

**BRENT SPENCE**

**BRIDGE CORRIDOR**



BRENT SPENCE BRIDGE CORRIDOR PROJECT

# DRAFT INDIVIDUAL SECTION 4(F) EVALUATION

KYTC PROJECT ITEM NO. 6-17 | ODOT PID 89068  
JANUARY 11, 2024



**HNTB**

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# 1. INTRODUCTION

Section 4(f) of the U.S. Department of Transportation Act of 1966 (Section 4(f)) requires the consideration of publicly owned parks, recreation areas, and wildlife and waterfowl refuges during transportation project development. Section 4(f) also considers publicly or privately owned historic sites that are on or eligible for the National Register of Historic Places (NRHP), the United States' official list of historic properties worthy of preservation. Section 4(f) is implemented by the Federal Highway Administration (FHWA) through 23 Code of Federal Regulations (CFR) part 774.

A use of a Section 4(f) property occurs under the following conditions:

- Permanent incorporation – A transportation project acquires new right-of-way or a permanent easement from a Section 4(f) property;
- Temporary occupancy – A transportation project results in a temporary use of property that is adverse in terms of the preservationist purpose of Section 4(f); or
- Constructive use – The proximity impacts of a transportation project on a Section 4(f) property, even without acquisition of the property, are so great that the activities, features, and attributes of the property are substantially impaired.<sup>1</sup>

Exceptions to the requirement for Section 4(f) approval are listed under 23 CFR § 774.13. The following exceptions apply to this project:

- Temporary occupancies of land that are so minimal as to not constitute a use within the meaning of Section 4(f);
- Maintenance, preservation, rehabilitation, operation, modernization, reconstruction, or replacement of historic transportation facilities if such work will not adversely affect the historic qualities of the facility that caused it to be on or eligible for the NRHP; and
- National Historic Trails and the Continental Divide National Scenic Trail designated under the National Trails System Act, 16 USC §§ 1241-1251, with the exception of those trail segments that are historic sites as defined in 23 CFR § 774.17.

Once a use has been determined, the intensity or magnitude of impact to the Section 4(f) property can be described either as "*de minimis*" or not "*de minimis*." A *de minimis* impact involves the use of Section 4(f) property that is generally minor in nature and is one that, after taking into account avoidance, minimization, mitigation, and enhancement measures, results in no adverse effect to the activities, features, or attributes qualifying a park, recreation area, or refuge for protection under Section 4(f).

For historic properties, a *de minimis* impact is one that results in a determination of "no adverse effect" or "no historic properties affected" in accordance with Section 106 of the National Historic Preservation Act of 1966, which is often referred to as Section 106 and implemented through 36 CFR part 800, as described above. A *de minimis* impact determination requires agency coordination with the official having jurisdiction over the Section 4(f) property and opportunities for public involvement.

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<sup>1</sup> FHWA. "[Section 4\(f\) Tutorial](#)." Environmental Review Toolkit. Accessed April 4, 2023.



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Unless the use of a Section 4(f) property is determined to have a *de minimis* impact or is excepted from required approval, proposed transportation uses must avoid Section 4(f) properties, if avoidance is feasible and prudent, before any U.S. Department of Transportation (USDOT) funding or approvals can be granted. Additionally, a full evaluation of measures to minimize harm to Section 4(f) properties must be made and documented. For *de minimis* impacts, mitigation measures are taken into account when making this determination.

This *Draft Individual Section 4(f) Evaluation* describes the Section 4(f) properties impacted by Refined Alternative I (Concept I-W) for the Brent Spence Bridge (BSB) Corridor Project, the proposed use and impacts, avoidance alternatives, minimization and mitigation measures, and the coordination that has taken place during the project's development. FHWA has determined that the temporary impacts to the Firefighters Memorial, Ezzard Charles Park, the Lewis and Clark National Historic Trail and the rehabilitation of the existing BSB qualify for exceptions from the requirement for Section 4(f) approval; the Hillsdale Subdivision Historic District, the Elberta Apartment Historic District, the Goebel Park Complex, and the Queensgate Playground and Ball Field will be subject to a *de minimis* use; and the Lewisburg Historic District and Longworth Hall will be adversely affected by the project and require individual Section 4(f) evaluation.

## 1.1 Project Background

In 2004, The Kentucky Transportation Cabinet (KYTC) and the Ohio Department of Transportation (ODOT) formally entered into an agreement to jointly develop and deliver a project to improve the BSB corridor and to replace the existing BSB over the Ohio River. KYTC and ODOT developed a range of alternatives for improving the I-71/I-75 corridor in Kentucky and Ohio. Through a series of preliminary engineering and planning studies coupled with public and stakeholder involvement, KYTC and ODOT narrowed the range of alternatives, and two build alternatives were evaluated in an [Environmental Assessment](#) (EA) prepared in March 2012. In August 2012, FHWA issued a [Finding of No Significant Impact](#) (FONSI) identifying Alternative I as the selected alternative for the BSB Corridor Project.

A *Final Individual Section 4(f) Evaluation* for the BSB Corridor Project was prepared in July 2012 during the development of the 2012 EA (see Attachment 1). On August 8, 2012, and in accordance with 23 CFR § 774.17, FHWA approved the use of the Section 4(f) properties associated with the BSB Corridor Project. All required environmental commitments pertaining to Section 4(f) were included in the 2012 FONSI.

Shortly following the approval of the 2012 EA/FONSI, KYTC and ODOT began efforts to identify and evaluate measures to improve the design and constructability of the project while reducing the costs and impacts. These efforts resulted in several refinements to the project's design, which have been designated Refined Alternative I (Concept I-W). KYTC and ODOT are preparing a supplemental EA for Refined Alternative I (Concept I-W) to assess revised regulatory requirements, changed site conditions, design refinements, impact changes, further environmental commitments (enhancements and mitigation), and additional National Environmental Policy Act (NEPA) reevaluation and coordination efforts that have occurred since the 2012 EA/FONSI.

This *Draft Individual Section 4(f) Evaluation* addresses the impacts of Refined Alternative I (Concept I-W) on Section 4(f) properties and summarizes the changes that have occurred since the 2012 *Final Individual Section 4(f) Evaluation* and FONSI.



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## 2. DESCRIPTION OF PROPOSED ACTION AND PURPOSE AND NEED

This document evaluates one build alternative, Refined Alternative I (Concept I-W), which includes value engineering and design refinements to Selected Alternative I from the 2012 EA/FONSI. A description of the studies, activities, and decisions that led to the refinements incorporated into Refined Alternative I (Concept I-W) is presented in Appendix C. The following sections provide a description of the proposed action and the project purpose and need.

The No-Build Alternative consists of minor, short-term safety and maintenance improvements to the BSB and the BSB corridor to maintain continuing operations within the existing right-of-way. This includes the scheduled maintenance work that was completed in conjunction with emergency bridge repairs completed in 2020. As documented in the 2012 EA/FONSI, the No-Build Alternative does not meet the project purpose and need because it would not improve traffic flow or safety, would not correct existing geometric deficiencies, and would result in serious impacts to the traveling public and the region's economy.

### 2.1 Description of Proposed Action

The BSB corridor consists of 7.8 total miles of I-71 and I-75 connecting southwest Ohio and northern Kentucky. This corridor is located within the Greater Cincinnati/Northern Kentucky region and is a major route for regional and local mobility. The BSB corridor also facilitates local travel by providing access to downtown Cincinnati in Hamilton County, Ohio and Covington in Kenton County, Kentucky. The corridor forms a critical freight route connecting Canada to Florida, carrying more than \$1 billion of freight every day and more than \$400 billion of freight every year. Traffic congestion continues to hamper freight movement throughout the corridor as evidenced by its ranking at 15 on the American Transportation Research Institute's list of the nation's top truck bottlenecks for the year 2023.

The primary features of Refined Alternative I (Concept I-W) are illustrated in Figure 1. The project will:

- Reconstruct I-71/I-75 and add one lane in each direction;
- Rebuild the overpass bridges and interchanges and add a new exit at Ezzard Charles Drive in Ohio;
- Construct a collector-distributor (C-D) roadway system between West 12<sup>th</sup> Street/Martin Luther King (MLK) Jr. Boulevard in Kentucky and Ezzard Charles Drive in Ohio;
- Extend frontage roads connecting Pike Street to West 4<sup>th</sup> Street and West 5<sup>th</sup> Street in Kentucky;
- Add C-D lanes between Dixie Highway (US-25) and Kyles Lane (KY-1072) in Kentucky;
- Rehabilitate and reconfigure the existing double-decker BSB to carry three lanes of local traffic on each deck as part of the collector-distributor roadway system; and
- Build a new double-decker companion bridge west of the existing BSB to carry five lanes of through (interstate) traffic on each deck.

The project will also add sidewalks and shared-use paths on local streets that are parallel to or cross the interstate and incorporate aesthetic treatments throughout the corridor. The project will be delivered in three, nonsequential phases, as summarized in the following sections and shown in Figure 2. Detailed maps showing the proposed improvements are included in Exhibit 1 (Appendix A).



**Figure 1: BSB Corridor Project Overview**

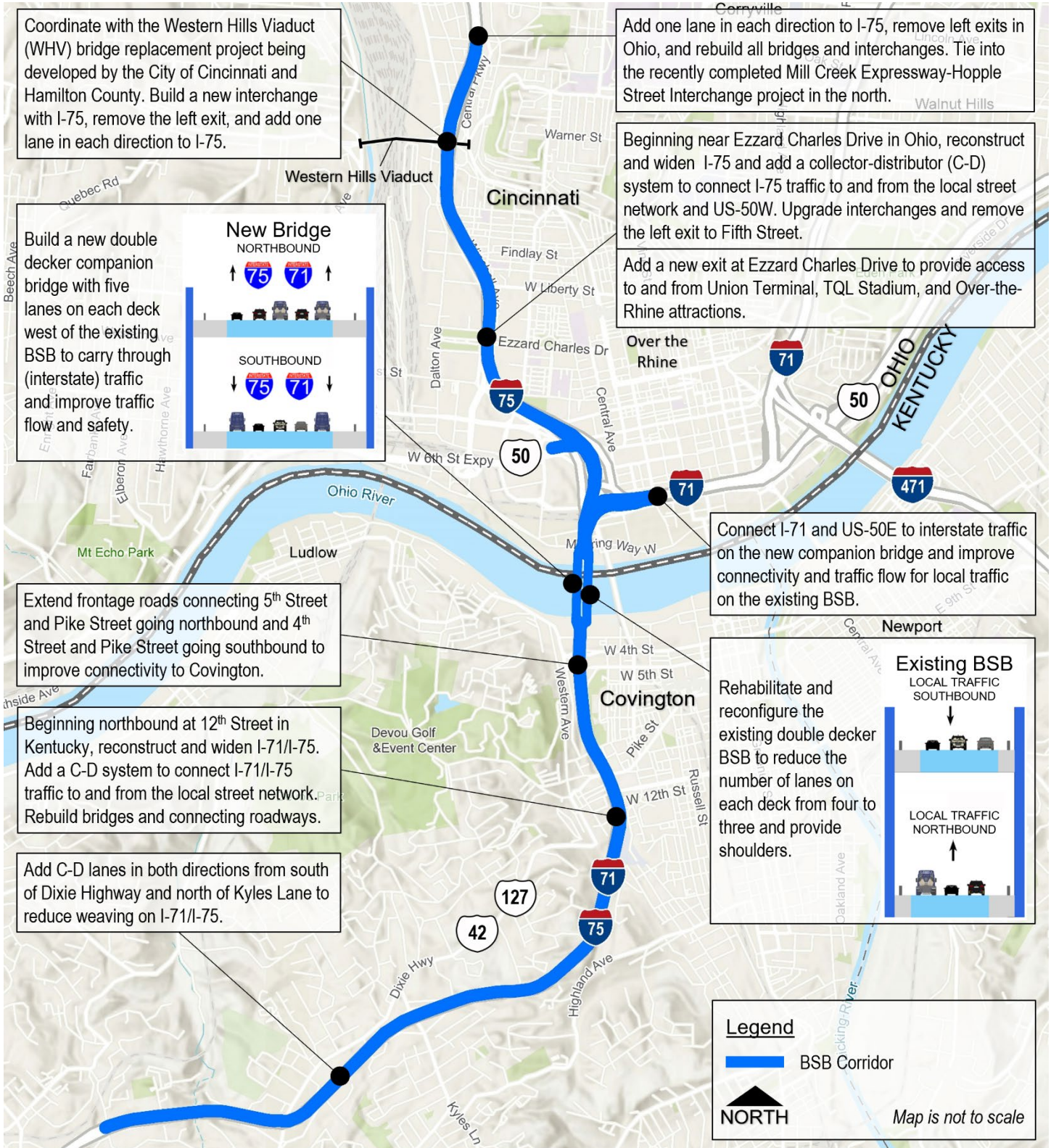
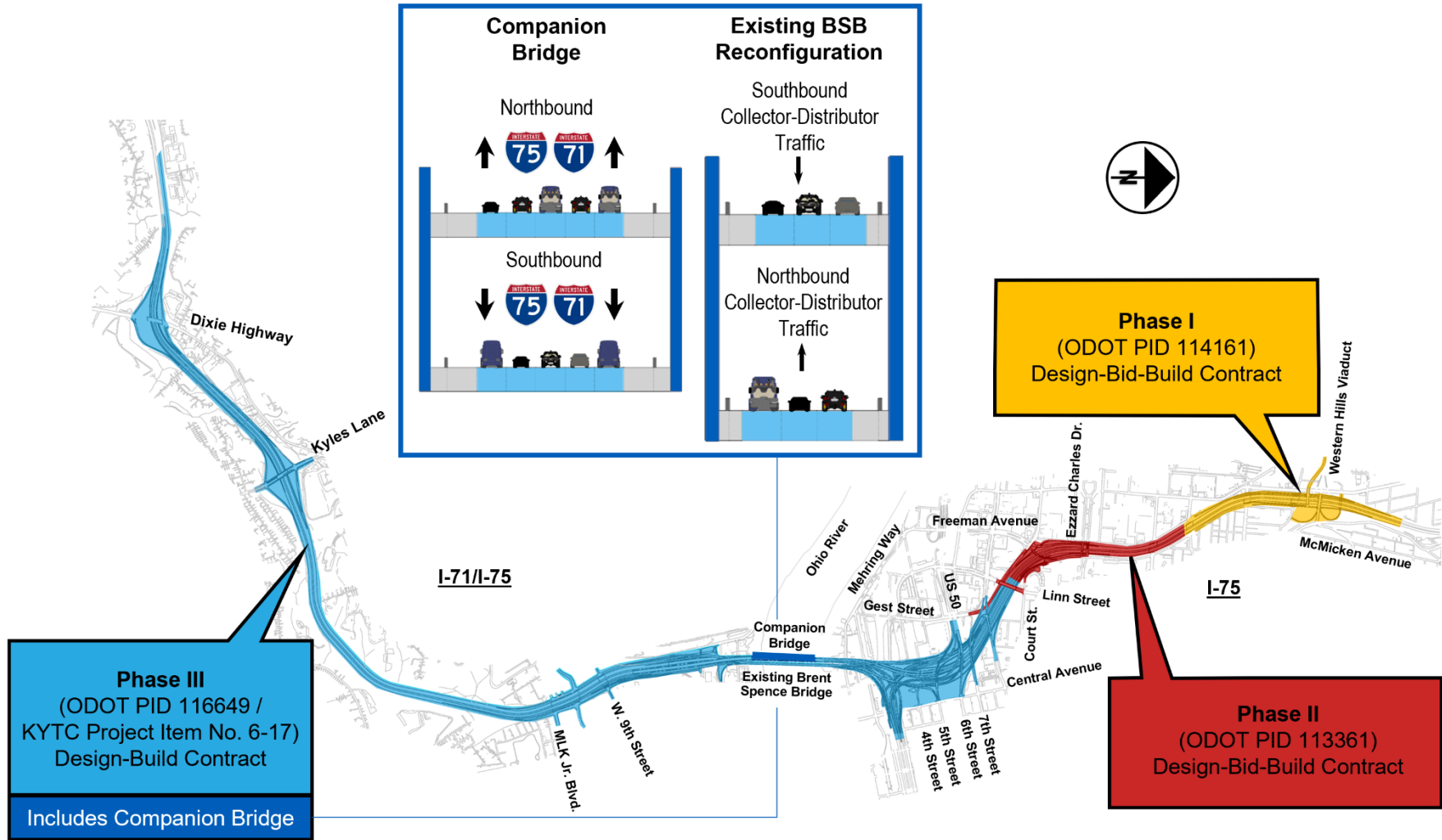




Figure 2: Brent Spence Bridge Corridor Project Phases



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### 2.1.1 Phase I (ODOT PID 114161)

Phase I of the BSB Corridor Project includes the following:

- Reconstructing and widening approximately 0.8 miles of I-75 from Findlay Street to just south of Marshall Avenue at the northern end of the BSB corridor;
- Reconstructing the southbound I-75 exit to Western Avenue and the northbound I-75 entrance from Bank Street;
- Replacing the Bank Street and Harrison Avenue bridges over I-75;
- Constructing a new interchange on I-75 to connect to the new Western Hills Viaduct, a separate project with independent utility and completed NEPA review that is being developed by the City of Cincinnati; and
- Building pedestrian and bicycle facilities under I-75 on Bank Street and Harrison Avenue.

This section is following a design-bid-build procurement process. The estimated contract cost is \$173.3 million with construction anticipated to begin in 2029 and be completed in 2032.

### 2.1.2 Phase II (ODOT PID 113361)

Phase II of the BSB Corridor Project includes the following:

- Reconstructing and widening approximately 0.9 miles of I-75 from north of the Linn Street overpass to the northern limits of the bridge over Findlay Street;
- Constructing new I-75 ramps to and from Freeman Avenue and Western Avenue;
- Replacing the Linn Street and Ezzard Charles Drive bridges over I-75;
- Reconstructing approximately 0.3 miles of Western Avenue between Gest Street and the I-75 southbound entrance ramp;
- Reconstructing approximately 0.4 miles of Gest Street between Freeman Avenue and US-50;
- Removing the roadway connections from Gest Street to Linn Street;
- Building a cul-de-sac on West Court Street; and
- Building pedestrian and bicycle facilities along Winchell Avenue and Gest Street and across I-75 on Linn Street, Freeman Avenue, Ezzard Charles Drive, Liberty Street, and Findlay Street, including a new pedestrian bridge connecting Freeman Avenue to Winchell Avenue.

This section is following a design-bid-build procurement process. The estimated contract cost is \$301.7 million with construction anticipated to begin in 2026 and be completed in 2031.



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### 2.1.3 Phase III (ODOT PID 116649 / KYTC Project Item No. 6-17)

Phase III of the BSB Corridor Project includes the following:

- Reconstructing and widening approximately 6 miles of I-71/I-75 and reconfiguring interchanges from south of the Dixie Highway (US-25) interchange in Kentucky to Linn Street in Ohio (approximately 5 miles in Kentucky and 1 mile in Ohio);
- Building a new northbound I-75 exit at Ezzard Charles Drive in Ohio;
- Adding a 3<sup>rd</sup> Street entrance to northbound I-75 in Ohio;
- Adding an entrance to northbound I-75 and an exit from the southbound C-D roadway system at 3<sup>rd</sup> Street in Ohio, across from the Clay Wade Bailey Bridge;
- Removing the southbound I-75 exit to 5<sup>th</sup> Street and the 4<sup>th</sup> Street entrance to northbound I-75 in Ohio;
- Adding 3<sup>rd</sup> Street and 6<sup>th</sup> Street entrances to the northbound C-D roadway system in Ohio;
- Rehabilitating and reconfiguring the existing double-decker BSB to reduce the number of lanes on each deck from four to three and provide inside and outside shoulders;
- Constructing a double-decker companion bridge with five lanes on each deck west of the existing BSB;
- Extending northbound frontage roads connecting Pike Street and West 5<sup>th</sup> Street in Kentucky;
- Extending southbound frontage roads connecting West 4<sup>th</sup> Street and Pike Street in Kentucky;
- Constructing a C-D roadway system to connect I-71/I-75 traffic to and from the local street network between West 12<sup>th</sup> Street/MLK Jr. Boulevard in Kentucky and Ezzard Charles Drive in Ohio; and
- Constructing a C-D roadway system between Dixie Highway (US-25) and Kyles Lane (KY-1072) in Kentucky to reduce weaving movements on I-75.

Phase III is following a progressive design-build procurement process. The progressive design-build procurement process will be completed according to a phased approach. The construction phase will begin in 2025, although some limited construction activities may begin in 2024. Construction is anticipated to be substantially complete in 2030.

## 2.2 Purpose and Need

The purpose and need for the project is unchanged from what was presented in the approved 2012 EA/FONSI. Refined Alternative I (Concept I-W) will improve the operational characteristics within the I-75 corridor for both local and through traffic. In the Greater Cincinnati/Northern Kentucky region, the BSB corridor is characterized



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by congestion and safety-related issues as a result of inadequate capacity to accommodate current traffic demand.<sup>1</sup> The purpose of the project is to:

- Improve traffic flow and level of service;
- Improve safety;
- Correct geometric deficiencies; and
- Maintain connections to key regional and national transportation corridors.

The I-75 corridor is a major north-south transportation corridor through the midwestern United States and one of the busiest freight movement (trucking) routes in the nation. Traffic volumes have increased far beyond what was originally envisioned when it was constructed in the 1950s. As a result, the BSB corridor is characterized by poor levels of service which threaten the overall efficiency of the movement of people and goods within the region. The design features of I-71 and I-75 within the project area do not meet current standards for an interstate highway facility. Within the project area, I-71/I-75 and the existing BSB exhibit numerous design deficiencies associated with lane widths, shoulder widths, left-hand exits, horizontal and vertical alignments, and horizontal and vertical clearances. The substandard design features, compounded by increasing traffic volumes, result in deteriorated operations while affecting the safety of motorists on the facility.

Additional details about the project's purpose and need are provided in the [Purpose and Need Statement \(May 2006\)](#) and the 2012 EA and FONSI.

### 3. DESCRIPTION OF SECTION 4(F) PROPERTIES

A review of the project area confirmed that the Section 4(f) resources documented in the 2012 EA/FONSI and *Final Individual Section 4(f) Evaluation* are still present and revealed several additional publicly owned parks and recreation areas that were not previously identified. The reevaluation of the area of potential effects in Kentucky also revealed additional history/architecture resources. See Sections 4.1.3 and 4.5.2 of the supplemental EA for additional details about these efforts.

The Section 4(f) properties that may be subject to a use by Refined Alternative I (Concept I-W) are summarized in Table 1 and shown in Exhibit 2 (Appendix A). Each property is described in further detail in the following sections. A guide providing cross references between neighborhoods and cities adjacent to the project corridor, impacted Section 4(f) properties, EJ populations, identified socioeconomic populations and groups, disadvantaged communities, and noise sensitive areas is included in Appendix M.

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<sup>1</sup> Traffic operations for the No-Build Alternative were analyzed using certified traffic for the years 2029 and 2049 and are documented in an [Interchange Modification Study Addendum \(December 2023\)](#) prepared for the project.



**Table 1: Section 4(f) Properties**

Name <sup>1</sup>	Property Type	Ownership	Primary Function
Hillsdale Subdivision Historic District (Approximately 10.4 acres, including 20 buildings)	Residential Subdivision Historic District	Private	Single-family residential, civic organization, and childcare
Elberta Apartments Historic District (Approximately 30.6 acres, including 33 buildings)	Residential Historic District	Private	Residential apartments
Goebel Park Complex, including Goebel Park, Kenney Shields Park, and SFC Jason Bishop Memorial Dog Park (14.67 acres)	Public Park	City of Covington	Recreation – greenspace, walking trail, picnic areas, playground, public art, water park/pool, basketball courts, and dog park
Lewisburg Historic District (Approximately 700 acres, including about 430 buildings)	Mixed-Use Urban Historic District	Private	Single- and multi-family residential, commercial, non-profit, church, and school properties
Longworth Hall (1,160 feet in length, five stories tall)	Commercial Historic Structure	Private	Mixed office, design center, and event center
Firefighters Memorial (Approximately 0.9 acre)	Public Park	City of Cincinnati	Memorial, plaza, and open space
Queensgate Playground and Ball Field (Approximately 5.3 acres)	Public Park	City of Cincinnati	Playground and ball field
Ezzard Charles Park (formerly Laurel Park) (Approximately 6.5 acres)	Public Park	City of Cincinnati	Open space, bronze statue, accessible plaza, benches, tree grove, and paved walkways

1. The 2012 Final Individual Section 4(f) Evaluation addressed impacts to the West McMicken Avenue Historic District and the NRHP listed Western Hills Viaduct. Refined Alternative I (Concept I-W) does not impact these properties, and a Section 4(f) use will not occur.

### 3.1 Hillsdale Subdivision Historic District

The proposed Hillsdale Subdivision Historic District occupies approximately 10.4 acres and is located east of I-71/I-75 and south of Kyles Lane in the City of Fort Wright (Kentucky). The proposed NRHP boundary includes several parcels intersecting Rivard Drive and Kennedy Road, just east of I-71/I-75. The Hillsdale Subdivision was established in 1916 when Harry and Florence Rivard acquired a portion of the 100-acre Kennedy-Rivard Homestead from heirs and subdivided it for residential development. Today, the Hillsdale Subdivision Historic District encompasses approximately 20 of the approximately 28 original Hillsdale parcels, including 19 single family residences and 1 additional building where the Fort Wright Civic Club and the



*Tudor Revival house at 53 Rivard Drive that is a contributing resource to the proposed Hillsdale Subdivision Historic District.*



Little Treehouse Learning Center are located. Three sites are recommended as contributing properties within the proposed historic district. Mapping showing the Hillsdale Subdivision Historic District is included in Exhibit 3 (Appendix A).

This proposed Hillsdale Subdivision Historic District is recommended as eligible for listing on the NRHP under Criterion A as a good example of the development and growth of a Northern Kentucky subdivision from a settlement-era farmstead into a streetcar suburb continuing into an early speculative development and developing as a more traditional post-World War II suburb along Kennedy Road until, finally, its growth east toward developing Fort Wright caused its community center to be symbolically built on the last large Hillsdale parcel. Hillsdale uniquely encompasses almost every historic type and period of subdivision development within its wide period of significance of 1850-1956. Within the proposed district, one house at 45 Rivard Drive was determined to be individually eligible for the NRHP in 2011 under Criterion C for its Tudor Revival style architecture.



*Ft. Wright Civic Club and the Little Treehouse Learning Center located in the proposed Hillsdale Subdivision Historic District.*

The Beechwood Historic District, the Old Fort Mitchell Historic District, and the Elberta Apartments Historic District are located in the vicinity of the Hillsdale Subdivision Historic District, although they are separated by physical barriers such as I-71/ I-75, Dixie Highway, and Kyles Lane. Changes in the use of the Hillsdale Subdivision Historic District would not affect the historic integrity of these areas.

### **3.2 Elberta Apartments Historic District**

The proposed Elberta Apartments Historic District occupies approximately 30.6 acres and is located west of I-71/I-75 between Saint Joseph Lane and Cedar Ridge Lane in the City of Park Hills (Kentucky). Mapping of the proposed Elberta Apartments Historic District included in Exhibit 4 (Appendix A).

The mid-to-late twentieth century former Elberta Apartments consist of a 1960s-era apartment leasing office building and 32 multi-unit apartment buildings of 4 different types arranged in approximately 4 clusters along each of its main roads (Cedar Ridge Lane, Elberta Circle, Far Hills Drive, and Saint Joseph Lane). Eighty-two (82) percent of the buildings are H-shaped, three story, brick veneer apartment buildings with Art Deco features. The remaining types of apartment buildings have no more than a few examples each and include a variant of the H-shaped building oriented with its short axis to the street; a smaller Colonial Revival-inspired four-plex apartment building with little ornamentation; and a larger, wider, more contemporary brick veneer apartment building. The proposed district also includes the 1960s apartment leasing office building.

The Elberta Apartments Historic District is situated in an area with a low-income population, and low-income individuals may reside in one or more of the apartment buildings. The beneficial and adverse effects of Refined Alternative I (Concept I-W) on minority and low-income populations are evaluated in the *Environmental Justice Analysis Report (January 2024)*.

The proposed Elberta Apartments Historic District is recommended as eligible for listing on the NRHP at the local level under Criterion A with a period of significance encompassing its period of development from the late 1940s through the 1970s and with its leasing office building as well as all of its 32 apartment buildings being contributing elements. As a large, planned, post-World War II apartment community that helped resolve the housing crisis after World War II, the proposed Elberta Apartments Historic District demonstrates the importance of the development of multi-family rental housing in the Cincinnati-Northern Kentucky metropolitan area. Additionally, as its development continued from the late 1940s into the 1970s and it stayed primarily within the same family for years, the Elberta Apartments Historic District illustrates more subtle changes over time spurred by changing Federal Housing Administration design standards. Additionally, Elberta Apartments was rather unique and progressive as an apartment community. Its developers and their family members demonstrated their investment in Elberta Apartments as a community through living in their own apartment buildings, encouraging their children to play on the same sports teams as other families in the apartment complex, and directing their advertising toward families with children.

The Old Fort Mitchell Historic District, the Lewisburg Historic District, and the Mainstrasse Historic District are located in the vicinity of the Elberta Apartments Historic District, although they are separated by physical barriers such as I-71/I-75, Dixie Highway, Kyles Lane, and steep topography. Changes in the use of the Elberta Apartments Historic District would not affect the historic integrity of these areas.

### 3.3 Goebel Park Complex

The Goebel Park Complex is owned by the City of Covington and includes three interconnected public parks: Goebel Park, Kenney Shields Park, and the SFC Jason Bishop Memorial Dog Park. The original Goebel Park was situated in the southwest quadrant of the West 5<sup>th</sup> Street intersection with Philadelphia Street. Eleven parcels of land (including the areas now occupied by Kenney Shields Park and the SFC Jason Bishop Memorial Dog Park), a swimming pool, and a bath house were added to



*H-shaped, three story, brick veneer apartment building with Art Deco features in the proposed Elberta Apartments Historic District.*



*Colonial Revival-inspired four-plex apartment building in the proposed Elberta Apartments Historic District.*



*More contemporary brick veneer apartment building in the proposed Elberta Apartments Historic District.*

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the park using Land and Water Conservation Funds (LWCF) from the National Park Service (NPS) between 1978 and 1980. There have been no substantial changes to the boundaries of the Goebel Park Complex since the early 1980s. The Goebel Park Complex is not eligible for the NRHP, and the resources located in the park, including a Carroll Chimes Clock Tower, are not yet of sufficient age to be considered eligible for the NRHP. Additional details about the Goebel Park Complex and potential future evaluation for NRHP eligibility are provided in Section 4.5.2 of the supplemental EA.

The complex currently occupies 14.67 acres and is located east of I-71/I-75 between West 5<sup>th</sup> Street and West 9<sup>th</sup> Street. Goebel Park is the largest park component at 12.03 acres and offers a public pool, picnic shelters, a gazebo, a playground, and a grill. A walking trail connects Goebel Park to Kenney Shields Park. The park also hosts the Sergeant First Class Jason Bishop Memorial and a German-style Carroll Chimes Clock Tower. Kenney Shields Park is 2.26 acres and offers basketball courts and a walking trail that connects to the Goebel Park pool and the Clock Tower. The portions of Goebel Park and Kenney Shields Park that are located closest to I-71/I-75 are low-lying and are prone to flooding when elevated water levels cause the Ohio River to backflow into the combined sewer system. The SFC Jason Bishop Memorial Dog Park is 0.38 acre and offers a fenced area that provides a dedicated space for members of the public to exercise their pets and is connected to Kenney Shields Park. Mapping showing the Goebel Park Complex is included in Exhibit 5 (Appendix A).

The Goebel Park Complex is accessible to pedestrians and bicycles via sidewalks and walking paths connecting to surrounding neighborhoods. Vehicular access is also provided, and parking is available on adjacent streets and in small parking lots. Goebel Park and Kenney Shields Park are open to the public free of charge seven days a week from dawn until dusk. Picnic pavilions can also be reserved for planned use. The Goebel Park pool is free to residents of the City of Covington and is open for a short season between early June and early August. The SFC Jason Bishop Memorial Dog Park is open to the public Monday through Saturday from 7:00 am to 6:00 pm and Sunday from 7:00 am to 5:00 pm. Children under six are not permitted in the fenced in area due to health and safety concerns, and dog handlers must be 16 years of age or older. Two large-scale events occur in the Goebel Park Complex each season: the Covington Oktoberfest in September and the Northern Kentucky Pride Festival. The Goebel Park Complex is also situated in an area with low-income populations and may be utilized by these individuals. The beneficial and adverse effects of Refined Alternative I (Concept I-W) on low-income populations are evaluated in the *Environmental Justice Analysis Report*.

George Steinfeld Park, which is a wide promenade down the center of West 6<sup>th</sup> Street in Covington, terminates just east of the Goebel Park Complex. The entrance to Devou Park, which is a large park and golf course west of I-71/I-75 is about one-half mile from Kenney Shields Park. Changes in the use of the Goebel Park Complex would not affect these resources.

### 3.4 Lewisburg Historic District

The Lewisburg Historic District is located within the City of Covington (Kentucky) and occupies approximately 700 acres in an area roughly bounded by I-71/I-75 to the east and southeast, a steep hill slope to the west and southwest, and the extension of West 8<sup>th</sup> Street to the north. Mapping showing the Lewisburg Historic District is included in Exhibit 6 (Appendix A).





The Lewisburg Historic District was listed in the NRHP under Criterion A in 1993 as an important example of suburban growth in Covington from 1840 to 1947. The district was also nominated under Criterion C for its inventory of typical working and middle class domestic architecture of the second half of the nineteenth century and early twentieth century, as well as for some notable examples of domestic, institutional, and commercial architecture. The Lewisburg Historic District is comprised of about 430 buildings situated in a mixed-use urban setting. Architectural styles and types represented most frequently include Italianate, Gothic Revival, Queen Anne, Greek Revival, Bungalow/ Craftsman, Shotgun houses, Northern Kentucky Townhouses, and Colonial Revival. The district is characterized by narrow lot sizes and an urban appearance. Setback from the street is minimal in most instances.

The Elberta Apartments Historic District and the Mainstrasse Historic District are located in the vicinity of the Lewisburg Historic District, although they are separated by physical barriers such as I-71/I-75 and steep topography. Changes in the use of the Lewisburg Historic District would not affect this historic integrity of these areas.

### 3.5 Longworth Hall

The Baltimore & Ohio (B&O) Railroad Freight Station and Storage Warehouse, also known as Longworth Hall, is listed on the NRHP and is located immediately west of I-75 at 700 Pete Rose Way in the City of Cincinnati (Ohio). Mapping showing Longworth Hall is provided in Exhibit 7 (Appendix A).

The warehouse was designed by M.A. Long and constructed in 1904 to serve as the western terminus to the B&O Railroad. It was reported to be the largest structure of its type in the world at five stories high and 1,277 feet long. Camden Yards in Baltimore, Maryland is a similar structure at the eastern terminus of the railroad. The building originally measured 1,277 feet in length, but in 1961 construction of I-71/75 resulted in the removal of the easternmost 150 feet of the building. Later, a five-story 30,000 square foot brick addition was built at the east end of the north façade of the original building. Part of the fifth floor was later destroyed by fire. Longworth Hall is currently a privately owned mixed-use building primarily comprised of office spaces. It also features an event center that can host up to



*Looking northeast down West 12<sup>th</sup> Street from Hermes Avenue in Lower Lewisburg Historic District.*



*Looking northwest along Lewis Street in Upper Lewisburg Historic District.*



*B&O Freight Terminal/Longworth Hall, looking west along Pete Rose Way.*



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400 guests and a design center that caters to architects and interior designers. Longworth Hall is also situated in an area with minority and low-income populations and may be utilized by a minority or low-income business owner, tenant, employee, or customer. The beneficial and adverse effects of Refined Alternative I (Concept I-W) on minority and low-income populations are evaluated in the *Environmental Justice Analysis Report*.

Longworth Hall was listed on the NRHP in 1986 and is significant under Criterion A because it contributes to the understanding of freight movement by railroad during a period when this was an important mode of transportation. The resource is also significant under Criterion C as a unique example of functional railroad architecture embellished with Romanesque Revival details. It exhibits distinctive characteristics of the style and is further enhanced because of its exceptional length.

Longworth Hall is located in an industrial area, and there are no similar land uses located in its vicinity.

### 3.6 Firefighters Memorial

The Greater Cincinnati Firefighters Memorial occupies approximately 0.9 acre and is located at 537 Central Avenue in Cincinnati (Ohio). The memorial is maintained by the Cincinnati Park Board and is situated within (encroaching upon) the existing I-75 limited access right-of-way along Central Avenue. It is bordered by 6<sup>th</sup> Street, Central Avenue, 5<sup>th</sup> Street, and the fence that runs parallel to the northbound I-75 ramps. The memorial includes a statue originally dedicated in 1968 to honor Cincinnati firefighters who have died in the line of duty. In 2010, the park was expanded and redesigned, and the scope expanded to encompass firefighters throughout Greater Cincinnati and Northern Kentucky. In addition to the memorial statue, the Firefighters Memorial includes an open plaza and greenspace. The Firefighters Memorial is accessible to pedestrians and bicyclists via sidewalks that connect to downtown Cincinnati. Vehicular parking is also available on Central Avenue. The memorial is free and open to the public seven days a week from dawn to dusk. The Firefighters Memorial is also situated in an area with minority populations and may be utilized by these individuals. The beneficial and adverse effects of Refined Alternative I (Concept I-W) on minority populations are evaluated in the *Environmental Justice Analysis Report*. Mapping and photographs showing the Firefighters Memorial are included in Exhibit 8 (Appendix A).

Other similarly used lands in the vicinity of the Firefighters Memorial include Smale Riverfront Park along the Ohio River and immediately south of downtown Cincinnati. A change in the use of the Firefighters Memorial would not affect this park.

### 3.7 Queensgate Playground and Ball Field

The Queensgate Playground and Ball Field is a public recreational facility that occupies approximately 5.3 acres and is located at 707 Court Street in Cincinnati (Ohio). It is owned by the City of Cincinnati and maintained by the Cincinnati Park Board. The property includes the Chris Nelms All-Star Field (baseball), two playgrounds, benches, picnic tables, and open space. The Playground and Ball Field is accessible to pedestrians and bicycles via sidewalks that connect to surrounding residential areas. Vehicular parking is available on Court Street. The Queensgate Playground and Ball Field are free and open to the public seven days a week from 6:00 am to 10:00 pm. The ball field can also be reserved for scheduled play and is used by recreational leagues. The Queensgate Playground and Ball Field is also situated in an area with minority and



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low-income populations and may be utilized by these individuals. The beneficial and adverse effects of Refined Alternative I (Concept I-W) on minority and low-income populations are evaluated in the *Environmental Justice Analysis Report*.

When the 2012 *Final Individual Section 4(f) Evaluation* and EA/FONSI were prepared, the Queensgate Playground and Ball Field consisted of two baseball fields and a small play area. The City of Cincinnati reconfigured the ball fields in 2014 using funding provided by ODOT in accordance with a Memorandum of Agreement (MOA) between ODOT and the City of Cincinnati Recreation Commission (see Section 7.6 for additional details regarding the MOA and ball field reconfiguration). Mapping showing the Queensgate Playground and Ball Field in 2023 and 2012 is included in Exhibit 9 (Appendix A).

Other baseball fields in the vicinity of the Queensgate Playground and Ball Field include the Wade Walk Baseball Field (about one-half mile to the north) and Dyer Park (about one mile north). Other playgrounds in the vicinity include the Laurel Playground (about one-half mile to the north) and the Sands Playground (about three-quarters of a mile to the north). A change in the use of the Queensgate Playground and Ball Field would not affect these ball fields and playgrounds.

### 3.8 Ezzard Charles Park

Ezzard Charles Park (formerly Laurel Park) is a public park that occupies approximately 6.5 acres. The primary park area is located at 500 Ezzard Charles Drive in Cincinnati (Ohio). Portions of Ezzard Charles Park consist of sidewalks and tree lawns that are situated within (encroaching upon) the existing transportation right-of-way along Ezzard Charles Drive. Ezzard Charles Park is owned by the City of Cincinnati and maintained by the Cincinnati Park Board. The property boasts an expansive lawn area, stately trees, and paved walkways. In 2022, Ezzard Charles Park underwent a revitalization that constructed a bronze statue commemorating Ezzard Charles, Cincinnati's World Heavyweight Boxing Champion; planted over 100 new trees; and installed benches, wayfinding signage, a progressive web application, and an accessible plaza. Ezzard Charles Park is accessible to pedestrians and bicycles via sidewalks that connect to surrounding residential areas. Vehicular parking is available on Ezzard Charles Drive and Laurel Park Drive. Ezzard Charles Park is free and open to the public seven days a week from 6:00 am to 10:00 pm. The park also hosts an Annual Ezz Fest and other community events. Ezzard Charles Park is also situated in an area with minority and low-income populations and may be utilized by these individuals. The beneficial and adverse effects of Refined Alternative I (Concept I-W) on minority and low-income populations are evaluated in the *Environmental Justice Analysis Report*. Mapping and photographs of Ezzard Charles Park are provided in Exhibit 10 (Appendix A).

Ezzard Charles Park is connected to Laurel Playground in the north. It is about one-half mile east of Union Terminal Museum Center and about a block west of TQL Stadium, home of Cincinnati's professional soccer club. A change in the use of Ezzard Charles Park would not affect these properties.

### 3.9 Lewis and Clark National Historic Trail

The Lewis and Clark National Historic Trail, which is administered by NPS, follows the historic outbound and inbound routes of the Lewis and Clark Expedition of 1803-1806 from Pittsburgh, Pennsylvania to the Pacific Ocean and includes the portion of the Ohio River in the project area. The entire length of the Lewis and Clark



National Historic Trail, from the Ohio River in Pittsburgh, Pennsylvania to the mouth of the Columbia River in Oregon, is included in the National Trails System Act, as amended in 2019. The trail's primary use is for recreation. While there are elements along the trail that are listed on or have been determined eligible for listing on the NRHP, the trail itself has not been. There are no elements associated with the trail that are listed on or eligible for listing on the NRHP in the project's area of potential effects. Furthermore, there are no points of interest related to the trail in or near the project area according to the NPS website for the trail.<sup>1</sup> High potential historic sites associated with the 2019 trail extension have not yet been published; however, based on coordination with NPS, there are no high potential historic sites in the project area.

The Lewis and Clark National Historic Trail is a unique resource as the trail consists of the Ohio River. There are no similar resources located in its vicinity.

#### 4. DESCRIPTION OF USE AND IMPACTS TO SECTION 4(F) PROPERTIES

Section 4(f) properties that will be impacted by Refined Alternative I (Concept I-W) are summarized in Table 2. For comparison purposes, the impacts to each property that were presented in the 2012 *Final Individual Section 4(f) Evaluation* and EA/FONSI are also presented in Table 2. As shown in Table 2, the No-Build Alternative does not impact any Section 4(f) properties. The impacts to each property resulting from Refined Alternative I (Concept I-W) are discussed in the following sections. As described in Section 3, several Section 4(f) properties are situated in areas with minority and/or low-income populations and may be utilized by or serve these communities (environmental justice communities). Based on the nature of the Section 4(f) properties and the targeted environmental justice outreach performed for the project, the proximity of Section 4(f) properties to environmental justice communities would not affect the project's use of those Section 4(f) properties.

**Table 2: Section 4(f) Property Impacts**

Property <sup>1</sup>	Selected Alternative I (from 2012 EA/FONSI) <sup>2</sup> Impacts	Refined Alternative I (Concept I-W) Impacts
Hillsdale Subdivision Historic District (Approximately 10.4 acres, including 20 buildings)	Not identified in 2012 <i>Final Individual Section 4(f) Evaluation</i> or EA/FONSI	<i>De minimis</i> impact – 0.06 acre permanent right-of-way affecting 1 contributing element
Elberta Apartments Historic District (Approximately 30.6 acres, including 33 buildings)	Not identified in 2012 <i>Final Individual Section 4(f) Evaluation</i> or EA/FONSI	<i>De minimis</i> impact – 0.39 acre permanent easement affecting 3 contributing elements and 0.03 acre permanent right-of-way affecting 1 contributing element
Goebel Park Complex, including Goebel Park, Kenney Shields Park, and SFC Jason Bishop Memorial Dog Park (14.67 acres)	<i>De minimis</i> impact – 2.59 acres permanent right-of-way, loss of 360 feet of walking trail, loss of basketball courts and parking lot. <sup>3</sup>	<i>De minimis</i> impact – 2.84 acres permanent right-of-way, 0.07 acre temporary easement, loss of 360 feet of walking trail, 2 basketball courts and associated resources, and proximity impacts to outdoor pool.

<sup>1</sup> [Ohio – Lewis & Clark National Historic Trail](#). National Park Service. Accessed September 21, 2023.



Property <sup>1</sup>	Selected Alternative I (from 2012 EA/FONSI) <sup>2</sup> Impacts	Refined Alternative I (Concept I-W) Impacts
<i>Table 2 (cont.)</i>		
Lewisburg Historic District (Approximately 700 acres, including about 430 buildings)	Individual Section 4(f) - 2.1 acres permanent right-of-way affecting 28 contributing elements (21 full and 7 partial acquisitions).	Individual Section 4(f) – 0.23 acre permanent right-of-way requiring removal of 2 contributing elements and 0.06 acre temporary easement affecting 3 contributing elements; 0.48 acre right-of-way from 8 parcels that are partially located in the NRHP boundary.
Longworth Hall (1,160 feet in length, five stories tall)	Individual Section 4(f) - Removal of 204 feet of the eastern section of the building.	Individual Section 4(f) - Removal of 204 feet of the eastern section of the building. <sup>4</sup>
Firefighters Memorial (Approximately 0.9 acre and located within the existing right-of-way)	Not identified in 2012 <i>Final Individual Section 4(f) Evaluation</i> or EA/FONSI	Temporary Occupancy – Reconstruction of curb and sidewalk in existing right-of-way adjacent to site; no change in ownership of the land; temporary closures of sidewalk and memorial plaza areas; no permanent adverse physical impacts; access to and operation of memorial maintained.
Queensgate Playground and Ball Field (Approximately 5.3 acres)	<i>De minimis</i> impact – 0.9 acre permanent right-of-way, tree removal, and loss of outfield area of existing Ball Field.	<i>De minimis</i> impact – 0.40 acre permanent right-of-way, 0.32 acre permanent easement, tree removal, and loss of outfield area of existing Ball Field.
Ezzard Charles Park (formerly Laurel Park) (Approximately 6.5 acres and located within the existing right-of-way in the project area)	Not identified in 2012 <i>Final Individual Section 4(f) Evaluation</i> or EA/FONSI	Temporary Occupancy – Reconstruction/ relocation of existing sidewalk and reconstruction of median in existing right-of-way or easement; no change in ownership of the land; temporary sidewalk closures; no permanent adverse physical impacts; no tree removal; access to and operation of park maintained.

1. The 2012 *Final Individual Section 4(f) Evaluation* addressed impacts to the West McMicken Avenue Historic District and the NRHP listed Western Hills Viaduct. Refined Alternative I (Concept I-W) does not impact these properties, and a Section 4(f) use will not occur.
2. Impacts as identified in the *Final Individual Section 4(f) Evaluation* (July 2012), see Attachment 1.
3. The SFC Jason Bishop Memorial Dog Park (included in the Goebel Park Complex) was opened in December 2022 and was not included in the 2012 EA/FONSI. The 2012 EA stated Alternative I would avoid impacts to the walking trail, but the FONSI subsequently identified 360 feet of impacts for Selected Alternative I.
4. ODOT is in the process of purchasing the full Longworth Hall property at a mutually agreed upon price and from a willing seller as a result of the right-of-way acquisition process. The portions of the building not removed will remain occupied. ODOT may use interior space or the exterior grounds surrounding the building during the project's construction, but no impacts to the building's continued use for commercial office, retail, and event space are anticipated. Likewise, no additional adverse effects to the historic integrity of Longworth Hall are anticipated as a result of ODOT's activities in the building and on the exterior grounds.



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## 4.1 Hillsdale Subdivision Historic District

The Hillsdale Subdivision Historic District was not addressed in the 2012 *Final Individual Section 4(f) Evaluation* and EA/FONSI and was proposed as eligible for inclusion on the NRHP as part of updated field studies conducted in 2022. Refined Alternative I (Concept I-W) will acquire 0.06 acre of new strip right-of-way along the back property line of one contributing element within the Hillsdale Subdivision Historic District, as shown in Exhibit 3 (Appendix A). This property is located at 51 Rivard Drive and is not individually eligible for the NRHP. The new right-of-way is required for the slope adjacent to the highway lanes, but the interstate will be about 100 feet away from the rear of the property at 51 Rivard Drive. None of the buildings in the Hillsdale Subdivision Historic District will be removed.



*Tudor Revival House at 51 Rivard Drive in Covington (Kentucky): a contributing element to the Hillsdale Subdivision Historic District to have 0.06 acre of strip right-of-way acquired from the rear of the property.*

The interstate widening will place the highway lanes closer to the Hillsdale Subdivision Historic District. Noise levels within the Hillsdale Subdivision Historic District were evaluated in accordance with KYTC's *Noise Analysis and Abatement Policy*, and the results are documented in a [Traffic Noise Assessment: Brent Spence Bridge Corridor Project Kentucky Southern Section \(August 2023\)](#). Based on the analysis, the existing noise levels (2022) approach or exceed the FHWA's noise abatement criteria (NAC) at 6 of the 20 properties in the district. For Refined Alternative I (Concept I-W), the FHWA NAC criteria will be exceeded at 8 properties in the design year (2049). KYTC evaluated noise abatement measures and determined a noise barrier to be feasible and reasonable for the Hillsdale Subdivision Historic District.<sup>1</sup> The proposed noise barrier will be 20 feet in height and will reduce noise levels at all 20 properties within the district.

The noise barrier and a section of retaining wall will be constructed outside of the NRHP boundary between the Hillsdale Subdivision Historic District and the interstate. The noise barrier and retaining wall will improve the viewshed due to the incorporation of aesthetic treatments on these features.

The Kentucky State Historic Preservation Officer (SHPO) determined Refined Alternative I (Concept I-W) will have no adverse effect on the Hillsdale Subdivision Historic District in accordance with 36 CFR part 800, and FHWA determined it will result in a *de minimis* Section 4(f) use in accordance with 23 CFR § 774.3 and 23 CFR § 774.17. Additional information about the *de minimis* determination is provided in Section 7.1.

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<sup>1</sup> Noise barriers have been determined to be reasonable and feasible per 23 CFR part 772 and the applicable state noise policy and are proposed mitigation for noise impacts. Noise/visual screening barriers do not meet one or more of the reasonability criteria but are proposed enhancements to provide noise reduction above and beyond the requirements of 23 CFR part 772 and the applicable state noise policy.

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## 4.2 Elberta Apartments Historic District

The Elberta Apartments Historic District was not addressed in the 2012 *Final Individual Section 4(f) Evaluation* and EA/FONSI and was proposed as eligible for inclusion on the NRHP as part of updated field studies conducted in 2022. Refined Alternative I (Concept I-W) will acquire 0.39 acre of permanent easement from three contributing elements and 0.03 acre of new strip right-of-way from one contributing element in the Elberta Apartments Historic District as shown in Exhibit 4 (Appendix A). None of the apartment buildings in the district will be removed.

Although the expanded highway right-of-way will be closer to the historic district, portions of the existing right-of-way are already close to the apartment buildings. The proposed permanent easement is required for a new drainage pipe, but neither the easement nor the pipe will result in permanent direct or indirect impacts to the historic integrity of the Elberta Apartments Historic District. A proposed retaining wall will be located outside of the proposed NRHP boundary and will have minimal visibility from the Elberta Apartments Historic District.

Noise levels within the Elberta Apartments Historic District were evaluated in accordance with KYTC's *Noise Analysis and Abatement Policy*, and the results are documented in a [Traffic Noise Assessment: Brent Spence Bridge Corridor Project Kentucky Southern Section](#). Based on the analysis, the existing noise levels (2022) approach or exceed the FHWA's NAC at 3 of the 32 apartment buildings in the district. For Refined Alternative I (Concept I-W), the FHWA NAC criteria will be exceeded at the same three buildings in the design year (2049). Noise impacts will not occur in the majority of the Elberta Apartments Historic District due to the terrain between the apartments and I-71/I-75, which consists of dense trees and brush and a substantial difference in elevation between the residences and I-71/I-75. KYTC evaluated noise abatement measures and determined a noise barrier to be feasible and reasonable for the Elberta Apartments Historic District. The proposed noise barrier will vary in height from 18 feet to 20 feet, as required to achieve noise reduction goals at different locations along the length of the barrier, and will reduce noise levels at 14 buildings within the district.

The proposed noise barrier will be built outside of the NRHP boundary in the vicinity of St. Joseph Lane and will improve the viewshed due to the incorporation of aesthetic treatments on the barrier.

The Kentucky SHPO determined Refined Alternative I (Concept I-W) will have no adverse effect on the Elberta Apartments Historic District in accordance with 36 CFR part 800, and FHWA determined it will result in a *de minimis* Section 4(f) use in accordance with 23 CFR §§ 774.3 and 774.17. Additional information about the *de minimis* determination is provided in Section 7.1.

## 4.3 Goebel Park Complex

The 2012 *Final Individual Section 4(f) Evaluation* and FONSI documented impacts to Goebel Park and Kenney Shields Park, including 2.59 acres permanent right-of-way and the loss of two basketball courts, parking lot, and portions of a walking trail.

The Goebel Park Complex includes Goebel Park, Kenney Shields Park, and the newly constructed SFC Jason Bishop Memorial Dog Park. Refined Alternative I (Concept I-W) includes an extension of Simon Kenton Way



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between West 9<sup>th</sup> Street and West 5<sup>th</sup> Street and the construction of new stormwater facilities that were not included in the 2012 FONSI. These refinements require about 7 feet of additional right-of-way along the western edge of the Goebel Park Complex and will result in a minor (0.25-acre) increase in total impacts in the complex. The Simon Kenton Way extension was presented at Kentucky neighborhood meetings held in November and December 2022. During those meetings, two comments not in favor of the extension were received, although neither commenter provided an explanation for their position. While no other comments specific to the Simon Kenton Way extension were received, the project team received numerous verbal and written comments from both the general public and city officials related to problems with traffic congestion in the neighborhoods surrounding downtown Covington. The extension of Simon Kenton Way will support the project's purpose and need to improve traffic flow by providing additional north-south community connectivity and will help to address concerns raised during targeted neighborhood outreach efforts. KYTC has reduced the number of lanes on the West 5<sup>th</sup> Street exit ramp and the Simon Kenton Way extension based on traffic operational analyses using design year 2049 certified traffic developed for the project. In addition, KYTC is utilizing retaining walls along these roadways to minimize impacts to the Goebel Park Complex to the greatest extent possible.

Refined Alternative I (Concept I-W) will acquire 2.84 acres of permanent right-of-way and 0.07 acre of temporary easement from the Goebel Park Complex, as shown in Exhibit 5 (Appendix A). The land to be acquired includes 0.50 acre in Kenney Shields Park, which is currently being utilized for two basketball courts and associated resources such as parking and sidewalks providing access to the courts. The land acquisition also includes 2.34 acres in Goebel Park. This land is low-lying, prone to flooding, and contains a mixture of mown grassy areas and groups of mature trees. The recreational use of the land to be acquired in the Goebel Park portion of the complex consists of a 360-foot section of walking trail that stretches through the complex. Interstate widening will also place the highway lanes closer to the park, which will result in proximity impacts to an outdoor pool. During construction, temporary dust, air quality, and construction noise impacts are anticipated due to construction activities in the vicinity of the Goebel Park Complex.

Noise levels within the Goebel Park Complex were evaluated in accordance with KYTC's *Noise Analysis and Abatement Policy*, and the results were documented in a [Traffic Noise Impact Analysis: Brent Spence Bridge Corridor Project Kentucky – Northern Section](#) (August 2023). Based on the analysis, the existing noise levels (2022) approach or exceed the FHWA's NAC for all areas of the Goebel Park Complex within about 500 feet of existing I-71/I-75, including the pool and Kenney Shields Park. For Refined Alternative I (Concept I-W), the FHWA NAC criteria will be exceeded in all of the Goebel Park Complex in the design year (2049), except a small area within Kenney Shields Park which will experience a reduction in noise levels. KYTC evaluated noise abatement measures and determined a noise barrier is feasible but not reasonable for the Goebel Park Complex.

Recognizing from neighborhood outreach efforts that traffic noise is a primary concern of area residents, KYTC conducted a technical study to evaluate noise/visual screening barriers in the vicinity of the Goebel Park Complex. The results of the technical study are documented in a [Noise Analysis Technical Memorandum: Brent Spence Bridge Corridor Project Kentucky – Northern Section](#) (November 2022). Based on the technical





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feasibility, public comments received during outreach activities, and coordination with local cities, KYTC is proposing noise/visual screening barriers to provide enhanced noise reduction along I-71/I-75 for the entire length of the Goebel Park Complex. The noise/visual screening barriers will reduce noise levels in all areas of the Goebel Park Complex. The proposed noise/visual screening barriers will vary in height from 16 to 24 feet, as required to achieve noise reduction goals at different locations along the length of the barriers, and will improve the viewshed due to the incorporation of aesthetic treatments on the barriers. KYTC is also evaluating the use of transparent noise barriers in some locations to preserve views of Goebel Park from the highway, particularly the Clock Tower, and has committed to coordinating the composition of the barriers with the City of Covington during detailed design.

FHWA determined that Refined Alternative I (Concept I-W) will result in a *de minimis* Section 4(f) use of the Goebel Park Complex in accordance with 23 CFR § 774.17. Measures to minimize and mitigate impacts to the Goebel Park Complex are discussed in Section 6.3. Additional information about the *de minimis* determination is provided in Section 7.2.

#### 4.4 Lewisburg Historic District

The 2012 *Final Individual Section 4(f) Evaluation* and EA/FONSI documented the acquisition of 2.1 acres of permanent right-of-way, including the full acquisition of 21 and the partial acquisition of 7 contributing elements, in the Lewisburg Historic District.

Impacts have been substantially reduced from the 2012 design. Approximately 0.23 acre of permanent right-of-way and 0.06 acre of temporary easement will be acquired from the Lewisburg Historic District, including the full acquisition of 2 and temporary acquisition from 3 contributing elements, as shown in Exhibit 6 (Appendix A).

Three properties will be acquired and removed to obtain the right-of-way needed for the westward shift of Bullock Street and the construction of retaining walls in this area. These include contributing elements at 606 West 11<sup>th</sup> Street and 604 West 12<sup>th</sup> Street and a non-contributing element at 605 West 11<sup>th</sup> Street. Additionally, a vacant parcel within the NRHP boundary at 620 Lewis Street will be acquired for right-of-way. Temporary easement will be required from the eastern property boundaries of three contributing elements at 608 and 609 West 11<sup>th</sup> Street and 606 West 12<sup>th</sup> Street. Refined Alternative I (Concept I-W) will move the paved portion of the interstate and/or local roads closer to the Lewisburg Historic District. In general, the project will encroach on the eastern NRHP boundary of the district and require its narrowing around Bullock Street, 11<sup>th</sup> Street, and 12<sup>th</sup> Street.

Refined Alternative I (Concept I-W) will require approximately 0.48 acre of strip right-of-way from the rear of eight parcels that are partially located in the Lewisburg Historic District, but the existing NRHP boundary excludes these portions of the parcels. As a result, the new-right-of-way acquisition and its associated construction activities should not impact their historic integrity. A small amount of encroachment on the eastern NRHP boundary of the Lewisburg Historic District will occur adjacent to the NRHP-listed brick shotgun houses along Lewis Street, but the shotgun houses themselves will not be impacted. Although the construction limits



extend across a corner of the NRHP boundary near Crescent Avenue at the northern end of the NRHP boundary, there are no buildings in this area, and the construction limit is indicated for equipment and construction staging rather than for new construction itself.

Interstate widening will place the highway lanes closer to the Lewisburg Historic District, although portions of the existing right-of-way are already close to existing residences. Noise levels within the Lewisburg Historic District were evaluated for properties within 500 feet of existing I-71/I-75 in accordance with KYTC's *Noise Analysis and Abatement Policy*, and the results are documented in a [Traffic Noise Impact Analysis: Brent Spence Bridge Corridor Project Kentucky – Northern Section](#). Based on the analysis, the existing noise levels (2022) approach or exceed the FHWA's NAC at 202 of the 305 properties analyzed in the district. For Refined Alternative I (Concept I-W), the FHWA NAC criteria will be exceeded at 267 properties in the design year (2049). KYTC evaluated noise abatement measures and determined several noise barriers to be feasible and reasonable for the Lewisburg Historic District. The proposed noise barriers will vary in height from 12 to 24 feet, as required to achieve noise reduction goals at different locations along the length of the barriers, and will reduce noise levels for all properties analyzed within the district.

Proposed noise barriers and retaining walls will be constructed along I-71/I-75 outside of the NRHP boundary and will improve the viewshed due to the incorporation of aesthetic treatments on these features. KYTC is also evaluating the use of transparent noise barriers in some locations to preserve views of the skyline and across I-71/I-75 from the Lewisburg Historic District. KYTC committed to coordinating the composition of the barriers with the City of Covington during detailed design.

The Kentucky SHPO determined that Refined Alternative I (Concept I-W) will have an adverse effect on the Lewisburg Historic District in accordance with 36 CFR part 800. Measures to minimize and mitigate the adverse effects to the Lewisburg Historic District and coordination with the Kentucky SHPO are described in Sections 6.4 and 7.3.



*Residence at 606 West 11th Street in Covington (Kentucky): a contributing element to the Lewisburg Historic District to be fully acquired.*



*Residence at 605 West 11th Street in Covington (Kentucky): a non-contributing element to the Lewisburg Historic District to be fully acquired.*



*Residence at 604 West 12th Street in Covington (Kentucky): a contributing element to the Lewisburg Historic District to be fully acquired.*

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## 4.5 Longworth Hall

Impacts to Longworth Hall have not changed since the 2012 *Final Individual Section 4(f) Evaluation and EA/FONSI*. Refined Alternative I (Concept I-W) will pass through 204 feet of the eastern end of the building, requiring that three 15-foot, two 13-foot, and six 12-foot bays of the building be removed. This affected section of the building is the portion which was previously altered by reducing its length by 150 feet in 1961 to allow for the construction of I-71/I-75. The impacts to Longworth Hall are shown in Exhibit 7 (Appendix A).

Noise levels were not evaluated for Longworth Hall because it is not a noise-sensitive receptor, as defined by ODOT's *Analysis and Abatement of Highway Traffic Noise Policy Statement*. Longworth Hall is a commercial building located in a highly industrialized area. Although the project will move I-75 closer to the structure, the eastern edge of the existing building is already located within eight feet of I-75. Given the character of the building and its setting, noise and visual impacts are not expected to alter the historic integrity of the structure.

