

APPENDIX D: SECTION 106 OF NHPA

**FEDERAL HIGHWAY ADMINISTRATION'S
SECTION 4(F) COMPLIANCE REQUIREMENTS (for historic properties) AND
SECTION 106 FINDINGS AND DETERMINATIONS
AREA OF POTENTIAL EFFECT
ELIGIBILITY DETERMINATIONS
EFFECT FINDING
SR 37 Intersection Improvements at Cuba/Thimlar Road, and Notestine Road
Allen County, Indiana
DES. NO.: 1900142**

**AREA OF POTENTIAL EFFECTS
(Pursuant to 36 CFR Section 800.4(a)(1))**

The APE for the history/architecture survey consists of the project area and adjacent parcels that have the potential for visual effects from the proposed project. This distance was chosen to ensure all buildings and structures 50-years and older that are visible to the project area were included in this report.

The proposed undertaking, limited to the intersection improvement, and the nature of the surrounding rural and agricultural landscape relegated the APE to just those resources situated adjacent to SR 37 at Cuba/Thimlar Road, and at Notestine Road.

The APE for the archaeology survey includes all existing, new and temporary Right-of-Way. This 12.2 hectare (ha) (30.1 acre (ac)) area extends between 10.0 and 195.0 meters (m) (33.0 and 640.0 feet (ft)) south of Notestine Road, along a 775.0-m (2,542.0-ft) westward stretch from that road's intersection with Thimlar Road. Running northeast along SR 37 from its Notestine Road intersection for 880.0 m (2,887.1 ft), the survey area extends on either side of SR 37 between 7.0 and 95.0 m (23.0 and 312.0 ft). 3.1 hectares (ha) (7.7 acres (ac)) of new right-of-way was initially anticipated.

The amended APE for the Phase 1a archaeological field reconnaissance includes seven additional areas. The additional area totals 0.2 hectares (ha) (0.5 acres (ac)) and breaks into seven sections. The Right-of-Way increased from 3.0 to 6.0 m (10.0 to 20.0 ft) wide.

**ELIGIBILITY DETERMINATIONS
(Pursuant to 36 CFR 800.4(c)(2))**

One property is eligible for listing in the National Register of Historic Places (NRHP) within the APE. The house, located at 16029 SR 37 (IHSSI 003-245-01032), is eligible under Criterion C for Architecture as an excellent example of a Neo-Eclectic, French Provincial style, a style that is unique for Allen County. It has had minor alterations, including a replacement garage door on the south façade and a replacement entry door but retains integrity of location, design, setting, materials, and workmanship.

FF CT FINDING

The house at 16029 SR 37 (IHSSI 003-24 -01032)— “No Adverse Eff ct”

The Indiana Department of Transportation (INDOT), acting on behalf of th Federal Highway Administration (FHWA), has determined a “No Adverse Effect” finding is appropriate for this undertaking. INDOT respectfully requests the Indiana State Historic Preservation Officer provide written concurrence with the Section 106 determination of effect.

SECTION 4(F) COMPLIANCE REQUIREMENTS (for historic properties)

The house at 16029 SR 37 (IHSSI 003-245-01032)—This undertaking will not convert property from the house at 16029 SR 37 (IHSSI 003-245-01032), a Section 4(f) historic property, to a transportation use; INDOT, acting on FHWA’s behalf, has determined the appropriate Section 106 finding is “No Adverse Effect”; therefore, no Section 4(f) evaluation is required for the house at 16029 SR 37 (IHSSI 003-245-01032).



Matt Coon, for FHWA
Manager
INDOT Cultural Resources

April 15, 2024
Approved Date

FEDERAL HIGHWAY ADMINISTRATION
DOCUMENTATION OF SECTION 106
FINDING OF NO ADVERSE EFFECT
SUBMITTED TO THE STATE HISTORIC PRESERVATION
OFFICER PURSUANT TO 36 CFR Section 800.5(c)
SR 37 Intersection Improvements at Cuba/Thimlar Road, and
Notestine Road Allen County, Indiana
DES. NO.: 1900142

1. DESCRIPTION OF THE UNDERTAKING

The Indiana Department of Transportation (INDOT), with funding from the Federal Highway Administration (FHWA) proposes a project to improve intersections at SR 37 and Notestine Road and at SR 37 and Cuba/Thimlar Roads in Allen County, Indiana, Des. No. 1900142 (Appendix A: Maps).

The proposed project is in Cuba, Springfield, and Milan townships, as shown on the Grabill, Indiana 7.5-minute series United States Geological Survey (USGS) topographic quadrangle. The project lies in Sections 31 and 32, Township 32N, Range 14E, and in Section 3, Township 31N, Range 14E (Appendix: Maps). The Notestine Road intersection has a significant skew causing sight distance issues. Both intersections have a higher-than-expected crash frequency based on crash volume and facility characteristics. The purpose of this project is to improve safety of these intersections and improve traffic flow on SR 37. The proposed improvements for the intersection of SR 37 at Cuba/Thimlar Road would widen SR 37 to include the addition of left turn lanes onto Cuba Road and Thimlar Road. The intersection of SR 37 and Notestine Road would be re-aligned to the south, approximately 360 feet to eliminate the skew of the intersection. A total of 8.21 acres of permanent Right-Of-Way (ROW) will be needed for this project.

The APE is defined as the “geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties. The APE is influenced by the scale and nature of an undertaking...” (36 C.F.R. 800.16 [d]). The APE for the history/architecture survey consists of the project area and adjacent parcels that have the potential for visual effects from the proposed project. This distance was chosen to ensure all buildings 50-years and older that are visible to the project area were included in this report. A map of the aboveground APE is provided in Appendix A.

The archaeological survey area extended between 10.0 and 195.0 m (33.0 and 640.0 ft) south of Notestine Road, along a 775.0-m (2,542.0-ft) westward stretch from that road’s intersection with Thimlar Road. Running northeast along SR 37 from its Notestine Road intersection for 880.0 m (2,887.1 ft), the survey area extends on either side of SR 37 between 7.0 and 95.0 m (23.0 and 312.0 ft) (Appendix A: Maps). The total survey area included 12.2 ha (30.2 ac). The proposed undertaking, limited to the intersection improvements, and the nature of the surrounding rural and agricultural landscape relegated the belowground APE to just those resources situated adjacent to SR 37 and its intersections with Notestine and Cuba/Thimlar Roads.

2. EFFORTS TO IDENTIFY HISTORIC PROPERTIES

On April 22, 2022, an early coordination letter (ECL) with an invitation to join in consultation for this project was sent to the following:

- State Historic Preservation Office
- Indiana Landmarks Northern Regional Office
- Dan Avery, Northeastern Indiana Regional Coordinating Council, MPO
- Richard Beck, Allen County Board of Commissioners
- Robert Armstrong, Allen County Council
- Allen County – Fort Wayne Historical Society
- Allen County Public Library Genealogy Center
- Allen County Highway Department
- Stephanie Wagner: Historian, Allen County Genealogical Society of Indiana
- ARCH, Inc.

The ECL directed interested parties to access the ECL on INDOT's online document portal, INSCOPE (<https://erms12c.indot.in.gov/section106documents/>). A paper copy of the ECL was mailed to the Indiana SHPO as a designated consulting party for review and comment on the same day (Appendix B: Consulting Parties and Appendix C: Correspondence).

On April 22, 2022, INDOT distributed the invitation to join in consultation to the following Tribes (Appendix C: Correspondence):

- Eastern Shawnee Tribe of Oklahoma
- Miami Tribe of Oklahoma
- Peoria Tribe of Indians of Oklahoma
- Pokagon Band of Potawatomi Indians
- Shawnee Tribe
- Absentee Shawnee Tribe of Oklahoma
- Delaware Tribe of Indians
- Forest County Potawatomi Community
- Wyandotte Nation

Pursuant to 36 CFR § 800.4(b) Gray & Pape architectural historians used mapping of the project area provided by HNTB, who were the lead project designers, and the Indiana State Historic Architectural and Archaeological Research Database (SHAARD) of the Division of Historic Preservation and Archaeology (DHPA) to identify previously surveyed resources. SHAARD includes a database of previously surveyed above-ground resources, including data from the Indiana Historic Sites and Structures Inventory (IHSSI), the National Register of Historic Places (NRHP) inventory, the 2009 INDOT-sponsored Historic Bridge Inventory (HBI), and the Indiana Cemetery and Burial Ground Registry. Historical map research located the following maps for analysis: the 1875 Map of Allen County, Indiana (Morrison 1875); the 1898 Standard Atlas of Allen County, Indiana (Ogle 1898); the 1910 United States Postal Service (USPS) Map of Allen County, Indiana (USPS 1910); the 1935 map of Allen County, Indiana (Gottschalk 1935); and the 1958, 1981, and 1992 7.5-minute Grabill, Indiana quadrangles (USGS 1958, 1981; 1992) (See Appendix A: Maps).

On April 25, 2022, the THPO for the Forest County Potawatomi Community (FCPC) responded to the ECL and stated that if any “human remains, or archaeological materials are exposed the Tribe must be included with the SHPO in any consultation” (Appendix C: Correspondence).

On April 26, 2022, the Director of Cultural Preservation for the Peoria Tribe of Indians of Oklahoma responded to the ECL and stated that if any “items are discovered which fall under the protection of NAGPRA, the Peoria Tribe requests immediate notification and consultation” (Appendix C: Correspondence).

On April 27, 2022, the Indiana SHPO responded to the ECL and suggested the addition of Thomas E. Castaldi, Allen County Historian, and Paul Hayden, Director of Indiana Landmarks Northeast Field Office, as consulting parties. The SHPO also asked to be included in further regular correspondence on the project as well as being notified of which consulting parties have accepted (Appendix C: Correspondence).

On April 27, 2022, the THPO for the Miami Tribe of Oklahoma responded to the ECL offering no objection and that they are “not currently aware of existing documentation directly linking a specific Miami cultural or historic site to the project site” and requested to be involved immediately in consultation if any “human remains or Native American Cultural items falling under NAGPRA are discovered” (Appendix C: Correspondence).

On May 5, 2022, the Northeastern Indiana Regional Coordinating Council responded to the ECL and gave information on a series of SHAARD resources, pipelines, and potential obstructions located within the project area including: Two pipelines intersecting or near the project area, a leaking underground storage tank, five previously surveyed resources, and a drainage ditch (Appendix C: Correspondence).

On May 18, 2022, the THPO for the Eastern Shawnee Tribe of Oklahoma responded to the ECL and stated “We find our people occupied these areas historically and/or prehistorically. However, the project proposes NO adverse effects or endangerment to known sites of interest to the Eastern Shawnee Tribe.” The tribe also requested to be contacted immediately if archaeological sites or objects were discovered (Appendix C: Correspondence).

Following the literature review, on May 18, 2022, Gray & Pape architectural historians conducted field reconnaissance of the APE and photographed all architectural resources within the APE that were already or that would be 50-years of age by the project’s proposed September 2023 letting. Field documentation included photographs of the primary and secondary facades, when accessible; ownership information; resource style or type; and integrity considerations. Dates of construction for the historic architectural resources were established through a review of the Allen County Auditor property records, structural forms, and analyses of building materials (Appendix D: Photographs).

On May 20, 2022, the THPO for the Pokagon Band of Potawatomi Indians responded to the ECL and stated that “the proposed work is occurring within a mile of known archaeological sites, or features that are considered sensitive or recorded in the Pokagon Band Historic Inventory Database” The THPO further stated that “The project will have no adverse effects on any historic, religious, or culturally significant resources to the Pokagon Band of Potawatomi Indians” (Appendix C: Correspondence).

Gray & Pape archaeologists conducted a Phase Ia records check and field reconnaissance between May 30, and June 1, 2022. The records check identified no previously recorded sites in the survey area. The field survey located three previously unrecorded archaeological sites (Appendix E: Report Summaries).

The Phase Ia archaeology survey report was submitted to the State Historic Preservation Office on September 23, 2022 (Appendix C: Correspondence). On October 4, 2022, the Phase Ia archaeology survey report was sent to all potential Tribal consulting parties. The report recommended that no further archaeological investigations were necessary and that the project proceed as planned (Appendix C: Correspondence and Appendix E: Report Summaries).

On October 24, 2022, Indiana SHPO responded to the Phase Ia archaeological field reconnaissance survey report submittal. SHPO agreed that the portions of archaeological sites 12AL2335, 12AL2336, and 12AL2337 which [REDACTED] do not appear to contain significant archaeological deposits and no further archaeological work is required. SHPO also stated that the portions of archaeological sites 12AL2335, 12AL2336, and 12AL2337 that [REDACTED] have not been evaluated for inclusion in the NRHP. Those portions of the sites must be avoided, if avoidance is not possible, additional archaeological investigation is required prior to project construction. The letter also mentioned that if any other archaeological artifacts or human remains are discovered, they should be reported to SHPO within two business days (Appendix C: Correspondence and Appendix E: Report Summaries).

On November 17, 2022, the THPO for the Eastern Shawnee Tribe of Oklahoma responded to the Phase Ia Archaeological survey report and stated “We find our people occupied these areas historically and/or prehistorically. However, the project proposes NO adverse effect or endangerment to known sites of interest to the Eastern Shawnee Tribe.” The tribe also requested to be contacted immediately if archaeological sites or objects were discovered (Appendix C: Correspondence).

The Shawnee responded on December 13, 2022, concurring that no known historic properties will be negatively impacted by this project. However, if archaeological materials are found during construction, the Shawnee requested to be re-notified for consultation (Appendix C: Correspondence).

Gray & Pape’s architectural historians prepared a Historic Property Report (HPR). Fifteen contributing resources were identified within the APE with one resource (IHSSI 003-245-01032), recommended as eligible for listing in the NRHP.

Consulting parties were notified of the availability of the HPR on February 2, 2023, and provided directions to access it and the transmittal letter on INDOT’s online document portal INSCOPE (at <https://erms12c.indot.in.gov/section106documents/>). In addition, paper copies of the documents were sent to the Indiana SHPO as a designated consulting party for review and comment on the same day. INDOT was copied on the correspondence (Appendix C: Correspondence and Appendix E: Report Summaries).

In addition, paper copies of the documents were sent to Justin D. and Jennifer Jean Krohn, as owners of the property at 16029 SR 37, for review and comment the next day.

On February 23, 2023, as suggested by the Indiana SHPO, an email was distributed to Thomas E. Castaldi, Allen County Historian, and Paul Hayden, Director of Indiana Landmarks Northeast Field Office, inviting them to join in the Section 106 process as consulting parties and informing them that an HPR had been prepared and was ready for their review. Both parties were also invited to access and review the ECL as well and given instructions on using INSCOPE (Appendix C: Correspondence). The request from SHPO to include these potential consulting parties was initially overlooked when their letter was received.

On March 1, 2023, SHPO responded to the submittal of the Historic Property Report (HPR). SHPO stated that the APE is of adequate size and agreed that there are no previously recorded properties listed or eligible for inclusion in the NRHP in the project area. They agreed that the house at 16029 SR 37 (IHSSI 003-245-01032) is eligible for listing on the NRHP. They also agreed that the remaining properties surveyed within the APE are ineligible for inclusion in the NRHP (Appendix C: Correspondence).

On March 13, 2023, the Eastern Shawnee Tribe of Oklahoma stated that the project proposes NO Adverse Effect or endangerment to known sites of interest to the Eastern Shawnee Tribe (Appendix C: Correspondence).

The Shawnee Tribe also concurred that that no known historic properties will be negatively impacted in an email dated March 29, 2023 (Appendix C: Correspondence).

On March 30, 2023, Thomas E. Castaldi and Paul Hayden were again invited to serve as consulting parties (Appendix C: Correspondence).

In June 2023, project designers identified additional areas where ROW will be acquired from the residential lot at the southwest quadrant of the intersection of State Road 37 and Thimlar Road (15840 SR 37) to accommodate shoulder widening. The entire lot will be purchased for the project. The additional project area totaled 0.2 hectares (0.5 acres).

The planned letting date was pushed to 2024. No additional above-ground resources will be 50 years or older by the revised letting date, so no additional above-ground analysis is required.

Gray and Pape archaeologists conducted field reconnaissance on September 24–25, 2023. The records check identified no previously recorded sites in the survey area. The field survey located one previously unrecorded archaeological site (Appendix E: Report Summary).

The Addendum Phase Ia archaeology survey report will be submitted concurrently with this document to the State Historic Preservation Office and relevant tribal organizations. The report recommended that no further archaeological investigations were necessary and that the project proceed as planned (Appendix E: Report Summaries).

No further comments were received on the project.

3. DESCRIBE AFFECTED HISTORIC PROPERTIES

The house at 16029 SR 37 is a two-story Neo-Eclectic French Provincial residential building, constructed ca. 1953. The front-facing, L-shaped building features a steeply pitched gable roof, clad in asphalt shingles, with shed and gable dormers of various sizes. A tower is in the space where the gables connect on the south façade. The building is clad in limestone. It is eligible for the NRHP under Criterion C as an excellent example of Neo-Eclectic French Provincial style.

