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**Documentation of  
Section 106 Finding  
for DES No: 0401076  
No Adverse Effect**

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Prepared for Keramida  
Environmental, Inc. by  
H&H Associates, LLP

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Submitted to the Indiana DOT  
November 16, 2010

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**FEDERAL HIGHWAY ADMINISTRATION  
DOCUMENTATION OF SECTION 106 FINDING OF  
NO ADVERSE EFFECT  
SUBMITTED TO THE STATE HISTORIC PRESERVATION OFFICER  
PURSUANT TO 36 CFR Section 800.5(c)  
Muncie Southside Gateway Project  
Delaware County, Indiana  
DES No: 0401076  
FEDERAL PROJECT No: Pending**

**1. DESCRIPTION OF THE UNDERTAKING**

The study area for this undertaking occurs in Center Township, Delaware County, Indiana. The Muncie Southside Gateway Project is an intersection improvement and roadway rehabilitation project beginning at the intersection of 29<sup>th</sup> Street and Madison Street and traversing south along Madison Street to the project end point at Walnut Street and Madison Street, and approximately 0.5 mile corridor. Madison Street is currently a four-lane road classified as an urban minor arterial route located in Section 27, T-20-N, R-10-E, within Muncie's city limits.

The APE has been drawn to encompass properties with a viewshed of the undertaking. In a mixed-use suburban area of Center Township, Delaware County, the undertaking is masked from view in some places by trees and shrubbery. The APE was expanded or contracted based on visibility and the possibility of impact of the undertaking on properties within its viewshed.

The survey examined all buildings and structures within the APE. All buildings and structures greater than 50 years of age were photographed, recorded on mapping, and evaluated for National Register of Historic Places eligibility. There are no properties or districts listed in the National Register of Historic Places (NRHP) within the APE of this project. There are no properties or districts listed in the Indiana State Register of Historic Sites and Structures within the APE. Seven resources that are at least 50 years old were identified within the boundaries of this project's APE, and one of those resources is recommended as eligible for listing in the NRHP. No portion of the APE is recommended as eligible for National Register of Historic Places listing as a Historic District.

The APE's approval letter can be found in Appendix F.

**2. EFFORTS TO IDENTIFY HISTORIC PROPERTIES**

Primary and secondary documentary research included numerous published county and local histories, newspaper articles, documented oral histories, historical and current atlases and maps, and on-line resources. The historian reviewed the National Register of Historic Places, the Indiana Register of Historic Sites and Structures, and the State Historic Architectural and Archaeological Research Database, or SHAARD. No buildings or structures are listed in these resources within the APE. The 1985 Indiana Historic Sites and Structures (IHSSI) survey report for Delaware County listed the Wagoner House as "Notable," and it was the only structure located within the APE included that was included in the survey report.

A draft Historic Property Report (HPR) was prepared on properties located within the project APE (H&H Associates, LLP, September 2010). The abstract and conclusions are included in Appendix D and the entire HPR is available upon request.

Archaeologists from Archaeological Consultants of Ossian conducted an archaeological literature review in August 2010 and examined an approximate 1.0 mile radius within the project area. The review determined that 15 known archaeological sites were located within an approximate 1.0 mile radius of the project, and the 0.3 acres of new right-of-way is situated upon has been disturbed and is poorly drained soil. As a result the archaeologist recommended that no field reconnaissance is necessary for this project. The abstract and conclusions are included in Appendix E and the entire report is available upon request.

In September 2010 the following parties were sent the Historic Properties Report and were invited to be Section 106 consulting parties and to aid in the identification of historic properties: the State Historic Preservation Officer (SHPO), Indiana Landmarks' Eastern Regional Office, Delaware County Historical Society, Delaware County Historian, Delaware County Commissioners, Muncie Historic Preservation & Rehabilitation Commission, and the Wagoner Family.

### **3. DESCRIBE AFFECTED HISTORIC PROPERTIES**

Within the APE of the project lay seven resources older than fifty years: the Wagoner House, a c.1945 English cottage house, a c.1940 western bungalow house, a c.1960 International style building, a c.1945 English cottage house, and a c.1940 garage. The HPR, with the SHPO's concurrence, has deemed all of these but the Wagoner House as ineligible for listing in the National Register due to loss of original materials and integrity.

