

Louisville - Southern Indiana Ohio River Bridges Project
Progress Report Number 11
July 1, 2008 – December 31, 2008
Implementation of the Section 106 Memorandum of Agreement

The Section 106 Memorandum of Agreement (MOA)¹ for the Louisville – Southern Indiana Ohio River Bridges Project (Project) was executed on April 1, 2003. Attachment A provides a list of the signatories to the MOA and concurring parties. Included in the MOA was a stipulation providing for the preparation of a Progress Report (Stipulation IX). The following is the Eleventh Progress Report and covers the July 1, 2008 – December 31, 2008 reporting period (Reporting Period).

There was continued activity on implementation of mitigation measures during the Reporting Period. The Indiana Department of Transportation (INDOT) continued work to finalize the scope of work and contract for the Section Design Consultant (SDCs) in Section 3 (Indiana Downtown). This will be discussed in more detail in Part I of this report.

Activity during the Reporting Period concentrated on implementation of mitigation measures in the MOA including preparing and convening meetings of the Indiana and Kentucky Historic Preservation Advisory Teams (IHPAT/KHPAT), initiating the Historic Preservation Plan (HPP) process for the Utica Limekilns, continued development of a National Register of Historic Places (NRHP) nomination, coordinating the activities to prepare preservation easements for various properties, as well as treatment plans for other identified sites, development of a context study for agriculture and the continuation of various archaeological investigations. Activities related to completion of these aforementioned tasks are described in more detail in later sections of this report.

PART I – OVERALL PROJECT STATUS

INDOT and the Kentucky Transportation Cabinet (KYTC) executed the prime contract for Community Transportation Solutions – General Engineering Consultant (CTS-GEC) on April 20, 2005. A description of each section and the progress of each SDC are provided in the following summary.

Section 1 Kentucky Downtown Approach (including Kennedy Interchange) – Coordination meetings were held with the project team, CTS-GEC, and agencies as necessary.

Section 2 Downtown Bridge (using Alternative C-1, Three Tower Cable Stay) – SDC 2 continued their work by performing additional engineering, environmental and public involvement tasks, as detailed below.

- Geotechnical analysis and design and report initiation
- Finalized the following documents
 - Advance Situation Folder
 - Bridge Design Criteria

¹ A copy of the Section 106 MOA can be obtained by accessing the Project Website; the URL address is located at http://www.kyinbridges.com/pdfs/rod_d.pdf

- Barge impact method report was prepared
- The Type, Size and Location (TS&L) package was developed and submitted to the Federal Highway Administration (FHWA)
- Input on tower shape from form work manufacturers and contractors was obtained

Section 3 Indiana Downtown Approach – No direct environmental or mitigation efforts were initiated by SDC 3 during this Reporting Period.

Section 4 Kentucky East End Approach –
As a result of the wind storm fostered by Hurricane Ike, maintenance repairs were initiated and completed on Rosewell. Repairs were made to the roof, soffits, brick, shutters, wood sills and site.

Work began on the wall type study for proposed retaining walls and noise walls within project corridor.

Coordination continued with the property owners of the Allison-Barrickman Property in regard to the placement of a preservation easement on the property.

Coordination continued with the Louisville Water Company and the appropriate state environmental resource agencies to develop strategies for work within the Wellhead Protection Zone and for evaluating possible impacts to the Settlement Basins.

Archaeological sites within Section 4 Corridor were evaluated. Concepts were developed to minimize/avoid impact to these sites. Coordinating is continuing with the Louisville Water Company on the configuration of the span arrangement for the approach structure to avoid impacting an archaeological site.

Section 5 East End Bridge – As part of the FEIS for this project, a commitment was made to collect bridge deck runoff within a drainage system that will transport runoff from Section 5 to Section 4 at the Kentucky end of the bridge. This commitment was made for water quality control and was intended to help contain any major spill or contaminant on the bridge. The bridge deck drainage analysis was conducted to identify needed drainage systems. Flows were determined for the bridge roadway, walkway, and Indiana approach slab based on a 10-year storm event in accordance with the *KYTC Drainage Guidance Manual (1994)*. Additionally, the flow depth for runoff accumulation at the inlets was checked to ensure that the 100-year storm could be accommodated such that no roadway runoff would spill into the river. The *Deck Drainage Analysis Report* was submitted to CTS-GEC for review on August 5, 2008. The report was also submitted as part of the Advance Situation Folder in August 2008. Continuing coordination by KYTC with the FHWA, the State Historic

Preservation Officer (SHPO), Indian Tribes and others as determined by FHWA would be required to ensure that the drainage outlet would not impact historic properties.

Section 6 Indiana East End Approach – East End Approach – SDC 6 initiated no direct environmental or mitigation efforts during the Reporting Period.

CTS-GEC, under the management of Mr. John Sacksteder, worked during this Reporting Period with the BiState Management Team (BSMT), which consists of representatives from INDOT, KYTC and FHWA, in the project oversight requirements of the SDCs under contract by either INDOT and/or KYTC.

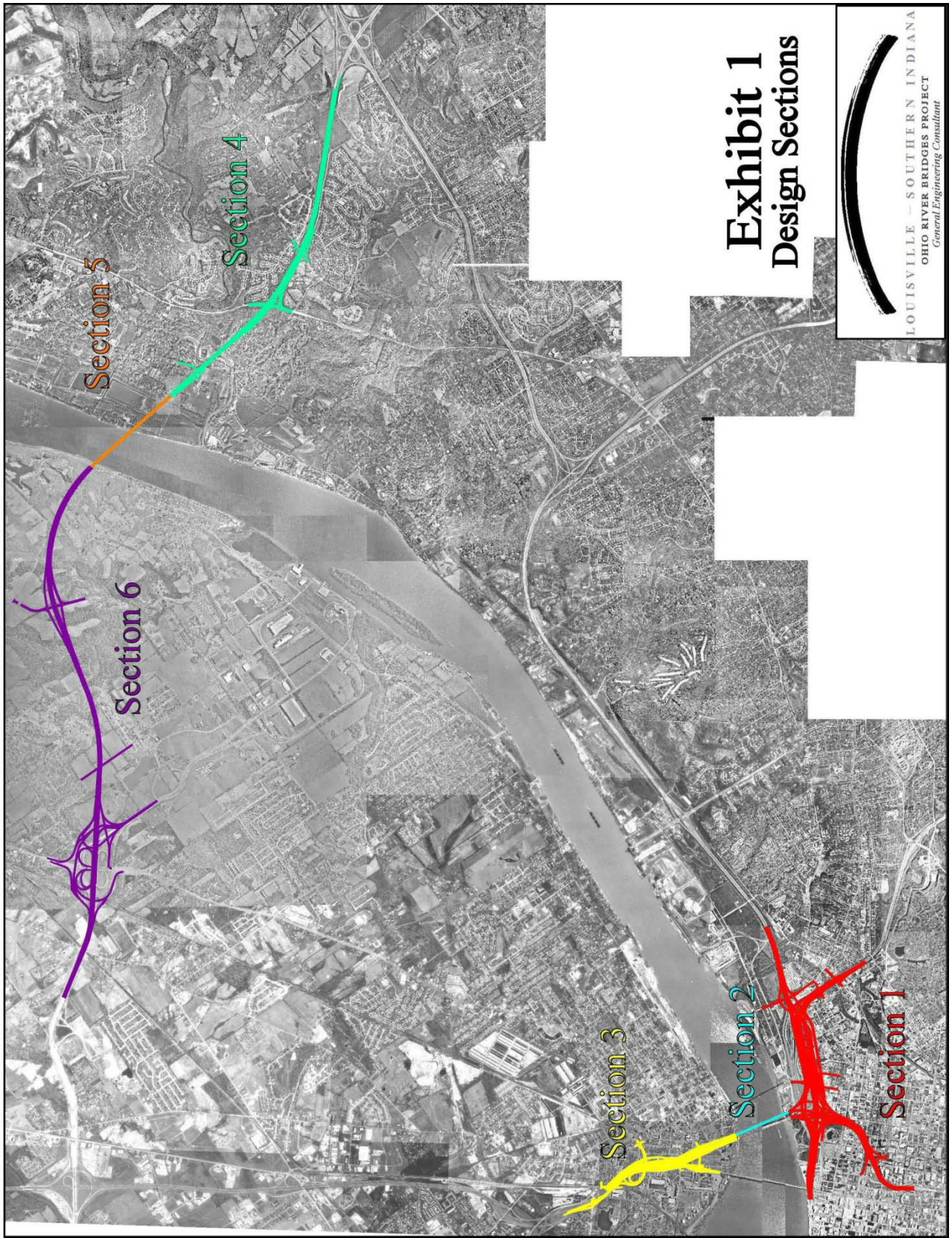


Exhibit 1

Design Sections

**LOUISVILLE – SOUTHERN INDIANA
OHIO RIVER BRIDGES PROJECT**
General Engineering Consultant

PART II – IMPLEMENTATION OF MITIGATION MEASURES CONTAINED IN THE MOA

Measures to mitigate adverse effects of the Project on historic properties are described in the MOA along with a number of activities to guide the development of project plans and provide for coordination of those activities through an historic preservation advisory team for the Indiana portion of the project and one for the Kentucky portion of the project.

The MOA is divided into the following fourteen (14) stipulations:

- I. Project Coordination
- II. Project Development
- III. Site Specific Mitigation
- IV. Archaeological Resources
- V. Unanticipated Discoveries
- VI. Additional Historic Properties and Effects
- VII. Excess Right of Way
- VIII. Performance Standards
- IX. Progress Reports
- X. Project Modification
- XI. Amendment
- XII. Failure to Comply/Termination
- XIII. Dispute Resolution
- XIV. Duration

An expanded version of this listing is included as Attachment B to serve as an outline in the preparation of the Progress Report. A complete definition of each of the specific MOA stipulations is contained in Attachment C. Activities completed toward satisfying the various stipulations of the MOA during the Reporting Period are described in the following information.

STIPULATION I: Project Coordination

Stipulation I.A.2 provides for the Historic Advisory Teams to assist the Bi-State Historic Consultation Team (BSHCT) and the BSMT in developing Project design details to implement the measures stipulated in the MOA. Work continued during the Reporting Period on this stipulation.

Stipulation I.A.3 provides for the Co-chairs to convene meetings of the Historic Preservation Advisory Teams (HPATs), prepare summaries of said meetings and prepare and submit HPAT recommendations to the BSHCT for further action. IHPAT meetings were held on October 15, 2008 and December 17, 2008. KHPAT meetings were held on August 21, 2008 and October 16, 2008. Summaries of each meeting were returned to HPAT members within a reasonable time following each meeting.

Stipulation I.A.10 provides for the distribution of materials needed for review by the advisory teams and comments following scheduled meetings. Meeting materials were provided at least 15 days prior to each scheduled meeting. Presentations and requests for input during the meetings

were supplemented by a 15-day comment period following the meetings to obtain additional input and comment.

Stipulation I.A.11 provides for the development of recommendations by the Co-chairs based on comments provided by the advisory team, for consideration and action by the BSHCT. This was completed after each meeting.

Stipulation I.B. provides for a BSHCT. The BSHCT is to consist of representatives of FHWA, INDOT, KYTC and the respective SHPOs. It defines the roles and responsibilities of the BSHCT, mandates the scheduling of BSHCT coordination meetings and provides a means to advance recommendations of the HPATs to the BSMT for final approval.

The BSHCT held three meetings during the Reporting Period on July 15, 2008, September 16, 2008 and November 18, 2008. Recommendations elevated from the BSHCT to the BSMT (and the date of the respective BSHCT meeting) included advancement of the aesthetic design elements for the Downtown (SDC 2) Bridge (July 15, 2008).

Stipulation I.C. provides for a BSMT. The BSMT consists of representatives of INDOT, KYTC and FHWA. It defines the roles and responsibilities of the BSMT, mandates the preparation of Progress Reports as set forth in Stipulation IX of this MOA and provides a means to consider recommendations of the HPATs through the BSHCT for final approval. In the Reporting Period, Kevin Hetrick was appointed as the INDOT representative to the BSMT; Gary Valentine and Andy Barber were appointed as KYTC representatives to the BSMT.

Weekly meetings of the BSMT generally occurred on the Monday of each week and items related to this MOA were brought forth as needed. No recommendations were returned from the BSMT to the BSHCT on advancement of the aesthetic design elements for the Downtown (SDC 2) Bridge. This is expected to occur in the next Reporting Period.

Progress Report Number 11 for the Reporting Period of July 1, 2008 – December 31, 2008 is provided in accordance with Stipulation IX.

Stipulation I.D. provides for an Ombudsman for the Indiana portion of the Project and one for the Kentucky portion of the Project. It defines the qualifications for performance as the Project Ombudsman, the roles and responsibilities of the Ombudsman and the location of the office of the Ombudsman for each state.

During the Reporting Period, Mr. Carl Percy continued to serve as the Indiana Ombudsman. Mr. Lee Douglas Walker continued to serve as the Kentucky Ombudsman.

STIPULATION II: Project Development

Work initiated on implementation of mitigation measures identified in Stipulation II of the MOA during the Reporting Period follows.

Stipulation II.A. describes the design goal of the Project, which will be used in the preparation of the Project Management Plan to guide the development of project details.

Stipulation II.B. provides that the views of the public are important and will be solicited and considered at a minimum through the normal transportation project development process of each state through informal meetings to be convened by the respective State Transportation Agencies (STA). During the Reporting Period, there were no Area Advisory Team (AAT) meetings or Regional Advisory Committee (RAC) meetings convened.

Stipulation II.C. provides that the roadways, bridges and other Project elements shall be designed and constructed with sensitivity to aesthetic values, historic cultural landscapes, and the historic context, utilizing services of professionals with experience in areas related to historic preservation. At the KHPAT of August 21, 2008, a presentation was made on the noise and safety wall aesthetic design concepts in the Kentucky East End by SDC 4.

Stipulation II.D. provides for the roadway lighting within the viewshed of historic properties and any navigational lighting required on structures included in the Project shall be designed and constructed to minimize the dispersion of light beyond the right-of-way and include state of the art techniques. All of the SDCs are reviewing the current state-of-the-art technology and will continue to do so until the project letting.

Stipulation II.E. describes activities to minimize adverse effects of noise on historic properties in accordance with state and federal noise regulations, policies and guidance. Noise barriers are still under consideration along I-64 in the area of Clifton. Additional coordination with the neighborhood association is pending a coordination meeting in the next Reporting Period. SDC 4 will hold community meetings in the next Reporting Period with the affected neighborhoods to discuss possible design concepts for proposed noise barriers in the following Reporting Period.

Stipulation II.F. describes the actions for preparation of HPPs. The seven historic properties for which HPPs are to be developed were identified in Stipulation II.F.2 (a through g). During the Reporting Period, only development of the HPP for the Utica Limekilns continued. With the granting of property owner access to the kilns in the prior Reporting Period, a kick-off meeting was held with the IHPAT on September 16, 2008, which included an optional field visit to the kilns. The proposed plan for the compilation of the HPP and a synopsis of the kick-off meeting were discussed at the IHPAT of October 15, 2008. Draft A of the HPP was developed and presented at the ensuing meeting of December 17, 2008. Continuing development of the HPP would be pursued during the following Reporting Period.

The FHWA in cooperation with the INDOT is developing alternate mitigation for the removal of the house on the Swartz Farm property. An amendment to the MOA defining mitigation was completed in the Reporting Period, but additional information was to be provided at the request of the Advisory Council on Historic Preservation (ACHP). Development of this information continues, and it is anticipated that final development of the amendment could occur in the next Reporting Period.

The final draft of the HPP for Butchertown is pending completion of the dispute resolution and is expected in the next Reporting Period. Similar to the other HPPs, development of the HPP for the Country Estates of River Road/River Road Corridor (CE RR/RRC) is pending FHWA review and comment, which is anticipated in the following Reporting Period.

Stipulation II.G. mandates that within five years of the ROD, the historic preservation documents for Clark County, Indiana and Jefferson County, Kentucky will be updated by a qualified historic preservation consultant with the information developed for the Project. The Indiana SHPO has initiated work to develop a plan for the Clark County Survey update. A coordination meeting was held on November 20, 2008 with representatives of the FHWA, INDOT, IN SHPO and CTS-GEC. Discussions centered on the final adoption of a scope of work and schedule for completion of this task. Continuing coordination with these agencies would finalize the scope and schedule in the next Reporting Period and begin the inventory update.

KYTC coordinated with KY SHPO and Louisville Metro Government to complete work on the development of the Jefferson County Survey. In November 2008, the field work, research and survey forms were under development. The draft of the summary report was near completion and the eligibility of resources was being evaluated along with recommendations for future research and/or preservation activities.

Stipulation II.H. mandates that preservation easements shall be established on (those specific) properties identified in Stipulation III in perpetuity by INDOT or KYTC, and held by a local government, local or state preservation organization or other entity as determined by INDOT or KYTC in consultation with the respective SHPO. During the Reporting Period, the development of individual preservation easements was initiated for the Wesley House, the Edison House and the property bounded by US 42 - KY 841 - Allison-Barrickman - Wolf Pen Branch Road. Coordination included the FHWA, KYTC, KY SHPO, CTS-GEC and the respective property owner/developer for each easement.

Stipulation II.I. mandates that for specific properties identified in Stipulation III, documentation required for a NRHP nomination shall be prepared by a qualified historic preservation consultant selected by INDOT or KYTC, upon receipt of written consent from the property owner(s) and within the first three years following the ROD. Six properties were identified in the MOA requiring the preparation of a nomination form, all located in Indiana. The nomination for the Ohio Falls Car and Locomotive Company Historic District (HD) passed final technical review on October 20, 2008, and was scheduled for substantive review. The IN SHPO indicated that it was to be placed on the January 2009 agenda for approval and advancement to the Keeper of the NRHP. Approval could occur in the following Reporting Period.

STIPULATION III: Site Specific Mitigation

Work continued on the implementation of mitigation measures identified in Stipulation III of the MOA during the Reporting Period.

Stipulation III.C.1 provides for the development of documentation to seek a NRHP nomination for the Ohio Falls Car and Locomotive Company HD. The preparation of the NRHP nomination form is being developed by CTS-GEC. The nomination passed final technical review on October 20, 2008, and was scheduled for substantive review at that time. The IN SHPO indicated that it was to be placed on the January 2009 agenda for approval and advancement to the Keeper of the NRHP. Approval could occur in the following Reporting Period, after which the nomination would be advanced to the Keeper for listing.

Stipulation III.E.1 provides for the preparation of an HPP for the Old Jeffersonville HD. During the Reporting Period, no further development of the HPP continued, pending the receipt of comments from the FHWA. Final approval would be pursued during the following Reporting Period.

Stipulation III.E.7 provides for INDOT, IN SHPO and the FHWA to make a reasonable effort to relocate the five contributing structures (residences) to available vacant lots within the Old Jeffersonville HD. The residence at 432 West Riverside was reviewed for advance acquisition by INDOT in October 2008 due to storm damage from Hurricane Ike. INDOT indicated that early acquisition most likely would not occur. Since the storm, the property owner has repaired the house.

Stipulation III.H.1 provides for the preparation of an HPP for the Utica Lime Industry Multiple Property Listing, including a Context Study focusing on the lime industry in the region. A pamphlet is to be produced, describing the results of such a study. During the Reporting Period, the development of the HPP for the Utica Limekilns was initiated. With the granting of property owner access to the kilns in the prior Reporting Period, a kick-off meeting was held with the IHPAT on September 16, 2008, which included an optional field visit. The proposed plan for the compilation of the HPP and a synopsis of the kick-off meeting were discussed at the IHPAT meeting of October 15, 2008. Draft A of the HPP was developed and presented at the ensuing (IHPAT) meeting of December 17, 2008. Continuing development of it will be pursued during the following Reporting Period.

As a part of the HPP, a context study is being conducted along with archaeological investigations of the areas around the respective kilns. Further investigations would be completed in the next Reporting Period, culminating in the preparation of the Context Study.

Stipulation III.H.8. requires the INDOT to develop and seek NRHP nomination for the Utica Lime Kiln Multiple Property Listing. Initiation of this nomination is expected in the next Reporting Period following the completion of the HPP.