The Ohio SHPO determined that Refined Alternative I (Concept I-W) will have an adverse effect on Longworth Hall in accordance with 36 CFR § 800.5(a). Measures to minimize and mitigate the adverse effects Longworth Hall and coordination with the Ohio SHPO are described in Sections 6.5 and 7.4.

ODOT is in the process of purchasing the full Longworth Hall property at a mutually agreed upon price and from a willing seller as a result of the right-of-way negotiation process. The portions of the building not removed as described above will remain occupied. ODOT may use interior space or the exterior grounds surrounding the building during the project's construction, but no impacts to the building's continued use for commercial office, retail, and event space are anticipated. No additional adverse effects to the historic integrity of Longworth Hall are anticipated as a result of ODOT's activities in the building and on the exterior grounds; however, if any activities on the property are anticipated to have potential adverse effects, ODOT has committed to consulting with the Cincinnati Preservation Association and the Ohio SHPO before those activities are permitted.

An existing Deed of Gift and Agreement for the Architectural Façade and Preservation Easement, dated December 30, 1986, grants the Miami Purchase Association for Historic Preservation (now known as the Cincinnati Preservation Association) an architectural façade and preservation easement for Longworth Hall. The preservation easement will remain with the deed for any future sale of the property by ODOT and will thus be transferred to future potential owners in perpetuity.

## 4.6 Firefighters Memorial

The Firefighters Memorial was not addressed in the 2012 *Final Individual Section 4(f) Evaluation and EA/FONSI*. The Firefighters Memorial is situated in (encroaches upon) the existing I-75 limited access right-of-way and is bordered by ramps to and from I-75 and three high-volume arterial streets in downtown Cincinnati. Refined Alternative I (Concept I-W) will reconstruct portions of 6<sup>th</sup> Street along the northern edge of the Firefighters Memorial, including the curb and sidewalk adjacent to the site. No permanent impacts to the Firefighters Memorial will occur, and there will be no change to the ownership of the land. During construction,



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portions of the adjacent sidewalk and plaza area may be closed on a temporary basis to protect the park and the public from construction activities.

Refined Alternative I (Concept I-W) will also reconstruct and widen 5<sup>th</sup> Street near the southern edge of the green space adjacent to the Firefighters Memorial. However, this mulched area is currently occupied by traffic control equipment and is not used for recreation. Therefore, no temporary or permanent impacts to the green space are anticipated due to the construction on 5<sup>th</sup> Street.

Noise levels for the Firefighters Memorial were evaluated in accordance with ODOT's *Analysis and Abatement of Highway Traffic Noise Policy Statement*, and the results were documented in a [Noise Analysis Report \(October 2023\)](#). Based on the analysis, the noise levels in the memorial area approach or exceed FHWA's NAC for both the existing (2029) condition and in the design year (2049) for Refined Alternative I (Concept I-W). ODOT evaluated noise abatement measures for the Firefighters Memorial. Although a noise barrier meets the feasibility criterion of a greater than 7.0 decibel reduction in noise, the noise barrier exceeds the cost reasonability criterion of \$56,000 per benefited receiver. Therefore, a noise barrier in the vicinity of the Firefighters Memorial was determined to be feasible but not reasonable.

The noise levels in the vicinity of the Firefighters Memorial were calculated at 69.6 decibels for the 2049 design year, an increase of only 0.5 decibels over the noise level of 69.1 for the existing 2029 condition. According to ODOT's *Noise Analysis Manual: Analysis and Abatement of Highway Traffic Noise*, a noise increase of more than 10 decibels is considered substantial, and the average person cannot detect an increase or decrease in sound pressure level of less than 3 decibels. Therefore, Refined Alternative I (Concept I-W) will not create a perceptible increase in noise levels for the Firefighters Memorial.

Refined Alternative I (Concept I-W) will remove and consolidate several existing ramps in downtown Cincinnati, moving the I-75 infrastructure further away from the memorial and opening up about 10 acres of land for potential redevelopment and/or public use adjacent to the memorial. The potential redevelopment and/or public space are expected to complement the existing urban land uses in the vicinity of the Firefighters Memorial. In addition, Refined Alternative I (Concept I-W) will incorporate a new shared-use path and aesthetic treatments along the 6<sup>th</sup> Street bridge, just north of the memorial. As a result, the visual environment surrounding the Firefighters Memorial is expected to be improved.

Given the above, the scope of work affecting the Firefighters Memorial is temporary in duration and minor in scope. There are no anticipated permanent adverse physical impacts, and no incorporation of land from the Firefighters Memorial into a transportation facility will occur. The final condition of the memorial will be at least as good as that which currently exists, and the primary activities, features, and attributes of the site will not change. Therefore, FHWA determined that the proposed temporary occupancy of the Firefighters Memorial meets the exception from the requirement for Section 4(f) approval in accordance with 23 CFR § 774.13(d)(1)-(5). Mitigation measures incorporated into the project to protect the activities, features, and attributes of the Firefighters Memorial during construction are discussed in Section 6.6. Coordination with the Cincinnati Park Board, which is the official with jurisdiction over the Firefighters Memorial, is discussed in Section 7.5).



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## 4.7 Queensgate Playground and Ball Field

The 2012 *Final Individual Section 4(f) Evaluation* and EA/FONSI documented the acquisition of 0.9 acre of permanent right-of-way, tree removal, and loss of outfield areas in the Queensgate Playground and Ball Field. In 2013, ODOT developed right-of-way plans based on Selected Alternative I (from the 2012 EA/FONSI) which included detailed title research, conversion of City-owned property to right-of-way, and establishment of final right-of-way limits. Based on the final right-of-way plans, the impacts to the Queensgate Playground and Ball Field were reduced to 0.72 acre (0.40 acre of proposed right-of-way and 0.32 acre of permanent easement), and the right-of-way from this property was purchased in 2014. The City of Cincinnati reconfigured the ball fields in 2014 using funding provided by ODOT in accordance with an MOA between ODOT and the City of Cincinnati Recreation Commission. Details regarding the MOA are provided in Section 7.6. The refinements incorporated into Refined Alternative I (Concept I-W) do not change the impacts to the Queensgate Playground and Ball Field. The outfield fence for the reconfigured baseball field encroaches upon the permanent easement owned by ODOT, but it will not be impacted by construction of the project. Similar to Selected Alternative I (from the 2012 EA/FONSI), Refined Alternative I (Concept I-W) will move I-75 and Winchell Avenue closer to the Queensgate Playground and Ball Field; however, the park already directly abuts these roadways.

Noise levels for the Queensgate Playground and Ball Field were evaluated in accordance with ODOT's *Analysis and Abatement of Highway Traffic Noise Policy Statement*, and the results were documented in a [Noise Analysis Report](#). Based on the analysis, the noise levels in the playground area of the park approach or exceed the FHWA's NAC for both the existing (2029) condition and in the design year (2049) for Refined Alternative I (Concept I-W). Noise levels in the ball field area of the park were below FHWA's NAC for both conditions. ODOT evaluated noise abatement measures and determined a noise barrier is feasible and reasonable for the Queensgate Playground and Ball Field. The proposed noise barrier will be 10 feet in height and will reduce noise levels in the park and playground area. ODOT will also build 57-inch barriers in the I-75 median in the vicinity of the Queensgate Playground and Ball Field. These barriers will be 15 inches taller than standard ODOT bridge barriers, and the increased height will further reduce tire pavement noise.

In addition to the proposed noise barrier, a retaining wall will be built along the southwest corner of the park. A new sidewalk and shared-use path will be built on Linn Street, improving pedestrian and bicycle access to the Queensgate Playground and Ball Field. Trees and shrubs along the southern edge of the park will be removed during the construction of the highway, retaining wall, and noise barrier. In coordination with the City of Cincinnati and the Ohio Aesthetics Subcommittee, ODOT has established an Aesthetic Design Checklist for Phases I and II of the project, which include the Queensgate Playground and Ball Field area. Aesthetic treatments will be incorporated on the retaining wall, the proposed noise barrier, and the new Linn Street bridge over I-75. Therefore, the visual environment surrounding the Queensgate Playground and Ball Field will be improved. Aesthetic features will be coordinated and confirmed with the City of Cincinnati and the Ohio Aesthetics Subcommittee at the completion of each design stage review. Additional information about aesthetic enhancements is provided in Section 4.9 of the supplemental EA.

FHWA determined that Refined Alternative I (Concept I-W) will result in a *de minimis* Section 4(f) use of the Queensgate Playground and Ball Field, as defined by 23 CFR § 774.17. Mitigation measures incorporated into the project to address impacts to the Queensgate Playground and Ball Field are discussed in Section 6.7.



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Coordination with the public and the official with jurisdiction, as required by CFR § 774.5(b)(2), is discussed in Section 7.6.

## 4.8 Ezzard Charles Park

Ezzard Charles Park (formerly Laurel Park) was not addressed in the 2012 *Final Individual Section 4(f) Evaluation* and EA/FONSI. Refined Alternative I (Concept I-W) will replace the two existing one-way bridges carrying Ezzard Charles Drive over I-75 with one combined two-way bridge. The transition to the new bridge will slightly alter the vertical profile of Ezzard Charles Drive and shift the roadway north within the existing right-of-way in the vicinity Ezzard Charles Park. On the north side of Ezzard Charles Drive, the work will match the existing curb line and will reconstruct a 6.5-foot sidewalk. On the south side of Ezzard Charles Drive, an existing sidewalk will be relocated to tie into the new curb ramps and crosswalk. In addition, an existing median island on Ezzard Charles Drive will be removed and replaced with a median island that is a minimum of 11.9 feet wide.

The area of Ezzard Charles Park that will be impacted by the project is limited to tree lawns, a median, and sidewalks along Ezzard Charles Drive that are within the existing transportation right-of-way and where the primary use is not recreation. The overall pavement area of Ezzard Charles Drive will decrease, and the new pavement will not extend beyond the existing curb line. Although the construction limits will extend beyond the existing roadway right-of-way in some areas, they will remain within an existing slope easement. During construction, portions of the adjacent sidewalks may be closed on a temporary basis to protect the park and the public from construction activities.

Noise levels were not specifically evaluated for the portions of Ezzard Charles Park adjacent to the project area because these areas consist solely of sidewalks and tree lawns within (encroaching upon) the existing transportation right-of-way. However, these portions of the park may benefit from noise barriers that were determined to be reasonable and feasible for the residential areas north and south of Ezzard Charles Drive. The proposed noise barriers will be 10 feet in height and will be constructed along the northbound I-75 exit and entrance ramps at Ezzard Charles Drive, potentially reducing noise in the adjacent park areas. ODOT will also build 57-inch barriers in the I-75 median in the vicinity of Ezzard Charles Drive. These barriers will be 15 inches taller than standard ODOT bridge barriers, and the increased height will further reduce tire pavement noise.

Refined Alternative I (Concept I-W) will install new sidewalks and a shared-use path on the Ezzard Charles Bridge just west of Ezzard Charles Park, improving pedestrian and bicycle access to the park and connections between the park and Union Terminal. Aesthetic features will also be incorporated on the Ezzard Charles Bridge and the proposed noise barriers, improving the visual character of the area. The new Ezzard Charles Drive bridge over I-75 will provide 50 feet of green space on each side that could support potential future civic space or retail development by the City of Cincinnati. The green space will be adjacent to and will complement the portions of Ezzard Charles Park in the project area. Any potential future civic space or retail development would also complement existing land uses surrounding Ezzard Charles Drive near I-75. The primary recreational area of Ezzard Charles Park consists of a memorial statue, plaza, and tree grove located over 1,000 feet from I-75. Refined Alternative I (Concept I-W) will not impact these areas.



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Given the above, the scope of the work affecting Ezzard Charles Park is temporary in duration and minor in scope. There are no anticipated permanent adverse physical impacts, and no incorporation of land from Ezzard Charles Park into a transportation facility will occur. The final condition of the park within the project area will be at least as good as that which currently exists, and the primary activities, features, and attributes of the site will not change. Therefore, FHWA determined that the proposed temporary occupancy of Ezzard Charles Park (formerly Laurel Park) meets the exception from the requirement for Section 4(f) approval in accordance with 23 CFR § 774.13(d)(1)-(5). Mitigation measures incorporated into the project to protect the activities, features, and attributes of Ezzard Charles Park during construction are discussed in Section 6.8. Coordination with the Cincinnati Park Board, which is the official with jurisdiction over Ezzard Charles Park, is discussed in Section 7.5).

#### 4.9 Lewis and Clark National Historic Trail

As a National Historic Trail, this resource falls under the Section 4(f) exception in 23 CFR § 774.13:

- (f) Certain trails, paths, bikeways, and sidewalks, in the following circumstances:
  - (2) National Historic Trails and the Continental Divide National Scenic Trail, designated under the National Trails System Act, 16 USC §§ 1241–1251, with the exception of those trail segments that are historic sites as defined in § 774.17.

Therefore, the Lewis and Clark National Historic Trail within the project area meets the exception from the requirement for Section 4(f) approval in accordance with 23 CFR § 774.13(f)(2).

Refined Alternative I (Concept I-W) will not result in any permanent impacts to the activities, features, or attributes of the Lewis and Clark National Historic Trail. The reconfiguration and rehabilitation of the existing BSB will not require any work in the Ohio River, and the existing BSB will maintain its current vertical clearance above the river. Refined Alternative I (Concept I-W) will build a new double-decker companion bridge west of the existing BSB bridge and will place two new piers in the Ohio River. The new companion bridge will be located on a stretch of the Ohio River with numerous roadway and railroad bridges and will not result in any visual impacts to the trail. The under clearance for the new companion bridge will be no lower than 532 feet in elevation, which accounts for fluctuations in the river levels due to seasonal flow and provides additional clearance to accommodate river cruise ships. The navigation opening will be no narrower than the existing BSB, and the south pier will be no more than 75 feet from land to provide maneuverability within the channel. Highway and aesthetic lighting incorporated into the new companion bridge and/or the existing BSB will be designed to avoid interference with river navigation.

During detailed design, soil and geotechnical borings will be conducted in the river bottom. The new companion bridge may be constructed using temporary access fills and barge-mounted equipment. River traffic will be maintained during construction, although temporary restrictions in the navigation channel may be required to erect portions of the new structure. Because navigation within the Ohio River will be maintained, impacts to the recreational use of the Lewis and Clark National Historic Trail are expected to be minor. Measures to minimize impacts to the Lewis and Clark Historic Trail during construction are described in Section 6.9.



## 4.10 Other Historic Properties

In accordance with 36 CFR part 800 and Section 106 of the National Historic Preservation Act, the Kentucky SHPO and the Ohio SHPO determined that Refined Alternative I (Concept I-W) results in an adverse effect on the Lewisburg Historic District and Longworth Hall, no adverse effect on 13 NRHP properties (including the Hillsdale Historic District and the Elberta Apartments Historic District), and no effect on the remaining historic properties in the project's area of potential effects (see Appendices D, F, and G). Descriptions of the use and impacts to the Hillsdale Subdivision Historic District, the Elberta Apartments Historic District, the Lewisburg Historic District, and Longworth Hall are discussed in the preceding sections. Permanent or temporary incorporation of land will not occur on historic properties with a determination of no effect; therefore, Section 4(f) does not apply to these properties. Refined Alternative I (Concept I-W) will not require permanent or temporary incorporation of land from 10 of the sites with a finding of no adverse effect, and minor visual effects that will occur due to highway construction do not constitute a constructive use (see Table 3); therefore, Section 4(f) does not apply to these properties. The rehabilitation of the existing BSB meets the exception from the requirement for Section 4(f) approval in accordance with 23 CFR § 774.13(a)(3)(i)-(ii).

**Table 3: Section 4(f) Summary of Historic Properties with No Adverse Effect**

Site No. <sup>1</sup>	Site Name <sup>1</sup> Address	Refined Alternative I (Concept I-W)		
		NRHP Status	Effects	Section 4(f) Determination
KECL-107	C&O Railroad Bridge Ohio River East of BSB	Eligible	No Adverse Effect	Minor visual effects only <sup>2</sup> – Section 4(f) does not apply
KE-09	West Side/Main Strasse Historic District	Listed	No Adverse Effect	Minor visual effects only <sup>2</sup> – Section 4(f) does not apply
KECL-815	Bavarian Brewing Company/Kenton Co Government Center 1840 Simon Kenton Way	Listed	No Adverse Effect	Proposed new right-of-way outside of NRHP boundary and minor visual effects <sup>2</sup> – Section 4(f) does not apply
KEC-462	Bavarian Brewery Bottling Works/Glier's Goetta 533 Goetta Place	Eligible	No Adverse Effect	Minor visual effects only <sup>2</sup> – Section 4(f) does not apply
KEC-458	Residence 45 Rivard Drive	Eligible	No Adverse Effect	Minor visual effects only <sup>2</sup> – Section 4(f) does not apply
KEC-1038	Quality Inn/Radisson Hotel 626 West 5 <sup>th</sup> Street	Eligible	No Adverse Effect	Portion of existing parking lot within existing right-of-way (outside of NRHP boundary) and minor visual effects <sup>2</sup> – Section 4(f) does not apply





Site No. <sup>1</sup>	Site Name <sup>1</sup> Address	Refined Alternative I (Concept I-W)		
		NRHP Status	Effects	Section 4(f) Determination
<i>Table 3 (cont.)</i>				
KEC-820	Brent Spence Bridge	Eligible	No Adverse Effect	Rehabilitation and minor visual effects – Meets the exception for Section 4(f) approval in accordance with 23 CFR § 774.13(a)(3)(i)-(ii)
KEC-1068	Covington Levee	Eligible	No Adverse Effect	Minor visual effects only <sup>2</sup> – Section 4(f) does not apply
KECL-692	House 536 West 13 <sup>th</sup> Street	Eligible	No Adverse Effect	Minor visual effects only <sup>2</sup> – Section 4(f) does not apply
KEC-1011	House 534 West 13 <sup>th</sup> Street	Eligible	No Adverse Effect	Minor visual effects only <sup>2</sup> – Section 4(f) does not apply
KEC-1075	Clay Wade Bailey Bridge	Eligible	No Adverse Effect	Minor visual effects only <sup>2</sup> – Section 4(f) does not apply

1. Site numbers and names reflect the most current information according to the 2022 [Cultural Historic Survey Report](#). No adverse effect also applies to KE-07 and KE-08 (the Elberta Apartments Historic District) and KE-013 (the Hillsdale Subdivision Historic District), but the Section 4(f) use of these resources is discussed separately in Sections 4.2 and 4.1, respectively.
2. Refined Alternative I (Concept I-W) will not require permanent or temporary incorporation of land from within the property's NRHP boundary. Minor visual effects noted for the site do not constitute a constructive use.

If previously unidentified historic properties or unanticipated effects on known historic properties, are discovered after completion of the Section 106 process, ODOT and KYTC have committed to following the unanticipated discovery plans for their respective states, as described in Appendix A of the *Section 106 Programmatic Agreement Among FHWA, ODOT, KYTC, the Ohio SHPO, the Kentucky SHPO, and the City of Covington Implementing Section 106 of the National Historic Preservation Act for the BSB Corridor Project* (see Appendix K).

## 5. AVOIDANCE ALTERNATIVES AND LEAST OVERALL HARM ANALYSIS

A Section 4(f) evaluation must demonstrate that avoidance alternatives have been evaluated and provide a least overall harm analysis of the alternatives under consideration.

Beginning in 2004, KYTC and ODOT developed a range of alternatives for improving the BSB corridor. Through a series of preliminary engineering and planning studies coupled with public outreach and stakeholder involvement, KYTC and ODOT narrowed the range of alternatives to two feasible alternatives: Alternative E and Alternative I. Alternative E, Alternative I, and the No-Build Alternative were evaluated in the 2012 EA. In August 2012, FHWA issued a FONSI identifying Alternative I as the selected alternative for the BSB Corridor Project. A discussion of the alternatives development process is provided in Appendix B and in the 2012 EA and FONSI.



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Alternative E, Alternative I, and the No-Build Alternative were also evaluated in the 2012 *Final Individual Section 4(f) Evaluation*, which demonstrated that Selected Alternative I (from the 2012 EA/FONSI) resulted in the least overall harm to Section 4(f) properties. In August 2012, FHWA determined that there is no feasible and prudent avoidance alternative as defined in 23 CFR § 774.17, to the use of land from Section 4(f) properties (see Attachment 1).

Shortly following the approval of the 2012 EA/FONSI, KYTC and ODOT began efforts to identify and evaluate measures to improve the design and constructability of the project while reducing the costs and impacts. These efforts resulted in several refinements to the project's design, which have been designated Refined Alternative I (Concept I-W). A discussion of the development of refinement concepts is provided in Appendix C.

## 5.1 Avoidance Alternatives

Unless the use of a Section 4(f) property is determined to have a *de minimis* impact or is excepted from required approval, FHWA must determine that no feasible and prudent avoidance alternative exists before approving the use of such land. Feasible and prudent avoidance alternatives are those that avoid using any Section 4(f) property and do not cause other severe problems of a magnitude that substantially outweigh the importance of protecting the Section 4(f) property. Avoidance alternatives include the No-Build Alternative and one or more of the following:

- Location alternatives that re-route the entire project along a different alignment.
- Alternative actions, such as rail transit or bus service, or some other action that does not involve construction such as the implementation of transportation management systems or similar measures.
- Alignment shifts that re-route a portion of the project to a different alignment to avoid a specific resource.
- Design changes that modify the proposed design in a manner that would avoid impacts, such as reducing the planned median width, building a retaining wall, or incorporating design exceptions.<sup>1</sup>

### No-Build Alternative

The No-Build Alternative avoids Section 4(f) properties; however, it does not meet the project purpose and need and is not considered to be a prudent and feasible alternative for the BSB Corridor Project.

### Location Alternatives

The project's purpose and need includes improving traffic flow and levels of service, improving safety, and correcting geometric deficiencies. Under the existing conditions, there are not enough lanes on I-71/I-75 to serve all the traffic attempting to travel through the corridor. As a result, the area serves as a bottleneck that constrains the number of vehicles that can pass through during peak periods, resulting in slowed traffic and backups across the BSB. Traffic data for the project was developed using the Ohio-Kentucky-Indiana (OKI)

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<sup>1</sup> [Section 4\(f\) Policy Paper](#). FHWA Office of Planning, Environment and Realty Project Development and Environmental Review. July 20, 2012.



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Regional Council of Governments regional travel-demand model, which assigns routes used by travelers based on detailed information for individuals, households, number of lanes, projected trips, and calculated travel times. The regional travel demand model indicates about 70 percent of the traffic in the BSB corridor has origins and destinations north of the I-71/I-75 split in Kentucky and south of I-275 in Ohio.<sup>1</sup> Alternatives that re-route the entire project along a different alignment would not address congestion for the high proportion of local traffic utilizing the BSB corridor, and poor traffic operations would remain on I-71/I-75 in Northern Kentucky and downtown Cincinnati. Likewise, location alternatives would not address existing safety problems and geometric deficiencies in the BSB corridor.

The project's purpose and need also includes maintaining connections to key regional and national transportation corridors. The BSB corridor is a major route for regional and local mobility. Regionally, the BSB carries both I-71 and I-75 traffic over the Ohio River and connects to I-74, I-275, and US-50. The BSB corridor also facilitates local travel by providing access to Covington in Kentucky and downtown Cincinnati in Ohio and. Alternatives on new location would divert traffic away from, rather than maintain, connections to key regional and national transportation corridors.

The northern Kentucky and Cincinnati areas include numerous historic districts, properties that are individually eligible for the NRHP, and public recreational facilities. Given the character of the area, there is a high likelihood that location alternatives would also impact Section 4(f) properties.

Given the above, location alternatives would not meet the project purpose and need and are not considered to be feasible and prudent alternatives for the BSB Corridor Project.

### Alternative Actions

In 2004, the OKI and the Miami Valley Regional Planning Commission completed a major planning study known as the [North South Transportation Initiative](#) (Initiative) that considered highway improvements in addition to transit improvements such as express bus, commuter rail, and others alternatives. Although some transit alternatives, such as express bus and bus rapid transit on existing general purpose lanes, could avoid Section 4(f) properties, the Initiative concluded that transit improvements alone would not address capacity issues on I-71/I-75, and highway improvements in the BSB corridor were recommended for further development. Given the above, transit improvements alone would not meet the project purpose and need and are not considered to be feasible and prudent alternatives for the BSB Corridor Project.

### Alignment Shifts

All of the conceptual alternatives and feasible alternatives developed for the BSB Corridor Project impact Section 4(f) properties (see Appendix B). Each alternative directly impacts both historic properties and public parks. Due to the densely developed urban environment of the project area and the presence of Section 4(f) properties on both sides of the corridor and in close proximity to one another, it was not possible to incorporate alignment shifts that avoid impacts to Section 4(f) properties and satisfy the project's purpose and need.

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<sup>1</sup> Origin and destination data is reported for the year 2050, which is the regional planning horizon for OKI's long-range transportation plan.



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Concept B incorporated an alignment shift that re-routed a portion of I-71/I-75 to avoid impacts to Longworth Hall; however, Concept B was not found to be feasible or prudent due to adverse impacts to communities, residences, businesses, regulated materials sites, and utilities; overall complexity, constructability risk, and cost; and local opposition. Additional details about this avoidance alternative are provided in Section 5.1.2.

### Design Changes

Refined Alternative I (Concept I-W) incorporates several refinements that reduce the project's overall footprint, including reducing shoulder widths to match updated design criteria, lowering design speeds to reduce the required radii of curvature, constructing retaining walls, and reducing the width of the new companion bridge. Although these refinements have substantially reduced impacts in the Lewisburg Historic District when compared to Selected Alternative I (from the 2012 EA/FONSI), impacts to Section 4(f) properties could not be avoided by design changes alone. Additional details about design changes in the vicinity of the Lewisburg Historic District are provided in Section 5.1.1.

### Summary

Based on the above discussion, there are no feasible and prudent avoidance alternatives as described in 23 CFR § 774.3.

Additional details about avoidance alternatives for the Section 4(f) resources that will be adversely affected by Refined Alternative I (Concept I-W), the Lewisburg Historic District and Longworth Hall, are provided in the following sections. FHWA has determined that Refined Alternative I (Concept I-W) will result in an exception to the requirement for Section 4(f) approval<sup>1</sup> or a *de minimis* use of the remaining Section 4(f) properties that will be impacted, and further evaluation of avoidance alternatives for these properties is not required. Minimization and mitigation measures are discussed in Section 6.

#### **5.1.1 Lewisburg Historic District**

All of the alternatives developed for the BSB Corridor Project impact the Lewisburg Historic District. Since the approval of the 2012 EA/FONSI, KYTC and ODOT have conducted a Value Engineering Workshop (October 2012), a Performance-Based Design Workshop (December 2019), and other studies and activities to identify and evaluate measures to improve the design and constructability of the project while reducing the costs and impacts. Based on those activities, several refinements were incorporated into Refined Alternative I (Concept I-W) to reduce the project's overall footprint. Specifically, the incorporation of retaining walls and the reduction in the width of the new companion bridge substantially reduced impacts in the Lewisburg Historic District. When compared to Selected Alternative I (from the 2012 EA/FONSI), Refined Alternative I (Concept I-W) reduces permanent right-of-way acquisition in the Lewisburg Historic District from 2.1 acres to 0.23 acre, a 1.87-acre reduction. In addition, the full acquisition of contributing elements in the Lewisburg Historic District is reduced from 21 to 2. However, the value engineering refinements could not completely avoid impacts to the Lewisburg Historic District.

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<sup>1</sup> The Section 4(f) exceptions that apply to the project are described in Section 1.



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The Goebel Park Complex and its components are protected Section 4(f) resources located adjacent to and east of I-71/I-75, directly across from the Lewisburg Historic District. Any design refinements that shift roadway alignments away from either of these Section 4(f) resources would result in greater impacts to the other Section 4(f) property and, perhaps, additional residential and commercial relocations. Therefore, avoidance alternatives specific to the Lewisburg Historic District are not considered to be reasonable or feasible.

### 5.1.2 Longworth Hall

Conceptual Alternative B, which was developed in 2007 and 2008, was the only alternative that avoided direct impacts to Longworth Hall. This alternative was unique from the other conceptual and feasible alternatives because it followed a new alignment across the Ohio River and through the Queensgate neighborhood in Cincinnati. Conceptual Alternative B passed within 37 feet of the west end of Longworth Hall. All other alternatives considered had a direct impact to the east end of the building, which is located within eight feet of I-75. Although Alternative B did not directly impact Longworth Hall, it would have impacted two other Section 4(f) properties in Kentucky. It would have encroached upon the western edge of the Goebel Park Complex and the eastern edge of the Lewisburg Historic District.

The conceptual alternatives analysis concluded that Alternative B resulted in adverse impacts to communities, residences, businesses, regulated materials sites, and utilities, which were substantially higher than other alternatives under consideration. In addition, Alternative B had substantially greater overall complexity, constructability risk, and cost when compared to other alternatives. Finally, the concept was strongly opposed by both the City of Cincinnati (Ohio) and the City of Covington (Kentucky). Therefore, it was not found to be a feasible and prudent alternative and was removed from further consideration. Further information about Conceptual Alternative B and reasons for eliminating it from further consideration are provided in Appendix B.

As previously described, since the approval of the 2012 EA/FONSI, KYTC and ODOT have conducted several value engineering studies and activities to identify and evaluate measures to improve the design and constructability of the project while reducing the costs and impacts. Those studies and activities did not identify any measures to further reduce impacts on Longworth Hall.

## 5.2 Least Overall Harm Analysis

A least overall harm analysis is required when there is no feasible and prudent avoidance alternative to non-*de minimis* use of Section 4(f) properties. The 2012 *Final Individual Section 4(f) Evaluation* demonstrated that Selected Alternative I (from the 2012 EA/FONSI) caused the least overall harm to Section 4(f) properties and incorporated all possible planning to minimize harm from non-*de minimis* uses of Section 4(f) properties (see Section 6.2 and Appendix D of the *Final Individual Section 4(f) Evaluation*, which is provided in Attachment 1). Refined Alternative I (Concept I-W), which is a value engineering refinement of Selected Alternative I (from the 2012 EA/FONSI), further reduces overall harm to Section 4(f) properties (see Table 2).

The extension of Simon Kenton Way and the construction of new stormwater facilities incorporated into Refined Alternative I (Concept I-W) require about 7 feet of additional right-of-way along the western edge of the Goebel Park Complex and will result in a minor (0.25-acre) increase in total impacts on the complex; however,



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the measures to minimize and mitigate harm have also increased, resulting in a finding of *de minimis* Section 4(f) use for the Goebel Park Complex. Additional information about the extension of Simon Kenton Way is provided in Section 4.3. Mitigation measures for impacts to the Goebel Park Complex are described in detail in Section 6.3 and include replacement land; reconstruction of the walking trail within the complex; and funding for a new Goebel Park Complex Master Plan, replacement and enhancement of the basketball courts or other outdoor recreation facilities within the park, and a relocated outdoor pool and associated facilities or other comparable aquatic facility serving the same purpose within the park. In addition, FHWA will obtain concurrence from the official with jurisdiction that the park will not be adversely affected and is a *de minimis* Section 4(f) use (see Section 7.2).

Impacts to the other Section 4(f) properties that were identified in the 2012 EA/FONSI remain the same or have been reduced. Most notably, impacts within the Lewisburg Historic District (individual Section 4(f) use) have been reduced by 1.87 acres, and the removal of contributing elements has been reduced from 21 to 2. While the impacts to Longworth Hall (individual Section 4(f) use) have not changed, ODOT is in the process of purchasing the full Longworth Hall property at a mutually agreed upon price and from a willing seller and may use interior space or the exterior grounds surrounding the building during project construction; however, no additional adverse effects are anticipated as a result of ODOT's activities in the building and on the exterior grounds.

Refined Alternative I (Concept I-W) impacts four Section 4(f) properties that were not identified in the 2012 *Final Individual Section 4(f) Evaluation* or EA/FONSI: the Hillsdale Subdivision Historic District (*de minimis* Section 4(f) use), the Elberta Apartments Historic District (*de minimis* Section 4(f) use), the Firefighters Memorial (temporary occupancy), and Ezzard Charles Park (temporary occupancy). The park properties were not identified in the original studies, and the historic sites were identified during the recent efforts to reevaluate historic properties in the project's area of potential effects. Selected Alternative I (from the 2012 EA/FONSI) would have impacted all of these Section 4(f) properties to at least the same extent as Refined Alternative I (Concept I-W).

Given the above, the refinements incorporated into Refined Alternative I (Concept I-W) result in reduced overall harm to Section 4(f) properties when compared to Selected Alternative I (from the 2012 EA/FONSI).

Refined Alternative I (Concept I-W) was evaluated to confirm that the value engineering refinements incorporated into Selected Alternative I (from the 2012 EA/FONSI) do not change the determination of least overall harm to Section 4(f) properties. The least overall harm is determined by balancing seven factors outlined in 23 CFR § 774.3(c)(1)(i)-(vii). A discussion of these factors as they relate to the Lewisburg Historic District and Longworth Hall is provided below:

- i. The ability to mitigate adverse impacts to each Section 4(f) property (including any measures that result in benefits to the property). Mitigation measures for impacts to the Lewisburg Historic District and Longworth Hall were established in a *Section 106 Programmatic Agreement Among FHWA, ODOT, KYTC, the Ohio SHPO, the Kentucky SHPO, and the City of Covington* (Section 106 Programmatic Agreement). The mitigation measures for the Lewisburg Historic District are described in detail in Section 6.4 and include the recordation of demolished structures; the establishment of a \$1.2 million grant program to improve and rehabilitate the façades of residential and commercial properties in the



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Lewisburg Historic district; and the protection, monitoring, and repair of historic structures from vibration during construction. The mitigation measures for the Lewisburg Historic District that are incorporated into Refined Alternative I (Concept I-W) have increased when compared to Selected Alternative I (from the 2012 EA/FONSI). The façade grant has been increased from \$420,000 to \$1.2 million, and the vibration monitoring measures have been more rigorously defined. Mitigation measures to improve and rehabilitate façades will result in an overall benefit to the historic district.

The mitigation measures for Longworth Hall are described in detail in Section 6.5 and include various repair, upgrade, restoration, enhancement, and refurbishment on the portions of the building impacted by construction and the portions of the building to remain. The Section 106 mitigation measures for Longworth Hall that are incorporated into Refined Alternative I (Concept I-W) have not changed when compared to Selected Alternative I (from the 2012 EA/FONSI). ODOT is in the process of purchasing the full Longworth Hall property at a mutually agreed upon price and from a willing seller and may use interior space or the exterior grounds surrounding the building during project construction. No additional adverse effects are anticipated as a result of ODOT's activities in the building and on the exterior grounds; while no further Section 106 mitigation measures are required, additional mitigation measures are proposed pursuant to Section 4(f) to ensure the preservation of the property. The Section 106 mitigation measures and the additional Section 4(f) mitigation measures for Longworth Hall are discussed in Section 6.5.

- ii. The relative severity of the remaining harm, after mitigation, to the protected activities, attributes, or features that qualify each Section 4(f) property for protection. Refined Alternative I (Concept I-W) will permanently remove 0.23 acre of land and 2 contributing structures from the Lewisburg Historic District, which represents a small percentage of the approximately 700 acres and 430 buildings present in the historic district. The relative severity of harm to the Lewisburg Historic District has been greatly reduced when compared to Selected Alternative I (from the 2012 EA/FONSI), which required 2.1 acres of permanent right-of-way affecting 28 contributing elements (21 full and 7 partial acquisitions).

The removal of 204 feet of Longworth Hall will not diminish the historic integrity of the structure, which is 1,160 feet in total length. While in ODOT's ownership, ODOT will be responsible for maintaining Longworth Hall and its historic integrity. An architectural façade and preservation easement for Longworth Hall will remain with the deed as part of the purchase by ODOT and for any future sale of the property and will thus be transferred to future potential owners in perpetuity. The relative severity of harm to Longworth Hall has not changed when compared to Selected Alternative I (from the 2012 EA/FONSI).

- iii. The relative significance of the Section 4(f) property. The relative significance of the Lewisburg Historic District and Longworth Hall have not changed since the 2012 EA/FONSI.

The Lewisburg Historic District is among 11 historic districts eligible for listing on the NRHP that are present in the project's area for potential effects and is typical of the historic nature of the neighborhoods in the City of Covington. Based on the NRHP nomination, the Lewisburg Historic District is significant as an important example of suburban growth in Covington and for its inventory of typical working and middle class domestic architecture of the second half of the nineteenth century and early twentieth century; as well as some notable examples of domestic, institutional, and commercial



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architecture. The project-related impacts to the Lewisburg Historic District will not diminish these attributes. The façade grant program and the protection, monitoring, and repair of historic structures from vibration during construction will help to preserve the characteristics that contribute to the historic significance of the Lewisburg Historic District.

Longworth Hall is located in an industrial area, and there are no similar land uses located in its vicinity. Based on the NRHP nomination, Longworth Hall is significant because it contributes to the understanding of freight movement by railroad during a period when this was an important mode of transportation and as a unique example of functional railroad architecture embellished with Romanesque Revival details. It exhibits distinctive characteristics of the style and is further enhanced because of its exceptional length. The removal of 204 feet of Longworth Hall will not diminish these attributes. The length of the remaining building will be 956 feet. The repairs, upgrades, restoration work, and refurbishment measures incorporated into the mitigation measures will help to preserve the distinctive characteristics of its style. The interpretive plaque or signage incorporated into the mitigation measures will help to promote understanding of the building's historic contribution to freight movement by railroad. ODOT's purchase of the full Longworth Hall property and activities in the building and on the exterior grounds will not affect the relative significance of the building.

- iv. The views of the official(s) with jurisdiction over each Section 4(f) property. The Kentucky SHPO is the official with jurisdiction over the Lewisburg Historic District, and the Ohio SHPO is the official with jurisdiction over Longworth Hall. For the 2012 EA/FONSI, separate MOAs were developed to outline mitigation measures for the Lewisburg Historic District and Longworth Hall. The Kentucky SHPO was a signatory to the MOA for the Lewisburg Historic District, and the Ohio SHPO was a signatory to the MOA developed for Longworth Hall. For the supplemental EA, the separate MOAs were combined into one project-level Section 106 Programmatic Agreement that outlines the mitigation measures for the Lewisburg Historic District and Longworth Hall. The Kentucky SHPO and the Ohio SHPO are signatories to the Section 106 Programmatic Agreement (see Appendix K).
- v. The degree to which each alternative meets the purpose and need for the project. The 2012 EA/FONSI demonstrated that Selected Alternative I met the project purpose and need. Refined Alternative I (Concept I-W) reduces the project footprint, improves the project's functionality, and does not substantially change the key design components of Selected Alternative I (from the 2012 EA/FONSI). Therefore, Refined Alternative I (Concept I-W) continues to meet the project purpose and need.
- vi. After reasonable mitigation, the magnitude of any adverse impacts to resources not protected by Section 4(f). Based on the analysis in the supplemental EA and the mitigation and enhancement measures documented in the project's environmental commitments, Refined Alternative I (Concept I-W) is not anticipated to result in substantial adverse impacts for resources not protected by Section 4(f). For comparison, the analysis in the 2012 EA/FONSI concluded that Selected Alternative I also would not result in substantial adverse impacts for resources not protected by Section 4(f).
- vii. Substantial differences in costs among the alternatives. The cost estimates in the 2012 EA/FONSI were updated to reflect current design contingencies, unit prices, inflation rates, and construction years for each project phase. The cost estimates were also revised to include actual right of way, estimated costs for unacquired right-of-way, and utility relocation costs. In addition, updated costs for public





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relations, procurement, stipend, state labor, bridge painting, and design were included. Finally, previously expended preliminary development dollars were added to the estimated contract costs to estimate the total cost to implement Refined Alternative I (Concept I-W).

A Cost, Schedule, and Risk Assessment workshop held by FHWA and the project team in October 2022 confirmed that the total project cost estimate is \$3.6 billion in the year of expenditure, which includes all costs required to deliver the project, including but not limited to planning, design, right-of-way acquisition, construction, construction management services, and agency labor.

The costs to deliver Selected Alternative I (from the 2012 EA/FONSI) were not updated to reflect current prices. However, based on the information presented in the [Design Summary Report](#) and the [2022 Project Summary with Associated Costs](#) (April 2022), the total costs for Refined Alternative I (Concept I-W) are less than the costs to construct Selected Alternative I (from the 2012 EA/FONSI).

As stated earlier, the 2012 *Final Individual Section 4(f) Evaluation* demonstrated that Selected Alternative I (from the 2012 EA/FONSI) caused the least overall harm to Section 4(f) properties. When evaluating the seven factors listed in 23 CFR § 774.3(c)(1), Refined Alternative I (Concept I-W) is substantively the same as Selected Alternative I (from the 2012 EA/FONSI) for factors (iii)-(vi). Refined Alternative I (Concept I-W) provides increased mitigation for impacts to the Lewisburg Historic District, reduced harm to the remaining portions of the Lewisburg Historic District, and reduced total project costs. Therefore, when balancing the seven factors in 23 CFR § 774.3(c)(1), Refined Alternative I (Concept I-W) causes the least overall harm in light of the statute's preservation purpose.

## 6. MINIMIZATION AND MITIGATION OF HARM

The following sections discuss minimization and mitigation of harm for Section 4(f) properties that will be impacted by Refined Alternative I (Concept I-W). As described in Section 3, several Section 4(f) properties are situated in areas with minority and/or low-income populations and may be utilized by or serve these communities. Based on the nature of the Section 4(f) properties and the targeted environmental justice outreach performed for the project, the proximity of Section 4(f) properties to environmental justice communities would not affect the appropriate mitigation for those Section 4(f) properties.

### 6.1 Hillsdale Subdivision Historic District

The new right-of-way acquisition from one contributing element within the proposed Hillsdale Subdivision Historic District and the associated construction activities are not expected to impact the historic integrity of the contributing element or the district. A proposed noise barrier outside of the NRHP boundary between the district and the interstate will mitigate noise impacts and will improve the viewshed due to the incorporation of aesthetic treatments on the barrier. Coordination with the Kentucky SHPO and FHWA regarding the Hillsdale Subdivision Historic District is discussed in Section 7.1.



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## 6.2 Elberta Apartments Historic District

The new right-of-way acquisition from four contributing elements within the proposed Elberta Apartments Historic District and the associated construction activities are not expected to impact the historic integrity of the contributing elements or the district. A proposed noise barrier outside of the NRHP boundary between the district and the interstate will mitigate noise impacts and will improve the viewshed due to the incorporation of aesthetic treatments on the barrier. Coordination with the Kentucky SHPO and FHWA regarding the Elberta Apartments Historic District is discussed in Section 7.1.

## 6.3 Goebel Park Complex

KYTC committed to implementing the following measures to minimize and mitigate impacts on the Goebel Park Complex:

- Development of a new Goebel Park Complex Master Plan. Approximately \$100,000 of project funds will be utilized for the development of a new Goebel Park Complex Master Plan. The City of Covington will engage community members and key stakeholders in the new master planning process, which will assess existing conditions and community priorities for the Goebel Park Complex, establish a broad vision for how the complex can meet identified goals and needs, develop a list of recommended actions, and outline an implementation plan for a minimum 10-year planning period. The final Master Plan will document the future plans, uses, and locations of facilities in the Goebel Park Complex. The new Goebel Park Complex Master Plan process will begin within six months after NEPA approval and will be complete within one year of initiation of the planning process.
- The use of an estimated 2.84 acres of flood-prone park property from the southwest corner of the Goebel Park Complex (2.34 acres in Goebel Park and 0.50 acre in Kenney Shields Park) will be mitigated and replaced with an estimated 2.23 acres of currently state-owned property that is at a higher elevation, not prone to flooding, and adjacent to the northwest corner of the Goebel Park Complex.
- The taking of approximately 360 feet of walking trail will be mitigated by reconstructing the walking trail within the complex at a location to be determined in coordination with the City of Covington during the project's final design phase.
- The taking of the basketball courts and associated resources (in Kenney Shields Park) will be mitigated by allocating approximately \$94,500 of project funds for the replacement and enhancement of the basketball courts or for other outdoor recreation facilities within the park to be established during the new master planning process facilitated by the City of Covington.
- Building a new outdoor pool and associated facilities within the Goebel Park Complex. This will be mitigated by funding approximately \$1,337,400 of project funds for the construction of a new outdoor pool and associated facilities or other comparable aquatic facility serving the same recreational purpose



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within the Goebel Park Complex to be established during the new master planning process facilitated by the City of Covington.

- In the event that project phasing requires the basketball courts to be impacted prior to replacement facilities being constructed, up to \$75,000 of additional project funds will be allocated to construction of a temporary facility within a portion of the Goebel Park Complex not impacted by the project.

The mitigation measures listed above have been coordinated with the City of Covington, which is the official with jurisdiction over the Goebel Park Complex, and that coordination is discussed in Section 7.2.

The replacement land included in the mitigation measures for the Goebel Park Complex is currently occupied by the existing West 5<sup>th</sup> Street ramp, and the transfer to the City of Covington will be finalized after construction on that portion of the project is complete. During detailed design, KYTC has committed to coordinating the project's right-of-way acquisition and construction schedules with the City of Covington's new master planning efforts for the Goebel Park Complex to determine when impacts will occur and when property will be available. The project plans will require the contractor to remove the interstate infrastructure and grade the replacement land in coordination with the City of Covington. KYTC will transfer the ownership of the replacement land to the City of Covington after construction of the West 5<sup>th</sup> Street ramp is complete. Once the land transfer is complete, the City of Covington will continue all future maintenance responsibility for the Goebel Park Complex, including the replacement land. FHWA and KYTC will ensure that the land transfer is completed within two years after KYTC acceptance of the completed work in the vicinity of the Goebel Park Complex.

KYTC evaluated the feasibility of adding other contiguous parcels to the replacement land for the Goebel Park Complex, and none were identified. The proposed replacement property is 0.61 acre smaller than the area that will be acquired from the Goebel Park Complex. When the land transfer is complete, the total land area for the Goebel Park Complex will be reduced from 14.67 acres to approximately 14.06 acres, which represents a 4.2 percent reduction in the total acreage of the Goebel Park Complex. The final boundary for the Goebel Park Complex is shown in Exhibit 5 (Appendix A).

The proposed mitigation measures for the Goebel Park Complex are compensatory to the impact to the Section 4(f) property. The replacement property will be compatible with and will not diminish the outdoor recreation areas in the complex. The replacement property is higher in elevation than the portions of the complex that will be acquired by the project and not prone to flooding. In addition, the replacement land is flatter and closer to other prominent park features. Based on these characteristics, the replacement land has greater potential for future enhancements to outdoor recreational activities and amenities within the Goebel Park Complex, which will be established in the new Master Plan that will be funded by the proposed mitigation measures for the complex. The operation of the basketball courts will be maintained throughout construction, outdoor recreation will remain the primary function of the site, and it will remain free and open to the public. The project will not necessitate the closure of the pool, although decisions about pool operations are made by the City of Covington.



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In addition to the mitigation measures for the Section 4(f) use, KYTC is proposing noise/visual screening barriers to provide enhanced noise reduction and to improve the viewshed in the Goebel Park Complex. During detailed design, KYTC has committed to coordinating the composition of the barriers with the City of Covington to determine where transparent noise barriers would be beneficial to preserve views of Goebel Park from the highway, particularly the Clock Tower.

KYTC has also committed to separating all interstate runoff from the BSB corridor from the existing combined sewer system, which will reduce the frequency of combined sewer overflows, including in the Goebel Park Complex. These stormwater management measures are a broad proposed improvement and project-wide enhancement.

As part of project-wide efforts to minimize and mitigate temporary dust and air quality impacts, KYTC and ODOT have committed to developing and implementing a dust control plan and other measures to minimize and prevent discharge of dust in the atmosphere. During construction, measures will also be implemented to minimize diesel emissions and to protect sensitive receptors (including parks) from impacts of diesel exhaust fumes. KYTC and ODOT have also committed to developing and implementing an ambient air quality monitoring program that will include the area occupied by the Goebel Park Complex. The outdoor ambient air quality monitoring program will provide greater protections against temporary air quality impacts during construction by providing continuous monitoring of air quality in the vicinity of the complex. Additional details about the outdoor ambient air quality monitoring program are provided in the supplemental EA.

During construction, KYTC and ODOT have also committed to implementing project-wide measures to minimize construction noise in noise sensitive areas, including the Goebel Park Complex. The project staff will be educated on noise sensitive receptors, including location, type, hours of operation, and any prior concerns communicated. Measures that will be implemented to minimize construction noise include careful selection of equipment to be utilized, utilization of well-maintained motorized equipment and muffler systems, selection of haul routes that will cause the least disturbance to noise sensitive receptors, use of existing and temporary features to shield noise sensitive receptors from construction activities, and scheduling of work to minimize noise impacts to noise sensitive receptors. KYTC has also committed to coordinating with the City of Covington regarding construction noise abatement measures within the city. To the extent practicable, these measures may include limiting construction activities and construction noise during specific periods of time and limiting activities that create high levels of construction noise, such as pile driving and blasting, to certain times of day.

## 6.4 Lewisburg Historic District

KYTC committed to implementing the following measures to minimize and mitigate impacts to the Lewisburg Historic District:

### A. Recordation

1. In order to preserve a record of its history and appearance, the structures within the Lewisburg Historic District to be demolished as a part of this project will be recorded. Recordation will take place as soon as the properties have been acquired and well in advance of construction in this



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area; documentation of these structures, barring unforeseen circumstance, will take less than four months to complete. State Level I Documentation is specified and will include the following per the Kentucky SHPO's February 12, 2020 Memorandum - Update to State Level Documentation:

- a. A Kentucky Historic Resource Individual Survey form (Kentucky Heritage Council (KHC) 2017-1 or current version of form), completed or updated as appropriate.
- b. A historic context, a synthesis of both archival research and current information, presented both as part of the documentation package as well as included in the "Historical Information" section of the Kentucky SHPO survey form in order to facilitate the separate archiving of these documents. Archival research, thorough but less intensive than a stand-alone historic context, shall be conducted to gather specific historical information about the property and its context with sources cited. If historic archival images are located, a representative sample or link to that resource will be included.
- c. Digital photographs showing all exterior elevations as well as close-ups of significant, character-defining features (i.e., brackets, hood moldings, decorative millwork, log notching/chinking, traditional timber frame joinery/truss systems, mantels, historic hardware/lighting, interior finishes, and/or stair details). Image resolution shall be no less than 6 megapixels (2000 x 3000-pixel image). Images should be in Tag Image File format (TIFF) or raw image format (RAW).

The electronic files of the digital images should be included on an archival DVD-R disk and a flash drive submitted with the documentation package. Electronic files shall be labeled with the name and address of the building (if applicable), KHC survey number, view, and date of capture. In addition, all digital photographs will be included in the KHC survey form. A selection of images shall be printed on archival quality, acid-free paper (rather than as true photographic prints) at a minimum size of 5" x 7" (maximum size of 8" x 10"). These images shall be presented in the documentation package along with an index of photographs keyed to numbered photos. The photography index shall include the name and address of building (if applicable), view, and any explanatory notes necessary for review.

- d. Measured floor plans of each floor of the building will be prepared by a preservation professional. Existing professional scaled drawings/building plans will be utilized whenever possible and presented in a .pdf format along with a hard copy of the existing plans. If existing drawings/plans are not available, will not meet the format recommended below, or parties otherwise agree that drawings/plans need to be prepared, drawings shall be created at a scale of 1/4" per 1'-0" and shall be analytical in nature, labeling construction details, alterations, and additions. If applicable, drawings of building details (windows, moldings, mantels, etc.) shall be created at a scale of 1/2" per 1'-0". Hand drawings shall be in pencil on archival-quality, acid-free vellum; however, if other formats are used (i.e., 3-dimensional laser scanning/photogrammetry or Computer-Aided Design/CAD) the scale shall be comparable to that of the hand drawings. The latter native digital plans shall be presented in .pdf format along with a hard copy set of plans. Each drawing/image file shall be labeled as described in A.1.c. above and shall be



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accompanied by a written description of the building(s) as well as an explanation of construction details.

- e. One complete digital copy of the completed documentation will be submitted by KYTC to the Kentucky SHPO for review and acceptance. Upon notification of Kentucky SHPO acceptance, KYTC will provide one complete hard copy to the Kenton County Public Library. One complete digital copy will also be provided to the Kentucky Department for Libraries and Archives by KYTC.
2. Upon completion of the project, KYTC shall prepare and provide to Kentucky SHPO documentation of appropriate boundaries for the Lewisburg Historic District. Once agreement is reached on appropriate boundaries, KYTC shall prepare a revised nomination form reflecting the newly established boundaries and submit it to Kentucky SHPO for coordination with the Keeper of the NRHP.
3. Upon completion of construction of the project, KYTC shall prepare a Kentucky Historic Resource Individual Survey form (KHC 2017-1 or current version of form) for each of the properties located within the Lewisburg Historic District. A new survey form is required if more than 5 years have lapsed since the survey form was updated. These survey forms will be submitted to the Kentucky SHPO in .pdf format.

#### B. Façade Grant Program

1. A Façade Grant Program administered by the City of Covington will be developed and implemented to improve and rehabilitate the façade of residential and commercial properties within the Lewisburg Historic District. Specific details of the program, including additional funding sources, review authority, owner matching funds, program marketing, and timeframes for approval and completion of projects will be determined through consultation between KYTC, the City of Covington, the Kentucky SHPO, and FHWA. Consultation between these listed parties will take place after the Section 106 Programmatic Agreement has been signed and after project funds have been released by FHWA. Details for administering the program, including oversight, selection criteria, monitoring, and tracking and reporting of completions and expenditures will be delineated in a separate MOA developed for this purpose and agreed upon between the parties listed above.
2. The Façade Grant Program will be provided with project funding in an amount not to exceed \$1,200,000.00 for property improvements. FHWA participation will terminate ten years from the date of program implementation.

#### C. Vibration Testing

1. To avoid damage to historic properties, KYTC shall ensure that construction blasting/vibration plans and bridge pier construction plans shall be developed by their contractor(s) prior to beginning any construction activities that would require blasting or result in vibration. These construction blasting/vibration plans shall be implemented during appropriate construction activities. Maximum threshold values for historic properties that the plan must meet are shown the table below. The values are presented in terms of peak particle velocity (PPV), the accepted method of evaluating



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the potential for damage. The vibration criteria shall apply for pile driving, vibratory compaction, and blasting activities.

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<b>PPV Thresholds</b>	
Type of Structure	Ground-borne Vibration Impact Level (PPV)
Fragile	0.20 inch/second
Extremely Fragile Historic	0.12 inch/second

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2. KYTC shall discuss with the Kentucky SHPO the protective measures to be used by the contractor to protect historic resources from vibration damage. KYTC shall seek the recommendations of the Kentucky SHPO regarding any additional properties not identified by the contractor that should be considered extremely fragile.
  - a. These plans shall be developed, as directed by the contract documents, for all areas within 100 feet of the potential disturb limits that contain historic structures.
  - b. Existing conditions of historic structures and current levels of vibration within the selected areas will be obtained first as a baseline for later comparison. Structural engineers will focus on identifying fragile and extremely fragile historic structures. In areas where historic structures are identified but they are not considered either fragile or extremely fragile, vibration levels will be limited to 0.20 inch/second. An initial report of baseline conditions, including structures selected for monitoring and existing vibration levels, will be compiled and coordinated with Kentucky SHPO for review.
  - c. Construction methods adjacent to selected areas will be assessed to determine the potential to create vibration levels that may exceed the threshold limits. In areas where construction methods may exceed vibration threshold limits, alternate methods will be required.
  - d. A third-party contractor will be retained to monitor vibrations and report results on site to the contractor and the KYTC resident engineer. If continuous vibration levels exceed the 0.20 inch/second threshold, the vibration equipment monitor shall notify the resident engineer and the construction contractor so that methods can be adjusted to reduce the vibration. If continuous vibration levels exceed 0.20 inch/second after adjustments have been made, work will need to cease in the area until different methods can be put in place to lessen vibration impacts.
  - e. As construction activities will be continuously monitored to ensure that vibration limits remain below the threshold noted above, the need for daily inspection of adjacent buildings is not anticipated. However, if any transient event occurs that is in excess of 0.50 inch/second, a cursory examination of buildings in the area will be made to check for potential damages.
  - f. Monitoring will occur when active construction activities are adjacent to selected areas. As construction activities are expected to move from location to location or may occur adjacent to



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multiple areas at once, all selected areas will not be continuously monitored, especially if no construction activities are occurring adjacent.

- g. At least one examination of structures in each area selected for vibration monitoring will be made during construction, and a post-construction final inspection will be made of each area to determine if there have been any changes to the condition of the buildings. A comparison of pre-, mid-, and post-construction building condition assessments will be compiled in a report and submitted to the Kentucky SHPO for review.
- h. KYTC, in consultation with Kentucky SHPO, will make the determination whether damage has occurred to historic properties identified in the Section 106 process as a result of project activities.
- i. KYTC shall be responsible for repair of any blast and vibration damage to historic properties. Any repairs shall be coordinated in advance with the Kentucky SHPO to ensure they are carried out in accordance with the *Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* (Secretary's Standards).
- j. Where access to privately owned property is necessary for monitoring or damage repair, consent shall be obtained prior to entry.

The mitigation measures listed above are documented in the *Programmatic Agreement Among FHWA, ODOT, KYTC, the Ohio SHPO, the Kentucky SHPO, and the City of Covington implementing Section 106 of the National Historic Preservation Act for the BSB Corridor Project*. In addition to the mitigation measures for the Section 4(f) use, KYTC is proposing noise barriers to reduce noise levels and improve the viewshed in the Lewisburg Historic District. During detailed design, KYTC has committed to coordinating the composition of the barriers with the City of Covington to determine where transparent noise barriers would be beneficial to preserve views of the skyline and across I-71/I-75 from Lewisburg.

Coordination with the Kentucky SHPO and FHWA regarding the mitigation measures for the Lewisburg Historic District is discussed in Section 7.3, and coordination with Kentucky consulting parties is discussed in Section 7.7.1.

## 6.5 Longworth Hall

ODOT committed to implementing the following measures to minimize and mitigate impacts to Longworth Hall in the 2023 Section 106 Programmatic Agreement:

1. Treatment Plans. The treatment plans shall be developed in accordance with 36 CFR part 68, *The Secretary of the Interior's Standards for the Treatment of Historic Properties*. The plans will be developed during Phase 1: Preconstruction Phase of the Progressive Design Build Contract currently estimated for completion by April 2025. The Ohio SHPO, the building owner, and the Cincinnati Preservation Association shall be provided the treatment plans for a 30-day review and comment period.





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- a. Exterior Storm Windows. Storm windows will be installed on the exterior of the building. The storm windows will be installed on the entire exterior of the building, including areas not impacted by construction of the project.
  - b. Restoration of the East Wall. Restoration of the east wall will be to an approximation of its original appearance and will include materials salvaged during demolition.
  - c. Windows Removed to Accommodate the New Roadway Construction. Windows removed to accommodate the new roadway construction will be restored and used in the east wall reconstruction. Windows removed and not used in the east wall reconstruction will be restored and returned to the owner.
  - d. Commemorative Cornerstone. A cornerstone commemorating the date of construction (1904) on one side and the date of the renovation on the other side will be included in the east wall reconstruction design.
  - e. Masonry Repairs. Masonry repairs will include repair or replacement of bricks as warranted; tuck-pointing; and brick cleaning of the west, north and south walls. The listed masonry repairs will be completed on the entire building, including portions not impacted by construction of the project.
  - f. Original Lettering. The original lettering across the top of the building will be refurbished.
  - g. All Materials Removed. All materials removed that retain historic integrity and nature will be returned to the building owner to be used in future repairs or expansion.
2. Interpretive Plaque or Signage. An interpretive plaque or signage will be constructed.
    - a. The original location of the east wall prior to the rehabilitation/construction of the BSB will be outlined by bricks and stonework.
    - b. An interpretive plaque describing changes to the property that have occurred over time will be placed near the original location of the east end wall. ODOT will work with the Ohio SHPO and the Ohio consulting parties on the plaque design and text. The Ohio SHPO and the Ohio consulting parties will have an opportunity to review the final version prior to production.
  3. Contracting Methods. ODOT will hold and manage the contract(s) for all work conducted in items 1 and 2 above. The demolition and reconstruction of Longworth Hall will be performed in accordance with Section 13.3 of Exhibit E: Technical Requirements of the Progressive Design-Build Contract, as described in Appendix C of the Section 106 Programmatic Agreement. The interpretive plaque or signage will be constructed in accordance with Section 7.1 of Exhibit E: Technical Requirements of the Progressive Design-Build Contract, as described in Appendix C of the Section 106 Programmatic Agreement.
  4. Acquisition. ODOT is in the process of acquiring the full property at a mutually agreed upon price and from a willing seller. Because the full property is to be acquired by ODOT, the following additional stipulations apply.
    - a. The building will remain occupied. ODOT may use interior space or the exterior grounds surrounding the building during project construction. No additional adverse effects are anticipated



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as a result of ODOT's use of the building and exterior grounds; however, if any activities on the property are anticipated to have potential adverse effects, they shall be permitted only after consultation between ODOT, the Cincinnati Preservation Association, and the Ohio SHPO pursuant to Stipulation V of the Section 106 Programmatic Agreement;

- b. The existing Deed of Gift and Agreement for the Architectural Façade and Preservation Easement, dated December 30, 1986, granting Miami Purchase Association for Historic Preservation (now known as Cincinnati Preservation Association) an architectural façade and preservation easement of the B&O Freight and Storage Building/Longworth Hall, 700 Pete Rose Way (Second Street) (NRHP 86003521), will remain with the deed as part of the purchase by ODOT and for any future sale of the property by ODOT and thus transferred to future potential owners in perpetuity.

ODOT also committed to implementing the following measures to minimize and mitigate impacts to Longworth Hall pursuant to Section 4(f) to ensure the preservation of the property:

1. While in ODOT's ownership, ODOT will be responsible for maintaining Longworth Hall and its historic integrity.
2. Since ODOT will own the building at the time of restoration, all materials removed that retain historic integrity, including the unused reconstructed windows, will be appropriately stored onsite and will remain with the building for later reuse.

Coordination with the Ohio SHPO and FHWA regarding the mitigation measures for Longworth Hall is discussed in Section 7.4, and coordination with Ohio consulting parties is discussed in Section 7.7.2.

## 6.6 Firefighters Memorial

ODOT committed to implementing the following measures to minimize harm during construction activities affecting the Firefighters Memorial:

- Access to the Firefighters Memorial will be maintained at all times, except for the time needed to temporarily occupy the property, which will be less than the time needed for construction of the project.
- Temporary construction fencing will be installed along proposed construction limits prior to the start of construction activities to protect the Firefighters Memorial and the public.
- Appropriate signage will be installed to alert users of the Firefighters Memorial of construction activities, access restrictions or closures, and to direct users to secondary access points.
- The contractor will be required to closely coordinate the construction schedule with ODOT and the City of Cincinnati prior to the start of construction activities.

Coordination with the Cincinnati Park Board and FHWA regarding the measures to minimize harm to the Firefighters Memorial is discussed in Section 7.5.