The National Register-eligible Wagoner House (IHSSI Survey #035-442-35334), which lies at the southeast of intersection of 29<sup>th</sup> Street and Madison Street, was built in 1934 and is an English Cottage/Tudor Revival style cross-gabled tan brick and stone building with original multi-paned wood casement windows in round-arch openings, with decorative cut stone trim around the openings. The original round-arch wood door features an original metal Gothic-style hanging lamp over the entry. The asymmetrical façade features an oriel window and an open side porch. The roof features steeply pitched gables with shed dormers and two large interior brick chimneys with decorative chimney pots. A rear porch enclosure is an historic addition, and the rear elevation features a balcony, clapboard embellished with diamond patterned inserts, and brick soldiering. Included on the approximately 3.5-acre property is an original four-car garage in the same style as the house with a cupola and Gothic-style lighting. Also included on the approximately 3.5 acre property is a brick fire pit, a well, and a shallow recessed pool that may have once been a fountain. The house has an approximate 200' set back from 29<sup>th</sup> Street and is partially obscured from this road and Madison Street by its numerous shade trees and shrubbery. The Wagoner House is significant because it is an intact resource that includes high-style elements and design. The house is an outstanding example of Gothic Revival architecture of the early 1900s, and its use of quality materials and craftsmanship, as well as its retention of the original setting, reinforces its eligibility. National Register Criteria C considerations state a building is eligible for listing if it embodies "the distinctive characteristics of a type, period or method of construction, or that represent the work of a master, or that possess high artistic values..." The 1985 Delaware County IHSSI Survey rated this property as "Notable." Based on these criteria, the Wagoner House is recommended as eligible for listing in the National Register due to its architectural integrity, outstanding craftsmanship and use of quality materials, and historical significance.

Please refer to Appendix H for the Indiana SHPO's Wagoner House's Eligibility Determination.

#### **4. DESCRIBE THE UNDERTAKING'S EFFECTS ON HISTORIC PROPERTIES**

The Muncie Southside Gateway Project is an intersection improvement and roadway rehabilitation project beginning at the intersection of 29<sup>th</sup> Street and Madison Street and extends south for a distance of approximately 0.5 miles to the intersection of Walnut Street and Madison Street. Madison Street is currently a minor arterial with shoulders located in Section 27, T-20-N, R-10-E within Muncie's city limits. The project would create a roundabout at the intersection of Walnut Street and Madison Street as well as enhance Madison Street northward to 29<sup>th</sup> Street with the addition of landscaped medians, signage, lighting, pavement enhancements and a sidewalk. The design also calls for a roadway narrowing to a wide two-lane section (15' lanes) between 29<sup>th</sup> and Walnut Streets. The proposed project's goal is to create a scenic gateway corridor into Muncie coming from the south entrance of the city, which is an area that has encountered blight in recent years.

Also located within the Area of Potential Effect (APE) is a one-year-old bridge over Buck Creek at the south end of the project corridor that will not be involved in the project.

Other than the historic Wagoner House property, current land use of Madison Street between these two streets includes professional and commercial businesses, warehouses, a large strip mall, churches, and a few residences. A large portion of the east side of Madison Street near Buck Creek is heavily forested.

#### **5. EXPLAIN APPLICATION OF CRITERIA OF ADVERSE EFFECT – INCLUDE CONDITIONS OR FUTURE ACTION TO AVOID, MINIMIZE OR MITIGATE ADVERSE EFFECTS**

The project will not take out any trees or require any right-of-way from the property located at the southeast corner of 29<sup>th</sup> and Madison Streets, known as the Wagoner House. During construction access to the Wagoner House's private driveway will be maintained via Madison Street. The setting of this house will not be disturbed or incur any significant changes during or after construction that would deem it ineligible for future inclusion in the National Register.

Due to the nature of the project and its design, the undertaking presents no adverse effect on the Wagoner House property. As described in 36 CFR 800.5(a)(1), the criteria of adverse effect has been applied to this undertaking. An adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics of an historic property that qualify that property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling or association. When considering the criteria of adverse effect and examples thereof in 800.5(a)(2), INDOT on behalf of the FHWA, and in consultation with the Indiana SHPO, has concluded that this undertaking is consistent with a finding of no adverse effect.

#### **6. SUMMARY OF CONSULTING PARTIES AND PUBLIC VIEWS**

The first draft HPR for this project went out to consulting parties in September 2010. At that time the SHPO in a letter dated October 21, 2010 stated that "based upon the project description presented to us, we...have not seen anything that would suggest that this undertaking might alter any of the characteristics of the Wagoner House that may qualify it for inclusion in the National Register." The

SHPO also stated in the same letter that, “we agree with the conclusion of the historic property report that the Wagoner House at 601 East 29<sup>th</sup> Street in Muncie is eligible for inclusion in the National Register of Historic Places under Criterion C.” The SHPO confirmed that, “there appear to be no other historic, above-ground properties within the proposed area of potential effects” that would be eligible for the National Register.