Stipulation III.I. Due to the demolition of the Swartz Farm by the property owner (October 2007), the FHWA indicated that mitigation would be developed to amend the MOA and the ROD. Following the development and review of the amendment during the prior Reporting Period, the document was advanced to the MOA signatories for execution on October 14, 2008. However, on November 4, 2008, the ACHP declined approval and requested additional information. Specific questions were raised about the significance of the HD and justification for the relocation of the Central Passage House (CPH) as mitigation; additional information was requested. Following a review of the historical significance of the CPH by the IN SHPO, a response to the ACHP is to be developed by the FHWA, which is to be completed in the next Reporting Period.

Stipulation III.I.1. requires the development of a thematic context study for agriculture in Clark and surrounding counties to assist in future nominations in the region. The report, entitled *Agricultural Development of Southeastern Indiana, 1810-1940*, was forwarded to the Co-chairs for review and comment on August 28, 2008. The report had been previously reviewed by Ms. Mary Kennedy, INDOT, and her comments had been incorporated. The remaining Co-chairs provided comments by October 1, 2008. Upon revision of the report by CTS-GEC, it was

advanced from the BSHCT to the IHPAT at the scheduled meeting of December 17, 2008 for review. Various comments were received at the IHPAT. It is proposed to revise the report and advance it to approval through the BSMT in the next Reporting Period.

Stipulation III.I.4. requires the INDOT to develop and seek NRHP nomination for the portion of the Swartz Farm lying to the west of the Project, including the house, barn and associated outbuildings. The preparation of the NRHP nomination form is to be developed by CTS-GEC. Development of the nomination is pending the adoption of an amendment to the MOA due to demolition of the house by the property owner.

Stipulation III.K.1 provides for the preparation of an HPP for the Butchertown Historic District. The final draft HPP for Butchertown is pending completion of the dispute resolution, and is expected in the next Reporting Period.

Stipulation III.K.4 provides for the exterior rehabilitation of the Edison House if the owners agree to provide a preservation easement to ensure the long-term preservation of the exterior. A coordination meeting was held on October 8, 2008 at the site to discuss development of the easement. Individuals in attendance represented the curators of the Edison House, KY SHPO, KYTC and CTS-GEC. The KY SHPO agreed to coordinate with the curators to define a scope of work for the exterior building needs and to provide this assessment to the KYTC. In addition to the assessment of the exterior, KYTC agreed to undertake an interior noise study. This would allow KYTC to define interior noise abatement measures that may be required. Development of the easement was to occur after the exterior building needs survey and the noise study. The easement would define the exterior building rehabilitation and noise abatement that could be available for funding under the MOA (provided the easement is placed). The continuing development of the easement is to occur in the next Reporting Period.

Stipulation III.K.5 provides for the exterior rehabilitation of the Wesley House if the owners agree to provide a preservation easement to ensure the long-term preservation of the exterior. A coordination meeting was held on July 30, 2008 to discuss development of the easement. Individuals in attendance represented the property owners, FHWA, KY SHPO, KYTC and CTS-GEC. CTS-GEC was to research the records developed as part of the Section 106 process of the FEIS for the Project to define the properties included as a part of the Wesley House. Improvements to the Wesley House were to be defined in the easement including an estimation of funds needed to undertake said improvements.

A disagreement arose between the KY SHPO and the FHWA/KYTC on the definition of the property as listed on NRHP for the Butchertown HD. Following a site visit by the KY SHPO on August 5, 2008, it was determined (by the KY SHPO) that the easement would include the four historic structures on the property. In cooperation with Mr. David Morgan, the past KY SHPO, the KY SHPO indicated that the property on the NRHP consisted of the two Victorian houses, the gymnasium and the Queen Anne house. At the BSHCT meeting of September 16, 2008, the FHWA/KYTC indicated that only the two Victorian houses comprised the Wesley House and, as such, FHWA participation would be limited to rehabilitation of the exteriors of these two buildings as defined in the MOA. However, this would not limit the specific stipulations of the easement, which could be written for the entire property. In addition, KYTC agreed to undertake interior noise studies to determine if additional noise mitigation was required or eligible for FHWA participation. On November 25, 2008, the KY SHPO advanced this

disagreement to the ACHP for resolution. Development of the preservation easement would follow this resolution in the next Reporting Period.

In addition, various questions have arisen about the use of federal funds for this property. The property owners have expended considerable funds on renovations to the Wesley House and have questioned if these expended funds could be reimbursed. The FHWA has determined that these renovations are not reimbursable as a part of the easement. The MOA mandates that rehabilitation plans must be approved by the KY SHPO prior to implementation. In addition, the KYTC open bid process must be used to select the low bid contractor, which could preclude the use of any construction forces of the property owner.

Another question concerns the use of federal funds for renovation of a private property, as the Wesley House has been purchased for conversion into condominiums by the private developer. FHWA Legal Division is reviewing this type of expenditure to provide guidance in the next Reporting Period.

Stipulation III.K.10 provides for the preparation of a plan that supports the adaptive reuse of the Grocers Ice and Cold Storage Company property. The TP was forwarded to the Co-chairs for review on September 2, 2008 by CTS-GEC. It was a discussion topic at the BSHCT meeting of September 16, 2008. At this meeting, the Co-chairs were asked to provide comments by October 1, 2008. Two conceptual reuse options were considered in the TP. The first option would reconfigure the building for continued use by the current owner (Creation Gardens), their current business venture and current commercial tenants. The second option would rehabilitate the facility for mixed commercial/residential use in keeping with other development in the immediate neighborhood. A third option was also discussed, which was not included in the MOA, nor considered in the TP. It could be possible to reuse the façade on new building construction at the present site or at another location. This option would require further consideration of details. As a result of these discussions the BSHCT recommended that the TP be advanced to the KHPAT. KYTC comments were received on October 1, 2008 and the TP revised accordingly.

The TP was an agenda item at the KHPAT meeting of October 16, 2008. Following the meeting, no comments were received from the KHPAT members; the TP was returned to the BSHCT for advancement to the BSMT for final approval. At the BSHCT meeting of November 18, 2008, the KY SHPO requested an additional copy for final review, which was forwarded on November 24, 2008; no additional comments were offered by the KYTC. At this time, review comments have not been received from the KY SHPO. It is anticipated that any comments would be sent in the next Reporting Period and the TP finalized.

Stipulation III.K.14 details the development of roadway lighting within the viewshed of the historic district as part of the HPP. Recommendations on roadway lighting are included as an element of the Final HPP for Butchertown. Lighting concepts are also included in the Lighting Plan that will be developed by SDC 1.

Stipulation III.L.1 provides for the preparation of an HPP for the Phoenix Hill Historic District. The HPP was approved by the BSHCT and the BSMT during a prior Reporting Period; however, additional revisions of the HPP may be necessary pending the outcome of the dispute resolution for Butchertown and FHWA guidance.

Stipulation III.L.2 details the development of roadway lighting. Recommendations on roadway lighting are included as an element of the Final HPP for Phoenix Hill. As previously mentioned, lighting concepts are also included in the Lighting Plans.

Stipulation III.L.3 provides that the Project make a reasonable effort to relocate Baer Fabrics to another historic property within the Phoenix Hill neighborhood. If the owner agrees to the relocation, Project funds could be made available to rehabilitate the historic property. On September 16, 2008, KYTC advised CTS-GEC to proceed with the acquisition of Baer Fabrics; SDC 1 was to assume the lead in this process. Subsequently, on October 24, 2008, SDC 1 advised that the right-of-way appraisals for the property would be complete in January 2009 with review appraisals complete by March 2009. It is anticipated that the acquisition and relocation might take 12 - 15 months.

Stipulation III.L.4 provides for the preparation of a treatment plan/reuse options for rehabilitation of the Vermont American Buildings affected by the Project. At the BSHCT meeting of September 16, 2008, it was reported by CTS-GEC that contact had been initiated with the owner/part-owner of the Vermont American Buildings after many unsuccessful attempts. CTS-GEC would work with the owner to schedule a site visit for preparation of the TP. Additional coordination is pending.

Stipulation III.M.1 provides for the preparation of an HPP for the CE RR/RRC. Similar to the other HPPs, development of the HPP is pending FHWA review and comment, which is anticipated during the following Reporting Period.

Stipulation III.N.1 provides that the Project across the Drumanard property be contained within a tunnel to minimize adverse effects. During the Reporting Period, design continued on both the main tunnel and an exploratory bore tunnel that will be used to obtain geotechnical information for the main tunnel design. As of August 2008, the results of the geotechnical bore were pending.

Stipulation III.N.2 provides that FHWA shall make every effort to acquire or otherwise establish an historic preservation easement for the entire Drumanard historic property. Development of the easement on the Drumanard property is contingent upon negotiations with the property owners. The KYTC is currently in the appraisal process for this property. The first appraisal was received by KYTC on July 21, 2008 and the second appraisal was received on October 22, 2008. KYTC is presently reviewing both appraisals.

Stipulation III.O.1 provides that KYTC shall make every effort to acquire a preservation easement for the tract of land within the NRHP boundary of the Allison-Barrickman house and on the property bounded by US 42 - KY 841 - Allison-Barrickman - Wolf Pen Branch Road. Work activities have not begun on the easement within the NRHP boundary. In coordination with the owner/developer of the property bounded by US 42 - KY 841 - Allison-Barrickman - Wolf Pen Branch Road in July – August 2008, placement of the preservation easement was refused. No further activity on the completion of this easement would occur.

Stipulation III.O.3 defines a “no-work zone” within the NRHP boundary of the property. A “no-work zone” was a special note in the plans for the US 42 ramp relocation and would be incorporated into the final plans for SDC 4.

Stipulation III.O.4 ensures that a blasting/vibration plan shall be developed to avoid damage to the Allison-Barrickman house. A special note was placed in the plans for the US 42 ramp relocation and would be incorporated into the final plans for SDC 4.

Stipulation III.P.1 provides for the preparation of a TP for Rosewell to minimize damage to the historic property. On September 19, 2008, the KY SHPO provided an additional set of comments on the draft report. It was discussed in a coordination meeting on October 24, 2008 with the FHWA, KYTC, CTS-GEC and SDC 4 to facilitate the final development of the study. The TP is under development and review for presentation to the BSHCT and the KHPAT in the next Reporting Period.

Stipulation III.P.3 provides that KYTC shall place a preservation easement on the property and sell the property to a local preservation organization or other party acceptable to the BSHCT or donate the property to a local government. SDC 4 is working to prepare Rosewell for re-sale or public use.

STIPULATION IV: Archaeological Resources

The final identification, evaluation and determination of Project effects for archaeological resources were phased because alternatives consisted of large corridors where access was restricted during the FEIS phase.

Stipulation IV.A. 1. states that FHWA may withhold or limit public disclosure of information about historic properties. Specific information on archaeological site location and artifacts gleaned during this Reporting Period has not been made public.

Stipulation IV.A.2. FHWA shall ensure that consultation with Indian Tribes is conducted in a manner consistent with 36 CFR 800.2. **Bridges Native American Consultation:** Upon consultation with Indiana FHWA, Mr. Rick Jones, IN SHPO, indicated that NAC for Indiana Project archaeological reports would be handled in accordance with the Kentucky Division - FHWA NAC process. In accordance with that process, only those reports describing prehistoric sites or materials will be subject to NAC. There has been no NAC consultation during the current reporting period.

Stipulation IV.A.3. In order to maximize the opportunity to avoid adverse effects, FHWA will make every effort to complete identification and evaluation of archaeological resources at the earliest possible time in Project Design. **Archaeological GIS:** The GIS is being developed to bring together the wealth of historical information available for downtown Louisville only, which will guide the archaeology of the Downtown section. The draft report titled *Kentucky Transportation Cabinet GIS and Integrated Cultural Resource and Environmental Data Management for the Louisville Southern Indiana Ohio River Bridges Project (Item 5-118.00)* developed by AMEC was received from KYTC on December 10, 2007. CTS-GEC comments were returned and the final report is pending. **Geotechnical Monitoring for Archaeological Deposits (KY):** In previous Reporting Periods, Cultural Resource Analysts, Inc. (CRAI) monitored samples of clean geotechnical borings for archaeological materials for the proposed Kennedy Bridge Interchange area in Jefferson County. The information gleaned from this monitoring will be incorporated into the Archaeological GIS to inform both historic and

prehistoric probability models. **Hazmat Area Archaeology (KY):** Additional information from geotechnical borings in areas with potential hazardous materials would be available following Phase II testing that will inform potential archaeological investigations in those areas. In some cases, it is likely that hazardous materials will prohibit archaeological testing or testing may need to wait until cleanup has been completed. Field boring logs were provided to KYTC Department of Environmental Analysis by geotechnical consultant, FMSM, in the prior Reporting Period.

Stipulation IV.A.4. In implementing Stipulation IV, FHWA may consult with the parties listed in Attachment F [consulting parties list] and others identified in accordance with 36 CFR 800.2. Consultation with these parties has been conducted as necessary throughout this Reporting Period.

Stipulation IV.A.5. FHWA, in consultation with the SHPOs, Indian Tribes when appropriate and other parties deemed appropriate by FHWA, will take reasonable measures to avoid disinterment and disturbance to human remains and grave goods of religious and cultural significance to Indian Tribes, including modification of the Project. **Human Remains Protocol:** A step-by-step protocol for human remains encountered during archaeological testing was deemed prudent given the potential for human remains in the project setting. The protocol was developed in line with the MOA and in coordination with all consulting Indian Tribes and three FHWA offices (Project Office, Kentucky Division, and Washington, DC). FHWA issued final approval of the protocol and further indicated that the protocol would be utilized for both the Kentucky and Indiana sides of the project. The protocol was considered final and authorized for use on the Project on July 20, 2007.

Stipulation IV.B.1-2. States that before letting any type of Project construction in the APE or selecting sites for ancillary activities associated with the Project, FHWA shall complete the identification and evaluation of archaeological resources for inclusion in the NRHP in accordance with applicable Federal and state standards and guidelines listed in Stipulation VIII.B. and lists examples of ancillary areas. **Section 1A Archaeological Exploration:** Phase I archaeological survey of Section 1A was conducted in 2006. Because of this survey, three previously unrecorded sites were found: 15JF716, 15JF717 and 15JF718. All three are comprised of the remains of historic occupations of the area from the mid-1800s to the present. The KY SHPO issued a conditional clearance letter in March 2007 pending submittal of the final report, which was sent by CTS-GEC in December 2007. Following review with KY SHPO, additional revisions to this report have been requested of the consultant by January 2009. Copies will be distributed to all appropriate parties once the report has been accepted on receipt. **Section 2 and 5 Underwater Archaeology:** The underwater archaeology to determine the natural and cultural affiliations of the anomalies near the Downtown and East End Bridges was completed in August 2007. The results were documented in a report entitled *Investigation by Diver of Side Scan Targets In the Ohio River Bridge Corridor Performed on August 21, 2007 by Mainstream Divers, Inc.* The report has been reviewed and approved by KYTC and SHPO. **Section 4 Archaeological Exploration:** Due to lack of landowner permission, Phase II work at 15JF678, 15JF679 and 15JF719 has been postponed until after property has been purchased. Phase II work at the only site for which the project has permission to work, 15JF720, has been completed. The report recommended site 15JF720 as eligible for the NRHP. SHPO agreed with that conclusion; however, KYTC and FHWA disagreed with the recommendation. In a coordination meeting with FHWA, KYTC, SDC 4 and CTS-GEC on

October 2, 2008, SDC 4 was tasked with trying to redesign the section in order to avoid impacting this site. It is anticipated that a preliminary design would be available for review in the next Reporting Period. If that is not feasible, additional consultation will be required. **Section 4 Waste Areas:** Right of way at the I-71/Gene Snyder interchange and right of way at Exit 14 on I-71 were cleared prior to this report; no additional waste areas have been cleared during this period. **Rosewell Treatment Plan Archaeology:** As a by-product of the structural assessment of the house, archaeologists investigated a small portion of the basement in early May 2006. Because of this work, the entire basement of the house has been identified as a sensitive resource and no work can occur in the basement (not even concrete removal or repair) without prior archaeological. The entire property is a NRHP listed resource and no work can occur without consulting KYTC and SHPO. **Section 1 Archaeological Database and Document:** A GIS database and accompanying document have been provided to KYTC and distributed to FHWA, SHPO, and CTS-GEC for review and comment in a prior Reporting Period. The database and document await final concurrence from FHWA and the SHPO. The database and document provide an assessment of archaeological potential by parcel and provide a base for decisions regarding archaeological investigations for the Section 1 portion of the project.

Stipulation IV.B.3. States that any human remains and grave good encountered should be treated in a sensitive, respectful and careful manner, avoiding disinterment and photography, if at all possible. In addition, it states that the SHPOs, Indian Tribes, and any other party deemed appropriate by FHWA will be notified within 48 hours if remains that may be significant to Indian Tribes are identified. No human remains were identified during this period.

Stipulation IV.B.4. A Plan(s) for the identification and evaluation of archaeological resources will be developed by FHWA in consultation with the SHPOs, Indian Tribes and other parties deemed appropriate by FHWA. **Archaeological Plan:** After consultation, the Project team agreed that the plan should address auxiliary areas (waste, borrow, staging, and the like), the Archaeological GIS, SDC 2 and 5 underwater surveys and SDC 4 Phase II activities. The plan shall also include or make reference to the Human Remains Protocol developed for this Project and may address artifact conservation and final curation. **Artifact Curation Policy:** A final approved policy from the KY SHPO is pending. **Artifact Conservation:** Further information concerning potential conservation facilities and associated charges is pending.

Stipulation IV.B.5. FHWA shall prepare and distribute final Identification and Evaluation reports in accordance with Stipulation IV.F As stated, a final Sonar Report detailing the results of the underwater archaeology has been accepted and distributed.

Stipulation IV.C.1-6. States that studies shall be completed with a level of effort consistent with 36 CFR 800.4 and provide enough information to determine which archaeological resources are eligible for the NRHP. Indian Tribes will be consulted for their special expertise and FHWA shall notify Indian Tribes and other parties, whom so request, of eligibility determinations. Provides mechanisms for dispute resolution regarding eligibility and states that any party notified of determinations have 15 days to object in writing. All studies conducted during this Reporting Period have been completed in compliance with 36 CFR 800.4 and have provided sufficient information to make decisions. No eligibility determination disputes have occurred during this period. **Section 4 Archaeological Exploration:** Due to lack of landowner permission, Phase II work at 15JF678, 15JF679 and 15JF719 has been postponed until after property has been

purchased. Phase II work at the only site for which the project has permission to work, 15JF720, has been completed. The report recommended site 15JF720 as eligible for the NRHP. SHPO agreed with that conclusion; however, KYTC and FHWA disagreed with the recommendation. In a coordination meeting with FHWA, KYTC, SDC 4 and CTS-GEC on October 2, 2008, SDC 4 was tasked with trying to redesign the section in order to avoid impacting this site. It is anticipated that a preliminary design would be available for review in the next Reporting Period. If that is not feasible, additional consultation will be required.

Stipulation IV.D.1-3. FHWA shall, in consultation with SHPOs, Indian Tribes, and other parties deemed appropriate by FHWA, determine if the Project will adversely affect archaeological resources determined eligible for inclusion in the NRHP and, if adverse impacts cannot be avoided, shall develop a treatment plan in accordance with Stipulation IV.E. Any dispute regarding the determination of effects on eligible archaeological resources shall be resolved in accordance with Stipulation XIII Dispute Resolution. KYTC received an archaeological report detailing the data recovery efforts for sites determined to be eligible for the NRHP in Section 1A. Following review with KY SHPO, additional revisions to this report have been requested of the consultant by January 2009. Copies will be distributed to all appropriate parties once the report has been accepted on receipt.

