases of the project, Alternative O was considered with both eastern and western routes in Section 2).
- Alternative P2Ee, P2Ew, P3Ee, P3Ew or P2We, P2Ww, P3We, P3Ww; and P231E or P231W (indicates that Alternative P was considered with both eastern and western routes in Section 2, as well as eastern and western bypasses in Section 3).
- The Refined Preferred Alternative (RPA) has a single route for its entire extent, other than in the vicinity of Loogootee. In the vicinity of Loogootee, in Section of Independent Utility 4 (SIU 4), it has four variations. Variation RPA P1 has a corridor to the west of Loogootee. Variation RPA P2 has a corridor which uses existing US 231 through Loogootee. Variation RPA P3 has a corridor east of Loogootee near the eastern city boundary. Variation RPA P4 has a corridor east of Loogootee, to the east of the corridor for Variation RPA P3.

Purpose and Need. The section of an environmental document that discusses the needs in the Study Area which a project is intended to address. It defines the goals (purposes) of the project which can address those needs.

Route. In the conceptual and preliminary stages of this project, alignments were proposed by project staff, agencies and the public. These alignments were designated as “routes.” They were proposed as portions of an alignment connecting I-64 and I-69/SR 37. A two-mile wide Study Band was identified for each route, with the route in the center of the Study Band.



Subsequent to the Screening of Alternatives, the decision was made to defer selection of specific facility type(s) until Tier 2 studies. The decision also was made to remove the freeway facility type from consideration. At this point, the use of “route” was discontinued. In the detailed analysis of alternatives in **Chapters 3 through 6**, only “alternative” is used to designate alignments connecting I-64 with I-69/SR 37. Each alternative was evaluated using a range of costs, impacts and benefits for both the expressway and Super-2 facility types.

Screening. Project phase in which alternatives are identified for detailed study.

Sections. Each alternative is separated into three sections.

- **Section 1.** From the southern terminus to the Dubois/Spencer County Line, Section 1 is common for all alternatives. It consists of existing US 231 in Spencer County. Section 1 has no additional impacts beyond the existing facility footprint.
- **Section 2.** Section 2 extends from the Dubois/Spencer County line at its southern terminus to the south bank of the White River (Alternatives B, C, M, P, RPA P and R) or State Road 56 (Alternative O).
- **Section 3** – Section 3 extends from Section 2 line to a connection at I-69 or SR 37.

Sections of Independent Utility (SIU). These are portions of each alternative which can serve an independent transportation purpose. SIUs are identified for each alternative. For the selected alternative, independent Tier 2 NEPA studies will be undertaken for each SIU. **Section 2.7 – Tier 2 Sections**, identifies the SIUs for each alternative. Unless the context clearly refers to Tier 2 activities or studies, references to “Section” in this document refer to portions of Tier 1 alternatives, as defined in the previous entry.

Study Area. The 12-county project area in Southern Indiana.

Study Band. A two-mile-wide band around a route. Study bands were used to provide a target area for routes during preliminary screening. They also provided a target area for the development of corridors and alternatives for Tier 1 evaluation.

Tier 1 EIS. The CEQ provides the opportunity for major transportation actions processed as an EIS to be tiered (40 CFR § 1508.28: Tiering). Tiering separates the broader issues such as selection of the general location and mode choice in Tier 1 from the more detailed site-specific impacts that can be determined in Tier 2. For this Tier 1 EIS, designers created working alignment footprints for all alternatives. Each alternative is located within a corridor. The corridor acts as a boundary for possible future refinements. These working alignments are used to compare costs, impacts and benefits of alternatives at a level appropriate for a Tier 1 study. An important part of the process is input from agencies, stakeholders and the public. This FEIS/ROD selects a corridor that will be used in Tier 2 studies.

Tier 2 NEPA Documents. Project phase in which designers create multiple alternatives (alignments) within the chosen corridor. These Tier 2 documents compare the costs, impacts and benefits of each alternative to select the final footprint. The project is divided into Sections of Independent Utility (SIUs) for stand-alone Tier 2 studies. For each study, alignments are studied in detail, using field-verified information. Agencies, stakeholders and the public give input. Tier 2 studies may be Environmental Impact Statements (EIS) or Environmental Assessments (EA).

Variation. This term is used to refer to individual discrete elements within an alternative in this EIS. It is used to refer to a single corridor location where multiple corridors occur as part of the same alternative. It also is used to refer to a single facility type for a given alternative. For example, “Super-2 variation of Alternative X.”

Working Alignment. An approximate right-of-way footprint for the alternatives. It is provided by highway designers as a potential alternative right-of-way within the corridor. It provides a basis to compare alternatives at a Tier 1 level.