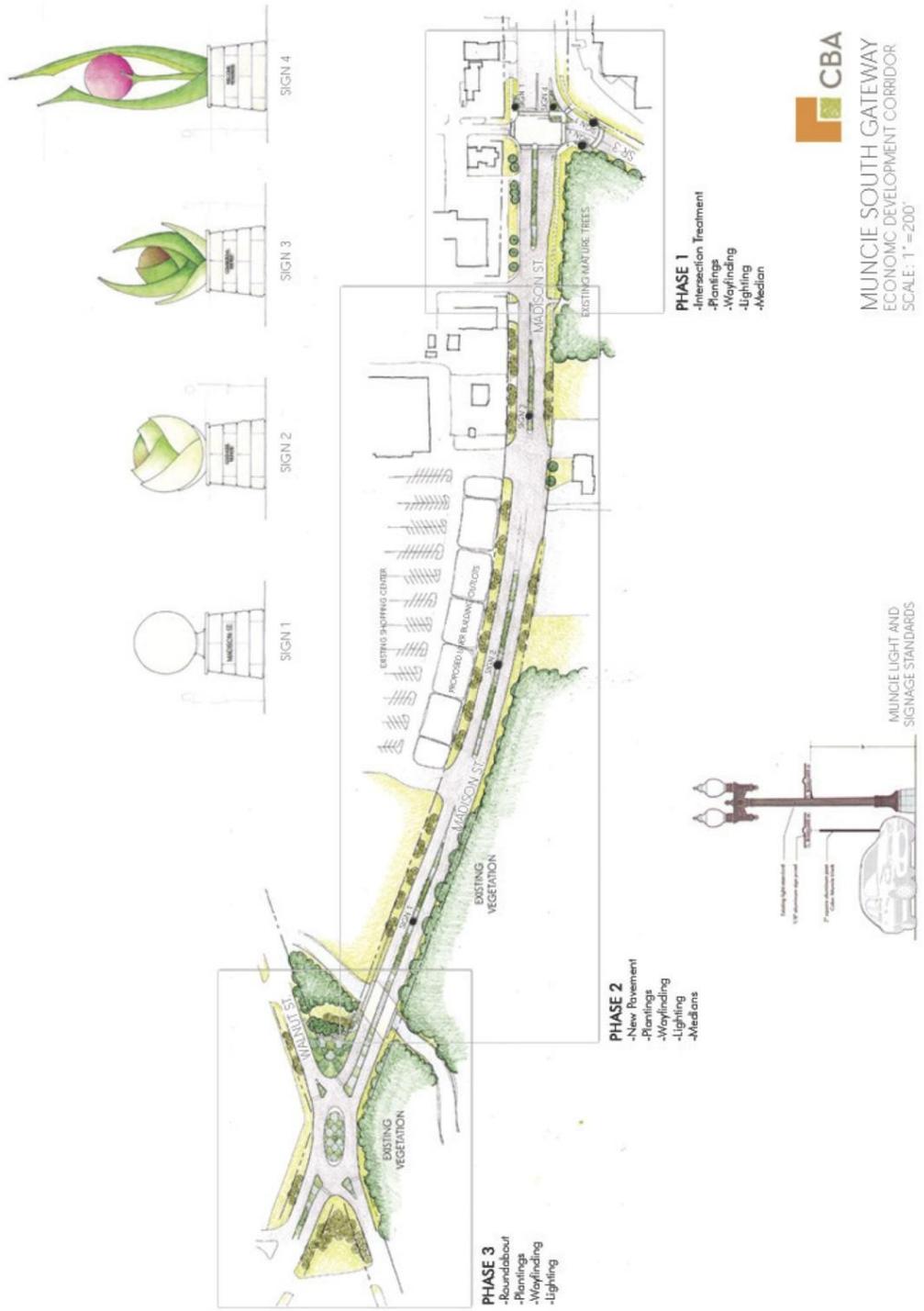
Please refer to Appendix H for all correspondence received from the project’s Consulting Parties.