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## 6.7 Queensgate Playground and Ball Field

ODOT committed to implementing the following measures to minimize and mitigate impacts to the Queensgate Playground and Ball Field:

- ODOT will acquire property from the City of Cincinnati Recreation Commission (CRC) in accordance with all applicable federal and state regulations. Compensation for land and property, excluding ball field lighting, will be via the normal ODOT property acquisition procedures. (Note: ODOT completed right-of-way acquisition from the Queensgate Playground and Ball Field in 2014.)
- ODOT, upon receipt of an acceptable plan detailing how the CRC will utilize funds for recreational purposes, will pay \$198,050 to the CRC to be applied toward the submitted plan (including ball field lighting). (Note: The CRC submitted a conceptual site plan detailing how the CRC would utilize the mitigation funds on November 2, 2012. ODOT accepted the invoice and the conceptual site plan on November 2, 2012 and paid \$198,050 to the CRC on December 12, 2012. The CRC reconfigured the park to replace two small ball fields with one all-star ball field and installed a new playground, benches, and picnic tables in 2014.)
- Limited access right-of-way fencing along the park and highway boundary will be installed along the CRC property as part of ODOT's construction project. The fence will consist of 10-foot-high chain link fencing. (Note: This mitigation has not yet been completed.)

In addition to the mitigation measures listed above, ODOT is proposing a 10-foot noise barrier along I-75 for the length of the Queensgate Playground and Ball Field to reduce noise levels at both the playground and the ball field.

As stated above, the mitigation measures related to property acquisition and reconfiguring the ball fields were completed between 2012 and 2014 based on the MOA between ODOT and CRC and the 2012 FONSI. The remaining mitigation measure involves installing limited access right-of-way fencing along the park boundary. During construction, a proposed 10-foot noise barrier may be installed along the park and highway boundary in lieu of the limited access right-of-way fencing. In accordance with its *Analysis and Abatement of Highway Traffic Noise Policy Statement*, ODOT will conduct noise abatement public involvement with benefited receptors in the vicinity of the Queensgate Playground and Ball Field. If the noise public involvement concludes that a noise barrier will not be built, then ODOT has committed to installing the limited access right-of-way fencing as noted above.

Coordination with the public, CRC, and FHWA regarding the measures to minimize harm to the Queensgate Playground and Ball Field is discussed in Section 7.6.

## 6.8 Ezzard Charles Park

ODOT committed to implementing the following measures to minimize harm during construction activities affecting Ezzard Charles Park (formerly Laurel Park):

- Access to Ezzard Charles Park will be maintained at all times, except for the time needed to temporarily occupy the property, which will be less than the time needed for construction of the project.



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- Temporary construction fencing will be installed along proposed construction limits prior to the start of construction activities to protect Ezzard Charles Park and the public.
  - Appropriate signage will be installed to alert users of Ezzard Charles Park of construction activities, access restrictions or closures, and to direct users to secondary access points.
  - Where pavement is removed, the roadway and roadbed material will be removed to clean subgrade, and areas no longer occupied by roadway pavement will be restored.
  - The area will be returned to the same use as exists today.
  - The contractor will be required to closely coordinate the construction schedule with ODOT and the City of Cincinnati prior to the start of construction activities.

In addition to the avoidance, minimization, and mitigation measures described above, ODOT will construct a 10-foot noise barrier along the northbound I-75 exit ramp to Ezzard Charles Drive and will build 57-inch barriers in the I-75 median to reduce noise in the vicinity of Ezzard Charles Drive. In addition, trees within the existing tree lawn along Ezzard Charles Drive will not be removed. If tree removal becomes necessary during construction, the removal will be coordinated with and approved by the Cincinnati Park Board.

Coordination with the Cincinnati Park Board and FHWA regarding the measures to minimize harm to Ezzard Charles Park is discussed in Section 7.5.

## 6.9 Lewis and Clark National Historic Trail

During design and construction, KYTC and ODOT have committed to notifying NPS of any access restrictions affecting the Lewis and Clark National Historic Trail prior to any project-related activities affecting the trail, which is the Ohio River. In addition, KYTC and ODOT will install appropriate signage to alert users of the trail of project-related activities or access restrictions in the Ohio River.

## 7. COORDINATION

Coordination with officials with jurisdiction, Section 106 consulting parties, FHWA, and the Department of the Interior (DOI) is discussed in the following sections.

### 7.1 Hillsdale Subdivision Historic District and Elberta Apartments Historic District

The Kentucky SHPO concurred with the eligibility determinations and that the project will have no adverse effect on the proposed Hillsdale Subdivision Historic District and the proposed Elberta Apartments Historic District on November 17, 2022. Based on the no adverse effect determination and the Kentucky SHPO's concurrence, FHWA determined that the BSB Corridor Project will result in a *de minimis* use of the Hillsdale Subdivision Historic District and the Elberta Apartments Historic District. FHWA's determination is documented in a letter dated March 21, 2023 (see Appendix D).



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## 7.2 Goebel Park Complex

During the development of the 2012 EA/FONSI, KYTC and the City of Covington (the official with jurisdiction over the Goebel Park Complex) coordinated to identify a set of mitigation measures for impacts to Goebel Park (which included Kenney Shields Park). On July 12, 2012, FHWA determined that Selected Alternative I (from the 2012 EA/FONSI) would have a *de minimis* impact<sup>1</sup> on Goebel Park/Kenney Shields Park. KYTC concurred with the *de minimis* determination on July 12, 2012, and the City of Covington concurred on July 20, 2012.

During the preparation of the supplemental EA, FHWA and KYTC coordinated with the City of Covington regarding updated measures to address impacts to the Goebel Park Complex resulting from Refined Alternative I (Concept I-W). The City of Covington has been actively engaged in developing, and has agreed to, the minimization and mitigation measures outlined in Section 6.3.

There is no prudent alternative that avoids the use of the Goebel Park Complex, and Refined Alternative I (Concept I-W) includes all possible planning to minimize harm to the property. The resulting impacts, with the identified mitigation measures, will not adversely affect the activities, features, and attributes that qualify the Goebel Park Complex for protection under Section 4(f). The proposed replacement property is 0.61 acre smaller than the area that will be acquired from the Goebel Park Complex. When the project is complete, the total land area for the Goebel Park Complex will be reduced from 14.67 acres to approximately 14.06 acres, which represents a 4.2 percent reduction in the total acreage of the Goebel Park Complex.

Given the above, FHWA intends to make a determination of *de minimis* impacts to the Goebel Park Complex. In accordance with 23 CFR § 774.5(b)(2), the public will be provided 30 days to comment on the impacts to the complex, and any comments received will be forwarded to the City of Covington for its review and consideration. Following the opportunity for public review and comment, FHWA will obtain written concurrence from the City of Covington that the project will not adversely affect the activities, features, or attributes that qualify the Goebel Park Complex for protection under Section 4(f). FHWA will make the final *de minimis* impact determination based on the outcome of the public comment process and written concurrence from the City of Covington. To date, public comments related to the Goebel Park Complex have been in support of noise barriers, preserving views of the complex from I-71/I-75, and preserving views across the highway from the complex.

## 7.3 Lewisburg Historic District

KYTC coordinated the [Cultural Historic Survey Report](#) and a [Cultural Historic Survey Report Addendum](#) with the Kentucky SHPO on November 7, 2022 and May 30, 2023, respectively. The Kentucky SHPO concurred with the eligibility determinations and finding of adverse effect for the Lewisburg Historic District on November 17, 2022 and June 7, 2023 (see Appendix F).

Mitigation measures for the adverse effect to the Lewisburg Historic District were established in an MOA between FHWA, KYTC, and the Kentucky SHPO, with concurrence from the City of Covington (see

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<sup>1</sup> A *de minimis* impact does not adversely affect the activities, features or attributes that make a resource eligible for protection under Section 4(f). It takes into account the net impact on a property, including balancing the negative effects with measures to avoid, minimize or mitigate the impacts.



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Appendix F). This MOA was executed on June 27, 2012 and expired on June 27, 2022. Based on consultation with the Advisory Council on Historic Preservation (ACHP) that occurred in 2023, mitigation measures for adverse effects that were previously coordinated in separate MOA's for each historic property were combined into one project-level *Programmatic Agreement Among FHWA, ODOT, KYTC, the Ohio SHPO, the Kentucky SHPO, and the City of Covington implementing Section 106 of the National Historic Preservation Act for the BSB Corridor Project*. The Programmatic Agreement specifies the mitigation measures that KYTC will implement for the Lewisburg Historic District (see Appendix K).

## 7.4 Longworth Hall

ODOT coordinated the [Phase I History/Architecture Reevaluation Survey](#) with the Ohio SHPO on August 30, 2022. The Ohio SHPO concurred that a finding of "adverse effect" remains applicable to the BSB Corridor Project on January 25, 2023. Copies of correspondence between ODOT and the Ohio SHPO are included in Appendix G.

Mitigation measures for the adverse effect to Longworth Hall were established in an MOA between FHWA, ODOT, and the Ohio SHPO executed on June 28, 2012. A First Amendment to the MOA was executed on June 22, 2017 and filed with ACHP on June 28, 2017. A Second Amendment was executed on May 24, 2022 and filed with ACHP on June 3, 2022. Both amendments extended the period of the MOA.

Based on consultation with ACHP that occurred in 2023, mitigation measures for adverse effects that were previously coordinated in separate MOA's for each historic property were combined into one project-level *Programmatic Agreement Among FHWA, ODOT, KYTC, the Ohio SHPO, the Kentucky SHPO, and the City of Covington implementing Section 106 of the National Historic Preservation Act for the BSB Corridor Project*. The Programmatic Agreement specifies the mitigation measures that ODOT will implement for Longworth Hall (see Appendix K).

## 7.5 Firefighters Memorial and Ezzard Charles Park

Temporary occupancies of land that are so minimal as to not constitute a use within the meaning of Section 4(f) are exempted from the requirements of Section 4(f) approval. The following conditions must be satisfied:

- Duration must be temporary, i.e., less than the time needed for construction of the project, and there should be no change in ownership of the land;
- The scope of the work must be minor, i.e., both the nature and the magnitude of the changes to the Section 4(f) property are minimal;
- There are no anticipated permanent adverse physical impacts, nor will there be interference with the protected activities, features, or attributes of the property, on either a temporary or permanent basis;
- The land being used must be fully restored, i.e., the property must be returned to a condition which is at least as good as that which existed prior to the project; and
- There must be documented agreement of the official(s) with jurisdiction over the Section 4(f) resource regarding the above conditions.



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In consideration of the scope of Refined Alternative I (Concept I-W), the type of work described in Sections 4.6 and 4.8, and the minimization and mitigation measures described in Sections 6.6 and 6.8, the above conditions are satisfied for the Firefighters Memorial and Ezzard Charles Park. The Cincinnati Park Board, which is the official with jurisdiction over the Firefighters Memorial and Ezzard Charles Park, concurred with these findings and the measures to minimize harm on August 5, 2022 and December 14, 2022.

On January 31, 2023, FHWA determined that the proposed temporary occupancy of the Firefighters Memorial and Ezzard Charles Park meets the exception from the requirement for Section 4(f) approval. This determination is in accordance with 23 CFR § 774.13(d)(1)-(5). Copies of coordination documents for the Firefighters Memorial and Ezzard Charles Park are included in Appendix H.

## 7.6 Queensgate Playground and Ball Field

Coordination with the public and the CRC, which was the official with jurisdiction over the Queensgate Playground and Ball Field, was conducted in accordance with 23 CFR § 774.5(b)(2). The project was presented in public meetings in May 2006 and May 2009, and the public was provided the opportunity to offer comments about potential impacts, including to the Queensgate Playground and Ball Field. The May 2006 public meetings occurred early in the project development, and no specific impacts were presented. The May 2009 public meetings occurred following the development of conceptual alternatives, and information regarding potential park impacts for all alternatives was available for review. No public comments regarding the impacts to the Queensgate Playground and Ball Field were received.

ODOT summarized the public and agency involvement related to the Queensgate Playground and Ball Fields and notified the CRC of the intent to seek a *de minimis* determination on March 4, 2011. Mitigation measures for the impacts to the Queensgate Playground and Ball Field were established in an MOA between ODOT and the CRC, which was signed by the CRC on April 21, 2011 and by ODOT on May 5, 2011. In a letter to CRC on May 9, 2011, ODOT confirmed its intent to seek a *de minimis* Section 4(f) finding based on the executed MOA. Public comments regarding the *de minimis* impacts were also accepted during the public hearings for the 2012 EA held on April 24, 2012 and April 25, 2012. No comments regarding the impacts to the Queensgate Playground and Ball Field were received during the hearing process. Copies of coordination documents are included in Appendix I.

In its approval of the 2012 *Final Individual Section 4(f) Evaluation*, FHWA determined that the use of the Queensgate Playground and Ball Field includes measures to minimize harm through avoidance, minimization, mitigation, or enhancements. The resulting impacts, with the identified measures to minimize harm, will not adversely affect the activities, features, and attributes that qualify the Queensgate Playground and Ball Field for protection under Section 4(f). Therefore, FHWA determined that the BSB Corridor Project, with the committed mitigations, will have a *de minimis* impact, as defined by 23 CFR § 774.17, on the Queensgate Playground and Ball Field, see Appendix I.

Additional Section 4(f) coordination was not required for Refined Alternative I (Concept I-W) because the impacts have been slightly reduced, the right-of-way has already been acquired under the 2012 FONSI, ODOT has fulfilled its financial obligations, and the ball fields have been reconfigured in accordance with the MOA. Additional details about the fulfillment of the specific mitigation measures are provided in Section 6.7.



## 7.7 Consulting Parties

The 2012 *Final Individual Section 4(f) Evaluation* and EA/FONSI documented Section 106 consulting party coordination that occurred between 2006 and 2011 (see Attachment 1). KYTC and ODOT conducted additional consulting party coordination during the development of the supplemental EA. The following sections summarize those efforts.

### 7.7.1 Kentucky

KYTC posted an invitation to become a consulting party for the BSB Corridor Project via a page dedicated to consulting parties on its website on December 5, 2022. The consulting party website is KYTC’s standard method of collecting potential consulting party information. In addition, KYTC conducted an exhaustive search for current contact information for the local neighborhoods associations and groups included in the consulting parties for the 2012 EA/FONSI; however, these groups no longer exist, and new contact data was not available. KYTC also contacted the Kentucky SHPO to obtain recommendations for potential consulting parties. Table 4 presents a list of the consulting parties for the 2012 EA/FONSI and the updated consulting parties for the supplemental EA.

KYTC forwarded a copy of the [Cultural Historic Survey Report](#) to Kentucky Section 106 consulting parties on January 18, 2023. A virtual Kentucky consulting party meeting was held on March 9, 2023. During that meeting the [Cultural Historic Survey Report](#), impacts to the Lewisburg Historic District, and proposed mitigation were discussed. The consulting parties offered positive feedback regarding the reduced impacts in the Lewisburg Historic District and the proposed mitigation measures. Following the meeting, the Kentucky consulting parties were allotted two weeks to submit further comments.

**Table 4: Kentucky Section 106 Consulting Parties**

Type	2012 EA/FONSI Consulting Parties	Supplemental EA Consulting Parties
Local Agencies	City of Covington – Assistant Engineer City of Covington – Historic Preservation City of Covington – Mayor City of Covington – Neighborhood Services	City of Covington – Mayor <sup>1</sup> City of Covington – Historic Preservation City of Covington – Neighborhood Services
Local Community Groups	Lewisburg Neighborhood Association Kenton Hills Botany Hills Home Owners Association Botany Hills Neighborhood (West Covington)	Kenton County Historical Society
State Agencies <sup>2</sup>	Kentucky Heritage Council Kentucky Transportation Cabinet	Kentucky Heritage Council Ohio Historic Preservation Office
Federal Agencies <sup>2</sup>	Federal Highway Administration	--
Community Members	--	Rebecca Weber (Realtor)

1. The City of Covington is an invited signatory to the Section 106 Programmatic Agreement.

2. The Ohio Department of Transportation, the Kentucky Transportation Cabinet, and the Federal Highway Administration are not listed as Kentucky consulting parties in the project-level Section 106 Programmatic Agreement (see Appendix K). However, all three agencies are signatories to the Programmatic Agreement.





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During the comment period, comments were received from two Section 106 consulting parties. The Kenton County Historical Society inquired whether there will be sufficient space for future noise barriers once the project is constructed. Refined Alternative I (Concept I-W) has been fully evaluated for noise impacts and abatement in accordance with KYTC's *Noise Analysis and Abatement Policy*. Noise barriers and noise/visual screening barriers are proposed in several locations in Kentucky, including in areas adjacent to the Lewisburg Historic District. Specific design details for noise barriers and noise/visual screening barriers (such as location and aesthetics) will occur during the project's detailed design phase and in coordination with local officials. Depending on the location, sufficient area may be available within the right-of-way for potential future noise barriers. Any future noise barriers not included in the BSB Corridor Project would need to be evaluated as part of a separate process in accordance with KYTC's noise policy.

The Kenton County Historical Society also requested to contact the demolition contractor, when chosen, regarding the salvage of dimensional lumber. In addition, the City of Covington Historic Preservation Office inquired about material salvage and the reuse of historic materials from buildings to be demolished as a result of the project and suggested that those materials could be utilized for training activities by the Covington Academy of Heritage Trades. KYTC met with representatives from the Kenton County Historical Society and the City of Covington Historic Preservation Office on May 5, 2023. During that meeting, it was agreed that once the structures to be demolished in the Lewisburg Historic District are acquired and a demolition contractor has been selected, KYTC will notify both interested consulting parties of the name and contact information of the contractor. The interested parties could then discuss the possibility of material recovery and salvage directly with the demolition contractor.

KYTC forwarded a copy of the [Cultural Historic Survey Report Addendum](#), the draft Section 106 Programmatic Agreement, and coordination with the Kentucky SHPO to Kentucky Section 106 consulting parties on August 4, 2023. A virtual Kentucky consulting party meeting was held on August 17, 2023. During that meeting the [Cultural Historic Survey Report Addendum](#), an additional contributing resource in the Lewisburg Historic District, and the draft Section 106 Programmatic Agreement were discussed. No substantive feedback was received during the meeting. Following the meeting, the Kentucky consulting parties were allotted two weeks to submit further comments. No comments were received during the comment period.

Copies of Section 106 consulting party coordination materials for Kentucky are included in Appendix J.

## 7.7.2 Ohio

In 2022, ODOT updated the contact information for the Section 106 consulting parties and initiated additional coordination during the development of the supplemental EA. The Ohio Archaeological Council, a community group of professional archaeologists, avocational archaeologists, and interested students of Ohio archaeology, was also added as a consulting party. Table 5 presents a list of the consulting parties for the 2012 EA/FONSI and the supplemental EA. ODOT forwarded copies of the Section 106 consultation letter (which summarized the findings of the [Phase I History/Architecture Reevaluation Survey](#)) and the second amendment to the MOA for Longworth Hall to Section 106 consulting parties on September 9, 2022 (see Appendix J). No responses were received during the 30-day comment period.



**Table 5: Ohio Section 106 Consulting Parties**

Type	2012 EA/FONSI Consulting Parties <sup>1</sup>	Supplemental EA Consulting Parties
Local Agencies	Cincinnati Metropolitan Housing Authority Cincinnati Park Board Cincinnati Preservation Association Dayton Street Historic District West End Community Council	Cincinnati Metropolitan Housing Authority Cincinnati Park Board Cincinnati Preservation Association West End Community Council <sup>2</sup>
Local Community Groups	--	Ohio Archaeological Council
State Agencies <sup>3</sup>	Kentucky Heritage Council Kentucky Transportation Cabinet Ohio Department of Transportation Ohio State Historic Preservation Officer	Kentucky Heritage Council Kentucky Transportation Cabinet
Federal Agencies <sup>3</sup>	Federal Highway Administration	--
Community Members	Michael Schweitzer (Longworth Hall)	Michael Schweitzer (Longworth Hall)

1. The 2012 EA also listed the following agencies, groups, and community members as Ohio Section 106 consulting parties: Cincinnati Historic Conservation Office, Cincinnati Metropolitan Housing Authority, Community Revitalization Agency, Historic Southwest Ohio Inc. – Hauck House, Lower Price Hill Community Council, Price Hill Civic Club, Cincinnati Museum Center, and Jenny Edwards. This was an exhaustive list of potential consulting parties. The final Section 106 consulting parties, which are listed in Table 5, were determined after the publication of the 2012 EA and during the development of the 2012 Longworth Hall MOA.
2. The Dayton Street Historic District is located within the West End neighborhood, and the West End Community Council is the single point of contact for the West End neighborhood and the Dayton Street Historic District.
3. The Ohio Department of Transportation, the Ohio SHPO, and the Federal Highway Administration are not listed as Ohio consulting parties in the project-level Section 106 Programmatic Agreement (see Appendix K). However, all three agencies are signatories to the Programmatic Agreement.

ODOT provided a project update, a copy of the draft Section 106 Programmatic Agreement, and coordination with the Ohio SHPO to Ohio Section 106 consulting parties on August 1, 2023. A hybrid (in-person and virtual) Ohio consulting party meeting was held on August 9, 2023. During that meeting, the project status, the draft Section 106 Programmatic Agreement, and next steps were discussed. No substantive feedback was received during the meeting. Following the meeting, the Ohio consulting parties were allotted three weeks to submit further comments. No comments were received during the comment period. As the project moves forward, ODOT has committed to providing the Ohio SHPO and the Section 106 consulting parties an opportunity to review and comment on final design plans in Ohio. Copies of Section 106 consulting party coordination materials for Ohio are included in Appendix J.

## 7.8 Department of the Interior

DOI reviewed the 2012 EA and *Draft Individual Section 4(f) Evaluation* and provided comments on May 25, 2012 (see Appendix L). DOI concurred with FHWA, ODOT, and KYTC that Selected Alternative I (from the 2012 EA/FONSI) had less overall impact to Section 4(f) properties than the other build alternative, but there were still considerable impacts to the two historic districts. DOI also concurred that there were no feasible or prudent avoidance alternatives to the Selected Alternative I (from the 2012 EA/FONSI). Therefore,



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the DOI concurred that all possible planning needed to minimize harm to Section 4(f) resources had been employed provided a fully executed MOA between the FHWA, ODOT, KYTC, and the respective SHPO offices in each state had been signed. These MOAs were developed and fully executed subsequent to DOI's comments. Based on consultation with ACHP that occurred in 2023, mitigation measures for adverse effects that were previously coordinated in separate MOA's for each historic property were combined into one project-level *Programmatic Agreement Among FHWA, ODOT, KYTC, the Ohio SHPO, the Kentucky SHPO, and the City of Covington implementing Section 106 of the National Historic Preservation Act for the BSB Corridor Project*. DOI also agreed with a *de minimis* finding by FHWA for Goebel Park/Kenney Shields Park and the Queensgate Playground and Ball Field (see Appendix K).

This *Draft Individual Section 4(f) Evaluation* was coordinated with DOI on December 18, 2023. On January 3, 2024, DOI concurred with FHWA's Section 4(f) determination and concurred that there is no feasible and prudent avoidance alternative to the Section 4(f) use of the Lewisburg Historic District and Longworth Hall.

DOI also recommended that consultation continue with all Section 106 consulting parties and that the project not proceed until an MOA to resolve adverse effects is executed that is satisfactory to all parties. Consultation with Section 106 consulting parties is described in Section 7.7. Mitigation measures for adverse effects that were previously coordinated in separate MOA's for the Lewisburg Historic District and Longworth Hall were combined into one project-level Section 106 Programmatic Agreement, which was executed on October 20, 2023 (see Sections 7.3 and 7.4 and Appendix K).

## 8. SECTION 6(F) PROPERTIES

Section 6(f) of the Land and Water Conservation Fund (LWCF) Act requires that a property using LWCF money be kept and used for public outdoor recreation unless approved by NPS. The 2012 EA/FONSI identified Goebel Park (including Kenney Shields Park) as a Section 6(f) property. A review of the project area and LWCF mapping revealed one additional Section 6(f) property – General Ormsby Mitchel Park, which is south of Dixie Highway and not impacted by the project.

The 2012 FONSI documented 2.59 acres of permanent right-of-way impacts to Goebel Park/Kenney Shields Park. Refined Alternative I (Concept I-W) includes the extension of Simon Kenton Way between West 9<sup>th</sup> Street and West 5<sup>th</sup> Street and the construction of new stormwater facilities that were not included in the 2012 FONSI. These refinements require about 7 feet of additional right-of-way along the western edge of the Goebel Park Complex and will result in a minor (0.25-acre) increase in total impacts on the complex. The project will acquire 2.84 acres of permanent right-of-way from the Goebel Park Complex (2.34 acres in Goebel Park and 0.50 acre in Kenney Shields Park). The project will also impact 360 feet of walking trails, basketball courts, and associated resources within the complex. The new roadway construction will also result in proximity impacts to an outdoor pool.

Section 6(f) requires that permanent conversions of protected properties provide replacement property of at least equal fair market value and reasonably equivalent usefulness and location as the portion of the Section 6(f) property to be converted. To address these requirements, the acquisition of an estimated 2.84 acres of flood-prone park property from the southwest corner of the Goebel Park Complex will be



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mitigated and replaced with an estimated 2.23 acres of state-owned property adjacent to the northwest corner of the complex that is at a higher elevation than the 2.84 acres being converted and not prone to flooding. The replacement property is currently occupied by the northbound I-71/I-75 exit ramp to West 5<sup>th</sup> Street. Refined Alternative I (Concept I-W) will relocate the ramp closer to the highway, creating excess land that will be vacated by the project. As part of the conversion process, the impacted land and replacement property are appraised based on their highest and best use in accordance with applicable standards for Section 6(f) appraisals. Appraisals for the 2.84 acres of impacted land and the 2.23 acres of replacement property are currently being updated. Exhibit 5 (Appendix A) shows the impacts to the Goebel Park Complex and the replacement land.

Impacts to the Goebel Park Complex will also be mitigated through reconstruction of the walking trail within the complex and funding for the development of a new Goebel Park Complex Master Plan, replacement and enhancement of the basketball courts or other outdoor recreational facilities in the park, and construction of a relocated outdoor pool and associated facilities or other comparable aquatic facility serving the same recreational purpose within the complex. A detailed list of mitigation measures is provided in Section 6.3. The proposed replacement property is 0.61 acre smaller than the area that will be acquired from the Goebel Park Complex. When the conversion is complete, the total land area for the Goebel Park Complex will be reduced from 14.67 acres to approximately 14.06 acres, which represents a 4.2 percent reduction in the total acreage of the Goebel Park Complex. The replacement property will be compatible with and will not diminish the outdoor recreation areas in the complex. The replacement property is higher in elevation than the portions of the complex that will be acquired by the project and not prone to flooding. In addition, the replacement land is flatter and closer to other prominent park features. Based on these characteristics, the replacement land has greater potential for future enhancements to outdoor recreational activities and amenities within the Goebel Park Complex. The future plans, uses, and locations of facilities in the Goebel Park Complex will be established during the new master planning process, which will be facilitated by the City of Covington and funded by the proposed mitigation measures for the complex. The operation of the basketball courts will be maintained throughout construction, outdoor recreation will remain the primary function of the site, and it will remain free and open to the public.

In their May 25, 2012 comments, DOI stated that while the 2012 EA detailed impacts to the Goebel Park Complex and measures to mitigate impacts, no documentation was included confirming that discussion with DOI or the NPS had occurred. KYTC and the Kentucky Department of Local Government have coordinated the Section 6(f) conversion with the NPS. On November 16, 2023, NPS provided a signed project agreement (NPS Project No. 21-00541.1) approving the LWCF conversion. On November 16, 2023, NPS also environmentally certified the LWCF conversion as a categorical exclusion under item C.2. "*Land exchanges which will not lead to significant changes in the use of the land*" of the Department of the Interior (DOI) Departmental Manual, Series 31, part 516, Chapter 12 (see Appendix E). The updated appraisals for the impacted land and the replacement property will be shared with NPS upon their completion.

Because the replacement land is currently occupied by the existing West 5<sup>th</sup> Street ramp, finalization of the conversion will occur after construction on that portion of the project is complete. During detailed design, KYTC will coordinate the project's right-of-way acquisition and construction schedules with the City of Covington's new master planning efforts for the Goebel Park Complex to determine when impacts will occur and when



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property will be available. The project plans will require the contractor to remove the interstate infrastructure and grade the replacement land in coordination with the City of Covington. KYTC will transfer the ownership of the replacement land to the City of Covington after construction of the West 5th Street ramp is complete. Once the land transfer is complete, the City of Covington will continue all future maintenance responsibility for the Goebel Park Complex, including the replacement land. FHWA and KYTC will ensure that Kentucky Department of Local Government completes the Section 6(f) conversion in accordance with NPS requirements within two years after KYTC acceptance of the completed work in the vicinity of the Goebel Park Complex.



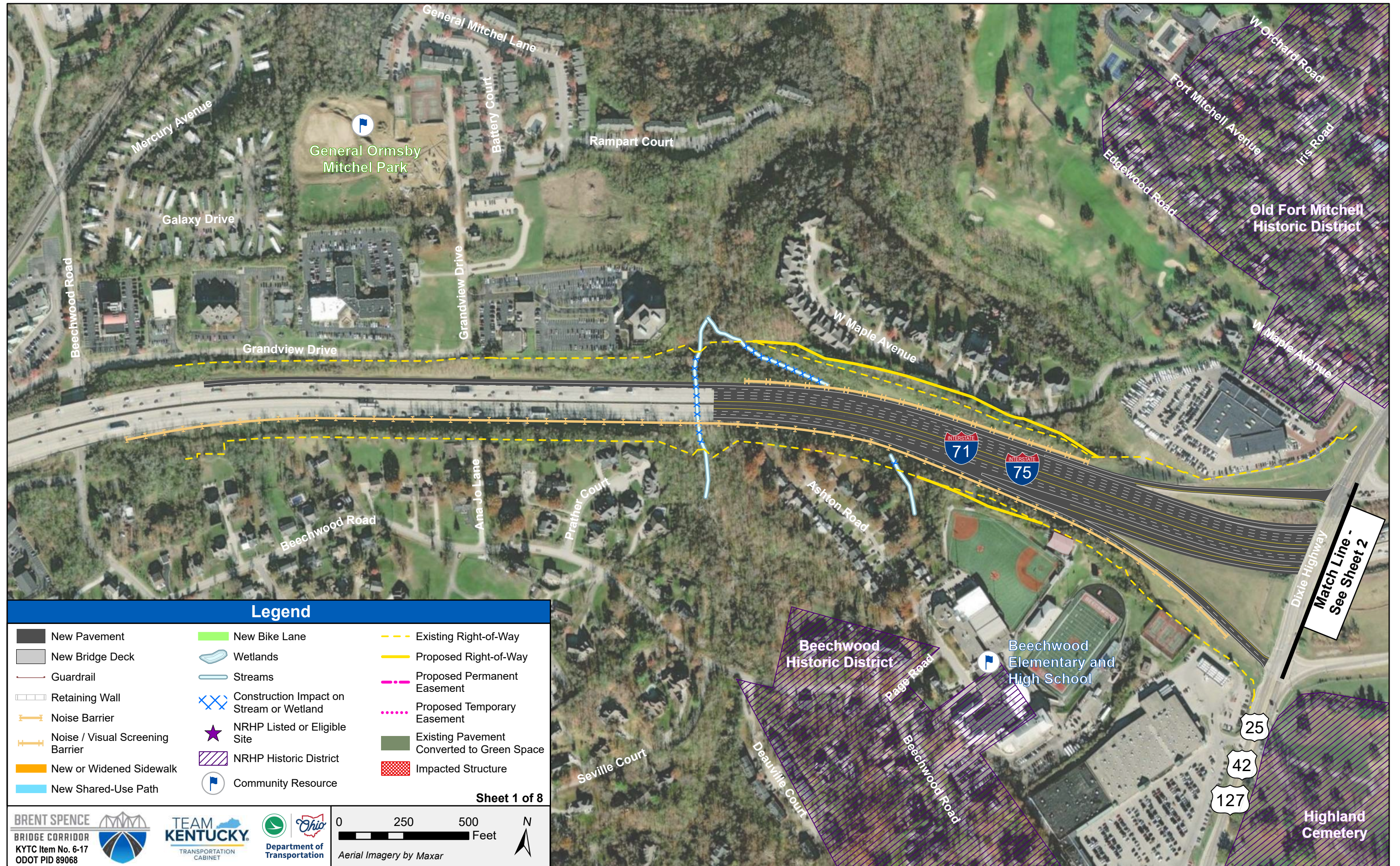
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## Appendix A: Exhibits

- Exhibit 1: Brent Spence Bridge Corridor Project - Refined Alternative I (Concept I-W)
- Exhibit 2: Section 4(f) Properties Overview Map
- Exhibit 3: Hillsdale Subdivision Historic District
- Exhibit 4: Elberta Apartments Historic District
- Exhibit 5: Goebel Park Complex
- Exhibit 6: Lewisburg Historic District
- Exhibit 7: Longworth Hall
- Exhibit 8: Firefighters Memorial
- Exhibit 9: Queensgate Playground and Ball Field
- Exhibit 10: Ezzard Charles Park



# Exhibit 1: Brent Spence Bridge Corridor Project - Refined Alternative I (Concept I-W)



## Legend

- |  |  |  |
|--|--|--|
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |

Sheet 1 of 8



Match Line -  
See Sheet 2

Highland Cemetery

# Exhibit 1: Brent Spence Bridge Corridor Project - Refined Alternative I (Concept I-W)



Match Line -  
See Sheet 1

Match Line -  
See Sheet 3

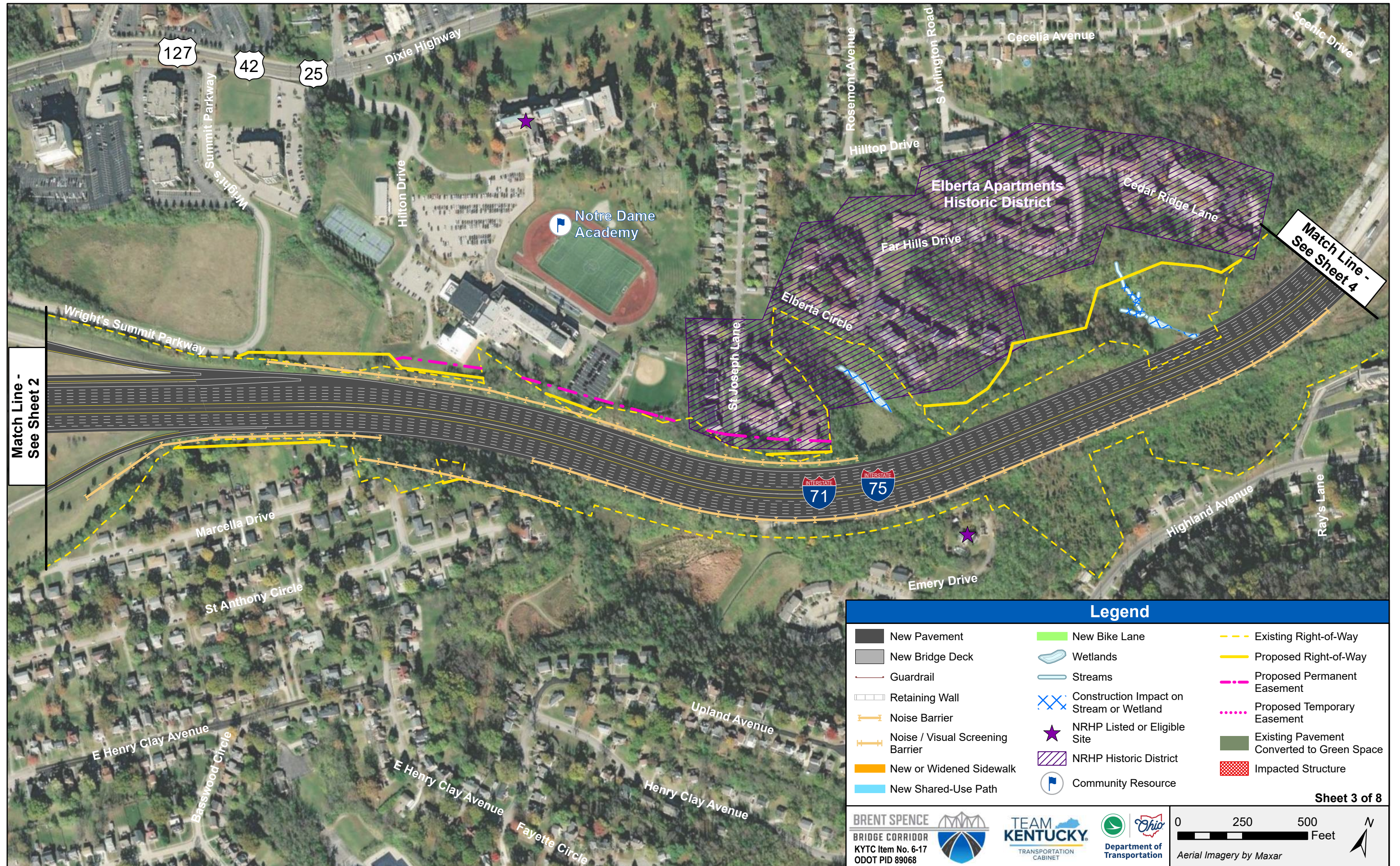
Legend					
	New Pavement		New Bike Lane		Existing Right-of-Way
	New Bridge Deck		Wetlands		Proposed Right-of-Way
	Guardrail		Streams		Proposed Permanent Easement
	Retaining Wall		Construction Impact on Stream or Wetland		Proposed Temporary Easement
	Noise Barrier		NRHP Listed or Eligible Site		Existing Pavement Converted to Green Space
	Noise / Visual Screening Barrier		NRHP Historic District		Impacted Structure
	New or Widened Sidewalk		Community Resource		
	New Shared-Use Path				

KYTC Item No. 6-17  
 ODOT PID 89068

0 250 500 Feet  
 Aerial Imagery by Maxar



# Exhibit 1: Brent Spence Bridge Corridor Project - Refined Alternative I (Concept I-W)



Match Line -  
See Sheet 2

Match Line -  
See Sheet 4

Legend			
	New Pavement		Existing Right-of-Way
	New Bridge Deck		Proposed Right-of-Way
	Guardrail		Proposed Permanent Easement
	Retaining Wall		Proposed Temporary Easement
	Noise Barrier		Existing Pavement Converted to Green Space
	Noise / Visual Screening Barrier		Impacted Structure
	New or Widened Sidewalk		New Bike Lane
	New Shared-Use Path		Wetlands
	New Shared-Use Path		Streams
	New Shared-Use Path		Construction Impact on Stream or Wetland
	New Shared-Use Path		NRHP Listed or Eligible Site
	New Shared-Use Path		NRHP Historic District
	New Shared-Use Path		Community Resource

KYTC Item No. 6-17  
ODOT PID 89068  
Aerial Imagery by Maxar

# Exhibit 1: Brent Spence Bridge Corridor Project - Refined Alternative I (Concept I-W)

Legend		
	New Pavement	
	New Bridge Deck	
	Guardrail	
	Retaining Wall	
	Noise Barrier	
	Noise / Visual Screening Barrier	
	New or Widened Sidewalk	
	New Shared-Use Path	
	New Bike Lane	
	Wetlands	
	Streams	
	Construction Impact on Stream or Wetland	
	NRHP Listed or Eligible Site	
	NRHP Historic District	
	Community Resource	

**Sheet 4 of 8**

KYTC Item No. 6-17  
ODOT PID 89068

TRANSPORTATION CABINET

Department of Transportation

0 250 500 Feet

Aerial Imagery by Maxar



# Exhibit 1: Brent Spence Bridge Corridor Project - Refined Alternative I (Concept I-W)



Match Line -  
See Sheet 4

Match Line -  
See Sheet 6

Area to be  
incorporated into  
Goebel Park

### Legend

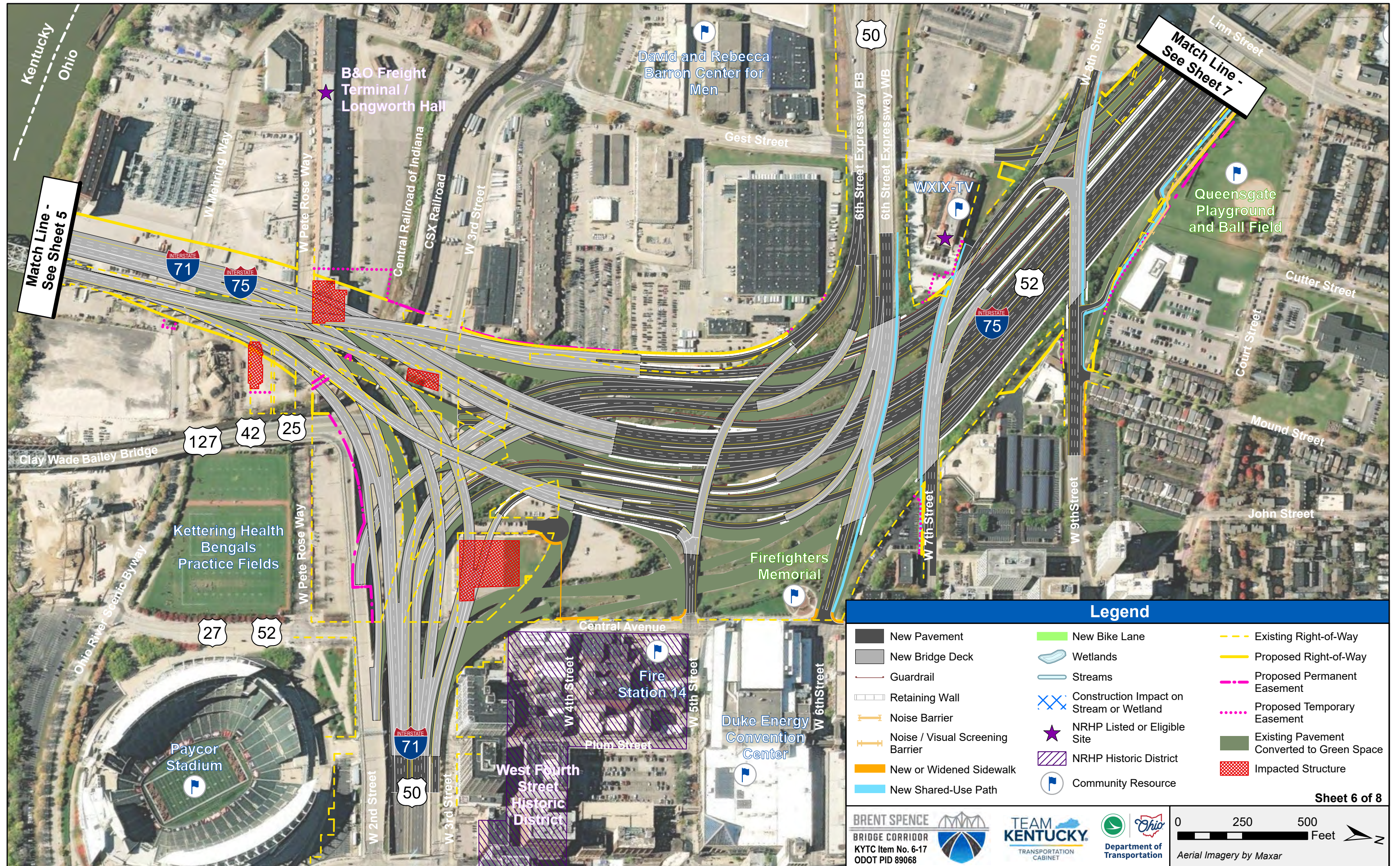
	New Pavement		New Bike Lane		Existing Right-of-Way
	New Bridge Deck		Wetlands		Proposed Right-of-Way
	Guardrail		Streams		Proposed Permanent Easement
	Retaining Wall		Construction Impact on Stream or Wetland		Proposed Temporary Easement
	Noise Barrier		NRHP Listed or Eligible Site		Existing Pavement Converted to Green Space
	Noise / Visual Screening Barrier		NRHP Historic District		Impacted Structure
	New or Widened Sidewalk		Community Resource		
	New Shared-Use Path				

KYTC Item No. 6-17  
 ODOT PID 89068

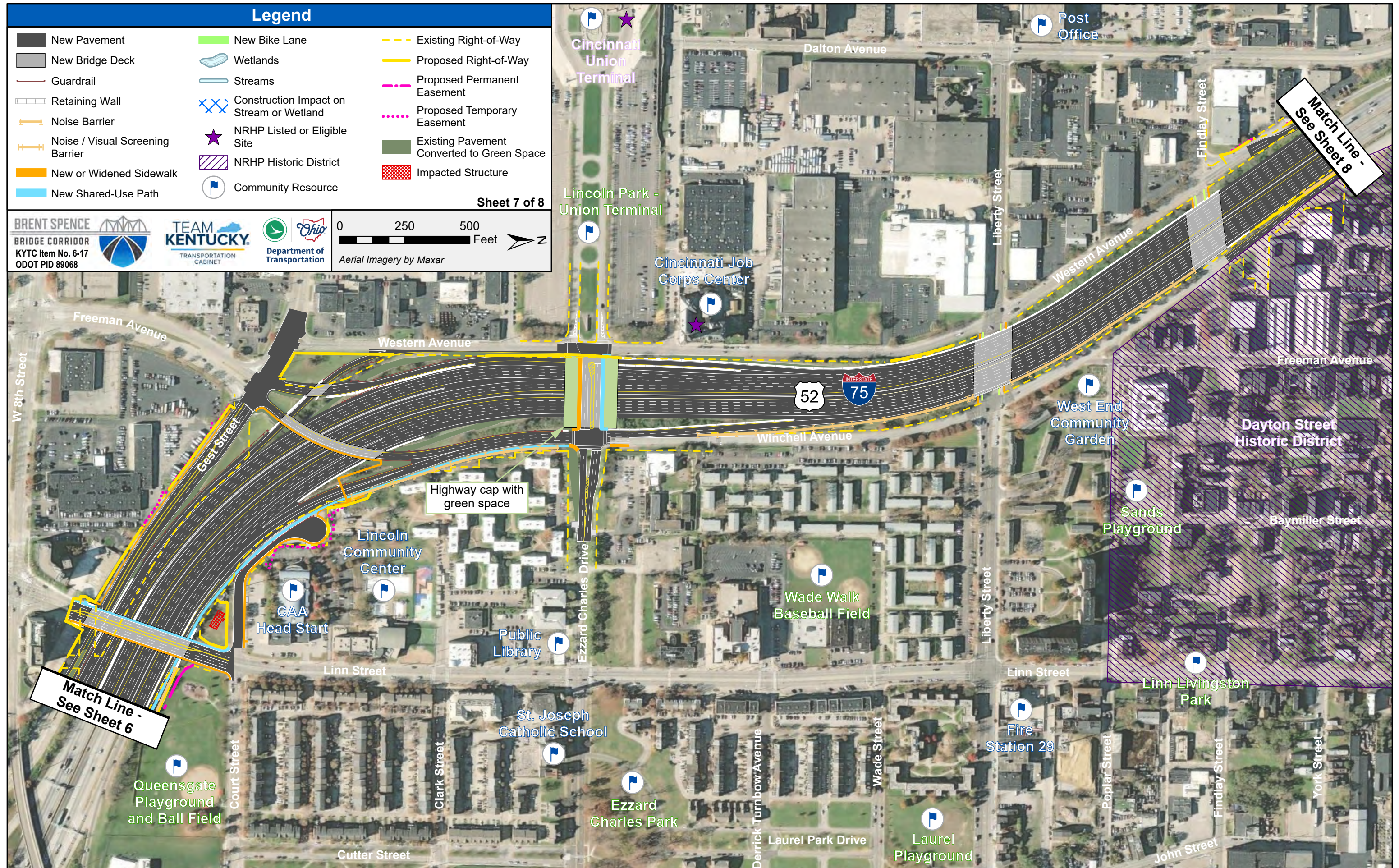
0 250 500 Feet

Aerial Imagery by Maxar

# Exhibit 1: Brent Spence Bridge Corridor Project - Refined Alternative I (Concept I-W)



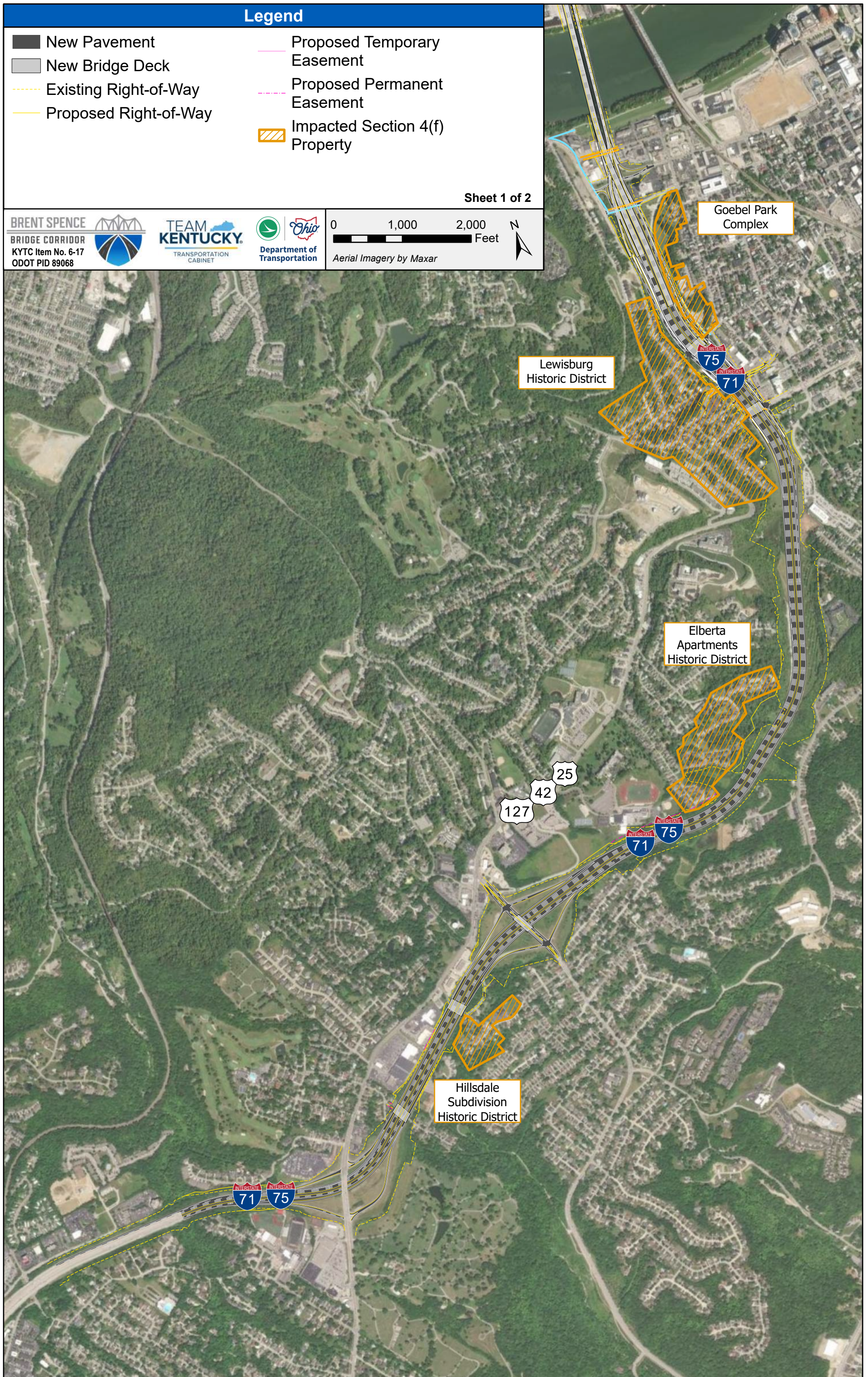
# Exhibit 1: Brent Spence Bridge Corridor Project - Refined Alternative I (Concept I-W)



# Exhibit 1: Brent Spence Bridge Corridor Project - Refined Alternative I (Concept I-W)



# Exhibit 2: Section 4(f) Properties Overview Map



# Exhibit 2: Section 4(f) Properties Overview Map





# Exhibit 3: Hillsdale Subdivision Historic District

## Legend

- |  |                                  |  |  |  |  |
|--|----------------------------------|--|--|--|--|
|  | New Pavement                     |  | New Bike Lane                            |  | Existing Right-of-Way                      |
|  | New Bridge Deck                  |  | Wetlands                                 |  | Proposed Right-of-Way                      |
|  | Guardrail                        |  | Streams                                  |  | Proposed Permanent Easement                |
|  | Retaining Wall                   |  | Construction Impact on Stream or Wetland |  | Proposed Temporary Easement                |
|  | Noise Barrier                    |  | NRHP Listed or Eligible Site             |  | Existing Pavement Converted to Green Space |
|  | Noise / Visual Screening Barrier |  | NRHP Historic District                   |  | Impacted Structure                         |
|  | New or Widened Sidewalk          |  | Community Resource                       |  |  |
|  | New Shared-Use Path              |  |  |  |  |

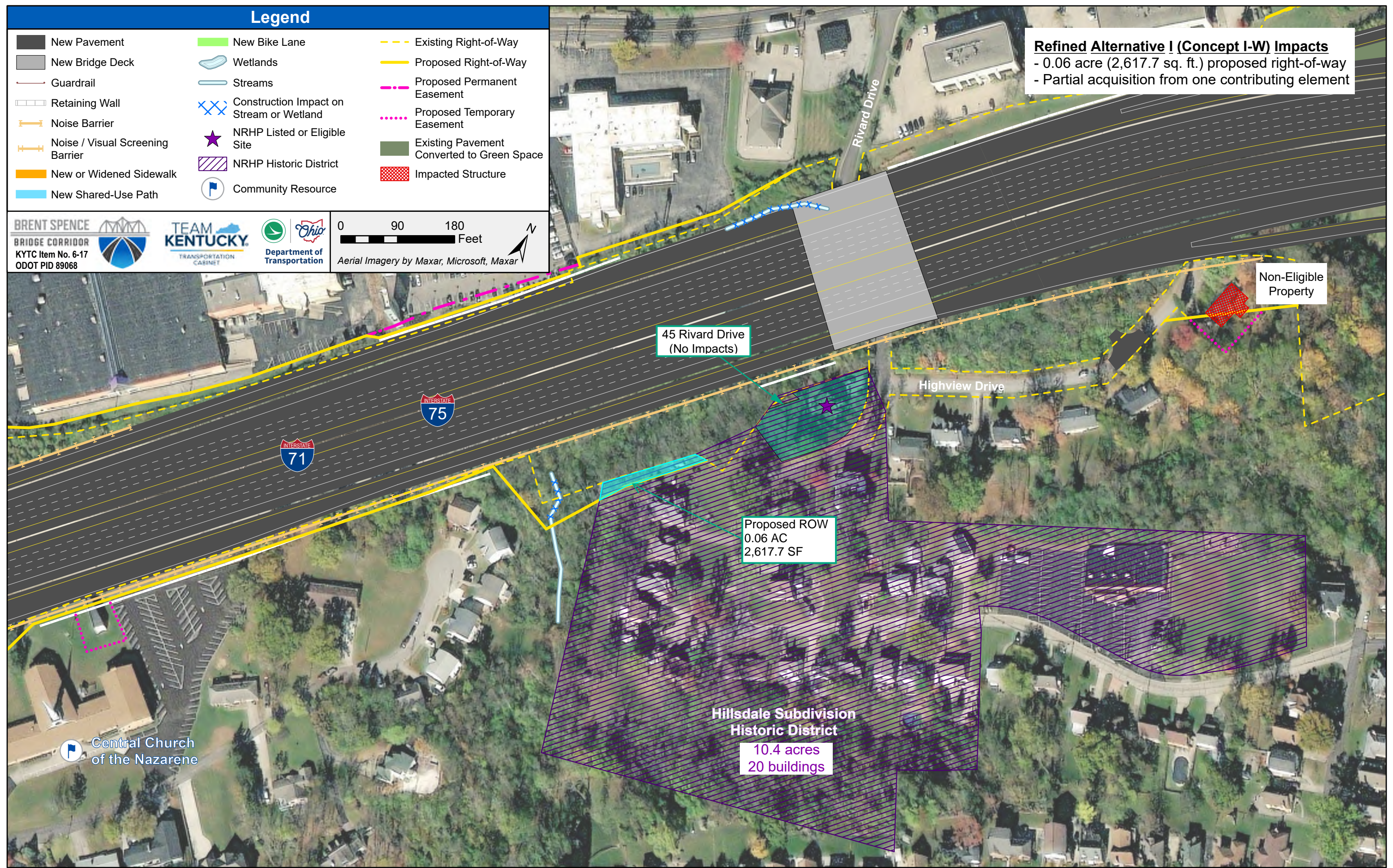
**BRENT SPENCE**  
BRIDGE CORRIDOR  
KYTC Item No. 6-17  
ODOT PID 89068

**TEAM KENTUCKY**  
TRANSPORTATION CABINET

**Ohio**  
Department of Transportation

0 90 180 Feet  
Aerial Imagery by Maxar, Microsoft, Maxar

**Refined Alternative I (Concept I-W) Impacts**  
- 0.06 acre (2,617.7 sq. ft.) proposed right-of-way  
- Partial acquisition from one contributing element



45 Rivard Drive  
(No Impacts)

Highview Drive

Non-Eligible Property

Proposed ROW  
0.06 AC  
2,617.7 SF

Hillsdale Subdivision  
Historic District  
10.4 acres  
20 buildings

Central Church of the Nazarene

# Exhibit 4: Elberta Apartments Historic District

## Legend

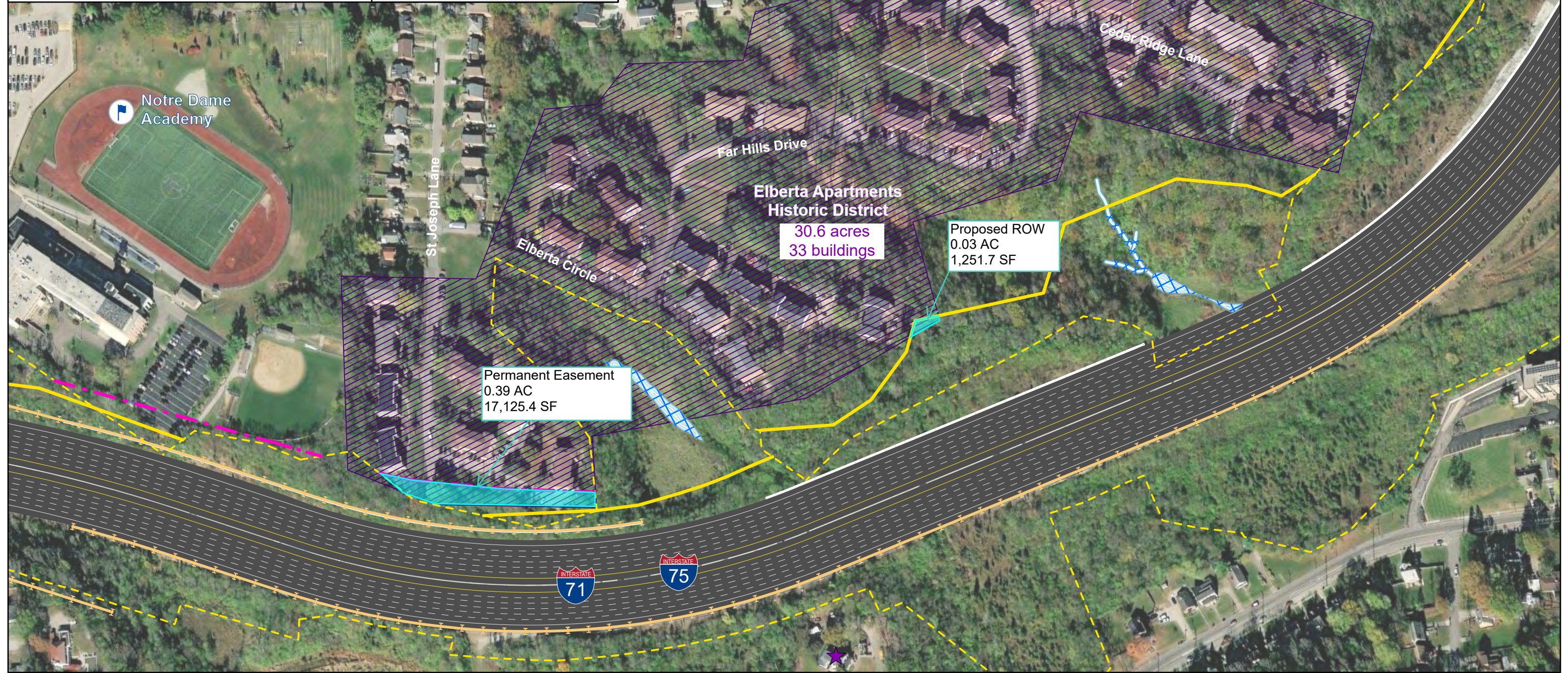
- |  |                                  |  |  |  |  |
|--|----------------------------------|--|--|--|--|
|  | New Pavement                     |  | New Bike Lane                            |  | Existing Right-of-Way                      |
|  | New Bridge Deck                  |  | Wetlands                                 |  | Proposed Right-of-Way                      |
|  | Guardrail                        |  | Streams                                  |  | Proposed Permanent Easement                |
|  | Retaining Wall                   |  | Construction Impact on Stream or Wetland |  | Proposed Temporary Easement                |
|  | Noise Barrier                    |  | NRHP Listed or Eligible Site             |  | Existing Pavement Converted to Green Space |
|  | Noise / Visual Screening Barrier |  | NRHP Historic District                   |  | Impacted Structure                         |
|  | New or Widened Sidewalk          |  | Community Resource                       |  |  |
|  | New Shared-Use Path              |  |  |  |  |

KYTC Item No. 6-17  
 ODOT PID 89068

0 150 300 Feet  
 Aerial Imagery by Maxar, Microsoft

**Refined Alternative I (Concept I-W) Impacts**

- 0.03 acre (1,251.7 sq. ft.) proposed right-of-way
- Partial acquisition from one contributing element
- 0.39 acre (17,125 sq. ft.) permanent easement
- Partial acquisition from three contributing elements



Elberta Apartments Historic District  
 30.6 acres  
 33 buildings

Proposed ROW  
 0.03 AC  
 1,251.7 SF

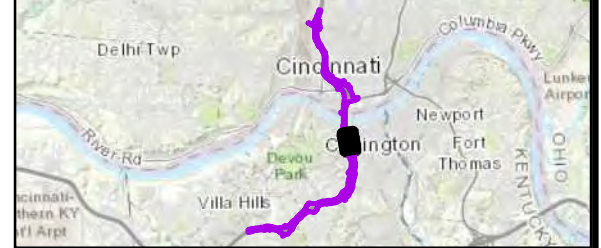
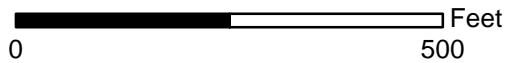
Permanent Easement  
 0.39 AC  
 17,125.4 SF

# Exhibit 5: Goebel Park Complex



- Goebel Park Complex
- Walking Trail
- Goebel Park
- Kenney Shields Park
- SFC Jason Bishop Memorial Dog Park
- Radio Antenna Access (Not Park Property)