4. DESCRIBE THE UNDERTAKING'S EFFECTS ON HISTORIC PROPERTIES

Construction for the proposed project will end approximately 85 m (280 ft) west of the historic property at 16029 SR 37. The mill and overlay at the eastern end of the project will be visible, but the turn lanes proposed at Thimlar Road will not be readily visible from the property. In addition, the stone wall and mature trees will partially block the construction activities from the property.

There are no plans to purchase permanent or temporary ROW from the property. As currently designed, the undertaking will have no direct effect on the eligible resource including the exterior features such as the pool house, driveway, and limestone fencing.

5. EXPLAIN APPLICATION OF CRITERIA OF ADVERSE EFFECT -- INCLUDE CONDITIONS OR FUTURE ACTIONS TO AVOID, MINIMIZE OR MITIGATE ADVERSE EFFECTS

As described in 36 CFR 800.5(a)(1), the criteria of adverse effect have been applied to this undertaking. An adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify that property for inclusion in the NRHP in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling or association.

Per 36 CFR 800.5 (a) (2), examples of adverse effects may include, but are not limited to the following:

- (i) Physical destruction of or damage to all or part of the property;
- (ii) Alteration of a property, including restoration, rehabilitation, repair, maintenance, stabilization hazardous material remediation and provision of handicapped access, that is not consistent with the Secretary's Standards for the Treatment of Historic Properties (36 CFR Part 68) and applicable guidelines;
- (iii) Removal of the property from its historic location;
- (iv) Change of the character of the property's use or of physical features within the property's setting that contribute to its historic significance;
- (v) Introduction of visual, atmospheric or audible elements that diminish the integrity of the property's significant historic features;
- (vi) Neglect of a property which causes its deterioration, except where such neglect and deterioration are recognized qualities of a property of religious and cultural significance to an Indian tribe or Native Hawaiian organization; and

- (vii) Transfer, lease, or sale of property out of Federal ownership or control without adequate and legally enforceable restrictions or conditions to ensure long-term preservation of the property's historic significance.

Application of the criteria of adverse effect defined in 36 CFR § 800.5(a), finds the proposed project's potential effects on the house at 16029 SR 37 (IHSSI 003-245-01032) are not likely to be described in 36 CFR § 800.5(a)(2) (iii), (vi), or (vii). The application of adverse effect, focusing on 36 CFR § 800.5(a)(2)(i) (ii), (iv), and (v) follows:

Per 36 CFR § 800.5(a)(i), no part of this property will be damaged by the project.

Per 36 CFR § 800.5(a)(ii), the property will not be altered by the project.

Per 36 CFR § 800.5(a)(iv), the property's use will not change, the overall rural, agricultural setting will not be significantly diminished.

Per 36 CFR § 800.5(a)(v), the project will resurface the pavement near the property, however; the resurfacing will not widen the roadway. This visual change is minor and will not diminish the integrity of features within the property.

Changes in the property's settings will not significantly reduce the rural feeling and will not interfere with the property's ability to convey its significance in architecture under Criterion C.

6. SUMMARY OF CONSULTING PARTIES AND PUBLIC VIEWS

Early Coordination Letters were sent to potential consulting parties on April 22, 2022.

On April 25, 2022, the Forest County Potawatomi Community agreed to be a consulting party.

On April 26, 2022, the Peoria Tribe of Indians of Oklahoma agreed to be a consulting party.

SHPO responded to the Early Coordination Letter on April 27, 2022, asking for additional parties to be added.

The Miami Tribe of Oklahoma confirmed their acceptance as a consulting party on April 27, 2022.

On May 5, 2022, the Northeastern Indiana Regional Coordinating Council responded and gave information on a series of potentially historic and other resources.

The Eastern Shawnee Tribe of Oklahoma Historic Preservation Department responded on May 18, 2022, agreeing to be a consulting party.

On May 20, 2022, the THPO for the Pokagon Band of Potawatomi Indians agreed to be a consulting party.

The Phase Ia archaeological survey report was submitted to consulting parties on September 23, and October 4, 2022.

In a letter dated October 24, 2022, Indiana SHPO responded agreeing that the portions of archaeological sites 12AL2335, 12AL2336, and 12AL2337 which [REDACTED] do not appear to contain significant archaeological deposits and no further archaeological work is required. SHPO also stated that the portions of archaeological sites 12AL2335, 12AL2336, and 12AL2337 that [REDACTED] have not been evaluated for inclusion in the NRHP.

On November 17, 2022, the THPO for the Eastern Shawnee Tribe of Oklahoma responded to the Phase Ia Archaeological survey report and stated “We find our people occupied these areas historically and/or prehistorically. However, the project proposes NO adverse effect or endangerment to known sites of interest to the Eastern Shawnee Tribe.” The tribe also requested to be contacted immediately if archaeological sites or objects were discovered.

The Shawnee responded on December 13, 2022, concurring that no known historic properties will be negatively impacted by this project. However, if archaeological materials are found during construction, the Shawnee requested to be re-notified for consultation.

The historic property report was sent to consulting parties on February 2, 2023. Fifteen contributing resources were identified within the APE with one property, house at 16029 SR 37 (IHSSI 003-245-01032) being recommended as eligible for listing in the NRHP.

Justin D. and Jennifer Jean Krohn, the co-owners of the property located at 16029 SR 37, were sent hard copies of the HPR on February 3, 2023, and invited to become consulting parties.

On February 23, 2023, as suggested by the Indiana SHPO, an email was distributed to Thomas E. Castaldi, Allen County Historian, and Paul Hayden, Director of Indiana Landmarks Northeast Field Office, inviting them to join in the Section 106 process as consulting parties. The request from SHPO to include these potential consulting parties was initially overlooked when their letter was received.

In a letter dated March 1, 2023, SHPO responded to the submittal of the Historic Property Report. SHPO agreed that the house at 16029 SR 37 (IHSSI 003- 245-01032) is eligible for listing on the NRHP.

On March 13, 2023, the Eastern Shawnee Tribe of Oklahoma stated that the project proposes NO Adverse Effect or endangerment to known sites of interest to the Eastern Shawnee Tribe.

The Shawnee Tribe also concurred that that no known historic properties will be negatively impacted in a letter dated March 29, 2023.

An additional letter was created on March 29, 2023, and submitted, March 30, to again invite the Allen County Historian and Indiana Landmarks, Northeast Field Office to

participate as consulting parties.

Gray and Pape archaeologists conducted additional field reconnaissance on September 24–25, 2023. The field survey located one previously unrecorded archaeological site.

The Addendum Phase Ia archaeology survey report will be submitted concurrently with this document to the State Historic Preservation Office and relevant tribal organizations. The report recommended that no further archaeological investigations were necessary and that the project proceed as planned (Appendix E: Report Summaries).

No further comments were received from invited consulting parties.

A public notice of “No Adverse Effect” will be posted in the East Allen Courier, and the public will be afforded thirty (30) days to respond. If appropriate, this document will be revised after the expiration date of the public comment period.

APPENDICES

- Appendix A: Maps
- Appendix B: Consulting Parties
- Appendix C: Correspondence
- Appendix D: Photographs
- Appendix E: Report Summaries
- Appendix F: Plans

Appendix A: Maps

Appendix B: Consulting Parties

Name	Company/Organization	Address	Email	Accepted Invitation?
Beth McCord	Deputy State Historic Preservation Officer	402 West Washington Street, Indianapolis, Indiana 46204	BMCCord@dnr.IN.gov	Yes
Todd Zeiger	Director, Northern Regional Office	801 West Washington Street, South Bend, Indiana 46601	tzeiger@indianalandmarks.com	
Todd H. Johnson	Deputy Commissioner, INDOT Fort Wayne District	5333 Hatfield Road, Fort Wayne, Indiana, 46808		
Richard Beck	District 3 Commissioner, Allen County Board of Commissioners		richard.beck@allencounty.us	
Stacey Gorusch	Principal Transportation Planner, Northeastern Indiana Regional Coordinating Council	200 East Berry Street Suite 230, Fort Wayne, Indiana 46803	Stacey.Gorusch@co.allen.in.us	Yes
Todd Maxwell Pelfrey	Executive Director Allen County- Fort Wayne Historical Society	302 East Berry Street Fort Wayne, Indiana 46802	tpelfrey@fwhistorycenter.org	
Robert Armstrong	Council Member, Allen County Council	Rousseau Centre, Suite 102 1 East Main Street Fort Wayne, Indiana 46802	Bob.armstrong@allencounty.us	
	Allen County Public Library Genealogy Center	P.O. Box 2270, Fort Wayne, Indiana 46802	Genealogy@acl.info	
Laura Weston	Preservation Specialist, ARCH, Inc.	818 Lafayette Street, Fort Wayne, Indiana 46802	lweston@archfw.org	
Stephanie Wagner	Historian of Allen County, Genealogical Society of Indiana	P.O. Box 12003, Fort Wayne, Indiana 46802	Sewsings328@gmail.com	
Jessica Chrisman	Allen County Highway Department	Citizens Square, Suite 280, 200 E Berry St, Fort Wayne, Indiana 46802	Jessica.Chrisman@co.allen.in.us	
Thomas E. Castaldi	Allen County Historian		tlcastaldi@yahoo.com	
Paul Hayden	Director, Indiana Landmarks Northeast Field Office		phayden@indianalandmarks.org	
Krohn, Justin D and Jennifer Jean	Owners of 16029 SR 37	16029 SR 37, Harlan, IN 46743		
Tribal Contacts				
Miami Tribe of Oklahoma				Yes
Peoria Tribe of Indians of Oklahoma				Yes
Shawnee Tribe				Yes
Forest County Potawatomi Community				Yes
Pokagon Band of Potawatomi Indians				Yes
Eastern Shawnee Tribe of Oklahoma				Yes

Name	Company/Organization	Address	Email	Accepted Invitation?
Absentee Shawnee Tribe of Oklahoma				
Delaware Tribe of Indians				
Wyandotte Nation				

Appendix C: Correspondence



INDIANA DEPARTMENT OF TRANSPORTATION

100 North Senate Avenue
Room N758-ES
Indianapolis, Indiana 46204

PHONE: (855) 463-6848
INDOT-4-U

Eric Holcomb, Governor
Michael Smith, Commissioner

April 22, 2022

This letter was sent to the listed parties.

RE: Des No. 1900142
State Route (SR) 37 Intersection Improvements at Cuba/Thimler Road, 5.00 miles east of I-469, and
Notestine Road, 4.68 miles east of I-469
Allen County, Indiana

Dear Consulting Party (see attached list),

The Indiana Department of Transportation (INDOT), with funding from the Federal Highway Administration, proposes to proceed with a project involving the intersections at SR 37 and Notestine Road and at SR 37 and Cuba/Thimler Roads in Allen County, Indiana, Des No. 1900142. Gray & Pape, Inc. is under contract with HNTB Corporation to advance the Section 106 process of the environmental documentation for the referenced project.

This letter is part of the early coordination phase of the environmental review process requesting comments associated with this project. We are requesting comments from you within your area of expertise regarding any possible environmental effects associated with this project. Please use the above Des. Number and project description in your reply and your comments will be incorporated into the formal environmental study.

The proposed undertaking is on SR 37 at Cuba/Thimler Road, 5.00 miles east of I-469, and Notestine Road, 4.68 miles east of I-469, in Milan and Springfield Townships, Allen County, Indiana. It is within the Grabill 7.5 USGS Topographic Quadrangle, in Sections 31 and 32, Township 32N, Range 14E, and Section 3, Township 31N, Range 14E.

This section of SR 37 is a two-lane Major Collector. The SR 37 and Cuba/Thimler Road intersection is a two-way stop with preferentiality given to SR 37. Cuba Road intersects on the west side of SR 37 and Thimler Road intersects from the east side of SR 37. The SR 37 and Notestine Road intersection is also a two way stop with preferentiality given to SR 37. The Notestine intersection has a significant skew causing sight distance issues. Both intersections have a higher-than-expected crash frequency based on crash volume and facility characteristics. The purpose of this project is to improve safety of these intersections and improve traffic flow on SR 37.

The proposed improvements for the intersection of SR 37 at Cuba/Thimler Road would widen SR 37 to include the addition of left turn lanes onto Cuba Road and Thimler Road. The intersection of SR 37 and Notestine Road would be re-aligned to the south, approximately 360 feet to eliminate the skew of the intersection.

Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on historic properties. In accordance with 36 CFR 800.2 (c), you are hereby requested to

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be a consulting party to participate in the Section 106 process. Entities that have been invited to participate in the Section 106 consultation process for this project are identified in the attached list. Per 36 CFR 800.3(f), we hereby request that the Indiana State Historic Preservation Officer (SHPO) notify this office if the SHPO staff is aware of any other parties that may be entitled to be consulting parties or should be contacted as potential consulting parties for the project.

The Section 106 process involves efforts to identify historic properties potentially affected by the undertaking, assess its effects, and seek ways to avoid, minimize or mitigate any adverse effects on historic properties. For more information regarding the protection of historic resources, please see the Advisory Council on Historic Preservation's guide: *Protecting Historic Properties: A Citizen's Guide to Section 106 Review* available online at <https://www.achp.gov/sites/default/files/documents/2017-01/CitizenGuide.pdf>.

The Area of Potential Effects (APE) is the area in which the proposed project may cause alterations in the character or use of historic resources. At this time, no cultural resource investigations have occurred; however, the results of cultural resource identification and evaluation efforts, both above-ground and archaeological, will be forthcoming. Consulting parties will receive notification when these reports are completed.

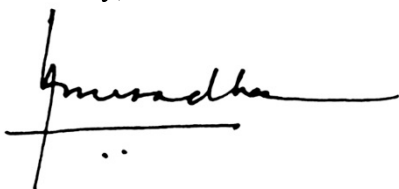
Please review the information and comment within thirty (30) calendar days of receipt. If you indicate that you do not desire to be a consulting party, or if you do not respond, you will not be included on the list of consulting parties for this project. If we do not receive your response in the time allotted, the project will proceed consistent with the proposed design and you will not receive further information about the project unless the design changes. Tribal consulting parties may enter the process at any time and are encouraged to respond to this notification with any comments or concerns at their earliest convenience.

For questions concerning specific project details, you may contact Jeff Laswell of Gray & Pape Inc. at 317-442-9582 or jlaswell@graypape.com. All future responses regarding the proposed project should be forwarded to Gray & Pape Inc. at the following address:

Jeff Laswell
Archaeological Principal Investigator
Gray & Pape, Inc.
5807 North Post Road
Indianapolis, IN, 46216
jlaswell@graypape.com

Tribal contacts may contact Patty Jo Korzeniewski at pkorzeniewski@indot.in.gov or 317-416-4377 or Kari Carmany-George at FHWA at K.CarmanyGeorge@dot.gov or 317-226-5629.

Sincerely,



Anuradha V. Kumar, Manager
Cultural Resources Office
Environmental Services

CC: Kevin Shaw, INDOT PM
Jonathan Oakley, HNTB PM
Chris Meador, HNTB Environmental Task Manager

Enclosures:

- Topographic Map

Distribution List:

- State Historic Preservation Officer
- Indiana Landmarks Northern Regional Office
- Dan Avery, Northeastern Indiana Regional Coordinating Council, MPO
- Richard Beck, Allen County Board of Commissioners
- Robert Armstrong, Allen County Council
- Allen County – Fort Wayne Historical Society
- Allen County Public Library Genealogy Center
- Allen County Highway Department
- Stephanie Wagner: Historian, Allen County Genealogical Society of Indiana
- ARCH, Inc.
- Eastern Shawnee Tribe of Oklahoma
- Miami Tribe of Oklahoma
- Peoria Tribe of Indians of Oklahoma
- Pokagon Band of Potawatomi Indians
- Shawnee Tribe
- Absentee Shawnee Tribe of Oklahoma
- Delaware Tribe of Indians
- Forest County Potawatomi Community
- Wyandotte Nation

From: Michael Langmyer mlangmyer@graypape.com
Sent: Friday, April 22, 2022 1:30 PM
To: BMccord@dnr.IN.gov; Dan Avery <Dan.Avery@co.allen.in.us>; tzeiger@indianalandmarks.org; Richard Beck <Richard.Beck@allencounty.us>; Bob A. Armstrong <Bob.Armstrong@co.allen.in.us>; tpelfrey@fwhistorycenter.org; Genealogy@ACPL.Info; lweston@archfw.org; Info@acgsi.org; Jessica Chrisman <Jessica.Chrisman@co.allen.in.us>
Cc: pkorzeniewski@indot.in.gov; Alexander, Kelyn <KAlexander3@indot.IN.gov>; Jeff Laswell <jlaswell@graypape.com>; David Moffatt <dmoffatt@graypape.com>; Wes Cunningham <wcunningham@graypape.com>
Subject: FHWA Project: Des. No. 1900142; ECL, SR 37 Intersection Improvements at Cuba/Thimler Road and Notestine Road, Allen County, Indiana.