A public notice regarding INDOT’s APE and “No Adverse Effect” finding will be issued for this project in a local newspaper in December, 2010. A 30-day comment period will be given. This document will be revised, if necessary, after the public notice to reflect any comments received.

## **APPENDICES**

- A. Project Plan
- B. Maps
- C. Photographs
- D. Historic Properties Report Summary and Conclusion
- E. Archaeology Report Summary
- F. SECTION 4(f) Compliance Requirements & Section 106 APE/Eligibility/Effect Finding
- G. List of Consulting Parties
- H. Correspondence from Consulting Parties

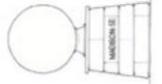
**APPENDIX A: Project Plan**



**PHASE 3**  
 -Roundabout  
 -Plantings  
 -Wayfinding  
 -Lighting

**PHASE 2**  
 -New Pavement  
 -Plantings  
 -Wayfinding  
 -Lighting  
 -Medians

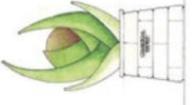
**PHASE 1**  
 -Interaction Treatment  
 -Plantings  
 -Wayfinding  
 -Lighting  
 -Median



SIGN 1



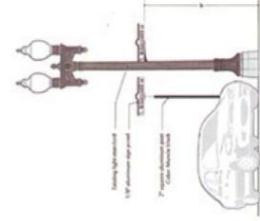
SIGN 2



SIGN 3



SIGN 4



MUNCIE LIGHT AND SIGNAGE STANDARDS



**MUNCIE SOUTH GATEWAY**  
 ECONOMIC DEVELOPMENT CORRIDOR  
 SCALE: 1" = 200'



APPENDIX B: Maps



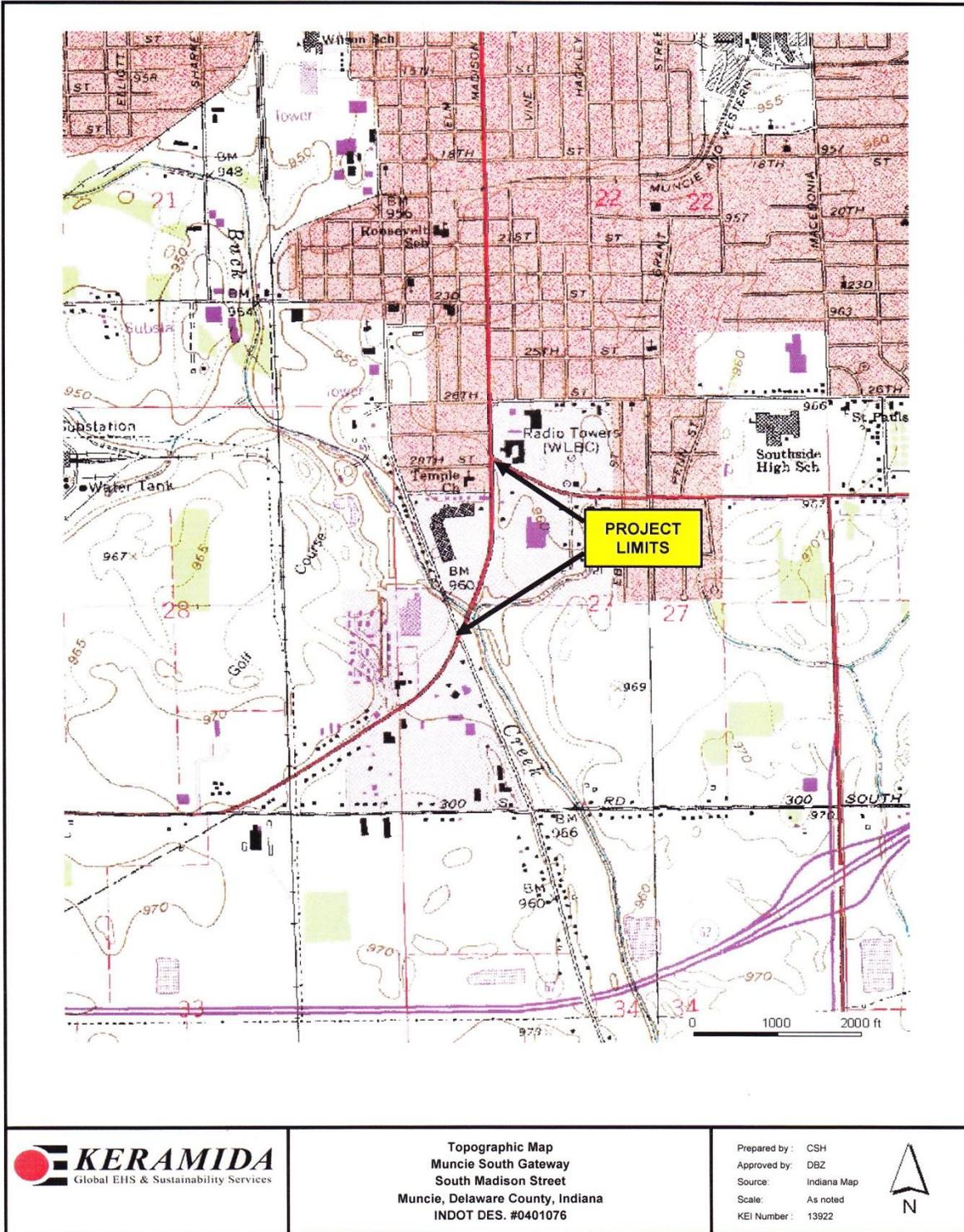
Aerial photo showing project boundaries and location