**Brent Spence Bridge Corridor**  
**KYTC Item No: 6-17.00**  
**ODOT PID: 116649**



# Exhibit 5: Goebel Park Complex

**Refined Alternative I (Concept I-W) Impacts**





- 2.84 acres (123,710 sq. ft.) proposed right-of-way
- 2.34 acres (101,930 sq. ft.) from Goebel Park
- 0.50 acre (21,780 sq. ft.) from Kenney Shields Park
- 0.07 acre (3,049 sq. ft.) temporary easement



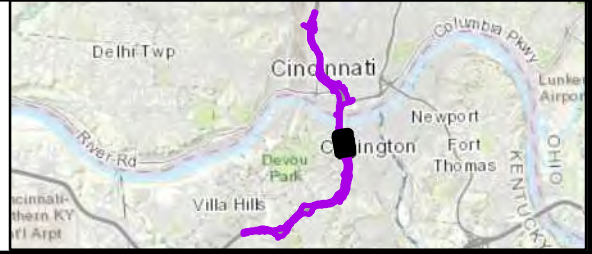
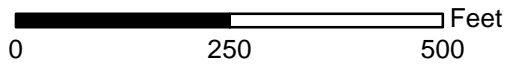
SFC  
Jason Bishop  
Memorial  
Dog Park

Goebel Park

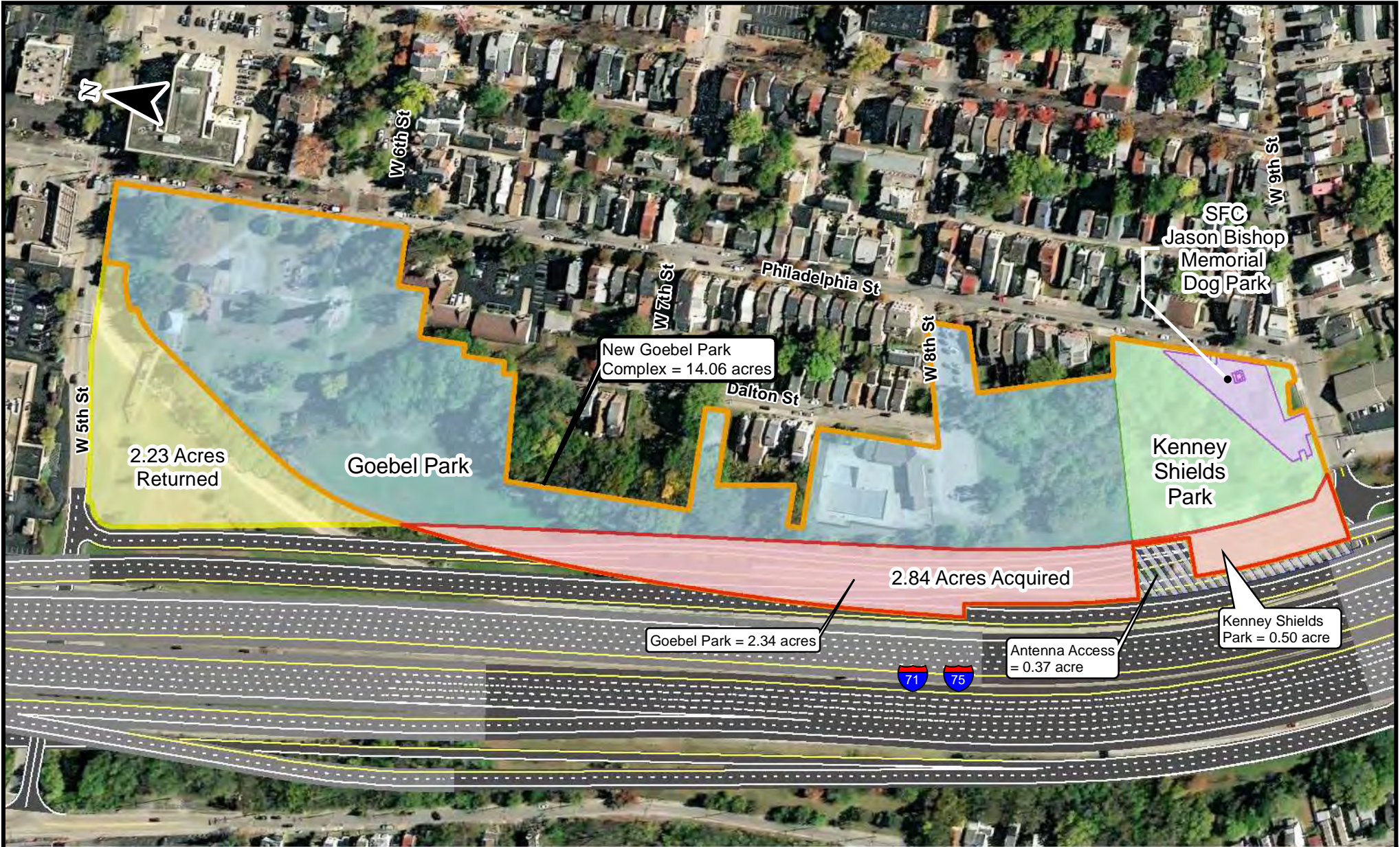
Kenney  
Shields  
Park

-  Goebel Park Complex
-  Proposed Right of Way
-  Proposed Temporary Easement
-  Radio Antenna Access (Not Park Property)

**Brent Spence Bridge Corridor**  
 KYTC Item No: 6-17.00  
 ODOT PID: 116649



# Exhibit 5: Goebel Park Complex



SFC  
Jason Bishop  
Memorial  
Dog Park

New Goebel Park  
Complex = 14.06 acres

2.23 Acres  
Returned

Goebel Park

Kenney  
Shields  
Park

2.84 Acres Acquired

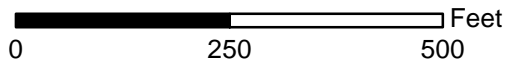
Goebel Park = 2.34 acres

Antenna Access  
= 0.37 acre

Kenney Shields  
Park = 0.50 acre

- Goebel Park Complex
- Land Returned
- Acquired Park Land
- Radio Antenna Access (Not Park Property)

**Brent Spence Bridge Corridor**  
**KYTC Item No: 6-17.00**  
**ODOT PID: 116649**

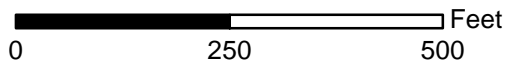


# Exhibit 5: Goebel Park Complex



 Proposed Goebel Park Complex

**Brent Spence Bridge Corridor**  
KYTC Item No: 6-17.00  
ODOT PID: 116649



# Exhibit 6: Lewisburg Historic District

## Legend

	New Pavement		New Bike Lane		Existing Right-of-Way
	New Bridge Deck		Wetlands		Proposed Right-of-Way
	Guardrail		Streams		Proposed Permanent Easement
	Retaining Wall		Construction Impact on Stream or Wetland		Proposed Temporary Easement
	Noise Barrier		NRHP Listed or Eligible Site		Existing Pavement Converted to Green Space
	Noise / Visual Screening Barrier		NRHP Historic District		Impacted Structure
	New or Widened Sidewalk		Community Resource		
	New Shared-Use Path				

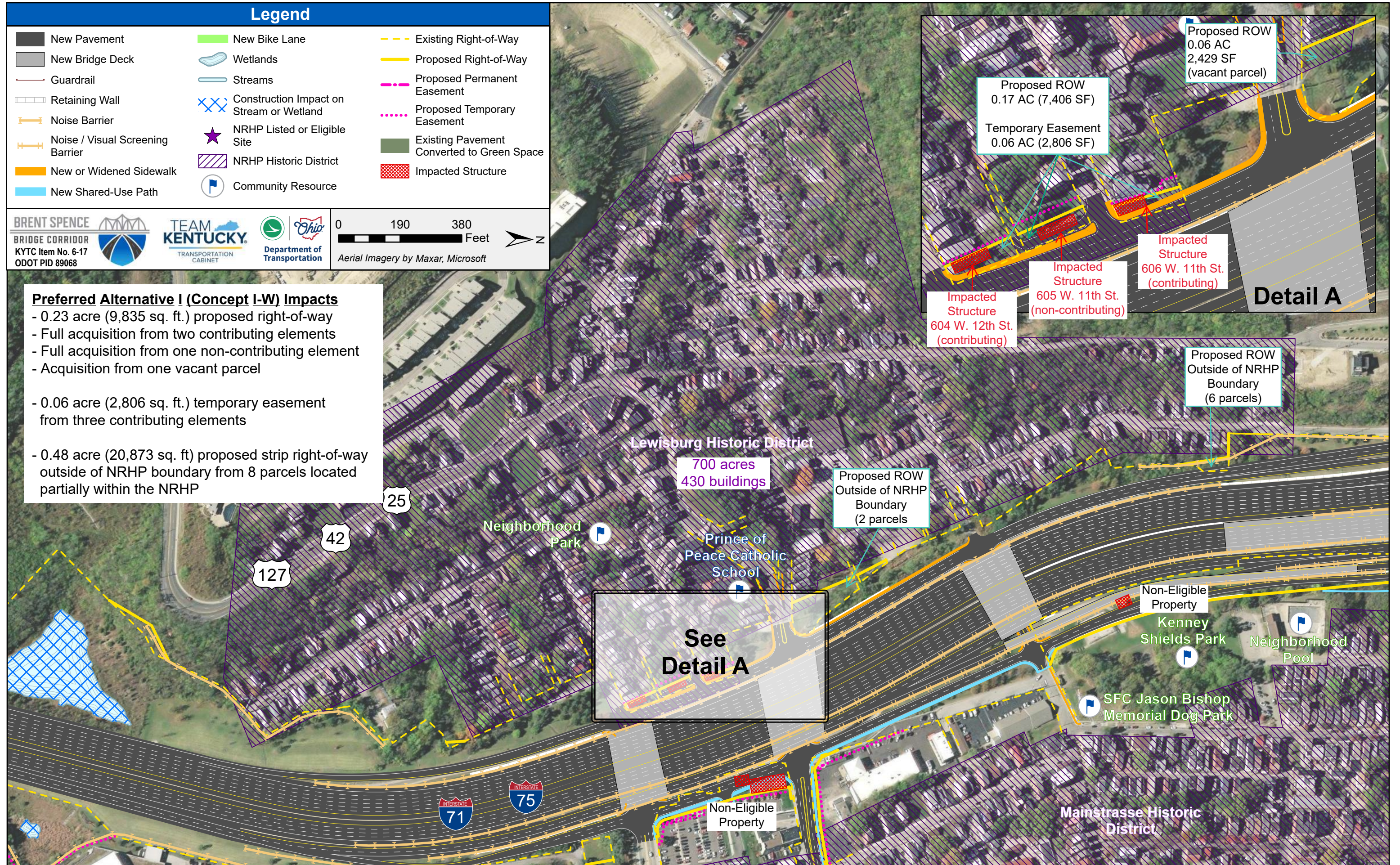
KYTC Item No. 6-17  
 ODOT PID 89068

0 190 380 Feet

Aerial Imagery by Maxar, Microsoft

### Preferred Alternative I (Concept I-W) Impacts

- 0.23 acre (9,835 sq. ft.) proposed right-of-way
- Full acquisition from two contributing elements
- Full acquisition from one non-contributing element
- Acquisition from one vacant parcel
- 0.06 acre (2,806 sq. ft.) temporary easement from three contributing elements
- 0.48 acre (20,873 sq. ft) proposed strip right-of-way outside of NRHP boundary from 8 parcels located partially within the NRHP



See Detail A

**Detail A**

Proposed ROW 0.17 AC (7,406 SF)

Temporary Easement 0.06 AC (2,806 SF)

Proposed ROW 0.06 AC 2,429 SF (vacant parcel)

Impacted Structure 604 W. 12th St. (contributing)

Impacted Structure 605 W. 11th St. (non-contributing)

Impacted Structure 606 W. 11th St. (contributing)

Proposed ROW Outside of NRHP Boundary (6 parcels)

Proposed ROW Outside of NRHP Boundary (2 parcels)

700 acres  
430 buildings

Lewisburg Historic District

Mainstrasse Historic District

Non-Eligible Property

Non-Eligible Property

127

42

25

71

75

Neighborhood Park

Prince of Peace Catholic School

SFC Jason Bishop Memorial Dog Park

Kenney Shields Park

Neighborhood Pool

# Exhibit 7: Longworth Hall

Legend		
	New Pavement	
	New Bridge Deck	
	Guardrail	
	Retaining Wall	
	Noise Barrier	
	Noise / Visual Screening Barrier	
	New or Widened Sidewalk	
	New Shared-Use Path	
	New Bike Lane	
	Wetlands	
	Streams	
	Construction Impact on Stream or Wetland	
	NRHP Listed or Eligible Site	
	NRHP Historic District	
	Community Resource	

**BRENT SPENCE**  
BRIDGE CORRIDOR  
KYTC Item No. 6-17  
ODOT PID 89068

**TEAM KENTUCKY**  
TRANSPORTATION CABINET

**Department of Transportation**

0 70 140  
Feet

*Aerial Imagery by Maxar, Microsoft*

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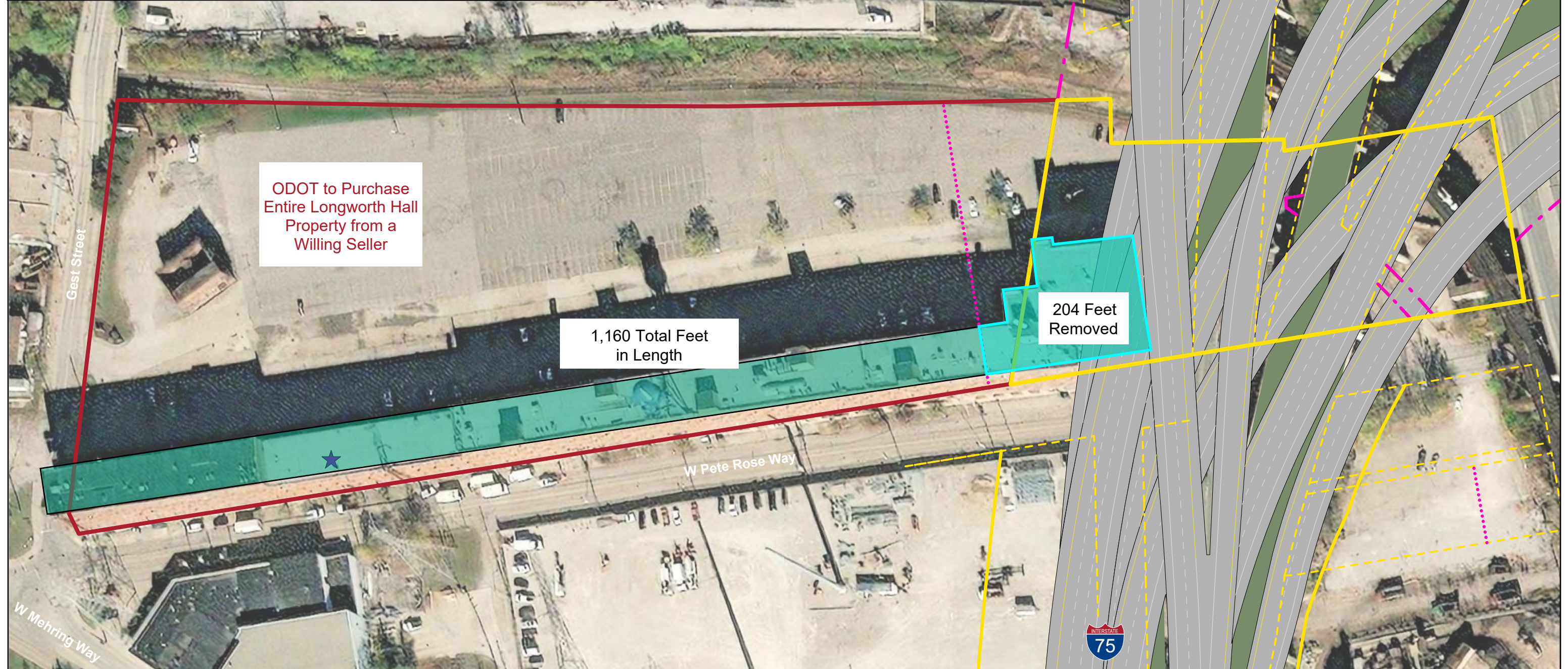
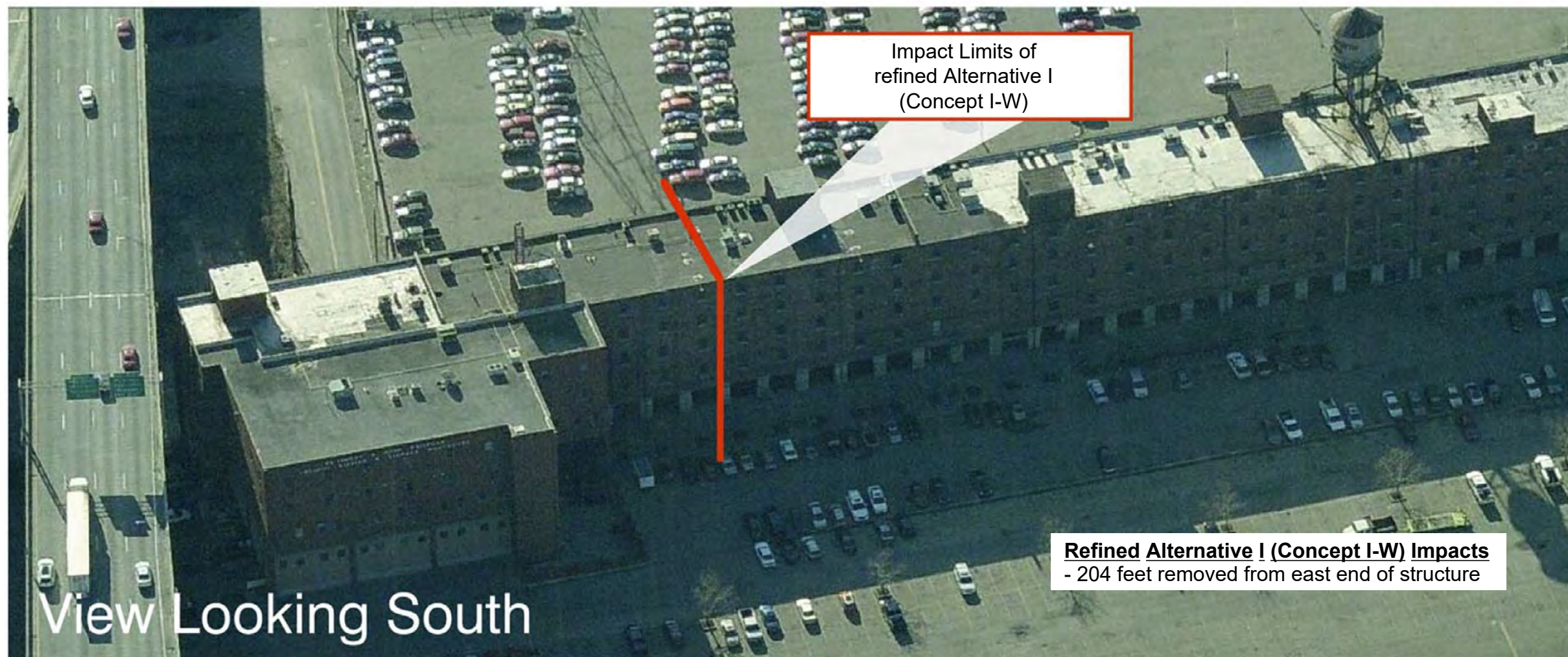




Exhibit 7: Longworth Hall



Source: Final Individual Section 4(f) Evaluation (July 2012)



## Exhibit 8: Firefighters Memorial



▲ Firefighters Memorial (looking south from W. 6<sup>th</sup> Street).  
*Source: Google Street View June 2021*



▲ Firefighters Memorial (looking northwest from Central Avenue).  
*Source: Google Street View September 2021*

## Exhibit 8: Firefighters Memorial



▲ Firefighters Memorial (looking southwest from Central Avenue).  
*Source: Google Street View September 2021*

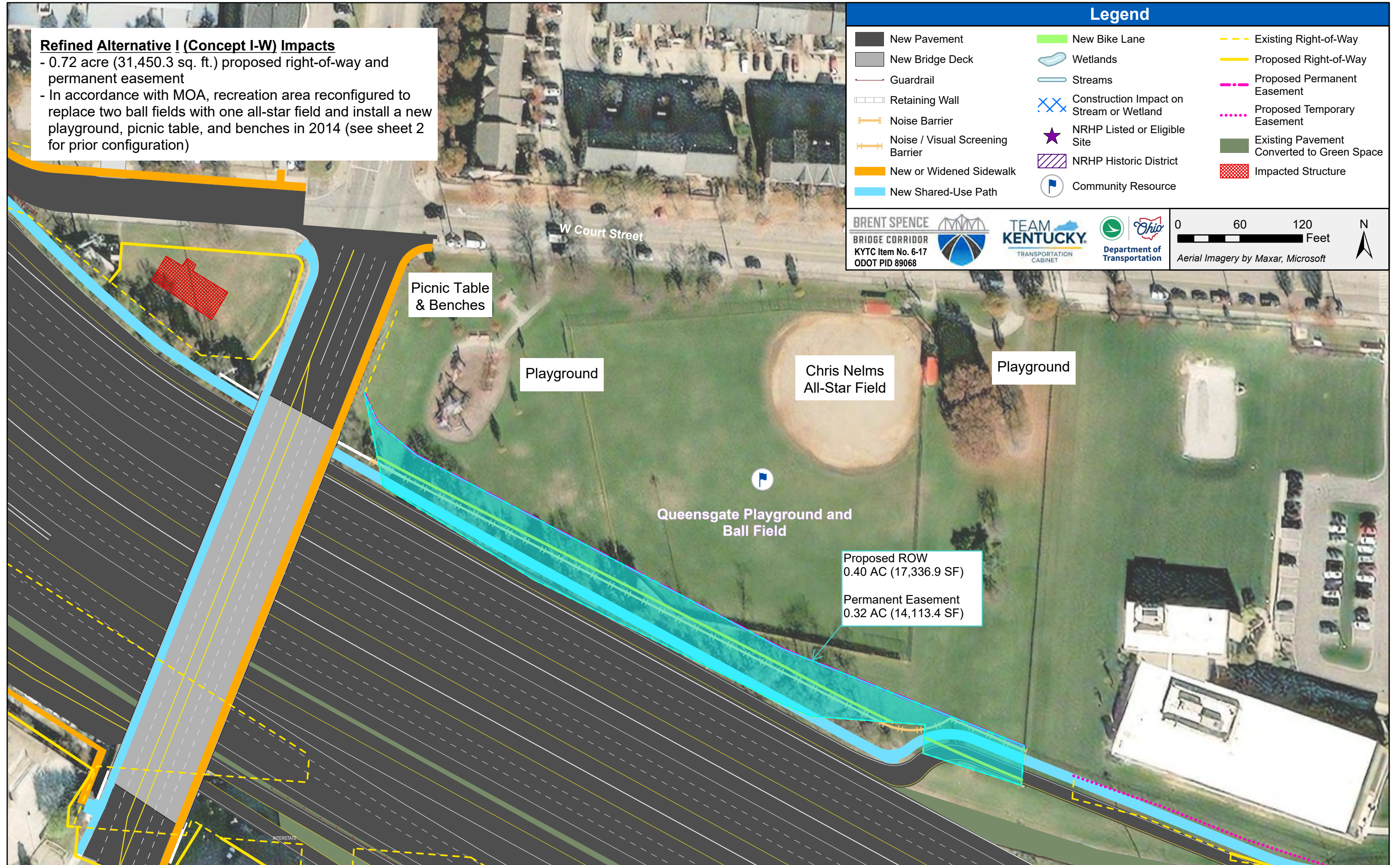


▲ Mulched traffic control area (looking northwest from Central/W. 5th intersection).  
*Source: Google Street View June 2021*

# Exhibit 9: Queensgate Playground and Ball Field (circa 2023)

## Refined Alternative I (Concept I-W) Impacts

- 0.72 acre (31,450.3 sq. ft.) proposed right-of-way and permanent easement
- In accordance with MOA, recreation area reconfigured to replace two ball fields with one all-star field and install a new playground, picnic table, and benches in 2014 (see sheet 2 for prior configuration)



## Legend

- |                                  |  |  |
|----------------------------------|--|--|
| New Pavement                     | New Bike Lane                            | Existing Right-of-Way                      |
| New Bridge Deck                  | Wetlands                                 | Proposed Right-of-Way                      |
| Guardrail                        | Streams                                  | Proposed Permanent Easement                |
| Retaining Wall                   | Construction Impact on Stream or Wetland | Proposed Temporary Easement                |
| Noise Barrier                    | NRHP Listed or Eligible Site             | Existing Pavement Converted to Green Space |
| Noise / Visual Screening Barrier | NRHP Historic District                   | Impacted Structure                         |
| New or Widened Sidewalk          | Community Resource                       |  |
| New Shared-Use Path              |  |  |

BRENT SPENCE  
BRIDGE CORRIDOR  
KYTC Item No. 6-17  
ODOT PID 89068



TEAM KENTUCKY  
TRANSPORTATION CABINET



0 60 120 Feet

Aerial Imagery by Maxar, Microsoft

N

Proposed ROW  
0.40 AC (17,336.9 SF)

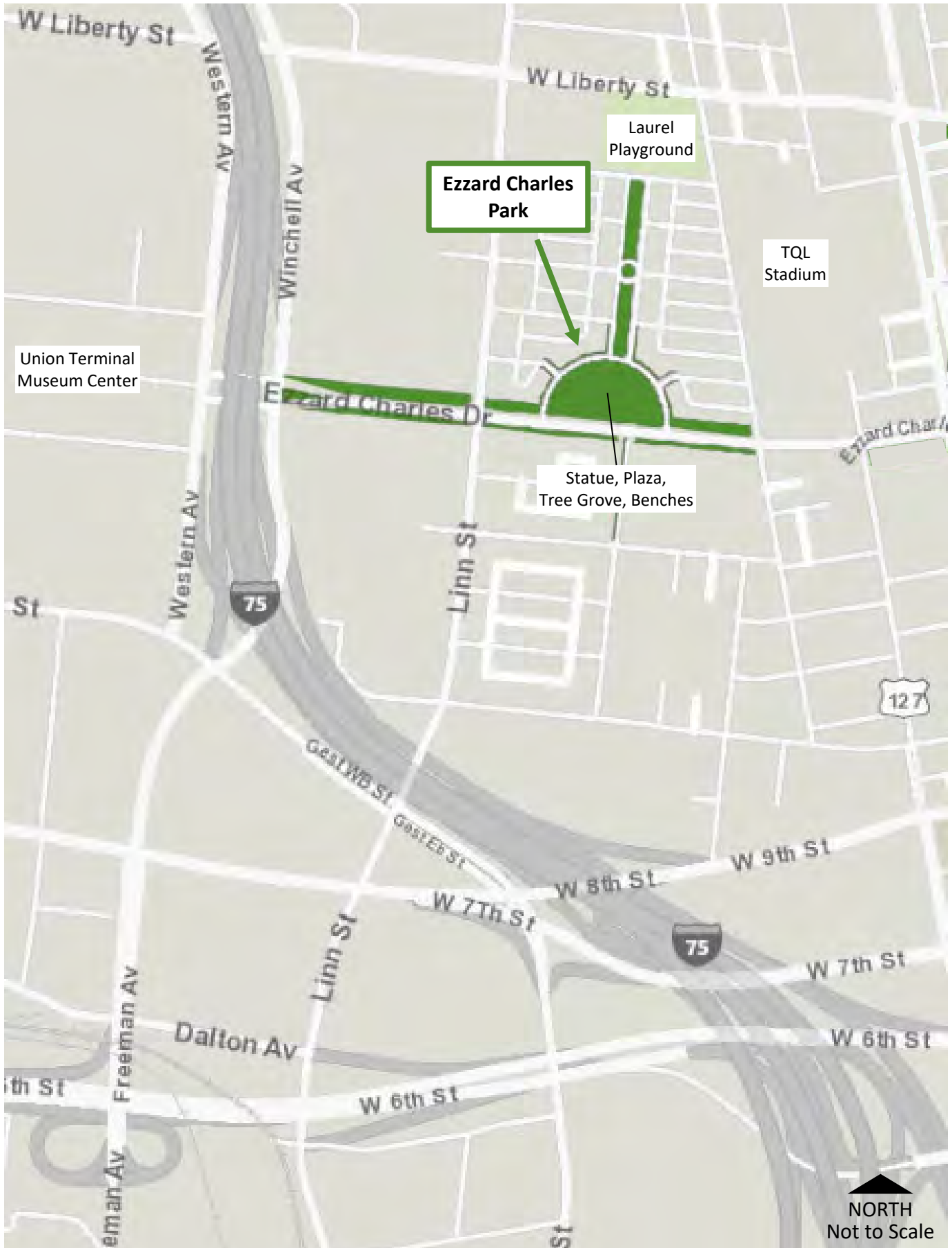
Permanent Easement  
0.32 AC (14,113.4 SF)

Exhibit 9: Queensgate Playground and Ball Field (circa 2012)



Source: Final Individual Section 4(f) Evaluation (July 2012)

# Exhibit 10: Ezzard Charles Park



# Exhibit 10: Ezzard Charles Park



▲ Ezzard Charles Drive and Ezzard Charles Park  
Source: Google Earth September 2021



## Exhibit 10: Ezzard Charles Park



- ▲ Ezzard Charles Drive approaching Winchell Avenue (looking west) in area to be impacted by road realignment and median replacement (left) and sidewalk replacement (right). Trees will not be impacted.

*Source: Google Street View September 2021*



- ▲ Ezzard Charles Drive (looking north) in area to be impacted by road realignment and sidewalk replacement. Trees will not be impacted.

*Source: Google Street View July 2022*

## Exhibit 10: Ezzard Charles Park



- ▲ Ezzard Charles Drive (looking north) in area to be impacted by road realignment and sidewalk replacement. Trees will not be impacted.  
*Source: Google Street View July 2022*



- ▲ Ezzard Charles Drive (looking north) in area to be impacted sidewalk replacement. Trees will not be impacted.  
*Source: Google Street View July 2022*

# Exhibit 10: Ezzard Charles Park

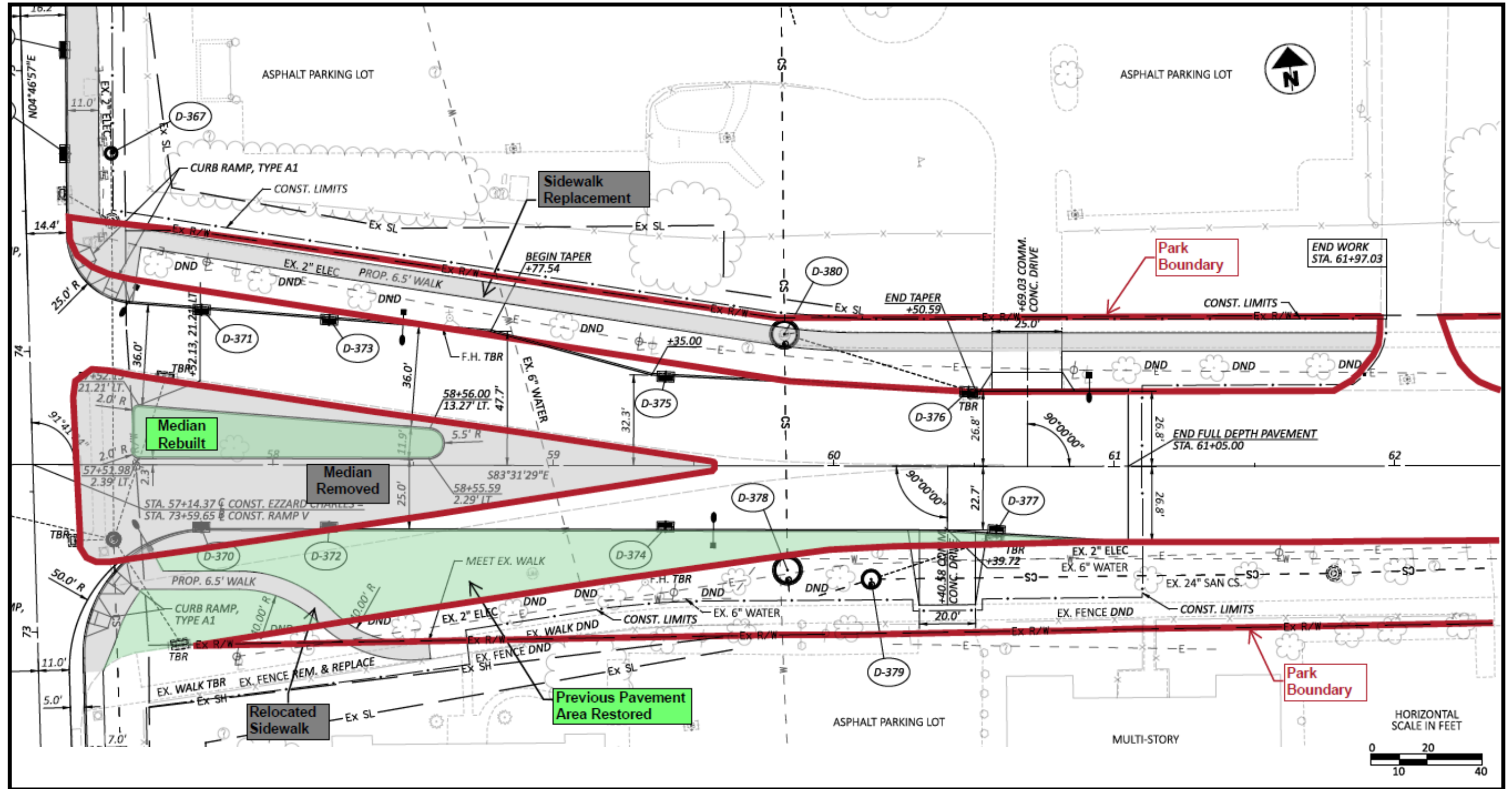


▲ Ezzard Charles Drive at Winchell Avenue (looking east) in area where median will be rebuilt (left) and existing sidewalk connection will be maintained (right).  
*Source: Google Street View April 2019*



▲ Ezzard Charles Drive at Winchell Avenue (looking east) in area to be impacted by roadway realignment and median replacement.  
*Source: Google Street View July 2022*

# Exhibit 10: Ezzard Charles Park



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# Appendix B: Alternatives Development Process (2004-2012)



## Appendix B

# Identification and Evaluation of Alternatives Considered Prior to the Environmental Assessment

### 1.0 INTRODUCTION

Development of conceptual alternatives for the Brent Spence Bridge was initiated in 2003 by KYTC. These initial alternatives were documented in the *Feasibility and Constructability Study of the Replacement/Rehabilitation of the Brent Spence Bridge* (May 2005). This report recommended a series of potential feasible build alternatives for replacement and/or rehabilitation of the Brent Spence Bridge structure and improvement to its approaches and surrounding transportation system. Six conceptual alternatives were recommended for further study.

In 2006, the Ohio Department of Transportation (ODOT) and the Kentucky Transportation Cabinet initiated the current Brent Spence Bridge Replacement/Reconstruction Project. The project is following ODOT's Major Project Development Process (PDP). The following sections discuss the alternatives that were developed, evaluated, eliminated and recommended for further study throughout ODOT's Major PDP.

#### 1.1 Step 4 Conceptual Alternatives

In 2006, 25 conceptual alternatives, including the No Build Alternative, were developed in Step 4 of ODOT's PDP. These 25 conceptual alternatives included the six alternatives from the 2005 *Feasibility and Constructability Study of the Replacement/Rehabilitation of the Brent Spence Bridge*. The 25 conceptual alternatives were evaluated using a two-phased screening process based on a comparative analysis. Phase one of the analysis was an evaluation of the conceptual alternatives based on the goals of the purpose and need and comments received from local governments. In phase two of the analysis, the conceptual alternatives that were not eliminated in phase one were evaluated using stakeholder goals and measures of success; design compatibility with the I-75 Mill Creek Expressway Project (HAM-75-2.30) to the north; and concurrence among government agencies obtained through a series of meetings. Some alternatives were combined into hybrid alternates and then evaluated in phase two of the analysis. The *Planning Study Report* (September 2006) documented the 25 conceptual alternatives and the two-phased comparative analysis.

The two-phased comparative analysis eliminated 19 of the 25 conceptual alternatives from further study and evaluation. These 19 conceptual alternatives failed to meet the purpose and need goals of the project and did not adequately address the stakeholder's goals and measures of success. Additionally, these alternatives would not be compatible with the I-75 Mill Creek Expressway Project (HAM-75-2.30). Five travel lanes were needed to provide a seamless connection between the two projects.

At the end of Step 4 of the PDP, a total of six conceptual alternatives, the No Build and five mainline Build Alternatives were recommended for further study in Step 5 of the PDP. The No Build Alternative was retained as a baseline for evaluation of the Build Alternatives. The No Build Alternative consists of minor, short-term safety and maintenance improvements to the Brent Spence Bridge and I-75 corridor, which would maintain continuing operations. The five mainline Build Alternatives recommended for further study in the *Planning Study Report* were:

- Mainline Alternative 1 - Queensgate Alignment for I-75
- Mainline Alternative 2 - Queensgate Alignment for I-71/I-75
- Mainline Alternative 3 - New Bridge Just West for I-75
- Mainline Alternative 4 - New Bridge Just West for all Traffic
- Mainline Alternative 5 - Construct New Bridges for I-75

A variety of sub-alternatives were developed to provide options for key intersection and traffic flow areas within the project corridor. The various sub-alternatives accommodated the design requirements of the mainline Build Alternatives:

- I-75 Northbound at KY 12<sup>th</sup> Street Ramp Sub-Alternatives
- I-71/US 50 Interchange Sub-Alternatives (for I-75 Queensgate Alignment)
- I-71/I-75/US 50 Interchange Sub-Alternatives
- I-75 Ohio C-D Road/Arterial Improvement Sub-Alternatives
- Western Hills Viaduct Interchange Sub-Alternatives

Detailed descriptions of the mainline Build Alternatives and the various sub-alternatives are presented in the *Planning Study Report*. These mainline Build Alternatives and sub-alternatives were carried forward into Step 5 of the PDP for further study and refinement.

## **1.2 Step 5 Conceptual Alternatives**

The five mainline Build Alternatives and sub-alternatives were further developed in more detail and refined during Step 5 of the PDP. These efforts included environmental studies, traffic analysis, refinement of horizontal and vertical alignments, cost estimates, utilities coordination, and stakeholder coordination. As a result, the mainline Build Alternatives and sub-alternatives from Step 4 as presented in the *Planning Study Report* evolved into eight conceptual alternatives. The eight conceptual alternatives were identified as Alternatives A through H:

- Alternative A (Alternative 1, I-71/US 50 Interchange Sub-Alternative 1, Hybrid of Collector-Distributor Roads Sub-Alternative 1 and Arterial Improvements Sub-Alternative 2 from the *Planning Study Report*)
- Alternative B (Alternative 2, I-71/US 50 Interchange Sub-Alternative 2, Hybrid of Collector-Distributor Roads Sub-Alternative 1 and Arterial Improvements Sub-Alternative 2 from the *Planning Study Report*)
- Alternative C (Variation of Alternative 3, I-71/I-75/US 50 Interchange Sub-Alternative, 1, Hybrid of Collector-Distributor Roads Sub-Alternative 1 and Arterial Improvements Sub-Alternative 2 from the *Planning Study Report*)
- Alternative D (Variation of Alternative 3, I-71/I-75/US 50 Interchange Sub-Alternative 3, Hybrid of Collector-Distributor Roads Sub-Alternative 1 and Arterial Improvements Sub-Alternative 2 from the *Planning Study Report*)
- Alternative E (Variation of Alternative 3, I-71/I-75/US 50 Interchange Sub-Alternative 3, Hybrid of Collector-Distributor Roads Sub-Alternative 1 and Arterial Improvements Sub-Alternative 2 from the *Planning Study Report*)
- Alternative F (Variation of Alternative 4, I-71/I-75/US 50 Interchange Sub-Alternative 2, Hybrid of Collector-Distributor Roads Sub-Alternative 1 and Arterial Improvements Sub-Alternative 2 from the *Planning Study Report*)

- Alternative G (Variation of Alternative 4, I-71/I-75/US 50 Interchange Sub-Alternative 3, Hybrid of Collector-Distributor Roads Sub-Alternative 1 and Arterial Improvements Sub-Alternative 2 from the *Planning Study Report*)
- Alternative H (Alternative 5 from the *Planning Study Report*)

The comparative analysis of the eight conceptual alternatives eliminated some of the alternatives, including Alternatives A, F, and H. Alternatives A and H were eliminated from further consideration due to fatal flaws, which were identified as the alternatives were developed in more detail. Alternative A's fatal flaw was that it was developed as an avoidance alternative to avoid having a direct impacts to the Longworth Hall building which was unable to be accomplished due to the need to take part of the building to construct I-71 southbound. Alternative H fatal flaw was that it was developed to have new bridges built along both sides of the existing Brent Spence Bridge, but the connections to the eastern bridge were unable to be made within Ohio due to geometric design problems. Alternative F was eliminated from further consideration because it was very similar to Alternative G and did not provide any additional benefit. Alternatives evaluated throughout Step 5 were Alternatives B, C, D, E, and G. These five alternatives were compared for their ability to meet the project's purpose and need, impacts, constructability, and estimated costs. Impacts were determined using the construction limits of each alternative.

The Conceptual Alternatives Evaluation Matrix provides a summary of impacts of the No Build Alternative and each conceptual alternative. The following sections present summary discussions of, each conceptual alternative and recommendations for feasible alternatives to be carried forward and studied in Step 6 of the PDP.

It is important to note that ODOT's PDP establishes specific steps that begin with a broad range of conceptual alternatives which are evaluated with broad environmental, engineering and cost information. As the alternatives are refined through the PDP, so are the data used in the comparative analyses of the alternatives.

### **1.2.1 Alternative B**

Alternative B shown in Exhibit A1 is the former Alternative 2, I-71/US 50 Interchange Sub-Alternative 2, Hybrid of Collector-Distributor Roads Sub-Alternative 1 and Arterial Improvements Sub-Alternative 2 from the *Planning Study Report*. It is also known as the "Queensgate alignment". Alternative B is different from the conceptual Alternatives C, D, E, and G between the limits of KY 12<sup>th</sup> Street and Ezzard Charles Drive. Alternative B south of KY 12<sup>th</sup> Street has six lanes northbound and six lanes southbound. Access into Covington will be provided by a C-D roadway which will connect to the existing Brent Spence Bridge. A new bridge will be constructed west of the existing Brent Spence Bridge for I-71/I-75 traffic. The new bridge will be approximately 900 feet west of the existing bridge on a skew across the river. This new alignment passes through the Queensgate area of Cincinnati and reconnects to the existing I-75 alignment near Ezzard Charles Drive. I-71/I-75 consists of four lanes in each direction within Kentucky. Both I-71 and I-75 will consist of two lanes in each direction in Ohio. US 50 will be realigned in Ohio within the existing I-71/I-75/US 50 interchange area. The existing Brent Spence Bridge will be rehabilitated to carry local C-D roadway traffic consisting of two lanes southbound and three lanes northbound. Western and Winchell avenues will be improved to carry local traffic.



### **1.2.1.1 Alternative B Evaluation**

Alternative B is unique from the other conceptual alternatives because it follows a new alignment across the Ohio River and through the Queensgate area of Cincinnati. For I-71/I-75, a new bridge will be constructed approximately 900 feet west of the existing Brent Spence Bridge for I-71/I-75 traffic only. The alignment will pass through the Queensgate area and re-connect with the existing I-75 alignment near the Freeman Avenue Interchange. The new bridge across the Ohio River will have a middle span length of approximately 1,650 feet with end spans of approximately 650 feet in length. The approach structures to the new bridge would consist of approximately 13,000 feet of additional bridge structure as compared to the other alternatives.

Future (2035) traffic projections indicate similar levels of future congestion and delay on mainlines of the conceptual alternatives. When reviewing freeway segments and ramp junctions, Alternative B operates comparable to Alternatives C, D, and G as each of these alternatives generally provide the same number of lanes in each direction. Constructability and construction phasing issues are also similar among the alternatives although concerns have been expressed about risk and uncertainty with Alternative B. On February 12, 2009, a constructability workshop was held where participants concluded that Alternative B posed significant construction difficulties. These issues include accessibility and logistics for constructing the I-71 connector ramps to the new bridge alignment, relocation of transmission lines, slope stability on the south side of the Ohio River, and the greater possibility of encountering hazardous materials, buried objects, differing site conditions, and any other unknowns.

Environmental impacts expected for Alternative B are comparable to the other conceptual alternatives' impacts. Alternative B would impact three wetland areas, 11 woodlots, one threatened and endangered species potential habitat area, and four historic and five Section 4(f) resources. Alternative B would be located adjacent to the historic boundary of Longworth Hall and within 37 feet of the west end of the building. All other conceptual alternatives would have a direct impact to the eastern portion of this structure.

Alternative B requires the acquisition of 72.2 acres of additional land for right of way. This is more than 2.5 times the amount of land needed for any of the other conceptual alternatives. The community impacts of Alternative B include disruption of the West Covington neighborhood and loss of businesses in Queensgate. Alternative B would impact community cohesion in the Queensgate area by placing a new alignment through the neighborhood. Alternative B would displace 43 residential units and 34 businesses, which would affect approximately 1,900 employees. It would have 74 partial property takes. These would cause direct loss of property tax revenues to cities. KYTC and ODOT conducted a survey to determine whether these displaced businesses would remain in the area. In Kentucky, one business stated they would relocate out of the state while two businesses indicated they would close. In Ohio, the majority of businesses that responded to the survey indicated that they would not relocate outside of Cincinnati if impacted. The largest employer in the Queensgate area, United Parcel Service employing 919 people, indicated that they would relocate their operation outside of Cincinnati if displaced by the project.

As part of the public involvement process, both cities of Covington and Cincinnati have documented their opposition to Alternative B based on impacts to community services, loss of property values and taxes, and displacements of residences and businesses. The City of Covington specifically opposes the potential for impacts in West Covington as noted in a letter

dated October 8, 2008, while the City of Cincinnati opposes the loss of businesses in the Queensgate area and loss of potential redevelopment opportunities. Further, the City of Cincinnati prepared a report entitled *Queensgate Area Issues, Considerations and Recommendations for Implementation of the Brent Spence Bridge Project* (September 2008), which describes the potential impacts that Alternative B would have on the Queensgate area. Within the Queensgate area, Alternative B would not use existing land uses in a way that is compatible with land use plans and would pass through areas where there are plans for redevelopment. Alternative B would result in the loss of future jobs and tax base in Queensgate due to impacts on redevelopment anticipated as a result of implementing the *Queensgate South Redevelopment Plan*. The fully executed plan is projected to generate 500 to 750 new jobs in the area.

Alternative B would directly impact three Section 4(f) resources: Goebel Park, the residence at 632 Western Avenue in Covington, and the Lewisburg Historic District. Alternative B would encroach upon the western edge of Goebel Park. Alternative B would encroach upon the Lewisburg Historic District along its eastern border and impact 2.4 acres of the historic district. It would displace eight residences adjacent to the west side of I-71/I-75. One of these residences is a non-contributing property to the historic district and seven residences are contributing properties to the historic district. Alternative B would displace the residence at 632 Western Avenue. Alternative B could have noise and visual impacts on two other Section 4(f) resources, the residences at 521 Western Avenue and 881 Highway Avenue in Covington.

Alternative B impacts a total of 58 individual utilities, the greatest number of utility impacts of the conceptual alternatives. This is the only alternative that would not displace Duke Energy's West End Substation, which is located just west of the existing Brent Spence Bridge. However, it does require the relocation of major transmission lines and towers prior to construction of the bridge. This relocation would add two years to the construction period, which would add approximately \$240 million in inflation to the estimated \$2.86 billion project cost. Over this two year period, the level of service for the interstate system would continue to worsen.

Alternative B has the highest potential of the conceptual build alternatives to impact hazardous material sites because of its location through the Queensgate area. This area of Cincinnati has a history of industrial land use. Alternative B would impact approximately 50 percent more sites with hazardous material concerns than Alternatives C, D, E, and G due to their location within the existing highway right of way.

Alternative B would cost an estimated \$2.86 billion, which is at least \$150 million more than any of the other conceptual alternatives. The estimated cost for Kentucky is \$1.75 billion and the estimated cost for Ohio is \$1.11 billion. The estimated costs for Alternative B are higher than conceptual Alternatives C, D, E, and G due to right of way acquisition and utility relocation.

Based on the adverse impacts to communities, residences, businesses, hazardous material sites, utilities and property acquisition associated with Alternative B, as well as the overall complexity, constructability risk, and cost, it was recommended that Alternative B be eliminated from further consideration.

### **1.2.2 Alternative C**

Alternative C shown in Exhibit A2 is a variation of the former Alternative 3, I-71/I-75/US 50 Interchange Sub-Alternative 1, Hybrid of Collector-Distributor Roads Sub-Alternative 1 and Arterial Improvements Sub-Alternative 2 from the *Planning Study Report*. Alternative C south of

KY 12<sup>th</sup> Street has six lanes northbound and six lanes southbound. A local C-D roadway is provided from KY 12<sup>th</sup> Street to the Ohio River. A new double deck bridge will be built just west of the existing Brent Spence Bridge for I-75 (two lanes in each direction), two lanes for southbound I-71 and two lanes for southbound local traffic. The existing Brent Spence Bridge will be rehabilitated to carry two lanes for northbound I-71 and three lanes for northbound local traffic. Alternative C reconfigures I-75 through the I-71/I-75/US 50 Interchange and eliminates all access to and from I-75 from KY 12<sup>th</sup> Street to just south of Ezzard Charles Drive in the northbound direction. Between Ezzard Charles Drive and the Western Hills Viaduct, northbound I-75 will have five lanes, southbound I-75 will have two lanes, and the local southbound C-D roadway will have four lanes, for a total of 11 travel lanes. Western and Winchell avenues will be improved to carry local traffic.

Alternatives C and D were developed based on the former Alternative 3 with very slight difference between them. The differences permitted the opportunity to evaluate how slight changes in horizontal and vertical configurations affected the flow of traffic with respect to level of service. The major difference between Alternatives C and D is the location and configuration of the C-D roadways in Ohio.

#### **1.2.2.1 Alternative C Evaluation**

The alignment of Alternative C provides a new bridge just west of the existing Brent Spence Bridge similar to Alternatives D, E, and G. Alternative C provides interstate access to both Covington and Cincinnati. Alternatives C and D provide a separation of local and regional traffic in both downtown areas through the use of C-D roadways.

Access into Covington from the interstate would be provided by the local C-D roadway at KY 12<sup>th</sup> Street for northbound traffic and at KY 9<sup>th</sup> Street for southbound traffic. Access to the interstate system from Covington will be provided at Pike Street for northbound traffic and at KY 12<sup>th</sup> Street for southbound traffic.

Access to downtown Cincinnati would be made through a series of C-D roadways that would require a decision point outside of the downtown area. In the northbound direction just north of the existing Brent Spence Bridge, the C-D roadway lane configuration is combined on a single structure between the OH 2<sup>nd</sup> Street diverge and the OH 5<sup>th</sup> Street diverge. Utilizing a single structure in this area simplifies the vertical geometric design, reduces costs, and would be easier to construct as compared to Alternative D, which utilizes three structures in this area. A negative aspect to combining the lane configuration onto a single structure is that it would introduce a weave movement north of OH 5<sup>th</sup> Street from traffic coming from I-71 southbound traveling towards the Western Hills Viaduct. Upon analyzing the weave movement, no degradation of level of service was noted.

In the southbound direction, the Alternative C C-D roadway lane configuration is located west of I-75 north of Ezzard Charles Drive, similar to Alternative D. Upon passing under Ezzard Charles Drive, the southbound C-D roadway using a bridge crosses over I-75 which allows it to be located adjacent to the northbound C-D roadway. The intent was to isolate I-75 from the C-D roadways. Several design issues became apparent as a result. Crossing over I-75 created vertical geometry complications with steep grades, as underground utilities prevented I-75 from being lowered. Traffic entering from Western Avenue could no longer access I-71 northbound or US 50 eastbound. The ramp to OH 5<sup>th</sup> Street had to be eliminated due to limited horizontal separation between the two C-D roadways, which is needed to allow the OH 5<sup>th</sup> Street ramp to

pass under US 50 and then cross over the northbound C-D roadway. The southbound C-D roadway remains on the west side in Alternative D in this area.

Future (2035) traffic projections indicate similar levels of future congestion and delay on the mainline as compared to Alternatives B, D, and G. Alternative C provides for more efficient traffic flow over the No Build Alternative when reviewing operations at basic freeway segments and ramp junctions. It does not provide the region with the most efficient traffic flow on its own. Portions of this alternative combined with another alternative may provide better traffic flow on the interstate and provide better connections to local roads. Constructability and construction phasing issues are also similar among the alternatives.

Alternative C requires approximately 22.2 acres of additional right of way. This is the second least amount of land impacted by the conceptual alternatives. Alternative C would displace 16 residential units and 35 businesses. Approximately 300 employees would be affected by this alternative. Alternative C, as with Alternatives D, E, and G, would impact Longworth Hall which includes 21 businesses. Alternatives C, D, E, and G have similar environmental impacts because they are all located within the existing transportation corridor. Alternative C would impact three wetland areas, 10 woodlots and one potential threatened and endangered species habitat area, four community resources, three historic resources, and five Section 4(f) properties.

Alternative C would be compatible with existing land use plans and would not have a negative impact on community cohesion. Alternative C would be constructed within the existing interstate corridor and not bisect neighborhoods in Kentucky or Ohio. Alternative C would support the Queensgate redevelopment plans and help Cincinnati facilitate its economic renewal goals.

Since the alignment of Alternative C would be located just west of the existing Brent Spence Bridge, it would impact a portion of the Duke Energy West End substation and require the relocation of 52 individual utility facilities.

Alternative C would directly impact four Section 4(f) resources. These include Goebel Park, the Lewisburg Historic District, Longworth Hall, and the Queensgate playground and ballfields. Alternative C could have noise and visual impacts on one Section 4(f) resource, the Harriet Beecher Stowe Elementary School (Fox 19 Television Station).

Alternative C would encroach upon the Lewisburg Historic District along its eastern border and directly impact 0.83 acres of the historic district. It would displace 10 residences adjacent to the west side of I-71/I-75. One of these residences is a non-contributing property to the historic district and nine residences are contributing properties to the historic district. Alternative C would directly impact 0.25 acres of Longworth Hall resource including the building and historic boundary. The eastern end of the building would be demolished.

Alternative C would cost an estimated \$2.28 billion, which is one of the least expensive alignments of the conceptual alternatives due to lower construction costs, less right of way, and lower costs for utility relocation. The estimated cost for Kentucky is \$1.41 billion and the estimated cost for Ohio is \$0.87 billion.

Based on the estimated cost, design features described above and the local access features, it was recommended that the northbound portion of Alternative C advance for further

consideration, while the southbound portions of this alternative be eliminated from further consideration. It was recommended that the northbound portion of Alternative C be combined with the southbound portion of Alternative D to create a hybrid alternative for further evaluation.

### **1.2.3 Alternative D**

Alternative D shown in Exhibit A3 is a variation of the former Alternative 3, I-71/I-75/US 50 Interchange Sub-Alternative 3, Hybrid of Collector-Distributor Roads Sub-Alternative 1 and Arterial Improvements Sub-Alternative 2 from the *Planning Study Report*. Alternative D south of KY 12<sup>th</sup> Street has six lanes northbound and six lanes southbound. A local C-D roadway will provide access into Covington between KY 12<sup>th</sup> Street and the Ohio River. A new double deck bridge will be built just west of the existing Brent Spence Bridge I-75 (two lanes in each direction), two lanes for southbound I-71, and two lanes for southbound local traffic. The existing Brent Spence Bridge will be rehabilitated to carry two lanes for northbound I-71 and three lanes for northbound local traffic. Alternative D reconfigures I-75 through the I-71/I-75/US 50 Interchange and eliminates all access to and from I-75 from KY 12<sup>th</sup> Street to just south of Ezzard Charles Drive in the northbound direction. In Ohio, between Ezzard Charles Drive and the Western Hills Viaduct there will be a total of 11 travel lanes for I-75 and local southbound traffic. Western and Winchell avenues will be improved to carry local traffic.

As previously noted, Alternatives C and D were developed based on the former Alternative 3 with very slight difference between them. The major difference between Alternatives C and D is the location and configuration of the C-D roadways in Ohio.

#### **1.2.3.1 Alternative D Evaluation**

The alignment of Alternative D provides a new bridge alignment just west of the existing Brent Spence Bridge similar to Alternatives C, E, and G. Alternative D provides interstate access to both Covington and Cincinnati. Like Alternative C, Alternative D provides a separation of local and regional traffic through the use of a C-D roadway.

Alternative D would keep one direct exit to Covington in place per the north and south bound directions, south of the current KY 5<sup>th</sup> Street exit. Access into Covington from the interstate will be provided by the local C-D roadway at KY 12<sup>th</sup> Street for northbound traffic and at KY 9<sup>th</sup> Street for southbound traffic. Access to the interstate system from Covington will be provided at KY 9<sup>th</sup> Street for northbound traffic and at KY 12<sup>th</sup> Street for southbound traffic.

Access to downtown Cincinnati will be made through a series of C-D roadways that would require a decision point outside of the downtown area. In the northbound direction, the C-D roadway lane configuration was split among three structures between the OH 2<sup>nd</sup> Street diverge and the OH 5<sup>th</sup> Street diverge to simplify the horizontal configuration to reduce the number of weave movements. Utilizing multiple structures, complicated the vertical geometric design, increased the cost, and is more complicated to construct. This design would not provide a better level of service compared to Alternative C. The vertical alignment of this alternative would require OH 3<sup>rd</sup> Street to be lowered approximately eight feet, west of Central Avenue due to the northbound C-D roadway lane configuration being split among three structures. This lowering would require complex and expensive retaining walls and the relocation of underground utilities.

In the southbound direction, the C-D roadway remains west of I-75. Traffic entering from Western Avenue will have access to I-71 northbound and US 50 eastbound, by using a weave condition. The ramp access to OH 5<sup>th</sup> Street will remain.

Future (2035) traffic projections indicate similar levels of future congestion and delay on the mainline as compared to Alternatives B, C, and G. Alternative D provides for more efficient traffic flow over the No Build Alternative when reviewing operations at basic freeway segments and ramp junctions. It does not provide the region with the most efficient traffic flow on its own. Various parts of this alternative combined with parts of another alternative may provide better traffic operations on the interstate and provide better connections to local roads. Constructability and construction phasing issues are also similar among the alternatives.

Environmental and community impacts resulting from Alternative D are the lowest of the conceptual alternatives. Alternative D would require approximately 19.7 acres of new right of way and would displace 16 residential units and 34 businesses. Alternative D, as with Alternatives C, E, and G would impact Longworth Hall which includes 21 businesses. Alternative D requires the fewest number of residence and business employee relocations. Alternative D would impact three wetland areas, 10 woodlots, one potential threatened and endangered species habitat area, four community resources, two historic properties, one historic district, and five Section 4(f) properties.

Alternative D would be compatible with existing land use plans and would not have a negative impact on community cohesion. Alternative D would be constructed within the existing interstate corridor and not bisect neighborhoods in Kentucky or Ohio. Alternative D would support the Queensgate redevelopment plans and help Cincinnati facilitate its economic renewal goals.

Since the alignment of Alternative D would be located just west of the existing Brent Spence Bridge, it would impact a portion of the Duke Energy West End substation and require the relocation of 52 individual utility facilities.

Alternative D would directly impact four Section 4(f) resources Goebel Park, the Lewisburg Historic District, Longworth Hall, and the Queensgate playground and ballfields. It could have visual and noise impacts on one Section 4(f) resource, the Harriet Beecher Stowe Elementary School (Fox 19 Television Station).

Alternative D would encroach upon the Lewisburg Historic District along its eastern border and impact 0.88 acres of the historic district. It would displace 10 residences adjacent to the west side of I-71/I-75. One of these residences is a non-contributing property to the historic district and nine residences are contributing properties to the historic district. Alternative D would impact 0.25 acres of Longworth Hall resource including the building and historic boundary. The eastern end of the building would be demolished.

Alternative D would cost an estimated \$2.28 billion, which is one of the least expensive alignments of the conceptual alternatives. The estimated cost for Kentucky is \$1.41 billion and the estimated cost for Ohio is \$0.87 billion. Alternative D and Alternative C are the least expensive of the five conceptual alternatives due to lower construction costs, less right of way, and lower costs for utility relocation.

Based on the estimated cost, design features described above and the local access features, it was recommended that the southbound portion of Alternative D advance for further consideration, while the northbound portion of this alternative be eliminated from further

consideration. It was recommended that the southbound portion of Alternative D be combined with the northbound portion of Alternative C to create a hybrid alternative for further evaluation.

#### **1.2.4 Alternative E**

Alternative E shown in Exhibit A4 is a variation of the former Alternative 3, I-71/I-75/US 50 Interchange Sub-Alternative 3, Hybrid of Collector-Distributor Roads Sub-Alternative 1 and Arterial Improvements Sub-Alternative 2 from the *Planning Study Report*. Alternative E south of KY 12<sup>th</sup> Street has six lanes northbound and six lanes southbound. Alternative E provides two access points into Covington for both northbound and southbound traffic. A local C-D roadway will be provided from KY 12<sup>th</sup> Street to the Ohio River. A new double deck bridge will be built just west of the existing Brent Spence Bridge to carry northbound and southbound I-71 and I-75 traffic. On the upper deck, I-71 southbound will have three lanes and I-71 northbound will have two lanes. On the lower deck, I-75 will have three northbound and three southbound lanes. The existing Brent Spence Bridge will be rehabilitated to carry northbound and southbound local traffic with two lanes in each direction as this number of lanes provides an acceptable level of service. In Ohio, Alternative E reconfigures I-75 through the I-71/I-75/US 50 Interchange and eliminates some of the existing access points along I-75. The existing direct connections between I-75 to westbound US 50 and from eastbound US 50 will be maintained in Alternative E. Between Ezzard Charles Drive and Western Hills Viaduct, southbound I-75 will have six lanes, northbound I-75 will have five lanes, and there will be one auxiliary lane to the Western Hills Viaduct. Western and Winchell avenues will be improved to carry local traffic.

##### **1.2.4.1 Alternative E Evaluation**

The alignment of Alternative E is similar to Alternatives C, D, and G in that it provides a new bridge alignment just west of the existing Brent Spence Bridge. Alternative E provides two direct access points to Covington in both the northbound and southbound directions. In the northbound direction, access will be provided by the local C-D roadway at KY 12<sup>th</sup> Street and KY 5<sup>th</sup> Street. In the southbound direction, access will be provided by the local C-D roadway at KY 5<sup>th</sup> Street, and off of I-71 and I-75 at KY 9<sup>th</sup> Street. Access to the interstate system from Covington will be provided by local city streets. In the northbound direction, access to I-75 will be provided at KY 9<sup>th</sup> Street, access to I-71 will be provided at KY 5<sup>th</sup> Street. Access to I-75 northbound will also be provided at KY 4<sup>th</sup> and 5<sup>th</sup> Streets through the local C-D roadway across the lower deck of the existing Brent Spence Bridge. In the southbound direction, access to I-71/I-75 will be provided at KY 5<sup>th</sup> Street and KY 12<sup>th</sup> Street.