Stipulation IV.E. 1-6. FHWA shall, in consultation with SHPOs, Indian Tribes and other parties deemed appropriate by FHWA, develop a treatment plan for NRHP eligible sites that cannot be avoided. Implementation of the treatment plan must be completed for each site prior to the initiation of any Project construction activities that could affect the site. Treatment of human remains will be determined by FHWA on a site-by-site basis through consultation with SHPOs, Indian Tribes and other parties deemed appropriate by FHWA. FHWA shall provide ACHP, SHPOs, Indian Tribes who have expressed interest in the site, and other parties deemed appropriate by FHWA 30 calendar days to review and provide comment on final Treatment Plans(s). Following the implementation of a treatment plan, FHWA may elect to monitor construction activities in selected portions of the right of way. No treatment plans were developed during this Reporting Period. In addition, no locations where treatment plans were implemented have gone to construction or been subjected to monitoring.

Stipulation IV.F.1-5. FHWA shall ensure that all archaeological work is performed or supervised by person(s) meeting the *Secretary of the Interior's Professional Qualification Standards* in archaeology and that the results of all work are reported in a professional manner consistent with SHPO standards for each state. Sensitive information regarding archaeological sites, human remains and grave goods shall be kept confidential from the public; the ACHP, SHPOs, Indian Tribes, and other parties deemed appropriate by FHWA shall have 30 days to comment on any such reports that are developed. All work performed during this Reporting Period was performed or directly supervised by individuals who meet or exceed the *Secretary of the Interior's Professional Qualification Standards*. In addition, all sensitive information was kept confidential during this period.

Stipulation IV.G. 1-3. Upon completion of work, FHWA shall provide copies of final reports to SHPOs, STAs, and Indian Tribes when appropriate. In consultation with SHPO, FHWA shall prepare final reports for dissemination to the public libraries, educational institutions, and other repositories in Jefferson and Clark Counties and Indian Tribes as appropriate; however, FHWA

will ensure disseminated reports do not contain sensitive information regarding human remains and grave goods, or the location, character and ownership of archaeological sites. In order to adhere to measures outlined in the MOA concerning the protection of detailed information about archaeological sites, only those reports detailing the results of treatment plans will be disseminated in accordance with this stipulation. The final report concerning the treatment of (Kentucky) Sites 15Jf716, 15Jf717 and 15Jf718 will be treated in accordance with this stipulation when ready. Sites 15Jf716, 15Jf717 and 15Jf718 have been excavated. Following review, additional revisions to this report have been requested of the consultant by January 2009. Copies will be distributed to all appropriate parties once the report has been accepted on receipt.

STIPULATION V: Unanticipated Discoveries

No previously unidentified property was discovered during the Reporting Period nor was a previously identified historic property affected in an unanticipated manner.

STIPULATION VI: Additional Historic Properties and Effects

No sites for staging, wetland mitigation, borrow or waste, dredge disposal or other construction activities associated with the Project were identified during the Reporting Period.

STIPULATION VII: Excess Right of Way

No excess right-of-way has been acquired by the Project in this Reporting Period. Therefore, no additional consultation has been required.

STIPULATION VIII: Performance Standards

The FHWA shall ensure that the performance of all cultural resources work required in implementing this MOA shall be performed by or under the supervision of individuals that meet the *Secretary of the Interior's Professional Qualification Standards*. All work performed during this Reporting Period was performed or directly supervised by individuals who meet or exceed the *Secretary of the Interior's Professional Qualification Standards*.

STIPULATION IX: Progress Reports

Progress Report Number 11 for the Reporting Period of July 1, 2008 – December 31, 2008 was developed in accordance with Stipulation IX and will be sent to the signatories, concurring parties and HPAT members (identified in Attachment A). Prior to this Progress Report, the following Progress Reports have been provided:

- Report No. 1 for April 1, 2003 – December 31, 2003 was sent on July 21, 2004
- Report No. 2 for January 1, 2004 – June 30, 2004 was sent on September 20, 2004
- Report No. 3 for July 1, 2004 – December 31, 2004 was sent on April 22, 2005
- Report No. 4 for January 1, 2005 – June 30, 2005 was sent on October 10, 2005
- Report No. 5 for July 1, 2005 – December 31, 2005 was sent on February 20, 2006
- Report No. 6 for January 1, 2006 – June 30, 2006 was sent on November 28, 2006
- Report No. 7 for July 1, 2006 – December 31, 2006 was sent on May 9, 2007
- Report No. 8 for January 1, 2007 – June 30, 2007 was sent on December 17, 2007

Report No. 9 for July 1, 2007 – December 31, 2007 was sent on March 3, 2008.
Report No. 10 for January 1, 2008 – June 30, 2008 was sent on September 9, 2008

STIPULATION X: Project Modification

Due to the demolition of the Swartz Farm by the property owner (October 2007), the FHWA indicated that mitigation would be developed to amend the MOA and the ROD. Following the development and review of the amendment during the prior Reporting Period, the document was advanced to the MOA signatories for execution on October 14, 2008. However, on November 4, 2008, the ACHP declined approval and requested additional information. Specific questions were raised about the significance of the HD and justification for the relocation of the CPH as mitigation; additional information was requested. Following a review of the historical significance of the CPH, a response to the ACHP is to be developed by the FHWA, which is to be completed in the next Reporting Period.

STIPULATION XI: Amendment

Due to the demolition of the Swartz Farm by the property owner (October 2007), the FHWA indicated that mitigation would be developed to amend the MOA and the ROD. Following the development and review of the amendment during the prior Reporting Period, the document was advanced to the MOA signatories for execution on October 14, 2008. However, on November 4, 2008, the ACHP declined approval and requested additional information. Specific questions were raised about the significance of the HD and justification for the relocation of the CPH as mitigation; additional information was requested. Following a review of the historical significance of the CPH, a response to the ACHP is to be developed by the FHWA, which is to be completed in the next Reporting Period.

STIPULATION XII: Failure to Comply/Termination

No signatories to the MOA identified any concerns during the Reporting Period that the terms of the MOA cannot be or are not being carried out.

STIPULATION XIII: Dispute Resolution

One written objection was filed during a previous Reporting Period. The request was advanced to the FHWA for resolution, which is anticipated in the next Reporting Period.

STIPULATION XIV: Duration

The MOA is in effect through April 1, 2023.

PART III – PROJECT MILESTONES

Coordination with the HPATs in the development of plan details to implement mitigation measures is identified in the MOA at a number of project milestones, including:

Preliminary Plans (about 30%),
Right of Way Plans (about 60%)
Final Plans (about 90%)

Right-of- way plans are under revision by SDC 1 for submittal in the next Reporting Period. Right-of-way plans were submitted to KYTC by SDC 4.

Attachment D (following) provides a schedule with milestones anticipated for the Project in the next Reporting Period. It has been developed in more detail and will continue to be revised as a part of the future preparation of this Progress Report.

ATTACHMENT A

SIGNATORIES:

Federal Highway Administration

Advisory Council on Historic Preservation

Indiana State Historic Preservation Officer

Kentucky State Historic Preservation Officer

INVITED SIGNATORIES:

Indiana Department of Transportation

Kentucky Transportation Cabinet

CONCURRING PARTIES:

American Indian Movement – Mobile Chapter (MO-AIM)

Butchertown Neighborhood Association

City of Prospect

The Eastern Band of Cherokee Indians

The Shawnee Tribe

The Delaware Nation

ATTACHMENT B

SECTION 106 MEMORANDUM OF AGREEMENT OUTLINE OF DOCUMENT CONTENT

- I. Project Coordination
 - A. Advisory Teams
 - B. Bi-State Historic Consultation Team
 - C. Bi-State Management Team
 - D. Ombudsmen
- II. Project Development
 - A. Project Goals
 - B. Public Involvement
 - C. Context Sensitive Solutions
 - D. Roadway Lighting
 - E. Noise Abatement
 - F. Historic Preservation Plans
 - G. Survey Updates
 - H. Historic Preservation Easements
 - I. National Register Documentation and Nomination
 - J. Streetscape Improvements
 - K. Interpretative Signage
 - L. Blasting and Vibration
 - M. Timing of Construction Activities
 - N. No-Work Zones
 - O. Smart Growth Conference
 - P. Education and Interpretation
- III. Site Specific Mitigation
 - A. Train Depot – Indiana
 - B. Colgate-Palmolive Historic District
 - C. Ohio Falls and Locomotive Historic District
 - D. George Rogers Clark Memorial Bridge
 - E. Old Jeffersonville Historic District
 - F. INAAP Igloo Storage Historic District
 - G. Lentz Cemetery
 - H. Lime Kilns within the Utica Lime Industry Multiple Property Listing
 - I. Swartz Farm Rural Historic District
 - J. Trolley Barn
 - K. Butchertown Historic District
 - L. Phoenix Hill Historic District
 - M. Country Estates Historic District/River Road Corridor
 - N. Drumanard
 - O. Allison-Barrickman House
 - P. Rosewell
 - Q. Belleview
- IV. Archaeological Resources
 - A. Implementation Standards

- B. Identification
- C. Evaluation
- D. Assessment of Effects
- E. Treatment
- F. Qualifications and Reporting
- G. Distribution of Final Reports
- V. Unanticipated Discoveries
- VI. Additional Historic Properties and Effects
- VII. Excess Right of Way
- VIII. Performance Standards
- IX. Progress Reports
- X. Project Modification
- XI. Amendment
- XII. Failure to Comply/Termination
- XIII. Dispute Resolution
- XIV. Duration

**ATTACHMENT C
MOA COMMITMENT TRACKING TABLE**

(Note - the intent of Attachment C is to provide an summary of commitments made in the Project MOA and provide a status of each. For the complete description of each commitment, please refer to the Project MOA)

STIPULATION I - PROJECT COORDINATION																	
Status	Taskmaster(s) & Lead					MOA Reference			Stakeholders & Commitment Description		Duration & Deadline				Product & Implementation		
	FHWA/STA/SHPO	GEC	Sub-consultant	SDC	Current Lead	Item	Sub Items	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	Remarks & Comments
U		CTS	NR	NR	INDOT/ KYTC/ INSHPO/ KHC	A	1	3	Advisory Teams Convene IHPAT and KHPAT	HPATs	December 2003	December 2003	December 31, 2003 (to convene initial HPATs)	IHPAT - December 16, 2003 KHPAT - December 17, 2003	None	Bi-monthly HPAT meetings to be held in addition to special sessions, which are scheduled at the discretion of the BSHCT.	During the Reporting Period, meetings of the IHPAT were convened on 10/15/08 and 12/17/08. The IHPAT meeting scheduled for August 2008 was cancelled due to lack of agenda items. The KHPAT was convened on 08/21/08 and 10/16/08. The KHPAT scheduled for December 2008 was cancelled due to lack of agenda items.
D		CTS	NR	NR	INDOT/ KYTC/ INSHPO/ KHC		2	3	Advisory Teams will assist the BSHCT and BSMT in developing Project design details to implement measures stipulated in the MOA	HPATs	December 2003	December 2003	Duration	Ongoing	None	BSHCT to engage HPATs for recommendations. Recommendations considered by BSHCT at bi-monthly meetings and elevated to BSMT for final decision.	Work continued during the Reporting Period on this stipulation.
C	INDOT/ INSHPO/ KYTC/ KHC	NR	NR	NR	INDOT/ KYTC/ INSHPO/ KHC		3	3	Each Advisory Team will be Co chaired by a representative of the respective STA and SHPO	HPATs	December 2003	December 2003	Duration	IHPAT - December 16, 2003 KHPAT - December 17, 2003	None	The respective STA's and SHPO's to ensure proper representation on the BSHCT.	No modifications to the representation of the BSHCT occurred during the Reporting Period.
C		CTS	NR	NR	INDOT/ KYTC/ INSHPO/ KHC		4	3	Representatives of the following will be invited by FHWA and IHPAT Co-chairs to participate on the IHPAT: City of Jeffersonville Historic Preservation Commission, Clark County, City of Jeffersonville, Town of Utica, Jeffersonville Main Street Association, Clarksville Historical Society, Town of Clarksville, Clark County Historian, Rose Hill Neighborhood Association, Historic Landmarks Foundation of Indiana and Jeff-Clark Preservation, Inc.	HPATs	December 2003	December 2003	December 2003	December 16, 2003	None	IHPAT composition is complete. Each contributing organization to the IHPAT is responsible to ensure there is proper representation at IHPAT events.	No modifications to the representation of the IHPAT occurred during the Reporting Period.
C		CTS	NR	NR	INDOT/ KYTC/ INSHPO/ KHC		5	3	Representatives of the following will be invited by FHWA and KHPAT Co-chairs to participate on the KHPAT: Louisville/Jefferson County Metro Government Historic Preservation Office, Louisville/Jefferson County Metro Government, Butchertown Neighborhood Association, City of Prospect, Phoenix Hill Neighborhood Association, River Fields, Inc., National Trust for Historic Preservation	HPATs	December 2003	December 2003	December 2003	December 17, 2003	None	KHPAT composition is complete. Each contributing organization to the KHPAT is responsible to ensure there is proper representation at KHPAT events.	Ms. Amanda Abner took over as the KHPAT Co-chair in October 2007. No other modifications to the KHPAT occurred during the Reporting Period.
D		CTS	NR	NR	INDOT/ KYTC/ INSHPO/ KHC		6	4	Additional participants may be invited to participate on the Advisory Teams at the discretion of the Advisory Team Co-chairs.	HPATs	December 2003	December 2003	Duration	Ongoing	None	Formal requests made to be considered by the BSHCT with final decision made by the BSMT.	There were no requests during the Reporting Period of additional participants on either the IHPAT or KHPAT.
D		NR	NR	NR	INDOT/ KYTC/ INSHPO/ KHC		7	4	ACHP may participate as it sees fit on an ad-hoc basis.	HPATs	December 2003	December 2003	Duration	Ongoing	None	FHWA to engage, as appropriate by the BSHCT and BSMT.	ACHP was consulted during the reporting period with respect to the MOA Amendment for the Swartz Farm Rural Historic District.
C	INDOT/ INSHPO/ KYTC/ KHC	CTS	NR	NR	INDOT/ KYTC/ INSHPO/ KHC		8	4	The Co-chairs will convene the Advisory Teams for an initial organizational kick-off meeting to establish process and procedure for operation of the Advisory Teams.	HPATs	December 2003	December 2003	As soon as practical	IHPAT - December 16, 2003 KHPAT - December 17, 2003	None	Complete	Refer to A.1 above
D	INDOT/ INSHPO/ KYTC/ KHC	CTS	NR	NR	INDOT/ KYTC/ INSHPO/ KHC		9	4	Co-chairs will convene additional meetings at the following times to review plans, comment & make recommendations	HPATs	December 2003	December 2003	Duration	Ongoing	None	Bi-monthly HPAT meetings to be held in addition to special sessions, which are scheduled at the discretion of the BSHCT.	See following page, below.

STIPULATION I - PROJECT COORDINATION (Cont.)

Status ¹	Taskmaster(s) & Lead					MOA Reference			Stakeholders & Commitment Description		Duration & Deadline				Product & Implementation		
	FHWA/STW/SHPO	GEC	Sub-consultant	SDC	Current Lead	Item	Sub Items	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	Remarks & Comments
C		CTS	R	NR	INDOT/ KYTC/ INSHPO/ KHC		a	4	Prior to development of scopes of work for the HPPs	HPATs	March 2004	July 2004	None Established	HPAT - July 14, 2004 KHPAT - July 15, 2004	None	HPP scopes of work to be presented to HPATs by consultants. HPAT recommendation to be considered by BSHCT and elevated to BSMT for final decision.	1) Draft HPP scopes of work presented at the 5/19/04 IHPAT and 5/20/04 KHPAT. 2) Final HPP scopes of work presented at the 7/14/04 IHPAT and 7/15/04 KHPAT.
U		CTS	NR	NR	INDOT/ KYTC/ INSHPO/ KHC		b	4	Prior to selection of contractors for preparation of HPPs and Treatment Plans	HPATs	December 2003	December 2003	None Established	HPPs - July 14-15, 2004 Rosewell Treatment Plan - December 8, 2005	None	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	1) CTS-GEC was selected as the contractor to prepare the HPPs at the 7/14/04 IHPAT and 7/15/04 KHPAT. 2) At the 12/8/05 KHPAT HWL was selected to prepare the Treatment Plan for Rosewell.
C		CTS	NR	All	INDOT/ KYTC/ INSHPO/ KHC		c	4	Prior to development of scopes of work for the section design consultants	HPATs	December 2003	December 2003	None Established	Sect. 1 & 4- September 14, 2004 Sect. 3&6 - October 27, 2004 Sect. 2&5 - July 21, 2005	None	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	1) KTA (SDC 1) and HWL (SDC 4) presented a scope overview at 9/14/04 KHPAT. 2) BFS (SDC 3) and IAP (SDC 6) presented a scope overview at 10/27/04 IHPAT. 3) MB (SDC 2) and PB (SDC 5) provided a joint scope overview at the 7/20/05 IHPAT and the 7/21/05 KHPAT.
U		CTS	R, GP	All	INDOT/ KYTC/ INSHPO/ KHC		d	4	Prior to the preliminary plan field check inspections (about 30%)	HPATs	Varies according to section	1) Section 1 - 9/22/05 2) Section 4 - 10/19/06 3) Section 4 (US 42 Ramp Relocation & Exploratory Tunnel) - 9/22/05	None Established	1) Section 1 - 9/22/05 2) Section 4 - 10/19/06 3) Section 4 (US 42 Ramp Relocation & Exploratory Tunnel) - 9/22/05	None	Plans to be presented to HPATs by SDCs. HPAT recommendation to be considered by BSHCT and elevated to BSMT for final decision.	1) KTA presented the Preliminary Line and Grade plans (approx. 30%) at KHPAT meeting of 9/22/05. 2) HWL presented Preliminary Line and Grade plans (approx. 30%) at KHPAT of 10/19/06. 3) HWL presented 30% plans for the US 42 ramp relocation and exploratory tunnel at the KHPAT of 9/22/05.
U		CTS	R, GP	All	INDOT/ KYTC/ INSHPO/ KHC		e	4	After preliminary plans are revised, to report on how comments were addressed (about 30%)	HPATs	Varies according to section	1) Section 1 - 10/25/05 2) Section 4 - 12/14/06	None Established	1) Section 1 - 10/25/05 2) Section 4 - 12/14/06	None	Plans to be presented to HPATs by SDCs. HPAT recommendation to be considered by BSHCT and elevated to BSMT for final decision.	1) KTA presented updated Preliminary Line and Grade plans (approx. 30%) at KHPAT meeting of 10/25/05. 2) HWL presented updated Preliminary Line and Grade plans (approx. 30%) at KHPAT of 12/14/06. 3) No revisions to US 42 ramp relocation and exploratory tunnel plans.
U		CTS	R, GP	All	INDOT/ KYTC/ INSHPO/ KHC		f	4	Prior to design approval (about 60%)	HPATs	Varies according to section	1) Section 1 - 3/29/07 2) Section 4 (US 42 Ramp Relocation & Exploratory Tunnel) - 2/16/06	None Established	1) Section 1 - 3/29/07 2) Section 4 (US 42 Ramp Relocation & Exploratory Tunnel) - 2/16/06	None	Plans to be presented to HPATs by SDCs. HPAT recommendation to be considered by BSHCT and elevated to BSMT for final decision.	1) KTA presented Joint Inspection Plans (approx. 60%) at special KHPAT of 3/29/07. 2) HWL presented 60% plans for the US 42 ramp relocation and exploratory tunnel at the KHPAT of 2/16/06.
U		CTS	R, GP	All	INDOT/ KYTC/ INSHPO/ KHC		g	4	Prior to the final plan inspections (about 90%)	HPATs	Varies according to section	1) Section 4 (US 42 Ramp Relocation & Exploratory Tunnel) - 4/27/06	None Established	1) Section 4 (US 42 Ramp Relocation & Exploratory Tunnel) - 4/27/06	None	Plans to be presented to HPATs by SDCs. HPAT recommendation to be considered by BSHCT and elevated to BSMT for final decision.	1) HWL presented 90% plans for the US 42 ramp relocation and exploratory tunnel at the KHPAT of 4/27/06.
NI		CTS	R, GP	All	INDOT/ KYTC/ INSHPO/ KHC		h	4	After final plans are completed, to report on how comments were addressed	HPATs	Varies according to section		None Established		None	Plans to be presented to HPATs by SDCs. HPAT recommendation to be considered by BSHCT and elevated to BSMT for final decision.	No revisions to US 42 ramp relocation & exploratory tunnel plans were necessary.
						B		4	Bi-State Historic Consultation Team								
D	INDOT/ INSHPO/ KYTC/ KHC	CTS	NR	NR	INDOT/ KYTC/ INSHPO/ KHC/FHWA		1	4	BSHCT shall consist of representatives of FHWA, INDOT, KYTC and the respective SHPOs	None Identified	December 2003	December 2003	Duration	Ongoing	None	INDOT, KYTC, KHC, INSHPO and FHWA to ensure appropriate representation on the BSHCT.	No modifications to the representation of the BSHCT occurred during the Reporting Period.
D	INDOT/ INSHPO/ KYTC/ KHC	CTS	NR	NR	INDOT/ KYTC/ INSHPO/ KHC		2	5	BSHCT will advise the Bi-State Management Team as to appropriate design & construction approaches so as to comply with the MOA	None Identified	December 2003	December 2003	Duration	Ongoing	None	Bi-monthly BSHCT meetings held to ensure proper implementation of process.	Items were carried forward by the BSHCT to the BSMT as needed.
D	INDOT/ KYTC	NR	NR	NR	INDOT/ KYTC/ INSHPO/ KHC		3	5	BSHCT may make final decisions as delegated by the Bi-State Management Team	None Identified	December 2003	December 2003	Duration	Ongoing	None	Bi-monthly BSHCT meetings held to ensure proper implementation of process.	Stipulation not implemented during the Reporting Period, but will be considered through the duration of the Project.