APE (200'=1")



Wagoner House showing National Register boundary following property line (scale: 50' = 1")



1:24,000 USGS topographical map with project location marked

**APPENDIX C: Photographs**



**Wagoner House facade looking south**



**Wagoner House rear elevation looking north**



**Wagoner House garage looking east**



**View of 3401 S Madison Street looking west**



**View of 3403 S Madison St looking west**



**View of 3421 S Madison St looking west**



**View of house at SW corner of Madison and 28<sup>th</sup> Sts looking west**



**View of 3601 S Madison St looking west**



**View of 3905 S Walnut St looking west**

## APPENDIX D: Historic Properties Report Summary and Conclusion

### **Abstract: Muncie Southside Gateway Project Madison Street between 29<sup>th</sup> and Walnut Streets Intersection Improvement and Roadway Rehabilitation Center Township, Delaware County, Indiana**

The study area for this undertaking occurs in Center Township, Delaware County, Indiana. The Muncie Southside Gateway Project is an intersection improvement and roadway rehabilitation project beginning at the intersection of 29<sup>th</sup> Street and Madison Street and traversing south along Madison Street to the project end point at Walnut Street and Madison Street, and approximately 0.5 mile corridor. Madison Street is currently a four-lane road classified as an urban minor arterial route located in Section 27, T-20-N, R-10-E, within Muncie's city limits.

The project would include:

- installation of landscape medians, custom signage, gateway elements and decorative lighting
- installation of a sidewalk on the west side of the roadway
- intersection pavement enhancements and curb modifications at 29<sup>th</sup> Street
- roadway narrowing to a wide 2-lane section (15' lanes) between 29<sup>th</sup> and Walnut Streets
- construction of a roundabout at the Madison and Walnut Streets intersection (involving land acquisition at the northeast and southwest corners of the intersection, as well as potential filling of the area at the northeast corner, which is a flood plain).

Also located within the Area of Potential Effect (APE) is a one-year-old bridge over Buck Creek at the south end of the project corridor that will not be involved in the project.

The project historian who meets or exceeds the Secretary of the Interior's standards for Section 106 work identified and evaluated historic properties within the APE for this project. Historic properties were identified and evaluated in accordance with Section 106, National Historic Preservation Act (NHPA) of 1966, as amended, and CFR Part 800 (Revised January 2001), Final Rule on Revision of Current Regulations, December 12, 2000, and incorporating amendments effective August 5, 2004.

The APE has been drawn to encompass properties with a viewshed of the undertaking. In a mixed-use suburban area of Center Township, Delaware County, the undertaking is masked from view in some places by trees and shrubbery. The APE was expanded or contracted based on visibility and the possibility of impact of the undertaking on properties within its viewshed.

The survey examined all buildings and structures within the APE. All buildings and structures greater than 50 years of age were photographed, recorded on mapping, and evaluated for National Register of Historic Places eligibility. There are no properties or districts listed in the National Register of Historic Places (NRHP) within the APE of this project. There are no properties or districts listed in the Indiana State Register of Historic Sites and Structures within the APE. Out of seven properties more than fifty years old located within the APE, one is rated Notable in the IHSSI survey. The historian recommends that this property meets eligibility requirements for the National Register of Historic Places (NR). The historian recommends six additional properties as Contributing. No portion of the APE is recommended as eligible for National Register of Historic Places listing as a Historic District.