All access to downtown Cincinnati from I-75 will be provided by a C-D roadway that would require a decision point outside of the downtown area, KY 12<sup>th</sup> Street for northbound traffic and just south of Ezzard Charles Drive for southbound traffic. Access to I-75 northbound will be provided at OH 4<sup>th</sup> and 6<sup>th</sup> streets through the local C-D roadway and at OH 9<sup>th</sup> Street through Winchell Avenue. Southbound I-75 access will be provided at Western Avenue, OH 8<sup>th</sup> Street, and OH 4<sup>th</sup> Street through the local C-D roadway across the upper deck of the existing Brent Spence Bridge.

Future (2035) traffic projections indicate similar levels of future congestion and delay on the mainline as compared to Alternatives B, C, and G except for the I-75 mainline when I-75 consists of three lanes in each direction. When reviewing the level of service at basic freeway segments and ramp junctions, Alternative E operates better overall than all of the other alternatives. Notable improvements for I-75 level of service (LOS) were: LOS F to D in the northbound PM peak hour, LOS E to D in the southbound AM peak hour, and LOS D to C in the southbound PM peak hour. The improved traffic flow will aid in the reduction of traffic crashes,

reduce delay and travel times throughout the region. Constructability and construction phasing issues are also similar among the alternatives.

When compared to Alternatives C, D, and G, Alternative E is expected to have similar environmental impacts. Alternative E would impact three wetland areas, 10 woodlots and one potential threatened and endangered species habitat area. Alternative E would impact three community resources, two historic resources, one historic district, and four Section 4(f) properties. This is slightly fewer impacts than other conceptual alternatives. Alternative E would displace 19 residential units and 39 businesses, which is the fewest number of people displaced among alternatives. Alternative E, as with Alternatives C, D, and G, would impact Longworth Hall which includes 21 businesses. In addition, the 19 residential units estimated to be displaced to build Alternative E is expected to result in the fewest number of people displaced.

Alternative E would be compatible with existing land use plans and would not have a negative impact on community cohesion. Alternative E would be constructed within the existing interstate corridor and not bisect neighborhoods in Kentucky or Ohio. Alternative E would support the Queensgate redevelopment plans and help Cincinnati facilitate its economic renewal goals.

Since the alignment of Alternative E would be located just west of the existing Brent Spence Bridge, it would impact a portion of the Duke Energy West End substation and require the relocation of 52 individual utility facilities.

Alternative E would directly impact three Section 4(f) resources Goebel Park, the Lewisburg Historic District, and Longworth Hall. It could also have noise and visual impacts on one Section 4(f) resource, the Harriet Beecher Stowe Elementary School (Fox 19 Television Station).

Alternative E would encroach upon the Lewisburg Historic District along its eastern border and impact 0.98 acres of the historic district. It would displace 11 residences adjacent to the west side of I-71/I-75. One of these residences is a non-contributing property to the historic district and 10 residences are contributing properties to the historic district. Alternative E would impact 0.54 acres of Longworth Hall resource including the building and historic boundary. The eastern end of the building would be demolished.

Alternative E would cost an estimated \$2.58 billion, which is in the mid-range of the costs for the conceptual alternatives. The estimated cost for Kentucky is \$1.65 billion and the estimated cost for Ohio is \$0.93 billion. Only Alternatives C and D have lower estimated costs.

Alternative E was recommended and supported by the City of Covington. Based on the access provided by this alternative and the minimized amount of community impacts in comparison to other alternatives, it was recommended that Alternative E be advanced for further study as a feasible alternative. Based on the improved LOS, it was recommended to increase the number of lanes for I-75 mainline to three lanes in each direction due to the level of service improvements noted above.

### **1.2.5 Alternative G**

Alternative G shown in Exhibit A5 is a variation of the former Alternative 4, I-71/I-75/US 50 Interchange Sub-Alternative 3, Hybrid of Collector-Distributor Roads Sub-Alternative 1 and Arterial Improvements Sub-Alternative 2 from the *Planning Study Report*. Alternative G south of



KY 12<sup>th</sup> Street has six lanes northbound and six lanes southbound. In Alternative G, there are two access points into Covington for both northbound and southbound traffic through a C-D roadway. Local city streets will provide access to the interstate system from Covington. A new double deck bridge will be built just west of the existing Brent Spence Bridge to carry northbound and southbound I-75 (two lanes in each direction), two lanes for southbound I-71, and two lanes for southbound local traffic. The existing Brent Spence Bridge will be rehabilitated to carry two lanes for northbound I-71 and three lanes for local traffic. Alternative G reconfigures I-75 through the I-71/I-75/US 50 Interchange and eliminates all access to and from I-75 between KY 12<sup>th</sup> Street to just north of Ezzard Charles Drive in the northbound direction. I-75 would be elevated from the Ohio River to just south of Linn Street for northbound and southbound traffic. In Ohio, the northbound C-D roadway will carry local traffic from the existing Brent Spence Bridge, provide access to US 50 and city streets, and reconnect to I-75 just north of Ezzard Charles Drive. In Ohio, the southbound C-D roadway will provide a new access point to the north end of the Clay Wade Bailey Bridge. Western and Winchell avenues will be improved to carry local traffic.

#### **1.2.5.1 Alternative G Evaluation**

The alignment of Alternative G is similar to Alternatives C, D, and E in that it provides a new bridge alignment just west of the existing Brent Spence Bridge. Alternative G provides two direct access points to Covington in both northbound and southbound directions. In the northbound direction, access will be provided by the local C-D roadway at KY 12<sup>th</sup> Street and KY 5<sup>th</sup> Street. In the southbound direction, access will be provided by the local C-D roadway at KY 5<sup>th</sup> Street and KY 9<sup>th</sup> Street. Access to the interstate system from Covington will be provided by local city streets. In the northbound direction, access to I-71 will be provided at KY 9<sup>th</sup> Street, and access to I-71/I-75 will be provided by the local C-D roadway at KY 4<sup>th</sup> Street. In the southbound direction, access to I-71/I-75 will be provided at KY 12<sup>th</sup> Street.

Alternative G eliminates all access to and from I-75 between KY 12<sup>th</sup> Street to just north of Ezzard Charles Drive in the northbound direction. Between KY 9<sup>th</sup> Street and Western Hills Viaduct there will be no access to southbound I-75. In Ohio, I-75 will be elevated from the Ohio River to just south of Linn Street. Existing connections to I-71, US 50, and downtown Cincinnati will be maintained. Direct local access from Cincinnati to I-75 will be provided by an exit at OH 9<sup>th</sup> Street. All other existing interstate access points in downtown Cincinnati will be made by way of C-D roadways.

Future (2035) traffic projections indicate similar levels of future congestion and delay on the mainline as compared to Alternatives B, C, and D. When reviewing the level of service at the basic freeway segments and ramp junctions, Alternative G operates better overall than the other alternatives, with the exception of Alternative E. Improvements to safety and traffic flow are some of the benefits of this alternative. Constructability and construction phasing issues are also similar among the alternatives.

Alternative G requires approximately 28.2 acres of new right of way. Alternative G would displace 31 residential units and 41 businesses, which would affect approximately 1,300 employees. The United Parcel Service, which employs 919 persons, is one of the businesses that would be impacted by Alternative G. Alternative G, as with Alternatives C, D, and E, would impact Longworth Hall which includes 21 businesses. When compared to Alternatives C, D, and E, Alternative G has similar environmental impacts. Alternative G would impact three wetland areas and ten woodlots, one potential threatened and endangered species habitat area;

four community resources, two historic properties, one historic district, and five Section 4(f) properties.

Overall, Alternative G supports local land use with the exception of the impact to UPS. Alternative G would not have a negative impact on community cohesion. Alternative G would be constructed mostly within the existing interstate corridor and not bisect neighborhoods in Kentucky or Ohio. Alternative G would support the existing Queensgate redevelopment plans and help Cincinnati facilitate its economic renewal goals.

Since the alignment of Alternative G would be located just west of the existing Brent Spence Bridge, it would impact a portion of the Duke Energy West End substation and require the relocation of 52 individual utility facilities.

Alternative G would directly impact four Section 4(f) resources Goebel Park, the Lewisburg Historic District, Longworth Hall, and the Queensgate playground and ballfields. It could also have noise and visual impacts on one Section 4(f) resource, the Harriet Beecher Stowe Elementary School (Fox 19 Television Station).

Alternative G would encroach upon the Lewisburg Historic District along its eastern border and impact 2.9 acres of the historic district. It would displace 12 residences adjacent to the west side of I-71/I-75. Two of these residences are non-contributing properties to the historic district and 10 residences are contributing properties to the historic district. Alternative G would impact 0.42 acres of Longworth Hall resource including the building and historic boundary. The eastern end of the building would be demolished.

Alternative G would cost an estimated \$2.70 billion, which is the second most expensive alignment of the five conceptual alternatives. Alternative B at \$2.86 billion is the most expensive of all the conceptual alternatives. The estimated cost for Kentucky is \$1.47 billion and the estimated cost for Ohio is \$1.23 billion. Alternative G has the highest overall cost of the alternatives which follow the existing I-71/I-75 corridor.

Alternative G was recommended to be eliminated from further consideration due to the high costs of this alternative and the higher property acquisition associated with it. Alternative G would result in 31 residential and 41 business displacements. The business displacements would affect over 1,300 employees.

### **1.3 Recommended Feasible Alternatives**

The *Conceptual Alternatives Study* (April 2009) from Step 5 recommended two feasible alternatives for further study in Steps 6 and 7. The two feasible alternatives consist of Alternative E and Alternative I, which is a combination of Alternatives C and D with certain design elements of Alternative G. The following summaries present the reasons why conceptual alternatives were eliminated from further consideration or recommended as feasible alternatives for further study:

- **Alternative B:** Based on the adverse impacts to communities, residences, businesses, hazardous material sites, utilities and property acquisition associated with Alternative B, as well as the overall complexity, constructability risk, and cost, it was recommended that Alternative B be eliminated from further consideration for the Brent Spence Replacement/ Rehabilitation Project.

- **Alternatives C and D:** It was recommended that a combination of Alternatives C and D be developed for further study in Step 6 as a feasible alternative. Based on the comparative analysis with respect to horizontal and vertical alignments, impacts, and the flow of traffic of Alternatives C and D, it was determined that a hybrid alternative of the northbound portion of Alternative C and the southbound portion of Alternative D be advanced for further consideration.
- **Alternative E:** It was recommended that Alternative E be developed for further study in Step 6 as a feasible alternative. This recommendation was based on the access provided by Alternative E to Covington and Cincinnati and the minimal amount of community impacts in comparison to the other alternatives. It was recommended to increase the number of lanes for I-75 to three lanes in each direction to support the improved level of service this alternative would provide.
- **Alternative G:** It was recommended that Alternative G be eliminated from further consideration due to the high costs, and residential and business displacements associated with this alternative. However, the following beneficial design features of Alternative G were carried forward for further analysis and incorporated into the feasible alternatives:
  - access to north end of Clay Wade Bailey Bridge from I-75 southbound using a C-D roadway and US 50 eastbound;
  - two access points into Covington;
  - access from a northbound C-D roadway from KY to I-71 northbound in Ohio; and
  - access ramp just north of Ezzard Charles Drive for Freeman Ave and local traffic to I-75 northbound.

The Conceptual Alternatives Evaluation Matrix provides a summary of impacts of the No Build Alternative and each conceptual alternative.

#### **1.4 Feasible Alternatives**

In Steps 6 and 7 the feasible alternatives, Alternatives E and I were developed in more detail. This included refinement of vertical and horizontal geometries, elimination of design exceptions, and connections to the local roadway network. Connections and improvements to local roads included adding travel lanes and turn lanes, which increased the right of way limits of both feasible alternatives. The recommendations from Step 5 were also incorporated into the design of the feasible alternatives. One recommendation was to increase the number of lanes on I-71/I-75 from four to six and to add full width shoulders along the mainline. This design change also increased the right of way limits of both feasible alternatives.

Alternative E and I are evaluated in the Environmental Assessment (EA) for the Brent Spence Bridge Replacement/Reconstruction Project. Alternative I is recommended as the Preferred Alternative. This recommendation is based on the design features, local access features, traffic operations, estimated costs, and environmental impacts.

Conceptual Alternatives Evaluation Matrix						
Impacts	No Build	Alternative B (Former Alternative 2)	Alternative C (Former Alternative 3)	Alternative D (Former Alternative 3)	Alternative E (Former Alternative 3)	Alternative G (Former Alternative 4 Hybrid)
<b>Alternative Description</b>	The No Build Alternative consists of minor, short-term safety and maintenance improvements to the Brent Spence Bridge and I-75 corridor, which would maintain continuing operations. All within existing right of way.	Six lanes each direction between Kyles Lane to KY 12 <sup>th</sup> Street; Local C-D roadway from KY 12 <sup>th</sup> Street to Ohio River; New bridge (4 lanes in each direction) through Queensgate 900 feet west of existing for I-71/I-75 traffic; Rehab existing bridge for local traffic (2 lanes SB and 3 lanes NB); Realign US 50; Improvements to Western and Winchell Avenues	Six lanes in each direction between Kyles Lane and KY 12 <sup>th</sup> Street; local C-D roadway from KY 12 <sup>th</sup> Street to Ohio River; New double deck bridge just west of existing bridge for I-75 (2 lanes NB and SB), 2 lanes SB I-71, two lanes SB local traffic; Rehab existing bridge for NB I-71 (2 lanes), NB local traffic (3 lanes); Reconfigure I-75 through I-71/I-75/US 50 Interchange; From KY 12 <sup>th</sup> Street to Ezzard Charles Drive NB I-75 5 lanes, SB I-75 2 lanes, and local SB C-D roadway 4 lanes; Improvements to Western and Winchell Avenues	Six lanes in each direction between Kyles Lane and KY 12 <sup>th</sup> Street; Local C-D roadway between KY 12 <sup>th</sup> Street and the Ohio River; New double deck bridge just west of the existing bridge I-75 (2 lanes NB and SB), two lanes SB I-71, and two lanes SB local traffic; Rehab existing bridge for NB I-71 (2 lanes) and three lanes for NB local traffic (3 lanes); Reconfigure I-75 through the I-71/I-75/US 50 Interchange; 11 lanes for I-75 and SB local traffic between Ezzard Charles Drive and the Western Hills Viaduct; Improvements to Western and Winchell Avenues	Six lanes in each direction between Kyles Lane and KY 12 <sup>th</sup> Street; Two access points into Covington for both NB and SB traffic; New double-deck bridge just west of the existing Bridge for I-71/I-75 traffic (2 lanes in each direction); Reconfigure I-75 through the I-71/I-75/US 50 Interchange; Between Ezzard Charles Drive and Western Hills Viaduct, SB I-75 6 lanes, NB I-75 5 lanes, and one auxiliary lane to the Western Hills Viaduct; Improvements to Western and Winchell Avenues	Six lanes in each direction between Kyles Lane and KY 12 <sup>th</sup> Street; 2 access points to Covington for NB and SB traffic through a C-D roadway; New double deck bridge just west of the existing bridge for I-75 (2 lanes in each direction), 2 lanes for SB I-71 and 2 lanes for SB local traffic; Rehab existing bridge for NB I-71 (2 lanes) and local traffic (3 lanes); Reconfigure I-75 through the I-71/I-75/US 50 Interchange; I-75 elevated from Ohio River to Linn Street; NB C-D roadway will carry local traffic to Ezzard Charles Drive; Improvements to Western and Winchell Avenues
<b>Purpose and Need Elements</b>						
Improve traffic flow and level of service in 2035	Does not improve traffic flow and level of service <ul style="list-style-type: none"> <li>• Congestion will continue to worsen</li> <li>• I-71 majority of segments (43 of 50) LOS E or F</li> <li>• I-75 majority of segments (43 of 50) LOS E or F</li> </ul>	Improves traffic and level of service over the No Build <ul style="list-style-type: none"> <li>• I-71 majority LOS E or F segments</li> <li>• I-75 NB three LOS F segments</li> <li>• I-75 SB two LOS F segments</li> <li>• Improves congested sections</li> </ul>	Improves traffic and level of service over the No Build <ul style="list-style-type: none"> <li>• I-75 NB three LOS F segments</li> <li>• I-75 SB two LOS F segments</li> <li>• I-71 majority LOS E or F segments</li> <li>• Reduces congested segments</li> </ul>	Improves traffic and level of service over the No Build <ul style="list-style-type: none"> <li>• I-75 NB three LOS F segments</li> <li>• I-75 SB two LOS F segments</li> <li>• I-71 majority LOS E or F segments</li> <li>• Reduces congested sections</li> </ul>	Improves traffic and level of service over the No Build <ul style="list-style-type: none"> <li>• I-75 majority segments are LOS D or better</li> <li>• I-75 NB and SB two segments LOS F</li> <li>• I-71 majority segments of LOS E or F</li> <li>• Additional lanes for I-75 to reduce congestion through Covington and Cincinnati;</li> </ul>	Improves traffic and level of service over the No Build <ul style="list-style-type: none"> <li>• I-75 NB three LOS F segments</li> <li>• I-75 SB two LOS F segments</li> <li>• I-71 majority segments LOS E or F</li> </ul>
Improve safety	Will not improve safety	Improves safety <ul style="list-style-type: none"> <li>• Provides proper shoulder widths</li> <li>• Improves geometries</li> <li>• Separates local and interstate traffic to help reduce accident rates</li> </ul>	Improves safety <ul style="list-style-type: none"> <li>• Provides proper shoulder widths</li> <li>• Lower design speed for local C-D roadway help reduce accident rates</li> </ul>	Improves safety <ul style="list-style-type: none"> <li>• Provides proper shoulder widths</li> <li>• Improves geometry on I-75 to help reduce accident rates</li> </ul>	Improves safety <ul style="list-style-type: none"> <li>• Reduced congested sections,</li> <li>• Provides proper shoulder widths to help reduce accident rates</li> </ul>	Improves safety <ul style="list-style-type: none"> <li>• Reduced congested sections</li> <li>• Proper shoulder widths</li> <li>• Improved geometries help reduce accident rates</li> </ul>
Correct geometric deficiencies	Will not correct geometric deficiencies	Corrects geometric deficiencies with design exceptions <ul style="list-style-type: none"> <li>• I-71 remains geometrically deficient</li> </ul>	Corrects geometric deficiencies with design exceptions <ul style="list-style-type: none"> <li>• I-71 remains geometrically deficient</li> <li>• I-75, US 50 and local C-D roadway has several geometrically deficient locations</li> </ul>	Corrects geometric deficiencies with design exceptions <ul style="list-style-type: none"> <li>• I-71 remains geometrically deficient</li> <li>• US 50 geometrically deficient in several locations</li> </ul>	Corrects geometric deficiencies with design exceptions <ul style="list-style-type: none"> <li>• I-71 remains geometrically deficient</li> <li>• Local C-D roadway geometrically deficient in several locations</li> </ul>	Corrects geometric deficiencies with design exceptions <ul style="list-style-type: none"> <li>• I-71 remains geometrically deficient</li> </ul>
Maintain and improve connections to local, regional, and national transportation corridors	Maintains but does not improve existing connections	Changes and improves connections <ul style="list-style-type: none"> <li>• Local traffic separated from regional traffic on I-75 in Cincinnati and Covington</li> <li>• No direct connections to I-75 and I-71 through Queensgate area</li> </ul>	Does not maintain all existing connections <ul style="list-style-type: none"> <li>• Removes local connections to I-75 by using a C-D system from KY 12<sup>th</sup> Street to just south of Ezzard Charles Drive</li> </ul>	Maintains and improves connections <ul style="list-style-type: none"> <li>• Maintains access to I-75 and I-71 in Covington</li> <li>• uses a C-D system for local connections in Covington and Cincinnati</li> <li>• US 50 maintains direct access to interstate</li> </ul>	Removes some local connections <ul style="list-style-type: none"> <li>• Access provided to I-75 by using a C-D system in Cincinnati and Covington</li> </ul>	

Conceptual Alternatives Evaluation Matrix						
Impacts	No Build	Alternative B (Former Alternative 2)	Alternative C (Former Alternative 3)	Alternative D (Former Alternative 3)	Alternative E (Former Alternative 3)	Alternative G (Former Alternative 4 Hybrid)
<b>Alternative Description</b>	The No Build Alternative consists of minor, short-term safety and maintenance improvements to the Brent Spence Bridge and I-75 corridor, which would maintain continuing operations. All within existing right of way.	Six lanes each direction between Kyles Lane and KY 12 <sup>th</sup> Street; Local C-D roadway from KY 12 <sup>th</sup> Street to Ohio River; New bridge (4 lanes in each direction) through Queensgate 900 feet west of existing for I-71/I-75 traffic; Rehab existing bridge for local traffic (2 lanes SB and 3 lanes NB); Realign US 50; Improvements to Western and Winchell Avenues	Six lanes in each direction between Kyles Lane and KY 12 <sup>th</sup> Street; local C-D roadway from KY 12 <sup>th</sup> Street to Ohio River; New double deck bridge just west of existing bridge for I-75 (2 lanes NB and SB), 2 lanes SB I-71, two lanes SB local traffic; Rehab existing bridge for NB I-71 (2 lanes), NB local traffic (3 lanes); Reconfigure I-75 through I-71/I-75/US 50 Interchange; From KY 12 <sup>th</sup> Street to Ezzard Charles Drive NB I-75 5 lanes, SB I-75 2 lanes, and local SB C-D roadway 4 lanes; Improvements to Western and Winchell Avenues	Six lanes in each direction between Kyles Lane and KY 12 <sup>th</sup> Street; Local C-D roadway between KY 12 <sup>th</sup> Street and the Ohio River; New double deck bridge just west of the existing bridge I-75 (2 lanes NB and SB), two lanes SB I-71, and two lanes SB local traffic; Rehab existing bridge for NB I-71 (2 lanes) and three lanes for NB local traffic (3 lanes); Reconfigure I-75 through the I-71/I-75/US 50 Interchange; 11 lanes for I-75 and SB local traffic between Ezzard Charles Drive and the Western Hills Viaduct; Improvements to Western and Winchell Avenues	Six lanes in each direction between Kyles Lane and KY 12 <sup>th</sup> Street; Two access points into Covington for both NB and SB traffic; New double-deck bridge just west of the existing Bridge for I-71/I-75 traffic (2 lanes in each direction); Reconfigure I-75 through the I-71/I-75/US 50 Interchange; Between Ezzard Charles Drive and Western Hills Viaduct, SB I-75 6 lanes, NB I-75 5 lanes, and one auxiliary lane to the Western Hills Viaduct; Improvements to Western and Winchell Avenues	Six lanes in each direction between Kyles Lane and KY 12 <sup>th</sup> Street; 2 access points to Covington for NB and SB traffic through a C-D roadway; New double deck bridge just west of the existing bridge for I-75 (2 lanes in each direction), 2 lanes for SB I-71 and 2 lanes for SB local traffic; Rehab existing bridge for NB I-71 (2 lanes) and local traffic (3 lanes); Reconfigure I-75 through the I-71/I-75/US 50 Interchange; I-75 elevated from Ohio River to Linn Street; NB C-D roadway will carry local traffic to Ezzard Charles Drive; Improvements to Western and Winchell Avenues
<b>Engineering</b>						
Maintain and improve connections: Provides local access to/from the interstate	Provides local access to/from the interstate as it currently exists	Provides access to interstate by way of local C-D road • I-75 access between KY 12 <sup>th</sup> Street and Ezzard Charles Drive Provides direct access to interstate • 1 direct access point to I-71 NB in KY at Pike Street	Provides access to interstate by way of local C-D road • I-75 access between KY 12 <sup>th</sup> Street and Ezzard Charles Drive Provides direct access to interstate • 1 direct access point to I-71 NB in KY at Pike Street	Provides indirect access to interstate by way of local C-D road • I-75 access between KY 12 <sup>th</sup> Street and Ezzard Charles Drive Provides direct access to interstate • 1 direct access point to I-71 NB at KY 9 <sup>th</sup> Street	Provides indirect access to interstate by way of local C-D road • I-75 access KY 12 <sup>th</sup> Street and Ezzard Charles Drive Provides direct access to interstate • 1 direct access point to I-71 NB in KY • 1 direct access point to I-75 NB in KY • Direct access to I-71/I-75 SB in KY at 5 <sup>th</sup> Street	Provides indirect access to interstate by way of local C-D road • I-75 access KY 12 <sup>th</sup> Street and Ezzard Charles Drive Provides direct access to interstate • 1 direct access point to I-71 NB at KY 9 <sup>th</sup> Street
Maintain and improve connections: Provide direct access to Covington from I-75	Provides direct local access to/from the I-75 as it currently exists	Provides indirect access to Covington from I-75 by a C-D road • NB access at KY 12 <sup>th</sup> Street • SB access at KY 9 <sup>th</sup> Street	Provides indirect access to Covington from I-75 by a C-D road • NB access at KY 12 <sup>th</sup> Street • SB access at KY 9 <sup>th</sup> Street		Provides direct access to Covington • SB I-75 and SB I-71 access at KY 9 <sup>th</sup> NB traffic Provides indirect access to Covington by C-D road • Access at KY 12 <sup>th</sup> Street	Provides indirect access to Covington by C-D road • NB access at KY 12 <sup>th</sup> and KY 5 <sup>th</sup> streets • SB access at KY 5 <sup>th</sup> and KY 9 <sup>th</sup> streets
Maintain and improve connections: Maintain existing access points to I-75 in Cincinnati	Maintains local access to/from I-75 as it currently exists	Maintains local access to/from the interstate as it currently exists	Eliminates direct access to/from I-75; Access provided by C-D road • I-75 NB access eliminated between KY 12 <sup>th</sup> Street to just south of Ezzard Charles Drive • I-75 SB access eliminated between KY 9 <sup>th</sup> Street and the Western Hills Viaduct • Access provided by C-D road		Alters existing access to I-75 • Existing I-75 NB and SB access eliminated or reconfigured between KY 12 <sup>th</sup> Street to just north of Ezzard Charles • Existing direct access to/from I-75 will remain but reconfigured at US 50	Eliminates direct access to/from I-75 • I-75 NB access eliminated between KY 12 <sup>th</sup> Street to just north of Ezzard Charles Drive • I-75 SB access between KY 9 <sup>th</sup> Street and the Western Hills Viaduct
Separates local and regional traffic	Does not separate Interstate system as it currently exists	Separates local and regional traffic • A new bridge for I-71/I-75 traffic will be constructed through Queensgate • Existing Brent Spence Bridge will be rehabilitated to carry local NB and SB traffic.	Separates local and regional traffic • A new bridge just west of the existing Brent Spence Bridge will be constructed to carry I-75 NB and SB, I-71 SB, and local SB traffic • Existing Brent Spence Bridge will be rehabilitated to carry I-71 NB and local NB traffic.		Separates local and regional traffic • A new bridge just west of the existing Brent Spence Bridge will be constructed to carry I-75 and I-71 NB and SB traffic • The existing Brent Spence Bridge will be rehabilitated to carry local NB and SB traffic.	Separates local and regional traffic • A new bridge just west of the existing Brent Spence Bridge will be constructed to carry I-75 NB and SB, I-71 SB, and local SB traffic • The existing Brent Spence Bridge will be rehabilitated to carry I-71 NB and local NB traffic.

Conceptual Alternatives Evaluation Matrix						
Impacts	No Build	Alternative B (Former Alternative 2)	Alternative C (Former Alternative 3)	Alternative D (Former Alternative 3)	Alternative E (Former Alternative 3)	Alternative G (Former Alternative 4 Hybrid)
<b>Alternative Description</b>	The No Build Alternative consists of minor, short-term safety and maintenance improvements to the Brent Spence Bridge and I-75 corridor, which would maintain continuing operations. All within existing right of way.	Six lanes each direction between Kyles Lane to KY 12 <sup>th</sup> Street; Local C-D roadway from KY 12 <sup>th</sup> Street to Ohio River; New bridge (4 lanes in each direction) through Queensgate 900 feet west of existing for I-71/I-75 traffic; Rehab existing bridge for local traffic (2 lanes SB and 3 lanes NB); Realign US 50; Improvements to Western and Winchell Avenues	Six lanes in each direction between Kyles Lane and KY 12 <sup>th</sup> Street; local C-D roadway from KY 12 <sup>th</sup> Street to Ohio River; New double deck bridge just west of existing bridge for I-75 (2 lanes NB and SB), 2 lanes SB I-71, two lanes SB local traffic; Rehab existing bridge for NB I-71 (2 lanes), NB local traffic (3 lanes); Reconfigure I-75 through I-71/I-75/US 50 Interchange; From KY 12 <sup>th</sup> Street to Ezzard Charles Drive NB I-75 5 lanes, SB I-75 2 lanes, and local SB C-D roadway 4 lanes; Improvements to Western and Winchell Avenues	Six lanes in each direction between Kyles Lane and KY 12 <sup>th</sup> Street; Local C-D roadway between KY 12 <sup>th</sup> Street and the Ohio River; New double deck bridge just west of the existing bridge I-75 (2 lanes NB and SB), two lanes SB I-71, and two lanes SB local traffic; Rehab existing bridge for NB I-71 (2 lanes) and three lanes for NB local traffic (3 lanes); Reconfigure I-75 through the I-71/I-75/US 50 Interchange; 11 lanes for I-75 and SB local traffic between Ezzard Charles Drive and the Western Hills Viaduct; Improvements to Western and Winchell Avenues	Six lanes in each direction between Kyles Lane and KY 12 <sup>th</sup> Street; Two access points into Covington for both NB and SB traffic; New double-deck bridge just west of the existing Bridge for I-71/I-75 traffic (2 lanes in each direction); Reconfigure I-75 through the I-71/I-75/US 50 Interchange; Between Ezzard Charles Drive and Western Hills Viaduct, SB I-75 6 lanes, NB I-75 5 lanes, and one auxiliary lane to the Western Hills Viaduct; Improvements to Western and Winchell Avenues	Six lanes in each direction between Kyles Lane and KY 12 <sup>th</sup> Street; 2 access points to Covington for NB and SB traffic through a C-D roadway; New double deck bridge just west of the existing bridge for I-75 (2 lanes in each direction), 2 lanes for SB I-71 and 2 lanes for SB local traffic; Rehab existing bridge for NB I-71 (2 lanes) and local traffic (3 lanes); Reconfigure I-75 through the I-71/I-75/US 50 Interchange; I-75 elevated from Ohio River to Linn Street; NB C-D roadway will carry local traffic to Ezzard Charles Drive; Improvements to Western and Winchell Avenues
<b>Environmental Resources</b>						
Wetlands – (number of wetland areas and total acreage impacted)	No impacts	3 wetland areas totaling 0.59 acres impacted in KY	3 wetland areas totaling 0.59 acres impacted in KY	3 wetland areas totaling 0.59 acres impacted in KY	3 wetland areas totaling 0.59 acres impacted in KY	3 wetland areas totaling 0.59 acres impacted in KY
Ohio River – (number of new bridge crossings and new piers in the river)	No impacts	<ul style="list-style-type: none"> <li>• New bridge located 900 feet west of existing Brent Spence Bridge</li> <li>• Two piers located on north and south river banks, less than 10% of the piers will be in the river</li> </ul>	<ul style="list-style-type: none"> <li>• New bridge located 120 feet west of existing Brent Spence Bridge</li> <li>• Two new piers located in the river within 35 feet of the existing bridge piers</li> </ul>	<ul style="list-style-type: none"> <li>• New bridge located 120 feet west of existing Brent Spence Bridge</li> <li>• Two new piers located in the river within 35 feet of the existing bridge piers</li> </ul>	<ul style="list-style-type: none"> <li>• New bridge located 120 feet west of existing Brent Spence Bridge;</li> <li>• Two new piers located in the river within 35 feet of the existing bridge piers</li> </ul>	<ul style="list-style-type: none"> <li>• New bridge located 120 feet west of existing Brent Spence Bridge;</li> <li>• Two new piers located in the river within 35 feet of the existing bridge piers</li> </ul>
Streams – (total linear feet impacted)	No impacts	<ul style="list-style-type: none"> <li>• 207 feet from 2 intermittent streams</li> <li>• 245 feet from 1 ephemeral stream</li> </ul>	<ul style="list-style-type: none"> <li>• 207 feet from 2 intermittent streams</li> <li>• 245 feet from 1 ephemeral stream</li> </ul>	<ul style="list-style-type: none"> <li>• 207 feet from 2 intermittent streams</li> <li>• 245 feet from 1 ephemeral stream</li> </ul>	<ul style="list-style-type: none"> <li>• 207 feet from 2 intermittent streams</li> <li>• 245 feet from 1 ephemeral stream</li> </ul>	<ul style="list-style-type: none"> <li>• 207 feet from 2 intermittent streams</li> <li>• 245 feet from 1 ephemeral stream</li> </ul>
Threatened and Endangered Species	No impacts	<ul style="list-style-type: none"> <li>• 8 Woodlots with potential Indiana bat habitat</li> <li>• 3 Woodlots with marginal Indiana bat habitat (additional woodlot on west side of Western Ave in KY)</li> <li>• 1 Area with potential running buffalo clover habitat</li> </ul>	<ul style="list-style-type: none"> <li>• 8 Woodlots with potential Indiana bat habitat</li> <li>• 2 Woodlots with marginal Indiana bat habitat</li> <li>• 1 Area with potential running buffalo clover habitat</li> </ul>	<ul style="list-style-type: none"> <li>• 8 Woodlots with potential Indiana bat habitat</li> <li>• 2 Woodlots with marginal Indiana bat habitat</li> <li>• 1 Area with potential running buffalo clover habitat</li> </ul>	<ul style="list-style-type: none"> <li>• 8 Woodlots with potential Indiana bat habitat</li> <li>• 2 Woodlots with marginal Indiana bat habitat</li> <li>• 1 Area with potential running buffalo clover habitat</li> </ul>	<ul style="list-style-type: none"> <li>• 8 Woodlots with potential Indiana bat habitat</li> <li>• 2 Woodlots with marginal Indiana bat habitat</li> <li>• 1 Area with potential running buffalo clover habitat</li> </ul>
Floodplains	No impacts	17.8 acres of floodplain impacted	4.2 acres of floodplain impacted	4.0 acres of floodplain impacted	6.0 acres of floodplain impacted	5.2 acres of floodplain impacted

Conceptual Alternatives Evaluation Matrix						
Impacts	No Build	Alternative B (Former Alternative 2)	Alternative C (Former Alternative 3)	Alternative D (Former Alternative 3)	Alternative E (Former Alternative 3)	Alternative G (Former Alternative 4 Hybrid)
<b>Alternative Description</b>	The No Build Alternative consists of minor, short-term safety and maintenance improvements to the Brent Spence Bridge and I-75 corridor, which would maintain continuing operations. All within existing right of way.	Six lanes each direction between Kyles Lane and KY 12 <sup>th</sup> Street; Local C-D roadway from KY 12 <sup>th</sup> Street to Ohio River; New bridge (4 lanes in each direction) through Queensgate 900 feet west of existing for I-71/I-75 traffic; Rehab existing bridge for local traffic (2 lanes SB and 3 lanes NB); Realign US 50; Improvements to Western and Winchell Avenues	Six lanes in each direction between Kyles Lane and KY 12 <sup>th</sup> Street; local C-D roadway from KY 12 <sup>th</sup> Street to Ohio River; New double deck bridge just west of existing bridge for I-75 (2 lanes NB and SB), 2 lanes SB I-71, two lanes SB local traffic; Rehab existing bridge for NB I-71 (2 lanes), NB local traffic (3 lanes); Reconfigure I-75 through I-71/I-75/US 50 Interchange; From KY 12 <sup>th</sup> Street to Ezzard Charles Drive NB I-75 5 lanes, SB I-75 2 lanes, and local SB C-D roadway 4 lanes; Improvements to Western and Winchell Avenues	Six lanes in each direction between Kyles Lane and KY 12 <sup>th</sup> Street; Local C-D roadway between KY 12 <sup>th</sup> Street and the Ohio River; New double deck bridge just west of the existing bridge I-75 (2 lanes NB and SB), two lanes SB I-71, and two lanes SB local traffic; Rehab existing bridge for NB I-71 (2 lanes) and three lanes for NB local traffic (3 lanes); Reconfigure I-75 through the I-71/I-75/US 50 Interchange; 11 lanes for I-75 and SB local traffic between Ezzard Charles Drive and the Western Hills Viaduct; Improvements to Western and Winchell Avenues	Six lanes in each direction between Kyles Lane and KY 12 <sup>th</sup> Street; Two access points into Covington for both NB and SB traffic; New double-deck bridge just west of the existing Bridge for I-71/I-75 traffic (2 lanes in each direction); Reconfigure I-75 through the I-71/I-75/US 50 Interchange; Between Ezzard Charles Drive and Western Hills Viaduct, SB I-75 6 lanes, NB I-75 5 lanes, and one auxiliary lane to the Western Hills Viaduct; Improvements to Western and Winchell Avenues	Six lanes in each direction between Kyles Lane and KY 12 <sup>th</sup> Street; 2 access points to Covington for NB and SB traffic through a C-D roadway; New double deck bridge just west of the existing bridge for I-75 (2 lanes in each direction), 2 lanes for SB I-71 and 2 lanes for SB local traffic; Rehab existing bridge for NB I-71 (2 lanes) and local traffic (3 lanes); Reconfigure I-75 through the I-71/I-75/US 50 Interchange; I-75 elevated from Ohio River to Linn Street; NB C-D roadway will carry local traffic to Ezzard Charles Drive; Improvements to Western and Winchell Avenues
<b>Cultural Resources</b>						
Individual properties eligible for listing or listed in the National Register of Historic Places (NRHP)	No Impacts	3 Properties: 3 eligible properties: • Residence at 632 Western Avenue direct impact • Residence at 521 Western Avenue potential visual and noise impact • Residence at 881 Highway Avenue potential visual and noise impact	2 Properties: 1 eligible property: • Harriet Beecher Stowe School potential visual and noise impact  1 NRHP Listed: • Longworth Hall direct impact (0.25 acres and eastern portion of building)	2 Properties: 1 eligible property: • Harriet Beecher Stowe School potential visual and noise impact  1 NRHP Listed: • Longworth Hall direct impact (0.25 acres and eastern portion of building)	2 Properties: 1 eligible property: • Harriet Beecher Stowe School potential visual and noise impact  1 NRHP Listed: • Longworth Hall direct impact (0.54 acres and eastern portion of building)	2 Properties: 1 eligible property: • Harriet Beecher Stowe School potential visual and noise impact  1 NRHP Listed: • Longworth Hall direct impact (0.42 acres and eastern portion of building)
Historic Districts (HD) directly impacted	No Impacts	2.4 acres impacted of NRHP Listed Lewisburg HD • Direct impacts to 8 residences (1 non-contributing; 7 contributing)	0.83 acres impacted of NRHP Listed Lewisburg HD • Direct impacts to 10 residences (1 non-contributing; 9 contributing)	0.88 acres impacted of NRHP Listed Lewisburg HD • Direct impacts to 10 residences (1 non-contributing; 9 contributing)	0.98 acres impacted of NRHP Listed Lewisburg HD • Direct impacts to 11 residences (1 non-contributing; 10 contributing)	2.9 acres impacted of NRHP Listed Lewisburg HD • Direct impacts to 12 residences (2 non-contributing; 10 contributing)
<b>Community Resources</b>						
Facilities and Services (property or structure impacted)	No impacts	3 properties or structures: • Notre Dame Academy School (tennis courts) • Goebel Park (walking path, ball courts, parking lot) • Central Church of the Nazarene (KY) (parking lot)	4 properties or structures: • Notre Dame Academy School (tennis courts) • Goebel Park (walking path, ball courts, parking lot) • Queensgate Playground (strip take of ballfields) • Central Church of the Nazarene (KY) (parking lot)	4 properties or structures: • Notre Dame Academy School (tennis courts) • Goebel Park (walking path, ball courts, parking lot) • Queensgate Playground (strip take of ballfields) • Central Church of the Nazarene (KY) (parking lot)	3 properties or structures: • Notre Dame Academy School (tennis courts) • Goebel Park (strip take of property) • Central Church of the Nazarene (KY) (parking lot)	4 properties or structures: • Notre Dame Academy School (tennis courts) • Goebel Park (ball courts) • Queensgate Playground (strip take of ballfields) • Central Church of the Nazarene (KY) (parking lot)

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Community Cohesion	No Impact	<ul style="list-style-type: none"> <li>Loss of homes and local businesses on Crescent Avenue in West Covington neighborhood</li> <li>Loss of 8 homes in the Lewisburg neighborhood and Historic District adjacent to I-71/I-75</li> <li>Traverses West Covington community residents and Queensgate business district</li> <li>Residents displaced near Western Hills Viaduct</li> </ul>	<ul style="list-style-type: none"> <li>Loss of 10 homes in the Lewisburg neighborhood and Historic District adjacent to I-71/I-75</li> <li>Residents displaced near Western Hills Viaduct</li> </ul>	<ul style="list-style-type: none"> <li>Loss of 10 homes in the Lewisburg neighborhood and Historic District adjacent to I-71/I-75</li> <li>Residents displaced near Western Hills Viaduct</li> </ul>	<ul style="list-style-type: none"> <li>Loss of 8 homes in the Lewisburg neighborhood and Historic District adjacent to I-71/I-75</li> <li>Residents displaced near Western Hills Viaduct</li> </ul>	<ul style="list-style-type: none"> <li>Loss of homes and local businesses on Crescent Avenue in West Covington neighborhood</li> <li>Loss of 12 homes in the Lewisburg neighborhood and Historic District adjacent to I-71/I-75</li> <li>Residents displaced near Western Hills Viaduct</li> </ul>
Environmental Justice – (impacts neighborhoods and Census tracts with high percentage of low income and minority populations)	No impacts	<ul style="list-style-type: none"> <li>No minority population impact in KY</li> <li>Medium impact to low-income populations (residences displaced in Lewisburg) in KY</li> <li>Impact to facilities in Goebel Park</li> <li>Medium impact to low-income population in Ohio</li> <li>No disproportionate impacts</li> </ul>	<ul style="list-style-type: none"> <li>No minority population impact in KY</li> <li>Medium impact to low-income populations (residences displaced in Lewisburg) in KY</li> <li>Impact to facilities in Goebel Park</li> <li>Strip taken of land in Queensgate ballfields</li> <li>Medium impact to low-income population in Ohio</li> <li>No disproportionate impacts</li> </ul>	<ul style="list-style-type: none"> <li>No minority population impact in KY</li> <li>Medium impact to low-income populations (residences displaced in Lewisburg) in KY</li> <li>Strip taken of land in Queensgate ballfields</li> <li>Medium impact to low-income population in Ohio</li> <li>No disproportionate impacts</li> </ul>	<ul style="list-style-type: none"> <li>No minority population impact in KY</li> <li>Medium impact to low-income populations (residences displaced in Lewisburg) in KY</li> <li>Impact to land in Goebel Park</li> <li>Medium impact to low-income population in Ohio</li> <li>No disproportionate impacts</li> </ul>	<ul style="list-style-type: none"> <li>No minority population impact in KY</li> <li>Medium impact to low-income populations (residences displaced in Lewisburg) in KY</li> <li>Strip taken of land in Queensgate ballfields</li> <li>Medium impact to low-income population in Ohio</li> <li>No disproportionate impacts</li> </ul>



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<b>Section 4(f) and 6(f) Resources</b>						
Section 6(f) Parks – acres of properties impacted	No impact	1.86 acres of Goebel Park impacted (walking path, ball courts, parking lot)	2.6 acres of Goebel Park impacted (walking path, ball courts, parking lot)	1.94 acres of Goebel Park impacted (walking path, ball courts, parking lot)	0.35 acres of Goebel Park impacted (strip take of property)	0.78 acres of Goebel Park impacted (ball courts)
Section 4(f) Resources – (number of properties directly and potentially indirectly impacted)	No impact	5 resources impacted: <ul style="list-style-type: none"> <li>Goebel Park (1.86 acres)</li> <li>Lewisburg Historic District (2.4 acres; 8 residences - 1 non-contributing and 7 contributing)</li> <li>Residence at 632 Western Avenue direct impact</li> <li>Residence at 521 Western Avenue potential visual and noise impacts</li> <li>Residence at 881 Highway Avenue potential visual and noise impacts</li> </ul>	5 resources impacted: <ul style="list-style-type: none"> <li>Goebel Park (2.6 acres)</li> <li>Lewisburg Historic District (0.83 acres; 10 residences: 1 non-contributing; 9 contributing)</li> <li>Longworth Hall (0.25 acres)</li> <li>Harriet Beecher Stowe School potential visual and noise impacts</li> <li>Queensgate Playground (0.31 acres)</li> </ul>	5 resources impacted: <ul style="list-style-type: none"> <li>Goebel Park (1.94 acres)</li> <li>Lewisburg Historic District (0.88 acres; 10 residences - 1 non-contributing; 9 contributing)</li> <li>Longworth Hall (0.25 acres)</li> <li>Harriet Beecher Stowe School potential visual and noise impacts</li> <li>Queensgate Playground (0.45 acres)</li> </ul>	4 resources impacted: <ul style="list-style-type: none"> <li>Goebel Park(0.35 acres)</li> <li>Lewisburg Historic District (0.98 acres; 11 residences - 1 non-contributing; 10 contributing)</li> <li>Longworth Hall (0.54 acres)</li> <li>Harriet Beecher Stowe School potential visual and noise impacts</li> </ul>	5 resources impacted: <ul style="list-style-type: none"> <li>Goebel Park (0.78 acres)</li> <li>Lewisburg Historic District (2.9 acres; 12 residences - 2 non-contributing; 10 contributing)</li> <li>Longworth Hall (0.42 acres)</li> <li>Harriet Beecher Stowe School potential visual and noise impacts</li> <li>Queensgate Playground (0.29 acres)</li> </ul>
<b>Property Acquisition</b>						
Residential – (total estimated structures and residences displaced)	None displaced	42 structures: <p>KY – 38 (65-260 residents displaced)</p> <ul style="list-style-type: none"> <li>Majority of residences along Western and Crescent Avenues in KY</li> </ul> <p>OH – 5 (10-36 residents displaced)</p> <ul style="list-style-type: none"> <li>OH residences near Western Hills Viaduct</li> </ul>	16 structures: <p>KY – 11 (13-52 residents displaced)</p> <ul style="list-style-type: none"> <li>Majority of residences along Crescent Avenue in KY</li> </ul> <p>OH – 5 (10-36 residents displaced)</p> <ul style="list-style-type: none"> <li>OH residences near Western Hills Viaduct</li> </ul>	16 structures: <p>KY – 11 (13-52 residents displaced)</p> <ul style="list-style-type: none"> <li>Majority of residences along Crescent Avenue in KY</li> </ul> <p>OH – 5 (10-36 residents displaced)</p> <ul style="list-style-type: none"> <li>OH residences near Western Hills Viaduct</li> </ul>	19 structures: <p>KY – 13 (12-48 residents displaced)</p> <ul style="list-style-type: none"> <li>Majority of residences along Crescent Avenue in KY</li> </ul> <p>OH – 6 (11-40 residents displaced)</p> <ul style="list-style-type: none"> <li>OH residences near Western Hills Viaduct and Western Avenue</li> </ul>	31 structures: <p>KY – 25 (28-112 residents displaced)</p> <ul style="list-style-type: none"> <li>Majority of residences along Crescent Avenue in KY</li> </ul> <p>OH – 6 (11-40 residents displaced)</p> <ul style="list-style-type: none"> <li>OH residences near Western Hills Viaduct</li> </ul>

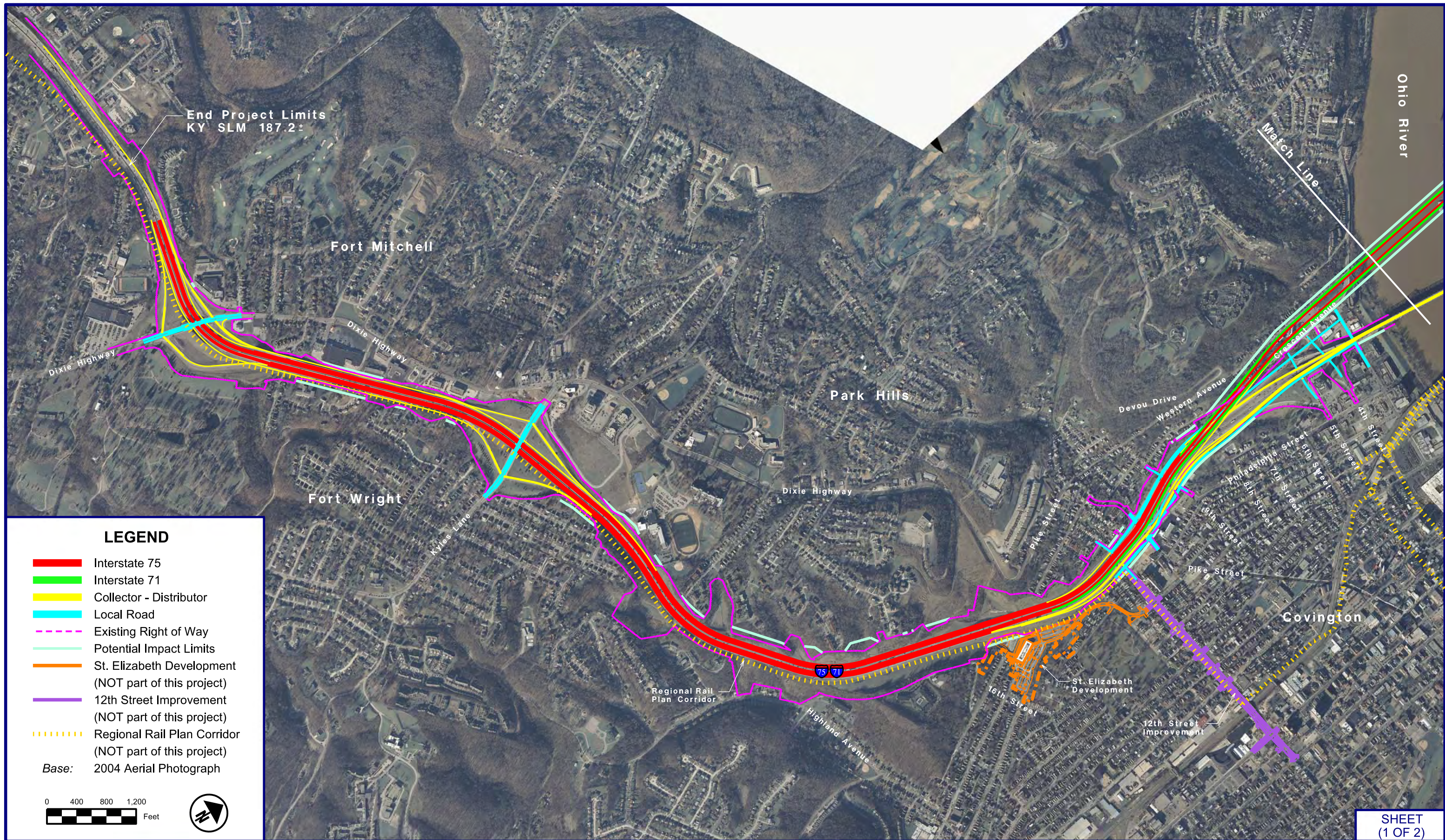
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Business – (total estimated businesses and employees displaced)	None displaced	34 businesses displaced: KY – 8 (121-158 employees) • KY businesses mostly on KY 3 <sup>rd</sup> and 4 <sup>th</sup> streets and Crescent Avenue OH –26 (1,791-1,831 employees) • Impacts United Parcel Service (OH) with approximately 900 employees and Butternut Bread with 200 employees • Majority of business are in Queensgate area	35 businesses displaced: KY – 4 (90-115 employees) • KY businesses mostly on KY 3 <sup>rd</sup> and 4 <sup>th</sup> streets OH – 31(242-283 employees) • 21 businesses within Longworth Hall (OH) with approximately 100 employees	34 businesses displaced: KY – 4 (90-115 employees) • KY businesses mostly on KY 3 <sup>rd</sup> and 4 <sup>th</sup> streets OH – 30 (164-190 employees) • 21 businesses within Longworth Hall (OH) with approximately 100 employees	39 businesses displaced: KY – 4 (90-115 employees) • KY businesses mostly on KY 3 <sup>rd</sup> and 4 <sup>th</sup> streets OH – 35 (327-363 employees) • 21 businesses within Longworth Hall (OH) with approximately 100 employees	41 businesses displaced: KY – 7 (103-140 employees) • KY businesses mostly on KY 3 <sup>rd</sup> and 4 <sup>th</sup> streets and Crescent Avenue OH – 34 (1,215-1,251 employees) • Impacts United Parcel Service (OH) with approximately 900 employees • 21 businesses within Longworth Hall (OH) with approximately 100 employees
Partial property acquisition – (number of parcels with partial takes)	No takes	88 (KY – 67; OH – 24)	61 (KY – 42; OH – 19)	66 (KY – 48; OH – 18)	55 (KY – 39; OH – 16)	79 (KY – 54; OH – 25)
Right of Way Impacts – (acres converted to right of way)	No impacts	72.2 acres converted	22.2 acres converted	19.7 acres converted	22.3 acres converted	28.2 acres converted
<b>Land Use</b>						
Residential – (total acres of residential uses)	None	4.94 acres (KY – 4.80; OH – 0.14)	5.45 acres (KY – 5.30; OH – 0.15)	5.17 acres (KY – 5.01; OH – 0.16)	3.35 acres (KY – 3.19; OH – 0.16)	4.04 acres (KY – 3.77; OH – 0.27)
Commercial – (total acres of commercial uses)	None	6.82 acres (KY – 1.52; OH – 5.30)	4.56 acres (KY – 3.42; OH – 1.14)	4.06 acres (KY – 3.13; OH – 0.93)	4.29 acres (KY – 2.79; OH – 1.50)	5.04 acres (KY – 3.75; OH – 1.29)
Industrial – (total acres of industrial uses)	None	18.56 acres (KY – 5.61; OH – 12.95)	0.70 acres (KY - 0; OH – 0.70)	0.48 acres (KY - 0; OH – 0.48)	0.88 acres (KY - 0; OH – 0.88)	2.01 acres (KY - 0; OH – 1.65)
Other – (total acres of other land uses)	None	41.88 acres (KY – 14.53; OH – 27.36)	11.59 acres (KY – 5.06; OH – 6.53)	10.07 acres (KY – 4.64; OH – 5.44)	13.18 acres (KY – 4.35; OH – 8.83)	17.12 acres (KY – 9.45; OH – 7.67)

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Compatibility with existing community land use plans	Not compatible with economic development plans	Not compatible with plans <ul style="list-style-type: none"> <li>Goes through area of <i>Queensgate South Redevelopment Plan</i></li> <li>Impacts on goals of <i>GO Cincinnati</i> for Queensgate</li> <li>Changes land uses noted in Northern Kentucky comprehensive plans</li> </ul>	Compatible with plans <ul style="list-style-type: none"> <li>Supports redevelopment and economic plans in Queensgate and Cincinnati</li> <li>Keeps land uses conducive with Northern Kentucky comprehensive plans</li> </ul>	Compatible with plans <ul style="list-style-type: none"> <li>Supports redevelopment and economic plans in Queensgate and Cincinnati</li> <li>Keeps land uses conducive with Northern Kentucky comprehensive plans</li> </ul>	Compatible with plans <ul style="list-style-type: none"> <li>Supports redevelopment and economic plans in Queensgate and Cincinnati</li> <li>Keeps land uses conducive with Northern Kentucky comprehensive plans</li> </ul>	Compatible with some plans <ul style="list-style-type: none"> <li>Supports redevelopment and economic plans in Queensgate;</li> <li>Keeps land uses conducive with Northern Kentucky comprehensive plans</li> </ul>
<b>Noise</b>						
Number of receptor sites where 2035 noise levels will approach or exceed the NAC of 66 dBA for Category B land use (residential)	High noise impacts <ul style="list-style-type: none"> <li>All receptor sites will approach or exceed the NAC of 66 dBA in both KY and OH</li> </ul>	High noise impacts <ul style="list-style-type: none"> <li>All receptor sites will approach or exceed the NAC of 66 dBA in both KY and OH</li> </ul>	High noise impacts <ul style="list-style-type: none"> <li>All receptor sites will approach or exceed the NAC of 66 dBA in both KY and OH</li> </ul>	High noise impacts <ul style="list-style-type: none"> <li>All receptor sites will approach or exceed the NAC of 66 dBA in both KY and OH</li> </ul>	High noise impacts <ul style="list-style-type: none"> <li>All receptor sites will approach or exceed the NAC of 66 dBA in both KY and OH</li> </ul>	High noise impacts <ul style="list-style-type: none"> <li>All receptor sites will approach or exceed the NAC of 66 dBA in both KY and OH</li> </ul>
Number of receptor sites where 2035 noise levels will approach or exceed the NAC of 71 dBA for Category C land use (industrial/commercial)	High noise impacts <ul style="list-style-type: none"> <li>Noise levels will approach or exceed the NAC of 71 dBA</li> <li>49 of 55 receptor sites in KY</li> <li>"substantial increase" at 4 receptor sites in KY only</li> <li>47 of 55 receptor sites in OH</li> </ul>	High noise impacts <ul style="list-style-type: none"> <li>Noise levels will approach or exceed the NAC of 71 dBA</li> <li>50 of 55 receptor sites in KY</li> <li>54 of 55 receptor sites in OH</li> </ul>	High noise impacts <ul style="list-style-type: none"> <li>Noise levels will approach or exceed the NAC of 71 dBA</li> <li>49 of 55 receptor sites in KY</li> <li>51 of 55 receptor sites in OH</li> </ul>	High noise impacts <ul style="list-style-type: none"> <li>Noise levels will approach or exceed the NAC of 71 dBA</li> <li>48 of 55 receptor sites in KY</li> <li>49 of 55 receptor sites in OH</li> </ul>	High noise impacts <ul style="list-style-type: none"> <li>Noise levels will approach or exceed the NAC of 71 dBA</li> <li>49 of 55 receptor sites in KY</li> <li>49 of 55 receptor sites in OH</li> </ul>	High noise impacts <ul style="list-style-type: none"> <li>Noise levels will approach or exceed the NAC of 71 dBA</li> <li>50 of 55 receptor sites in KY</li> <li>49 of 55 receptor sites in OH</li> </ul>
<b>Hazardous Materials</b>						
Number of sites recommended for Phase I Environmental Site Assessment	No impact	51 sites recommended for Phase I: <ul style="list-style-type: none"> <li>14 sites in KY</li> <li>37 sites (1 CERCLIS) in OH</li> </ul>	29 sites recommended for Phase I: <ul style="list-style-type: none"> <li>12 sites in KY</li> <li>17 sites in OH</li> </ul>	34 sites recommended for Phase I: <ul style="list-style-type: none"> <li>12 sites in KY</li> <li>21 sites in OH</li> </ul>	34 sites recommended for Phase I: <ul style="list-style-type: none"> <li>12 sites in KY</li> <li>22 sites in OH</li> </ul>	36 sites recommended for Phase I: <ul style="list-style-type: none"> <li>13 sites in KY</li> <li>23 sites in OH</li> </ul>

Conceptual Alternatives Evaluation Matrix						
Impacts	No Build	Alternative B (Former Alternative 2)	Alternative C (Former Alternative 3)	Alternative D (Former Alternative 3)	Alternative E (Former Alternative 3)	Alternative G (Former Alternative 4 Hybrid)
<b>Alternative Description</b>	The No Build Alternative consists of minor, short-term safety and maintenance improvements to the Brent Spence Bridge and I-75 corridor, which would maintain continuing operations. All within existing right of way.	Six lanes each direction between Kyles Lane to KY 12 <sup>th</sup> Street; Local C-D roadway from KY 12 <sup>th</sup> Street to Ohio River; New bridge (4 lanes in each direction) through Queensgate 900 feet west of existing for I-71/I-75 traffic; Rehab existing bridge for local traffic (2 lanes SB and 3 lanes NB); Realign US 50; Improvements to Western and Winchell Avenues	Six lanes in each direction between Kyles Lane and KY 12 <sup>th</sup> Street; local C-D roadway from KY 12 <sup>th</sup> Street to Ohio River; New double deck bridge just west of existing bridge for I-75 (2 lanes NB and SB), 2 lanes SB I-71, two lanes SB local traffic; Rehab existing bridge for NB I-71 (2 lanes), NB local traffic (3 lanes); Reconfigure I-75 through I-71/I-75/US 50 Interchange; From KY 12 <sup>th</sup> Street to Ezzard Charles Drive NB I-75 5 lanes, SB I-75 2 lanes, and local SB C-D roadway 4 lanes; Improvements to Western and Winchell Avenues	Six lanes in each direction between Kyles Lane and KY 12 <sup>th</sup> Street; Local C-D roadway between KY 12 <sup>th</sup> Street and the Ohio River; New double deck bridge just west of the existing bridge I-75 (2 lanes NB and SB), two lanes SB I-71, and two lanes SB local traffic; Rehab existing bridge for NB I-71 (2 lanes) and three lanes for NB local traffic (3 lanes); Reconfigure I-75 through the I-71/I-75/US 50 Interchange; 11 lanes for I-75 and SB local traffic between Ezzard Charles Drive and the Western Hills Viaduct; Improvements to Western and Winchell Avenues	Six lanes in each direction between Kyles Lane and KY 12 <sup>th</sup> Street; Two access points into Covington for both NB and SB traffic; New double-deck bridge just west of the existing Bridge for I-71/I-75 traffic (2 lanes in each direction); Reconfigure I-75 through the I-71/I-75/US 50 Interchange; Between Ezzard Charles Drive and Western Hills Viaduct, SB I-75 6 lanes, NB I-75 5 lanes, and one auxiliary lane to the Western Hills Viaduct; Improvements to Western and Winchell Avenues	Six lanes in each direction between Kyles Lane and KY 12 <sup>th</sup> Street; 2 access points to Covington for NB and SB traffic through a C-D roadway; New double deck bridge just west of the existing bridge for I-75 (2 lanes in each direction), 2 lanes for SB I-71 and 2 lanes for SB local traffic; Rehab existing bridge for NB I-71 (2 lanes) and local traffic (3 lanes); Reconfigure I-75 through the I-71/I-75/US 50 Interchange; I-75 elevated from Ohio River to Linn Street; NB C-D roadway will carry local traffic to Ezzard Charles Drive; Improvements to Western and Winchell Avenues
<b>Traffic</b>						
Existing (2005) levels of service and average daily traffic	Approximately 160,000 vehicles per day in project corridor  LOS range from C to F: • 22 segments – C • 19 segments – D • 7 segment – E or F (includes I-75, I-71, US 50)	N/A	N/A	N/A	N/A	N/A
Future (2035) levels of service along mainline segments (NB = northbound; SB = southbound)	LOS includes I-75 • 16 segments – D • 8 segments – E • 19 segments – F	I-75: • 1 NB segment LOS F north of Dixie Highway • 7 SB segments LOS E  I-71: • NB all segments LOS E or F • SB two segments LOS F	I-75: • 1 NB segment LOS F north of Dixie Highway • 7 SB segments LOS E  I-71: • NB all segments LOS E or F • SB two segments LOS F	I-75: • 1 NB segment LOS E and one LOS F • 6 SB segments LOS E  I-71: • NB all segments LOS E or F • SB two segments LOS F	I-75: • No NB segments LOS E or F north of Dixie Highway • 4 SB segments LOS E  I-71: • NB all segments LOS E or F • SB two segments LOS F	I-75: • 1 NB segment LOS F north of Dixie Highway • 7 SB segments LOS E  I-71: • NB all segments LOS E or F • SB two segments LOS
Future (2035) daily hourly volumes along mainline segments (NB = northbound; SB = southbound)	I-75: • NB ranges from 2,360 – 8,860 • SB ranges from 2,760 – 10,170  I-71/I-75: • NB ranges from 5,310-8,650 • SB ranges from 940-9,160  I-71: • NB ranges from 1,900 – 7,400 • SB ranges from 2,420 – 6,330	I-75: • NB ranges from 2,450 – 8,790 • SB ranges from 2,730 – 9,780  I-71/I-75: • NB ranges from 6,070 -8,910 • SB ranges from 5,900 -10,390  I-71: • NB ranges from 2,510 – 7,530 • SB ranges from 2,310 – 6,490	I-75: • NB ranges from 2,450 – 9,120 • SB ranges from 2,730 – 9,780  I-71/I-75: • NB ranges from 6,010 -8,910 • SB ranges from 5,900 -10,390  I-71: • NB ranges from 2,260 – 7,530 • SB ranges from 2,310 – 6,490	I-75: • NB ranges from 2,450 – 9,020 • SB ranges from 2,730 – 9,840  I-71/I-75: • NB ranges from 6,070 -8,910 • SB ranges from 5,900 -10,390  I-71: • NB ranges from 2,260 – 7,530 • SB ranges from 2,310 – 6,490	I-75: • NB ranges from 2,870 – 8,680; • SB ranges from 2,730 – 9,480  I-71/I-75: • NB ranges from 6,440 – 8,910; • SB ranges from 6,460 – 10,390  I-71: • NB ranges from 2,240 – 7,530; • SB ranges from 2,500 – 6,660	I-75: • NB ranges from 2,450 – 9,280 • SB ranges from 2,730 – 9,820  I-71/I-75: • NB ranges from 5,640 – 8,910 • SB ranges from 5,900 – 10,390  I-71: • NB ranges from 2,240 – 7,530 • SB ranges from 2,310 – 6,490