STIPULATION I - PROJECT COORDINATION (Cont.)																	
Status ¹	Taskmaster(s) & Lead					MOA Reference			Stakeholders & Commitment Description		Duration & Deadline				Product & Implementation		Remarks & Comments
	FHWA/ STA/ SHPO	GEC	Sub-consultant	SDC	Current Lead	Item	Sub Items	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	
D	INDOT/ INSHPO/ KYTC/ KHC	CTS	NR	NR	INDOT/ KYTC/ INSHPO/ KHC	4	5	5	BSHCT shall convene to consider recommendations provided by the HPATs and prepare recommendations to the BSMT	None Identified	December 2003	December 2023	Duration	Ongoing	None	Bi-monthly BSHCT meetings held to ensure proper implementation of process.	The BSHCT met three times during the Reporting Period: 07/15/06, 09/16/06 and 11/18/06. Recommendations were carried forward to the BSMT, as appropriate.
D	INDOT/ INSHPO/ KYTC/ KHC	CTS	NR	NR	INDOT/ INSHPO/ KHC	5	5	5	BSHCT to ensure comments & recommendations given full consideration in preparing its recommendations to the Bi-State Management Team	None Identified	December 2003	December 2023	Duration	Ongoing	None	Bi-monthly BSHCT meetings held to ensure proper implementation of process.	Condition has been met and will continue to be met the duration of the Project.
C																	
D	INDOT/ KYTC/ FHWA	NR	NR	NR	INDOT/ KYTC/ FHWA	1	5	5	Bi-State Management Team to consist of representatives of INDOT, the KYTC & FHWA who shall have authority for final approval of actions.	None Identified	December 2003	December 2023	Duration	Ongoing	None	INDOT, KYTC, and FHWA to ensure appropriate representation on the BSMT.	During the Reporting Period, Mr. Gary Valentine and Mr. Andy Barber were added to the BSMT as the KYTC representatives. Mr. Kevin Hetrick replaced Mr. Paul Boone as the BSMT representative from INDOT.
D	INDOT/ KYTC/ FHWA	NR	NR	NR	INDOT/ KYTC/ FHWA	2	5	5	Bi-State Management Team to ensure consultant services procured include professionals with the appropriate experience to implement provisions of MOA.	None Identified	December 2003	December 2023	Duration	Ongoing	None	Weekly meetings of the BSMT to be held to ensure work is carried out by qualified professionals.	Condition has been met and will continue to be met the duration of the Project.
D	INDOT/ KYTC/ FHWA	CTS	NR	NR	CTS	3	5	5	Bi-State Management Team to prepare progress reports as set forth in Stipulation IX.	None Identified	December 2003	December 2023	Duration	Ongoing	None	BSMT to ensure consultant prepares regular progress reports every six months. Reports to be reviewed by BSHCT and elevated to BSMT for approval.	Condition to be met the duration of the Project.
D	INDOT/ KYTC/ FHWA	CTS	NR	NR	INDOT/ KYTC/ FHWA	4	5	5	Bi-State Management Team to give full consideration to recommendations of BSHCT for incorporation into final plans.	None Identified	December 2003	December 2023	Duration	Ongoing	None	Weekly meetings of the BSMT to be held to consider the recommendations of the BSHCT.	Condition has been met and will continue to be met the duration of the Project.
D																	
C	INDOT/ KYTC	CTS	NR	NR	INDOT/ KYTC	1	5	5	Bi-State Management Team to ensure retention of two Ombudsmen	None Identified	December 2003	December 2023	Duration	KY - November 1, 2004 IN - January 1, 2007	None	INDOT and KYTC to interview qualified candidates and make the appropriate selection.	1) KY Ombudsman - Mr. Lee Walker was selected and began work on 11/1/04. 2) IN Ombudsman - On 1/2/07, Mr. Carl Peary began work.
D	INDOT/ KYTC	CTS	NR	NR	INDOT/ KYTC	2	5	5	Ombudsmen should have demonstrated communication & conflict resolution skills, as well as a working knowledge of historic preservation practices as related to the goals of the Project.	None Identified	December 2003	December 2023	Duration	Ongoing	None	INDOT and KYTC to ensure the selected individuals have the appropriate qualifications.	The Ombudsmen have undergone training to satisfy this stipulation.
D	INDOT/ KYTC	CTS	NR	NR	INDOT/ KYTC	3	5	5	Ombudsmen will be responsible for communicating with the public and investigating reported problems on all aspects of the Project. Will report to the Bi-State Management Team.	None Identified	December 2003	December 2023	Duration	Ongoing	None	Ombudsmen will be involved with meetings of the HPATs and BSHCT to stay current with historic aspects of the Project. Ombudsmen will have regular office hours to facilitate public concerns.	The Ombudsmen continued to communicate with the public and investigate potential problems.
C	INDOT/ KYTC	CTS	NR	NR	INDOT/ KYTC	4	5	5	Ombudsmen will be located in an office(s) within or close to the Project area.	None Identified	December 2003	December 2023	Duration	KY - November 2004 IN - January 2007	None	INDOT and KYTC to ensure Ombudsmen located within or close to Project area.	Mr. Walker's office is located adjacent to the CTS-GEC office, which is in close proximity to the Project area. Mr. Peary's office is located in the Quartermaster Depot in Jeffersonville, which is in the Project area.
C	INDOT/ KYTC	CTS	NR	NR	INDOT/ KYTC	5	5	5	Reasonable efforts will be made to locate the offices of the ombudsmen in historic properties.	None Identified	December 2003	December 2023	Duration	KY - November 2004 IN - Pending selection	None	INDOT and KYTC to evaluate reasonableness of locating Ombudsmen in historic properties. Decision will be based upon public accessibility from the Downtown and East End Sections.	Reasonable efforts were made to locate the KY Ombudsman in a historic property. The office of the IN Ombudsman is located in the historic Quartermaster Depot in Jeffersonville, Indiana.
D	FHWA/ INDOT/ KYTC	CTS	NR	NR	INDOT/ KYTC	6	5	5	Roles & responsibilities of the Ombudsmen to be further defined in the management plan of the Project.	None Identified	December 2003	December 2023	Duration	August 2006 (Update)	None	INDOT and KYTC to ensure roles and responsibilities defined in Management Plan	Project Management Plan Updated August, 2006.

KEY:

1 - Status				
C - Completed	U - Underway	D - Duration of Project	NR - Not Required	NI - Not Yet Initiated

2 - Taskmasters				
STAs	INDOT - Indiana Department of Transportation		KYTC - Kentucky Transportation Cabinet	
Federal Agency	FHWA - Federal Highway Administration			
SHPOs	INSHPO - Indiana State Historic Preservation Office		KHC - Kentucky Heritage Council	
GEC	R - Ratio Architects	CTS - Community Transportation Solutions	A - ASC Group	GP - Gray and Pape
KY SDCs	L - HW Lochner	KTA - Kentucky Transportation Associates		
IN SDCs	BFS - Butler, Fairman and Seufert		IAP - Indiana Approach Partners	
SDCs 2 & 5	PB - Parson Brinkerhoff	MB - Michael Baker		
	NR - Not Required			

STIPULATION II - PROJECT DEVELOPMENT																	
Status ¹	Taskmaster(s) & Lead					MOA Reference			Stakeholders & Commitment Description			Duration & Deadline			Product & Implementation		
	FHWA/STA/SHPD	GEC	Sub-consultant	SDC	Current Lead	Item	Sub Items	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	Remarks & Comments
D		CTS	R, GP	All	CTS	A		6	Project goal is to avoid adverse effects to the environment and historic properties to the maximum extent possible.	HPATs, AATs, RAC, General Public	December 2003	December 2023	Duration	Ongoing		Continued coordination with HPATs, AATs, RAC and SDCs.	Ongoing
D		CTS	R, GP	All	INDOT/KYTC	B		6	Informational meetings convened by respective STAs for public views	City of Jeffersonville, Clark County Commissioners, Metro Government and General Public	December 2003	December 2023	None established	Ongoing		Public to be engaged at the discretion of the BSMT	An AAT meeting was convened for Section 2 on 03/27/08. Two Open Houses were held for Section 2 on 04/22/08 and 04/24/08.
D		CTS	R, GP	All	CTS/SDCs	C		7	The roadway, bridges, and other Project elements shall be designed and constructed with sensitivity to aesthetic values, historic cultural landscapes and the historic context.	HPATs	September 2004	December 2012	None established	Ongoing		HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	HPATs provided recommendations on design elements of Section 2 (Downtown Bridge) and Section 5 (East End Bridge). At the 06/19/08 HPAT members were asked to provide input on design elements for the Downtown Bridge.
D		CTS	R, GP	All	CTS/SDCs	D		7	Roadway lighting within the viewshed of historic properties & navigational lighting designed and constructed to minimize dispersion of light beyond highway right-of-way and include state-of-the-art techniques and systems.	HPATs	September 2004	December 2012	None established	Ongoing		HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Lighting proposals in Sections 1 and 5 were presented to the HPATs on 04/14/08.
D		CTS	R, GP	All	CTS/SDCs	E		7	Design Project so as to minimize adverse noise effects on historic properties in accordance with state and federal noise regulations, policies, and guidance, including special consideration of enhanced noise abatement measures for historic properties.	HPATs	September 2004	December 2012	None established	Ongoing		HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	1) In Section 1, barriers still being considered adjacent to the Clifton Neighborhood. 2) Noise Barrier Analysis prepared for Section 4 approved by BSMT on 12/8/08. Community meetings to be held during the ensuing period.
						F		7	HPPs prepared for historic properties and districts	HPATs	July 2004	May 2009	Prior to Preliminary Field Check Plans		HPP	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	To be established for site specific properties indicated in Stipulation III.
U		CTS	R, GP	NR	CTS		1	8	HPPs to meet the following provisions	HPATs	July 2004	May 2009	None established			HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	
C		CTS	R, GP	NR	CTS/INDOT/KYTC/KHC/INSHPO		a	8	Scopes of Work to be developed in consultation with the respective HPATs.	HPATs	March 2004	July 2004	None established	July 2004		HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	See Stipulation I.A.9.a update
U		CTS	R, GP	NR	CTS		b	8	To be developed in consultation with owners of historic properties and/or related neighborhoods.	HPATs	July 2004	May 2009				HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Condition considered throughout development of the HPP. Several meetings have occurred with stakeholders of historic properties where HPPs are being developed.
U		CTS	R, GP	NR	CTS		c	8	Consent to be obtained prior to entry on privately owned property.	HPATs	July 2004	May 2009				HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Obtained as needed

STIPULATION II - PROJECT DEVELOPMENT (Cont.)

Status ¹	Taskmaster(s) & Lead					MOA Reference			Stakeholders & Commitment Description		Duration & Deadline				Product & Implementation		Remarks & Comments
	FHWA/ STA/ SHPO	GEC	Sub-consultant	SDC	Current Lead	Item	Sub Items	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	
U		CTS	R, GP	NR	CTS		d	8	To consider and build upon existing studies and plans.	HPATs, City of Jeffersonville, Clark County Commissioners and Metro Government	July 2004	May 2009				HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Condition considered throughout development of the HPP.
U		CTS	R, GP	NR	CTS		e	8	Be developed in cooperation with the appropriate local government and approved by the respective SHPO.	HPATs, City of Jeffersonville, Clark County Commissioners and Metro Government	July 2004	May 2009				HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Condition considered throughout development of the HPP. Louisville Metro Government & City of Jeffersonville have been involved in the development of the respective HPPs.
U		CTS	R, GP	NR	CTS		f	8	To recognize the unique character, context, and historic significance of each resource/area. Identify ways to protect and enhance the historic qualities.	HPATs	July 2004	May 2009				HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Condition considered throughout development of the HPP.
U		CTS	R, GP	NR	CTS		g	8	To consider land use, transportation patterns & other urban/suburban planning issues	HPATs, City of Jeffersonville, Clark County Commissioners and Metro Government	July 2004	May 2009				HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Condition considered throughout development of the HPP.
NI		CTS	R, GP	NR	CTS		h	8	Present to relevant city/county governments & KIPDA for incorporation into local land use planning processes.	HPATs, City of Jeffersonville, Clark County Commissioners and Metro Government	July 2004	May 2009				HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	HPPs have not yet been presented to the identified agencies. Phoenix Hill HPP to be presented along with Butchertown HPP, once approved.
U		CTS	R, GP	NR	CTS		2	8	HPPs to be prepared for the following properties:				Prior to Preliminary Field Check Plans		HPP	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	
U		CTS	R, GP	NR	CTS		a	8	Old Jeffersonville Historic District	IHPAT	March 2006	May 2009		Prior to Preliminary Field Check Plans	HPP	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Final HPP presented to FHWA on 05/16/08 for approval.
NI		CTS	R, GP	NR	CTS		b	8	Township of Utica Historic Lime Industry	IHPAT, Lime Kiln Owners	May 2006	May 2009		Prior to Preliminary Field Check Plans	HPP	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	HPP activities have been initiated in coordination with the property owner and the IHPAT.
U		CTS	R, GP	NR	CTS		c	8	Swartz Farm Rural Historic District	IHPAT, Swartz Farm and Swartz-Voight-Marble House Owners	January 2006	Unknown		Prior to Preliminary Field Check Plans	HPP	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Due to the property owner's decision to demolish the Swartz Farmhouse, the HPP activity has been suspended and an amendment to the MOA is in development.
NR		CTS	R, GP	NR	CTS		d	8	James Smith Rural Historic Farmstead	IHPAT	October 2005	August 2006		Prior to Preliminary Field Check Plans	HPP	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Owners elected to not donate the portion of the property determined eligible for the NRHP by not responding by the established deadline: June 14, 2006.
U		CTS	R, GP	NR	CTS		e	8	Butchertown Historic District	KHPAT, Butchertown Business Association	November 2004	May 2009		Prior to Preliminary Field Check Plans	HPP	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	The Final HPP is pending completion of dispute resolution.
C		CTS	R, GP	NR	CTS		f	8	Phoenix Hill Historic District	KHPAT, Phoenix Hill Neighborhood Association	November 2004	April 2007		Prior to Preliminary Field Check Plans	HPP	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Final HPP approved by the BSMT on 4/25/07 and distributed to the KHPAT on 5/1/07.
U		CTS	R, GP	NR	CTS		g	8	Country Estates of River Road/ River Road Corridor	KHPAT	April 2005	May 2009		Prior to Preliminary Field Check Plans	HPP	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Continued development of the HPP is pending FHWA review.
							G	9	Survey Updates				Within five years following ROD		Revised Clark County Interim Report and Jefferson County Inventory	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	
U	INDOT	NR	NR	NR	INSHPO/INDOT		1	9	Clark County Interim Report and Indiana Historic Sites and Structures Inventory of Clark County	Clark County Commissioners and INSHPO	April 2009	November 2010	September 6, 2008		Revised Clark County Interim Report	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	The INSHPO is to complete the update to the Interim Report. The INSHPO is in the process of developing a scope of work and schedule.

STIPULATION II - PROJECT DEVELOPMENT (Cont.)																	
Status ¹	Taskmaster(s) & Lead					MOA Reference			Stakeholders & Commitment Description		Duration & Deadline			Product & Implementation		Remarks & Comments	
	FHW/ STA/ SHPO	GEC	Sub-consultant	SDC	Current Lead	Item	Sub Items	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product		Implementation Plan
NI	KYTC	NR	NR	NR	CTS		2	9	The Jefferson County Inventory and Survey of Historic Sites in Kentucky	Metro Government and KHC	October 2008	January 2010	September 6, 2008		Revised Jefferson County Inventory	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	During the Reporting Period the Metro Government finalized the scope of work and initiated work to update the Jefferson County Inventory.
U		CTS	NR	BFS, IAP, KTA & HWL	INDOT/ KYTC	H		9	Historic Preservation Easements to be placed on properties identified in Stipulation III in perpetuity	INSHPO and KHC	January 2009	January 2011	None established		Preservation Easement	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	To be established for site specific properties indicated in Stipulation III.
U	INDOT	CTS	R, GP	NR	INDOT/ CTS	I		4	Preparation of NRHP documentation and nomination of properties identified in Stipulation III.	INSHPO	April 2006	November 2009	Within first three years following the ROD (September 2006)		Completed NRHP Form	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Refer to Stipulation III.A.4, III.B.1, III.C.1, III.H.8, III.I.4 and III.I.9.d.
U		CTS	R, GP	All	KTA/ INDOT	J		10	Streetscape improvements to be designed in consultation with the respective SHPOs and occur within the public right-of-way. Obtain right-of-way title holder approval prior to use.	HPATs	March 2008	March 2012	None established			HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	To be established for site specific properties indicated in Stipulation III.
U		CTS	R, GP	All	INDOT/ KTA/ L / IAP	K		10	Interpretative signage to be placed within the right-of-way of public streets or on easements to explain significance of the historic properties. Obtain right-of-way title holder approval prior to use.	HPATs	March 2008	March 2012	None established			HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	To be established for site specific properties indicated in Stipulation III.
//																	
U		CTS	NR	All	CTS	L	1	10	Blasting & Vibration	Owners of properties identified in MOA for blasting and vibration plans.	January 2006	December 2016	Prior to construction	US 42 Ramp Reloc - May 2006		Coordination with SDCs, STAs, INSHPO, KHC and HPATs.	No blasting or vibration activities occurred during the period that required implementation of this stipulation.
U				All	SDCs / CTS		2	10	Plans to be coordinated with the contract documents, special provisions and notes included in the construction plans.	HPATs	January 2006	December 2016		US 42 Ramp Reloc - May 2006		Coordination with SDCs, STAs, INSHPO, KHC and HPATs.	No blasting or vibration activities occurred during the period that required implementation of this stipulation.
U		CTS	NR	NR	INDOT/ KYTC/ FHWA		3	10	BSMT to determine whether damage has occurred as a result of Project activities.	Owners of properties identified in MOA for blasting and vibration plans.	January 2006	December 2023	As needed	US 42 Ramp Reloc - April 2007		Coordination with SDCs, STAs, INSHPO, KHC and HPATs.	No claims of blasting / vibration damage to historic properties occurred during the Reporting Period.
NI		CTS	NR	NR	INDOT/ KYTC		4	11	INDOT/KYTC shall be responsible for repair of any blast and vibration damage to historic properties. Repairs to be carried out in accordance with the Secretary's Standards.	Owners of properties identified in MOA for blasting and vibration plans.	January 2006	December 2023	Prior to entry			Coordination with SDCs, STAs, INSHPO, KHC and HPATs.	Refer to Stipulation II.L.3 above.
U		CTS	NR	All	INDOT/ KYTC		5	11	Obtain consent for entry of privately owned property to access monitoring equipment or damage repair.	Owners of properties identified in MOA for blasting and vibration plans.	January 2006	December 2023	Prior to entry			Coordination with SDCs, STAs, INSHPO, KHC and HPATs.	No blasting or vibration activities occurred during the period that required implementation of this stipulation.
U		CTS	NR	All	SDCs	M		11	Include in the Project contracts provisions that limit construction activities and construction noise during specific periods of time.	HPATs	January 2006	December 2016	None established	US 42 Ramp Reloc - May 2006		Coordination with SDCs, STAs, INSHPO, KHC and HPATs.	None required this Reporting Period
U		CTS	NR	All	SDCs	N		11	Establish no-work zones on construction plans within the NRHP boundaries of properties identified in Stipulation III.	HPATs	January 2006	December 2012	None established	US 42 Ramp Reloc - May 2006		Coordination with SDCs, STAs, INSHPO, KHC and HPATs.	None required this Reporting Period
C		CTS	NR	NR	CTS	O		11	Sponsor a Smart Growth Conference for the Louisville - Southern Indiana region to inform local governments about the opportunities of smart growth.	City of Jeffersonville, Clark County Commissioners, Metro Government and General Public	June 2005	September 2006	September 2006		Complete		Work activity is complete.
//																	
						P		12	Education & Interpretation								

STIPULATION II - PROJECT DEVELOPMENT (Cont.)