Des. No.: 1900142

Project Description: SR 37 Intersection Improvements Project

Location: 4.68 and 5.00 miles east of I-469, Allen County, Indiana

The Indiana Department of Transportation, with funding from the Federal Highway Administration, proposes to proceed with a project involving the intersections at SR 37 and Notestine Road and at SR 37 and Cuba/Thimler Roads in Allen County, Indiana, Des No. 1900142.

Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on historic properties. The following agencies/individuals are being invited to become consulting parties:

- State Historic Preservation Officer
- Indiana Landmarks Northern Regional Office
- Richard Beck, Allen County Board of Commissioners
- Robert Armstrong, Allen County Council
- Allen County – Fort Wayne Historical Society
- Allen County Public Library Genealogy Center
- Allen County Highway Department
- Stephanie Wagner: Historian, Allen County Genealogical Society of Indiana
- ARCH, Inc.
- Dan Avery, NIRCC MPO
- Eastern Shawnee Tribe of Oklahoma
- Miami Tribe of Oklahoma
- Peoria Tribe of Indians of Oklahoma
- Pokagon Band of Potawatomi Indians
- Shawnee Tribe
- Absentee Shawnee Tribe of Oklahoma
- Delaware Tribe of Indians
- Forest County Potawatomi Community
- Wyandotte Nation

This letter is part of the early coordination phase of the environmental review process requesting comments associated with this project. We are requesting comments from you within your area of expertise regarding any possible environmental effects associated with this project. Please use the above Des. Number and project description in your reply and your comments will be incorporated into the formal environmental study.

Please review the attached letter, which is also located in IN SCOPE at <http://erms.indot.in.gov/Section106Documents/> (the Des. No. is the most efficient search term, once in IN SCOPE), and respond with your comments on any historic resource impacts incurred as a result of this project so that an environmental report can be completed. We also welcome your related opinions and other input to be considered in the preparation of the environmental document. If a hard copy of the materials is needed, please respond to this email with your request within seven (7) days.

Consulting parties have thirty (30) calendar days from receipt of this information to review and provide comments. If we do not receive a response from an invited consulting party within the time allotted, the project will proceed consistent with the proposed design. **Therefore, if we do not receive a response within thirty (30) days, your agency or organization will not receive any further information on the project unless the scope of work changes.**

Tribal contacts may contact Patty Jo Korzeniewski at pkorzeniewski@indot.in.gov or 317-416-4377 or Kari Carmany-George at FHWA at K.CarmanyGeorge@dot.gov or 317-226-5629.

Thank you in advance for your input,

Michael B. Langmyer (he/him)
Architectural Historian II



1318 Main Street
Cincinnati, Ohio 45202-7614
Ph.: 513.287.7700
Cell: 513.312.9772
Fax: 513.287.7703
mlangmyer@graypape.com

[Facebook](#) | [LinkedIn](#) | [Website](#)

From: [Korzeniewski, Patricia J](#)
To: thpo@estoo.net; [Diane Hunter](#); cechohawk@peoriatribe.com; Matthew.Bussler@pokagonband-nsn.gov; tonya@shawnee-tribe.com; snease@astribe.com; lheady@delawaretribe.org; benjamin.rhodd@fcp-nsn.gov; sclemons@wyandotte-nation.org
Cc: [Michael Langmyer](#); [Carmany-George, Karstin \(FHWA\)](#); [Korzeniewski, Patricia J](#); [Alexander, Kelyn](#)
Subject: FHWA Project: Des. No. 1900142; ECL, SR 37 Intersection Improvements at Cuba/Thimlér Road and Notestine Road, Allen County, Indiana.
Date: Friday, April 22, 2022 1:51:41 PM

Des. No.: 1900142

Project Description: SR 37 Intersection Improvements Project

Location: 4.68 and 5.00 miles east of I-469, Allen County, Indiana

The Indiana Department of Transportation, with funding from the Federal Highway Administration, proposes to proceed with a project involving the intersections at SR 37 and Notestine Road and at SR 37 and Cuba/Thimlér Roads in Allen County, Indiana, Des No. 1900142.

Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on historic properties. The following agencies/individuals are being invited to become consulting parties:

- State Historic Preservation Officer
- Indiana Landmarks Northern Regional Office
- Richard Beck, Allen County Board of Commissioners
- Robert Armstrong, Allen County Council
- Allen County – Fort Wayne Historical Society
- Allen County Public Library Genealogy Center
- Allen County Highway Department
- Stephanie Wagner: Historian, Allen County Genealogical Society of Indiana
- ARCH, Inc.
- Dan Avery, NIRCC MPO
- Eastern Shawnee Tribe of Oklahoma
- Miami Tribe of Oklahoma
- Peoria Tribe of Indians of Oklahoma
- Pokagon Band of Potawatomi Indians
- Shawnee Tribe
- Absentee Shawnee Tribe of Oklahoma
- Delaware Tribe of Indians
- Forest County Potawatomi Community
- Wyandotte Nation

This letter is part of the early coordination phase of the environmental review process requesting comments associated with this project. We are requesting comments from you within your area of expertise regarding any possible environmental effects associated with this project. Please use the above Des. Number and project description in your reply and your comments will be incorporated into the formal environmental study.

Please review the attached letter, which is also located in IN SCOPE at

<http://erms.indot.in.gov/Section106Documents/> (the Des. No. is the most efficient search term, once in IN SCOPE), and respond with your comments on any historic resource impacts incurred as a result of this project so that an environmental report can be completed. We also welcome your related opinions and other input to be considered in the preparation of the environmental document. If a hard copy of the materials is needed, please respond to this email with your request within seven (7) days.

Consulting parties have thirty (30) calendar days from receipt of this information to review and provide comments. Tribal consulting parties may enter the process at any time and are encouraged to respond to this notification with any comments or concerns at their earliest convenience.

If we do not receive a response from an invited consulting party within the time allotted, the project will proceed consistent with the proposed design. **Therefore, if we do not receive a response within thirty (30) days, your agency or organization will not receive any further information on the project unless the scope of work changes.**

Tribal contacts may contact Patty Jo Korzeniewski at pkorzeniewski@indot.in.gov or 317-416-4377 or Kari Carmany-George at FHWA at K.CarmanyGeorge@dot.gov or 317-226-5629.

Thank you in advance for your input,

Patricia Jo Korzeniewski
Archaeologist and Environmental Manager
INDOT, Cultural Resources Office
100 North Senate Avenue, N758-ES
Indianapolis, Indiana 46204
PKorzeniewski@indot.in.gov
1-317-416-4377
M-F 8:00 - 4:00

From: Benjamin Rhodd <Benjamin.Rhodd@fcp-nsn.gov>
Sent: Monday, April 25, 2022 11:56 AM
To: Korzeniewski, Patricia J <PKorzeniewski@indot.IN.gov>
Subject: RE: FHWA Project: Des. No. 1900142; ECL, SR 37 Intersection Improvements at Cuba/Thimler Road and Notestine Road, Allen County, Indiana.

****** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ******

Ms. Korzeniewski,

Pursuant to consultation under Section 106 of the National Historic Preservation Act (1966 as amended) the Forest County Potawatomi Community (FCPC), a Federally Recognized Native American Tribe, reserves the right to comment on Federal undertakings, as defined under the act.

The Tribal Historic Preservation Office (THPO) staff has reviewed the information you provided for the enclosed referenced project. The FCPC THPO looks forward to an archaeological survey being completed and the results provided for review. Please send as soon as a completed report is available.

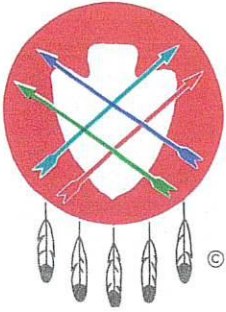
As a standard caveat sent with each proposed project reviewed by the FCPC THPO, the following applies. In the event an Inadvertent Discovery (ID) occurs at any phase of a project or undertaking as defined, and human remains or archaeological materials are exposed as a result of project activities, work should cease immediately, and the Tribe(s) must be included

with the SHPO in any consultation regarding treatment and disposition of the find.

Thank you for protecting cultural and historic properties and if you have any questions or concerns, please contact me at the email or number listed below.

Respectfully,

Ben Rhodd, MS, RPA Tribal Historic Preservation Officer
Forest County Potawatomi
Historic Preservation Office
8130 Mish ko Swen Drive, P.O. Box 340, Crandon, Wisconsin 54520 P:
715-478-7354 C: 715-889-0202 Main: 715-478-7474
Email: Benjamin.Rhodd@fcp-nsn.gov
www.fcpotawatomi.com



PEORIA TRIBE OF INDIANS OF OKLAHOMA

118 S. Eight Tribes Trail (918) 540-2535 FAX (918) 540-2538

P.O. Box 1527

MIAMI, OKLAHOMA 74355

CHIEF
Craig Harper

SECOND CHIEF
Rosanna Dobbs

April 26, 2022

Patricia Korzeniewski
Tribal Contact
INDOT
100 N Senate Ave., Rm N642
Indianapolis, IN 46204

Re: DES#1900142; SR 37 Intersection improvements east of I-469, Allen County

Thank you for providing notice of the referenced project. The Peoria Tribe of Indians of Oklahoma is unaware of a direct link to the newly proposed project location.

The Peoria Tribe of Indians of Oklahoma is also unaware of items covered under Native American Graves Protection and Repatriation Act (NAGPRA) to be associated with the proposed project site, including funerary or sacred objects; objects of cultural patrimony; or ancestral human remains.

The Peoria Tribe has no objection at this time to the proposed project. If, however, at any time items are discovered which fall under the protection of NAGPRA, the Peoria Tribe requests immediate notification and consultation. In addition, state, local and tribal authorities should be advised as to the findings and construction halted until consultation with all concerned parties has occurred.

Please feel free to contact me directly at the number above if additional consultation is necessary. Thank you again for your consideration with this matter.

Sincerely,

Charla K. EchoHawk
Director of Cultural Preservation

TREASURER
Hank Downum

SECRETARY
Tonya Mathews

FIRST COUNCILMAN
Carolyn Ritchey

SECOND COUNCILMAN
Kara North

THIRD COUNCILMAN
Isabella Burrell



April 27, 2022

Jeff Laswell
Archaeological Principal Investigator
Gray & Pape, Inc.
5807 North Post Road
Indianapolis, Indiana 46216

Federal Agency: Indiana Department of Transportation (“INDOT”),
on behalf of Federal Highway Administration, Indiana Division (“FHWA”)

Re: Early coordination letter for the SR 37 intersection improvements at Cuba/Thimler Road and
Notestine Road (Des. No. 1900142; DHPA No. 29117)

Dear Mr. Laswell:

Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 306108), 36 C.F.R. Part 800, and the “Programmatic Agreement (PA) Among the Federal Highway Administration, the Indiana Department of Transportation, the Advisory Council on Historic Preservation and the Indiana State Historic Preservation Officer Regarding the Implementation of the Federal Aid Highway Program In the State of Indiana,” the staff of the Indiana State Historic Preservation Officer (“Indiana SHPO”) has reviewed your April 22, 2022, review request submittal form which enclosed INDOT’s early coordination letter, received by our office the same day for this project in Milan and Springfield townships, Allen County, Indiana.

In addition to the consulting parties INDOT has invited, we suggest inviting the following to participate in the Section 106 consultation on this federal undertaking.

Thomas E. Castaldi
Allen County Historian
tlcastaldi@yahoo.com

Paul Hayden
Indiana Landmarks Northeast Field Office
phayden@indianalandmarks.org

However, if right-of-way is likely to be taken from a potentially historic property, it might be advisable to invite the owner of that property as soon as possible. In your next regular correspondence on this project, please advise us as to which of the invited consulting parties has accepted the invitation.

We look forward to reviewing the proposed area of potential effects and the reports on investigations of above-ground cultural resources and archaeological resources that the early coordination letter indicated will be forthcoming.

The Indiana SHPO staff's archaeological reviewer for this project is Wade T. Tharp, and the structures reviewer is Danielle Kauffmann. However, if you have a question about the Section 106 process, please contact initially the INDOT Cultural Resources staff members who are assigned to this project.

In all future correspondence about the SR 37 intersection improvement project at Cuba/Thimmler Road and Notestine Road in Allen County (Des. No. 1900142), please refer to DHPA No. 29117.

Very truly yours,



Beth K. McCord
Deputy State Historic Preservation Officer

BKM:DMK:dmk

emc: Anuradha Kumar, INDOT
Matt Coon, INDOT
Susan Branigin, INDOT
Kelyn Alexander, INDOT
Jeff Laswell, Gray & Pape, Inc.
Danielle Kauffmann, DNR-DHPA
Wade T. Tharp, DNR-DHPA



Miami Tribe of Oklahoma

3410 P St. NW, Miami, OK 74354 • P.O. Box 1326, Miami, OK 74355
Ph: (918) 541-1300 • Fax: (918) 542-7260
www.miamination.com



Via email: PKorzeniewski@indot.in.gov

April 27, 2022

Patricia Jo Korzeniewski
Archaeologist and Environmental
Manager INDOT, Cultural Resources
Office
100 North Senate Avenue, N758-ES
Indianapolis, Indiana 46204

Re: Des. No 1900142, SR 37 Intersection Improvements, Allen County, Indiana – Comments of the Miami Tribe of Oklahoma

Dear Ms. Korzeniewski:

Aya, kikwehsitoole – I show you respect. The Miami Tribe of Oklahoma, a federally recognized Indian tribe with a Constitution ratified in 1939 under the Oklahoma Indian Welfare Act of 1936, respectfully submits the following comments regarding Des. No 1900142, SR 37 Intersection Improvements in Allen County, Indiana.

The Miami Tribe offers no objection to the above-referenced project at this time, as we are not currently aware of existing documentation directly linking a specific Miami cultural or historic site to the project site. However, given the Miami Tribe's deep and enduring relationship to its historic lands and cultural property within present-day Indiana, if any human remains or Native American cultural items falling under the Native American Graves Protection and Repatriation Act (NAGPRA) or archaeological evidence is discovered during any phase of this project, the Miami Tribe requests immediate consultation with the entity of jurisdiction for the location of discovery. In such a case, please contact me at 918-541-8966 or by email at dhunter@miamination.com to initiate consultation.

The Miami Tribe accepts the invitation to serve as a consulting party to the proposed project. In my capacity as Tribal Historic Preservation Officer I am the point of contact for consultation.

Respectfully,

Diane Hunter

Diane Hunter
Tribal Historic Preservation Officer

Northeastern Indiana Regional Coordinating Council



May 5, 2022

Mr. Michael B. Langmyer
Gray & Pape Heritage Management
1318 Main Street
Cincinnati, OH 45202-7614

Re: SR 37 Intersection Improvements at Cuba/Thimlar Road and Notestine Road Early Coordination Project
Location: Allen County

Dear Mr. Langmyer:

Members of our staff reviewed your letter and report, dated April 22, 2022, concerning the Early Coordination of the SR 37 Intersection Improvements at Cuba/Thimlar and Notestine Roads. The NIRCC staff has the following comments relating to the early coordination phase of the environmental review process with this project, see below.

- The properties surrounding the intersection of Cube Rd/Thimlar Rd with SR 37 are Post World War II housing built between 1940-1973.
- In the SHAARD database (State Historic Architectural and Archaeological Research Database) there are 5 County Survey Sites mapped within or adjacent to the project area. Each site is potentially considered a "Post World War II housing built between 1940-1973" as well. They are the following:
 - o SHAARD ID: 003-245-01031, House, Rating = Contributing.
 - o SHAARD ID: 003-245-01032, House, Rating = Notable.
 - o SHAARD ID: 003-245-01071, House, Rating = Contributing.
 - o SHAARD ID: 003-245-01040, House, Rating = Contributing.
 - o SHAARD ID: 003-245-01041, House, Rating = Contributing.
- There are 2 pipelines that intersect or are near the project area. Both pipelines are Natural Gas pipelines owned by Northern Indiana Fuel & Light Co. One runs parallel to SR 37 and intersects Thimlar Rd near it's intersection with Notestine Rd. The other intersects SR 37 just east of Notestine Rd.
- The Cuba Mennonite Church and School is located at 10835 Cuba Rd which is in the project area.
- There is a Leaking Underground Storage Tank (LUST) site located approximately 950' northeast of the project limits on the south side of SR 37 at the Harlan Bulk Plant & Filling Station facility, located at 16206 SR 37. Benzene exceeded the commercial vapor intrusion screening level at MW-2 and MW-4. Ethylbenzene, 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, 1-methylnaphthalene and naphthalene were detected at MW-2 and exceeded the residential tap screening level. This site continues to be monitored.

