

OO: FRANKLIN MAYOR



U.S. Department
of Transportation
**Federal Highway
Administration**

Indiana Division

575 North Pennsylvania Street, Room 254
Indianapolis, Indiana 46204

December 16, 2009

HDA-IN

Mr. Gary Moody
2991/2 W. Madison Street
Franklin, Indiana 46131

Dear Mr. Moody:

This is to inform you that the Federal Highway Administration (FHWA) has completed an in-depth and comprehensive review of the proposed storm drain system for the North Main Street reconstruction project in Franklin, Indiana. The purpose of this review was to address issues expressed in your correspondence to the United States Secretary of Transportation Ray LaHood dated November 12, 2009, the FHWA Administrator Victor Mendez dated August 19, 2009, the FHWA Indiana Division Administrator Robert Tally Jr., dated June 25, 2009, the USDOT Office of Inspector General (OIG) dated June 25, 2009, and March 3, 2009, and the letter to the Indiana Department of Transportation (INDOT) Commissioner Reed dated August 19, 2009 regarding the potential for waste and abuse of the federal funds in the reconstruction of the storm drainage system as part of the proposed North Main Street Project. As you may recall, you received a letter from the FHWA Administrator's office on August 20, 2009, indicating that these pieces of correspondence were forwarded to the Indiana Division for me to respond to you directly on their behalf.

First, I would like to thank you for your continuous interest in this project and commend you for your knowledge of the drainage network in the City of Franklin. I appreciate your interest and desire to have us complete this review quickly. However, I hope you recognize that the coordination among all parties and the review of calculations, documents and plans has been a time consuming effort.

Before discussing the outcome of our review, it is important to note that no Federal-aid transportation funds have been authorized and/or expended on the North Main Street reconstruction project at this time. It is also our intention to withhold any authorization of Federal-aid transportation funding for the reconstruction of the drainage system for this project until the conditions discussed in this letter are satisfied by the City of Franklin and its consultant.



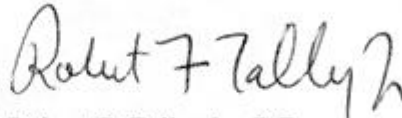
An FHWA Hydraulic Engineer examined the project documents, met with INDOT representatives and the City of Franklin and its consultant representatives and conducted a field review of the project site. Our Hydraulic Engineer completed his review in late November 2009. His review indicates that the high tailwater elevation during flood conditions on Young's Creek will not allow the proposed storm drain system to function appropriately and to significantly reduce the flooding potential on North Main Street. His review also confirms that a large portion of the City of Franklin is drained by the Roaring Run 48" pipe, which is recognized as being of inadequate capacity and poor physical condition. However he has determined that the Roaring Run drainage problems are unrelated to the North Main Street project. It may be necessary for the City of Franklin to conduct an evaluation of the solutions to the Roaring Run drainage problems; however, any resulting solutions will not be eligible for Federal-aid transportation funding, as they are not relevant to the North Main Street reconstruction project. Therefore, it is the City of Franklin's responsibility to convey the storm water run-off discharge from the 48" Roaring Run pipe.

Based on these findings the FHWA Indiana Division has concluded that the following conditions must be met before FHWA can proceed with participating in the funding of the proposed drainage system for the North Main Street project.

1. The City of Franklin must submit data to demonstrate that the proposed drainage system will significantly reduce the flooding potential along the proposed Main Street project. This could be accomplished by demonstrating that appropriate actions are planned to lower the downstream flood elevations or to construct a lift station that will prevent Young's Creek from backing up into the proposed storm drain system. The City may also provide data demonstrating that the tailwater elevation on Young's Creek is lower than the elevation provided by the Indiana Department of Natural Resources for utilization in this review as long as that data demonstrates that the proposed drainage system will significantly reduce the flooding potential along the proposed Main Street project.
2. FHWA would agree to provide Federal-aid transportation funding for costs associated with the construction of an appropriately sized Main Street storm water drainage system that will bypass the 48" Roaring Run pipe, if the City of Franklin can meet the conditions discussed in #1 above. If the City requests to proceed with the construction of a drainage system to intercept the 48" Roaring Run pipe (as currently designed), the City will be responsible to pay the additional costs for the construction of the larger drainage system to carry the 48" Roaring Run run-off storm water.

I understand that you may receive a direct response from the Office of Inspector's General, however, I wanted to separately convey our findings and requirements to inform you of the outcome of our comprehensive review of this proposed project. It is my hope that this addresses your concerns about this proposed transportation project. Again, thank you for sharing your concerns with us. If you have any questions, please feel free contact me at (317) 226-7476.

Sincerely,



Robert F. Tally, Jr., P.E.
Division Administrator

cc:

Jim Stark, INDOT

✓ Mayor Frederick Paris, the City of Franklin, Indiana

Tina Campbell, FHWA (transmitted electronically)

Richard Weingroff, FHWA (transmitted electronically)

Mary Peterson, FHWA (transmitted electronically)