## Conclusion

As a result of this identification and evaluation effort, one resource within the APE is recommended as eligible for listing in the NRHP. Seven properties that are at least fifty years old were identified and evaluated for this project, and ten other properties were evaluated but are not fifty years old. The Wagoner House at the southwest corner of 29<sup>th</sup> and Madison Streets is recommended as eligible for the NRHP due to its outstanding historical and architectural integrity; the six other contributing buildings contribute to the contextual fabric of the neighborhood but they are not recommended as individually eligible, nor are they eligible as a historic district, for the NRHP due to their loss of integrity and/or lack of significance.

APPENDIX E: Archaeology Report Summary

**Archaeological Consultants of Ossian**

September 1, 2010

Ms. Christina Haviland  
Keramida Environmental, Inc.  
401 North College Avenue  
Indianapolis, IN 46202

Dear Ms. Haviland:

Enclosed is a report entitled *An Archaeological Literature Review of the Proposed Muncie Southside Gateway Project (Des. No. 0401076) in Muncie, Delaware County, Indiana*. Archaeological Consultants of Ossian Cultural Resource Management Report #10 LR 18. Please forward this report to the Indiana Division of Historic Preservation and Archaeology. Please make a copy of the report for your records. All original documents must be forwarded to SHPO.

As you will see from the report, the literature review has determined that an archaeological field reconnaissance is not recommended for the project. Please contact my office if the State does not concur with the report findings.

Thank you very much for the opportunity to work with you. If there is anything more I can do for you, please do not hesitate to call me at 765 281-0969 or 765 730-0524.

Sincerely,

  
Larry N. Stillwell  
Archaeologist

Enclosures: CRM Report 10 LR 18

### **Abstract**

An archaeological literature review was conducted for the proposed Muncie Southside Gateway Project (Des. No. 0401076) in Muncie, Delaware County, Indiana. The review determined that no known cultural resources were present within the roundabout right-of-way. The review also determined that 15 known archaeological sites were located within an approximate 1.0 mile radius of the project. Approximately 0.3 acres of new and/or temporary right-of-way was required for the project. The new right-of-way is situated upon made land or on very poorly drained soils. Because the proposed right-of-way has either been disturbed or is situated on very poorly drained soils, an archaeological field reconnaissance has not been recommended. It is the opinion of the archaeologist that the proposed undertaking will not affect any archaeological properties eligible for listing on the National Register of Historic Places. Thus, no further archaeological work is warranted. Project clearance is recommended.

### **Conclusions and Recommendations**

The environmental data indicate that the project area at one time contained the potential for prehistoric sites and historic sites as well. The project area is situated upon made land or on very poorly drained soils. Minimal new permanent right-of-way (0.3 acres) will be required to construct the proposed roundabout. Given the presence of disturbed or very poorly drained soils throughout the project limits, it is unlikely that intact and/or potentially significant cultural resources exist within the roundabout right-of-way. Therefore, it is the opinion of the archaeologist that an archaeological field reconnaissance appears unwarranted at this time. If the scope of the current project design should happen to change and more permanent and/or temporary right-of-way is required for the project which has never been addressed by a professional archaeologist, then an archaeological field reconnaissance may be required. If human remains, features, or midden deposits are revealed during construction, any further disturbance will cease until an INDOT, CRS archaeologist is contacted and mitigation is completed.

**APPENDIX F: SECTION 4(f) Compliance Requirements & Section 106 APE/Eligibility/Effect Finding**

**FEDERAL HIGHWAY ADMINISTRATION'S  
SECTION 4(F) COMPLIANCE REQUIREMENTS (for historic properties) AND  
SECTION 106 FINDINGS AND DETERMINATIONS  
AREA OF POTENTIAL EFFECT  
ELIGIBILITY DETERMINATIONS EFFECT FINDING  
MUNCIE SOUTHSIDE GATEWAY INTERSECTION IMPROVEMENT  
AND ROADWAY REHABILITATION  
DELAWARE COUNTY, INDIANA  
Des No: 0401076  
Federal project no: pending**

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

The APE has been drawn to encompass properties with a viewshed of the undertaking. The project area lies within Center Township, in the southern section of Muncie, beginning at the intersection of 29<sup>th</sup> and Madison Streets and traversing south along Madison Street to the project end point at Walnut and Madison Streets, an approximate 0.5 mile corridor. The area is a mixed-use area of retail, commercial and professional office with nearby suburban housing. The APE was expanded or contracted based on visibility and the possibility of impact of the undertaking on properties within its viewshed.