- The Amstutz Ditch intersects SR 37 650' E/o Thimlar Rd/Cuba Rd.
- According to the DNR Indiana Floodplain Information Portal 2.0 there is a DNR Floodway associated with and following the Amstutz Ditch.
- The Amstutz Ditch intersects the Thimlar Rd/Notestine Rd intersection 1190' south of SR 37.
- According to the DNR Indiana Floodplain Information Portal 2.0 there is a DNR Floodway associated with and following the Amstutz Ditch.
- The Amstutz, Joseph Drain intersects Cuba Rd approximately 585' N/o SR 37.
- Cuba Rd and Thimlar Rd are identified on the Northeastern Indiana Regional Bicycle Pedestrian Transportation Plan as needing a minimum 4' paved shoulders to accommodate future bike routes.
- Sidewalks should be included with the project along both sides of SR 37 from the intersection with Notestine Rd northeast to the project limits
- Sidewalks should be included with the project on a minimum of one side along Notestine Rd within the project limits from SR 37 to Thimlar Rd.
- Sidewalks should be included with the project on a minimum of one side along Cuba Rd and Thimlar Rd within the project limits.

Thank you for the opportunity to comment on this project. If you have any questions, please do not hesitate to contact our office.

Sincerely,



Stacey Gorsuch
Principal Transportation Planner



EASTERN SHAWNEE CULTURAL PRESERVATION DEPARTMENT

May 18, 2022

INDOT - Indiana Department
of Transportation 100 N.
Senate Ave. IGCN642
Indianapolis, IN 46201

RE: *Des No. 1900142, Allen County, Indiana*

Dear Ms. Korzeniewski,

The Eastern Shawnee Tribe has received your letter regarding the above referenced project(s) within Allen County, Indiana. The Eastern Shawnee Tribe is committed to protecting sites important to Tribal Heritage, Culture and Religion. Furthermore, the Tribe is particularly concerned with historical sites that may contain but not limited to the burial(s) of human remains and associated funerary objects.

As described in your correspondence, and upon research of our database(s) and files, we find our people occupied these areas historically and/or prehistorically. However, the project proposes **NO Adverse Effect** or endangerment to known sites of interest to the Eastern Shawnee Tribe. Please continue project as planned. However, should this project inadvertently discover an archeological site or object(s) we request that you immediately contact the Eastern Shawnee Tribe, as well as the appropriate state agencies (within 24 hours). We also ask that all ground disturbing activity stop until the Tribe and State agencies are consulted. Please note that any future changes to this project will require additional consultation.

In accordance with the NHPA of 1966 (16 U.S.C. § 470-470w-6), federally funded, licensed, or permitted undertakings that are subject to the Section 106 review process must determine effects to significant historic properties. As clarified in Section 101(d)(6)(A-B), historic properties may have religious and/or cultural significance to Indian Tribes. Section 106 of NHPA requires Federal agencies to consider the effects of their actions on all significant historic properties (36 CFR Part 800) as does the National Environmental Policy Act of 1969 (43 U.S.C. § 4321-4347 and 40 CFR § 1501.7(a)). This letter evidences NHPA and NEPA historic properties compliance pertaining to consultation with this Tribe regarding the referenced proposed projects.

Thank you, for contacting the Eastern Shawnee Tribe, we appreciate your cooperation. Should you have any further questions or comments please contact our Office.

Sincerely,

A handwritten signature in blue ink that reads "Paul Barton".

Paul Barton, Tribal Historic Preservation Officer (THPO)
Eastern Shawnee
Tribe of Oklahoma
(918) 666-5151
Ext:1833
THPO@estoo.net



Pokégnek Bodéwadmik

POKAGON BAND OF POTAWATOMI
HISTORY & CULTURE CENTER

05/20/2022

Patricia Jo Korzeniewski

Archaeologist and Environmental Manager INDOT, Cultural Resources Office

100 North Senate Avenue, N758-ES Indianapolis, Indiana 46204 PKorzeniewski@indot.in.gov

1-317-416-4377

FHWA Project: Des. No. 1900142 Dear Responsible Party:

Migwèthh for contacting me regarding this project. As THPO, I am responsible for handling Section 106 Consultations on behalf of the tribe. I am writing to inform you that I have reviewed the details for the project referenced above. The proposed work is occurring within a mile of known archaeological sites, historic sites or features that are considered sensitive or recorded in the Pokagon Band Historic Inventory Database. I have made the determination that the project will have No Adverse Effect on any historic, religious, or culturally significant resources to the Pokagon Band of Potawatomi Indians.

If any cultural or archaeological resources are uncovered during construction, please stop work, and contact me immediately. Should you have any other questions, please don't hesitate to contact me at your earliest convenience.

Sincerely,

A handwritten signature in black ink that reads 'Matthew Bussler'.

Matthew J.N. Bussler

Tribal Historic Preservation Officer

Pokagon Band of Potawatomi Indians

Office: (269) 462-4316

Cell: (269) 519-0838

Matthew.Bussler@Pokagonband-nsn.gov

From: Jeff Laswell
Sent: Friday, September 23, 2022 3:15 PM
To: DHPARReview@dnr.IN.gov
Cc: Matt Canada; Christine Meador; Wes Cunningham; Jennifer Alexander; Coon, Matthew; Branigin, Susan; Blum, Kaylee; David Moffatt
Subject: FHWA Project: Des. No. 1900142; SR 37 Intersection Improvements at Cuba/Thimler Road and Notestine Road, Allen County, Indiana
Attachments: SR37_Des1900142_DHAPSub_2022-9-23.pdf; SR 37IntersectionImprov_Des1900142_Phase1a_2022-9-22 signed.pdf

Miriam,

Please find the attached archaeological report for review. The Historic Property Report for this project will be forthcoming. A hard copy of the report has also been sent.

Thank you,

Jeff

Jeff Laswell
Indianapolis Branch Manager
Principal Investigator Archaeology, RPA#18076



5807 North Post Road
Indianapolis, IN 46216
Office 317.541.8200 ext. 201
Cell 317.442.9582
Fax 317.541.8228
jlaswell@graypape.com
[Facebook](#) | [LinkedIn](#) | [Website](#)

From: Blum, Kaylee <KBlum@indot.IN.gov>
Sent: Tuesday, October 4, 2022 12:52 PM
To: thpo@estoo.net; thpo@miamination.com; Charla EchoHawk <cechohawk@peoriatribe.com>; Matthew Bussler <matthew.bussler@pokagonband-nsn.gov>; Section106 <section106@shawnee-tribe.com>; snease@astribe.com; lheady@delawaretribe.org; sbachor@delawaretribe.org; benjamin.rhodd@fcp-nsn.gov; sclemons@wyandottenation.org
Cc: Coon, Matthew <mcoon@indot.IN.gov>; Carmany-George, Karstin (FHWA) <k.carmanygeorge@dot.gov>; Blum, Kaylee <KBlum@indot.IN.gov>
Subject: Clearance Notification for FHWA Project: Des. No. 1900142; SR 37 Intersection Improvements at Cuba/Thimler Road and Notestine Road, Allen County, Indiana

CAUTION: External email. Do not click links or open attachments unless you are confident the content is safe.

Des. No.: 1900142

Project Description: SR 37 Intersection Improvements at Cuba/Thimler Road and Notestine Road

Location: Cuba, Allen County, Indiana

The Indiana Department of Transportation, with funding from the Federal Highway Administration, proposes to proceed with the SR 37 Intersection Improvements at Cuba/Thimler Road and Notestine Road (Des. No. 1900142). The Section 106 Early Coordination Letter for this project was originally distributed in a letter on April 4, 2022, and additional information was distributed in a letter on April 21, 2022.

As part of Section 106 of the National Historic Preservation Act, an Archaeology report has been prepared and is ready for review and comment by consulting parties.

Please review this documentation located in IN SCOPE at <http://erms.indot.in.gov/Section106Documents/> (the Des. No. is the most efficient search term, once in IN SCOPE), and respond with any comments that you may have. If a hard copy of the materials is needed, please respond to this email with your request within seven (7) days. Consulting parties have thirty (30) calendar days from receipt of this information to review and provide comment.

Tribal Contacts please respond to INDOT's Acting Tribal Liaison, Matt Coon mcoon@indot.in.gov (317-697-9752) with any responses pertaining to this project including to provide INDOT/Indiana FHWA additional information about Tribal resources/concerns and questions/comments regarding cultural resources. The FHWA point of contact is Kari Carmany-George at K.CarmanyGeorge@dot.gov (317-226-5629).

Thank you,

KayLee A. Blum, M.S.
Archaeologist & Environmental Manager
INDOT, Cultural Resources Office

100 North Senate Avenue, N758-ES
Indianapolis, Indiana 46204
KBlum@indot.in.gov
317-439-3337

Division of Historic Preservation & Archaeology · 402 W. Washington Street, W274 · Indianapolis, IN 46204-2739
Phone 317-232-1646 · Fax 317-232-0693 · dhpa@dnr.IN.gov



October 24, 2022

Jeff Laswell
Archaeological Principal Investigator
Gray & Pape, Inc.
5807 North Post Road
Indianapolis, Indiana 46216

Federal Agency: Indiana Department of Transportation (“INDOT”),
on behalf of Federal Highway Administration, Indiana Division (“FHWA”)

Re: Phase Ia archaeological field reconnaissance survey report (Connolly, 09/16/2022), for SR 37
intersection improvements at Cuba/Thimler Road Milan and Springfield townships, Allen
County, Indiana (Des. No. 1900142; DHPA No. 29117)

Dear Mr. Laswell:

Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 306108), 36 C.F.R. Part 800, and the “Programmatic Agreement (PA) Among the Federal Highway Administration, the Indiana Department of Transportation, the Advisory Council on Historic Preservation and the Indiana State Historic Preservation Officer Regarding the Implementation of the Federal Aid Highway Program In the State of Indiana,” the staff of the Indiana State Historic Preservation Officer (“Indiana SHPO”) has reviewed your September 23, 2022, review request submittal form which enclosed Phase Ia archaeological field reconnaissance survey report (Connolly, 09/16/2022), received by our office the same day for this project in Milan and Springfield townships, Allen County, Indiana.

As stated in our letter dated April 27, 2022, we look forward to reviewing the proposed area of potential effects and the report on investigations of above-ground cultural resources that the early coordination letter indicated will be forthcoming.

Based upon the submitted information and the documentation available to the staff of the Indiana SHPO, there is insufficient information regarding archaeological sites 12AL2335, 12AL2336, and 12AL2337—all of which were identified during the archaeological investigations—to determine whether they are eligible for inclusion in the National Register of Historic Places (“NRHP”). However, the portions of these sites that [REDACTED] do not appear to contain significant archaeological deposits, and we concur with the opinion of the archaeologist, as expressed in the Phase Ia archaeological field reconnaissance survey report (Connolly, 09/16/2022), that no further archaeological investigations appear necessary at this proposed project area. The portions of archaeological sites 12AL2335, 12AL2336, and 12AL2337 that lie [REDACTED] must either be avoided or subjected to further archaeological investigations. Additionally, those areas of the site should be clearly marked so that they are avoided by all ground-disturbing project activities. If avoidance is not feasible, then a plan for subsurface archaeological investigations must be submitted to the division of Historic Preservation and Archaeology (“DHPA”) for review and comment. Any further archaeological investigations must be done in accordance with the “Secretary of the Interior’s Standards and guidelines for Archeology and Historic Preservation” (48 F.R. 44716).

If any prehistoric or historic archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and Indiana Code 14-21-1-29) requires that the discovery be reported to the Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology within two (2) business days. In that event, please call (317) 232-1646. Be advised that adherence to Indiana Code 14-21-1-27 and Indiana Code 14-21-1-29 does not obviate the need to adhere to applicable federal statutes and regulations, including but not limited to 36 C.F.R. Part 800.

The Indiana SHPO staff's archaeological reviewer for this project is Wade T. Tharp, and the structures reviewer is Toni Lynn Giffin. However, if you have a question about the Section 106 process, please contact initially the INDOT Cultural Resources staff members who are assigned to this project.

In all future correspondence about the SR 37 intersection improvement project at Cuba/Thimler Road in Allen County (Des. No. 1900142), please refer to DHPA No. 29117.

Very truly yours,



Beth K. McCord
Deputy State Historic Preservation Officer

BKM:TLG:WTT:wtt

emc: Anuradha Kumar, INDOT
Matt Coon, INDOT
Susan Branigin, INDOT
Kelyn Alexander, INDOT
Jeff Laswell, Gray & Pape, Inc.
Toni Lynn Giffin, Indiana DNR-DHPA
Wade T. Tharp, Indiana DNR-DHPA



**EASTERN SHAWNEE
CULTURAL PRESERVATION DEPARTMENT**

70500 East 128 Road, Wyandotte, OK 74370

November 17, 2022

INDOT - Indiana Department of Transportation
100 N. Senate Ave. IGCN642
Indianapolis, IN 46201

RE: Des No. 1900142, Allen County, Indiana

Dear Mr. Coon,

The Eastern Shawnee Tribe has received your letter regarding the above referenced project(s) within Allen County, Indiana. The Eastern Shawnee Tribe is committed to protecting sites important to Tribal Heritage, Culture and Religion. Furthermore, the Tribe is particularly concerned with historical sites that may contain but not limited to the burial(s) of human remains and associated funerary objects.

As described in your correspondence, and upon research of our database(s) and files, we find our people occupied these areas historically and/or prehistorically. However, the project proposes **NO Adverse Effect** or endangerment to known sites of interest to the Eastern Shawnee Tribe. Please continue project as planned. However, should this project inadvertently discover an archeological site or object(s) we request that you immediately contact the Eastern Shawnee Tribe, as well as the appropriate state agencies (within 24 hours). We also ask that all ground disturbing activity stop until the Tribe and State agencies are consulted. Please note that any future changes to this project will require additional consultation.

In accordance with the NHPA of 1966 (16 U.S.C. § 470-470w-6), federally funded, licensed, or permitted undertakings that are subject to the Section 106 review process must determine effects to significant historic properties. As clarified in Section 101(d)(6)(A-B), historic properties may have religious and/or cultural significance to Indian Tribes. Section 106 of NHPA requires Federal agencies to consider the effects of their actions on all significant historic properties (36 CFR Part 800) as does the National Environmental Policy Act of 1969 (43 U.S.C. § 4321-4347 and 40 CFR § 1501.7(a)). This letter evidences NHPA and NEPA historic properties compliance pertaining to consultation with this Tribe regarding the referenced proposed projects.

Thank you, for contacting the Eastern Shawnee Tribe, we appreciate your cooperation. Should you have any further questions or comments please contact our Office.

Sincerely,

Paul Barton, Tribal Historic Preservation Officer (THPO)
Eastern Shawnee Tribe of Oklahoma
(918) 666-5151 Ext:1833
THPO@estoo.net

From: Section106 <section106@shawnee-tribe.com>
Sent: Tuesday, December 13, 2022 12:41 PM
To: Blum, Kaylee; Coon, Matthew
Cc: Coon, Matthew
Subject: RE: Clearance Notification for FHWA Project: Des. No. 1900142; SR 37 Intersection Improvements at Cuba/Thimler Road and Notestine Road, Allen County, Indiana

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

This letter is in response to the above referenced project.

The Shawnee Tribe's Tribal Historic Preservation Department concurs that no known historic properties will be negatively impacted by this project. However, there is still potential for the discovery of unknown resources.

We have no issues or concerns at this time. Please continue with the project as planned, but in the event that archaeological materials are encountered during construction, use, or maintenance of this location, please re-notify us at that time as we would like to resume immediate consultation under such a circumstance.

If you have any questions, you may contact me via email at Section106@shawnee-tribe.com

Thank you for giving us the opportunity to comment on this project.

Sincerely,



Erin Paden
TRIBAL HISTORIC PRESERVATION
SPECIALIST

Office: (918) 542-2441, x140
Email: epaden@shawnee-tribe.com

29 S Hwy 69A
Miami, OK 74354
shawnee-tribe.com

From: Blum, Kaylee <KBlum@indot.IN.gov>
Sent: Tuesday, December 13, 2022 7:30 AM
To: Section106 <section106@shawnee-tribe.com>
Cc: Coon, Matthew <mcoon@indot.IN.gov>
Subject: RE: Clearance Notification for FHWA Project: Des. No. 1900142; SR 37 Intersection Improvements at Cuba/Thimler Road and Notestine Road, Allen County, Indiana

CAUTION: External email. Do not click links or open attachments unless you are confident the content is safe.

Hi Erin,

I have attached the archaeological report for this project for your review. Please let me know if you need anything else.

Take care,

KayLee A. Blum, M.S.

