

### S3.1 Tiering

Tiering is a imprecise tool tolerated, but not preferred by Federal Highway legal staff I was told by a chief legal council for FHWA in Washington DC. It is a well-known tool for avoidance of required study, by always claiming that particulars of study belonged in “the other tier”. See Karst, see preservation of corridors, see public notification, see economic analysis, see FOIA requests and ownership of study data...

S3.2 Technical Tools Access to the Shape Files and background data has been and continues to be denied to citizens and even local government units. Security measures placed on PDF files associated with INDOT are the highest of any we have found on the internet.

The C-D of the Final EIS is protected from cut-and-paste making quick quotation of the document impossible. This has served to reduce disclosure of errors in the study.

### S3.3 Public and Agency Outreach

The outreach has often served to pronounce, “done deal” and break the morale of citizens who have clearly spoken to INDOT’s deaf ears.

## **S.4 Scoping, Purpose and Need, and Preliminary Screening**

### S4.1 Scoping Process

The scoping is flawed. The administrators of this study do not recognize the validity of “no build”. No build leaves the state with the option of building just as direct a route at a fraction of the cost that would leave our air cleaner, our farms more intact. our homes equity in place, at a fraction of the cost. The “direct route” does not have to be a National Interstate highway. If we have no choice but where to build I-69, then we lost our choices to the federal government long ago. I don’t believe that even the federal government believes that. The introduction statement of State Senator Borst in his analysis of I-69, makes this point, INDOT is pretending that we must build I-69, and it is clearly stated in several of the responses to comments in the “comments and question section of the FEIS”. All references to this lack of an option of “no build” and the FEIS belief that “no build” cannot have benefits must be removed from this document before any ROD should be issued. To do otherwise is to violate the process.

The no build return of personal income growth to the southwest region of Indiana is actually greater than any build alternative. The growth in personal income for the region is built into the assumed increase in population. The return on investment after all the costs of I-69 are factored in is actually lower per household with any build option.

### No Build

The conclusions of the Indianapolis to Evansville FEIS for I-69 are fundamentally flawed regarding the possibility of “no build”. The FEIS makes clear that “No Build” is considered only a base line device and the administrators of the study do not recognize “no build” as a possible conclusion to the study. They claim that they are required to build I-69, an Interstate Highway by the corridor 18 study. This stated assumption in the FEIS is expressed frequently in the comments and rebuttal section of the FEIS. Public statements by INDOT and Bernardin, Lochmueller and Associates (BLA) to the public that “no build”, “airplanes”, “trains” or even “bicycles” were options that we as citizens could suggest in the “route selection” portion of this latest Evansville to Indy study contradicted this FEIS claims that No Build is simply a baseline, not a possible option with possible benefits. The FEIS statements that I-69 must be built are incorrect.

The Federal Highway department must demand that all statements in the FEIS that make claim that “No build, is not a possible option because of a federal mandate to build I-69” and that statements which claim that by it’s nature, ‘no build’ can not provide a greater return on investment“ are fundamentally incorrect. Congress has required states to study I-69, but Congress has not required any state to do anything more than study this.

Since the FEIS recognizes no benefit from “no build”, we must ask that any increase in economic benefit to the region from “no build” today vs. “no build” at the end of the study period, be subtracted from the build option. Persons who have done this have found negative benefit (less than zero) to the build option. Personal income growth increases for the study area, but individual income growth, or family income growth is less with build than without. This result was first documented with the Donahue study and studies as recently as fall 2003 have returned the same result.

It is here pointed out that Evansville, Indiana has been a driving force behind the establishment of the National priority status of the I-69 project. If the assumption that Indiana must build I-69 were true, then it would also be true that every other state must build I-69. That Indiana and Texas were successful in having I-69 listed as a national priority does not require any other state to spend their transportation dollars on this federal national priority interstate. They are only required to study the proposed route.

We claim that what did Congress pass as National Priority Corridor 18 then, would no longer be accepted today:

Much has happened since this project was given priority status. The National and Indiana's economies have gone from surpluses to large deficits. Our National Debt has reached new records. Our State's economy has the worst outlook in over 150 years.

The NAFTA experiment has often been pronounced a failure, now. Employment figures have sharply declined. The future of manufacturing in the USA has been tarnished. The tech sector of the economy has had a major collapse, leaving tech real estate vastly under occupied. The nation is at war with Terrorism and is occupying two nations, Afghanistan and Iraq.

This study must include the effects on I-465 and existing I-69. Improvements to I-465 and existing I-69 that will be necessitated from the build of I-69 south of I-465 requires that those studies be included in the Corridor 18 I-69 study for Indiana. Public announcements that proclaim the cost of I-69 in Indiana as the cost of 3C ignore the other sections and are a tool used by INDOT to lend a smoke screen to the actual cost to taxpayers for this project.

#### S4.2 Purpose and Need

##### Supposed Economic Benefits:

The savings of time for the small number of vehicles making this travel does not justify this expense. The study clearly states that this is an inducement project rather than a project to fix an existing traffic need. The State can't afford it. There are true transportation needs that have been identified, others that have not. The state continues to ignore substandard bridges and funds wasted by INDOT are withheld from the general fund that would better serve the population of Indiana. If the state has money to "risk" on I-69, it should have the money to repay \$6.1 billion dollars borrowed from the Indiana State Teachers fund. For the past two years the state's income has feel short \$800 million of break-even. The state does not have the funds or the will to return missing funds to the Teachers retirement fund and that of other state employees. These funds will again be the targeted in 2004. The Teachers fund has only 1.6 Billion dollars remaining and a State government projected \$1 billion dollar short fall. Indiana's

constitution requires a “balanced budget”. Several prominent republicans, in fact most use the term “bankrupt” to explain our current situation.

### S4.3 Preliminary Screening