Status ¹	Taskmaster(s) & Lead					MOA Reference			Stakeholders & Commitment Description		Duration & Deadline				Product & Implementation		Remarks & Comments
	FHWA/ STA/ SHPO	GEC	Sub-consultant	SDC	Current Lead	Item	Sub Items	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	
U	FHWA / INSHPO / KHC	NR	NR	NR	FHWA		1	12	Ensure that sensitive information about the location and nature of archaeological resources identified in the APE are not disclosed.	INSHPO and KHC	December 2003	December 2023	None established			Coordination with INSHPO, KHC and STAs to ensure sensitivity.	Condition to be met the duration of the Project.
NI		CTS	R, A, GP	NR	CTS		2	12	Develop a Popular Report, in plain English intended for general public, describing history, historic properties and archaeological resources identified in the APE. Draft copy to be provided to parties for 30-day review; comments to be considered in final report.	HPATs and Native American Tribes	June 2008	June 2010	None established			Consult with the BSHCT, HPATs and Native American Tribes to develop report. HPAT recommendations considered by BSHCT and elevated to BSMT for approval. Copies distributed to SHPOs, stakeholders, libraries and museums in Broad APE.	Work activity has not been initiated
C		CTS	R, GP	NR	CTS		3	12	Develop an exhibit for display in the museum to be established at the Trolley Barn. Exhibit to showcase local history and the historic properties identified during the Project within a regional context and educate visitors about the Federal regulatory process.	HPATs, ACHP and Native American Tribes	February 2004	September 2004	Every effort to have exhibit completed for presentation at the National Trust for Historic Preservation Conference held in Louisville in 2004.	September 2004	Trolley Barn Exhibit	Complete	Exhibit displayed at the National Trust for Historic Preservation Annual Conference held in September/October 2004. Final exhibit to be placed in Trolley Barn upon its rehabilitation.
C		CTS	NR	NR	CTS		a	12	Exhibit is to be prepared by a professional in the development of museum exhibits.	HPATs, ACHP and Native American Tribes	February 2004	September 2004		September 2004		Complete	Exhibit prepared by professionals with concurrence of the BSHCT.
C		CTS	R, GP	NR	CTS		b	12	During preparation parties will have opportunities to review and provide comments on the proposed exhibit.	HPATs, ACHP and Native American Tribes	February 2004	September 2004		September 2004		Complete	HPATs were provided an opportunity to comment on Draft exhibit.

KEY:

1 - Status	U - Underway	D - Duration of Project	NR - Not Required	NI - Not Yet Initiated
2 - Taskmasters	INDOT - Indiana Department of Transportation	FHWA - Federal Highway Administration	INSHPO - Indiana State Historic Preservation Office	KYTC - Kentucky Transportation Cabinet
SHPOs	R - Ratio Architects	CTS - Community Transportation Solutions	KHC - Kentucky Heritage Council	A - ASC Group
DEC	L - HW Lochner	KTA - Kentucky Transportation Associates		GP - Gray and Pape
KY SDCs	BFS - Butler, Fairman and Seufert	IAP - Indiana Approach Partners		
IN SDCs	PB - Parson Brinkerhoff	MB - Michael Baker		
SDCs 2 & 5	NR - Not Required			

STIPULATION III - SITE SPECIFIC MITIGATION																	
Status ¹	Taskmaster(s) & Lead					MOA Reference		Stakeholders & Commitment Description		Duration & Deadline			Product & Implementation				
	FHWA/ STA/ SHPO	GEC	Sub-consultant	SDC	Current Lead	Item	Sub Items	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	Remarks & Comments
						A		13	Train Depot								
NI		CTS	R	BFS	INDOT		1	13	Streetscape improvements	City of Jeffersonville and IHPAT	January 2010	January 2011	None Established		SDC 3 to develop plan and coordinate with IHPAT and general public.	Work activity has not been initiated	
C	INDOT	NR	NR	NR	INDOT		2	13	Good faith effort to be made in acquiring site at fair market value from a willing seller.	INSHPO, IHPAT	June 2005	December 2005	None Established	December 2005	Complete	INDOT is in possession of the Train Depot.	
NI	INDOT	CTS	NR	BFS	INDOT		a	13	Make available during the construction period to house personnel assigned to the Project & the Indiana Ombudsman.	None Identified	January 2010	December 2013	None Established		SDC 3 to develop rehabilitation plan and coordinate with IHPAT and general public.	Work activity has not been initiated	
NI	INDOT	CTS	NR	BFS	INDOT		b	13	Any work to rehabilitate to be done in accordance with the Secretary of Interior Standards.	INSHPO, IHPAT	January 2010	January 2012	None Established		Construction to occur in accordance with the Secretary of Interior Standards.	Rehabilitation to occur as part of the SDC 3 contract, which is presently pending.	
NI	INDOT	CTS	NR	BFS	INDOT		c	13	Place preservation easement on property & sell at fair market value or donate to a local government.	INSHPO and IHPAT	January 2012	January 2013	None Established		Preservation Easement	INDOT to place preservation easement on property & sell at fair market value or donate to a local government.	Development of an easement to be completed as part of the SDC 3 contract, which is presently pending.
NR		NR	NR	NR	INDOT		3	13	If unable to acquire, implement alternative mitigation measures.	None Identified	N/A	N/A	None Established	N/A	N/A	N/A	The implementation of this alternative is not necessary as INDOT has successfully acquired the property.
C	INDOT	NR	NR	BFS	INDOT		4	13	Document and seek NRHP nomination.	INSHPO	December 2005	September 2006	September 2006	March 29, 2007	Completed NRHP Nomination Form	Complete	The Train Depot was listed in the NRHP on 3/29/07.
NI		CTS	R	BFS	INDOT		5	13	Develop and place interpretative signage.	INSHPO, IHPAT and City of Jeffersonville	March 2010	March 2012	None Established		SDC will develop signage plan as part of the construction documents.	Development of interpretative signage to be completed as part of the SDC 3 contract, which is presently pending.	
						B		13	Colgate-Palmolive Historic District								
C	INDOT	NR	NR	NR	INDOT		1	13	Document and seek NRHP nomination.	INSHPO, IHPAT and town of Clarksville	March 2010	March 2012	September 2006	March 8, 2007	Completed NRHP Nomination Form	Complete	Archival documentation prepared by INDOT deemed appropriate by INSHPO to satisfy stipulation on 3/8/07.
NI		CTS	R	BFS	INDOT		2	14	Develop and place interpretative signage.	INSHPO, IHPAT and town of Clarksville	March 2010	March 2012			SDC will develop signage plan as part of the construction documents.	Development of interpretative signage to be completed as part of the SDC 3 contract, which is presently pending.	
						C		14	Ohio Falls Car and Locomotive Company Historic District								
U		CTS	R	NR	CTS		1	14	Document and seek NRHP nomination.	INSHPO, IHPAT and town Clarksville	July 2007	April 2009	September 2006		Completed NRHP Nomination Form	CTS-GEC to develop NRHP Nomination for review and approval for listing by the INSHPO and the Keeper of the Register.	NRHP Nomination Form prepared and submitted to the INSHPO. The Nomination passed the technical review on 6/18/08 and is pending substantive review in the ensuing period.
NI		CTS	R	BFS	INDOT		2	14	Develop and place interpretative signage.	INSHPO, IHPAT and town of Clarksville	March 2010	March 2012	None Established		SDC will develop signage plan as part of the construction documents.	Development of interpretative signage to be completed as part of the SDC 3 contract, which is presently pending.	
NI		CTS	R	BFS	INDOT		3	14	Develop and implement a blasting/vibration plan as set forth in Stipulation II.L.	INSHPO, IHPAT and town of Clarksville	March 2012	December 2013	Complete prior to initiation of construction		Blasting/Vibration Plan to be included in the Final Construction Documents	Coordination with SDCs, STAs, INSHPO, KHC and HPATs.	Work activity has not been initiated
						D		14	George Rogers Clark Memorial Bridge								
NI	INDOT	CTS	R	BFS	INDOT		1	14	Avoid displacement of the historic bridge pylons on the IN approach to the bridge.	IHPAT and City of Jeffersonville	January 2010	January 2012	None Established		Avoid displacement of the historic bridge pylons on the IN approach to the bridge.	Work activity has not been initiated	
NI		CTS	NR	BFS	INDOT		2	14	If displacement cannot be avoided, develop and implement a Treatment Plan to minimize damage to the original contributing elements.	IHPAT and City of Jeffersonville	January 2012	January 2014	None Established		If displacement cannot be avoided, develop and implement a Treatment Plan to minimize damage to the original contributing elements.	Work activity has not been initiated	
NI		CTS	NR	BFS	INDOT		3	15	Relocate pylons in a way to ensure protection of the NRHP designation.	IHPAT and City of Jeffersonville	January 2014	January 2013	None Established		Relocate pylons in a way to ensure protection of the NRHP designation.	Work activity has not been initiated	
						E		15	Old Jeffersonville Historic District								
U		CTS	R	NR	CTS		1	15	Develop a HPP	City of Jeffersonville, INSHPO and IHPAT	March 2006	November 2008	Prior to Preliminary Field Check Plans		HPP	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	HPP undergoing FHWA review prior to final approval, which should occur in the next period.

STIPULATION III - SITE SPECIFIC MITIGATION (Cont.)																	
Status	Taskmaster(s) & Lead					MOA Reference			Stakeholders & Commitment Description		Duration & Deadline				Product & Implementation		Remarks & Comments
	FHWA/ STA/ SHPO	GEC	Sub-consultant	SDC	Current Lead	Item	Sub Items	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	
NI	INDOT	CTS	R	NR	CTS	2		15	Present HPP to the City of Jeffersonville for potential use as a component of the City's Comprehensive Plan.	City of Jeffersonville	November 2007	January 2009	None Established			Upon approval by the BSMT, HPP to be presented to City of Jeffersonville for consideration and adoption.	The City of Jeffersonville has been and will continue to be involved in the development of this HPP. Once completed it will be presented to the City.
NI		CTS	R	BFS	INDOT	3		15	Design and construct streetscape improvements within the HD between Spring Street and the Project.	City of Jeffersonville and IHPAT	January 2010	January 2012	None Established		Streetscape Plan for improvements to the designated areas	SDC 3 to develop plan and coordinate with IHPAT and general public.	Awaiting issuance of design contract to Section 3.
U		CTS	R	BFS	INDOT	4		15	Design and construct pedestrian friendly facilities within IN ROW under the new bridge and existing I-65 bridge.	City of Jeffersonville	January 2010	December 2023	None Established			Coordination with City of Jeffersonville and the Indiana Greenway Commission, if required.	The Ohio River Greenway in the Project area was recently completed by the City of Jeffersonville. Project will include these improvements where appropriate.
U		CTS	R	MB	MB	5		15	Minimize spacing between the existing bridge and the proposed downtown bridge consistent with prudent engineering principles.	City of Jeffersonville and IHPAT	September 2007	January 2010	None Established			SDC 2 to coordinate with the IHPAT and City of Jeffersonville during the design process to ensure distance between the two bridges is minimized.	To be evaluated further in future advancement of the bridge design.
NI		CTS	R	BFS	INDOT	6		15	Develop and implement highway signage plan that minimizes the number of overhead directional signs on the approaches.	City of Jeffersonville and IHPAT	January 2010	January 2011	None Established			Signage plan to be presented to IHPAT during development of the design. IHPAT recommendation to be considered by BSHCT and elevated to BSMT for approval.	Awaiting issuance of design contract to Section 3.
NI		CTS	R	BFS	CTS	7		15	Relocate five contributing structures (115 Fort St., 116 Fort St., 502 W. Market St., 432 W. Riverside Dr. and 502 W. Riverside Dr.) that would otherwise be demolished by the Project.	City of Jeffersonville and IHPAT	May 2007	December 2023	None Established			HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Site inspections occurred with moving companies in January / February 2008 to determine feasibility of relocating. Additional work to initiate the relocation process is anticipated to begin during the right-of-way acquisition phase.
NI	INDOT	CTS	R	BFS	CTS	a	16	Make a reasonable effort to purchase vacant lots within the district from a willing seller at fair market value. House to be moved & placed on new foundations in accordance with approaches recommended in Moving Historic Buildings. Relocated houses to be sold at fair market value.	INSHPO	January 2011	January 2012	During the Acquisition Phase				HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Work activity has not been initiated
NI	INDOT	CTS	NR	BFS	INDOT	b	16	Place preservation easement on relocated houses.	INSHPO and IHPAT	January 2011	January 2012	None Established		Preservation Easement	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Work activity has not been initiated	
NI	INDOT	NR	NR	NR	INDOT	c	16	Stipulate through a covenant the purchaser must occupy house for five years and maintain in accordance with preservation standards.	INSHPO and City of Jeffersonville	January 2011	January 2012	None Established			INDOT to coordinate with INSHPO to establish covenant language. Once agreed upon, covenant with City of Jeffersonville.	Work activity has not been initiated	
NI	INDOT	CTS	R	NR	INDOT	8		16	If unable to obtain suitable property within the district, prepare & implement a marketing plan for relocation by others at a nominal fee.	INSHPO	January 2011	January 2012	None Established		Marketing Plan	If necessary, plan to be developed in consultation with INSHPO.	Need to invoke stipulation not yet determined.
NI	INDOT	CTS	NR	BFS	INDOT	a	16	Plan to include information about the buildings.	continued	continued	continued	continued	continued	continued	continued	continued	Work activity has not been initiated
NI	INDOT	CTS	NR	BFS	INDOT	b	16	Upon INSHPO's agreement, INDOT to implement for a minimum of six months.	continued	continued	continued	continued	continued	continued	continued	continued	Work activity has not been initiated
NI	INDOT/ INSHPO	NR	NR	NR	INDOT	c	16	INDOT to review with INSHPO all offers prior to acceptance.	continued	continued	continued	continued	continued	continued	continued	continued	Work activity has not been initiated
NI	INDOT	CTS	R	NR	INDOT	9		16	If no acceptable offer made that conforms to the requirements for rehabilitation & maintenance, may donate property to a local government	INSHPO and IHPAT	January 2011	January 2012	None Established			If no acceptable offer made that conforms to the requirements for rehabilitation & maintenance, may donate property to a local government.	Implementation of activity not yet warranted
NI		CTS	R	BFS	INDOT	10		16	Design and construct roadway lighting in the viewshed of district as set forth in Stipulation II.D.	IHPAT	January 2010	January 2012	None Established			HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Awaiting issuance of design contract to Section 3.
NI		CTS	R	BFS	INDOT	11		16	Implement noise abatement measures as set forth in Stipulation II.E.	IHPAT	January 2010	January 2012	None Established			HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Awaiting issuance of design contract to Section 3.
NI	INDOT	CTS	R	BFS	INDOT	12		16	Timing of construction activities shall be scheduled to limit construction activities which may result in additional impacts to the district.	IHPAT	January 2011	January 2012	None Established			Provision to be included in the construction specs for the contractor	Awaiting issuance of design contract to Section 3.

STIPULATION III - SITE SPECIFIC MITIGATION (Cont.)																	
Status ¹	Taskmaster(s) & Lead						MOA Reference		Stakeholders & Commitment Description		Duration & Deadline			Product & Implementation			
	FHWA/STA/SHPO	GEC	Sub-consultant	SDC	Current Lead	INDOT	Item	Sub Items	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan
NI		CTS	R	BFS	INDOT		13	17	Develop and implement a blasting/vibration plan as set forth in Stipulation II.L.	INSHPO, IHPAT and City of Jeffersonville	January 2012	December 2016	Complete prior to initiation of construction		Blasting/Vibration Plan to be included in the Final Construction Documents	Coordination with SDCs, STAs, INSHPO, KHC and HPATs.	Awaiting issuance of design contract to Section 5.
						F		17	INAAAP Igloo Storage Historic District								
NI		CTS	R	IAP	INDOT		1	17	Develop and implement a blasting/vibration plan as set forth in Stipulation II.L. Plan to include provisions for blast monitoring & repair if the Department of the Army grants access.	INSHPO, IHPAT, Clark County Commissioners and the Department of the Army	January 2012	December 2016	Complete prior to initiation of construction		Blasting/Vibration Plan to be included in the Final Construction Documents	Coordination with SDCs, STAs, INSHPO, KHC and HPATs.	Work activity has not been initiated
						G		17	Lentz Cemetery								
NI		CTS	R	IAP	INDOT		1	17	Develop and implement a blasting/vibration plan as set forth in Stipulation II.L.	INSHPO, IHPAT, Clark County Commissioners and town of Utica	January 2012	December 2016	Complete prior to initiation of construction		Blasting/Vibration Plan to be included in the Final Construction Documents	Coordination with SDCs, STAs, INSHPO, KHC and HPATs.	Work activity has not been initiated
NI		CTS	R	IAP	INDOT		2	17	Design the section of roadway adjacent to the cemetery to minimize noise to the property and complement the refinement with landscaping within the public right-of-way.	INSHPO and IHPAT	January 2008	January 2010	None Established			HPAT recommendations to be considered by BSMT and elevated to BSMT for final decision.	Work activity has not been initiated
						H		17	Lime Kilns within the Utica Lime Industry Multiple Property Listing								
NI		CTS	R, GP	NR	CTS		1	17	Develop a HPP to include a Context Study focusing on the development of the lime industry. Develop and publish a pamphlet for public distribution presenting the results of the lime industry	Town of Utica, Clark County, INSHPO and IHPAT	May 2008	May 2009	Prior to Preliminary Field Check Plans		HPP & Lime Kiln Pamphlet	HPAT recommendations to be considered by BSMT and elevated to BSMT for final decision.	HPP kickoff meeting was held on 9/16/08. Draft A of the HPP was presented to the IHPAT on 12/17/08.
NI		CTS	R	NR	INDOT		2	17	Prepare a condition report of the resources, which includes photographs, to establish a baseline condition.	INSHPO	May 2009	December 2009	Prior to initiating construction activities within 1,000 feet of the lime kilns			Prior to construction, INDOT would assess condition of kilns and document. Documentation to be developed in coordination with the INSHPO.	Initiation of activity anticipated to commence in the ensuing period.
NI		CTS	R	IAP	INDOT		3	18	Develop and implement a blasting/vibration plan as set forth in Stipulation II.L. To be developed for kilns identified as IE-HC-48002, IE-HC-48003 and IE-HC-48004.	INSHPO and IHPAT	January 2012	December 2016	Complete prior to initiation of construction		Blasting/Vibration Plan to be included in the Final Construction Documents	Coordination with SDCs, STAs, INSHPO, KHC and HPATs.	Work activity has not been initiated
NI		CTS	R	IAP	INDOT		4	18	Delineate a "no-work zone" around the three lime kilns, noted above, which is to extend 100 feet from the kilns.	IHPAT	January 2008	January 2010	None Established			Coordination with SDCs, STAs, INSHPO, KHC and HPATs.	Work activity has not been initiated
NI	INDOT	CTS	R	NR	INDOT		5	18	Repair any damage caused by the Project to the lime kilns	owners of Lime Kilns, INSHPO, and IHPAT	December 2016	December 2023	None Established			Upon completion of construction, INDOT will evaluate the condition of the kilns and repair, as appropriate.	No damages have occurred as a result of the Project
NI	INDOT	NR	NR	NR	INDOT		6	18	Acquire Lime Kiln IE-HC-48004; place a preservation easement on the property and sell it to a preservation organization or donate it to a local government	INSHPO and IHPAT	January 2010	January 2011	During the Right-of-Way Phase			Lime kiln to be acquired during the right-of-way phase.	Work activity has not been initiated
NI		CTS	R	IAP	INDOT		7	18	Develop and design an interpretive marker along Utica Pike describing the importance of the lime industry & significance of the kilns.	INSHPO, IHPAT and town of Utica	January 2009	January 2010	None Established		Interpretive Marker	SDC will develop interpretive marker as part of the construction documents. Content of the marker to be coordinated with the IHPAT and INSHPO.	Work activity has not been initiated
NI		CTS	GP	IAP	CTS		8	18	Document and seek NRHP nomination	INSHPO, IHPAT and town of Utica	July 2008	January 2010	September 2008		Completed NRHP Nomination Form	CTS-GEC to develop NRHP Nomination for review and approval for listing by the INSHPO and the Keeper of the Register.	Access to property was received from the owner on 6/18/08. Initiation of activity anticipated to commence in the ensuing period.
						I		18	Swartz Farm Rural Historic District								
U		CTS	R	NR	CTS		1	18	Develop thematic context study for agriculture in Clark County, Indiana and surrounding counties to assist in future nominations in the region.	Clark County Commissioners, INSHPO, IHPAT and City of Jeffersonville	January 2006	May 2009	Prior to Preliminary Field Check Plans		HPP Context Study	HPAT recommendations to be considered by BSMT and elevated to BSMT for final decision.	HPP requires revisions based upon owner's decision to demolish the Swartz Farmhouse. Additionally, the Agricultural Context Study was advanced to the IHPAT for comment and will be presented to the BSMT for approval during the ensuing period.
U	INDOT	NR	NR	NR	INDOT		2	18	Purchase the portion of Swartz Farm lying on the west side of the Project	None Identified	January 2006	Unknown	None Established			INDOT Land Acquisition to negotiate with owner to purchase.	Swartz Farmhouse was demolished by the owner. FHWA, IN SHPO and INDOT are currently working to amend the MOA.
NI		CTS	R	IAP	INDOT		3	19	Develop and implement a blasting/vibration plan as set forth in Stipulation II.L.	INSHPO and IHPAT	January 2012	Unknown	Complete prior to initiation of construction		Blasting/Vibration Plan to be included in the Final Construction Documents	Coordination with SDCs, STAs, INSHPO, KHC and HPATs.	Swartz Farmhouse was demolished by the owner. FHWA, IN SHPO and INDOT are currently working to amend the MOA.