Archaeologist & Environmental Manager

INDOT, Cultural Resources Office

100 North Senate Avenue, N758-ES

Indianapolis, Indiana 46204

KBlum@indot.in.gov

317-439-3337

From: Section106 <section106@shawnee-tribe.com>

Sent: Monday, December 12, 2022 4:19 PM

To: Blum, Kaylee <KBlum@indot.IN.gov>; Coon, Matthew <mcoon@indot.IN.gov>

Subject: RE: Clearance Notification for FHWA Project: Des. No. 1900142; SR 37 Intersection Improvements at Cuba/Thimler Road and Notestine Road, Allen County, Indiana

****** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ******

Hello,

I know this one is from October, but it says there is an archaeological report in the letter that I don't have access to in In Scope.

Thank you,
Erin

From: Blum, Kaylee <KBlum@indot.IN.gov>

Sent: Tuesday, October 4, 2022 12:52 PM

To: thpo@estoo.net; thpo@miamination.com; Charla EchoHawk <cechohawk@peoriatribes.com>; Matthew Bussler <matthew.bussler@pokagonband-nsn.gov>; Section106 <section106@shawnee-tribe.com>; snease@astribes.com; lheady@delawaretribe.org; sbachor@delawaretribe.org; benjamin.rhodd@fcp-nsn.gov; sclemons@wyandottenation.org

Cc: Coon, Matthew <mcoon@indot.IN.gov>; Carmany-George, Karstin (FHWA) <k.carmanygeorge@dot.gov>; Blum, Kaylee <KBlum@indot.IN.gov>

Subject: Clearance Notification for FHWA Project: Des. No. 1900142; SR 37 Intersection Improvements at Cuba/Thimler Road and Notestine Road, Allen County, Indiana

CAUTION: External email. Do not click links or open attachments unless you are confident the content is safe.

Des. No.: 1900142

Project Description: SR 37 Intersection Improvements at Cuba/Thimler Road and Notestine Road

Location: Cuba, Allen County, Indiana

The Indiana Department of Transportation, with funding from the Federal Highway Administration, proposes to proceed with the SR 37 Intersection Improvements at Cuba/Thimler Road and Notestine Road (Des. No. 1900142). The Section 106 Early Coordination Letter for this project was originally distributed in a letter on April 4, 2022, and additional information was distributed in a letter on April 21, 2022.

As part of Section 106 of the National Historic Preservation Act, an Archaeology report has been prepared and is ready for review and comment by consulting parties.

Please review this documentation located in IN SCOPE at <http://erms.indot.in.gov/Section106Documents/> (the Des. No. is the most efficient search term, once in IN SCOPE), and respond with any comments that you may have. If a hard copy of the materials is needed, please respond to this email with your request within seven (7) days. Consulting parties have thirty (30) calendar days from receipt of this information to review and provide comment.

Tribal Contacts please respond to INDOT's Acting Tribal Liaison, Matt Coon mcoon@indot.in.gov (317-697-9752) with any responses pertaining to this project including to provide INDOT/Indiana FHWA additional information about Tribal resources/concerns and questions/comments regarding cultural resources. The FHWA point of contact is Kari Carmany-George at K.CarmanyGeorge@dot.gov (317-226-5629).

Thank you,

KayLee A. Blum, M.S.

Archaeologist & Environmental Manager

INDOT, Cultural Resources Office

100 North Senate Avenue, N758-ES

Indianapolis, Indiana 46204

KBlum@indot.in.gov

317-439-3337



INDIANA DEPARTMENT OF TRANSPORTATION

100 North Senate Avenue
Room N758-ES
Indianapolis, Indiana 46204

PHONE: (855) 463-6848

Eric Holcomb, Governor
Michael Smith, Commissioner

February 2, 2023

This letter was sent to the listed parties.

RE: Des. No. 1900142 SR 37 Intersection Improvements at Cuba/Thimlar¹ Road, 5.00 miles east of I-469, and Notestine Road, 4.68 miles east of I-469 Allen County, Indiana

Dear Consulting Party,

The Indiana Department of Transportation (INDOT), with funding from the Federal Highway Administration (FHWA), proposes to proceed with a project involving the intersections at SR 37 and Notestine Road and at SR 37 and Cuba/Thimlar Roads in Allen County, Indiana, Des. No. 1900142.

This letter is part of the Section 106 review process for this project. Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on historic properties. We are requesting comments from you regarding the possible effects of this project. Please use the above Des. Number and project description in your reply and your comments will be incorporated into the formal environmental study.

A Section 106 early coordination letter was distributed on April 22, 2022, and the Phase Ia archaeology report was submitted on September 27, 2022.

The proposed undertaking is on SR 37 at Cuba/Thimlar Road, 5.00 miles east of I-469, and Notestine Road, 4.68 miles east of I-469, in Milan and Springfield Townships, shown on the Grabill 7.5 USGS Topographic Quadrangle, in Sections 31 and 32, Township 32N, Range 14E, and Section 3, Township 31N, Range 14E. The project area can be viewed online at <https://arcg.is/jqueP> (the Des. No. is the most efficient search term once in the CRO - Public Web Map App).

This section of SR 37 is a two-lane Major Collector. The SR 37 and Cuba/Thimlar Road intersection is a two-way stop with preferentiality given to SR 37. Cuba Road intersects on the west side of SR 37 and Thimlar Road intersects from the east side of SR 37. The SR 37 and Notestine Road intersection is also a two-way stop with preferentiality given to SR 37. The Notestine intersection has a significant skew causing sight distance issues.

From 2013 to 2017, there were 28 reported crashes at the intersection of SR 37 and Cuba/Thimlar Road. From 2009 to 2018, there were 36 reported crashes at the intersection of SR 37 and Notestine Road. For both intersections, the leading cause of crashes was failure to yield to the right-of-way followed by following too

¹ Also referred to as Thimlar in some mapping/resource materials. The Section 106 materials will be using Thimlar as it adheres to the official name used by Allen County.

closely. The intersection skew at SR 37 and Notestine Road is a geometric feature that could be attributable to these crashes.

As a result of the high number of crashes, a crash analysis was performed as part of the project development process for the intersection of SR 37 at Cuba/Thimlar Road and the intersection of SR 37 and Notestine Road. The Index of Crash Frequency (ICF) measures the difference between expected and reported number of crashes divided by the standard deviation of the difference in the estimate. The Index of Crash Cost (ICC) measures the difference between expected and reported crash costs. The ICC is used to consider the severity of crashes. These indices indicate whether the frequency or severity of crashes, respectively, are higher than would be expected based on the traffic volumes and facility characteristics. The index value for a specific location indicates how many standard deviations higher or lower the observed crash rate is than the expected crash rate. For example, an ICF or ICC value of 2.0 indicates that the observed crash frequency or severity at a specific location is two standard deviations higher than the expected value for the given type of facility and traffic volumes and can therefore be considered a high crash location.

Both intersections have a higher-than-expected crash frequency based on crash volume and facility characteristics. At SR 37 and Cuba/Thimlar Road, the Index of ICF and Index of ICC were 3.36 and 1.57, respectively. For SR 37 and Notestine Road, the ICF and ICC were 2.61 and 1.97, respectively.

The purpose of this project is to improve safety of these intersections and reduce the ICF and ICC to 1.0 or lower at each intersection.

The proposed improvements for the intersection of SR 37 at Cuba/Thimlar Road would widen SR 37 to include the addition of left turn lanes onto Cuba Road and Thimlar Road. The intersection of SR 37 and Notestine Road would be re-aligned to the south, approximately 360 feet to eliminate the skew of the intersection.

Gray & Pape, Inc. is under contract with HNTB Corporation to advance the Section 106 process of the environmental documentation for the referenced project. In accordance with 36 CFR 800.2 (c), you were invited to become a consulting party as part of the Section 106 process, or you are hereby invited to become a consulting party as part of the Section 106 process. Entities that have previously accepted consulting party status--as well as additional entities that are currently being invited to become consulting parties--are identified in the attached list.

The Section 106 process involves efforts to identify historic properties potentially affected by the undertaking, to assess the undertaking's effects and to seek ways to avoid, minimize, or mitigate any adverse effects on historic properties. For more information regarding the protection of historic resources, please see the Advisory Council on Historic Preservation's guide: *Protecting Historic Properties: A Citizen's Guide to Section 106 Review* available online at <https://www.achp.gov/sites/default/files/documents/2017-01/CitizenGuide.pdf>.

The Area of Potential Effects (APE) is the area in which the proposed project may cause alterations in the character or use of historic resources. The APE contains no resources listed in the National Register of Historic Places (NRHP).

A historian who meets the Secretary of the Interior's Professional Qualification Standards identified and evaluated above-ground resources within the APE for potential eligibility for the NRHP. As a result of the historic property identification and evaluation efforts, 16029 SR 37 (IHSSI 003-245-01032) is recommended as eligible for listing in the NRHP.

With regard to archaeological resources, an archaeologist who meets the Secretary of the Interior's Professional Qualification Standards identified three new archeological sites within the project area. As a result of these efforts, sites 12AL2335–12AL2337 were recommended as not eligible for listing in the NRHP and no further work is recommended.

The Historic Property Report is available for review in IN SCOPE at <http://erms12c.indot.in.gov/Section106Documents/> (the Des. No. is the most efficient search term, once in IN SCOPE). You are invited to review these documents and to respond with comments on any historic resource impacts incurred as a result of this project so that an environmental report can be completed. We also welcome your related opinions and other input to be considered in the preparation of the environmental document. If a hard copy of the materials is needed, please respond to this email with your request within seven (7) days.

Please review the information and comment within thirty (30) calendar days of receipt. If you indicate that you do not desire to be a consulting party or if you have not previously accepted consulting party status and you do not respond to this letter, you will not be included on the list of consulting parties for this project and will not receive further information about the project unless the design changes.

For questions concerning specific project details, you may contact Jeff Laswell of Gray & Pape Inc. at 317-442-9582 or jlaswell@graypape.com. All future responses regarding the proposed project should be forwarded to Gray & Pape Inc. at the following address:

Jeff Laswell
Archaeological Principal Investigator
Gray & Pape, Inc.
5807 North Post Road
Indianapolis, IN, 46216
jlaswell@graypape.com

Tribal Contacts please respond to INDOT's Acting Tribal Liaison, Matt Coon at mcoon@indot.in.gov (317-697-9752) with any responses pertaining to this project including to provide INDOT/Indiana FHWA additional information about Tribal resources/concerns and questions/comments regarding cultural resources. The FHWA point of contact is Kari Carmany-George at K.CarmanyGeorge@dot.gov (317-226-5629).

Sincerely,



Matthew S. Coon, Acting Manager
Cultural Resources Office
Environmental Services

Distribution List:

State Historic Preservation Officer
Justin and Jennifer Krohn, Property Owner-16029 SR 37

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NextLevel
INDIANA

Stacey Gorsuch, Northeastern Indiana Regional Coordinating Council
Eastern Shawnee Tribe of Oklahoma Miami Tribe of Oklahoma
Peoria Tribe of Indians of Oklahoma Pokagon Band of Potawatomi
Indians Shawnee Tribe
Forest County Potawatomi Community

From: Cooper Shields <cshields@graypape.com>

Sent: Thursday, February 2, 2023 12:51 PM

To: BMCcord@dnr.in.gov; Stacey.Gorusch@co.allen.in.us; Alexander, Kelyn
<KAlexander3@indot.IN.gov>

Cc: Jeff Laswell <jlaswell@graypape.com>

Subject: FHWA Project: Des No. 1900142; Historic Property Report and Archaeology Report, SR 37 Intersection Improvements at Cuba/Thimlar Road, 5.00 miles east of I-469, and Notestine Road, 4.68 miles east of I-469 Allen County, Indiana.

Des. No.: 1900142

Project Description: Intersection Improvements at Cuba/Thimlar (aka Thimlar) Road, 5.00 miles east of I-469, and Notestine Road, 4.68 miles east of I-469

Location: Allen County, Indiana

The Indiana Department of Transportation, with funding from the Federal Highway Administration, proposes to proceed with intersection improvements at SR 37 and Notestine Road and at SR 37 and Cuba/Thimlar Roads in Allen County, Indiana, Des No. 1900142. The Section 106 Early Coordination Letter for this project was originally distributed on April 22, 2022, and the Phase Ia archaeological report was sent to the State Historic Preservation Office and the relevant tribal organizations on September 27, 2022.

As part of Section 106 of the National Historic Preservation Act, a Historic Property Report has been prepared and is ready for review and comment by consulting parties.

Please review this documentation located in IN SCOPE at

<https://erms12c.indot.in.gov/Section106Documents/Default.aspx> (the Des. No. is the most efficient search term, once in IN SCOPE), and respond with any comments that you may have. If a hard copy of the materials is needed, please respond to this email with your request within seven (7) days.

Consulting parties have thirty (30) calendar days from receipt of this information to review and provide comment. Therefore, if we do not receive a response within thirty (30) days, your agency or organization will not receive any further information on the project unless the scope of work changes.

Tribal Contacts please respond to INDOT's Acting Tribal Liaison, Matt Coon at mcoon@indot.in.gov (317-697-9752) with any responses pertaining to this project including to provide INDOT/Indiana FHWA additional information about Tribal resources/concerns and questions/comments regarding cultural resources. The FHWA point of contact is Kari Carmany- George at K.CarmanyGeorge@dot.gov (317-226-5629).

Thank you in advance for your input,

Cooper M. Shields
Architectural Historian I

1318 Main Street
Cincinnati, Ohio 45202-7614
Ph. 513.287.7700
Cell 319.389.9306
Fax 513.287.7703
cshields@graypape.com

From: Alexander, Kelyn <KAlexander3@indot.IN.gov>

Sent: Thursday, February 2, 2023 1:05 PM

To: thpo@estoo.net; THPO@MiamiNation.com; Matthew Bussler

<Matthew.Bussler@pokagonband-nsn.gov>; Section106 <Section106@shawnee-tribe.com>;

bletcher@peoriatribe.com; Benjamin Rhodd <benjamin.rhodd@fcp-nsn.gov>

Cc: Coon, Matthew <mcoon@indot.IN.gov>; Carmany-George, Karstin (FHWA)

<k.carmanygeorge@dot.gov>; Jeff Laswell <jlaswell@graypape.com>; Cooper Shields

<cshields@graypape.com>

Subject: FHWA Project: Des No. 1900142; HPR, SR 37 Intersection Improvements at Cuba/Thimlar Road, 5.00 miles east of I-469, and Notestine Road, 4.68 miles east of I-469 Allen County, Indiana

Des. No.: 1900142

Project Description: Intersection Improvements at Cuba/Thimlar (aka Thimlar) Road, 5.00 miles east of I-469, and Notestine Road, 4.68 miles east of I-469

Location: Allen County, Indiana

The Indiana Department of Transportation, with funding from the Federal Highway Administration, proposes to proceed with intersection improvements at SR 37 and Notestine Road and at SR 37 and Cuba/Thimlar Roads in Allen County, Indiana, Des No. 1900142. The Section 106 Early Coordination Letter for this project was originally distributed on April 22, 2022, and the Phase Ia archaeological report was sent to the State Historic Preservation Office and the relevant tribal organizations on September 27, 2022.

As part of Section 106 of the National Historic Preservation Act, a Historic Property Report has been prepared and is ready for review and comment by consulting parties.

Please review this documentation located in IN SCOPE at <https://erms12c.indot.in.gov/Section106Documents/Default.aspx> (the Des. No. is the most efficient search term, once in IN SCOPE), and respond with any comments that you may have. If a hard copy of the materials is needed, please respond to this email with your request within seven (7) days.

Consulting parties have thirty (30) calendar days from receipt of this information to review and provide comment. Therefore, if we do not receive a response within thirty (30) days, your agency or organization will not receive any further information on the project unless the scope of work changes.

Tribal Contacts please respond to INDOT's Acting Tribal Liaison, Matt Coon at mcoon@indot.in.gov (317-697-9752) with any responses pertaining to this project including to provide INDOT/Indiana FHWA additional information about Tribal resources/concerns and questions/comments regarding cultural resources. The FHWA point of contact is Kari Carmany- George at K.CarmanyGeorge@dot.gov (317-226-5629).

Thank you in advance for your input,

Kelyn Alexander

***Major Projects/LPA Review Liaison Cultural
Resources Office Environmental Services***

100 N. Senate Ave., Room N758-ES

Indianapolis, IN 46204

Office: (317) 519-7759

Remote: 8am-4pm

Email: kalexander3@indot.in.gov

To: tcastaldi@yahoo.com; phayden@indianalandmarks.org
Cc: [Alexander, Kelyn](#); [Cooper Shields](#)
Subject: FHWA Project: Des No. 1900142; Historic Property Report and Archaeology Report, SR 37 Intersection Improvements at Cuba/Thimlar Road, 5.00 miles east of I-469, and Notestine Road, 4.68 miles east of I-469 Allen County, Indiana.
Date: Thursday, February 23, 2023 12:41:01 PM

Des. No.: 1900142

Project Description: Intersection Improvements at Cuba/Thimlar (aka Thimler) Road, 5.00 miles east of I-469, and Notestine Road, 4.68 miles east of I-469

Location: Allen County, Indiana

The Indiana Department of Transportation, with funding from the Federal Highway Administration, proposes to proceed with intersection improvements at SR 37 and Notestine Road and at SR 37 and Cuba/Thimlar Roads in Allen County, Indiana, Des No. 1900142. The Section 106 Early Coordination Letter for this project was originally distributed on April 22, 2022, and the Phase Ia archaeological report was sent to the State Historic Preservation Office and the relevant tribal organizations on September 27, 2022. Gray & Pape meant to include both of your organizations when the Early Coordination Letter was distributed last year. Please review the Early Coordination Letter as well.