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

There is one property recommended eligible for listing in the National Register of Historic Places within the APE, called the Wagoner House. Built in 1934, the Wagoner House is an English Cottage/Tudor Revival style cross-gabled tan brick and stone building with original multi-paned wood casement windows in round-arch openings. The house retains an original four-car garage in the same style as the house with a cupola and Gothic-style lighting. The property encompasses approximately 3.5 acres and has an approximate 200' set back from 29<sup>th</sup> Street and is partially obscured from this road and Madison Street by its numerous shade trees and shrubbery. National Register of Historic Places criteria considerations state a building is eligible for listing if it embodies "the distinctive characteristics of a type, period or method of construction, or that represent the work of a master, or that possess high artistic values..." The 1985 Delaware County IHSSI Survey rated this property as "Notable." Twenty-five years later, this house stands the test of time and retains its integrity and character. Based on these criteria, the Wagoner House is recommended as eligible for listing in the National Register due to its architectural integrity, outstanding craftsmanship and use of quality materials, and historical significance.

**EFFECT FINDING**

Within the APE of this project there is one National Register-eligible property: the 1934 Wagoner House. This property retains its architectural significance and integrity and is determined eligible for listing in the National Register. The effect of the undertaking on this property is "No Adverse Effect." INDOT, acting on FHWA's behalf has determined a "No Adverse Effect" finding is appropriate for this undertaking.

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

This undertaking will not convert property from any Section 4(f) historic property to a transportation use; the INDOT, acting on FHWA's behalf, has determined the appropriate Section 106 finding is "No Adverse Effect"; therefore no Section 4(f) evaluation is required for the Wagoner House property. INDOT respectfully requests the Indiana State Historic Preservation Officer (IN SHPO) provide written concurrence with the Section 106 determination of "No Adverse Effect."

Consulting parties will be provided a copy of the findings and determinations in accordance with INDOT and FHWA's Section 106 procedures. Comments will be accepted for thirty (30) days upon receipt of the findings.



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Staffan Peterson, for FHWA  
Administrator  
INDOT Cultural Resources Section

1/23/2010

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Approved Date

## **APPENDIX G: List of Consulting Parties**

The following were invited to be consulting parties. Those that responded “I do” wish to be a consulting party are bolded.

**Robert E. Carter, Jr.**  
**State Historic Preservation Officer**  
**Indiana Department of Natural Resources**  
**Division of Historic Preservation & Archaeology**  
Indiana Government Center South  
402 W. Washington St., Room W274  
Indianapolis, IN 46204

**Joseph Jarzen**  
**Eastern Regional Office**  
**Indiana Landmarks**  
838 National Road Mt. Auburn  
Cambridge City, IN 47327  
Bill Morgan  
Muncie Historic Preservation & Rehabilitation  
Commission  
300 N. High St.  
Muncie, IN 47305

Norma Lasley  
Delaware County Historian  
501 S. Lombard Drive  
Muncie, IN 47304-4437

Wagoner Family  
601 East 29<sup>th</sup> Street  
Muncie, IN 47304

**Patrick Carpenter**  
**Cultural Resources Section**  
**Office of Environmental Services**  
**Indiana Department of Transportation**  
100 N. Senate Ave., Room N642  
Indianapolis, IN 46204

Delaware County Commissioners  
County Building  
100 W Main St  
Muncie, IN 47305

Muncie City Council  
City Hall  
300 North High Street  
Muncie, IN 47305

Delaware County Historical Society  
120 East Washington Street  
Muncie, Indiana 47305-1734

## APPENDIX H: Correspondence from Consulting Parties



Mitchell E. Daniels, Jr., Governor  
Robert E. Carter, Jr., Director

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



October 21, 2010

Candace Hudziak  
H&H Associates, LLP  
218 E. North Street  
Greenfield, Indiana 46140

Federal Agency: Federal Highway Administration

Re: Project information, historic property report (Hudziak, 9/6/10), and archaeological field reconnaissance report (Stillwell, 9/1/10) regarding the Muncie Southside Gateway Project, consisting of intersection improvement and roadway reconstruction on Madison Street between 29th and Walnut streets (Des. No. 0401076; DHPA No. 10733)

Dear Ms. Hudziak:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f), 36 C.F.R. Part 800, and the "Programmatic Agreement Among the Federal Highway Administration, the Indiana Department of Transportation, the Advisory Council on Historic Preservation and the Indiana State Historic Preservation Officer Regarding the Implementation of the Federal Aid Highway Program In the State of Indiana," the staff of the Indiana State Historic Preservation Officer has conducted an analysis of the materials dated September 18, 2010 and received on September 21, 2010, for the above indicated project in Muncie, Delaware County, Indiana.