Conceptual Alternatives Evaluation Matrix						
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<b>Maintenance of Traffic and Constructability</b>	N/A	<ul style="list-style-type: none"> <li>Access and logistics improved over existing alignment</li> <li>Concerns of access and logistics for constructing I-71 connector ramps</li> <li>Issues related to disruption and delays due to encountering hazardous materials, unknown utilities, buried objects</li> <li>Concern with realignment of transmission lines</li> <li>Need to determine slope stability on south side of Ohio River</li> </ul>	<ul style="list-style-type: none"> <li>Contractors would have limited space for access and logistics</li> <li>Transportation elements reduced to "open" areas of construction</li> <li>Issue with construction footprint in the area of I-71/I-75/FWW/US 50 would be clear due to existing transportation facility construction</li> </ul>	<ul style="list-style-type: none"> <li>Contractors would have limited space for access and logistics</li> <li>Transportation elements reduced to "open" areas of construction</li> <li>Issue with construction footprint in the area of I-71/I-75/FWW/US 50 would be clear due to existing transportation facility construction</li> </ul>	<ul style="list-style-type: none"> <li>Contractors would have limited space for access and logistics</li> <li>Transportation elements reduced to "open" areas of construction</li> <li>Issue with construction footprint in the area of I-71/I-75/FWW/US 50 would be clear due to existing transportation facility construction</li> </ul>	<ul style="list-style-type: none"> <li>Contractors would have limited space for access and logistics</li> <li>Transportation elements reduced to "open" areas of construction</li> <li>Issue with construction footprint in the area of I-71/I-75/FWW/US 50 would be clear due to existing transportation facility construction</li> </ul>
<b>Signage</b>	No impact	<ul style="list-style-type: none"> <li>New signage required on local streets</li> <li>Final signage plans to include signs outside of project limits</li> <li>Vertical clearance to accommodate signage for double-deck bridge and flyover ramps between OH 2<sup>nd</sup> and 8<sup>th</sup> streets</li> <li>No signage problems are anticipated for any of the alternatives</li> </ul>				
<b>Utilities</b>						
Number of utilities impacted	No impact	<ul style="list-style-type: none"> <li>58 individual facilities identified. 46 are below ground and 12 are above ground</li> <li>Does not impact the Duke Energy Sub-station near Longworth Hall</li> <li>Requires relocation of 5 high voltage transmission cables</li> </ul>	<ul style="list-style-type: none"> <li>52 individual facilities identified. 45 are below ground and 7 are above ground</li> <li>Impacts to portion of the Duke Energy Sub-station near Longworth Hall</li> <li>Does not impact high voltage transmission cables</li> </ul>	<ul style="list-style-type: none"> <li>52 individual facilities identified. 45 are below ground and 7 are above ground</li> <li>Impacts to portion of the Duke Energy Sub-station near Longworth Hall</li> <li>Does not impact high voltage transmission cables</li> </ul>	<ul style="list-style-type: none"> <li>52 individual facilities identified. 45 are below ground and 7 are above ground</li> <li>Impacts to portion of the Duke Energy Sub-station near Longworth Hall</li> <li>Does not impact high voltage transmission cables</li> </ul>	<ul style="list-style-type: none"> <li>52 individual facilities identified. 45 are below ground and 7 are above ground</li> <li>Impacts to portion of the Duke Energy Sub-station near Longworth Hall</li> <li>Does not impact high voltage transmission cables</li> </ul>
Utility relocation costs (2012 with inflation) (does not include right of way costs)	N/A	Duke Energy \$175.0 million (ranges from \$42.0 – 175.0 million)	Duke Energy \$39.4 million	Duke Energy \$39.4 million	Duke Energy \$39.4 million	Duke Energy \$39.4 million

Conceptual Alternatives Evaluation Matrix						
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<b>Cost Estimates (in millions)</b>						
Estimated Right of way costs (2012 with inflation)	N/A	Kentucky: \$18.4 Ohio: \$46.5 Subtotal: \$64.9	Kentucky: \$2.5 Ohio: \$15.5 Subtotal: \$18.0	Kentucky: \$2.4 Ohio: \$12.1 Subtotal: \$14.5	Kentucky: \$2.4 Ohio: \$13.0 Subtotal: \$15.4	Kentucky: \$4.6 Ohio: \$19.9 Subtotal: \$24.5
Estimated Construction Costs (2008 plus 59.5% inflation) <i>*Note: Main span bridge included in Kentucky costs</i>	N/A	Kentucky: \$1,485.4 Ohio: \$880.6 Subtotal: \$2,366.0	Kentucky: \$1,260.4 Ohio: \$752.0 Subtotal: \$2,012.4	Kentucky: \$1,260.4 Ohio: \$752.0 Subtotal: \$2,012.4	Kentucky: \$1,474.1 Ohio: \$809.3 Subtotal: \$2,283.4	Kentucky: \$1,305.3 Ohio: \$1,079.3 Subtotal: \$2,384.6
Estimated Utilities Costs (relocation and right of way costs with inflation)	N/A	Kentucky: \$91.0 Ohio: \$91.0 Subtotal: \$182.0	Kentucky: \$20.2 Ohio: \$20.2 Subtotal: \$40.4	Kentucky: \$20.2 Ohio: \$20.2 Subtotal: \$40.4	Kentucky: \$20.2 Ohio: \$20.2 Subtotal: \$40.4	Kentucky: \$20.2 Ohio: \$20.2 Subtotal: \$40.4
Project Development Costs (with inflation)	N/A	Kentucky: \$151.6 Ohio: \$92.6 Subtotal: \$244.2	Kentucky: \$130.1 Ohio: \$80.3 Subtotal: \$210.4	Kentucky: \$130.1 Ohio: \$80.3 Subtotal: \$210.4	Kentucky: \$150.5 Ohio: \$85.8 Subtotal: \$236.3	Kentucky: \$134.4 Ohio: \$111.6 Subtotal: \$246.0
<b>Total Estimated Costs</b> <i>*Total estimated costs include construction, real estate, utilities, utilities right of way, and project development costs</i>	N/A	Kentucky: \$1,746.4 Ohio: \$1,110.7 \$2,857.1	Kentucky: \$1,413.2 Ohio: \$868.0 \$2,281.2	Kentucky: \$1,413.1 Ohio: \$864.6 \$2,277.7	Kentucky: \$1,647.2 Ohio: \$928.3 \$2,575.5	Kentucky: \$1,464.5 Ohio: \$1,231.0 \$2,695.5



End Project Limits  
KY SLM 187.2±

Ohio River

Match Line

Fort Mitchell

Park Hills

Fort Wright

Covington

**LEGEND**

- Interstate 75
- Interstate 71
- Collector - Distributor
- Local Road
- Existing Right of Way
- Potential Impact Limits
- St. Elizabeth Development  
(NOT part of this project)
- 12th Street Improvement  
(NOT part of this project)
- Regional Rail Plan Corridor  
(NOT part of this project)

Base: 2004 Aerial Photograph



U.S. Department of Transportation  
Federal Highway Administration



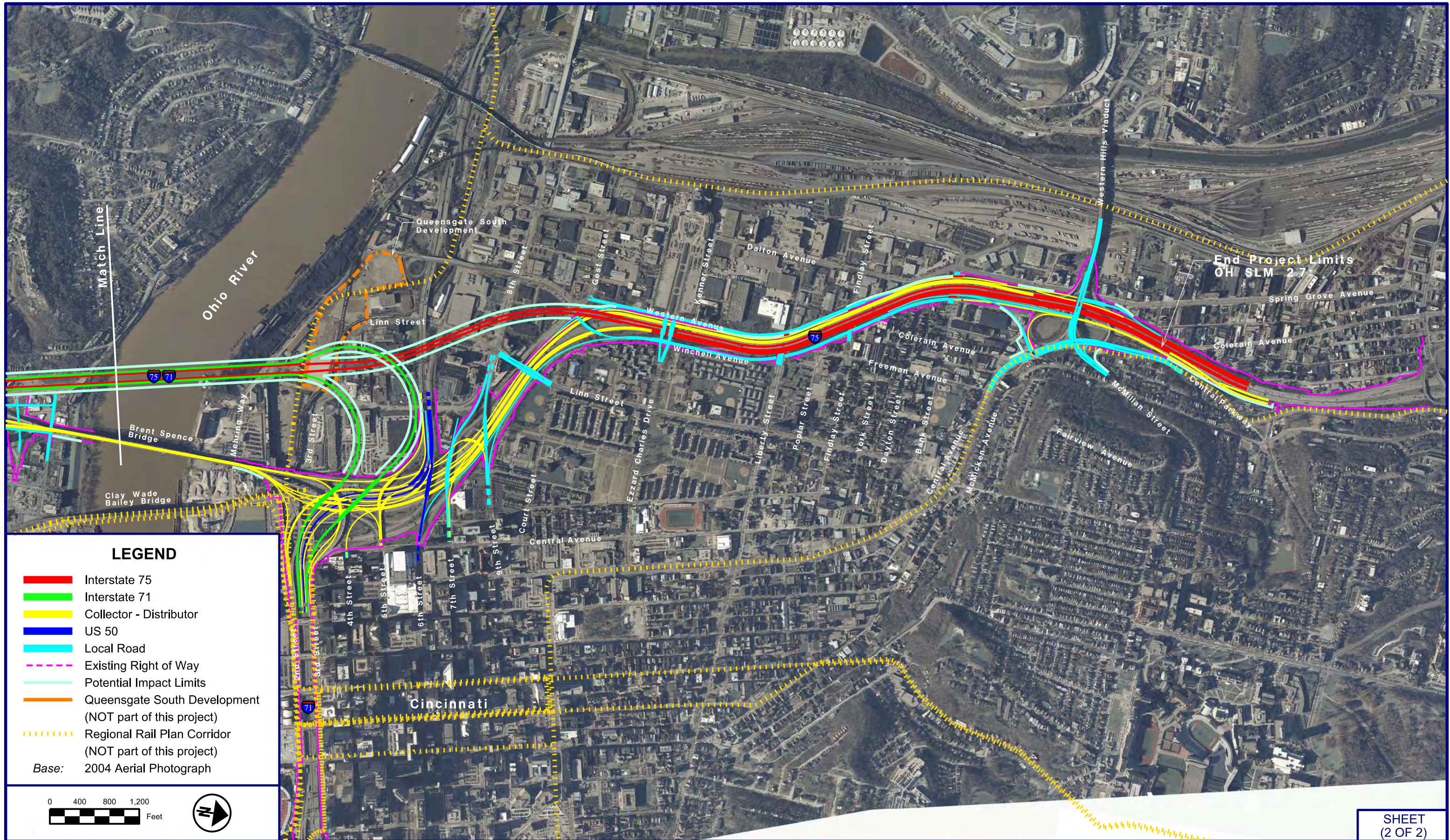
**STEP 5 CONCEPTUAL  
ALTERNATIVE B  
(KENTUCKY)**

SHEET  
(1 OF 2)

EXHIBIT

**B1a**

Prepared by  
**PARSONS  
BRINCKERHOFF**



**LEGEND**

- Interstate 75
- Interstate 71
- Collector - Distributor
- US 50
- Local Road
- Existing Right of Way
- Potential Impact Limits
- Queensgate South Development (NOT part of this project)
- Regional Rail Plan Corridor (NOT part of this project)

Base: 2004 Aerial Photograph



U.S. Department of Transportation  
Federal Highway Administration



Prepared by:  
**PARSONS BRINCKERHOFF**

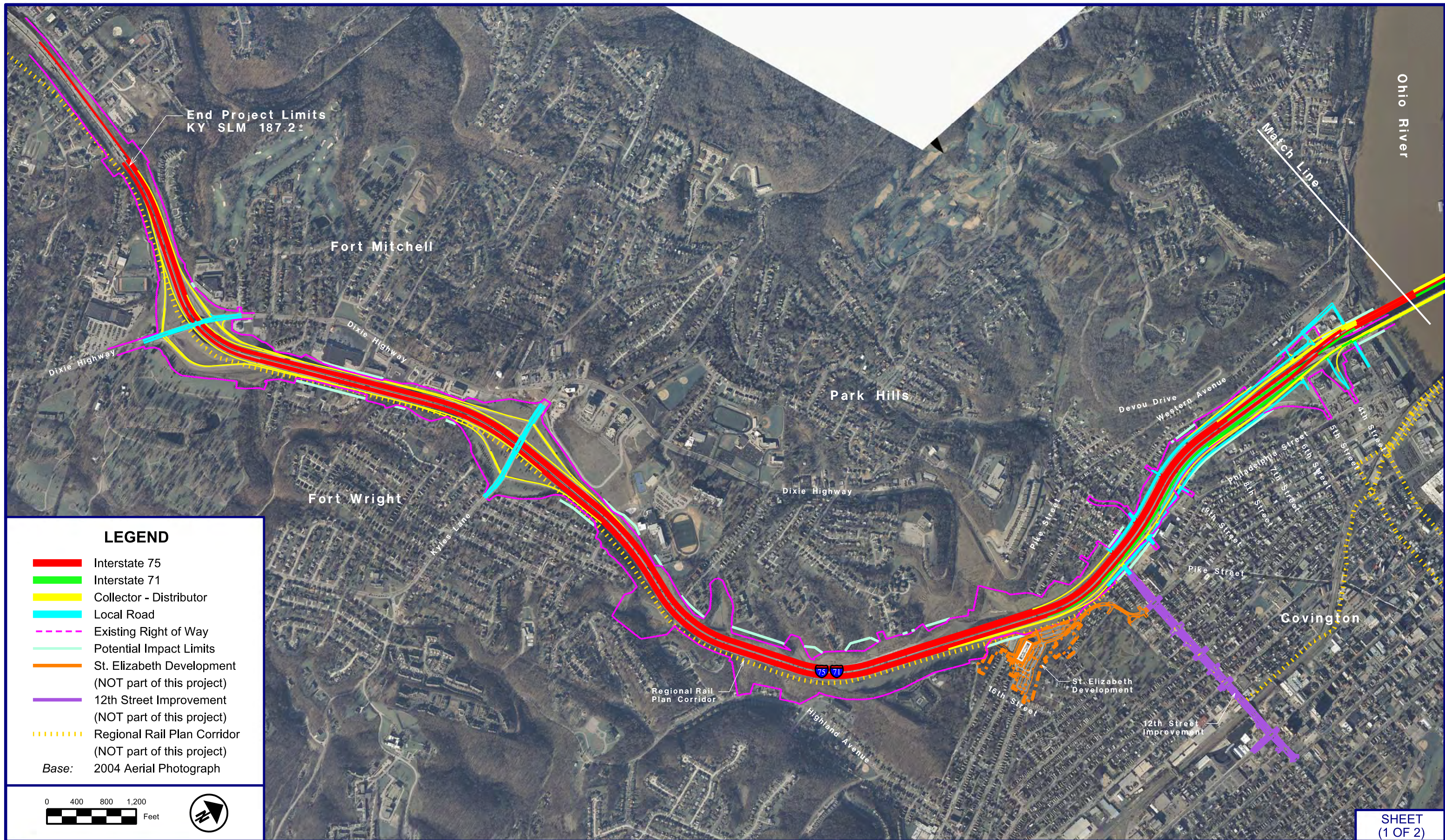
**STEP 5 CONCEPTUAL  
ALTERNATIVE B  
(OHIO)**

SHEET  
(2 OF 2)

EXHIBIT

**B1b**





End Project Limits  
KY SLM 187.2±

Ohio River

Match Line

Fort Mitchell

Park Hills

Fort Wright

Govington

**LEGEND**

- Interstate 75
- Interstate 71
- Collector - Distributor
- Local Road
- Existing Right of Way
- Potential Impact Limits
- St. Elizabeth Development  
(NOT part of this project)
- 12th Street Improvement  
(NOT part of this project)
- Regional Rail Plan Corridor  
(NOT part of this project)

Base: 2004 Aerial Photograph



U.S. Department of Transportation  
Federal Highway Administration

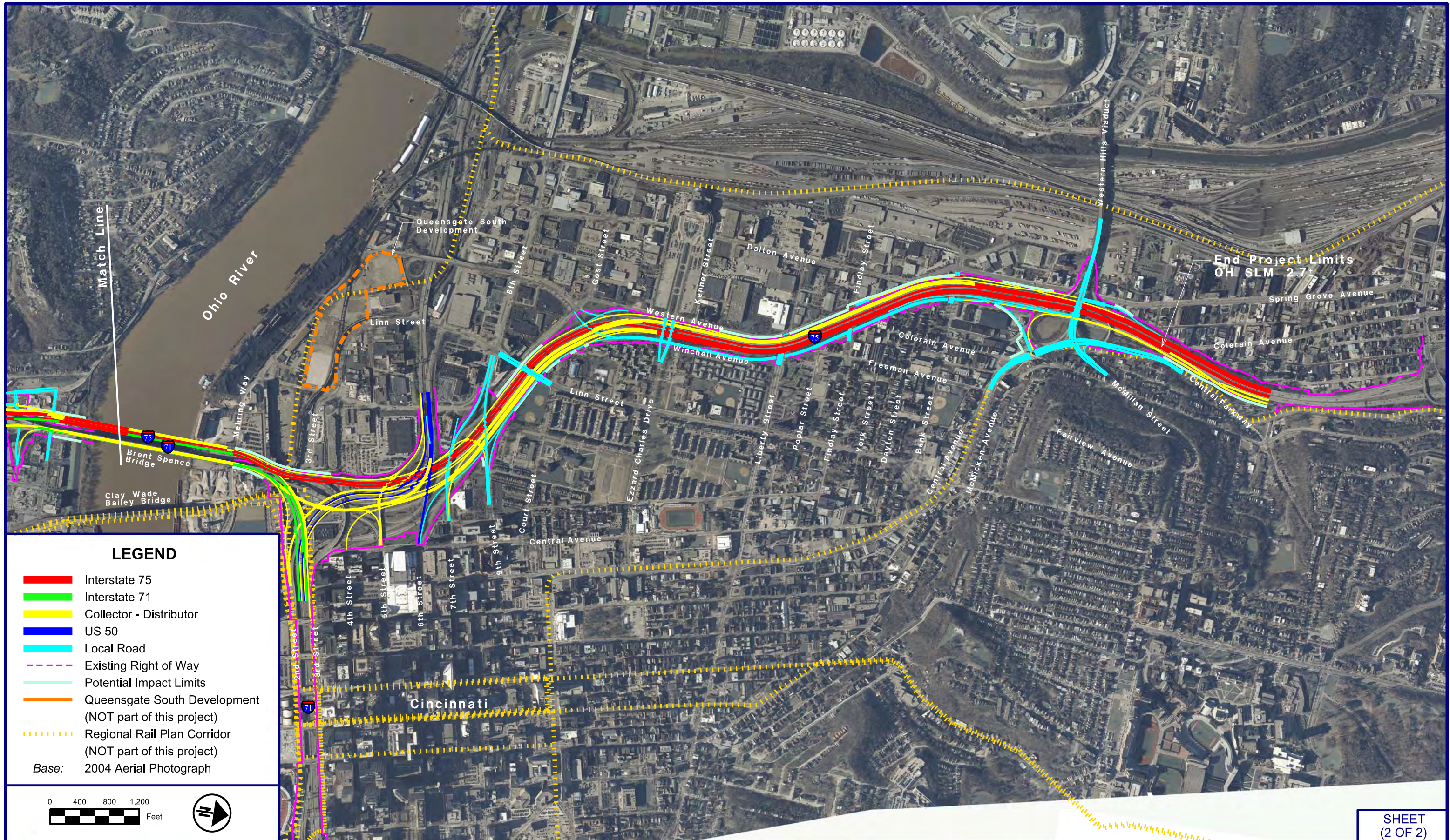


**STP 5 CONCEPTUAL  
ALTERNATIVE C  
(KENTUCKY)**

SHEET  
(1 OF 2)

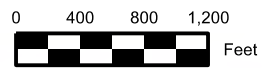
EXHIBIT

B2a



**LEGEND**

- Interstate 75
  - Interstate 71
  - Collector - Distributor
  - US 50
  - Local Road
  - Existing Right of Way
  - Potential Impact Limits
  - Queensgate South Development (NOT part of this project)
  - Regional Rail Plan Corridor (NOT part of this project)
- Base: 2004 Aerial Photograph



U.S. Department of Transportation  
Federal Highway Administration



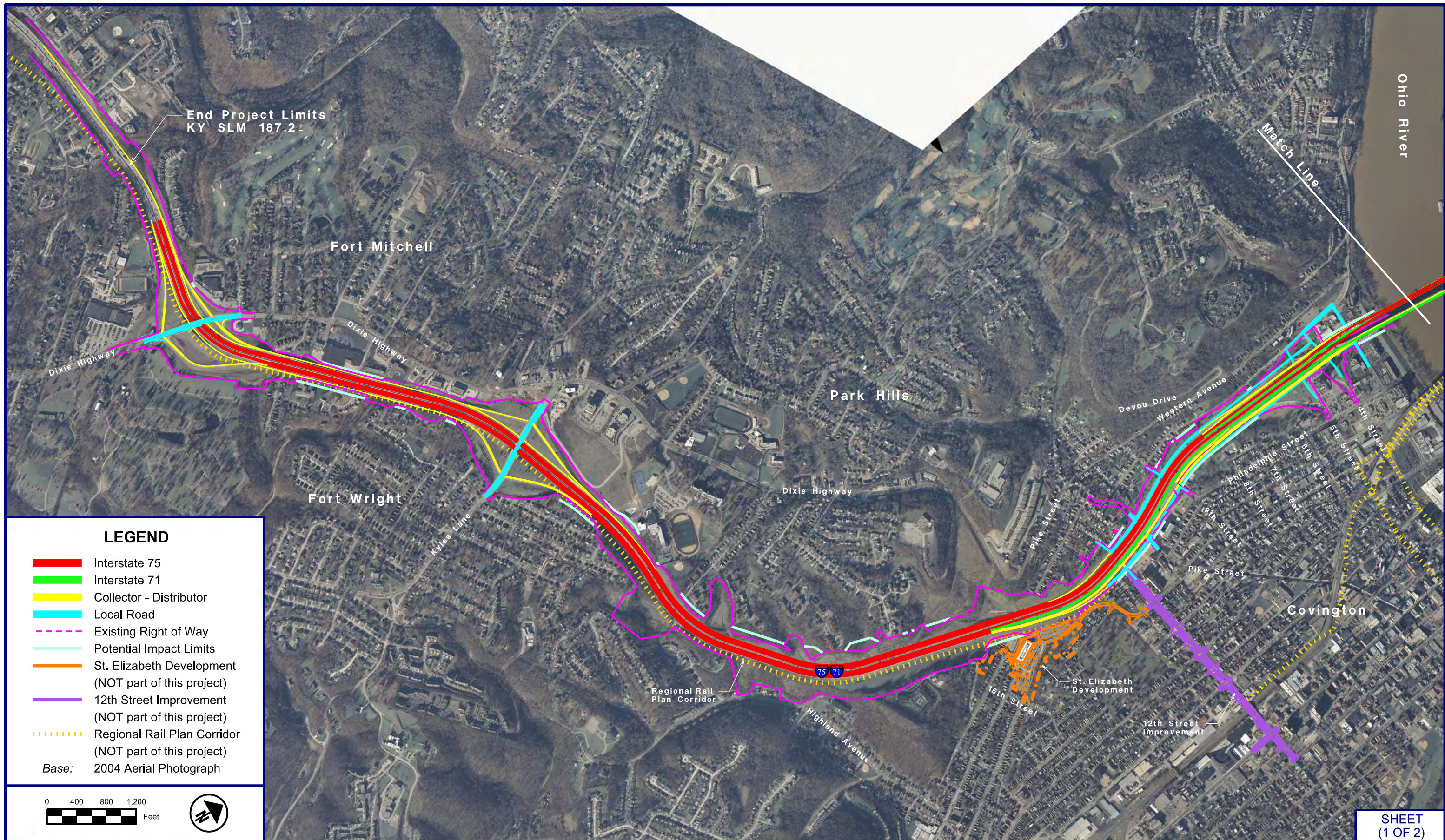
Prepared by:  
**PARSONS BRINCKERHOFF**

**STEP 5 CONCEPTUAL  
ALTERNATIVE C  
(OHIO)**

SHEET  
(2 OF 2)

EXHIBIT

B2b



Ohio River

Match Line

End Project Limits  
KY SLM 187.2±

Fort Mitchell

Park Hills

Fort Wright

Covington

**LEGEND**

- █ Interstate 75
- █ Interstate 71
- █ Collector - Distributor
- █ Local Road
- - - Existing Right of Way
- - - Potential Impact Limits
- █ St. Elizabeth Development (NOT part of this project)
- █ 12th Street Improvement (NOT part of this project)
- - - - - Regional Rail Plan Corridor (NOT part of this project)

Base: 2004 Aerial Photograph



U.S. Department of Transportation  
Federal Highway Administration



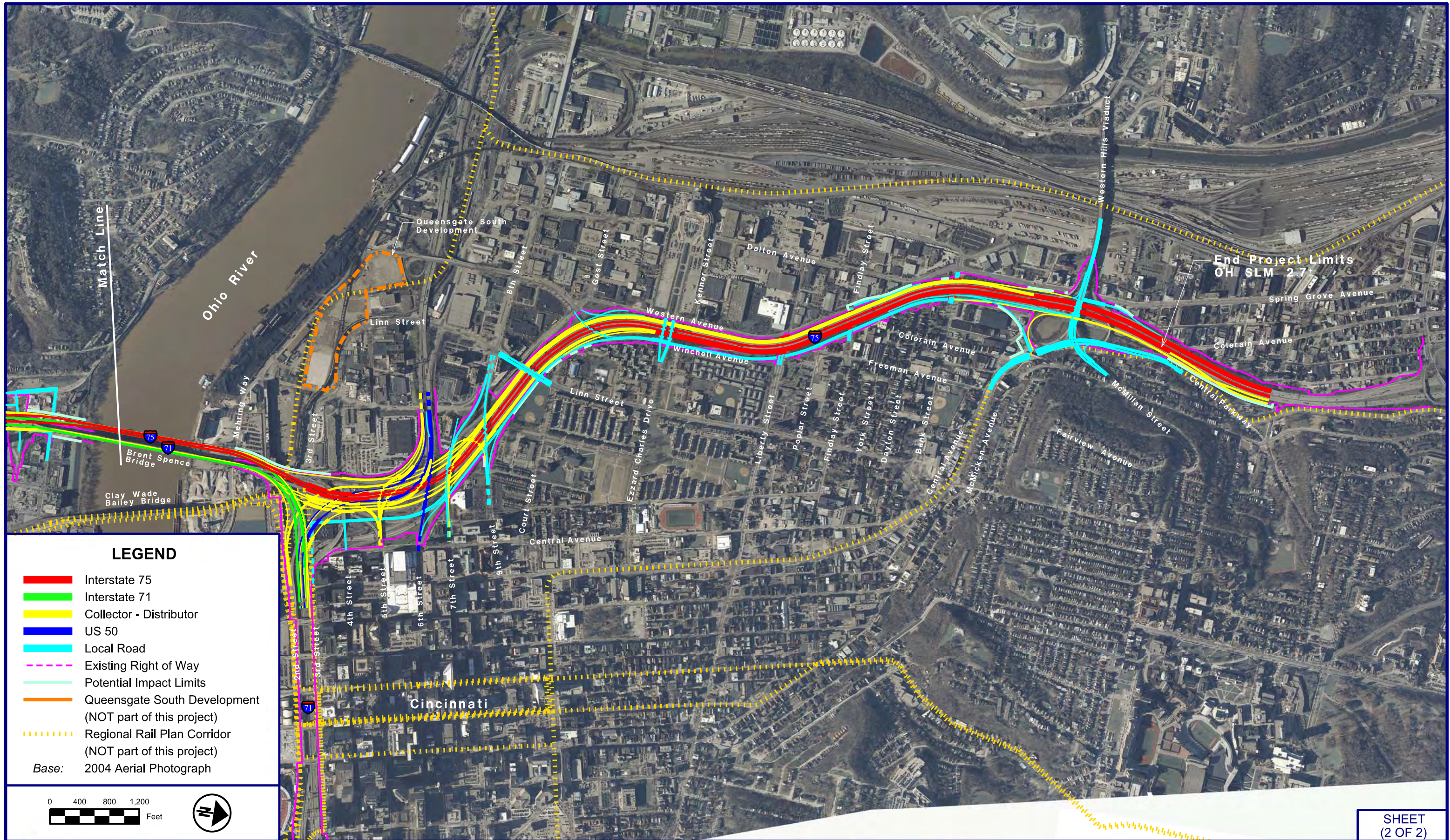
**STEP 5 CONCEPTUAL  
ALTERNATIVE D  
(KENTUCKY)**

SHEET  
(1 OF 2)

EXHIBIT

B3a

Prepared by  
**PARSONS  
BRINCKERHOFF**



**LEGEND**

- Interstate 75
- Interstate 71
- Collector - Distributor
- US 50
- Local Road
- Existing Right of Way
- Potential Impact Limits
- Queensgate South Development (NOT part of this project)
- Regional Rail Plan Corridor (NOT part of this project)

Base: 2004 Aerial Photograph



U.S. Department of Transportation  
Federal Highway Administration



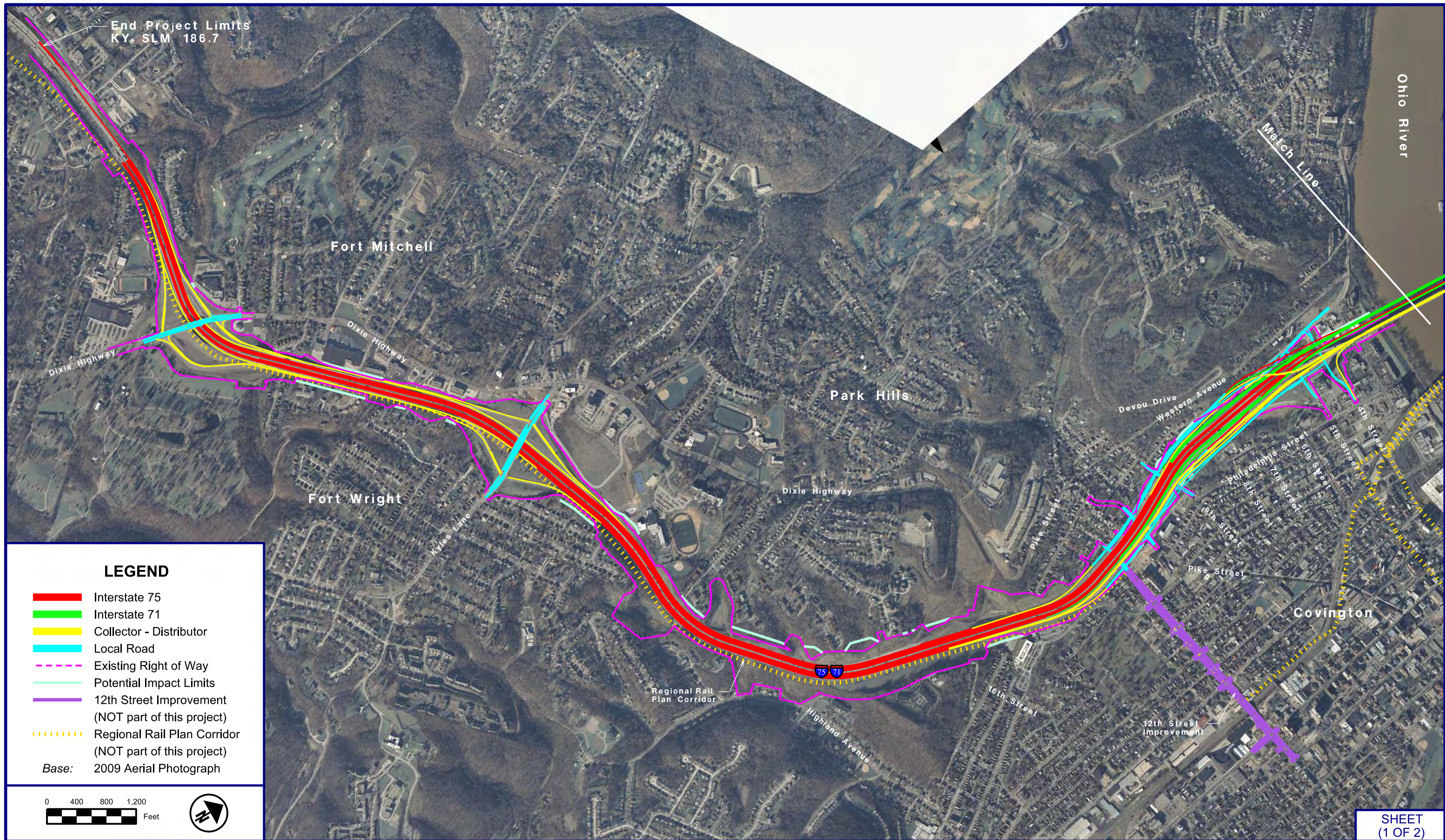
Prepared by:  
**PARSONS BRINCKERHOFF**

**STEP 5 CONCEPTUAL  
ALTERNATIVE D  
(OHIO)**

SHEET  
(2 OF 2)

EXHIBIT

B3b

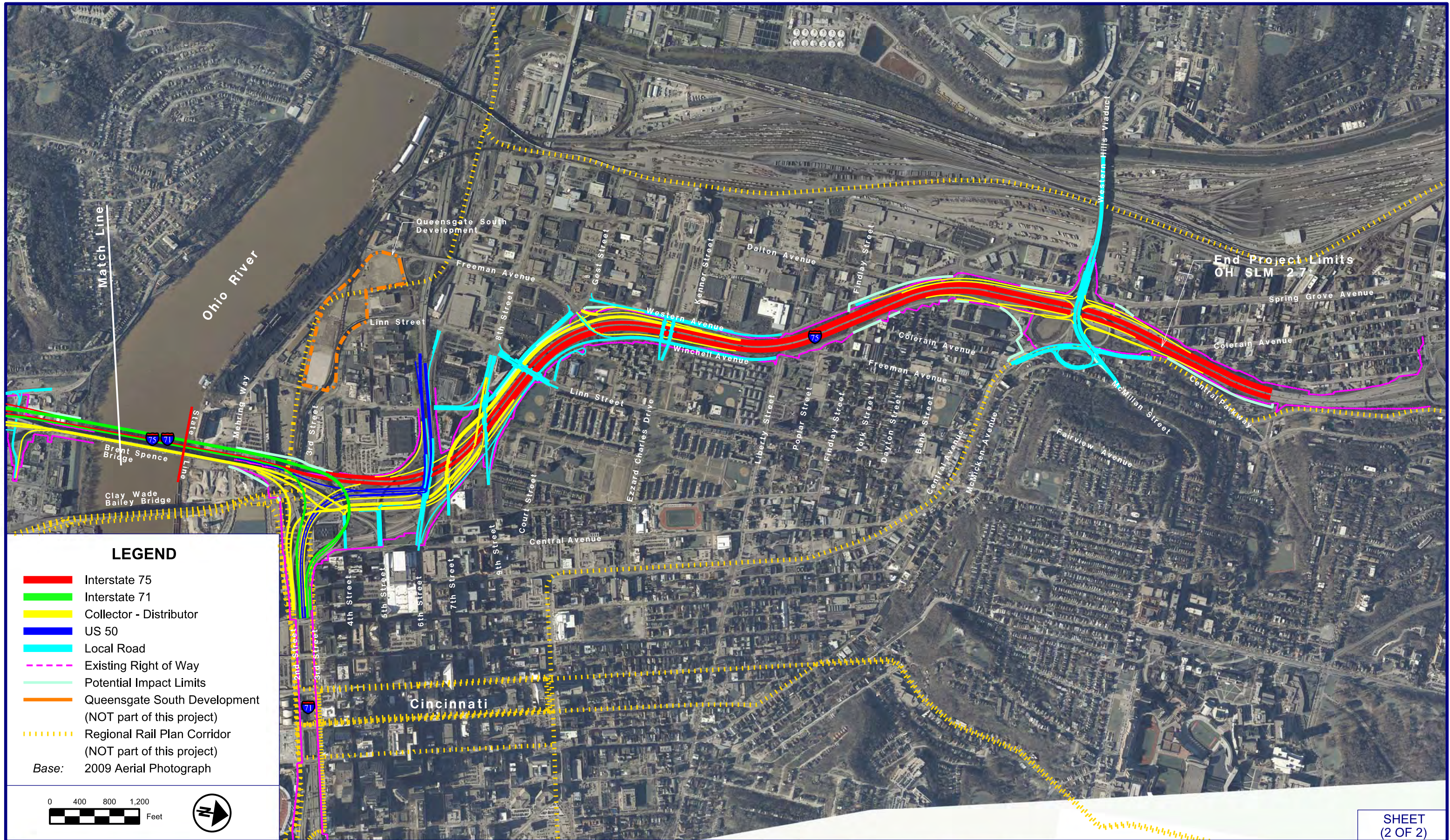


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Federal Highway Administration



**STEP 5 CONCEPTUAL  
ALTERNATIVE E  
(KENTUCKY)**

SHEET  
(1 OF 2)  
EXHIBIT  
**B4a**



**LEGEND**

- Interstate 75
- Interstate 71
- Collector - Distributor
- US 50
- Local Road
- Existing Right of Way
- Potential Impact Limits
- Queensgate South Development (NOT part of this project)
- Regional Rail Plan Corridor (NOT part of this project)

Base: 2009 Aerial Photograph



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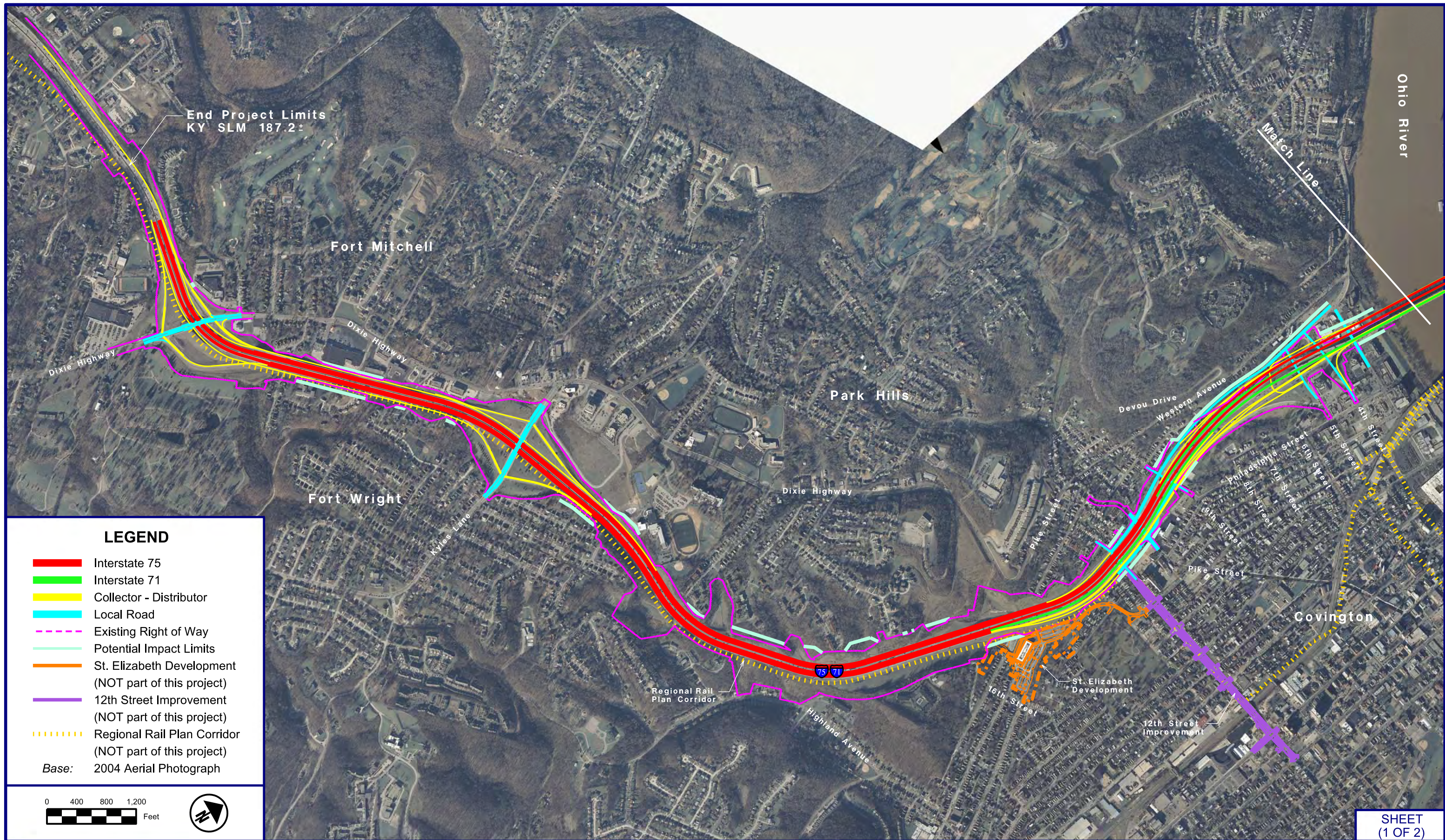
Prepared by:  
**PARSONS BRINCKERHOFF**

**STEP 5 CONCEPTUAL  
ALTERNATIVE E  
(OHIO)**

SHEET  
(2 OF 2)

EXHIBIT

B4b



End Project Limits  
KY SLM 187.2±

Ohio River

Match Line

Fort Mitchell

Park Hills

Fort Wright

Covington

**LEGEND**

- █ Interstate 75
- █ Interstate 71
- █ Collector - Distributor
- █ Local Road
- - - Existing Right of Way
- - - Potential Impact Limits
- █ St. Elizabeth Development (NOT part of this project)
- █ 12th Street Improvement (NOT part of this project)
- - - - - Regional Rail Plan Corridor (NOT part of this project)

Base: 2004 Aerial Photograph



U.S. Department of Transportation  
Federal Highway Administration

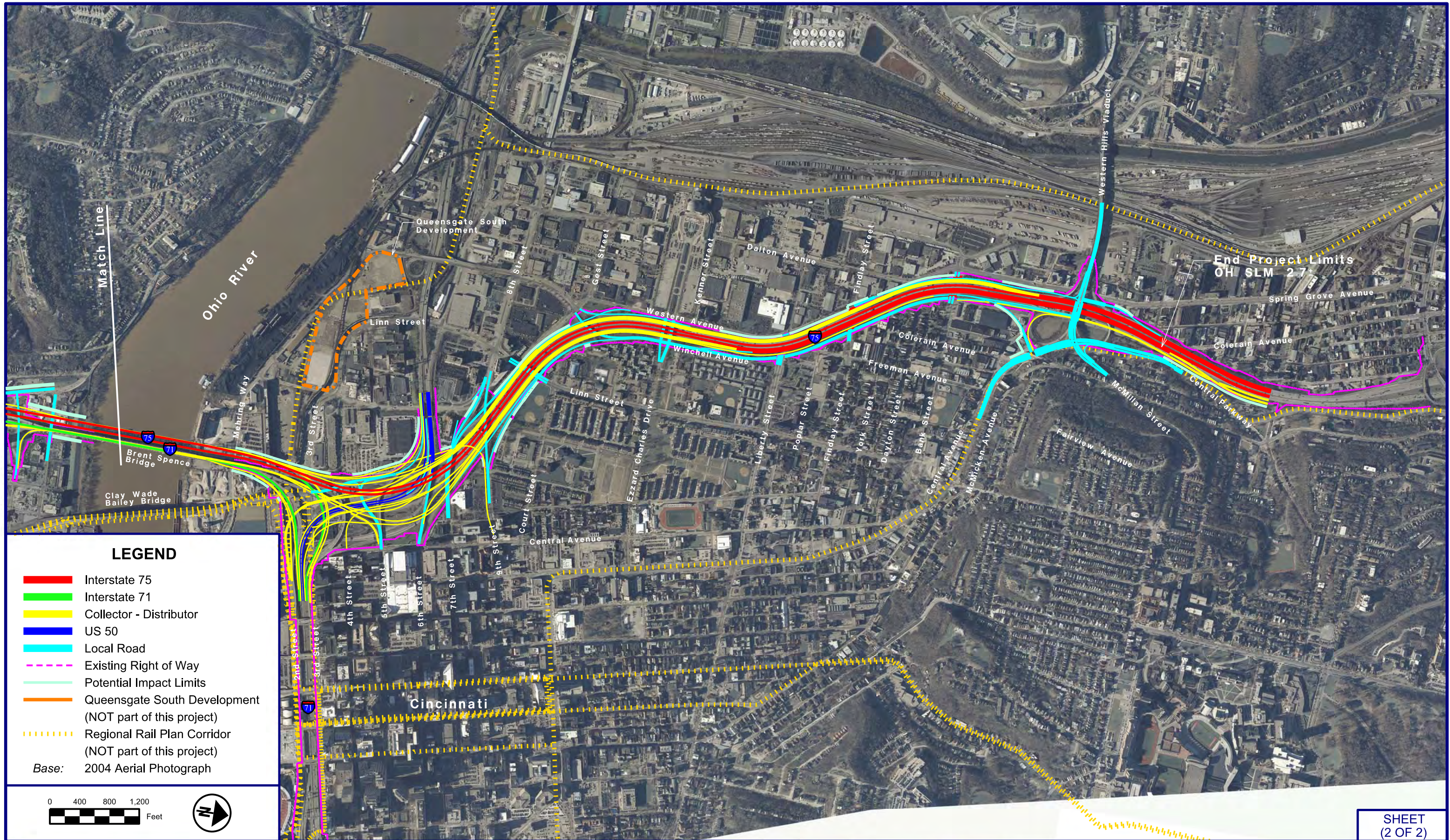


**STEP 5 CONCEPTUAL  
ALTERNATIVE G  
(KENTUCKY)**

SHEET  
(1 OF 2)

EXHIBIT

B5a



**LEGEND**

- Interstate 75
- Interstate 71
- Collector - Distributor
- US 50
- Local Road
- Existing Right of Way
- Potential Impact Limits
- Queensgate South Development (NOT part of this project)
- Regional Rail Plan Corridor (NOT part of this project)

Base: 2004 Aerial Photograph



U.S. Department of Transportation  
Federal Highway Administration



Prepared by:  
**PARSONS BRINCKERHOFF**

**STEP 5 CONCEPTUAL  
ALTERNATIVE G  
(OHIO)**

SHEET  
(2 OF 2)

EXHIBIT

B5b



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# Appendix C: Value Engineering Refinement Process (2012-2023)



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## 1. ALTERNATIVES

Shortly following the approval of the 2012 EA/FONSI, KYTC and ODOT began efforts to identify methods to deliver the project as efficiently as possible. These efforts resulted in several refinements to Selected Alternative I (from the 2012 EA/FONSI). The refinements incorporated into the project, designated collectively as Refined Alternative I (Concept I-W), reduce the project footprint, improve the project's functionality, create no substantial new or increased impacts, and do not substantially change the following key design components included in the 2012 EA/FONSI:

- The mainline layout from Dixie Highway (US-25) (Kentucky) to Linn Street (Ohio);
- The number of interstate and C-D lanes;
- The C-D roadway concept between West 12<sup>th</sup> Street/ MLK Jr. Boulevard (Kentucky) and Ezzard Charles Drive (Ohio); and
- The C-D roadway system between Dixie Highway (US-25) and Kyles Lane (KY-1072) in Kentucky.

A summary of the project refinements is provided in Table 1. A detailed description of the refinements within Refined Alternative I (Concept I-W), including how they were developed and evaluated, is provided in the following sections.

### 1.1 No-Build Alternative

The No-Build Alternative is unchanged from the 2012 EA/FONSI. It consists of minor, short-term safety and maintenance improvements to the BSB and the BSB corridor to maintain continuing operations within the existing right-of-way. This includes the scheduled maintenance work that was completed in conjunction with the emergency bridge repair in 2020. As documented in the 2012 EA/FONSI, the No-Build Alternative does not meet the project purpose and need because it would not improve traffic flow or safety, would not correct existing geometric deficiencies, and would result in serious impacts to the traveling public and the region's economy.



**Table 1: BSB Corridor Project Refinements**

Selected Alternative I (from 2012 EA/FONSI)	Refined Alternative I (Concept I-W)	Additional Notes
Refinements to the Project Layout		
<p>Traffic traveled in opposite directions on upper and lower decks of new companion bridge requiring center bridge supports. Interstate and local traffic mixed on the new companion bridge and the existing BSB.</p>	<p>Traffic travels in only one direction on each deck of the new companion bridge. Interstate traffic travels on the new companion bridge, and local traffic travels on the existing BSB as part of the C-D roadway system.</p>	<ul style="list-style-type: none"> <li>• Reduced bridge width from 172 feet to 107 feet, substantially reducing the project footprint and costs.</li> <li>• Retained the number and assignment of lanes crossing the Ohio River (I-71/I-75/C-D).</li> <li>• C-D road access points were unchanged.</li> <li>• Simplified configuration of through and local traffic.</li> </ul>
<p>Downtown Cincinnati ramps matched existing locations.</p>	<p>Minor ramp reconfigurations:</p> <ul style="list-style-type: none"> <li>• Widening the southbound 2<sup>nd</sup> Street exit ramp from one to two lanes (to provide adequate capacity).<sup>1</sup></li> <li>• Moving the entrance ramp to NB I-75 from 4<sup>th</sup> Street to 3<sup>rd</sup> Street (access moved 1 block).</li> <li>• Refining the NB I-75 exit to 5<sup>th</sup> Street to create a new signalized intersection with the US-50 ramp (no substantial change in access).</li> <li>• Reducing the number of lanes on the eastbound approach to the 5<sup>th</sup> Street/Central Avenue intersection from four to three (to provide adequate capacity).<sup>1</sup></li> <li>• Replacing the connection between 6<sup>th</sup> Street and Winchell Avenue with a connection to the NB C-D road (more direct access to NB I-75).</li> <li>• Widening the SB I-75 ramp to 7<sup>th</sup> Street from one to two lanes (to provide adequate capacity).<sup>1</sup></li> </ul>	<ul style="list-style-type: none"> <li>• Refinements made in response to City of Cincinnati requests and public comments.</li> <li>• Opens up approximately 10 acres of land for potential redevelopment and/or public use.</li> </ul>
<p>I-75 interchange connected to the existing Western Hills Viaduct.</p>	<p>I-75 interchange connects to the proposed Western Hills Viaduct. All access points from the 2012 EA/FONSI are maintained.</p>	<p>The City of Cincinnati is developing a separate project with independent utility and completed NEPA review to replace the Western Hills Viaduct on a modified alignment. The project's design was refined to accommodate the new viaduct.</p>



Selected Alternative I (from 2012 EA/FONSI)	Refined Alternative I (Concept I-W)	Additional Notes
<i>Table 1 (cont.)</i>		
Two, one-way bridges on Ezzard Charles Drive over I-75.	One, two-way bridge on Ezzard Charles Drive over I-75 with an additional 50 feet of green space on each side to support potential future civic space or retail development by the City of Cincinnati.	Refinement made in response to City of Cincinnati requests to improve safety by reducing wrong-way crashes and to provide additional areas for potential future civic space or retail development.
Entrance ramp to NB I-75 provided at Freeman Avenue in the West End neighborhood (Ohio).	Entrance ramp to NB I-75 moved from Freeman Avenue to Ezzard Charles Drive (about 1,000 feet north) with a new auxiliary lane on NB I-75 between Ezzard Charles Drive and the Western Hills Viaduct (to provide adequate capacity). <sup>2</sup>	<ul style="list-style-type: none"> <li>• Refinement made in coordination with the City of Cincinnati and improve access to NB I-75 from the West End neighborhood.</li> <li>• Reduced costs and simplified maintenance of traffic and construction of the bridge carrying Freeman Avenue over I-75.</li> </ul>
Five lanes on the NB frontage road and four lanes on the SB frontage road between West 12 <sup>th</sup> Street/MLK Jr. Boulevard and Pike Street (Kentucky).	Three lanes on the NB and SB frontage roads between West 12 <sup>th</sup> Street/MLK Jr. Boulevard and Pike Street (Kentucky).	<ul style="list-style-type: none"> <li>• Refinement made to reduce project footprint while maintaining acceptable traffic operations.<sup>1</sup></li> </ul>
NB frontage road terminated at West 9 <sup>th</sup> Street (Kentucky).	NB frontage road extended north to next major intersection (5 <sup>th</sup> Street) (Kentucky).	<ul style="list-style-type: none"> <li>• Refinements improve north-south access and connectivity, were made in coordination with the City of Covington, and were vetted through neighborhood outreach.</li> </ul>
New companion bridge type: simply supported arch bridge with inclined arch ribs or a two-tower cable-stayed bridge with vertical legs/towers.	Minor refinement to companion bridge type: arch bridge or a cable-stayed bridge.	<ul style="list-style-type: none"> <li>• Incorporated more flexibility in the bridge types to allow the progressive design-build team to pursue innovative and cost-effective designs.</li> <li>• Refinement made in consultation with the project Aesthetics Committee.</li> </ul>



Selected Alternative I (from 2012 EA/FONSI)	Refined Alternative I (Concept I-W)	Additional Notes
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*Table 1 (cont.)*

Typical Refinements Due to Continuing Progression through Detailed Design

Horizontal and vertical alignments and cross sections based on preliminary engineering and mapping.	Refinement and optimization of horizontal and vertical alignments and cross sections based on detailed engineering design.	<ul style="list-style-type: none"> <li>Reduced the project footprint in several locations.</li> </ul>
Minimal consideration of retaining walls during preliminary engineering.	Detailed retaining wall evaluation during detailed engineering design and right-of-way plan development.	<ul style="list-style-type: none"> <li>Substantially reduced the project footprint, including up to 95 percent reduction in residential relocations.</li> </ul>

Refinements Due to Updated KYTC/ODOT Generally Applicable Design Criteria

13.5-foot outside shoulders   12 foot inside shoulders	10-foot outside and inside shoulders	Reduced project footprint.
60 mph mainline design speed   50 mph C-D road design speed	55 mph mainline and C-D road design speed.	Reduced project footprint.

- Preliminary design refinements were developed using planning-level traffic projections for the year 2050. The refinements were vetted, confirmed, and finalized using certified traffic for the years 2029 and 2049.*
- Preliminary design refinements were developed using design-level certified traffic projections for the year 2048. The refinements were vetted, confirmed, and finalized using certified traffic for the years 2029 and 2049.*

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## 1.2 Development of Refinement Concepts

In October 2012, KYTC, ODOT, and FHWA held a three-day Practical Design/Value Engineering Workshop with a multidisciplinary team of industry experts to identify ways to add value to and enhance the quality of the project. Benefits of practical design and value engineering can include right-sizing projects to meet the identified needs, lowering overall project costs, and reducing the time to complete the project, among others. The primary goals of the October 2012 Practical Design/Value Engineering Workshop were to:

- Provide a high-level evaluation by experts to generate ideas for delivering the project quickly, economically, and safely;
- Conduct a field visit and discuss opportunities and constraints for delivering the project; and
- Generate technical ideas for improvements to Selected Alternative I (from the 2012 EA/FONSI).

The workshop identified nearly 100 ideas for improvements to Selected Alternative I (from the 2012 EA/FONSI) that were grouped into high, medium, and low value designations based on the potential benefit to the project combined with the feasibility of implementation. These ideas are summarized in the [Draft Practical Design/Value Engineering Workshop Report \(October 2012\)](#), which recommended detailed analysis of the high value ideas and additional conceptual analysis of medium value ideas.

In February 2014, KYTC and ODOT evaluated potential savings associated with three of the high value ideas from the Practical Design/Value Engineering Workshop that focused on refining the design of the new companion bridge. The study findings were documented in the [Potential Cost Savings Estimate \(February 2014\)](#). However, the project was put on hold before KYTC and ODOT reached any final decisions about the value engineering concepts and ideas.

In March 2015, KYTC and ODOT prepared a [Cost Savings Study](#) that evaluated options for scaling back the project to primarily address the safety and design deficiencies of the existing BSB with minimal construction on I-71/I-75 to tie into the new/rehabilitated structures. However, these concepts were removed from further consideration because they did not address traffic operational issues throughout the corridor and created safety concerns due to lane drops on I-71/I-75.

The [Draft Practical Design/Value Engineering Workshop Report](#), [Potential Cost Savings Estimate](#), and [Cost Savings Study](#) considered refinements to Selected Alternative I (from the 2012 EA/FONSI) to accommodate tolling in the BSB corridor. However, due to legislation passed in Kentucky, tolling studies were stopped in 2015, and concepts related to tolling were not developed further.

In 2015, as part of the continuing value engineering process, KYTC and ODOT developed the Whiz Bang Concept to further evaluate another high value idea from the Practical Design/Value Engineering Workshop: separating through (interstate) traffic from local ramp connections. Two options were evaluated in detail:

- Whiz Bang Concept 2 utilized the existing BSB for local traffic (three lanes on each level) and a new double-decker companion bridge (five lanes on each level) to the west for through (interstate) traffic.



- 
- Whiz Bang Concept 4 eliminated the existing BSB and placed all traffic on a new double-decker bridge to the west. The bridge would have eight lanes on each level, with interstate and local traffic separated on the structure in five and three lanes, respectively.

Both concepts were evaluated for traffic operations, local connectivity in Kentucky, and cost. The analysis determined the existing BSB has a long remaining life, and removing it to build a wider companion bridge would not be cost effective. Therefore, Whiz Bang Concept 4 was removed from further study in October 2019. Whiz Bang Concept 2 was progressed for further study and renamed to Concept W.

KYTC, ODOT, and FHWA held a Performance-Based Design Workshop in December 2019 that assembled a multidiscipline team of highway, bridge, traffic, and construction professionals to identify additional value engineering concepts that could further reduce the cost of Selected Alternative I (from the 2012 EA/FONSI). The workshop recommended the following concepts for further study:

- Concept S included a superstreet layout for the local street and ramp connections in Kentucky and Ohio using the through and local traffic assignments on the river bridges from Selected Alternative I (from the 2012 EA/FONSI).
- Concept W (developed in 2015 as Whiz Bang Concept 2) carried interstate-only traffic on the new companion bridge and local traffic on the existing BSB as part of the C-D roadway system.
- Concept M accommodated I-75 and C-D traffic on the new companion bridge. The existing BSB would carry I-71 and local traffic using existing ramps for West 4<sup>th</sup> Street and West 5<sup>th</sup> Street in Covington and 2<sup>nd</sup> Street and 3<sup>rd</sup> Street in Cincinnati.

These concepts were further evaluated based on traffic operations, design, and cost in the [Analysis of Design Concepts](#) (May 2020). Based on the results of the analysis, Concept S was removed from consideration due to operational constraints. Concept W and Concept M were both considered viable options for the BSB corridor and recommended for further study. After the completion of the [Analysis of Design Concepts](#) report, the concept names were updated to Concept I-W and Concept I-M to convey more clearly that the concepts are value engineering refinements to Selected Alternative I (from the 2012 EA/FONSI).

Selected Alternative I (from the 2012 EA/FONSI) and value engineering Concepts I-W and I-M were further evaluated as described in the following sections.

### 1.2.1 Selected Alternative I (from 2012 EA/FONSI)

Selected Alternative I is described in the 2012 EA/FONSI and shown in Figure 1. It utilizes the existing I-71/I-75 alignment from the southern project limits near Dixie Highway (US-25) north to Kyles Lane (KY-1072). The Dixie Highway and Kyles Lane interchanges are modified slightly to accommodate C-D roadways along both sides of I-71/I-75 between the two interchanges. North of Kyles Lane, the alignment shifts to the west to accommodate additional I-71/I-75 travel lanes. Between Kyles Lane and West 12<sup>th</sup> Street/MLK Jr. Boulevard in Kentucky, I-71/I-75 consists of six lanes in each direction. Near West 12<sup>th</sup> Street/MLK Jr. Boulevard in Kentucky, the alignment splits into separate routes for I-71, I-75, and the northbound C-D roadways carrying local traffic.