As part of Section 106 of the National Historic Preservation Act, a Historic Property Report has been prepared and is ready for review and comment by consulting parties.

Please review this documentation located in IN SCOPE at <https://erms12c.indot.in.gov/Section106Documents/Default.aspx> (the Des. No. is the most efficient search term, once in IN SCOPE), and respond with any comments that you may have. If a hard copy of the materials is needed, please respond to this email with your request within seven (7) days.

Consulting parties have thirty (30) calendar days from receipt of this information to review and provide comment. Therefore, if we do not receive a response within thirty (30) days, your agency or organization will not receive any further information on the project unless the scope of work changes.

Tribal Contacts please respond to INDOT's Acting Tribal Liaison, Matt Coon at mcoon@indot.in.gov (317-697-9752) with any responses pertaining to this project including to provide INDOT/Indiana FHWA additional information about Tribal resources/concerns and questions/comments regarding cultural resources. The FHWA point of contact is Kari Carmany- George at K.CarmanyGeorge@dot.gov (317-226-5629).

Thank you in advance for your input,

Jeff Laswell
Indianapolis Branch Manager
Principal Investigator Archaeology, RPA#18076



5807 North Post Road Indianapolis, IN 46216

Office 317.541.8200 ext. 201

Cell 317.442.9582

Fax 317.541.8228

jlaswell@graypape.com [Facebook](#) | [LinkedIn](#) | [Website](#)

Division of Historic Preservation & Archaeology · 402 W. Washington Street, W274 · Indianapolis, IN 46204-2739
Phone 317-232-1646 · Fax 317-232-0693 · dhpa@dnr.IN.gov ·



March 01, 2023

Jeff Laswell
Archaeological Principal Investigator
Gray & Pape, Inc.
5807 North Post Road
Indianapolis, Indiana 46216

Federal Agency: Indiana Department of Transportation (“INDOT”),
on behalf of Federal Highway Administration, Indiana Division (“FHWA”)

Re: Historic property report (Carpenter, 1/30/2023) for SR 37 intersection improvements at
Cuba/Thimler Road project (Des. No. 1900142; DHPA No. 29117)

Dear Mr. Laswell:

Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 306108), 36 C.F.R. Part 800, and the “Programmatic Agreement (PA) Among the Federal Highway Administration, the Indiana Department of Transportation, the Advisory Council on Historic Preservation and the Indiana State Historic Preservation Officer Regarding the Implementation of the Federal Aid Highway Program In the State of Indiana,” the staff of the Indiana State Historic Preservation Officer (“Indiana SHPO”) has reviewed your January 30, 2023 submission which enclosed the historic property report (“HPR”; Carpenter, 1/30/2023), received by our office on February 2, 2023, for this project in Milan & Springfield Townships, Allen County, Indiana.

The area of potential effects (“APE”) proposed in the HPR appears to be of adequate size to encompass the geographic area in which direct and indirect effects of a project of this nature could occur.

For the purposes of the Section 106 review of this federal undertaking, we agree with the conclusions in the HPR that there are no previously recorded National Register of Historic Places (“NRHP”)-listed or -eligible resources located within the APE.

Regarding the House at 16029 SR 37 (IHSSI 003-245-01032), we agree with the conclusion of the HPR that this property is eligible for listing on the NRHP. We agree with the HPR that the house is an excellent representative example of a Neo-Eclectic, French Provincial style one that is unique for Allen County. Additionally, we concur with the HPR that the building retains integrity of location, design, setting, materials, and workmanship.

Furthermore, for the purposes of this Section 106 review for this federal undertaking, we agree with the conclusions in the HPR regarding the ineligibility of the remaining properties surveyed within the APE for inclusion in the NRHP.

Additionally, as previously indicated, based upon the submitted information and the documentation available to the staff of the Indiana SHPO, there is insufficient information regarding archaeological sites 12AL2335, 12AL2336, and 12AI2337—all of which were identified during the archaeological investigations—to determine whether they are eligible for inclusion in the National Register of Historic Places (“NRHP”). However, the portions of these sites that lie within the proposed project area do not appear to contain significant archaeological deposits, and we concur with the opinion of the archaeologist, as expressed in the Phase Ia archaeological field reconnaissance survey report (Connolly, 09/16/2022), that no further archaeological investigations appear necessary at this proposed project area. The portions of archaeological sites 12AL2335, 12AL2336, and 12AI2337 that lie outside the proposed project area must either be avoided or subjected to further archaeological investigations.

Additionally, those areas of the site should be clearly marked so that they are avoided by all ground-disturbing project activities. If avoidance is not feasible, then a plan for subsurface archaeological investigations must be submitted to the division of Historic Preservation and Archaeology (“DHPA”) for review and comment. Any further archaeological investigations must be done in accordance with the “Secretary of the Interior’s Standards and guidelines for Archeology and Historic Preservation” (48 F.R. 44716).

If any prehistoric or historic archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and Indiana Code 14-21-1-29) requires that the discovery be reported to the Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology within two (2) business days. In that event, please call (317) 232-1646. Be advised that adherence to Indiana Code 14-21-1-27 and Indiana Code 14-21-1-29 does not obviate the need to adhere to applicable federal statutes and regulations, including but not limited to 36 C.F.R. Part 800.

The Indiana SHPO staff’s archaeological reviewer for this project is Wade T. Tharp, and the structures reviewer is Toni Lynn Giffin. However, if you have a question about the Section 106 process, please contact initially the INDOT Cultural Resources staff members who are assigned to this project.

In all future correspondence about the SR 37 intersection improvements at Cuba/Thimmler Road project in Milan & Springfield Townships, Allen County, Indiana. (Des. No. 1900142), please refer to DHPA No. 29117.

Very truly yours,



Beth K. McCord
Deputy State Historic Preservation Officer

BKM:TLG:WTT:tlg

emc: Matt Coon, INDOT
Susan Branigin, INDOT
Wade T. Tharp, Indiana DNR-DHPA
Toni Lynn Giffin, Indiana DNR-DHPA
Jeff Laswell, Gray & Pape



**EASTERN SHAWNEE
CULTURAL PRESERVATION DEPARTMENT**

70500 East 128 Road, Wyandotte, OK 74370

March 13, 2023

INDOT - Indiana Department of Transportation
100 N. Senate Ave. IGCN642
Indianapolis, IN 46201

RE: Des No. 1900142, Allen County, Indiana

Dear Mr. Coon,

The Eastern Shawnee Tribe has received your letter regarding the above referenced project(s) within Allen County, Indiana. The Eastern Shawnee Tribe is committed to protecting sites important to Tribal Heritage, Culture and Religion. Furthermore, the Tribe is particularly concerned with historical sites that may contain but not limited to the burial(s) of human remains and associated funerary objects.

As described in your correspondence, and upon research of our database(s) and files, we find our people occupied these areas historically and/or prehistorically. However, the project proposes **NO Adverse Effect** or endangerment to known sites of interest to the Eastern Shawnee Tribe. Please continue project as planned. However, should this project inadvertently discover an archeological site or object(s) we request that you immediately contact the Eastern Shawnee Tribe, as well as the appropriate state agencies (within 24 hours). We also ask that all ground disturbing activity stop until the Tribe and State agencies are consulted. Please note that any future changes to this project will require additional consultation.

In accordance with the NHPA of 1966 (16 U.S.C. § 470-470w-6), federally funded, licensed, or permitted undertakings that are subject to the Section 106 review process must determine effects to significant historic properties. As clarified in Section 101(d)(6)(A-B), historic properties may have religious and/or cultural significance to Indian Tribes. Section 106 of NHPA requires Federal agencies to consider the effects of their actions on all significant historic properties (36 CFR Part 800) as does the National Environmental Policy Act of 1969 (43 U.S.C. § 4321-4347 and 40 CFR § 1501.7(a)). This letter evidences NHPA and NEPA historic properties compliance pertaining to consultation with this Tribe regarding the referenced proposed projects.

Thank you, for contacting the Eastern Shawnee Tribe, we appreciate your cooperation. Should you have any further questions or comments please contact our Office.

Sincerely,

A handwritten signature in blue ink that reads "Paul Barton".

Paul Barton, Tribal Historic Preservation Officer (THPO)
Eastern Shawnee Tribe of Oklahoma
(918) 666-5151 Ext:1833
THPO@estoo.net

From: Laserfiche Notification <donotreply@laserfiche.com>

Sent: Wednesday, March 29, 2023 1:23 PM

To: Alexander, Kelyn <KAlexander3@indot.IN.gov>

Subject: Section 106 Consultation - Des No. 1900142; HPR, SR 37 Intersection Improvements at Cuba/Thimlar Road, 5.00 miles east of I-469, and Notestine Road, 4.68 miles east of I-469 Allen County, Indiana

****** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ******

This email is in response to Des No. 1900142; HPR, SR 37 Intersection Improvements at Cuba/Thimlar Road, 5.00 miles east of I-469, and Notestine Road, 4.68 miles east of I-469 Allen County, Indiana. The Shawnee Tribe's Tribal Historic Preservation Department concurs that no known historic properties will be negatively impacted by this project. However, there is still potential for the discovery of unknown resources.

We have no issues or concerns at this time. Please continue with the project as planned, but in the event archaeological materials are encountered during construction, use, or maintenance of this location, please re-notify us at that time as we would like to resume immediate consultation under such a circumstance.

If you have any questions, you may contact me via email at Section106@shawnee-tribe.com

Thank you for giving us the opportunity to comment on this project



Erin Paden

TRIBAL HISTORIC PRESERVATION
SPECIALIST

Office: (918) 542-2441, x140

Email: epaden@shawnee-tribe.com

29 S Hwy 69A

Miami, OK 74354

shawnee-tribe.com



INDIANA DEPARTMENT OF TRANSPORTATION

100 North Senate Avenue
Room N758-ES
Indianapolis, Indiana 46204

PHONE: (855) 463-6848

Eric Holcomb, Governor
Michael Smith, Commissioner

March 29, 2023

This letter was sent to the listed parties.

RE: Des. No. 1900142 SR 37 Intersection Improvements at Cuba/Thimlar¹ Road, 5.00 miles east of I-469, and Notestine Road, 4.68 miles east of I-469 Allen County, Indiana

Dear Consulting Party,

The Indiana Department of Transportation (INDOT), with funding from the Federal Highway Administration (FHWA), proposes to proceed with a project involving the intersections at SR 37 and Notestine Road and at SR 37 and Cuba/Thimlar Roads in Allen County, Indiana, Des. No. 1900142.

This letter is part of the Section 106 review process for this project. Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on historic properties. We are requesting comments from you regarding the possible effects of this project. Please use the above Des. Number and project description in your reply and your comments will be incorporated into the formal environmental study.

A Section 106 early coordination letter was distributed on April 22, 2022, and the Phase Ia archaeology report was submitted on September 27, 2022.

The proposed undertaking is on SR 37 at Cuba/Thimlar Road, 5.00 miles east of I-469, and Notestine Road, 4.68 miles east of I-469, in Milan and Springfield Townships, shown on the Grabill 7.5 USGS Topographic Quadrangle, in Sections 31 and 32, Township 32N, Range 14E, and Section 3, Township 31N, Range 14E. The project area can be viewed online at <https://arcg.is/jqueP> (the Des. No. is the most efficient search term once in the CRO - Public Web Map App).

This section of SR 37 is a two-lane Major Collector. The SR 37 and Cuba/Thimlar Road intersection is a two-way stop with preferentiality given to SR 37. Cuba Road intersects on the west side of SR 37 and Thimlar Road intersects from the east side of SR 37. The SR 37 and Notestine Road intersection is also a two-way stop with preferentiality given to SR 37. The Notestine intersection has a significant skew causing sight distance issues.

From 2013 to 2017, there were 28 reported crashes at the intersection of SR 37 and Cuba/Thimlar Road. From 2009 to 2018, there were 36 reported crashes at the intersection of SR 37 and Notestine Road. For both intersections, the leading cause of crashes was failure to yield to the right-of-way followed by following too

¹ Also referred to as Thimlar in some mapping/resource materials. The Section 106 materials will be using Thimlar as it adheres to the official name used by Allen County.

closely. The intersection skew at SR 37 and Notestine Road is a geometric feature that could be attributable to these crashes.

As a result of the high number of crashes, a crash analysis was performed as part of the project development process for the intersection of SR 37 at Cuba/Thimlar Road and the intersection of SR 37 and Notestine Road. The Index of Crash Frequency (ICF) measures the difference between expected and reported number of crashes divided by the standard deviation of the difference in the estimate. The Index of Crash Cost (ICC) measures the difference between expected and reported crash costs. The ICC is used to consider the severity of crashes. These indices indicate whether the frequency or severity of crashes, respectively, are higher than would be expected based on the traffic volumes and facility characteristics. The index value for a specific location indicates how many standard deviations higher or lower the observed crash rate is than the expected crash rate. For example, an ICF or ICC value of 2.0 indicates that the observed crash frequency or severity at a specific location is two standard deviations higher than the expected value for the given type of facility and traffic volumes and can therefore be considered a high crash location.

Both intersections have a higher-than-expected crash frequency based on crash volume and facility characteristics. At SR 37 and Cuba/Thimlar Road, the Index of ICF and Index of ICC were 3.36 and 1.57, respectively. For SR 37 and Notestine Road, the ICF and ICC were 2.61 and 1.97, respectively.

The purpose of this project is to improve safety of these intersections and reduce the ICF and ICC to 1.0 or lower at each intersection.

The proposed improvements for the intersection of SR 37 at Cuba/Thimlar Road would widen SR 37 to include the addition of left turn lanes onto Cuba Road and Thimlar Road. The intersection of SR 37 and Notestine Road would be re-aligned to the south, approximately 360 feet to eliminate the skew of the intersection.

Gray & Pape, Inc. is under contract with HNTB Corporation to advance the Section 106 process of the environmental documentation for the referenced project. In accordance with 36 CFR 800.2 (c), you were invited to become a consulting party as part of the Section 106 process, or you are hereby invited to become a consulting party as part of the Section 106 process. Entities that have previously accepted consulting party status--as well as additional entities that are currently being invited to become consulting parties--are identified in the attached list.

The Section 106 process involves efforts to identify historic properties potentially affected by the undertaking, to assess the undertaking's effects and to seek ways to avoid, minimize, or mitigate any adverse effects on historic properties. For more information regarding the protection of historic resources, please see the Advisory Council on Historic Preservation's guide: *Protecting Historic Properties: A Citizen's Guide to Section 106 Review* available online at <https://www.achp.gov/sites/default/files/documents/2017-01/CitizenGuide.pdf>.

The Area of Potential Effects (APE) is the area in which the proposed project may cause alterations in the character or use of historic resources. The APE contains no resources listed in the National Register of Historic Places (NRHP).

A historian who meets the Secretary of the Interior's Professional Qualification Standards identified and evaluated above-ground resources within the APE for potential eligibility for the NRHP. As a result of the historic property identification and evaluation efforts, 16029 SR 37 (IHSSI 003-245-01032) is recommended as eligible for listing in the NRHP.

With regard to archaeological resources, an archaeologist who meets the Secretary of the Interior's Professional Qualification Standards identified three new archeological sites within the project area. As a result of these efforts, sites 12AL2335–12AL2337 were recommended as not eligible for listing in the NRHP and no further work is recommended.

The Historic Property Report is available for review in IN SCOPE at <http://erms12c.indot.in.gov/Section106Documents/> (the Des. No. is the most efficient search term, once in IN SCOPE). The historic property report was sent to consulting parties on February 2, 2023. Eight Contributing resources were identified within the APE with one (IHSSI 003-245-01032) being recommended as eligible for listing in the National Register. In a letter dated March 1, 2023 SHPO responded to the submittal of the Historic Property Short Report. SHPO agreed that the house at 16029 SR 37 (IHSSI 003-245-01032) is eligible for listing on the NRHP.