STIPULATION III - SITE SPECIFIC MITIGATION (Cont.)																			
Status	Taskmaster(s) & Lead						MOA Reference			Stakeholders & Commitment Description			Duration & Deadline				Product & Implementation		
	FHWA/ STA/ SHPO	GEC	Sub-consultant	SDC	Current Lead	CTS	Item	Sub Items	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	Remarks & Comments	
NI		CTS	GP	NR	CTS	4		19	Document and seek NRHP nomination of the remaining farmstead	Clark County Commissioners, INSHPO, IHPAT and City of Jeffersonville	July 2007	Unknown	September 2008		Completed NRHP Nomination Form	CTS-GEC to develop NRHP Nomination for review and approval for listing by the INSHPO and the Keeper of the Register.	Swartz Farmhouse was demolished by the owner. FHWA, IN SHPO and INDOT are currently working to amend the MOA.		
NI		CTS	R	IAP	INDOT	5		19	Delineate a "no-work zone" around remaining Swartz farmstead	IHPAT	January 2009	Unknown	None Established		Coordination with SDCs, STAs, INSHPO, KHC and HPATs.	Swartz Farmhouse was demolished by the owner. FHWA, IN SHPO and INDOT are currently working to amend the MOA.			
NI	INDOT	CTS	NR	IAP	INDOT	6		19	Place a preservation easement on property and sell to a historic preservation organization or donate to a local government or it can be sold to anyone who would accept the preservation easement.	INSHPO and IHPAT	January 2009	Unknown	None Established		Preservation Easement	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Swartz Farmhouse was demolished by the owner. FHWA, IN SHPO and INDOT are currently working to amend the MOA.		
NI		CTS	NR	IAP	INDOT	7		19	Prepare archival documentation for Central Passage House	IHPAT and INSHPO	January 2009	Unknown	Prior to the Central Passage House demolition		Archival Document of resource	Prior to demolition, archival documentation to be prepared in coordination with the IHPAT and INSHPO.	Swartz Farmhouse was demolished by the owner. FHWA, IN SHPO and INDOT are currently working to amend the MOA.		
NI		CTS	R	IAP	INDOT	8		19	Develop and implement a landscaping plan to minimize visual impacts of the Project.	IHPAT	June 2008	Unknown	None Established			HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Swartz Farmhouse was demolished by the owner. FHWA, IN SHPO and INDOT are currently working to amend the MOA.		
NR	NR	NR	NR	NR	NR	9		19	Accept by donation and preserve the portion of the James Smith Farm that was determined eligible for the NRHP.	N/A	N/A	N/A	None Established	N/A	Complete (Withdrawn)		Owner opted to not donate the property to INDOT.		
NR	NR	NR	NR	NR	NR	a		19	Develop and implement a plan to stabilize the property	N/A	N/A	N/A	None Established	N/A	Stabilization Plan	Complete (Withdrawn)	Work activity no longer required due to refusal by the owner to donate the property.		
NR	NR	NR	NR	NR	NR	b		19	Place a preservation easement on property and sell to a historic preservation organization or donate to a local government	N/A	N/A	N/A	None Established	N/A	Preservation Easement	Complete (Withdrawn)	Work activity no longer required due to refusal by the owner to donate the property.		
NR	NR	NR	NR	NR	NR	c		19	Prior to sale or donation, fund exterior rehabilitation of the structure	N/A	N/A	N/A	None Established	N/A		Complete (Withdrawn)	Work activity no longer required due to refusal by the owner to donate the property.		
NR	NR	NR	NR	NR	NR	d		19	Develop HPP	N/A	N/A	N/A	Prior to Preliminary Field Check Plans	N/A	HPP	Complete (Withdrawn)	Work activity no longer required due to refusal by the owner to donate the property.		
NR	NR	NR	NR	NR	NR	e		20	Document and seek NRHP nomination and listing	N/A	N/A	N/A	None Established	N/A	Completed NRHP Nomination Form	Complete (Withdrawn)	Work activity no longer required due to refusal by the owner to donate the property.		
// // // // //						J		20	Trolley Barn										
U	FHWA / KYTC	NR	NR	NR	KYTC	1		20	Rehabilitation shall be developed and implemented in consultation with the KY-SHPO	Owner and KHC	April 2003	December 2023				Rehabilitation shall be developed and implemented in consultation with the KY-SHPO	Rehabilitation of the Trolley Barn is underway. An outlay of the annual funding allotted is included in the ROD.		
// // // // //						K		20	Butchertown Historic District										
U		CTS	R, GP	NR	CTS	1		20	Develop a HPP, which shall develop a thematic context to assist with future nominations in the region. Plan is to be coordinated with latest development plans available from Metro Government.	KHPAT	November 2004	May 2009	Prior to Preliminary Field Check Plans		HPP	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Finalization of the HPP is pending conclusion of the dispute resolution.		
U		CTS	R, GP	KTA	KTA	2		20	Develop the Witherspoon Extension in accordance with provisions of HPP as the principal east-west route through the district and implement measures that encourage north-south traffic through the district to use Clay Street and Frankfort Avenue.	KHPAT, Butchertown Neighborhood Association and Metro Government	December 2006	January 2010				HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Decision on the Witherspoon alignment pending conclusion of the dispute resolution.		
U		CTS	R, GP	KTA	KTA	3		20	Design and construct roadway sections along north side of district using embankments or other designs that support aesthetically pleasing noise abatement measures, lighting and landscaping that maintain the context of the district.	KHPAT and Metro Government	December 2010	December 2023				HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Recommendations on these elements are included as part of the Final HPP.		

STIPULATION III - SITE SPECIFIC MITIGATION (Cont.)																	
Status	Taskmaster(s) & Lead					MOA Reference			Stakeholders & Commitment Description			Duration & Deadline			Product & Implementation		
	FHWA/STAI/SHPO	GEC	Sub-consultant	SDC	Current Lead	Item	Sub Items	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	Remarks & Comments
U	KYTC	CTS	NR	KTA	KYTC	4		20	Edison House - Provide funding for the exterior rehabilitation and conduct a noise study to determine whether interior noise abatement measures are justified.	Owner and KHPAT	July 2008	December 2023	During development of detailed plans		KTA to conduct noise readings and review in accordance with Secretary of Interior Standards.	A coordination meeting with the owner was held on 10/8/08 to initiate discussions on the MOA activities.	
U	KYTC	CTS	NR	KTA	KYTC	5		21	Wesley House - Provide funding for the exterior rehabilitation and conduct a noise study to determine whether interior noise abatement measures are justified.	Owner and KHC	July 2008	December 2023	During development of detailed plans		KTA to conduct noise readings and review in accordance with Secretary of Interior Standards.	Coordination meetings with the owner were held to initiate discussions on the MOA activities.	
NI		CTS	NR	KTA	KTA	6		21	St. Joseph's Church - Conduct a noise study for St. Joseph's Church to determine whether interior noise abatement measures are justified for the Church, Day Care Center and School.	Owner and KHC	December 2010	December 2023	During development of detailed plans		KTA to conduct noise readings and review in accordance with Secretary of Interior Standards.	Work activity has not been initiated	
NI		CTS	NR	KTA	KTA	7		21	Franklin Street Baptist Church - Conduct a noise study for Franklin Street Baptist Church to determine whether interior noise abatement measures are justified.	Owner and KHC	December 2010	December 2023	During development of detailed plans		KTA to conduct noise readings and review in accordance with Secretary of Interior Standards.	Work activity has not been initiated	
NI		CTS	NR	KTA	KTA	8		21	Marcus Lindsay Methodist Church - Conduct a noise study for Marcus Lindsay Methodist Church to determine whether interior noise abatement measures are justified.	Owner and KHC	December 2010	December 2023	During development of detailed plans		KTA to conduct noise readings and review in accordance with Secretary of Interior Standards.	Church is presently undergoing renovation. Identification of intended use not yet known.	
NI		CTS	NR	KTA	KTA	9		21	Grace Immanuel United Church of Christ - Conduct a noise study for Grace Immanuel United Church of Christ to determine whether interior noise abatement measures are justified.	Owner and KHC	December 2010	December 2023	During development of detailed plans		KTA to conduct noise readings and review in accordance with Secretary of Interior Standards.	Work activity has not been initiated	
U		CTS	R, GP	KTA	CTS	10		22	Grocers Ice and Cold Storage Company - Provide a plan for adaptive reuse the property. If plan cannot be developed, develop documentation of the property and proceed to demolish the structure once the documentation has been accepted.	Owner, Metro Government and KHPAT	September 2008	May 2009			HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Treatment Plan was presented to the KHPAT on 10/16/08 for comments. The plan is anticipated to be finalized during the ensuing period.	
C		CTS	NR	KTA	KTA	11		22	Mellwood Avenue/Story Avenue Connection - Conduct a study of the Connector in order to evaluate the elimination of this proposed connector and restoration of two-way traffic flow on these two roads.	Metro Government and KHPAT	January 2004	January 2006	During development of detailed plans	June 4, 2007	Completed	Study was completed by SDC 1 approved by BSMT in prior Reporting Period. Metro Government informed that alternative funding would be needed to implement, if desired.	
U		CTS	R, GP	KTA	KTA	12		22	Design and construct streetscape improvements within the entire district in accordance with provisions of the HPP and the KHCs streetscape design guidelines.	KHC and KHPAT	March 2008	December 2023			Streetscape Plan for improvements to the designated areas	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Recommendations on streetscape improvements at specific locations are included as part of the Final HPP. Development of specific streetscape plans have not been initiated.
NI		CTS	R, GP	KTA	KTA	13		22	Design and construct traffic calming measures on existing streets in the district with attention to the expansion of east downtown Louisville and Phase Two of Waterfront Park.	Metro Government, Waterfront Development Corp, and KHPAT	December 2010	December 2023			HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Work activity has not been initiated	
U		CTS	R, GP	KTA	KTA	14		22	Design and construct roadway lighting within the viewshed of the district	KHPAT and Metro Government	December 2010	December 2023			HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Recommendations on roadway lighting are included as part of the Final HPP. Input sought from HPATs on lighting in Section 1 at 02/14/08 meeting.	

STIPULATION III - SITE SPECIFIC MITIGATION (Cont.)																	
Status	Taskmaster(s) & Lead					MOA Reference		Stakeholders & Commitment Description		Duration & Deadline			Product & Implementation				
	FHWA/ STA/ SHPO	GEC	Sub-consultant	SDC	Current Lead	Item	Sub Items	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	Remarks & Comments
U		CTS	R, GP	KTA	KTA	15	22	22	Implement noise abatement measures as set forth in Stipulation II.E where the Project is expected to adversely effect the district	KHPAT	December 2005	December 2023				HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Barriers still being considered by SDC 1 adjacent to the Clifton Neighborhood.
NI		CTS	R, GP	KTA	KTA	16	22	22	Develop and implement a blasting/vibration plan as set forth in Stipulation II.L.	KHC and KHPAT	December 2008	December 2023	Complete prior to initiation of construction		Blasting/Vibration Plan to be included in the Final Construction Documents	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Work activity has not been initiated
						L	22	22	Phoenix Hill Historic District								
C		CTS	R, GP	KTA	CTS	1	22	22	Develop a HPP, which shall develop a thematic context to assist with future nominations in the region. Plan is to be coordinated with latest development plans available from Metro Government.	KHC, KHPAT and Metro Government	November 2004	April 2007	Prior to Preliminary Field Check Plans	April 25, 2007		Complete	HPP completed, however additional revisions are necessary to address FHWA comments.
U		CTS	R, GP	KTA	KTA	2	23	23	Design and construct roadway lighting as set forth in Stipulation II.D.	KHPAT and Metro Government	December 2005	December 2023				HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Recommendations on roadway lighting are included as part of the Final HPP.
U	KYTC	CTS	R, GP	KTA	KYTC	3	23	23	Work with the owner to relocate the Baer Fabrics Company within the HD or a suitable facility within the Phoenix Hill neighborhood	Owner and Phoenix Hill Neighborhood Association	September 2008	May 2010				Work with the owner to relocate the Baer Fabrics Company within the HD or a suitable facility within the Phoenix Hill neighborhood.	During the Reporting Period the right-of-way appraisal process was initiated. Acquisition and relocation is anticipated during the ensuing period.
U		CTS	R, GP	KTA	CTS	4	23	23	Develop a treatment plan for rehabilitation of the Vermont American Buildings, explore options for reuse and rehabilitate the exterior of the building if recommended in the treatment plan	KHPAT and Metro Government	September 2007	February 2010			Treatment Plan	CTS to coordinate with SHPO in development of Treatment Plan. HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Contact with the owner has been made and attempts to schedule a site inspection is underway.
NI		CTS	NR	KTA	KTA	5	23	23	St. John's Church - Conduct a noise study for St. John's Church to determine whether interior noise abatement measures are justified.	Owner and KHC	December 2012	December 2023	During development of detailed plans			KTA to conduct noise readings and review in accordance with Secretary of Interior Standards.	Work activity has not been initiated
NI		CTS	NR	KTA	KTA	6	23	23	Refuge in Kentucky Church - Conduct a noise study for Refuge in Kentucky Church to determine whether interior noise abatement measures are justified for the Church, Day Care Center and School.	Owner and KHC	December 2012	December 2023	During development of detailed plans			KTA to conduct noise readings and review in accordance with Secretary of Interior Standards.	Work activity has not been initiated
NI		CTS	R, GP	KTA	KTA	7	23	23	Place interpretive signage within the district	Metro Government KHPAT and KHC	December 2012	December 2023			Interpretive Signage	SDC will develop signage plan as part of the construction documents.	Recommendations on interpretive signage were included as an element of the Final HPP and the PL & G plans prepared by SDC 1.
U		CTS	R, GP	KTA	KTA	8	23	23	Streetscape improvements along Main Street and Marker Street from Floyd Street to Clay Street and in the area under the I-65 Bridge in accordance with provisions of the HPP and the KHCs streetscape design guidelines.	Metro Government and KHPAT	March 2008	March 2012			Streetscape Plan for improvements to the designated areas	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Recommendations on streetscape improvements at specific locations are included as part of the Final HPP. Development of specific streetscape plans have not been initiated.
NI		CTS	R, GP	KTA	KTA	9	23	23	Develop and implement a blasting/vibration plan as set forth in Stipulation II.L.	Metro Government and KHPAT	January 2008	December 2020	Complete prior to initiation of construction		Blasting/Vibration Plan to be included in the Final Construction Documents	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Work activity has not been initiated
						M	24	24	Country Estates Historic District / River Road Corridor								
U		CTS	R, GP	L	CTS	1	24	24	Develop a HPP, which shall specifically consider and develop recommendations for the following:	City of Prospect, Metro Government and KHPAT	April 2005	May 2009	Prior to Preliminary Field Check Plans			HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Continued development of HPP is pending FHWA comments.
U		CTS	R, GP	L	CTS	a	24	24	Country Estates of River Road Historic District, including individually listed NRHP properties within the district	City of Prospect, Metro Government and KHPAT	April 2005	May 2009				HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	See M.1 update, above
U		CTS	R, GP	L	CTS	b	24	24	James T. Taylor / James W. Chandler House	City of Prospect, Metro Government and KHPAT	April 2005	May 2009				HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	See M.1 update, above