For the purposes of the Section 106 review of this undertaking, we agree with the conclusion of the historic property report ("HPR") that the Wagoner House at 601 East 29<sup>th</sup> Street in Muncie (IHSSI No. 035-442-45334) is eligible for inclusion in the National Register of Historic Places under Criterion C and that the historic property boundaries are approximately as depicted on page 43 of the HPR.

We also agree that there appear to be no other historic, above-ground properties within the proposed area of potential effects.

In regards to archaeology, based upon the documentation available to the staff of the Indiana SHPO, we have not identified any currently known archaeological resources listed in or eligible for inclusion in the National Register of Historic Places within the probable project area.

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

Based on the project description presented to us, we do not have not seen anything that would suggest that this undertaking might alter any of the characteristics of the Wagoner House that may qualify it for inclusion in the National Register (see 36 C.F.R. §§ 800.16[i]).

At this time, it would be appropriate for the Indiana Department of Transportation ("INDOT"), on behalf of the FHWA, to analyze the information that has been gathered from the Indiana SHPO, the general public, and any other consulting parties and make the necessary determinations and findings. Please refer to the following comments for guidance:

- 1) If INDOT believes that a determination of "no historic properties affected" accurately reflects its assessment (see 36 C.F.R. § 800.4[d][1]), then it shall provide documentation of its finding as set forth

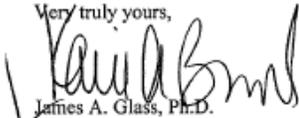
in 36 C.F.R. § 800.11 to the Indiana SHPO, notify all consulting parties, and make the documentation available for public inspection (36 C.F.R. §§ 800.4[d][1] and 800.2[d][2]).

- 2) If, on the other hand, INDOT finds that an historic property may be affected, then it shall notify the Indiana SHPO, all other consulting parties, and the public of its finding and seek views on effects in accordance with 36 C.F.R. §§ 800.4(d)(2) and 800.2(d)(2). Thereafter, INDOT may proceed to apply the criteria of adverse effect and determine whether the project will result in a "no adverse effect" or an "adverse effect" in accordance with 36 C.F.R. § 800.5.

Please be advised that prior to INDOT's approving and issuing a finding, the 36 C.F.R. § 800.11 documentation must be submitted to INDOT for review and comment.

*A copy of the revised 36 C.F.R. Part 800 that went into effect on August 5, 2004, may be found on the Internet at [www.achp.gov](http://www.achp.gov) for your reference. If you have questions about archaeological issues, please contact Dr. Rick Jones at (317) 233-0953 or [rjones@dnr.IN.gov](mailto:rjones@dnr.IN.gov). If you have questions about buildings or structures, please contact John Carr at (317) 233-1949 or [jcarr@dnr.IN.gov](mailto:jcarr@dnr.IN.gov). Additionally, in all future correspondence regarding this project, please refer to DHPA No. 10733.*

Very truly yours,



James A. Glass, Ph.D.  
Deputy State Historic Preservation Officer

JAG:JRJ:JLC:jlc

cc: Staffan Peterson, Cultural Resources Section, Office of Environmental Services, Indiana Department of Transportation  
cmc: Shaun Miller, Cultural Resources Section, Office of Environmental Services, Indiana Department of Transportation  
Mary Kennedy, Cultural Resources Section, Office of Environmental Services, Indiana Department of Transportation  
Patrick Carpenter, Cultural Resources Section, Office of Environmental Services, Indiana Department of Transportation  
Candace Hudziak, H&H Associates, LLP

JOSEPH JARZEN

Wayne Goodman  
Indiana Landmarks  
838 National Road Mt. Auburn  
Cambridge City, IN 47327

**Muncie Southside Gateway Intersection Improvement and Roadway Rehabilitation  
Madison Street between 29<sup>th</sup> and Walnut Streets  
Muncie, Center Township, Delaware County, Indiana  
DES No.: 0401076  
Federal Project Number: Pending**

I DO  DO NOT  wish to be a Consulting Party to participate in the Section 106 process for the above mentioned project.

PLEASE NOTE: If you check "I DO" above, please return comments within thirty (30) days after receipt.