You are invited to review these documents and to respond with comments on any historic resource impacts incurred as a result of this project so that an environmental report can be completed. We also welcome your related opinions and other input to be considered in the preparation of the environmental document. If a hard copy of the materials is needed, please respond to this email with your request within seven (7) days. Please review the information and comment within thirty (30) calendar days of receipt. If you indicate that you do not desire to be a consulting party or if you have not previously accepted consulting party status and you do not respond to this letter, you will not be included on the list of consulting parties for this project and will not receive further information about the project unless the design changes.

For questions concerning specific project details, you may contact Jeff Laswell of Gray & Pape Inc. at 317-442-9582 or jlaswell@graypape.com. All future responses regarding the proposed project should be forwarded to Gray & Pape Inc. at the following address:

Jeff Laswell
Archaeological Principal Investigator
Gray & Pape, Inc.
5807 North Post Road
Indianapolis, IN, 46216
jlaswell@graypape.com

Tribal Contacts please respond to INDOT's Acting Tribal Liaison, Matt Coon at mcoon@indot.in.gov (317-697-9752) with any responses pertaining to this project including to provide INDOT/Indiana FHWA additional information about Tribal resources/concerns and questions/comments regarding cultural resources. The FHWA point of contact is Kari Carmany-George at K.CarmanyGeorge@dot.gov (317-226-5629).

Sincerely,



Matthew S. Coon, Acting Manager
Cultural Resources Office
Environmental Services

www.in.gov/dot/
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NextLevel
INDIANA

Distribution List:
Thomas E. Castaldi
Allen County Historian
tlcastaldi@yahoo.com

Paul Hayden
Indiana Landmarks Northeast Field Office
phayden@indianalandmarks.org

From: David Moffatt
Sent: Thursday, March 30, 2023 1:28 PM
To: tlcastaldi@yahoo.com; tlcastaldi@yahoo.com
Cc: Jeff Laswell; Christine Meador; Alexander, Kelyn
Subject: FHFHWA Project: Des No. 1900142; SR 37 Intersection Improvements at Cuba/Thimlar Road, 5.00 miles east of I-469, and Notestine Road, 4.68 miles east of I-469 Allen County, Indiana.
Attachments: SR37_Des1900142_RDL__2023-03-29.pdf

Des. No.: 1900142

Project Description: Intersection Improvements at Cuba/Thimlar (aka Thimler) Road, 5.00 miles east of I-469, and Notestine Road, 4.68 miles east of I-469

Location: Allen County, Indiana

Gentlemen,

The Indiana Department of Transportation, with funding from the Federal Highway Administration, proposes to proceed with intersection improvements at SR 37 and Notestine Road and at SR 37 and Cuba/Thimlar Roads in Allen County, Indiana, Des No. 1900142. The Section 106 Early Coordination Letter for this project was originally distributed on April 22, 2022. In a letter dated April 27, 2022 the Indiana SHPO requested that we invite you as consulting parties. We have no record that the invitation was extended to you and want to be sure you have a chance to comment on the project's potential impacted to historic properties.

The Phase Ia archaeological report was sent to the State Historic Preservation Office and the relevant tribal organizations on September 27, 2022. The Historic Property Report and Archaeology Report,

As part of Section 106 of the National Historic Preservation Act, a Historic Property Report has been prepared and is ready for review and comment by consulting parties.

Please review this documentation located in IN SCOPE at <https://erms12c.indot.in.gov/Section106Documents/Default.aspx> (the Des. No. is the most efficient search term, once in IN SCOPE), and respond with any comments that you may have. If a hard copy of the materials is needed, please respond to this email with your request within seven (7) days.

Consulting parties have thirty (30) calendar days from receipt of this information to review and provide comment. Therefore, if we do not receive a response within thirty (30) days, your agency or organization will not receive any further information on the project unless the scope of work changes.

Tribal Contacts please respond to INDOT's Acting Tribal Liaison, Matt Coon at mcoon@indot.in.gov (317-697-9752) with any responses pertaining to this project including to provide INDOT/Indiana FHWA additional information about Tribal resources/concerns and questions/comments regarding cultural resources. The FHWA point of contact is Kari Carmany-George at K.CarmanyGeorge@dot.gov (317-226-5629).

Thank you for your input,

David Moffatt
Gray & Pape, Inc.
Principal Investigator
Office 317.541.8200
Cell 317-417-3843

dmoffatt@graypape.com



From: David Moffatt
Sent: Thursday, March 30, 2023 2:50 M
To: 'phayden@indianalandmarks.org'
Cc: Jeff Laswell; 'Christine Meador'; 'Alexander, Kelyn'
Subject: RE: FHFHWA Project: Des No. 1900142; SR 37 Intersection Improvements at Cuba/Thimlar Road, 5.00 miles east of I-469, and Notestine Road, 4.68 miles east of I-469 Allen County, Indiana.
Attachments: SR37_Des1900142_RDL__2023-03-29.pdf

From: David Moffatt
Sent: Thursday, March 30, 2023 1:28 PM
To: tlcaldisti@yahoo.com; tlcaldisti@yahoo.com
Cc: Jeff Laswell <jlaswell@graypape.com>; Christine Meador <cmeador@hntb.com>; Alexander, Kelyn <KAlexander3@indot.IN.gov>
Subject: FHFHWA Project: Des No. 1900142; SR 37 Intersection Improvements at Cuba/Thimlar Road, 5.00 miles east of I-469, and Notestine Road, 4.68 miles east of I-469 Allen County, Indiana.

Des. No.: 1900142

Project Description: Intersection Improvements at Cuba/Thimlar (aka Thimlar) Road, 5.00 miles east of I-469, and Notestine Road, 4.68 miles east of I-469

Location: Allen County, Indiana

Gentlemen,

The Indiana Department of Transportation, with funding from the Federal Highway Administration, proposes to proceed with intersection improvements at SR 37 and Notestine Road and at SR 37 and Cuba/Thimlar Roads in Allen County, Indiana, Des No. 1900142. The Section 106 Early Coordination Letter for this project was originally distributed on April 22, 2022. In a letter dated April 27, 2022 the Indiana SHPO requested that we invite you as consulting parties. We have no record that the invitation was extended to you and want to be sure you have a chance to comment on the project's potential impacted to historic properties.

The Phase Ia archaeological report was sent to the State Historic Preservation Office and the relevant tribal organizations on September 27, 2022. The Historic Property Report and Archaeology Report,

As part of Section 106 of the National Historic Preservation Act, a Historic Property Report has been prepared and is ready for review and comment by consulting parties.

Please review this documentation located in IN SCOPE at <https://erms12c.indot.in.gov/Section106Documents/Default.aspx> (the Des. No. is the most efficient search term, once in IN SCOPE), and respond with any comments that you may have. If a hard copy of the materials is needed, please respond to this email with your request within seven (7) days.

Consulting parties have thirty (30) calendar days from receipt of this information to review and provide comment. Therefore, if we do not receive a response within thirty (30) days, your agency or organization will not receive any further information on the project unless the scope of work changes.

Tribal Contacts please respond to INDOT's Acting Tribal Liaison, Matt Coon at mcoon@indot.in.gov (317-697-9752) with any responses pertaining to this project including to provide INDOT/Indiana FHWA additional information about Tribal resources/concerns and questions/comments regarding cultural resources. The FHWA point of contact is Kari Carmany-George at K.CarmanyGeorge@dot.gov (317-226-5629).

Thank you for your input,

David Moffatt
Gray & Pape, Inc.
Principal Investigator
Office 317.541.8200
Cell 317-417-3843

dmoffatt@graypape.com



Appendix D: Photos



Figure 4-1 View of Eligible Resource at 16029 SR 37, looking southwest.



Figure 4-2 View of Ancillary Building, Eligible Resource at 16029 SR 37, looking southwest.



Figure 4-3 View of Non-Contributing Resource at 10835 Cuba Road, looking west.



Figure 4-4 Overview of Contributing Resource at 15719 SR 37, facing northwest.



Figure 4-5 Overview of Contributing Resource and Ancillary Building at 15840 SR 37, facing southeast.



Figure 4-6 Overview of Contributing Resource at 15805 SR 37, facing northwest.



Figure 4-7 Overview of Contributing Resource at 15735 SR 37, facing northwest.



Figure 4-8 Overview of Non-Contributing Resource and Ancillary Buildings at 15525 SR 37, facing northwest.



Figure 4-9 Overview of the Intersection of SR 37 and Thimlar Road, facing southwest.



Figure 4-10 Overview of the Intersection of SR 37 and Notestine Road, facing east.

Appendix E: Report Summaries



GRAY & PAPE

HERITAGE MANAGEMENT

Project No. 22-2804.001

Historic Property Report for State Route 37 at Cuba/Thimlar Roads and Notestine Road Intersection Improvement Project, Allen County, Indiana

Lead Agency:

Indiana Department of Transportation
INDOT Des. 1900142

Prepared for:

HNTB Corporation
111 Monument Circle, Suite 1200
Indianapolis, Indiana 46204

Prepared by:

Michael B. Langmyer, M.H.P.
Wes Cunningham, M.A.
Patrick Carpenter, M.A.

Gray & Pape
1318 Main Street
Cincinnati, Ohio 45202

Patrick Carpenter, M.A.
Senior Principal Investigator

January 30, 2023

MANAGEMENT SUMMARY

This report documents the identification and evaluation efforts for properties included in the Area of Potential Effects (APE) for the State Road 37 Intersection Improvement Project in Allen County, Indiana. Above-ground resources located within the project APE were identified and evaluated in accordance with Section 106, National Historic Preservation Act of 1966, as amended, and the regulations implementing Section 106 (36 C.F.R. Part 800).

As a result of the National Historic Preservation Act, as amended, and 36 C.F.R. Part 800, federal agencies are required to consider the impact of federal undertakings upon historic properties in the area of the undertaking. Historic properties include buildings, structures, sites, objects, and/or districts that are eligible for or listed in the National Register of Historic Places. As this project is receiving funding from the Federal Highway Administration, it is subject to a Section 106 review.

The Area of Potential Effects contains no properties listed in the National Register of Historic Places. The Area of Potential Effects contains one property recommended eligible for listing in the National Register of Historic Places, 16029 SR 37 (IHSSI 003-245-01032).



GRAY & PAPE

HERITAGE MANAGEMENT

Project No. 22-2804.001

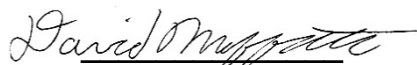
Phase Ia Archaeological Survey for the State Road 37 Intersection Improvement Project (Des. No. 1900142) at Cuba / Thimler Road 5.00 Miles East of Interstate 469 and Notestine Road 4.68 Miles East of Interstate 469, Allen County, Indiana

Lead Federal Agency:
Federal Highway Administration

Prepared for:
HNTB, Inc.
111 Monument Circle, Suite 1200
Indianapolis, Indiana 46204

Prepared by:
Jocelyn M. Connolly, M.A., R.P.A.

Gray & Pape
5807 North Post Road
Indianapolis, Indiana 46216


David Moffatt, M.A.
Principal Investigator
September 16, 2022

ABSTRACT

Gray & Pape, Inc., under contract with HNTB Corporation, conducted a Phase Ia archaeological field reconnaissance for the Intersection Improvement Project at State Road 37 and Cuba/Thimler Road, and at State Road 37 and Notestine Road in Allen County, Indiana (Des. No. 1900142).

The proposed undertaking is on State Road 37 at Cuba/Thimler Road, 8.04 kilometers (5.00 miles) east of Interstate 469, and Notestine Road, 7.53 kilometers (4.68 miles) east of Interstate 469, in Milan and Springfield townships, Allen County, Indiana. It is within the Grabill 7.5-minute United States Geological Survey Topographic quadrangle, in Sections 31 and 32, Township 32N, Range 14E; and Section 3, Township 31N, Range 14E.

This section of S State Road 37 is a two-lane major collector. The State Road 37 and Cuba/Thimler Road intersection is a two-way stop, with preference given to State Road 37. Cuba Road intersects on the west side of State Road 37 and Thimler Road intersects from the east side of State Road 37. The State Road 37 and Notestine Road intersection is also a two-way stop, with preference given to State Road 37. The Notestine intersection has a significant skew causing sight distance issues. Both intersections have a higher-than-expected crash frequency based on crash volume and facility characteristics. The purpose of this Project is to improve the safety of these intersections and improve traffic flow on State Road 37.

The proposed improvements for the intersection of State Road 37 at Cuba/Thimler Road would widen State Road 37 to include the addition of left turn lanes onto Cuba Road and Thimler Road. The intersection of State Road 37 and Notestine Road would be realigned to the south, approximately 108.7 meters (360.0 feet) to eliminate the skew of the intersection.

The review of archaeological records found no archaeological resources within, or adjacent to, the Project area. The archaeological reconnaissance identified the presence of three new archaeological sites (12AL2335–12AL2337). 12AL2335 and 12AL2336 are both small scatters of historical artifacts, primarily ceramics and vessel glass from the nineteenth and twentieth centuries. 12AL2337 is a small scatter of nineteenth- and twentieth-century historical kitchen and architectural artifacts, with a minor precontact component (a single flake tool). Sites 12AL2335–12AL2337 do not appear eligible for inclusion in the National Register of Historic Places under Criteria A, B, C, or D, or for the Indiana Register of Historic Sites and Structures. No further archaeological investigation is recommended. However, if the Project scope changes to include any area outside the current survey limits, further investigations will be required. If archaeological deposits or human remains are encountered during the construction phase of the currently proposed Project, all construction activities must cease and an archaeologist from the Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology, and the Indiana Department of Transportation, Cultural Resources Office, must be notified.



GRAY & PAPE

HERITAGE MANAGEMENT

Project No. 22-2804.001

**Addendum: Phase Ia Archaeological Survey for the State Road 37
Intersection Improvement Project (INDOT Des. No. 1900142) at
Cuba / Thimlar Road 5.00 Miles East of Interstate 469 and Notestine
Road, 4.68 Miles East of Interstate 469, Allen County, Indiana**

Lead Federal Agency:
Federal Highway Administration

Prepared for:
HNTB, Inc.
111 Monument Circle, Suite 1200
Indianapolis, Indiana 46204

Prepared by:
Melissa Braunschweig, MA
David Moffatt, MA

Gray & Pape, Inc
8902 Otis Avenue Suite 220-A
Indianapolis, IN 46216

David Moffatt, MA
Principal Investigator
March 28, 2024

ABSTRACT

Gray & Pape, Inc, under contract with HNTB Corporation, conducted a Phase Ia archaeological field reconnaissance of additional areas needed for the Intersection Improvement Project at State Road 37 and Cuba/Thimlar Road and at State Road 37 and Notestine Road in Allen County, Indiana (Des. No. 1900142). This report serves as an addendum to the original report, *Phase Ia Archaeological Survey for the State Road 37 Intersection Improvement Project (Des. No. 1900142) at Cuba / Thimlar Road 5.00 Miles East of Interstate 469 and Notestine Road 4.68 Miles East of Interstate 469, Allen County, Indiana*, by Connolly (2022) under review at the Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology. The additional project area totals 0.2 hectares (0.5 acres) for extended Right-of-Way along State Road 37 to accommodate shoulder widening and the residential lot at the of the southwest quadrant of the intersection of State Road 37 and Thimlar Road due to the projects plan to purchase this lot.

The proposed undertaking is on State Road 37 at Cuba/Thimlar Road, 8.0 kilometers (5.0 miles) east of Interstate 469 and Notestine Road, 7.5 kilometers (4.7 miles) east of Interstate 469. The project area extends along Notestine Road from its interchange with State Road 37 to its intersection with Thimlar Road. This project is in Milan and Springfield Townships, Allen County, Indiana. It is within the Grabill 7.5-minute US Geological Survey Topographic quadrangle; specifically, it is in Sections 31 and 32, Township 32N, Range 14E; and Section 3, Township 31N, Range 14E. The extended Right-of-Way lies along the entire project corridor. However, the added area is very narrow, six meters or less, so the original archaeological reconnaissance largely covered the additional area.

This section of State Road 37 is a two-lane major collector. State Road 37 and Cuba/Thimlar Road intersection is a two-way stop with preference given to State Road 37. Cuba Road intersects on the west side of State Road 37, and Thimlar Road intersects from the east side of State Road 37. The State Road 37 and Notestine Road intersection is also a two-way stop with preference given to State Road 37. The Notestine intersection has a significant skew causing sight distance issues. Both intersections have a higher-than-expected crash frequency based on crash volume and facility characteristics. The purpose of this Project is to improve the safety of these intersections and improve traffic flow on State Road 37.

The proposed improvements for the intersection of State Road 37 at Cuba/Thimlar Road would widen State Road 37 to include the addition of left turn lanes onto Cuba Road and Thimlar Road. The intersection of State Road 37 and Notestine Road would be realigned to the south, approximately 108.7 meters (360.0 feet) to eliminate the skew of the intersection.