STIPULATION III - SITE SPECIFIC MITIGATION (Cont.)																	
Status	Taskmaster(s) & Lead					MOA Reference		Stakeholders & Commitment Description		Duration & Deadline				Product & Implementation			
	FHWA/ STAI/ SHPO	GEC	Sub-consultant	SDC	Current Lead	Item	Sub-Items	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	Remarks & Comments
U		CTS	R, GP	L	CTS		c	24	Merrimether House	City of Prospect, Metro Government and KHPAT	April 2005	May 2009			HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	See M.1 update, above	
U		CTS	R, GP	L	CTS		d	24	Upper River Road Bridge over Harrods Creek	City of Prospect, Metro Government and KHPAT	April 2005	May 2009	None Established		HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	See M.1 update, above	
U		CTS	R, GP	L	CTS		e	24	Harrods Creek Village Historic District	City of Prospect, Metro Government and KHPAT	April 2005	May 2009	None Established		HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	See M.1 update, above	
U		CTS	R, GP	L	CTS		f	24	Schildrecht House	City of Prospect, Metro Government and KHPAT	April 2005	May 2009	None Established		HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	See M.1 update, above	
U		CTS	R, GP	L	CTS		g	24	Deteman House	City of Prospect, Metro Government and KHPAT	April 2005	May 2009	None Established		HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	See M.1 update, above	
U		CTS	R, GP	L	CTS		h	24	Allison-Barrickman House	City of Prospect, Metro Government and KHPAT	April 2005	May 2009	None Established		HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	See M.1 update, above	
U		CTS	R, GP	L	CTS		i	24	St. Francis in the Fields Church	City of Prospect, Metro Government and KHPAT	April 2005	May 2009	None Established		HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	See M.1 update, above	
U		CTS	R, GP	L	CTS		j	24	Bellevue	City of Prospect, Metro Government and KHPAT	April 2005	May 2009	None Established		HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	See M.1 update, above	
U		CTS	R, GP	L	CTS		k	24	Rosewell	City of Prospect, Metro Government and KHPAT	April 2005	May 2009	None Established		HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	See M.1 update, above	
U		CTS	R, GP	L	L		2	24	Design and construct proposed roadways, bridges and tunnels from I-71 to the OH River, taking into consideration the cultural landscapes that are important contributing elements to the district.	City of Prospect, Metro Government and KHPAT	January 2004	December 2015	None Established		Design and construct proposed roadways, bridges and tunnels from I-71 to the OH River, taking into consideration the cultural landscapes that are important contributing elements to the district.	Draft HPP recommend roadway, bridge & tunnel design considering cultural landscapes.	
U		CTS	R, GP	L	L		3	24	Design and construct roadway lighting as set forth in Stipulation II.D.	City of Prospect, Metro Government and KHPAT	January 2008	December 2015	None Established		HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Recommendations on roadway lighting are included as part of the Draft HPP. Input sought from HPATs on lighting in Section 5 at 02/14/08 meeting.	
U		CTS	R, GP	L	L		4	24	Implement noise abatement measures where the Project noise is expected to affect the listed and eligible properties as set forth in Stipulation II.E.	City of Prospect, Metro Government and KHPAT	January 2010	December 2015	None Established		HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Noise Barrier Analysis completed by SDC 4. Noise abatement to be implemented where determined reasonable and feasible.	
U		CTS	R, GP	L	L		5	24	Develop and implement a blasting/vibration plan as set forth in Stipulation II.L.	City of Prospect, Metro Government and KHPAT	January 2006	December 2010	Complete prior to initiation of construction		Blasting/Vibration Plan to be included in the Final Construction Documents	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	No blasting or vibration activities occurred during the period that required implementation of this stipulation.
U		CTS	R, GP	L	L		6	25	Define a "no-work zone" within the NRHP boundaries of the listed and eligible properties.	City of Prospect, Metro Government and KHPAT	January 2006	December 2010	None Established		Define a "no-work zone" within the NRHP boundaries of the listed and eligible properties.	No work zones identified in the US 42 ramp relocation and exploratory tunnel plans.	
						N		25	Drumanard								
U		CTS	R, GP	L	FHWA		1	25	Project through this property to be contained in a tunnel so as to limit adverse effects.	Owner, KYTC, KHC and KHPAT	April 2003	December 2023	None Established		Project through this property to be contained in a tunnel so as to limit adverse effects.	Tunnel through this property remains a component of Section 4.	
U		CTS	R, GP	L	KYTC		2	25	Acquire or establish a historic preservation easement for the entire Drumanard historic property	Owner and KHC	January 2005	December 2008	None Established		Acquire or establish a historic preservation easement for the entire Drumanard historic property	Negotiations with the property owner are continuing to secure this easement, in consultation with the KYTC and the KY SHPO.	
U		CTS	R, GP	L	FHWA		3	25	If acquiring a preservation easement is not possible, FHWA will acquire the property, place the required easement on the property and transfer to KYTC who shall seek to sell the property at fair market value or donate to a	Owner and KHC	December 2008	December 2009	None Established		If acquiring a preservation easement is not possible, FHWA will acquire the property, place the required easement on the property and transfer to KYTC who shall seek to sell the property at fair market value or donate to a	Development of a draft preservation easement is under preparation by SDC 4.	
U		CTS	R, GP	L	L		4	25	Develop and implement a blasting/vibration plan as set forth in Stipulation II.L. Monitor the historic buildings to preclude impacts due to blasting.	KHPAT and KHC	January 2006	December 2010	Plan to be completed prior to initiation of construction. Monitoring to occur during construction activities.		Blasting/Vibration Plan to be included in the Final Construction Documents	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	No blasting or vibration activities occurred during the period that required implementation of this stipulation.

STIPULATION III - SITE SPECIFIC MITIGATION (Cont.)

Status	Taskmaster(s) & Lead						MOA Reference		Stakeholders & Commitment Description			Duration & Deadline			Product & Implementation			
	FHWA/ STA/ SHPO	GEC	Sub-consultant	SDC	Current Lead		Item	Sub Items	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	Remarks & Comments
NI		CTS	R, GP	L	KYTC		1	25	Allison-Barrickman House	Owner and KHC	January 2009	January 2011	None Established			Acquire a historic preservation easement for the Allison-Barrickman house on the track of land within the NRHP boundary and an easement on the property bounded by US 42, KY 841, the Allison-Barrickman property and Wolf Pen Branch Road	Acquire a historic preservation easement for the Allison-Barrickman house on the track of land within the NRHP boundary and an easement on the property bounded by US 42, KY 841, the Allison-Barrickman property and Wolf Pen Branch Road	Work activity has not been initiated
U		CTS	R, GP	L	L		2	25	Implement noise abatement measures as set forth in Stipulation II.E.	KHPAT	January 2010	December 2015	None Established			HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Noise Barrier Analysis completed by SDC 4. Noise abatement to be implemented where determined reasonable and feasible.	
U		CTS	R, GP	L	L		3	26	Define a "no-work zone" within the NRHP boundary of the property.	KHPAT and KHC	January 2006	December 2010	None Established			HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	No work zones identified in the US 42 ramp relocation and exploratory tunnel plans.	
U		CTS	R, GP	L	L		4	26	Develop and implement a blasting/vibration plan as set forth in Stipulation II.L.	KHPAT and KHC	January 2006	December 2010	Complete prior to initiation of construction			Blasting/Vibration Plan to be included in the Final Construction Documents	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	No blasting or vibration activities occurred during the period that required implementation of this stipulation.
U		CTS	NR	L	L		1	26	Develop and implement a Treatment Plan to minimize damage to the property.	KHPAT and KHC	January 2006	May 2009	None Established			Treatment Plan	Develop and implement a Treatment Plan to minimize damage to the property.	The Treatment Plan is under revision per comments received from the KY SHPO. Presentation of the plan to the KHPAT is anticipated during the ensuing period.
C	KYTC	NR	NR	NR	KYTC		2	26	Make a reasonable attempt to acquire the property at fair market value.	None Identified	N/A	N/A	None Established	November 30, 2005	Complete		KYTC currently owns the Rosewell property.	
NI		CTS	R, GP	L	KYTC		3	26	Place a preservation easement on the property and then sell to a local historic preservation organization or other acceptable party or donate to a local government.	Owner, KHPAT and KHC	January 2008	December 2009	Immediately following acquisition			Place a preservation easement on the property and then sell to a local historic preservation organization or other acceptable party or donate to a local government.	HWL is preparing Rosewell for resale or public use.	
U		CTS	R, GP	L	L		4	26	Design and construct roadway lighting as set forth in Stipulation II.D.	KHPAT, KHC and City of Prospect	January 2009	December 2015	None Established			HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Recommendations on roadway lighting are included as part of the Draft HPP. Input sought from HPATs on lighting in Section 5 at 02/14/06 meeting.	
U		CTS	R, GP	L	L		5	26	Implement noise mitigation measures as set forth in Stipulation II.E.	KHPAT, KHC and City of Prospect	January 2009	December 2015	None Established			HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Noise Barrier Analysis completed by SDC 4. Noise abatement to be implemented where determined reasonable and feasible.	
NI		CTS	R, GP	L	L		6	26	Develop and implement a blasting/vibration plan as set forth in Stipulation II.L.	KHPAT, KHC and City of Prospect	January 2006	December 2010	Complete prior to initiation of construction			Blasting/Vibration Plan to be included in the Final Construction Documents	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Work activity has not been initiated
NI		CTS	R, GP	L	L		7	26	Define a "no-work zone" within the NRHP boundary of the property.	KHPAT, KHC and City of Prospect	January 2006	December 2010	None Established			HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Work activity has not been initiated	
U	1	CTS	R, GP	L	L		1	26	Design Ohio River Bridge and embankment adjacent to the property taking into account the cultural landscape associated with this property. Consider context sensitive landscaping and other visual treatments on or adjacent to the NRHP boundary, with owner consent and maintenance.	Owner, KHPAT and KHC	January 2005	December 2015	None Established			HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Recommendations on these elements are included as part of the Draft HPP.	
U	2	CTS	R, GP	L	L		2	27	Design and construct roadway lighting within the viewshed of Believee as set forth in Stipulation II.D.	KHPAT and KHC	January 2008	December 2015	None Established			HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Recommendations on roadway lighting are included as part of the Draft HPP. Input sought from HPATs on lighting in Section 5 at 02/14/06 meeting.	
U	3	CTS	R, GP	L	L		3	27	Implement noise mitigation measures as set forth in Stipulation II.E.	KHPAT and KHC	January 2010	December 2015	None Established			HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Noise Barrier Analysis completed by SDC 4. Noise abatement to be implemented where determined reasonable and feasible.	
NI	4	CTS	R, GP	L	L		4	27	Develop and implement a blasting/vibration plan as set forth in Stipulation II.L.	KHPAT and KHC	January 2006	December 2010	Complete prior to initiation of construction			Blasting/Vibration Plan to be included in the Final Construction Documents	HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Work activity has not been initiated
NI	5	CTS	R, GP	L	L		5	27	Define a "no-work zone" within the NRHP boundary of the property.	KHPAT and KHC	January 2006	December 2010	None Established			HPAT recommendations to be considered by BSHCT and elevated to BSMT for final decision.	Work activity has not been initiated	

KEY:

1 - Status					
C - Completed	U - Underway	D - Duration of Project	NR - Not Required	NI - Not Yet Initiated	
2 - Taskmasters					
STAs	INDOT - Indiana Department of Transportation		KYTC - Kentucky Transportation Cabinet		
Federal Agency	FHWA - Federal Highway Administration				
SHPOs	INSHPO - Indiana State Historic Preservation Office		KHC - Kentucky Heritage Council		
GEC	R - Ratio Architects	CTS - Community Transportation Solutions	A - ASC Group	GP - Gray and Pape	
KY SDCs	L - HW Lochner	KTA - Kentucky Transportation Associates			
IN SDCs	BFS - Butler, Fairman and Seuffert		IAP - Indiana Approach Partners		
SDCs 2 & 5	PB - Parson Brinkerhoff		MB - Michael Baker		
NR - Not Required					

STIPULATION IV - ARCAEOLOGICAL RESOURCES*																	
Status	Taskmaster(s) & Lead					MOA Reference			Stakeholders & Commitment Description		Duration & Deadline				Product & Implementation		
	FHWA/ STA/ SHPO	GEC	Sub-consultant	SDC	Current Lead	Item	Sub Items	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	Remarks & Comments
						A			Implementation Standards								
U	KYTC	CTS	A	NR	FHWA	1	27	In implementing Stipulation IV, FHWA may withhold or limit public disclosure of information about historic properties.	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established			Same as Description	Sensitive information pertaining to location & content of archaeological resources withheld from public disclosure.	
U	KYTC	CTS	A	NR	FHWA	2	27	FHWA to ensure consultation with Indian Tribes is conducted in a manner consistent with 36 CFR 900.2(c)(2)(ii)(A), (B) & (C).	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established			Same as Description	Only those reports describing prehistoric sites or materials will be subject to NAC. During the period NAC closure on a Phase I report in Section 4 was issued by FHWA on 07/20/07.	
U	KYTC	CTS	A	NR	FHWA	3	27	FHWA to make every effort to complete identification & evaluation of archaeological resources at the earliest possible time in Project design.	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established			Same as Description	Condition to be met the duration of the Project.	
U	FHWA	CTS	NR	NR	FHWA	4	27	In implementing Stipulation IV, FHWA may consult with the parties identified in Attachment F of the MOA.	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established			Same as Description	FHWA consulted archaeological information with parties it deemed appropriate.	
U	KYTC	CTS	A	NR	FHWA	5	27	FHWA will take reasonable measures to avoid disinterment & disturbance to human remains and grave goods of religious & cultural significance to Indian Tribes.	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established			Same as Description	Human Remains protocol was finalized on 7/20/07.	
						B			Identification								
U	KYTC	CTS	A	NR	FHWA	1	28	Before letting any type of Project in the APE or selecting sites for ancillary activities associated with the Project, FHWA shall complete the identification & evaluation of archaeological resources for inclusion in the NRHP	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established			Same as Description	Archaeological documentation continued to be advanced for sites in Sections 1 and 4.	
U	KYTC	CTS	A	NR	FHWA	2	28	Examina all locations where ground-disturbing are proposed or where they may occur within temporary right-of-way.	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established			Same as Description	Condition to be met the duration of the Project.	

STIPULATION IV - ARCAEOLOGICAL RESOURCES (Cont.)

Status	FHWA/ STA/ SHPO	Taskmaster(s) & Lead				MOA Reference			Stakeholders & Commitment Description		Duration & Deadline				Product & Implementation		Remarks & Comments
		GEC	Sub-consultant	SDC	Current Lead	Item	Sub Items	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	
U	KYTC	CTS	A	NR	FHWA		3	28	To ensure the sensitive, respectful and careful treatment of human remains and grave goods, FHWA to be guided by ACHP's Policy Statement Regarding Treatment of Human Remains and Grave Goods and where appropriate other guidelines.	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	Refer to IV.A.5, above.	
U	KYTC	CTS	A	NR	FHWA		a	28	Make every reasonable effort to avoid disinterment or disturbance of human remains and grave goods.	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	Condition to be met the duration of the Project.	
U	KYTC	CTS	A	NR	FHWA		b	28	Make a reasonable and good faith effort to determine the location, cultural/temporal period, and cultural affiliation of human remains and/or grave goods without any removal or destructive analysis of remains. FHWA may remove remains for study if determined in consultation with KHC & Indian Tribes that information cannot be obtained without disturbance.	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	During the Reporting Period, no human remains or grave goods were encountered.	
U	KYTC	CTS	A	NR	FHWA		c	28	Ensure human remains and/or grave goods are not photographed or subject to invasive study.	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	During the Reporting Period, no human remains or grave goods were encountered.	
U	KYTC	CTS	A	NR	FHWA		d	28	Provide written notification & documentation of discovery to the appropriate SHPO, Indian Tribes & other parties determined appropriate within 48 hours.	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	During the Reporting Period, no human remains or grave goods were encountered.	
U	KYTC	CTS	A	NR	FHWA		4	29	Develop a Plan(s) for the identification & evaluation of archaeological resources.	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established	Plan(s) for the identification & evaluation of archaeological resources.	Same as Description	Plan(s) to be developed as needed.	
U	KYTC	CTS	A	NR	FHWA		a	29	FHWA to provide the SHPOs, Indian Tribes and other parties determined appropriate 30 days to review & comment on Plan(s); final Plan(s) to address comments.	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established	Draft Plan(s) for the identification & evaluation of archaeological resources.	Same as Description	Condition to be met the duration of the Project when plans are provided.	
U	KYTC	CTS	A	NR	FHWA		b	29	If no response received from the above parties in 30 days, FHWA may proceed with Plan(s).	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established	Plan(s) for the identification & evaluation of archaeological resources.	Same as Description	Condition to be met the duration of the Project when plans are provided.	
U	KYTC	CTS	A	NR	FHWA		c	29	Any dispute regarding Plan(s) to be resolved in accordance with Stipulation XIII.	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	Condition to be met the duration of the Project when plans are provided.	
U	KYTC	CTS	A	NR	FHWA		5	29	FHWA to prepare & distribute final Identification & Evaluation reports in accordance with Stipulation IV.F.	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	Condition to be met the duration of the Project when documentation is developed & determined appropriate by FHWA.	
						C		29	Evaluation	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description		
U	KYTC	CTS	A	NR	FHWA		1	29	Studies completed pursuant to Stipulation IV.B to demonstrate a level of effort consistent with 36 CFR 800.4(b)(1) and provide FHWA with information to determine NRHP eligibility.	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	All studies conducted during this Reporting Period have been completed in compliance with 36 CFR 800.4 and have provided sufficient information to make decisions. No eligibility determination disputes have occurred during this period.	

STIPULATION IV - ARCAEOLOGICAL RESOURCES (Cont.)																		
Status*	FHWA/STA/SHPO	Taskmaster(s)* & Lead				MOA Reference			Stakeholders & Commitment Description			Duration & Deadline				Product & Implementation		
		GEC	Sub-consultant	SDC	Current Lead	Item	Sub Items	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	Remarks & Comments	
U	KYTC	CTS	A	NR	FHWA		2	29	Archaeological resources considered eligible for the NRHP by FHWA to be treated in accordance with Stipulations IV.D & IV.E.	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	Refer to IV.C.1, above.		
NI	KYTC	CTS	A	NR	FHWA		3	29	FHWA to seek a formal determination of NRHP eligibility from Keeper of NRHP if disagreement between FHWA & SHPO.	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	Refer to IV.C.1, above.		
U	KYTC	CTS	A	NR	FHWA		4	29	No further action necessary for archaeological resource that FHWA & the SHPO agree are not eligible for the NRHP.	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	Refer to IV.C.1, above.		
NI	KYTC	CTS	A	NR	FHWA		5	29	FHWA to notify Indian Tribes and other parties whom so request of findings of eligibility.	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	Refer to IV.C.1, above.		
NI	KYTC	CTS	A	NR	FHWA		6	29	FHWA to reconsider its determination if a Party objects to FHWA's determination of eligibility in writing within 15	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	Refer to IV.C.1, above.		
						D		29	Assessment of Effects									
U	KYTC	CTS	A	NR	FHWA		1	30	FHWA to determine if Project will adversely effect NRHP eligible archaeological resources in consultation with the SHPO, Indiana Tribes when appropriate, & other parties deemed appropriate by FHWA.	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	No sites were determined eligible for the NRHP during the Reporting Period.		
NI	KYTC	CTS	A	NR	FHWA		2	30	If FHWA determines Project may adversely affect NRHP eligible archaeological resources, reasonable efforts to be made to avoid/minimize adverse effect. If it's not possible to avoid disturbance, FHWA to treat resources in accordance with Stipulation IV.E.	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	FHWA has not determined that any archaeological sites discovered would be adversely affected.		
NI	KYTC	CTS	A	NR	FHWA		3	30	Disputes regarding the determination of effects on archaeological resources to be resolved in accordance with Stipulation XIII.	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	No disputes regarding determination of effects on archaeological resources occurred during the Reporting Period.		
						E		30	Treatment	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description			
NI	KYTC	CTS	A	NR	FHWA		1	30	If FHWA determines that an adverse effect cannot be avoided or minimized, a treatment plan will be developed & implemented to mitigate such effects on a site-by-site basis. At a minimum, treatment plan is to include:	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	Treatment plans to be implemented prior to initiation of any Project construction activities within a segment that could affect that site.		Same as Description	During the Reporting Period, no human remains or grave goods were encountered.		
NI	KYTC	CTS	A	NR	FHWA		a	30	Description of the historic properties or portions of historic properties where treatment will be carried out.	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	See E.1 update, above		
NI	KYTC	CTS	A	NR	FHWA		b	31	Description of any historic property or portion thereof that will be adversely affected without treatment for such action.	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	See E.1 update, above		
NI	KYTC	CTS	A	NR	FHWA		c	31	Methods for site preservation/protection.	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	See E.1 update, above		
NI	KYTC	CTS	A	NR	FHWA		d	31	Research questions to be addressed through data recovery.	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	See E.1 update, above		

STIPULATION IV - ARCAEOLOGICAL RESOURCES (Cont.)