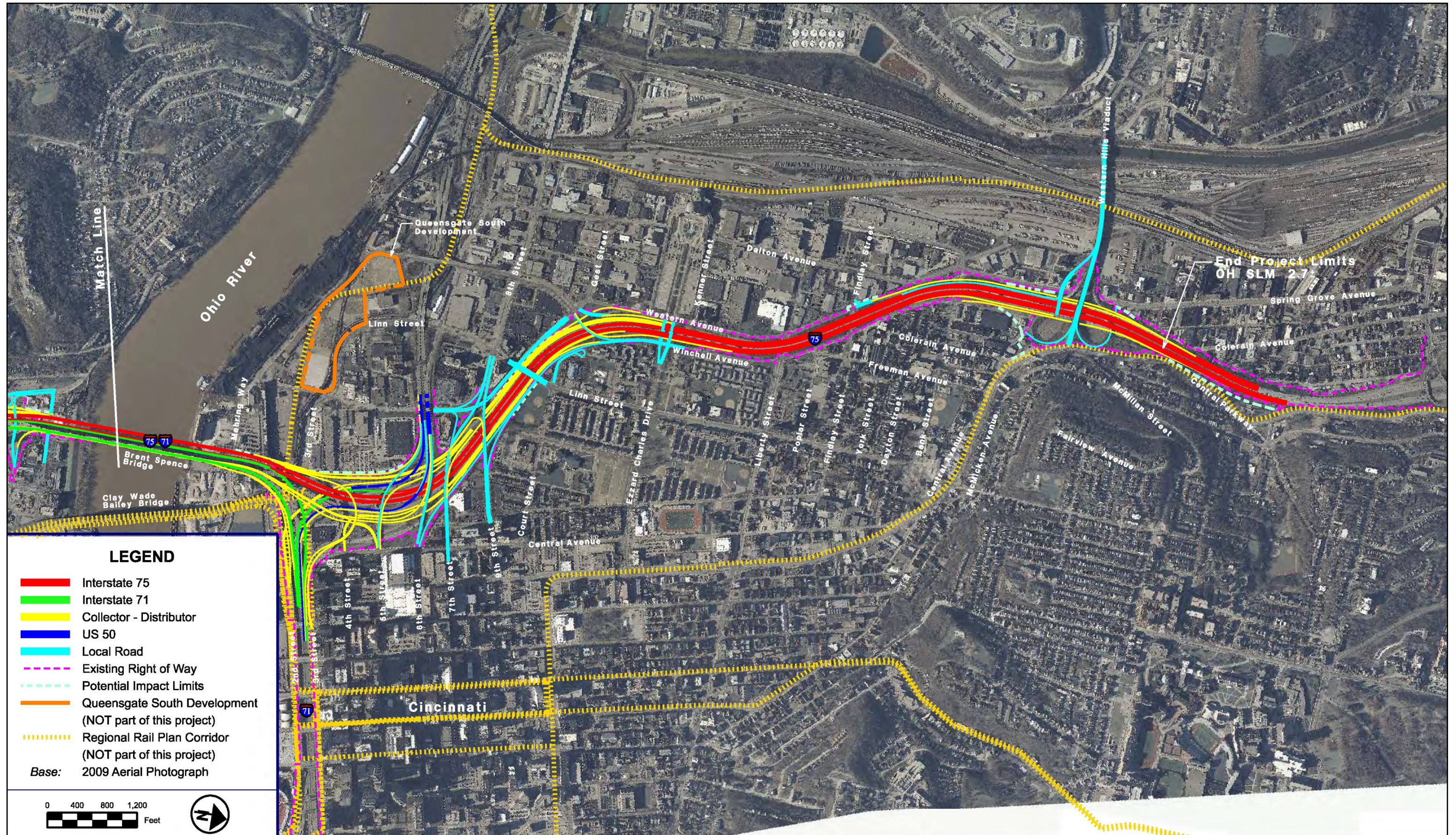
Figure 1: Selected Alternative I (from the 2012 EA/FONSI) (Sheet 1 of 2)



Source: Brent Spence Bridge Replacement/Rehabilitation Project Environmental Assessment Exhibits 4A and 4B (March 2012)



Figure 1: Selected Alternative I (from the 2012 EA/FONSI) (Sheet 2 of 2)



Source: Brent Spence Bridge Replacement/Rehabilitation Project Environmental Assessment Exhibits 4A and 4B (March 2012)

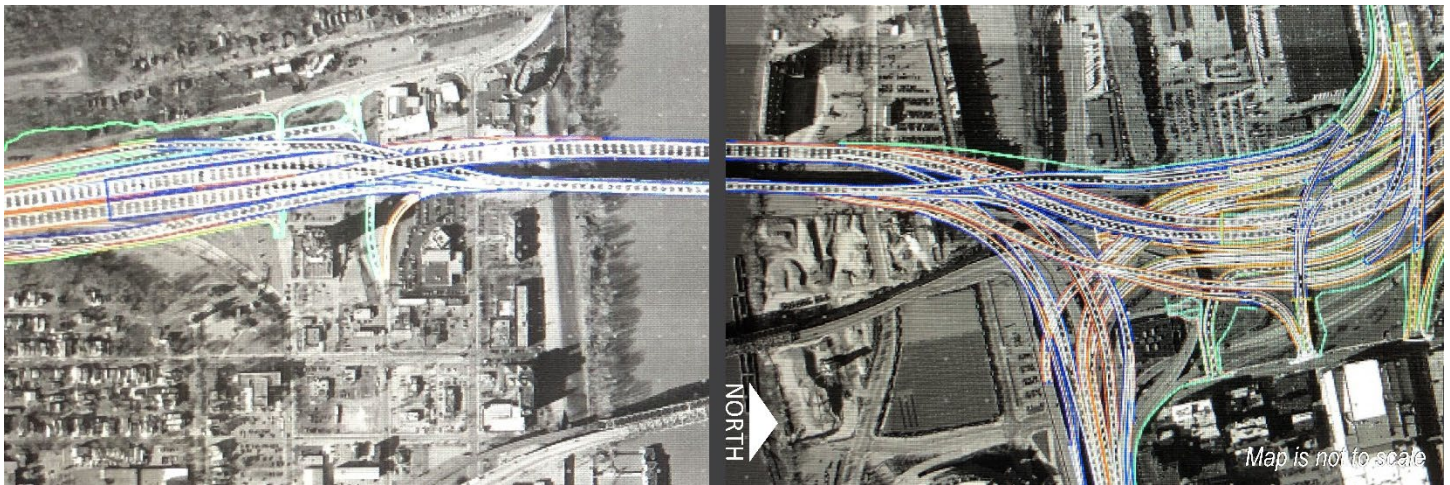
Selected Alternative I (from the 2012 EA/FONSI) includes a new 172-foot-wide double-decker companion bridge to the west of the existing BSB that carries northbound and southbound I-75 traffic with three lanes in each direction. Two additional lanes carry southbound I-71 traffic, and three more lanes carry southbound local traffic as part of the C-D roadway system. Selected Alternative I (from the 2012 EA/FONSI) rehabilitates the existing BSB to carry two lanes of northbound I-71 traffic and three lanes of northbound local traffic as part of the C-D roadway system.

Selected Alternative I (from the 2012 EA/FONSI) reconfigures I-75 through the I-71/I-75/US-50 Interchange and eliminates access to and from northbound I-75 between West 12<sup>th</sup> Street/MLK Jr. Boulevard in Kentucky and the US-50/6<sup>th</sup> Street overpass in Ohio. Selected Alternative I (from the 2012 EA/FONSI) also eliminates access to and from southbound I-75 between the Freeman Avenue exit in Ohio and the West 12<sup>th</sup> Street/MLK Jr. Boulevard exit in Kentucky.

### 1.2.2 Concept I-W

Concept I-W (see Figure 2) is a value engineering concept that largely matches Selected Alternative I (from the 2012 EA/FONSI) with the exception of how traffic crosses the Ohio River. Concept I-W includes a new 107-foot-wide double-decker companion bridge to the west of the existing BSB, with all I-71 and I-75 traffic on the new bridge and all C-D traffic on the existing BSB. The new companion bridge carries five lanes of combined southbound I-71 and I-75 traffic on the lower deck and five lanes of combined northbound I-71 and I-75 traffic on the upper deck. The rehabilitated existing BSB carries three lanes of northbound local traffic on the lower deck and three lanes of southbound local traffic on the upper deck, both as part of the C-D roadway system.

Figure 2: Concept I-W

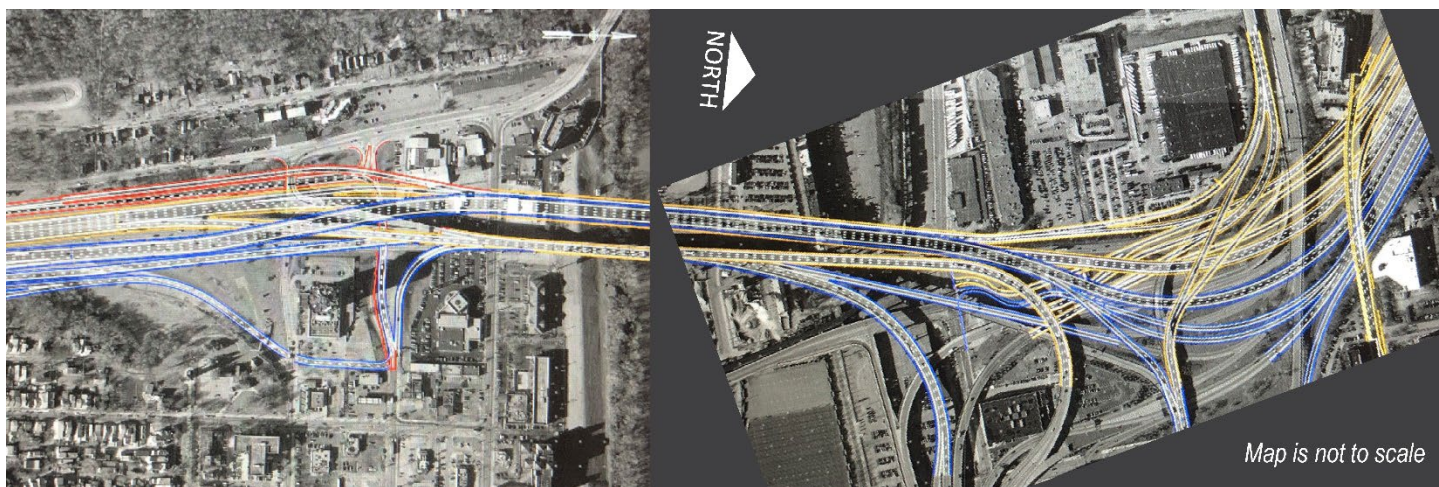


Source: [Analysis of Design Concepts](#) (May 2020). See Section 1.3.3 for refinements incorporated into Concept I-W.

### 1.2.3 Concept I-M

Concept I-M (see Figure 3) is a value engineering concept that also largely matches Selected Alternative I (from the 2012 EA/FONSI) with the exception of how traffic crosses the Ohio River. Concept I-M includes a new 133-foot-wide double-decker companion bridge to the west of the existing BSB, with all I-71 traffic on the existing BSB and all I-75 traffic on the new bridge. Local traffic is distributed to both bridges, with many connections to the existing bridge remaining. The new companion bridge carries three lanes of southbound I-75 traffic on the lower deck and three lanes of northbound I-75 traffic on the upper deck. Two additional lanes on each deck of the new bridge carry local traffic as part of the C-D roadway system. Concept I-M rehabilitates the existing BSB to carry two lanes of northbound I-71 traffic on the lower deck and two lanes of southbound I-71 traffic on the upper deck. One additional lane on each deck carries local traffic as part of the C-D roadway system, maintaining existing connections at West 4<sup>th</sup> Street and West 5<sup>th</sup> Street in Covington and 2<sup>nd</sup> Street and 3<sup>rd</sup> Street in Cincinnati.

Figure 3: Concept I-M



Source: [Analysis of Design Concepts \(May 2020\)](#).

### 1.2.4 Evaluation

Concept I-W and Concept I-M were contained entirely within the footprint for Selected Alternative I (from the 2012 EA/FONSI), and the environmental impacts were no greater than those previously identified for Selected Alternative I. KYTC and ODOT evaluated Selected Alternative I (from the 2012 EA/FONSI), Concept I-W, and Concept I-M in terms of traffic operations, connectivity, geometric design, work limits, cost estimates, and constructability. As documented in the [Design Summary Report \(August 2022\)](#), traffic modeling showed similar traffic operations for Concept I-W and Selected Alternative I (from the 2012 EA/FONSI), while Concept I-M

showed excessive traffic queues for northbound I-71/I-75 in the AM peak period.<sup>1</sup> As shown in Figure 4, Concept I-W performed better than the other concepts for connectivity, geometric design, and work limits/impacts. Concept I-W had the most complexity in terms of constructability, but no fatal flaws were identified. Further review conducted after the [Design Summary Report](#) concluded that Concept I-M required additional work to bring existing structures into conformance with current standards, reducing the cost savings associated with this concept. Therefore, Concept I-M was removed from further study. Concept I-W addressed the project purpose and need with lower impacts and costs than Selected Alternative I (from the 2012 EA/FONSI). Therefore, Concept I-W was carried forward as a value engineering refinement to Selected Alternative I (from the 2012 EA/FONSI) and designated as Refined Alternative I (Concept I-W) for the BSB Corridor Project.

### 1.3 Additional Refinements

In 2021, ODOT began detailed design development for Phases I and II of the BSB Corridor Project, which identified several refinements that were incorporated into the project. KYTC and ODOT also initiated studies of value engineering features for Phase III in addition to the refinements already incorporated into Concept I-W. The resulting additional refinements for each project phase are summarized in the following sections.

#### 1.3.1 Phase I (ODOT PID 114161)

The selected alternative identified in the 2012 [FONSI](#) included a tight urban diamond interchange between I-75 and the Western Hills Viaduct. Since 2012, the City of Cincinnati has been developing a separate project with independent utility and completed NEPA review to replace the Western Hills Viaduct on a new alignment. ODOT has closely coordinated Phase I of the BSB Corridor Project with the preferred alignment for the viaduct and evaluated five alternatives for refining the interchange design to accommodate the proposed viaduct. The alternatives were variations of the tight urban diamond layout within the same footprint as the original 2012 design and resulted in the same environmental impacts. The alternatives were coordinated with the City of

<sup>1</sup> Planning-level traffic projections for the year 2050 were used to compare and evaluate value engineering concepts. Traffic operations for Selected Alternative I and Concept I-W were subsequently vetted and confirmed using certified traffic for the years 2029 and 2049.

Figure 4: Value Engineering Concept Comparison

Evaluation Factor	Alternative I	Concept I-W	Concept I-M
Traffic Operations	●	●	●
Connectivity	●	●	●
Geometric Design	●	●	●
Work Limits / Impacts	●	●	●
Cost	●	●	●
Constructability	●	●	●

**Legend**

● Best      ● Better      ● Good

Source: [Design Summary Report \(August 2022\)](#).



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Cincinnati and evaluated based on operations, geometrics, and the ability to provide the movements accommodated in the tight urban diamond interchange design from the 2012 EA/FONSI. A detailed summary of the five alternatives considered, including the rationale for dismissing or advancing each, is included in the [Technical Memo: PID 114161 – Selection of the Preferred alternative at the I-75 and WHV Interchange \(January 2023\)](#).<sup>1</sup>

Alternative 5 was ultimately recommended as the preferred alternative for the following reasons:

- It provides local access at the interchange without negatively impacting traffic operations;
- It maintains a footprint similar to the original tight urban diamond interchange design (from the 2012 EA/FONSI) and provides local access to and from northbound and southbound I-75 while also providing for local surface street movements to and from the Western Hills Viaduct; and
- It functions with the highest operational efficiency of the alternatives that provided local connections.

Based on the design of Alternative 5 for the Western Hills Viaduct interchange, the following refinements are incorporated into the Phase I portion of Refined Alternative I (Concept I-W):

- Shifting the I-75 alignment west of the alignment for Selected Alternative I (from the 2012 EA/FONSI) at the connection to Phase II (ODOT PID 113361) to minimize work along Winchell Avenue;
- Accommodating all movements to and from I-75 via the bottom deck of the new Western Hills Viaduct. The tight urban diamond interchange design from the 2012 EA/FONSI accommodated interstate movements from the bottom deck and local movements from the top deck of the existing viaduct;
- Providing indirect westbound access from Spring Grove Avenue to the bottom deck of the new Western Hills Viaduct via access at the I-75 interchange. The tight urban diamond interchange design from the 2012 EA/FONSI provided a ramp connecting Spring Grove Avenue directly to the top deck of the existing viaduct; and
- Providing a connection traveling eastbound from the new Western Hills Viaduct to westbound Harrison Avenue off the east end of the interchange at the northbound ramp intersection. The original tight urban diamond interchange design provided access via a ramp from the top deck of the existing viaduct.

The Western Hills Viaduct configuration for the existing condition, Selected Alternative I (from the 2012 EA/FONSI), and Refined Alternative I (Concept I-W) are shown in Figure 5.

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<sup>1</sup> Design-level certified traffic projections for the year 2048 were used to compare and evaluate alternative configurations for the Western Hills Viaduct interchange. Traffic operations at the Western Hills Viaduct interchange were subsequently vetted and confirmed using certified traffic for the years 2029 and 2049.



Figure 5: Western Hills Viaduct Interchange (Sheet 1 of 2)

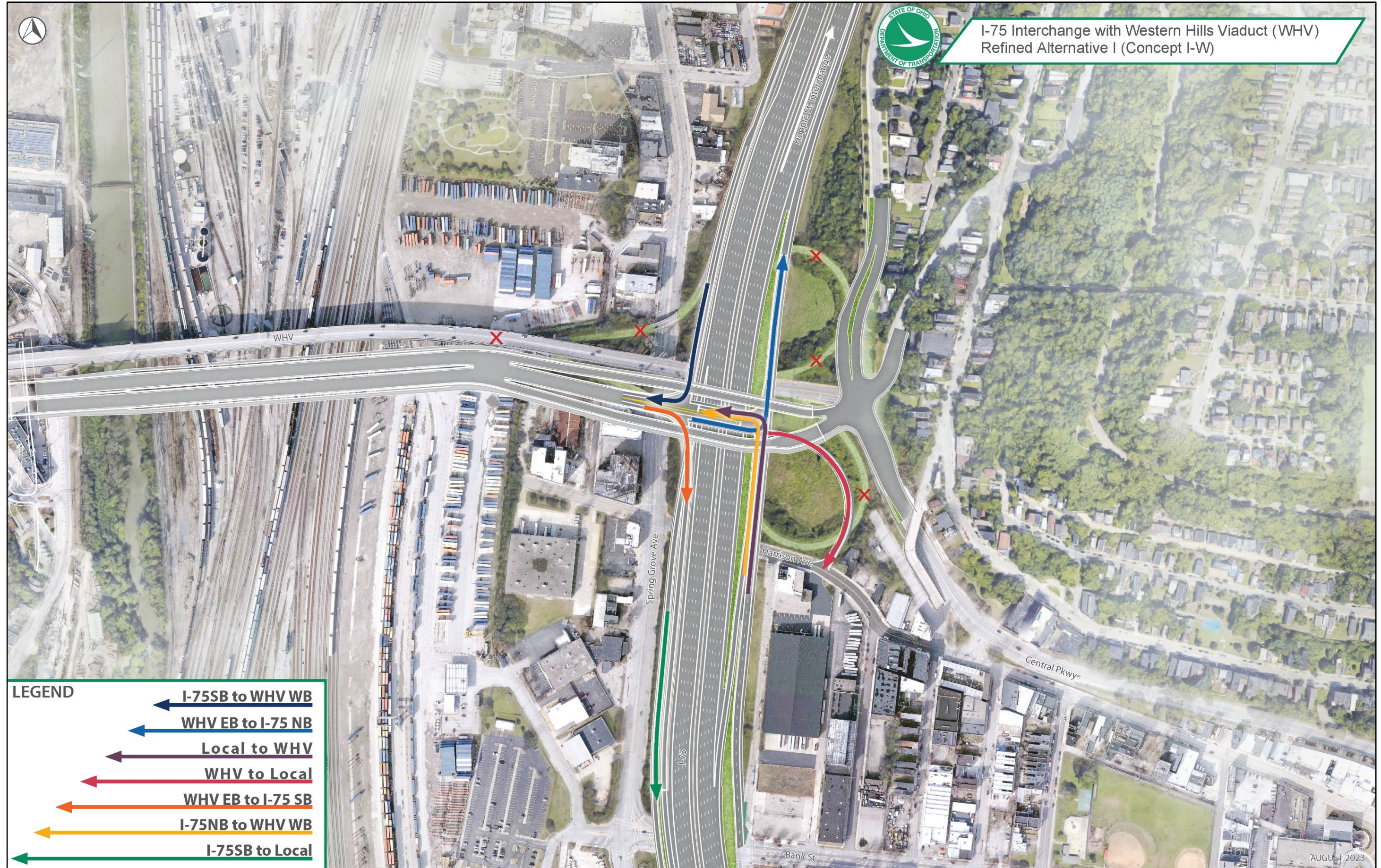
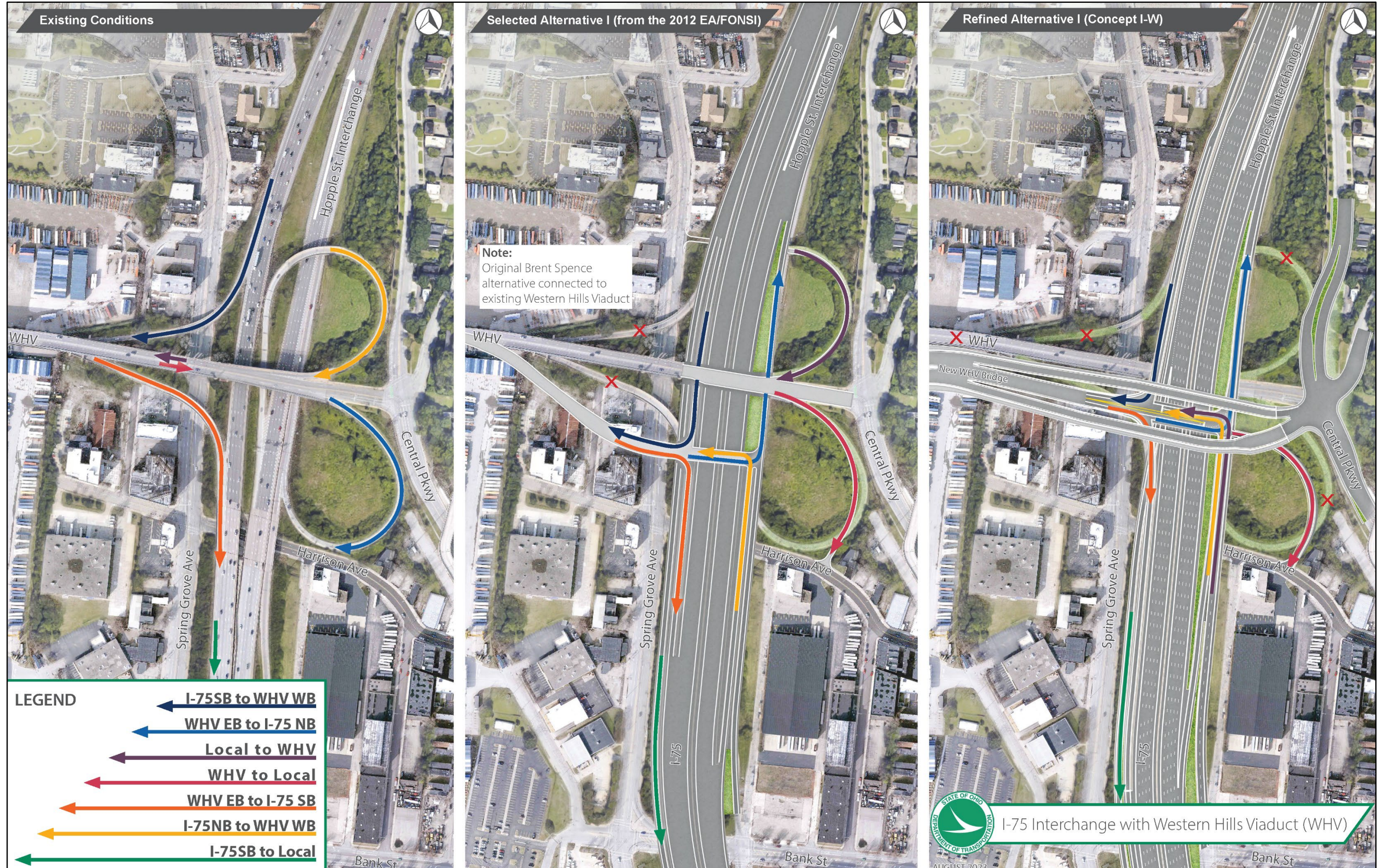


Figure 5: Western Hills Viaduct Interchange (Sheet 2 of 2)



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### 1.3.2 Phase II (ODOT PID 113361)

Refinements within the limits of Phase II were made in coordination with the City of Cincinnati to reduce project impacts and costs and to improve local access to I-75. The refinements incorporated into the Phase II portion of Refined Alternative I (Concept I-W) include:

- Moving the northbound entrance ramp to I-75 from its existing location at Freeman Avenue (south of Ezzard Charles Drive) to Winchell Avenue (north of Ezzard Charles Drive) and adding an auxiliary lane on northbound I-75 between Ezzard Charles Drive and the Western Hills Viaduct to provide adequate capacity between the ramps;<sup>1</sup>
- Maintaining three lanes on the northbound C-D roadway from the Winchell Avenue exit ramp to where it merges with I-75 northbound to provide adequate capacity. The northbound C-D roadway in the 2012 EA/FONSI was two lanes in this area.<sup>2</sup>
- Reducing the project footprint by adjusting the alignment of the southbound C-D roadway to run closer to I-75;
- Reducing the project footprint by narrowing the inside shoulder widths along I-75 from 13.5 to 12 feet;
- Widening the outside shoulders from 12 feet to 14 feet on southbound I-75 near Findlay Street and Liberty Street to accommodate maintenance of traffic during construction;
- Replacing two existing one-way bridges on Ezzard Charles Drive with a combined two-way bridge over I-75 to reduce wrong-way crashes and provide an additional 50 feet of green space on each side to support potential future civic space or retail development by the City of Cincinnati; and
- Adjusting the horizontal and vertical alignments of I-75 to match the current design speed of 55 mph (reduced from 60 mph), provide required sight distances, increase the separation between I-75 and Court Street, and provide proper vertical clearances at cross streets.

### 1.3.3 Phase III (ODOT PID 116649 / KYTC Project Item No. 6-17)

The refinements incorporated within the limits of Phase III have not substantially changed the following key design components included in the 2012 EA/FONSI:

- The mainline layout from Dixie Highway (US-25) (Kentucky) to Linn Street (Ohio);
- The number of interstate and C-D lanes;
- The C-D roadway concept between West 12<sup>th</sup> Street/MLK Jr. Boulevard (Kentucky) and Ezzard Charles Drive (Ohio); and
- The C-D roadway system between Dixie Highway (US-25) and Kyles Lane (KY-1072) in Kentucky.

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<sup>1</sup> The preliminary design of these refinements was developed using design-level certified traffic projections for the year 2048. The refinements were vetted, confirmed, and finalized using certified traffic for the years 2029 and 2049.

<sup>2</sup> The preliminary design of the C-D roadways for Refined Alternative I (Concept I-W) were evaluated using planning-level traffic projections for the year 2050. The design was vetted, confirmed, and finalized using certified traffic for the years 2029 and 2049.





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Refinements to the Phase III design include the incorporation of practical design and value engineering features, revisions to ramps in downtown Cincinnati, and refinements to the new companion bridge to respond to local concerns and to reduce the project's footprint, impacts, and costs. These refinements are discussed further in the following sections.

### ***Practical Design and Value Engineering Features***

KYTC, ODOT, and FHWA met on June 2, 2022 to revisit the ideas from the October 2012 Practical Design/Value Engineering Workshop and determine which refinements would be included in the Phase III portion of Refined Alternative I (Concept I-W). Based on that meeting, the following value engineering components have been included:

- Reconfiguring the lanes on the existing BSB and new companion bridge to keep through (interstate) and local (C-D) traffic on separate facilities.
- Optimizing interchange geometry in downtown Cincinnati by utilizing the land formerly occupied by the dunhumbly USA headquarters at 444 3<sup>rd</sup> Street.
- Adjusting the design speed of the I-71/I-75 mainline and the C-D roadways to 55 mph. The design speeds in the 2012 EA/FONSI were 60 mph for the I-71/I-75 mainline and 50 mph for the C-D roadways.
- Allowing the inside and outside shoulder widths on ramps to be flipped to reduce overall width and improve horizontal sight distance.
- Allowing 10-foot inside and outside shoulder widths for I-71/I-75 and the C-D roads to reflect generally applicable updated design standards. The inside shoulder widths in the 2012 EA/FONSI were 13.5 feet, and the outside shoulders were 12 feet.
- Reducing the number of lanes on the frontage roads between West 12<sup>th</sup> Street/MLK Jr. Boulevard and Pike Street in Kentucky to three lanes in each direction based on updated traffic analyses. The 2012 EA/FONSI specified five lanes northbound and four lanes southbound.

In addition to the refinements identified at the June 2, 2022 meeting, the following refinements have been incorporated into the Phase III design:

- The 2012 [FONSI](#) included a refinement to Alternative I that modified the northbound C-D roadway in Kentucky by providing a new exit ramp at West 5<sup>th</sup> Street and removing a proposed section of Simon Kenton Way (referred to as Jillians Way in the 2012 EA/FONSI) between West 9<sup>th</sup> Street and West 5<sup>th</sup> Street. The new exit ramp and the full extents of Simon Kenton Way are included in Refined Alternative I (Concept I-W).
- The main span length of the new companion bridge may potentially be reduced from 1,000 feet to a minimum of 870 feet based on preliminary coordination with the U.S. Coast Guard (USCG) in January 2013 and December 2022.



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Additional details about the value engineering concepts considered, including potential advantages and disadvantages and the rationale for accepting or rejecting each, are provided in the [Design Summary Report](#).

### **City of Cincinnati Comments**

In response to ongoing discussions with the public, the City of Cincinnati provided comments requesting a distinct suite of design refinements on September 2, 2022. In response to the comments, KYTC and ODOT evaluated several ramp refinements that were found to operate acceptably in both the morning and evening peak travel periods and would meet the project's purpose and need. The City of Cincinnati concurred with the findings on October 20, 2022. Therefore, the following refinements are incorporated into Refined Alternative I (Concept I-W):

- Widening the southbound 2<sup>nd</sup> Street exit ramp from one to two lanes to provide adequate capacity;<sup>1</sup>
- Moving the entrance ramp to northbound I-75 from 4<sup>th</sup> Street one block south to 3<sup>rd</sup> Street;
- Reconfiguring the northbound I-75 exit to 5<sup>th</sup> Street to create a new signalized intersection with the US-50 ramp with no substantial change in access;
- Reducing the number of lanes on the eastbound approach to the 5<sup>th</sup> Street/Central Avenue intersection from four to three to provide adequate capacity;
- Replacing the connection between 6<sup>th</sup> Street and Winchell Avenue with a connection to the northbound C-D road to provide more direct access to northbound I-75; and
- Widening the southbound I-75 ramp to 7<sup>th</sup> Street from one to two lanes to provide adequate capacity.<sup>1</sup>

### **New Companion Bridge Type**

The 2012 FONSI approved two bridge types for the new companion bridge: a simply supported arch bridge with inclined arch ribs, and a two-tower cable-stayed bridge with vertical legs/towers. The 2012 FONSI also stipulated that the top elevation of the bridge would be no less than 300 feet and no more than 420 feet above normal pool elevation of the Ohio River. Refined Alternative I (Concept I-W) incorporates more flexibility in the bridge types to allow the progressive design-build team to pursue innovative and cost-effective designs to the greatest extent practicable. While the bridge types remain the same, the specific design opportunities within each bridge type have been expanded. For the arch bridge type, the stipulation for it to be simply supported with inclined ribs has been removed. For the cable-stayed bridge, the stipulation to provide two vertical towers has been removed. The bridge types for Refined Alternative I (Concept I-W) are more broadly described as an "arch bridge" and a "cable-stayed bridge." The approved elevations are unchanged. This decision was made in consultation with the project Aesthetics Committee, which discussed this topic in a January 31, 2023 meeting.

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<sup>1</sup> Planning-level traffic projections for the year 2050 were used to evaluate the design refinements requested by the City of Cincinnati. Widening the southbound 2<sup>nd</sup> Street exit ramp was incorporated into the refinements after they were vetted and confirmed using certified traffic for the years 2029 and 2049.



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### 1.3.4 Refinements Based on Public Comments

Community members enthusiastically supported the refinements, mitigation, and enhancements incorporated into the Refined Alternative I (Concept I-W), including the reduction of the project footprint, additional developable land, additional noise and noise/visual screening barriers, measures to reduce flooding and combined sewer overflows, new and improved multimodal facilities, and aesthetic features. Throughout the project's development, the public offered additional feedback and suggestions. KYTC and ODOT have incorporated several refinements into Refined Alternative I (Concept I-W) in direct response to the additional comments and feedback that were gathered, including:

- KYTC will implement measures to improve safety for pedestrians and school-age children who cross the northbound entrance ramp from Dixie Highway to I-71/I-75. Measures will include reducing length of the crosswalk, installing warning signs, and enhancing the pavement markings to better define the crosswalk for pedestrians and vehicles.
- KYTC is proposing a noise/visual screening barrier in the vicinity of Maple Avenue, south and west of Dixie Highway in Fort Mitchell.
- KYTC is proposing a noise/visual screening barrier in the Mainstrasse neighborhood, including in the vicinity of the Goebel Park Complex.
- During final design, KYTC will coordinate with the City of Covington to evaluate the use of transparent noise barriers in some locations to preserve views of the Goebel Park Complex from the highway and to preserve views of the skyline and across I-71/I-75 from surrounding neighborhoods.
- In accordance with current policies, ODOT will transfer approximately 10 acres of excess land opened up by refinements to the 3<sup>rd</sup> Street, 4<sup>th</sup> Street, 5<sup>th</sup> Street, and 6<sup>th</sup> Street ramps to the City of Cincinnati for potential redevelopment and/or public use.
- Based on updated noise analyses, ODOT is proposing noise barriers in the West End neighborhood.
- ODOT has committed to work with the City of Cincinnati to conduct before/after surveys of other roadways impacted by increased traffic during construction. ODOT will restore those roadways to pre-construction conditions once the project is complete.
- ODOT has committed to building a wider bridge on Ezzard Charles Drive over I-75 to provide an additional 50 feet of green space on each side that could support potential future civic space or retail development by the City of Cincinnati.

## 1.4 Refined Alternative I (Concept I-W) and Purpose and Need

The 2012 EA/FONSI demonstrated that Selected Alternative I met the project purpose and need. Refined Alternative I (Concept I-W) reduces the project footprint, improves the project's functionality, and does not substantially change the key design components of Selected Alternative I (from the 2012 EA/FONSI).



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Therefore, Refined Alternative I (Concept I-W) continues to meet the project purpose and need, as summarized below:

- Improve traffic flow and level of service. Refined Alternative I (Concept I-W) will reduce congestion and improve traffic operations throughout the project area.
- Improve safety. Refined Alternative I (Concept I-W) will improve safety by including measures to reduce congestion-related crashes. In addition, the C-D roadway system will improve safety by separating through and local traffic and keeping them separate for longer distances, thus reducing weaving movements that increase the risk of crashes. The removal of left-hand exits and other design deficiencies such as substandard shoulders are also expected to improve safety and reduce crashes by further reducing weaving movements and by providing a larger buffer for vehicles. In addition, two existing one-way bridges on Ezzard Charles Drive over I-75 will be replaced with one combined two-way bridge to reduce the high number of wrong-way crashes occurring at this location.

In support of the KYTC *Complete Streets, Roads, and Highways Policy*, the ODOT *Multimodal Design Guide*, and the OKI *Regional Complete Streets Policy*, Refined Alternative I (Concept I-W) will promote safety for bicyclists and pedestrians. The ramp connections with local streets are being designed as lower-speed urban roadways, which will encourage drivers to decelerate to safe speeds prior to reaching bicycle and pedestrian crossings. Furthermore, the buffer distance between automobile traffic and sidewalks and shared-use paths will be increased, improving bicyclist and pedestrian safety and comfort. Finally, lighting will be installed in underpass areas to improve safety and security for pedestrians and bicyclists.

- Correct geometric deficiencies. Refined Alternative I (Concept I-W) has been developed in accordance with the most current versions of the KYTC *Highway Design Guidance Manual* and the ODOT *Location and Design Manual* and will correct geometric deficiencies throughout the corridor, including lane width, shoulder width, horizontal and vertical clearances, and horizontal and vertical geometry.
- Maintain connections to key regional and national transportation corridors. Refined Alternative I (Concept I-W) will reduce congestion, improve traffic flow, improve safety, and correct geometric deficiencies along a vital link to key regional and national transportation corridors. In addition, existing connections to the project corridor will be accommodated.



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## Appendix D: Hillsdale Subdivision Historic District and Elberta Apartments Historic District Coordination

### Table of Contents

- 2022-11-07 KYTC Cultural Historic Survey Report Submittal.....D-2
- 2022-11-17 Kentucky SHPO Cultural Historic Survey Report Concurrence .....D-11
- 2023-03-21 De Minimis Determination for Hillsdale Subdivision Historic District and Elberta Apartments Historic District.....D-13





Andy Beshear  
GOVERNOR

# TRANSPORTATION CABINET

200 Mero Street  
Frankfort, Kentucky 406 01

Jim Gray  
SECRETARY

November 7, 2022

Mr. Craig Potts  
Executive Director and  
State Historic Preservation Officer  
The Barstow House  
410 High Street  
Frankfort, KY 40601

**SUBJECT:** Revised Cultural Historic Survey for the Brent  
Spence Bridge Project in Covington, Kenton  
County, Kentucky  
KYTC Item No. 6-17

Dear Mr. Potts:

Please find the revised Cultural Historic Survey and survey forms submitted with this transmittal. After a concurrent review discussion, KYTC is now requesting concurrence for eligibilities and effects.

During their survey, Cardno now Stantec (Cardno) identified 214 historic-age resources within the area of potential effects: 97 were previously documented while 117 were newly recorded. Five previously NRHP-listed historic districts and two newly recommended historic districts are included in the number of previously documented resources.

Table 1 presents KYTC/FHWA’s eligibility and effects determinations for the NRHP-listed and individually eligible resources.

**Table 1. NRHP-Listed and Individually Eligible Resources**

KHC Survey No.	Site Name	NRHP Status	KYTC Effect Determination
KE-07 and KE-08	Elberta Apartments Historic District*	Eligible	No Adverse Effect
KE-09	West Side/Main Strasse Historic District	Listed	No Adverse Effect
<b>KE-10</b>	<b>Lewisburg Historic District</b>	<b>Listed</b>	<b>Adverse Effect</b>
KE-11	Old Ft. Mitchell Historic District	Listed	No Effect
KE-12	Beechwood Historic District	Listed	No Effect
<b>KE-13</b>	<b>Hillsdale Historic District*</b>	<b>Eligible</b>	<b>No Adverse Effect</b>
KE-952	Sisters of Notre Dame Convent and Cemetery	Eligible	No Effect
KEC-107	C&O Railroad Bridge	Eligible	No Adverse Effect
KEC-456	1000 Emery Drive (House)	Eligible	No Effect
KEC-458	45 Rivard Drive (House)	Eligible	No Adverse Effect
KEC-460	829-831 Highway Avenue (House)	Eligible	No Effect

KEC-462	Bavarian Brewery Bottling Works/Glier's Goetta	Eligible	No Adverse Effect
KEC-820	Brent Spence Bridge	Eligible	No Adverse Effect
KEC-1011	534 West 13 <sup>th</sup> Street (House)	Eligible	No Adverse Effect
KEC-1038	626 W. 5 <sup>th</sup> Street (Quality Inn)	Eligible	No Adverse Effect
KEC-1048	224 Wright Street (Futuro House)	Eligible	No Effect
KEC-1064	402 Bakewell Street (Commercial Building)	Eligible	No Effect
KEC-1068	Covington Levee	Eligible	No Adverse Effect
KEC-1075	Clay Wade Bailey Bridge	Eligible	No Adverse Effect
KECL-692	536 West 13 <sup>th</sup> Street (House)	Eligible	No Adverse Effect
KECL-815	Bavarian Brewing Co./Kenton County Govt. Center	Listed	No Adverse Effect
KECL-1018	521 Western Ave (House)	Eligible	No Effect
KEFM-150	Highland Cemetery Historic District	Listed	No Effect

\*Newly recommended historic districts.

Cardno also recommended KECL-1055, a Northern Kentucky townhouse, as eligible for the NRHP as well as an adverse effect finding for the site. KYTC disagrees with the eligibility and effect recommendations for KECL-1055. Site KECL-1055 has had its integrity of materials, workmanship, and design impacted by the application of vinyl siding on at least two sides of the structure and the removal of a one-story rear addition and a covered porch on the south side. The addition and porch appear on the 1909 Sanborn Fire Insurance Map (Sanborn), the first Sanborn map that covers the portion of Covington where KECL-1055 is located. By the 1949 Sanborn, the addition was removed. The covered porch was removed between the 1954 Sanborn and the 2009 architectural fieldwork conducted in support of the 2010 Brent Spence Bridge project<sup>1</sup>. KYTC determines KECL-1055 not eligible for the NRHP and the proposed project will have no effect on this site.

One previously NRHP-listed resource, the Bavarian Brewing Co./Kenton Co. Govt. Center (KECL-815) was revisited and an update to the existing NRHP boundary was recommended by Cardno. The revised NRHP boundary for this site will expand to encompass the original bottling works (KEC-462), now Glier's Goetta, and eliminate the parking lots on the east and west sides from the NRHP boundary. As there is documentary evidence to show the building which now houses Glier's Goetta once served at the bottling works for the Bavarian Brewery, KYTC concurs with this recommendation and the proposed project will have no effect on these sites. Please see the attached map showing the proposed revised NRHP boundary for KECL-815/KEC-462.

In addition to the individually eligible or NRHP-listed resources and the recommended or NRHP-listed historic districts, Cardno identified contributing resources to several of the historic districts. Table 2 features contributing resources to the NRHP-listed Lewisburg Historic District (LHD) and the West Side/Main Strasse Historic District (WSMSHD). These resources were evaluated due to proposed takings for their respective parcels. The takings proposed for the WSMSHD sites have been withdrawn as the project design has been altered to eliminate the need for the takings.

<sup>1</sup> Parsons Brinckerhoff Americas and Gray & Pape, Inc. Phase I History/Architecture Survey – Kenton County, Kentucky. April 2010.

**Table 2. NRHP-Listed Historic Districts and their Contributing Resources within the APE**

<b>Lewisburg Historic District (KE-010)</b>					
Previously Listed as Contributing to Lewisburg; Not Individually Eligible	KECL-115	KECL-136	KECL-983	KECL-987	
	KECL-117	KECL-137	KECL-986	KECL-988	
	KECL-119	–	–	–	
<b>West Side/Main Strasse Historic District (KE-09)</b>					
Previously Listed as Contributing to West Side/Main Strasse	KEC-1023	KEC-1026	KEC-1028	KEC-1030	
	KEC-1024	KEC-1027	KEC-1029	KEC-1031	
	KEC-1025	–	–	–	

Cardno recommended an Adverse Effect finding for the project based on the impacts to the LHD. Within the portion of the LHD located within the APE, nine sites (KECL-115; KECL-117; KECL-119; KECL-136; KECL-137; KECL-983; KECL-986; KECL-987; and KECL-988) were identified as contributing resources to the district, but not individually eligible. All of the LHD contributing resources listed in Table 2 will be impacted by partial and complete takings. For the currently proposed version of the project, the design will require fewer takings overall to the LHD than the 2011 version of the project. These takings will impact the Lewisburg Historic District, resulting in an Adverse Effect.

An expansion for the West Side/Main Strasse Historic District (KE-09) to the south of the existing district was also recommended by Cardno. The following sites are recommended for the expansion: KEC-462; KECL-815; KEC-626; KEC-1013; and KECL/KEC-918. KYTC concurs with this recommendation. Please see the attached map showing the proposed NRHP boundary expansion/revision.

Table 3 provides the contributing resources for the Elberta Apartments Historic District (EAHD) and the Hillsdale Historic District (HHD). These resources were identified as they were located within the APE and not part of an existing NRHP-listed historic district.

**Table 3. Recommended Historic Districts and their Contributing Resources within the APE**

<b>Elberta Apartments Historic District (KE-07 and KE-08)</b>					
Not Individually Eligible; Contributing to Elberta Apartments Historic District	KE-953	KE-964	KE-984	KEC-459	
	KE-954	–	–	–	
<b>Hillsdale Historic District (KE-013)</b>					
Individually Eligible; Contributing to Hillsdale Historic District	KEC-458	–	–	–	
	KE-925	KE-926	–	–	

Two new historic districts have been proposed within the APE: Hillsdale Historic District (KE-013) and Elberta Apartments Historic District (KE-07 and KE-08). Both proposed districts are recommended eligible under Criterion A in the area of significance Community Planning and Development. Within the portion of the Elberta Apartments Historic District located within the APE, five sites (KE-953; KE-964; KE-984; KEC-459; and KE-954) are contributing resources, but not individually eligible. Within the portion of the Hillsdale Historic District located within the APE, one site (KEC-458) is individually eligible for the NRHP under Criteria C and a contributing resource to the district, while two sites (KE-925 and KE-926) are contributing resources, but not individually eligible. KYTC concurs with this recommendation and the



proposed project will have no effect on either of these districts. Please see the attached maps showing the proposed NRHP boundaries for each of these proposed districts.

Sites KEC-1062, KEC-1063, and KEC-1065 are recommended by Cardno as contributing resources to the C&O Railroad Bridge. These sites are a single unit and, even though they have separate bridge numbers for inspection purposes, they comprise a single linear structure: the 1929 C&O Covington Viaduct. The mile-long C&O Covington Viaduct serves as the 1929 C&O Railroad Bridge approach. KYTC concurs with these sites contributing resources to the C&O Railroad Bridge and the project will have No Adverse Effect on these sites.

Finally, KYTC determines 149 resources to be not individually eligible for the NRHP under any criteria and do not contribute to a historic district. The proposed project will have no effect on these sites. See Table 4 for the complete list.

**Table 4. Surveyed Resources Not Eligible for the NRHP and Do Not Contribute to a Historic District**

KE-659	KE-941	KEC-1021	KEC-1056	KECL-1027	KECL-1049	KEFM-310
KE-661	KE-942	KEC-1033	KEC-1057	KECL-1028	KECL-1050	KEFM-311
KE-915	KE-949	KEC-1034	KEC-1058	KECL-1029	KECL-1051	KEFM-312
KE-916	KE-950	KEC-1035	KEC-1059	KECL-1030	KECL-1052	KEFM-313
KE-917	KE-951	KEC-1037	KEC-1060	KECL-1031	KECL-1053	KEFM-314
KE-918	KE-985	KEC-1039	KEC-1061	KECL-1032	KECL-1054	KEFM-315
KE-919	KE-986	KEC-1040	KEC-1066	KECL-1033	KECL-1056	KEFM-316
KE-920	KE-987	KEC-1041	KEC-1067	KECL-1034	KECL-1057	KEFM-317
KE-921	KE-988	KEC-1042	KECL-221	KECL-1035	KECL-1058	KEFM-318
KE-922	KE-989	KEC-1043	KECL-1014	KECL-1036	KECL-1059	KEFM-319
KE-923	KE-990	KEC-1044	KECL-1015	KECL-1036	KEFM-287	KEFM-320
KE-924	KEC-430	KEC-1045	KECL-1016	KECL-1037	KEFM-289	KEFM-321
KE-927	KEC-457	KEC-1046	KECL-1017	KECL-1038	KEFM-290	KEFM-322
KE-932	KEC-461	KEC-1047	KECL-1019	KECL-1039	KEFM-301	KEFM-323
KE-933	KECL-817/KEC-817*	KEC-1049	KECL-1020	KECL-1040	KEFM-302	KEFM-324
KE-934	KEC-1012	KEC-1050	KECL-1021	KECL-1042	KEFM-304	KEFM-325
KE-935	KEC-1015	KEC-1051	KECL-1022	KECL-1044	KEFM-305	KEFM-326
KE-936	KEC-1016	KEC-1052	KECL-1023	KECL-1045	KEFM-306	KEFM-327
KE-937	KEC-1017	KEC-1053	KECL-1024	KECL-1046	KEFM-307	KEFM-331
KE-938	KEC-1018	KEC-1054	KECL-1025	KECL-1047	KEFM-308	KEFM-333
KE-939	KEC-1019	KEC-1055	KECL-1026	KECL-1048	KEFM-309	KEFM-334
KE-940	KEC-1020	–	–	–	–	–

\*KECL-817/KEC-817 (533 Pike Street, Covington, KY) has two KHC survey numbers. This property was previously documented as KECL-817 in Parsons Brinckerhoff Americas and Gray & Pape, Inc., 2010.

In summary, KYTC determines a project finding of **Adverse Effect** due to the impacts to the NRHP-listed Lewisburg Historic District and its contributing resources.

KYTC is requesting concurrence with the above eligibility and effects determinations at your earliest convenience. If you have any questions, please contact Stephanie Lechert or me at 502-782-5038.

Sincerely,

A handwritten signature in black ink, appearing to read "Danny R. Peake". The signature is fluid and cursive, with the first name "Danny" and last name "Peake" clearly distinguishable.

Danny R. Peake, Director  
Division of Environmental Analysis

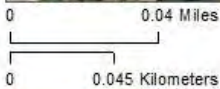
DRP/sel


Enclosures

cc: M. Yagle (KHC), S. Schurman (DEA), S. Hans (D-6), S. James (D-6), S. Lechert (DEA), J. Ballentine (FHWA), M. Diop (FHWA), J. Heflin (HNTB)







 NRHP Boundary

7.5' Quad angle:  
Covington, KY  
Project No.  
XXXXX

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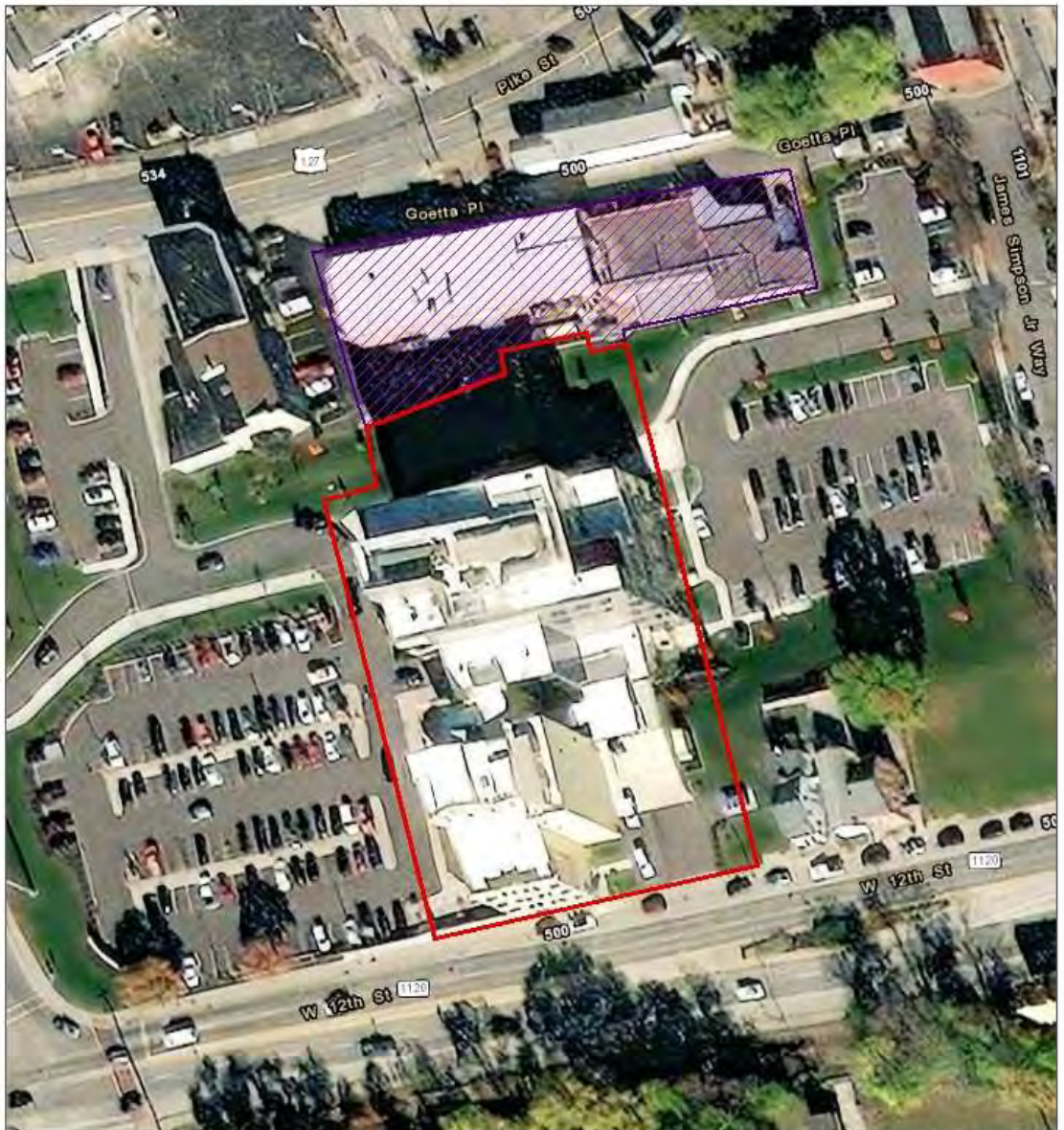
## Hillsdale Historic District Proposed NRHP Boundary

### Brent Spence Bridge Renewal Project (6-17)



### Covington, Kenton County, Kentucky



3031 Industrial Blvd, Indianapolis, IN 46254  
Phone (317) 211-388-1082 Fax (317) 211-388-1566  
[www.cardno.com](http://www.cardno.com)



0 0.015 Miles  
 0 0.015 Kilometers

-  Recommended NRHP Boundary
-  Recommended NRHP Boundary Increase

7.5' Quad angle:  
 Covington, KY  
 Project No.  
 XXXXX

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## The Bavarian Brewery Company Proposed NRHP Boundary

### Brent Spence Bridge Renewal Project (6-17) Covington, Kenton County, Kentucky



3801 Industrial Blvd., Independence, MO 64204  
 Phone: (417) 311-385-1982 Fax: (417) 311-385-1985  
 www.cedris.com

Data: 5/2/2022 File Path: C:\Users\tristopher.hart\OneDrive - Cleveland\Projects\Brent Spence\GIS\7.5' Quad\7.5' QuadMap.mxd  
 BaseMap: Source: Esri, Microsoft, GeoEye, AeroGlobe, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Esri, HERE, Garmin, © OpenStreetMap contributors  
 Created by: tristopher.hart



ANDY BESHEAR  
GOVERNOR

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SECRETARY

JACQUELINE COLEMAN  
LT. GOVERNOR

410 HIGH STREET  
FRANKFORT, KENTUCKY 40601  
(502) 564-7005  
[www.heritage.ky.gov](http://www.heritage.ky.gov)

CRAIG A. POTTS  
EXECUTIVE DIRECTOR &  
STATE HISTORIC PRESERVATION OFFICER

November 17, 2022

Mr. Daniel R. Peake  
Division of Environmental Analysis  
Kentucky Transportation Cabinet  
200 Mero Street Frankfort, KY 40622

**Re: Revised Cultural Historic Survey for the Brent  
Spence Bridge Project in Covington, Kenton  
County, Kentucky  
KYTC Item No. 6-17**

Dear Mr. Peake,

Thank you for your digital submission of the revised Cultural Historic Survey and survey forms for the above-listed project which is pursuant to Section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. Sec. 470f) and implementing regulations at 36 C.F.R. Part 800.

Our office understands that the above proposed project involves an eight-mile interstate widening project between Dixie Highway in Kentucky and Ezzard Charles Drive in Ohio, with approximately six miles of the project in Kentucky. We understand that the project also includes the construction of a new companion bridge adjacent to the existing Brent Spence Bridge, reconstructed interchanges and overpasses, new frontage roads, upgraded drainage facilities, relocated utilities, expanded sidewalks and new multiuse facilities, retaining walls, and noise walls are also proposed. We understand that a total of 214 historic-age resources within the area of potential effects were identified: Ninety-seven were previously documented while 117 were newly recorded. Five previously National Register (NR) listed historic districts and two newly recommended historic districts were identified within the APE.

We understand FHWA/KYTC's eligibility and effects determinations as outlined in Tables #1, #2, #3, and #4 of your November 7, 2022 letter. We also understand that FHWA/KYTC has proposed a revised NR boundary for Bavarian Brewing Co./Kenton Co. Govt. Center (KECL-815) that will expand to encompass the original bottling works (KEC-462), now Glier's Goetta, and eliminate the parking lots on the east and west sides from the NR boundary. We also understand that an expansion for the West Side/Main Strasse Historic District (KE-09) to the south of the existing district has been proposed. The following sites are recommended for the expansion: KEC-462; KECL-815; KEC-626; KEC-1013; and KECL/KEC-918.

We understand that KYTC has determined that the project will have an Adverse Effect due to the impacts to the NRHP-listed Lewisburg Historic District and its contributing resources. We understand from the report that several properties including National Register-listed contributing elements FS 209/KECL-115 and FS 213/KECL-136 will need to be acquired and demolished. Additionally, strip takings from the eastern property boundaries of National Register-listed contributing elements FS 210/KECL-117, FS 211/KECL-119, and FS 214/KECL-137 will also be required. The paved portion of the interstate and/or local roads will also be placed generally closer to the district and the undertaking will encroach on the eastern National Register boundary and require its narrowing around Bullock, 11th, and 12th Streets.

Based on our review, our office agrees with the eligibility findings as outlined in your November 7<sup>th</sup>, 2022 letter and with the NRHP boundary modifications and as a result, **Concur** with your eligibility determinations and finding of **Adverse Effect**.

We would like to thank FHWA, KYTC and the design team for their efforts to avoid impacts to the West Side/Mainstrasse Historic District. We look forward to continued consultation as the MOA is developed. Should you have any questions, please feel free to contact Matt Yagle of my staff at [matthew.yagle@ky.gov](mailto:matthew.yagle@ky.gov).

Sincerely,



Craig A. Potts,  
Executive Director and State Historic Preservation Officer

CP: my, KHC #220186; 66015  
CC: Stephanie Lechert (KYTC-DEA)





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

**Kentucky Division**

March 21, 2023

330 West Broadway  
Frankfort, KY 40601

PH (502) 223-6720

FAX (502) 223-6735

<http://www.fhwa.dot.gov/kydiv>

Mr. Craig Potts  
Executive Director  
and State Historic  
Preservation Officer  
410 High Street  
Frankfort, KY 40601

In Reply Refer To:  
HDA-KY

Dear Mr. Potts:

Thank you for your ongoing coordination with the Kentucky Transportation Cabinet (KYTC) regarding impacts to historic properties resulting from the Brent Spence Bridge Replacement/Rehabilitation Project, in Kenton County, Kentucky (KYTC Item Number: 6-17).

Based on the project's selected alternative, small property acquisitions will be required from the Elberta Apartments Historic District (KE-07; KE-08) and from the Hillsdale Subdivision Historic District (KE-13). These impacts include the acquisition of 0.42 acres (0.39 acres of permanent easement and 0.03 acres proposed right of way) from the Elberta Apartments Historic District; and 0.06 acres of proposed right of way from the Hillsdale Subdivision Historic District. The enclosed mapping identifies the boundaries of these eligible historic districts and the location of project impacts within each district.

The enclosed November 7, 2022 letter from the KYTC to the Kentucky State Historic Preservation Officer (KY-SHPO), includes the determination that the Elberta Apartments Historic District and the Hillsdale Subdivision Historic District are eligible for the National Register of Historic Places. It also includes the determination that the project impacts will result in **No Adverse Effects** on either historic district. The KY-SHPO's enclosed November 17, 2022 letter concurred with **No Adverse Effects** determinations for the Elberta Apartments Historic District (KE-07; KE-08) and the Hillsdale Subdivision Historic District (KE-13), in accordance with 36 CFR 800.

Based upon the **No Adverse Effects** determinations and the KY-SHPO's concurrence, we now find that the Brent Spence Bridge Replacement/Rehabilitation Project will have de minimis 4(f) use impacts (defined by 23 CFR 774.3 and 23 CFR 774.17) on both the Elberta Apartments Historic District and the Hillsdale Subdivision Historic District.

Please contact me at [John.Ballantyne@dot.gov](mailto:John.Ballantyne@dot.gov) or (502) 223-6747 if you have any comments or questions.