The initial report found three new archaeological sites (12AL2335–12AL2337) which were not recommended eligible for inclusion in the National Register of Historic Places under Criteria A, B, C, or D, or for the Indiana Register of Historic Sites and Structures. Within this new extended survey area, one new historic archaeological site, Site 12AL2349, [REDACTED] [REDACTED]. Site 12AL2349 includes an ephemeral historical scatter limited to the plowzone with little indication of sub plow zone deposits; therefore, Site 12AL2349 is not recommended to be eligible for inclusion in the National Register of Historic Places under Criteria A, B, C, or D, or for the Indiana Register of Historic Sites and Structures. No further archaeological investigation is recommended.

If the Project scope changes to include any area outside the current survey limits, further investigations will be required. If archaeological deposits or human remains are encountered during the construction

phase of the currently proposed Project, all construction activities must cease and an archaeologist from the Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology, and the Indiana Department of Transportation, Cultural Resources Office, must be notified.

AFFIDAVIT OF PUBLICATION

State of Pennsylvania, County of Lancaster, ss:

Nicole Riegert, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of Journal Gazette, a newspaper printed and published in the City of Fort Wayne, County of Allen, State of Indiana, and that this affidavit is Page 1 of 2 with the full text of the sworn-to notice set forth on the pages that follow, and the hereto attached:

Additionally, The Journal Gazette has a Web site and this public notice was posted on the same day as it published in the newspaper.

PUBLICATION DATES:

Apr. 18, 2024

NOTICE ID: gSRaVtDnnqgVn09fyR3M

NOTICE NAME: Public Notice: Des. No. 1900142

Publication Fee: 279.38

Nicole Riegert

(Signed)

VERIFICATION

State of Pennsylvania
County of Lancaster

Commonwealth of Pennsylvania - Notary Seal
Nicole Burkholder, Notary Public
Lancaster County
My commission expires March 30, 2027
Commission Number 1342120

Subscribed in my presence and sworn to before me on this: 05/01/2024

Nicole Burkholder

Notary Public

Notarized remotely online using communication technology via Proof.

Public Notice

Des. No. 1900142

The Indiana Department of Transportation (INDOT) is planning to undertake an intersection improvement project, funded in part by the Federal Highway Administration. The project is located at SR 37 and Notestine Road and at SR 37 and Cuba/Thimlar Roads in Allen County, Indiana.

Under the preferred alternative, the proposed project would involve widening SR 37 to include the addition of left turn lanes onto Cuba Road and Thimlar Road. The intersection of SR 37 and Notestine Road would be re-aligned to the south, approximately 360 feet to eliminate the skew of the intersection. 8.21 acres of right-of-way (ROW) will be needed for this project.

Properties eligible for the National Register of Historic Places (NRHP) located within the Area of Potential Effects (APE) include 16029 SR 37. The proposed action impacts the property eligible for the NRHP. INDOT, on behalf of the FHWA, has issued a "No Adverse Effect" finding for the project because the project will not diminish the integrity of the characteristics that qualify the historic property within the APE for inclusion in the NRHP. In accordance with the National Historic Preservation Act, the views of the public are being sought regarding the effect of the proposed project on the historic elements as per 36 CFR 800.2(d), 800.3(e) and 800.6(a)(4). Pursuant to 36 CFR 800.4(d)(2), the documentation specified in 36 CFR 800.11(e) is available for inspection in Gray & Pape's Office. Additionally, this documentation can be viewed electronically by accessing INDOT's Section 106 document posting website IN SCOPE at <http://erms12c.indot.in.gov/Section106Documents>. This documentation serves as the basis for the "No Adverse Effect" finding. The views of the public on this effect finding are being sought. Please reply with any comments to Jeff Laswell, Gray & Pape, Inc., 8902 Otis Avenue, Suite 220-A, Indianapolis, IN 46216, 317-442-9582, or at jlswell@graypape.com no later than May 18, 2024.

In accordance with the "Americans with Disabilities Act", if you have a disability for which INDOT needs to provide accessibility to the document(s) such as interpreters or readers, please contact Kevin Shaw, 260-969-8234,

KShaw1@indot.IN.gov.
4-18 hspaxlp



May 20, 2024

Jocelyn Connolly
Gray & Pape, Inc.
1318 Main Street
Cincinnati, Ohio 45202-7614

Federal Agency: Indiana Department of Transportation (“INDOT”),
on behalf of Federal Highway Administration, Indiana Division (“FHWA”)

Re: (Addendum) Phase Ia Archaeological Field Reconnaissance Survey Report (Braunschweig and
Moffatt, 03/28/2024) for the State Road 37 Intersection Improvement Project at Cuba/Thimler
Road; 5.00 miles east of Interstate 469 and Notestine Road, 4.68 miles east of Interstate 469; in
Allen County, Indiana (Des. No. 1900142; DHPA No. 29117)

Dear Ms. Connolly:

Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 306108), 36 C.F.R. Part 800, and the “Programmatic Agreement (PA) Among the Federal Highway Administration, the Indiana Department of Transportation, the Advisory Council on Historic Preservation and the Indiana State Historic Preservation Officer Regarding the Implementation of the Federal Aid Highway Program In the State of Indiana,” the staff of the Indiana State Historic Preservation Officer (“Indiana SHPO”) has reviewed your submission, which we received via digital attachments to your April 19, 2024, e-mail message to our office, and which consisted of your April 16, 2024, Review Request Submittal Form, and the (Addendum) Phase Ia Archaeological Field Reconnaissance Survey Report (Braunschweig and Moffatt, 03/28/2024), for the State Road 37 Intersection Improvement Project at Cuba/Thimler Road; 5.00 miles east of Interstate 469 and Notestine Road, 4.68 miles east of Interstate 469; which has been proposed for locations at Milan Township and in Springfield Township, in Allen County, Indiana (Des. No. 1900142; DHPA No. 29117).

In terms of archaeological resources within the additional portions of the proposed project area, based upon the submitted information and the documentation available to the staff of the Indiana SHPO, there is insufficient information regarding archaeological site 12-AI-2349—which was identified during the additional archaeological investigations—to determine whether it is eligible for inclusion in the National Register of Historic Places (“NRHP”). However, the portions of this site that lie within the proposed project area do not appear to contain significant archaeological deposits, and we concur with the opinion of the archaeologist, as expressed in the (Addendum) Phase Ia Archaeological Field Reconnaissance Survey Report (Braunschweig and Moffatt, 03/28/2024), that no further archaeological investigations appear necessary at the additional portions of the proposed project area. The portions of archaeological site 12-AI-2349 that lie outside the proposed project area must either be avoided or subjected to further archaeological investigations. Additionally, those areas of the site should be clearly marked so that they are avoided by all ground-disturbing project activities. If avoidance is not feasible, then a plan for subsurface archaeological investigations must be submitted to the division of Historic Preservation and Archaeology (“DHPA”) for review and comment. Any further archaeological investigations must be done in accordance with the “Secretary of the Interior’s Standards and guidelines for Archeology and Historic Preservation” (48 F.R. 44716).

Additionally, in terms of archaeological resources within the original portions of the proposed project area, as previously indicated, based upon the submitted information and the documentation available to the staff of the Indiana SHPO, there is insufficient information regarding archaeological sites 12-AI-2335, 12-AI-2336, and 12-AI-2337—all of which were identified during the archaeological investigations—to determine whether they are eligible for inclusion in the NRHP. However, the

portions of these sites that lie within the proposed project area do not appear to contain significant archaeological deposits, and we concur with the opinion of the archaeologist, as expressed in the Phase Ia archaeological field reconnaissance survey report (Connolly, 09/16/2022), that no further archaeological investigations appear necessary at the original portions of the proposed project area. The portions of archaeological sites 12-AI-2335, 12-AI-2336, and 12-AI-2337 that lie outside the proposed project area must either be avoided or subjected to further archaeological investigations. Additionally, those areas of the sites should be clearly marked so that they are avoided by all ground-disturbing project activities. If avoidance is not feasible, then a plan for subsurface archaeological investigations must be submitted to the division of Historic Preservation and Archaeology (“DHPA”) for review and comment. Any further archaeological investigations must be done in accordance with the “Secretary of the Interior’s Standards and guidelines for Archeology and Historic Preservation” (48 F.R. 44716).

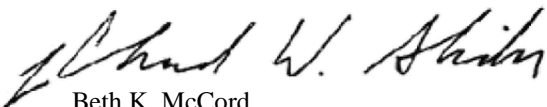
We note that, although the archaeologist created an archaeological report record in the Indiana DNR-DHPA SHAARD system database for the (Addendum) Phase Ia Archaeological Field Reconnaissance Survey Report (Braunschweig and Moffatt, 03/28/2024), and that the record was assigned the identifier *AR-02-00948*, the archaeological report was not uploaded into SHAARD. Additionally, we note that the archaeological site survey record form for 12-AI-2349 has not been uploaded into SHAARD. Once the archaeological site survey record form for 12-AI-2349 has been uploaded into SHAARD, please inform our office so that we can review it.

If any prehistoric or historic archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and Indiana Code 14-21-1-29) requires that the discovery be reported to the Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology within two (2) business days. In that event, please call (317) 232-1646. Be advised that adherence to Indiana Code 14-21-1-27 and Indiana Code 14-21-1-29 does not obviate the need to adhere to applicable federal statutes and regulations, including but not limited to 36 C.F.R. Part 800.

The Indiana SHPO staff’s archaeological reviewer for this project is Wade T. Tharp, and the structures reviewer is Toni Lynn Giffin. However, if you have a question about the Section 106 process, please contact initially the INDOT Cultural Resources staff members who are assigned to this project.

In all future correspondence about the State Road 37 Intersection Improvement Project at Cuba/Thimler Road; 5.00 miles east of Interstate 469 and Notestine Road, 4.68 miles east of Interstate 469; in Allen County, Indiana (Des. No. 1900142), please refer to DHPA No. 29117.

Very truly yours,



Beth K. McCord
Deputy State Historic Preservation Officer

BKM:WTT:wt

emc: Matt Coon, Indiana Department of Transportation
Susan Branigin, Indiana Department of Transportation
Kelyn Alexander, Indiana Department of Transportation
Jocelyn Connolly, Gray & Pape, Inc.
Jeff Laswell, Gray & Pape, Inc.
Toni Lynn Giffin, Indiana DNR-DHPA
Wade T. Tharp, Indiana DNR-DHPA

Division of Historic Preservation & Archaeology · 402 W. Washington Street, W274 · Indianapolis, IN 46204-2739
Phone 317-232-1646 · Fax 317-232-0693 · dhpa@dnr.IN.gov ·

May 30, 2024

Jeff Laswell
Archaeological Principal Investigator
Gray & Pape, Inc.
5807 North Post Road
Indianapolis, IN, 46216

Federal Agency: Indiana Department of Transportation (“INDOT”),
on behalf of Federal Highway Administration, Indiana Division (“FHWA”)

Re: Indiana Department of Transportation’s finding of “no adverse effect” on behalf of the Federal
Highway Administration for SR 37 intersection improvements at Cuba/Thimler Road (Des. No.
1900142; DHPA No. 29117)

Dear Mr. Laswell:

Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 306108), 36 C.F.R. Part 800, and the “Programmatic Agreement (PA) Among the Federal Highway Administration, the Indiana Department of Transportation, the Advisory Council on Historic Preservation and the Indiana State Historic Preservation Officer Regarding the Implementation of the Federal Aid Highway Program In the State of Indiana,” the staff of the Indiana State Historic Preservation Officer (“Indiana SHPO”) has reviewed your submission, which we received via digital attachments to your May 20, 2024, e-mail message to our office, and which included your May 20, 2024, Review Request Submittal Form, and the Indiana Department of Transportation’s finding of “no adverse effect,” on behalf of the Federal Highway Administration for the project at the intersection of SR 37 and Cuba/Thimler Road in Milan Township and Springfield Township, Allen County, Indiana.

As previously stated, the area of potential effects (“APE”) proposed in the HPR appears to be of adequate size to encompass the geographic area in which direct and indirect effects of a project of this nature could occur.

Additionally, we previously stated, for the purposes of the Section 106 review of this federal undertaking, we agree with the conclusions in the HPR that there are no previously recorded National Register of Historic Places (“NRHP”)-listed or -eligible resources located within the APE. Regarding the House at 16029 SR 37 (IHSSI 003-245-01032), we agree with the conclusion of the HPR that this property is eligible for listing on the NRHP. Furthermore, for the purposes of this Section 106 review for this federal undertaking, we agreed with the conclusions in the HPR regarding the ineligibility of the remaining properties surveyed within the APE for inclusion in the NRHP.

In terms of archaeological resources within the additional portions of the proposed project area, as previously indicated, based upon the submitted information and the documentation available to the staff of the Indiana SHPO, there is insufficient information regarding archaeological site 12-AI-2349—which was identified during the additional archaeological investigations—to determine whether it is eligible for inclusion in the National Register of Historic Places (“NRHP”). However, the portions of this site that lie within the proposed project area do not appear to contain significant archaeological deposits, and we concur with the opinion of the archaeologist, as expressed in the (Addendum) Phase Ia Archaeological Field Reconnaissance Survey Report (Braunschweig and Moffatt, 03/28/2024), that no further archaeological investigations appear necessary at the additional portions of the proposed project area. The portions of archaeological site 12-AI-2349 that lie outside the proposed project area must either be avoided or subjected to further archaeological investigations. Additionally, those areas of the site should be clearly marked so that they are avoided by all ground-disturbing project activities. If avoidance is not feasible, then a plan for subsurface archaeological investigations must be submitted to the division of Historic Preservation and Archaeology (“DHPA”) for review and comment. Any further archaeological investigations must be done in accordance with the “Secretary of the Interior’s Standards and guidelines for Archeology and Historic Preservation” (48 F.R. 44716).

In terms of archaeological resources within the original portions of the proposed project area, as previously indicated, based upon the submitted information and the documentation available to the staff of the Indiana SHPO, there is insufficient information regarding archaeological sites 12-AI-2335, 12-AI-2336, and 12-AI-2337—all of which were identified during archaeological investigations—to determine whether they are eligible for inclusion in the NRHP. However, the portions of these sites that lie within the proposed project area do not appear to contain significant archaeological deposits, and we concur with the opinion of the archaeologist, as expressed in the Phase Ia archaeological field reconnaissance survey report (Connolly, 09/16/2022), that no further archaeological investigations appear necessary at the original portions of the proposed project area. The portions of archaeological sites 12-AI-2335, 12-AI-2336, and 12-AI-2337 that lie outside the proposed project area must either be avoided or subjected to further archaeological investigations. Additionally, those areas of the sites should be clearly marked so that they are avoided by all ground-disturbing project activities. If avoidance is not feasible, then a plan for subsurface archaeological investigations must be submitted to the division of Historic Preservation and Archaeology (“DHPA”) for review and comment. Any further archaeological investigations must be done in accordance with the “Secretary of the Interior’s Standards and guidelines for Archeology and Historic Preservation” (48 F.R. 44716).

As previously indicated, we note that, although the archaeologist created an archaeological report record in the Indiana DNR-DHPA SHAARD system database for the (Addendum) Phase Ia Archaeological Field Reconnaissance Survey Report (Braunschweig and Moffatt, 03/28/2024), and that the record was assigned the identifier AR-02-00948, the archaeological report was not uploaded into SHAARD. Additionally, we note that the archaeological site survey record form for 12-AI-2349 has not been uploaded into SHAARD. Once the archaeological site survey record form for 12-AI-2349 has been uploaded into SHAARD, please inform our office so that we can review it. Please note that, moving forward, at the time of submittal to our Environmental Review staff for review and comment, all archaeological reports and archaeological site survey/resurvey record forms to which a submission refers must have been uploaded to the Indiana DNR-DHPA SHAARD system database.

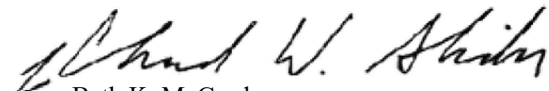
Accordingly, we concur with INDOT’s April 15, 2024, Section 106 finding of “No Adverse Effect” on behalf of FHWA for this federal undertaking.

If any prehistoric or historic archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and Indiana Code 14-21-1-29) requires that the discovery be reported to the Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology within two (2) business days. In that event, please call (317) 232-1646. Be advised that adherence to Indiana Code 14-21-1-27 and Indiana Code 14-21-1-29 does not obviate the need to adhere to applicable federal statutes and regulations, including but not limited to 36 C.F.R. Part 800.

The Indiana SHPO staff’s archaeological reviewer for this project is Wade T. Tharp, and the structures reviewer is Toni Lynn Giffin. However, if you have a question about the Section 106 process, please contact initially the INDOT Cultural Resources staff members who are assigned to this project.

In all future correspondence about the State Road 37 Intersection Improvement Project at Cuba/Thimler Road in Milan Township and Springfield Township, Allen County, Indiana (Des. No. 1900142), please refer to DHPA No. 29117.

Very truly yours,



Beth K. McCord
Deputy State Historic Preservation Officer

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