Status ¹	Taskmaster(s) ² & Lead					MOA Reference			Stakeholders & Commitment Description		Duration & Deadline			Product & Implementation		Remarks & Comments	
	FHWA/ STA/ SHPO	GEC	Sub-consultant	SDC	Current Lead	Item	Sub Items	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product		Implementation Plan
NI	KYTC	CTS	A	NR	FHWA		e	31	Field methods to be used with an explanation of their relevance & applicability.	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	See E.1 update, above	
NI	KYTC	CTS	A	NR	FHWA		f	31	Methods to be used in data analysis, data management & dissemination of data, including a schedule.	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	See E.1 update, above	
NI	KYTC	CTS	A	NR	FHWA		g	31	Plans for treatment of human remains & grave goods.	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	See E.1 update, above	
NI	KYTC	CTS	A	NR	FHWA		h	31	Plans for curation of recovered materials & records.	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	See E.1 update, above	
NI	KYTC	CTS	A	NR	FHWA		i	31	Provisions for reburial of human remains & grave goods where appropriate.	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	See E.1 update, above	
NI	KYTC	CTS	A	NR	FHWA		j	31	Plans for public education & interpretation.	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	See E.1 update, above	
NI	KYTC	CTS	A	NR	FHWA		k	31	Plans for keeping the SHPOs, Indian Tribes and other appropriate parties informed of work progress & findings.	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	See E.1 update, above	
NI	KYTC	CTS	A	NR	FHWA		l	31	Schedule for the submission of reports & other deliverables.	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	See E.1 update, above	
NI	KYTC	CTS	A	NR	FHWA			2	31	Plans addressing treatment of human remains & grave goods to be guided by the ACHPs Policy Statement Regarding Treatment of Human Remains & Grave Goods and other guidelines where appropriate. FHWA to be also be guided by.	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	During the Reporting Period, no human remains or grave goods were encountered.
NI	KYTC	CTS	A	NR	FHWA		a	31	Burials that will not be threatened or disturbed by the Project shall not be disinterred or disturbed through scientific study.	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	See E.2 update, above	
NI	KYTC	CTS	A	NR	FHWA		b	31	If disturbance cannot be avoided, FHWA to determine if scientific study of human remains, grave goods & the burial matrix will be conducted. FHWA's decision must be supported by an explicit set of definitive & justified questions on a case-by-case basis.	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	See E.2 update, above	
NI	KYTC	CTS	A	NR	FHWA		c	32	Human remains and funerary objects of religious & cultural significance to Indian Tribes may be photographed only when FHWA in consultation with the SHPOs, Indiana Tribes where appropriate & other appropriate parties determines that it is called for & justified in a site-specific treatment plan to support	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	See E.2 update, above	
NI	KYTC	CTS	A	NR	FHWA		d	32	Disinterred human remains and/or grave goods should be reburied as soon as possible in a timeframe, location & manner determined appropriate by FHWA.	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	See E.2 update, above	
NI	KYTC	CTS	A	NR	FHWA			3	32	Human remains & grave goods to be made available for reburial to appropriate party or responsible official 30 days from determination.	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	During the Reporting Period, no human remains or grave goods were encountered.

STIPULATION IV - ARCAEOLOGICAL RESOURCES (Cont.)

Status*	Taskmaster(s) & Lead					MOA Reference			Stakeholders & Commitment Description		Duration & Deadline				Product & Implementation		Remarks & Comments
	FHWA/ STA/ SHPO	GEC	Sub-consultant	SDC	Current Lead	Item	Sub Items	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	
NI	KYTC	CTS	A	NR	FHWA		4	32	FHWA to provide ACHP, the SHPOs, Indian Tribes who've expressed interest in the site, other parties deemed appropriate by FHWA, 30 days to comment on treatment plans. FHWA to ensure the final plan(s) take comments into consideration.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	No treatment plans requiring review & comment by the identified parties were prepared during the Reporting Period.	
NI	KYTC	CTS	A	NR	FHWA		5	32	Disputes regarding the treatment plan(s) to be resolved in accordance with Stipulation XIII.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	No disputes regarding the treatment plans occurred.	
NI	KYTC	CTS	A	NR	FHWA		6	32	After implementing stipulations for treatment, FHWA may elect to monitor construction activities in selected portions of right-of-way. Monitoring to be conducted by qualified archaeologist.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	During the Reporting Period, no monitoring of the implementation of treatment plan(s) occurred.	
						F		33	Qualifications & Reporting	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description		
U	FHWA	NR	NR	NR	FHWA		1	33	Work carried out is to be performed by, or under the direct supervision of a person(s) meeting Secretary of the Interior's Professional Qualification Standards in archaeology & has supervisory experience in prehistoric & historic archaeology of the lower Ohio Valley.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	Condition to be met the duration of the Project.	
U	KYTC	CTS	A	NR	FHWA		2	33	FHWA to ensure results of archaeological studies are presented in professionally written reports meeting standards established by the SHPOs.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	Condition to be met the duration of the Project.	
D	INDOT/ KYTC	CTS	A	NR	FHWA		3	33	Sensitive information regarding the nature & location of human remains/grave goods & the location, character & ownership of archaeological sites is kept confidential from the public.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	Condition to be met the duration of the Project.	
D	INDOT/ KYTC	CTS	A	NR	FHWA		4	33	Parties to have 30 days after confirmed receipt to review & comment on reports. FHWA to address comments in final reports.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	None Established		Same as Description	Condition to be met the duration of the Project when documentation is provided.	
D	INDOT/ KYTC	CTS	A	NR	FHWA		5	33	Disputes regarding report(s) to be resolved in accordance with Stipulation XIII.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	When Appropriate		Same as Description	No disputes regarding the archaeological reports prepared during the Reporting Period occurred.	
D	INDOT/ KYTC	CTS	A	NR	FHWA	G		33	Distribution of Final Reports	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	When Appropriate		Same as Description		
D	INDOT/ KYTC	CTS	A	NR	FHWA		1	33	FHWA to provide copies of final reports to respective SHPOs, STAs & Indian Tribes, when appropriate.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	Upon Completion of Work		Same as Description	Condition to be met the duration of the Project when documentation is provided.	
D	INDOT/ KYTC	CTS	A	NR	FHWA		2	33	FHWA to prepare sufficient copies of final reports for dissemination to public libraries, educational institutions & other repositories in Jefferson & Clark Counties.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023			Same as Description	Condition to be met the duration of the Project when documentation is provided.	
D	INDOT/ KYTC	CTS	A	NR	FHWA		3	33	FHWA to ensure that final archaeological reports for public dissemination do not contain sensitive information.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023			Same as Description	Sensitive information pertaining to location & content of archaeological resources withheld from public disclosure.	

* - KYTC has procured the services of Cultural Resource Analysts (CRA), a consultant under a statewide contract, to perform archaeological investigations for Sections 1 and 4, as well as within the Ohio River floodplain in Kentucky. ASC Group will perform archaeological investigations in Sections 3 and 6, as well as within the Ohio River floodplain in Indiana.

STIPULATION V - UNANTICIPATED DISCOVERIES																	
Status	Taskmaster(s) & Lead					MOA Reference			Stakeholders & Commitment Description		Duration & Deadline				Product & Implementation		Remarks & Comments
	FHWA/ STA/ SHPO	GEC	Sub-consultant	SDC	Current Lead	Item	Sub Items	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	
NI	INDOT/ KYTC	CTS	NR	NR	FHWA	A		34	KYTC or INDOT to ensure work within 50 ft. around the area of an unanticipated discovery ceases until a treatment plan is developed & implemented.	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	Duration of Project		KYTC or INDOT to ensure work within 50 ft. around the area of an unanticipated discovery ceases until a treatment plan is developed & implemented.	No unanticipated discoveries were uncovered during the Reporting Period.	
NI	INDOT/ KYTC	CTS	NR	NR	FHWA	B		34	FHWA to make all reasonable measures to avoid property until conclusion of consultation with SHPO, Indian Tribes and other appropriate parties.	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	Duration of Project		FHWA to make all reasonable measures to avoid property until conclusion of consultation with SHPO, Indian Tribes and other appropriate parties.	No unanticipated discoveries were uncovered during the Reporting Period.	
NI	INDOT/ KYTC	CTS	NR	NR	FHWA	C		34	FHWA shall contact SHPO, Indian Tribes and other appropriate parties within 48 hours and provide written details of discovery.	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	Within 48 hours		FHWA shall contact SHPO, Indian Tribes and other appropriate parties within 48 hours and provide written details of discovery.	No unanticipated discoveries were uncovered during the Reporting Period.	
NI	INDOT/ KYTC	CTS	NR	NR	FHWA	D		34	INDOT or KYTC shall conduct an on-site evaluation of discovery to determine eligibility, effects and possible treatment measures.	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	Within 48 hours, or at the earliest opportunity thereafter		INDOT or KYTC shall conduct an on-site evaluation of discovery to determine eligibility, effects and possible treatment measures.	No unanticipated discoveries were uncovered during the Reporting Period.	
NI	INDOT/ KYTC	CTS	NR	NR	FHWA	E		34	Develop appropriate Treatment Plan(s) for discovered historic property.	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	Duration of Project		Consult with the BSHCT, HPATS and Native American Tribes to develop report. HPAT recommendations considered by BSHCT and elevated to BSMT for approval.	No unanticipated discoveries were uncovered during the Reporting Period.	
NI	INDOT/ KYTC	CTS	NR	NR	FHWA	F		34	Ground-disturbing work may commence at sites determined ineligible for NRHP.	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	Duration of Project		Coordination with INSHPO, KHC and STAs to ensure site clearances	No unanticipated discoveries were uncovered during the Reporting Period.	
NI	INDOT/ KYTC	CTS	NR	NR	FHWA	G		34	Parties shall invoke provisions for dispute resolution should consensus on eligibility not be reached.	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	Duration of Project		As required, provisions of dispute resolution to be followed (Stipulation XIII).	No unanticipated discoveries were uncovered during the Reporting Period.	

STIPULATION VI - ADDITIONAL HISTORIC PROPERTIES AND EFFECTS																	
Status	Taskmaster(s) & Lead					MOA Reference			Stakeholders & Commitment Description		Duration & Deadline				Product & Implementation		Remarks & Comments
	FHWA/ STA/ SHPO	GEC	Sub-consultant	SDC	Current Lead	Item	Sub Items	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	
NI	INDOT/ KYTC	CTS	NR	NR	FHWA	A		35	INDOT or KYTC shall consult with FHWA, SHPOs, Indian Tribes and other parties to determine if other historic properties in addition to those already identified or through Stipulation IV will be affected by the Project.	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	Before approval of sites for staging, wetland mitigation, borrow or waste, dredge disposal, or other construction are approved.		INDOT or KYTC shall consult with FHWA, SHPOs, Indian Tribes and other parties to determine if other historic properties in addition to those already identified or through Stipulation IV will be affected by the Project.	No additional historic properties requiring consultation were identified during the Reporting Period.	
NI	INDOT/ KYTC	CTS	NR	NR	FHWA	B		35	Where historic properties are adversely affected, FHWA shall consult with INDOT and/or KYTC, SHPO, Indian Tribes and other appropriate parties to minimize or mitigate	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	Duration of Project		Where historic properties are adversely affected, FHWA shall consult with INDOT and/or KYTC, SHPO, Indian Tribes and other appropriate parties to minimize or mitigate	No additional historic properties requiring consultation were identified during the Reporting Period.	
NI	INDOT/ KYTC	CTS	NR	NR	FHWA	C		35	If agreement on measures to mitigate the adverse effect, FHWA will ensure those measures are implemented. Resolve disputes in accordance with Stipulation XIII.	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	Duration of Project		As required, provisions of dispute resolution to be followed (Stipulation XIII).	No additional historic properties requiring consultation were identified during the Reporting Period.	

STIPULATION VII - EXCESS RIGHT OF WAY																	
Status	Taskmaster(s) & Lead					MOA Reference			Stakeholders & Commitment Description		Duration & Deadline				Product & Implementation		Remarks & Comments
	FHWA/ STA/ SHPO	GEC	Sub-consultant	SDC	Current Lead	Item	Sub Items	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	
NI	INDOT/ KYTC	CTS	NR	NR	FHWA			35	If Project should result in excess right-of-way to be disposed, the FHWA shall consult appropriate SHPO to determine whether the disposal or sale would have an adverse effect on historic properties.	HPATS, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	Duration of Project		If Project should result in excess right-of-way to be disposed, the FHWA shall consult appropriate SHPO to determine whether the disposal or sale would have an adverse effect on historic properties.	No excess right-of-way was determined necessary during the Reporting Period.	

STIPULATION VIII - PERFORMANCE STANDARDS																
Status ¹	Taskmaster(s) ² & Lead					MOA Reference			Stakeholders & Commitment Description		Duration & Deadline			Product & Implementation		
	FHWA/ST/SHPO	GEC	Sub-consultant	SDC	Current Lead	Item	Sub Items	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan
U	INDOT/ KYTC	CTS	NR	NR	FHWA	A		35	FHWA shall ensure all cultural resources work carried out will be carried out by or under the direct supervision of individuals that meet the Secretary of the Interior's Professional Qualification Standards.	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	Duration of Project		FHWA shall ensure all cultural resources work carried out will be carried out by or under the direct supervision of individuals that meet the Secretary of the Interior's Professional Qualification Standards.	Condition to be met the duration of the Project.
U	INDOT/ KYTC	CTS	NR	NR	FHWA	B		35	FHWA shall ensure all historic preservation resource work carried out will be guided by the most recent version of the following standards:	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	Duration of Project		FHWA shall ensure all historic preservation resource work carried out will be guided by the most recent version of the following standards:	Condition to be met the duration of the Project.
U	INDOT/ KYTC	CTS	NR	NR	FHWA		1	35	The Secretary of Interior: Standards and Guidelines for Archaeology and Historic Preservation	HPATs, IN SHPO, KY SHPO and Native American Tribes	April 2003	December 2023	Duration of Project		FHWA shall ensure all historic preservation resource work carried out will be guided by the most recent version of the following standards:	See M update, above
U	INDOT/ KYTC	CTS	NR	NR	continued		2	35	Advisory Council on Historic Preservation: Treatment of Archaeological Properties: A Handbook	continued	continued	continued	continued		continued	See M update, above
U	INDOT/ KYTC	CTS	NR	NR	continued		3	36	Indiana Guidelines: Division of Historic Preservation and Archaeological Guidelines; most recent version of the Indiana Archaeological Guidelines updating the Guidebook for Indiana Historic Sites	continued	continued	continued	continued		continued	See M update, above
U	INDOT/ KYTC	CTS	NR	NR	continued		4	36	Kentucky Guidelines: Specifications for Conducting Fieldwork and Preparing Cultural Resource Assessment Reports; most recent version of Kentucky State Historic Preservation Office	continued	continued	continued	continued		continued	See M update, above

STIPULATION IX - PROGRESS REPORTS																	
Status ¹	Taskmaster(s) ² & Lead					MOA Reference			Stakeholders & Commitment Description		Duration & Deadline				Product & Implementation		Remarks & Comments
	FHWA/ STA/ SHPO	GEC	Sub-consultant	SDC	Current Lead	Item	Sub Items	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	
U		CTS	NR	NR	CTS	A		36	Progress reports detailing implementation of the measures stipulated within the MOA and providing advanced notice of milestones.	IHPAT, KHPAT, Signatories and Concurring Parties of MOA	April 2003	December 2023	Every six (6) months until all phases of the project are complete	Report No. 1 - 7/21/04 Report No. 2 - 9/20/04 Report No. 3 - 4/22/05 Report No. 4 - 10/10/05 Report No. 5 - 2/20/06 Report No. 6 - 11/28/06 Report No. 7 - 5/9/07 Report No. 8 - 12/17/07 Report No. 9 - 3/5/08 Report No. 10 - 9/9/08	Six Month Progress Report	After the expiration of the Six Month Period, Progress Report to be developed and distributed within three months of close of Reporting Period.	This Report submitted as Progress Report No. 11.
C		CTS	NR	NR	CTS	B		36	First progress report to be distributed six months following the execution of the MOA.	IHPAT, KHPAT, Signatories and Concurring Parties of MOA	April 2003	December 2023	October 2003	July 21, 2004	Six Month Progress Report	Complete	First progress report was provided on 7/21/04
U		CTS	NR	NR	CTS	C		36	Progress report to identify the status of each stipulation outlined in the MOA & of associated documents.	IHPAT, KHPAT, Signatories and Concurring Parties of MOA	April 2003	December 2023			Six Month Progress Report	Progress report to identify the status of each stipulation outlined in the MOA & of associated documents.	Condition to be met the duration of the Project.

STIPULATION X - PROJECT MODIFICATIONS																	
Status ¹	Taskmaster(s) ² & Lead					MOA Reference			Stakeholders & Commitment Description		Duration & Deadline				Product & Implementation		Remarks & Comments
	FHWA/ STA/ SHPO	GEC	Sub-consultant	SDC	Current Lead	Item	Sub Items	Pg. No.	Description	Identified Stakeholders	Anticipated Start Date	Anticipated Completion Date	MOA Deadline	Actual Completion Date	Product	Implementation Plan	
NI	N/A	CTS	NR	NR	INDOT and KYTC			36	If the Project is significantly modified and additional effects to historic properties are considered the FHWA will consult with the signatories to determine if the MOA should be amended.	IHPAT, KHPAT, Signatories and Concurring Parties of MOA	April 2003	December 2023	Duration of Project		If the Project is significantly modified and additional effects to historic properties are considered the FHWA will consult with the signatories to determine if the MOA should be amended.	No significant modifications to the Project occurred during the Reporting Period.	

KEY:

1 - Status																
C - Completed	U - Underway					D - Duration of Project			NR - Not Required				NI - Not Yet Initiated			
2 - Taskmasters																
STAs:	INDOT - Indiana Department of Transportation								KYTC - Kentucky Transportation Cabinet							
Federal Agency	FHWA - Federal Highway Administration															
SHPOs	INSHPO - Indiana State Historic Preservation Office								KHC - Kentucky Heritage Council							
GEC	R - Ratio Architects		CTS - Community Transportation Solutions			A - ASC Group			GP - Gray and Pape							
KY SDCs	L - HW Lochner				KTA - Kentucky Transportation Associates											
IN SDCs	BFS - Butler, Fairman and Seufert				IAP - Indiana Approach Partners											
SDCs 2 & 5	PB - Pierson Brinkerhoff				MB - Michael Baker											
NR - Not Required																

ATTACHMENT D PROGRESS REPORT SCHEDULE

Pursuant to Stipulation IX of the Section 106 MOA, the following schedule by section and milestones is anticipated for the Project in ensuing Reporting Periods.

SECTION 1 – KENNEDY INTERCHANGE

- Butchertown Final HPP Approval – Spring 2009
- Butchertown Dispute Resolution Conclusion – Winter 2009
- Coordination Meeting for Resolution of Noise Barriers along I-64 in the vicinity of Clifton – Spring 2009
- Coordination Meetings with SDC 2 – On-going
- Section 1A Archaeological Exploration Final Report – Spring 2009
- Continuation of Jefferson County Inventory and Survey of Historic Sites – 2009
- Continuation of Development of Preservation Easements for the Wesley House and the Edison House – Spring 2009

SECTION 2 – DOWNTOWN BRIDGE

- Additional Context Sensitive Design Workshop with IHPAT and KHPAT – Summer 2009
- Coordination Meetings with SDC 1 – On-going

SECTION 3 – DOWNTOWN INDIANA

- Old Jeffersonville Final HPP Approval – Spring 2009
- Ohio Falls Car and Locomotive HD Nomination for Approval - Summer 2009
- Initiation of Clark County Interim Report and Historic Sites and Structures Inventory – Spring 2009

SECTION 4 – KENTUCKY EAST END

- Country Estates of River Road/River Road HPP – Final HPP for Approval in Spring 2009
- Final Rosewell Treatment Plan Review – Spring 2009
- Final R/W Plans – Summer 2009
- Community Meetings to Discuss Noise Barrier Analysis and Possible Design Concepts for the Proposed Noise Barriers – Spring 2009
- Drumanard Property Easement Negotiations – Summer 2009
- Coordination Meetings with SDC 5 – On-going
- Drumanard Survey Report – Spring 2009
- Continuation of Jefferson County Inventory and Survey of Historic Sites – 2009

SECTION 5 – EAST END BRIDGE

- Coordination Meetings with SDC 4 and SDC 6 – On-going
- Deck Drainage Analysis Study Approval – Spring 2009

SECTION 6 – INDIANA EAST END

- Swartz Farm MOA Amendment – Spring 2009
- Swartz Farm Rural HD Final HPP Approval – Spring 2009
- Completion of Utica Historic Lime Kilns HPP – Summer 2009
- Utica Historic Lime Kilns NRHP Nomination Form – Fall 2009
- Coordination Meetings with SDC 5 – On-going
- Initiation of Clark County Interim Report and Historic Sites and Structures Inventory – Spring 2009

PROJECT WIDE ACTIVITIES

Archaeological GIS Revision – Spring 2009