Sincerely,

**JOHN D  
BALLANTYNE**

John D. Ballantyne

Lead Transportation Specialist

Digitally signed by JOHN D  
BALLANTYNE  
Date: 2023.03.21 13:00:45 -04'00'

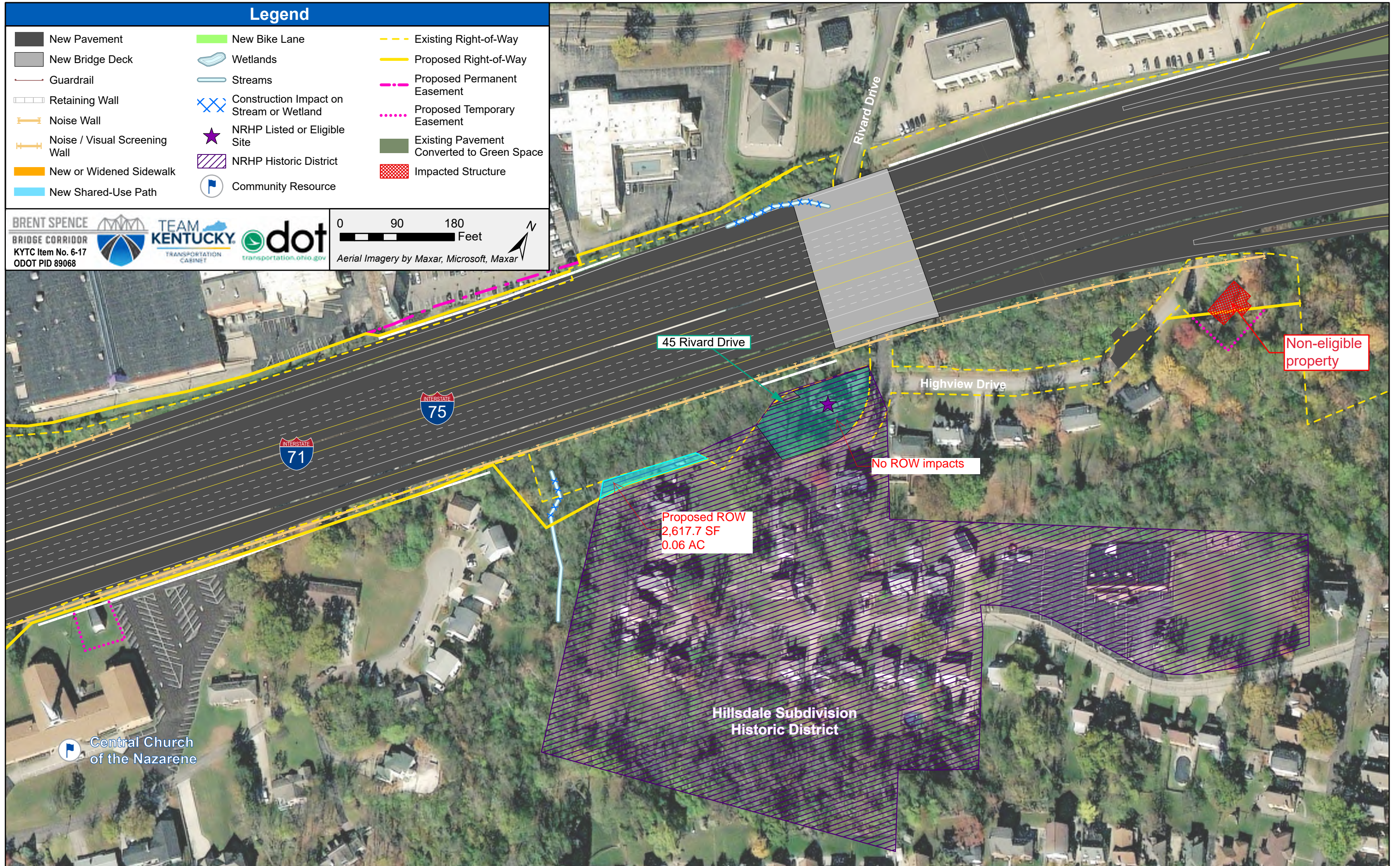
# Legend

- |  |                               |  |  |  |  |
|--|-------------------------------|--|--|--|--|
|  | New Pavement                  |  | New Bike Lane                            |  | Existing Right-of-Way                      |
|  | New Bridge Deck               |  | Wetlands                                 |  | Proposed Right-of-Way                      |
|  | Guardrail                     |  | Streams                                  |  | Proposed Permanent Easement                |
|  | Retaining Wall                |  | Construction Impact on Stream or Wetland |  | Proposed Temporary Easement                |
|  | Noise Wall                    |  | NRHP Listed or Eligible Site             |  | Existing Pavement Converted to Green Space |
|  | Noise / Visual Screening Wall |  | NRHP Historic District                   |  | Impacted Structure                         |
|  | New or Widened Sidewalk       |  | Community Resource                       |  |  |
|  | New Shared-Use Path           |  |  |  |  |

KYTC Item No. 6-17  
 ODOT PID 89068

0 90 180 Feet

Aerial Imagery by Maxar, Microsoft, Maxar



# Legend

- |  |                               |  |  |  |  |
|--|-------------------------------|--|--|--|--|
|  | New Pavement                  |  | New Bike Lane                            |  | Existing Right-of-Way                      |
|  | New Bridge Deck               |  | Wetlands                                 |  | Proposed Right-of-Way                      |
|  | Guardrail                     |  | Streams                                  |  | Proposed Permanent Easement                |
|  | Retaining Wall                |  | Construction Impact on Stream or Wetland |  | Proposed Temporary Easement                |
|  | Noise Wall                    |  | NRHP Listed or Eligible Site             |  | Existing Pavement Converted to Green Space |
|  | Noise / Visual Screening Wall |  | NRHP Historic District                   |  | Impacted Structure                         |
|  | New or Widened Sidewalk       |  | Community Resource                       |  |  |
|  | New Shared-Use Path           |  |  |  |  |

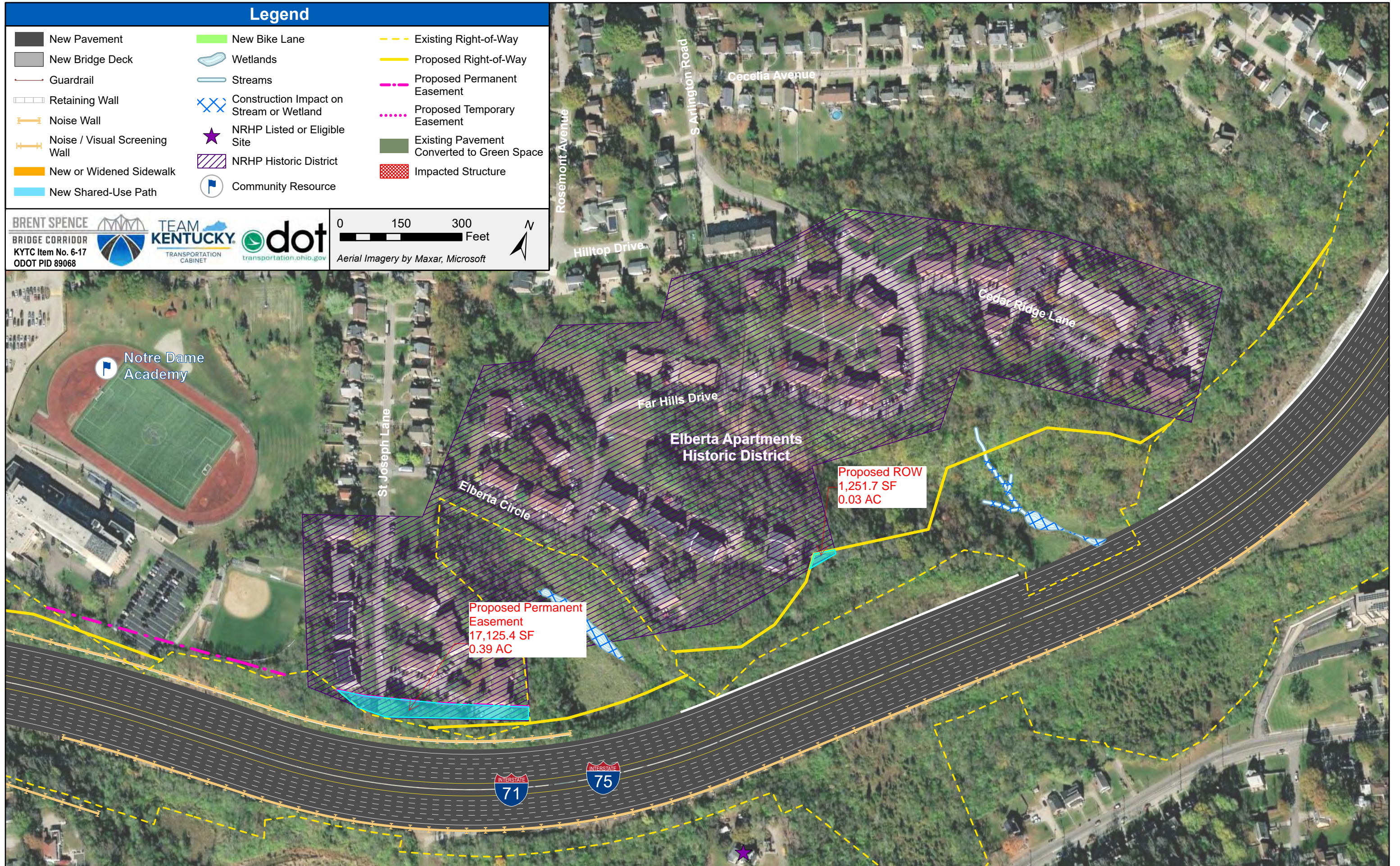
BRENT SPENCE  
 BRIDGE CORRIDOR  
 KYTC Item No. 6-17  
 ODOT PID 89068

TEAM KENTUCKY  
 TRANSPORTATION CABINET

dot  
 transportation.ohio.gov

0 150 300 Feet

Aerial Imagery by Maxar, Microsoft



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## Appendix E: Goebel Park Complex Coordination

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- 2023-11-16 National Park Service Conversion Approval & Amendment to Project Agreement.... E-2
- 2023-11-16 National Park Service Categorical Exclusion Certification ..... E-6





# United States Department of the Interior



## NATIONAL PARK SERVICE

Atlanta Federal Center  
1924 Building  
100 Alabama Street, SW  
Atlanta, GA 30303

IN REPLY REFER TO:

8.A.2 (IR2-5041)  
21-00541.1

September 15, 2023

Billie Johnson, ASLO  
Kentucky Department for Local Government  
100 Airport Road, Third Floor  
Frankfort, KY 40601

Dear Mrs. Johnson:

We have reviewed the State's proposal, on behalf of the City of Covington, for the conversion of 2.84 acres of the Goebel Park Complex in accordance with 36 C.F.R. § 59.3 and the Land and Water Fund (LWCF) State Assistance Program Manual, Volume 71 (Manual). Goebel Park Complex is a ±14.44-acre site that received LWCF assistance grant for development/renovation and to establish the LWCF public outdoor recreation use boundary. The complex consists of a series of recreation areas – Kenny Shields Park, Sargent First Class Jason Bishop Memorial Dog Park, and Goebel Park. LWCF assisted facilities featured within the complex included an outdoor Olympic-sized pool area, playground, picnic areas, walking trails basketball courts, greenspace and a 100-foot German-style clock tower that displays puppet shows on the hour. The conversion proposal was triggered by the Brent Spence Bridge Corridor project. The project includes reconstruction of 7.8 miles of I-71/I-75, widening to add one lane in each direction, and construction of a new companion bridge west of the existing Brent Spence Bridge over the Ohio River in Kenton County, KY and Hamilton County, OH.

The documentation that the State submitted indicates that the replacement property consists of ±2.23-acres of state-owned property located adjacent to the existing park at West 5<sup>th</sup> street and the exit ramp for I-71/I-75. This site is undeveloped, vacant land that unlike the proposed converted acreage is not located within flood-prone area. Recreation features removed or altered by the conversion will be replaced within the post conversion Goebel Park Complex. The site will continue to exist as an active outdoor recreation area that will contain the same recreational features as the existing complex. Several new recreational features and amenities will be developed within the remaining 11.6-acre property including walking trails and basketball courts. These features will ensure recreational opportunity remains for city residents, area youth and the elderly.

The appraisal of the ±2.84-acre converted property in the amount of \$140,100.00, and the appraisal of the ±2.23-acre replacement property amount of \$1,450,000.00, were approved by the

Interior Region 2 • South Atlantic–Gulf

Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi  
North Carolina, Puerto Rico, South Carolina, Tennessee, U.S. Virgin Islands

State's Review Appraiser and concurred by you, as the Alternate State Liaison Officer. Enclosed is your copy of the signed Amendment to the Project Agreement approving the conversion. Within three (3) years, please provide an "as-built" site plan of the developed replacement property. If you have any question, please do not hesitate to contact Mrs. Keilah Spann, of my staff at (404) 507-5803 or by email Keilah\_Spann@nps.gov

Sincerely,

**MARY MORRISON** Digitally signed by MARY  
MORRISON  
Date: 2023.11.16 18:41:18 -05'00'

Mary Morrison  
Chief, Recreation Programs Branch (Acting)  
National Park Service  
1849 C Street NW  
Washington, DC 20240

Enclosures



### AMENDMENT TO PROJECT AGREEMENT Land and Water Conservation Fund



State: KENTUCKY

Project Amendment No. 1

THIS AMENDMENT to Project Agreement No. 21-00541 is hereby made and agreed upon by the United States of America, acting through the Director of the National Park Service and by the State of Kentucky pursuant to the Land and Water Conservation Fund Act of 1965, 78 Stat. 897 (1964).

The State and the United States, in mutual consideration of the promises made herein and in the agreement of which this is an amendment, do promise as follows:

That the above-mentioned agreement is amended by adding the following:

In accordance with LWCF Manual Chapter 8.F. Conversion of Use. A grant amendment to convert 2.84 acres of the existing Goebel Park Complex (2.34 acres of Goebel Park and 0.50 acres of Kenney Shields Park) and to replace it with 2.23 acres of state-owned property located adjacent to the existing park at the exit ramp of I-71/I-75 and West 5<sup>th</sup> Street in Kenton County, KY. The conversion will allow reconstruction of 7.8 miles of I-71/I-75, widening to add one lane in each direction, and construction of a new companion bridge west of the existing Brent Spence Bridge over the Ohio River in Kenton County, KY and Hamilton County, OH.

In all other respects the agreement of which this is an amendment, and the plans and specifications relevant thereto, shall remain in full force and effect. In witness thereof the parties hereto have executed this amendment as of the date entered below.

**THE UNITED STATES OF AMERICA**

**STATE OF KENTUCKY**

By MARY MORRISON Digitally signed by MARY MORRISON  
Date: 2023.11.16 18:43:52 -05'00'  
(Signature)

By \_\_\_\_\_  
(Signature)

Chief, Recreation Program Branch (Acting)  
(Title)

Alternate State Liaison Officer  
(Title)

**National Park Service  
United States Department of the Interior**

Kentucky Department for Local Government  
(Agency)

Date \_\_\_\_\_

\_\_\_\_\_

## NOTICES

### Paperwork Reduction Act Statement

In accordance with the Paperwork Reduction Act (44 U.S.C. 3501), please note the following. This information collection is authorized by the Land and Water Conservation Fund Act of 1965 (54 U.S.C. 200301 et. seq.). Your response is required to obtain or retain a benefit. We use this information to document changes made to original grant agreement following the close-out of the grant. We may not conduct or sponsor and you are not required to respond to a collection of information unless it displays a currently valid Office of Management and Budget control number. OMB has assigned control number 1024-0031 to this collection.

### Estimated Burden Statement

Public reporting burden for this form is estimated to average 1 hours per response including the time it takes to read, gather data, review instructions, and complete the form. Direct comments regarding this burden estimate, or any aspects of this form, to the Information Collection Clearance Officer, National Park Service, 12201 Sunrise Valley Drive, Mail Stop 242, Reston, VA 20192. Please do not send your form to this address.



# LWCF

## Stewardship Action Review

National Park Service  
U.S. Department of the Interior  
State and Local Assistance Programs



21-00541.1 Goebel Park Conversion  
Project Number and Name

Covington, Kenton, KY  
City, County, State

### Proposed NPS LWCF Federal Action:

Approval of a Land and Water Conservation Fund (LWCF) grant amendment to remove 2.84 acres from the LWCF assisted Goebel Park Complex park site for transportation use, and replace it with 2.23 acres of state-owned property located adjacent to the existing Goebel Park Complex at the exit ramp of I-71/I-75 and West 5th Street in Kenton County, KY.

### **Categorical Exclusion**

Based on the evaluation of the environmental impacts and documentation provided within the Environmental Assessment (2012) and the Supplemental Environmental Assessment (2024) prepared for the Brent Spence Bridge Corridor Project, the NPS LWCF program is categorically excluding the described 6(f)-conversion proposal from further National Environmental Policy Act (NEPA) analysis. The action is fully described within the ODOT and KYTC Environmental Assessment and Supplemental Environmental Assessment. This NPS LWCF conversion has been environmentally certified as a Categorical Exclusion (CE) under item C.2. *Land exchanges which will not lead to significant changes in the use of the land*” of Department Manual (DM), Series 31, part 516, Chapter 12. There will be minimal loss of recreation at the remaining Goebel Park Complex as a result of this conversion from outdoor recreation use.

**MARY MORRISON** Digitally signed by MARY MORRISON  
Date: 2023.11.16 18:32:44 -05'00'

---

**Mary Morrison, Acting Recreation Programs Branch Chief    Date**  
**National Park Service – Washington, D.C.**

---

## Appendix F: Lewisburg Historic District Coordination

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**MEMORANDUM OF AGREEMENT (MOA)**  
**AMONG**  
**THE FEDERAL HIGHWAY ADMINISTRATION,**  
**THE KENTUCKY STATE HISTORIC PRESERVATION OFFICER**  
**WITH CONCURRENCE BY THE KENTUCKY TRANSPORTATION CABINET**  
**AND THE CITY OF COVINGTON, KENTUCKY**  
**REGARDING THE**  
**BRENT SPENCE BRIDGE REPLACEMENT/REHABILITATION PROJECT**  
**HAMILTON COUNTY, OHIO AND KENTON COUNTY, KENTUCKY**  
**KYTC ITEM # 6-17.00**  
**AND THE ADVERSE EFFECT TO THE**  
**LEWISBURG HISTORIC DISTRICT,**  
**LISTED ON THE NATIONAL REGISTER OF HISTORIC PLACES (NRHP 93001165)**  
**COVINGTON, KENTUCKY**

**Whereas**, the Federal Highway Administration (FHWA), the Kentucky Transportation Cabinet (KYTC) and the Ohio Department of Transportation (ODOT) propose to reconstruct a 7.8-mile segment of Interstate 71 (I-71) and Interstate 75 (I-75) and construct a new bridge over the Ohio River in Kenton County, Kentucky and Hamilton County, Ohio, known as the Brent Spence Bridge Replacement/Rehabilitation Project (Undertaking); and

**Whereas**, FHWA, with ODOT and KYTC as its agents, has defined the Undertaking's Area of Potential Effect (APE), as defined in 36 C.F.R. Section 800.16(d). The description and mapping of the project's APE is included in Attachment A; and

**Whereas**, FHWA, with ODOT and KYTC as its agents, have consulted with Ohio Historic Preservation Office (OHPO) and Kentucky Heritage Council (KHC); and

**Whereas**, FHWA, with ODOT and KYTC as its agents, plan to fund the Undertaking, thereby making the Undertaking subject to review under Section 106 of the National Historic Preservation Act (NHPA), 16 U.S.C. § 470f, and its implementing regulations, 36 C.F.R. Part 800; and

**Whereas**, FHWA, with ODOT and KYTC as its agents, will consult with federally recognized Indian Tribes that may attach religious and cultural significance to historic properties; and

**Whereas**, FHWA, with ODOT and KYTC as its agents, have consulted with Consulting Party members (Attachment B) regarding the effects of the Undertaking on historic properties and has invited them to sign this MOA as concurring parties; and

**Whereas**, FHWA, with ODOT and KYTC as its agents, after due consideration of input provided by Consulting Parties, have determined the agreed upon measures to resolve the adverse

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Item No 6-17.00

effects of the Undertaking to historic properties, located in the State of Ohio and the Commonwealth of Kentucky, which will be formalized in two separate MOAs; and

**Whereas**, FHWA, with ODOT as its agent, in accordance with 36 C.F.R § 800.6(a)(1), has notified the Advisory Council on Historic Preservation (COUNCIL) of the adverse effect determination with specified documentation and the COUNCIL has chosen not to participate in the consultation pursuant to 36 C.F.R 800.6(a)(1)(iii); and

**Whereas**, FHWA, with KYTC as its agent, in consultation with the KHC, and other consulting parties, determined the Undertaking will have an adverse effect upon the Lewisburg Historic District, listed on the NRHP (93001165), bounded by I-71/75 and the city limits of Covington, Kentucky (Lewisburg Historic District), pursuant to Section 106 of the NHPA, 16 U.S.C. § 470f, and its implementing regulations, 36 C.F.R. § 800; and

**Whereas**, FHWA, with KYTC as its agent, has initiated this MOA to build upon the identification and consultation efforts conducted thus far in the Commonwealth of Kentucky; and, to formalize measures to resolve the adverse effect to the Lewisburg Historic District; and

**Whereas**, FHWA, with KYTC as its agent, have identified 207 parcels in Kentucky potentially affected by the project. Archeological investigations to date have addressed all but 45 of those parcels and have not identified any archeological sites eligible for listing on the National Register of Historic Places. Due to difficulties accessing the remaining 45 parcels, additional archeological investigation will be necessary to complete the identification of historic properties within the archeological APE for the undertaking or alternate mitigation may be considered in lieu of those investigations;

**Now, Therefore**, FHWA, KYTC and KHC agree that the Undertaking shall be implemented in accordance with the following stipulations in order to take into account the adverse effect of the undertaking on the Lewisburg Historic District and further identification requirements for archeological investigations.

### **STIPULATIONS**

FHWA shall ensure that the following mitigation measures are implemented:

#### **I. ARCHITECTURAL PROPERTIES**

##### **A. Recordation**

1. In order to preserve a record of its history and appearance, the structures within the Lewisburg Historic District to be demolished as a part of this project, will be recorded. **State Level I Documentation** is specified and will include:
  - a. A Kentucky Historic Resource Individual Survey form (KHC 2011-1), completed or updated as appropriate;

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- b. Utilizing an archival search and gathering specific historic information from appropriate data sources, a brief report describing the history and architectural significance of the structures and history of the area or neighborhood will be prepared to accompany the inventory form;
  - c. The buildings or structures will be photographically documented with a series of digital color images showing all exterior elevations architectural elements, interior ornamentation, woodwork, and any other significant, character defining details. A selection of photographs should be printed on 5" x 7" archival quality, acid free paper. Each photo will be labeled with the date, site number, direction, and subject. A Gold, Archival type CD-Rom of the digital images shall be provided in notebook sleeves and submitted in a three-ring binder;
  - d. Measured floor plans of each floor of the buildings or structures will be prepared by the Preservation Professional following the conventions outlined in Attachment C. These drawings will be at a scale of 1/8 inch per foot, and will be analytical in nature, showing construction details, alterations, and additions. The drawings shall be on archival quality, acid free paper and may be in ink or pencil. Each drawing shall be labeled with the title of the building, survey number, view, dimension, name of the field worker and drawing preparer, date of the drawing, scale bar, north arrows for plans, and explanatory notes. The drawings will be accompanied by a written description of the building.
  - e. Two copies of the completed documentation will be submitted by the KYTC to the KHC for review and acceptance. Upon notification of KHC acceptance, the KHC will provide a copy to a local agency, archive, university or preservation group designated by the KHC. A copy will also be provided to the State Department of Libraries and Archives by KHC.
2. Upon completion of the Undertaking, KYTC shall prepare and provide to KHC, documentation of appropriate boundaries for the Lewisburg Historic District. Once agreement is reached on appropriate boundaries, KYTC shall prepare a revised nomination form reflecting the newly established boundaries and submit it to KHC for coordination with the Keeper of the National Register of Historic Places.
  3. Upon completion of construction of Undertaking, KYTC shall prepare a Kentucky Historic Resource Individual Survey form (KHC 2011-1) for each of the properties located within the Lewisburg Historic District. A new survey form is required if more than 5 years have lapsed since the survey form was updated. These survey forms along with associated CD-Rom with photographs will be submitted to the KHC.
- B. Façade Grant Program**
1. A Façade Grant Program administered by the city of Covington will be developed, and implemented to improve and rehabilitate the façade of residential and commercial properties within the Lewisburg Historic District. This program will be approved and

funded by FHWA. Specific details of the program, including additional funding sources, review authority, owner matching funds, program marketing, and timeframes for approval and completion of projects will be determined through consultation between KYTC, the City of Covington, KHC, and FHWA.

2. The Façade Grant Program will be provided with project funding in an amount not to exceed \$420,000.00 for property improvements. The FHWA participation will terminate ten years from the date of program implementation.

C. Vibration Testing

1. To avoid damage to historic properties, the KYTC shall ensure that construction blasting/vibration plans and bridge pier construction plans shall be developed by their contractor(s) prior to beginning any construction activities that would require blasting or result in vibration. These construction blasting/vibration plans shall be implemented during appropriate construction activities. Maximum threshold values for historic properties that the plan must meet are shown in Table 1 below. The values are presented in terms of peak particle velocity (PPV), the accepted method of evaluating the potential for damage. The vibration criteria shall apply for pile driving, vibratory compaction, and blasting activities.

Table 1 – PPV Thresholds

Type of Structure	Ground-borne Vibration Impact Level (PPV)
Fragile	0.20 in/sec
Extremely Fragile Historic	0.12 n/sec

2. The KYTC shall discuss with the KHC the protective measures to be used by the Contractor to protect historic resources from vibration damage. The KYTC shall seek the recommendations of the KHC regarding any additional properties not identified by the Contractor that should be considered Extremely Fragile.
  - a. These plans shall be developed, as directed by the contract documents, for all historic properties within the Kentucky APE and shall include requirements for pre- and post-construction surveys conforming to industry standards, construction monitoring, and other measures to minimize harm to historic properties. The KYTC shall be responsible for overseeing the development of these plans, in consultation with the KHC, who will help identify appropriate structures to monitor.
  - b. The KYTC in consultation with KHC will make the determination whether damage has occurred to historic properties identified in the Section 106 process as a result of Project activities.
  - c. The KYTC shall be responsible for repair of any blast and vibration damage to historic properties. Any repairs shall be coordinated in advance with the KHC to ensure they are carried out in accordance with the Secretary of the Interior's *Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* (Secretary's Standards).
  - d. Where access to privately owned property is necessary for monitoring or damage repair, consent shall be obtained prior to entry.

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Brent Spence Bridge  
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## II. ARCHAEOLOGICAL RESOURCES

The FHWA shall ensure that the following archaeological work required by this MOA is carried out by in accordance with the KHC policies and procedures:

- A. Phase I archaeological surveys shall be completed on 26 individual parcels that could not be previously accessed, due to lack of landowner permission.
- B. Archaeological monitoring shall be conducted during construction in 19 parcels that are currently inaccessible because of the presence of parking lots, sidewalks, or other impediments.
- C. Geo-archaeological deep testing at Site 15KE160 will be conducted to assess the potential for deeply buried cultural deposits at the site. Prior to deep testing a plan will be developed and provided to KHC for review and comment, stipulating the number, location, and depth of the trenching.
- D. If Phase I survey of previously unsurveyed parcels, monitoring or deep testing identifies archaeological sites considered by the FHWA, in consultation with the SHPO, to be potentially eligible for listing in the NRHP, they will be further tested for eligibility. These sites will be tested prior to the initiation of any ground disturbing activities, such as utility relocations or construction, to determine their eligibility for listing in the NRHP. Upon completion of the testing, a report will be prepared in accordance with the SHPO Specifications and will be submitted by the FHWA to the SHPO and interested Indian Tribes for review and comment.
- E. Any sites determined to be eligible for the NRHP through Phase II testing that cannot be avoided and will be impacted by the Undertaking, then FHWA will consult with the SHPO and other parties whom the FHWA deems appropriate, and develop a research design and recovery plan (Plan) in conformance with the SHPO Specifications. The Plan will be submitted to the SHPO for review and comment. Unless the SHPO comments or objects within thirty (30) days of receiving the Plan, The FHWA shall ensure that the Plan is implemented.

## III. UNANTICIPATED DISCOVERIES

- A. If, during the implementation of the Undertaking, a previously unidentified archaeological site or historic property is discovered or a previously identified historic property or archaeological resource is affected in an unanticipated manner, KYTC as appropriate, shall ensure that all work within a minimum of 100 feet around the areas of discovery shall cease until such time as a treatment plan can be developed and implemented. The KHC will be contacted within 24 hours.

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Brent Spence Bridge  
Item No 6-17.00

- B. KYTC as appropriate shall require the Contractor to take all reasonable measures to avoid harm to previously unidentified property until the FHWA concludes consultation with the KHC and other parties deemed appropriate by FHWA.
- C. If, based on the on-site evaluation, FHWA determines that an eligible historic property or archaeological resource will be adversely affected, then the KHC shall be consulted to determine an appropriate treatment plan. The treatment plan will be submitted to the KHC for review and comment. FHWA will take comments received into account in developing and implementing the final plan.
- D. If the FHWA and KHC agree the site(s) is not eligible for the NRHP, then ground-disturbing work may proceed.
- E. Should human remains be discovered during any stage of the Undertaking, work shall stop immediately in the area and the county coroner and local law enforcement agencies shall be contacted immediately. If the county coroner determines the remains are of sufficient age to be considered archaeological in nature, the KHC must be contacted.
- F. If the remains are determined to be potentially affiliated with Indian tribes, the FHWA will notify the appropriate federally recognized tribes.

#### IV. PROFESSIONAL QUALIFICATIONS

- A. Professional Qualifications - The FHWA shall ensure that all cultural resources work carried out pursuant to this MOA shall be carried out by or under the direct supervision in the field, laboratory, and office of individuals that meet the *Secretary of the Interior's Professional Qualification Standards*. Professional standards shall correspond to the nature of the resource, e.g. work related to archaeological sites shall be carried out by or under the direct supervision of individuals prequalified to perform archaeological work.
- B. Standards and Guidelines - The FHWA, shall also ensure that all historic preservation resource work carried out pursuant to this MOA shall be guided by the most recent version of the following standards and guidelines, as applicable:
  - 1. The Secretary of Interior: *Standards and Guidelines for Archeology and Historic Preservation*.
  - 2. Advisory Council on Historic Preservation: *Treatment of Archeological Properties: A Handbook*.
  - 3. Kentucky Guidelines: *Specifications for Conducting Fieldwork and Preparing Cultural Resource Assessment Reports*; most recent version of the Kentucky State Historic Preservation Office.



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## **V. DISPUTE RESOLUTION**

Should any signatory or concurring party to this MOA object to any actions proposed or the manner in which the terms of this MOA are implemented, the FHWA shall consult with such party to resolve the objection. If the FHWA determines that such objection cannot be resolved, the FHWA will:

- A. Forward all documentation relevant to the dispute, including the FHWA's proposed resolution, to the COUNCIL. The COUNCIL shall provide the FHWA with its advice on the resolution of the objection within 30 days of receiving adequate documentation. Prior to reaching a final decision on the dispute, the FHWA shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the COUNCIL, signatories and concurring parties, and provide them with a copy of this written response. The FHWA will then proceed according to its final decision.
- B. The FHWA's responsibilities to carry out all other actions subject to the terms of this MOA that are not the subject of the dispute remain unchanged.

## **VI. AMENDMENTS**

This MOA may be amended when such an amendment is agreed to in writing by all signatories. The amendment will be effective on the date a copy signed by all of the signatories is filed with the COUNCIL.

## **VII. FAILURE TO COMPLY/TERMINATION**

- A. If any signatory to this MOA determines that its terms will not or cannot be carried out, that party shall immediately consult with the other parties to attempt to develop an amendment pursuant to Stipulation VI above. If within 30 days (or another time period agreed to by all signatories) an amendment cannot be reached, any signatory may terminate the MOA upon written notification to the other signatories.
- B. Once the MOA is terminated, and prior to work continuing on the undertaking, the FHWA must either (a) execute an MOA pursuant to 36 C.F.R. § 800.6, or (b) request, take into account, and respond to the comments of the COUNCIL under 36 C.F.R. § 800.7. The FHWA shall notify the signatories as to the course of action it will pursue.

## **VIII. DURATION**

- A. This MOA shall remain in effect for 10 years following its execution. If the Undertaking has not been completed and the terms of this MOA implemented within this time, the signatories shall consult to reconsider the terms of this MOA and determine whether extension, amendment, or termination is in order. It is not anticipated that stipulations specified within this MOA will be implemented any earlier than authorization of detailed design for the Undertaking.

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- B. On the 10<sup>th</sup> anniversary after the signing of the document, barring any of the signatories enacting the provisions specified in Sections VI or VII, the MOA shall be considered automatically extended for one additional year. This shall continue on the anniversary date each year, thereafter, provided that none of the signatories provides written objection.

2

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EXECUTION of this AGREEMENT by the FHWA, KYTC and KHC, and implementation of its terms, is evidence the FHWA has taken into account the effects of this undertaking on the Lewisburg Historic District, listed on the NRHP (93001165), bounded by I-71/75 and the city limits of Covington, Kentucky and has afforded the COUNCIL an opportunity to comment on those effects

**SIGNATORIES:**

**FEDERAL HIGHWAY ADMINISTRATION; U.S. DEPARTMENT OF TRANSPORTATION**

BY: John D Ballantine Date 6/27/2012  
Kentucky Division Administrator

**KENTUCKY HERITAGE COUNCIL**

BY: [Signature] Date 6/22/12  
Acting State Historic Preservation Officer

**INVITED SIGNATORIES:**

**KENTUCKY TRANSPORTATION CABINET**

BY: [Signature] Date 6/11/12  
Secretary, Kentucky Transportation Cabinet

**APPROVED AS TO FORM AND LEGALITY**  
**KENTUCKY TRANSPORTATION CABINET**

BY: [Signature] Date 6/6/12  
General Counsel

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**INVITED SIGNATORIES (Continued):**

**CITY OF COVINGTON**

BY:   
Mayor, City of Covington

Date 7/10/12

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**CONSULTING PARTY**

**BOTANY HILLS**

**BY:** \_\_\_\_\_ **Date** \_\_\_\_\_  
Name, Title

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**CONSULTING PARTY**

**KENTON COUNTY HISTORICAL SOCIETY**

**BY:** \_\_\_\_\_ **Date** \_\_\_\_\_  
**Name, Title**

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**CONSULTING PARTY**

**KENTON HILLS**

**BY:** \_\_\_\_\_ **Date** \_\_\_\_\_  
**Name, Title**

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**CONSULTING PARTY**

**LEWISBURG NEIGHBORHOOD ASSOCIATION**

**BY:** \_\_\_\_\_ **Date** \_\_\_\_\_  
**Name, Title**



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CONSULTING PARTY

OHIO DEPARTMENT OF TRANSPORTATION

BY:  \_\_\_\_\_  
Director, Ohio Department of Transportation

Date 7-25-12

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CONSULTING PARTY

OHIO HISTORIC PRESERVATION OFFICE

BY: *M. A. E. M.*  
for State Historic Preservation Officer

Date 7.18.12

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**CONSULTING PARTY**

**REBECCA WALKER**

**BY:** \_\_\_\_\_ **Date** \_\_\_\_\_  
Name, Title

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**CONSULTING PARTY**

**WESTSIDE ACTION COALITION**

**BY:** \_\_\_\_\_ **Date** \_\_\_\_\_  
Name, Title



Andy Beshear  
GOVERNOR

# TRANSPORTATION CABINET

200 Mero Street  
Frankfort, Kentucky 406 01

Jim Gray  
SECRETARY

November 7, 2022

Mr. Craig Potts  
Executive Director and  
State Historic Preservation Officer  
The Barstow House  
410 High Street  
Frankfort, KY 40601

**SUBJECT:** Revised Cultural Historic Survey for the Brent  
Spence Bridge Project in Covington, Kenton  
County, Kentucky  
KYTC Item No. 6-17

Dear Mr. Potts:

Please find the revised Cultural Historic Survey and survey forms submitted with this transmittal. After a concurrent review discussion, KYTC is now requesting concurrence for eligibilities and effects.

During their survey, Cardno now Stantec (Cardno) identified 214 historic-age resources within the area of potential effects: 97 were previously documented while 117 were newly recorded. Five previously NRHP-listed historic districts and two newly recommended historic districts are included in the number of previously documented resources.

Table 1 presents KYTC/FHWA’s eligibility and effects determinations for the NRHP-listed and individually eligible resources.

**Table 1. NRHP-Listed and Individually Eligible Resources**

KHC Survey No.	Site Name	NRHP Status	KYTC Effect Determination
KE-07 and KE-08	Elberta Apartments Historic District*	Eligible	No Adverse Effect
KE-09	West Side/Main Strasse Historic District	Listed	No Adverse Effect
<b>KE-10</b>	<b>Lewisburg Historic District</b>	<b>Listed</b>	<b>Adverse Effect</b>
KE-11	Old Ft. Mitchell Historic District	Listed	No Effect
KE-12	Beechwood Historic District	Listed	No Effect
KE-13	Hillsdale Historic District*	Eligible	No Adverse Effect
KE-952	Sisters of Notre Dame Convent and Cemetery	Eligible	No Effect
KEC-107	C&O Railroad Bridge	Eligible	No Adverse Effect
KEC-456	1000 Emery Drive (House)	Eligible	No Effect
KEC-458	45 Rivard Drive (House)	Eligible	No Adverse Effect
KEC-460	829-831 Highway Avenue (House)	Eligible	No Effect

KEC-462	Bavarian Brewery Bottling Works/Glier's Goetta	Eligible	No Adverse Effect
KEC-820	Brent Spence Bridge	Eligible	No Adverse Effect
KEC-1011	534 West 13 <sup>th</sup> Street (House)	Eligible	No Adverse Effect
KEC-1038	626 W. 5 <sup>th</sup> Street (Quality Inn)	Eligible	No Adverse Effect
KEC-1048	224 Wright Street (Futuro House)	Eligible	No Effect
KEC-1064	402 Bakewell Street (Commercial Building)	Eligible	No Effect
KEC-1068	Covington Levee	Eligible	No Adverse Effect
KEC-1075	Clay Wade Bailey Bridge	Eligible	No Adverse Effect
KECL-692	536 West 13 <sup>th</sup> Street (House)	Eligible	No Adverse Effect
KECL-815	Bavarian Brewing Co./Kenton County Govt. Center	Listed	No Adverse Effect
KECL-1018	521 Western Ave (House)	Eligible	No Effect
KEFM-150	Highland Cemetery Historic District	Listed	No Effect

\*Newly recommended historic districts.

Cardno also recommended KECL-1055, a Northern Kentucky townhouse, as eligible for the NRHP as well as an adverse effect finding for the site. KYTC disagrees with the eligibility and effect recommendations for KECL-1055. Site KECL-1055 has had its integrity of materials, workmanship, and design impacted by the application of vinyl siding on at least two sides of the structure and the removal of a one-story rear addition and a covered porch on the south side. The addition and porch appear on the 1909 Sanborn Fire Insurance Map (Sanborn), the first Sanborn map that covers the portion of Covington where KECL-1055 is located. By the 1949 Sanborn, the addition was removed. The covered porch was removed between the 1954 Sanborn and the 2009 architectural fieldwork conducted in support of the 2010 Brent Spence Bridge project<sup>1</sup>. KYTC determines KECL-1055 not eligible for the NRHP and the proposed project will have no effect on this site.

One previously NRHP-listed resource, the Bavarian Brewing Co./Kenton Co. Govt. Center (KECL-815) was revisited and an update to the existing NRHP boundary was recommended by Cardno. The revised NRHP boundary for this site will expand to encompass the original bottling works (KEC-462), now Glier's Goetta, and eliminate the parking lots on the east and west sides from the NRHP boundary. As there is documentary evidence to show the building which now houses Glier's Goetta once served at the bottling works for the Bavarian Brewery, KYTC concurs with this recommendation and the proposed project will have no effect on these sites. Please see the attached map showing the proposed revised NRHP boundary for KECL-815/KEC-462.

In addition to the individually eligible or NRHP-listed resources and the recommended or NRHP-listed historic districts, Cardno identified contributing resources to several of the historic districts. Table 2 features contributing resources to the NRHP-listed Lewisburg Historic District (LHD) and the West Side/Main Strasse Historic District (WSMSHD). These resources were evaluated due to proposed takings for their respective parcels. The takings proposed for the WSMSHD sites have been withdrawn as the project design has been altered to eliminate the need for the takings.

<sup>1</sup> Parsons Brinckerhoff Americas and Gray & Pape, Inc. Phase I History/Architecture Survey – Kenton County, Kentucky. April 2010.

**Table 2. NRHP-Listed Historic Districts and their Contributing Resources within the APE**

<b>Lewisburg Historic District (KE-010)</b>				
Previously Listed as Contributing to Lewisburg; Not Individually Eligible	KECL-115	KECL-136	KECL-983	KECL-987
	KECL-117	KECL-137	KECL-986	KECL-988
	KECL-119	–	–	–
<b>West Side/Main Strasse Historic District (KE-09)</b>				
Previously Listed as Contributing to West Side/Main Strasse	KEC-1023	KEC-1026	KEC-1028	KEC-1030
	KEC-1024	KEC-1027	KEC-1029	KEC-1031
	KEC-1025	–	–	–

Cardno recommended an Adverse Effect finding for the project based on the impacts to the LHD. Within the portion of the LHD located within the APE, nine sites (KECL-115; KECL-117; KECL-119; KECL-136; KECL-137; KECL-983; KECL-986; KECL-987; and KECL-988) were identified as contributing resources to the district, but not individually eligible. All of the LHD contributing resources listed in Table 2 will be impacted by partial and complete takings. For the currently proposed version of the project, the design will require fewer takings overall to the LHD than the 2011 version of the project. These takings will impact the Lewisburg Historic District, resulting in an Adverse Effect.

An expansion for the West Side/Main Strasse Historic District (KE-09) to the south of the existing district was also recommended by Cardno. The following sites are recommended for the expansion: KEC-462; KECL-815; KEC-626; KEC-1013; and KECL/KEC-918. KYTC concurs with this recommendation. Please see the attached map showing the proposed NRHP boundary expansion/revision.

Table 3 provides the contributing resources for the Elberta Apartments Historic District (EAHD) and the Hillsdale Historic District (HHD). These resources were identified as they were located within the APE and not part of an existing NRHP-listed historic district.

**Table 3. Recommended Historic Districts and their Contributing Resources within the APE**

<b>Elberta Apartments Historic District (KE-07 and KE-08)</b>				
Not Individually Eligible; Contributing to Elberta Apartments Historic District	KE-953	KE-964	KE-984	KEC-459
	KE-954	–	–	–
<b>Hillsdale Historic District (KE-013)</b>				
Individually Eligible; Contributing to Hillsdale Historic District	KEC-458	–	–	–
Not Individually Eligible; Contributing to Hillsdale Historic District	KE-925	KE-926	–	–

Two new historic districts have been proposed within the APE: Hillsdale Historic District (KE-013) and Elberta Apartments Historic District (KE-07 and KE-08). Both proposed districts are recommended eligible under Criterion A in the area of significance Community Planning and Development. Within the portion of the Elberta Apartments Historic District located within the APE, five sites (KE-953; KE-964; KE-984; KEC-459; and KE-954) are contributing resources, but not individually eligible. Within the portion of the Hillsdale Historic District located within the APE, one site (KEC-458) is individually eligible for the NRHP under Criteria C and a contributing resource to the district, while two sites (KE-925 and KE-926) are contributing resources, but not individually eligible. KYTC concurs with this recommendation and the

proposed project will have no effect on either of these districts. Please see the attached maps showing the proposed NRHP boundaries for each of these proposed districts.

Sites KEC-1062, KEC-1063, and KEC-1065 are recommended by Cardno as contributing resources to the C&O Railroad Bridge. These sites are a single unit and, even though they have separate bridge numbers for inspection purposes, they comprise a single linear structure: the 1929 C&O Covington Viaduct. The mile-long C&O Covington Viaduct serves as the 1929 C&O Railroad Bridge approach. KYTC concurs with these sites contributing resources to the C&O Railroad Bridge and the project will have No Adverse Effect on these sites.

Finally, KYTC determines 149 resources to be not individually eligible for the NRHP under any criteria and do not contribute to a historic district. The proposed project will have no effect on these sites. See Table 4 for the complete list.

**Table 4. Surveyed Resources Not Eligible for the NRHP and Do Not Contribute to a Historic District**

KE-659	KE-941	KEC-1021	KEC-1056	KECL-1027	KECL-1049	KEFM-310
KE-661	KE-942	KEC-1033	KEC-1057	KECL-1028	KECL-1050	KEFM-311
KE-915	KE-949	KEC-1034	KEC-1058	KECL-1029	KECL-1051	KEFM-312
KE-916	KE-950	KEC-1035	KEC-1059	KECL-1030	KECL-1052	KEFM-313
KE-917	KE-951	KEC-1037	KEC-1060	KECL-1031	KECL-1053	KEFM-314
KE-918	KE-985	KEC-1039	KEC-1061	KECL-1032	KECL-1054	KEFM-315
KE-919	KE-986	KEC-1040	KEC-1066	KECL-1033	KECL-1056	KEFM-316
KE-920	KE-987	KEC-1041	KEC-1067	KECL-1034	KECL-1057	KEFM-317
KE-921	KE-988	KEC-1042	KECL-221	KECL-1035	KECL-1058	KEFM-318
KE-922	KE-989	KEC-1043	KECL-1014	KECL-1036	KECL-1059	KEFM-319
KE-923	KE-990	KEC-1044	KECL-1015	KECL-1036	KEFM-287	KEFM-320
KE-924	KEC-430	KEC-1045	KECL-1016	KECL-1037	KEFM-289	KEFM-321
KE-927	KEC-457	KEC-1046	KECL-1017	KECL-1038	KEFM-290	KEFM-322
KE-932	KEC-461	KEC-1047	KECL-1019	KECL-1039	KEFM-301	KEFM-323
KE-933	KECL-817/KEC-817*	KEC-1049	KECL-1020	KECL-1040	KEFM-302	KEFM-324
KE-934	KEC-1012	KEC-1050	KECL-1021	KECL-1042	KEFM-304	KEFM-325
KE-935	KEC-1015	KEC-1051	KECL-1022	KECL-1044	KEFM-305	KEFM-326
KE-936	KEC-1016	KEC-1052	KECL-1023	KECL-1045	KEFM-306	KEFM-327
KE-937	KEC-1017	KEC-1053	KECL-1024	KECL-1046	KEFM-307	KEFM-331
KE-938	KEC-1018	KEC-1054	KECL-1025	KECL-1047	KEFM-308	KEFM-333
KE-939	KEC-1019	KEC-1055	KECL-1026	KECL-1048	KEFM-309	KEFM-334
KE-940	KEC-1020	–	–	–	–	–

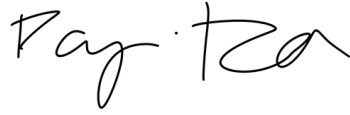
\*KECL-817/KEC-817 (533 Pike Street, Covington, KY) has two KHC survey numbers. This property was previously documented as KECL-817 in Parsons Brinckerhoff Americas and Gray & Pape, Inc., 2010.

In summary, KYTC determines a project finding of **Adverse Effect** due to the impacts to the NRHP-listed Lewisburg Historic District and its contributing resources.

KYTC is requesting concurrence with the above eligibility and effects determinations at your earliest convenience. If you have any questions, please contact Stephanie Lechert or me at 502-782-5038.



Sincerely,

A handwritten signature in black ink, appearing to read "Danny R. Peake". The signature is fluid and cursive, with the first name "Danny" and last name "Peake" clearly distinguishable.

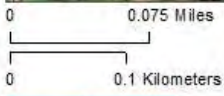
Danny R. Peake, Director  
Division of Environmental Analysis

DRP/sel

Enclosures

cc: M. Yagle (KHC), S. Schurman (DEA), S. Hans (D-6), S. James (D-6), S. Lechert (DEA), J. Ballentine (FHWA), M. Diop (FHWA), J. Heflin (HNTB)





- KE-07
- KE-08
- NRHP Boundary

7.5' Quad angle:  
Covington, KY  
Project No.  
XXXXX

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## Elberta Apartments Proposed NRHP Boundary

Brent Spence Bridge Renewal Project (6-17)  
Covington, Kenton County, Kentucky


**Gardno**  
FOR  
**Stantec**


3601 Inland Blvd., Independence, MO 64224  
Phone: (314) 311-355-1982 Fax: (314) 311-355-1985  
www.gardno.com

Date: 9/1/2022 File Path: C:\Users\stephen.hart\OneDrive - ClarkRP\Projects\Brent Spence\GIS\DATA\QTN\11\QuadMap.mxd  
 Basemap Source: Esri, DeLorme, GeoEye, (Geo)SatelliteGeographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Esri, HERE, Garmin, (c) OpenStreetMap contributors  
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0 0.04 Miles  
 0 0.045 Kilometers

 NRHP Boundary

  
 7.5' Quad angle:  
 Covington, KY  
 Project No.  
 XXXXX

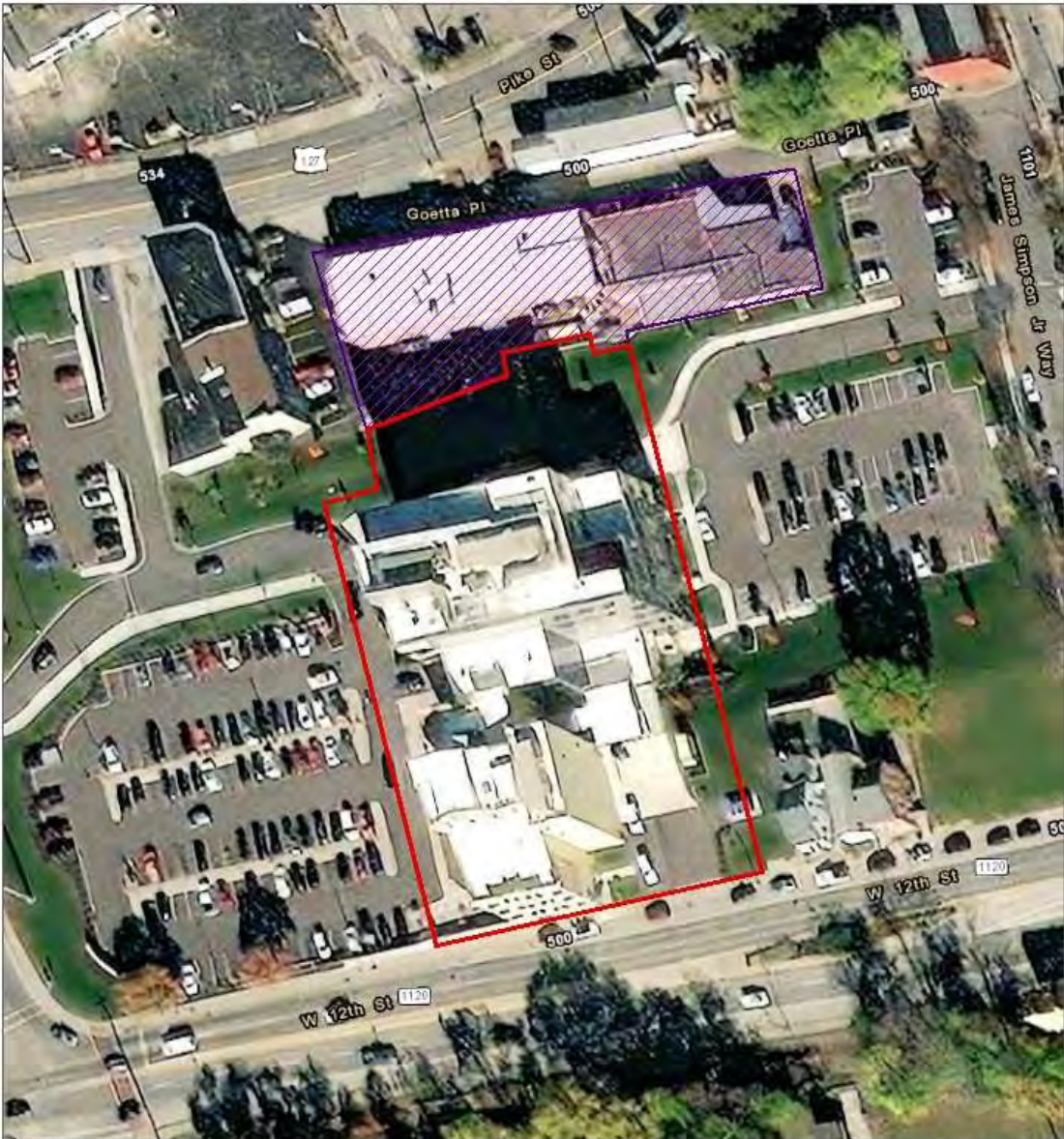
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## Hillsdale Historic District Proposed NRHP Boundary

Brent Spence Bridge Renewal Project (6-17)  
 Covington, Kenton County, Kentucky

  
 2021 Industrial Blvd, Independence, KY 40254  
 Phone (513) 211-388-1082 Fax (513) 211-388-1566  
 www.cardno.com

Date: 8/22/22 File Path: C:\Users\jtopolper\OneDrive - Cardno\Projects\Brent Spence IG 02\WA\Q17111\QuadMap.mxd  
 MapSource: Esri, DeLorme, GeoEye, (GeoEye), Swire, Bing, AeroGRID, IGN, and the GIS User Community, Esri, HERE, Garmin, (c) OpenStreetMap contributors  
 Served by: sdrtopolper@cardno.com



0 0.015 Miles  
 0 0.015 Kilometers

Recommended NRHP Boundary  
 Recommended NRHP Boundary Increase

7.5' Quad angle:  
 Covington, KY  
 Project No.  
 XXXXX

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**The Bavarian Brewery Company  
 Proposed NRHP Boundary**  
 Brent Spence Bridge Renewal Project (6-17)  
 Covington, Kenton County, Kentucky

3801 Industrial Blvd., Independence, MO 64204  
 Phone: (417) 311-385-1842 Fax: (417) 311-385-1989  
[www.gardno.com](http://www.gardno.com)

Scale: 8/12/2022 File Path: C:\Users\tristopher.farm@Gardno.com\OneDrive - Gardno\Projects\Brent Spence Bridge Renewal Project\GIS\7.5' Quad Map.mxd  
 Mapserver: Source: Esri, Microsoft, DeLorme, GeoEye, (Geo)portal, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Esri, HERE, Garmin, (c) OpenStreetMap contributors  
 Created by: tristopher.farm



ANDY BESHEAR  
GOVERNOR

**TOURISM, ARTS AND HERITAGE CABINET**  
**KENTUCKY HERITAGE COUNCIL**  
**THE STATE HISTORIC PRESERVATION OFFICE**

MICHAEL E. BERRY  
SECRETARY

JACQUELINE COLEMAN  
LT. GOVERNOR

410 HIGH STREET  
FRANKFORT, KENTUCKY 40601  
(502) 564-7005  
[www.heritage.ky.gov](http://www.heritage.ky.gov)

CRAIG A. POTTS  
EXECUTIVE DIRECTOR &  
STATE HISTORIC PRESERVATION OFFICER

November 17, 2022

Mr. Daniel R. Peake  
Division of Environmental Analysis  
Kentucky Transportation Cabinet  
200 Mero Street Frankfort, KY 40622

**Re: Revised Cultural Historic Survey for the Brent  
Spence Bridge Project in Covington, Kenton  
County, Kentucky  
KYTC Item No. 6-17**

Dear Mr. Peake,

Thank you for your digital submission of the revised Cultural Historic Survey and survey forms for the above-listed project which is pursuant to Section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. Sec. 470f) and implementing regulations at 36 C.F.R. Part 800.

Our office understands that the above proposed project involves an eight-mile interstate widening project between Dixie Highway in Kentucky and Ezzard Charles Drive in Ohio, with approximately six miles of the project in Kentucky. We understand that the project also includes the construction of a new companion bridge adjacent to the existing Brent Spence Bridge, reconstructed interchanges and overpasses, new frontage roads, upgraded drainage facilities, relocated utilities, expanded sidewalks and new multiuse facilities, retaining walls, and noise walls are also proposed. We understand that a total of 214 historic-age resources within the area of potential effects were identified: Ninety-seven were previously documented while 117 were newly recorded. Five previously National Register (NR) listed historic districts and two newly recommended historic districts were identified within the APE.

We understand FHWA/KYTC's eligibility and effects determinations as outlined in Tables #1, #2, #3, and #4 of your November 7, 2022 letter. We also understand that FHWA/KYTC has proposed a revised NR boundary for Bavarian Brewing Co./Kenton Co. Govt. Center (KECL-815) that will expand to encompass the original bottling works (KEC-462), now Glier's Goetta, and eliminate the parking lots on the east and west sides from the NR boundary. We also understand that an expansion for the West Side/Main Strasse Historic District (KE-09) to the south of the existing district has been proposed. The following sites are recommended for the expansion: KEC-462; KECL-815; KEC-626; KEC-1013; and KECL/KEC-918.

We understand that KYTC has determined that the project will have an Adverse Effect due to the impacts to the NRHP-listed Lewisburg Historic District and its contributing resources. We understand from the report that several properties including National Register-listed contributing elements FS 209/KECL-115 and FS 213/KECL-136 will need to be acquired and demolished. Additionally, strip takings from the eastern property boundaries of National Register-listed contributing elements FS 210/KECL-117, FS 211/KECL-119, and FS 214/KECL-137 will also be required. The paved portion of the interstate and/or local roads will also be placed generally closer to the district and the undertaking will encroach on the eastern National Register boundary and require its narrowing around Bullock, 11th, and 12th Streets.

Based on our review, our office agrees with the eligibility findings as outlined in your November 7<sup>th</sup>, 2022 letter and with the NRHP boundary modifications and as a result, **Concur** with your eligibility determinations and finding of **Adverse Effect**.

We would like to thank FHWA, KYTC and the design team for their efforts to avoid impacts to the West Side/Mainstrasse Historic District. We look forward to continued consultation as the MOA is developed. Should you have any questions, please feel free to contact Matt Yagle of my staff at [matthew.yagle@ky.gov](mailto:matthew.yagle@ky.gov).

Sincerely,



Craig A. Potts,  
Executive Director and State Historic Preservation Officer

CP: my, KHC #220186; 66015  
CC: Stephanie Lechert (KYTC-DEA)



COMMONWEALTH OF KENTUCKY  
TRANSPORTATION CABINET

transportation.ky.gov

Andy Beshear  
GOVERNOR

Jim Gray  
SECRETARY

May 30, 2023

Mr. Craig Potts  
Executive Director and  
State Historic Preservation Officer  
The Barstow House  
410 High Street  
Frankfort, KY 40601

**SUBJECT:** Concurrence Request for the Addendum Cultural  
Historic Survey for the Brent Spence Bridge  
Project in Covington, Kenton County, Kentucky  
KYTC Item No. 6-17

Dear Mr. Potts:

KYTC provided digital copies of the *Cultural Historic Survey Report Addendum: Brent Spence Bridge Renewal Project Covington, Kenton County, Kentucky* and the associated survey form to your office for concurrent review May 23, 2023. After concurrent review discussions with RaShae Jennings of your office, KYTC is providing determinations of eligibility and effects in this letter for the above report. In addition, KYTC and KHC agreed no revisions were required for the report or the survey form.

Stantec documented and assessed the eligibility and effects of a previously documented historic property, KECL-376, located on a parcel with a proposed taking which was missed during the 2022 reporting for the Brent Spence Bridge project. Site KECL-376 is located on a parcel within the National Register of Historic Places (NRHP) listed Lewisburg Historic District. Stantec recommended KECL-376, the Standard Club, remain a contributing element to the Lewisburg Historic District, but not individually eligible for the NRHP. In addition, Stantec recommended KECL-376 would not be adversely impacted by the minor encroachment taking on its parcel and the Lewisburg Historic District would experience no additional adverse effects from the proposed strip taking.

KYTC concurs with the above eligibility recommendations for KECL-76. KYTC and FHWA determines KECL-376 remains a contributing element of the Lewisburg Historic District, but is not individually eligible for the NRHP. KYTC and FHWA determines the Brent Spence Bridge project will result in a *de minimis* strip taking to the parcel on which KECL-376 is located, resulting in a No Adverse Effect finding for KECL-376. In addition, KYTC and FHWA determines the *de minimis* taking will not result in any additional adverse impacts to the Lewisburg Historic District. Finally, KYTC and FHWA determines the overall project finding for the Brent Spence Bridge Project remains an Adverse Effect due to the impacts to the NRHP-listed Lewisburg Historic District and its contributing resources.

KYTC is requesting concurrence with the above eligibility and effects determinations at your earliest convenience. If you have any questions, please contact Stephanie Lechert or me at 502-782-5038.



Sincerely,

*Daniel R Peake*

Danny R. Peake, Director  
Division of Environmental Analysis

DRP/sel

Enclosure

cc: R. Jennings (KHC), N. Konkol (KHC), S. Schurman (DEA), S. Hans (D-6), S. Lechert (DEA), J. Ballentine (FHWA), M. Diop (FHWA), J. Heflin (HNTB)



ANDY BESHEAR  
GOVERNOR

**TOURISM, ARTS AND HERITAGE CABINET**  
**KENTUCKY HERITAGE COUNCIL**  
THE STATE HISTORIC PRESERVATION OFFICE

LINDY CASEBIER  
SECRETARY

JACQUELINE COLEMAN  
LT. GOVERNOR

410 HIGH STREET  
FRANKFORT, KENTUCKY 40601  
(502) 564-7005  
[www.heritage.ky.gov](http://www.heritage.ky.gov)

CRAIG A. POTTS  
EXECUTIVE DIRECTOR &  
STATE HISTORIC PRESERVATION OFFICER

June 7, 2023

Mr. Daniel R. Peake  
Division of Environmental Analysis  
Kentucky Transportation Cabinet  
200 Mero Street Frankfort, KY 40622

**SUBJECT: Concurrence Request for the Addendum Cultural  
Historic Survey for the Brent Spence Bridge  
Project in Covington, Kenton County, Kentucky  
KYTC Item No. 6-17**

Dear Mr. Peake:

Thank you for your digital submission of a letter, Cultural Historic Survey Report Addendum, site form, and photographs for the above-listed project which is pursuant to Section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. Sec. 470f) and implementing regulations at 36 C.F.R. Part 800.

Our office acknowledges that a strip-taking has been proposed for KECL 376 (Standard Club), a contributing resource to the National Register (NR) Listed Lewisburg Historic District. We understand that the strip-taking is for the purposes of obtaining right-of-way (ROW) and that no new construction activities have been designated for the space between the proposed edge of the pavement line and the parcel itself.

KYTC has determined that KECL 376 is eligible for continued listing as a contributing resource and that the undertaking will have **No Adverse Effect** to the resource or the historic district.

Based on our review, a parking lot(s) currently occupies the area proposed for the strip-taking and is within the viewshed of the historic district. We **Concur** with KYTC's eligibility and effects determinations for the right-of-way acquisition.



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The overall project finding for the Brent Spence Bridge Project remains an **Adverse Effect**, and the memorandum of agreement (MOA) remains in effect. KECL-376 would also be in an area covered by the vibration monitoring in the MOA.

Should you have any questions or should the project plans change, feel free to contact RaShae Jennings of my staff at [rashae.jennings@ky.gov](mailto:rashae.jennings@ky.gov).

Sincerely,



Craig Potts  
Executive Director and  
State Historic Preservation Officer

KHC# 231261

CP: RJ

e-cc:

N. Konkol (KHC), S. Schurman (DEA), S. Hans (D-6), S. Lechert (DEA), J. Ballentine (FHWA), M. Diop (FHWA), J. Heflin (HNTB)

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# Appendix G: Longworth Hall Coordination

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**MEMORANDUM OF AGREEMENT BETWEEN THE  
FEDERAL HIGHWAY ADMINISTRATION,  
THE OHIO DEPARTMENT OF TRANSPORTATION, AND  
THE OHIO STATE HISTORIC PRESERVATION OFFICE,  
REGARDING THE  
BRENT SPENCE BRIDGE REPLACEMENT/REHABILITATION PROJECT,  
HAM-71/75-0.00/0.22, PID 75119,  
HAMILTON COUNTY, OHIO AND KENTON COUNTY, KENTUCKY  
ADVERSE EFFECT TO THE  
B&O FREIGHT AND STORAGE BUILDING/LONGWORTH HALL,  
LISTED ON THE NATIONAL REGISTER OF HISTORIC PLACES (86003521)  
700 PETE ROSE WAY (SECOND STREET), CINCINNATI, OHIO  
(ODOT AGREEMENT NUMBER 16829)**

**WHEREAS**, the Federal Highway Administration (FHWA), the Kentucky Transportation Cabinet (KYTC), and the Ohio Department of Transportation (ODOT) propose to reconstruct a 7.8-mile segment of Interstate 71 (I-71) and Interstate (I-75) and construct a new bridge over the Ohio River in Kenton County, Kentucky and Hamilton County, Ohio, known as the Brent Spence Bridge Replacement/Rehabilitation Project, and hereby known as the undertaking (UNDERTAKING); and

**WHEREAS**, FHWA, with ODOT and KYTC as their agents, plan to fund the UNDERTAKING, thereby making the UNDERTAKING subject to review under Section 106 of the National Historic Preservation Act (NHPA), 16 U.S.C. § 470f, and its implementing regulations, 36 C.F.R. Part 800; and

**WHEREAS**, FHWA, with ODOT and KYTC as their agents, have consulted with the Ohio State Historic Preservation Office (SHPO) and the Kentucky Heritage Council (KHC); and

**WHEREAS**, FHWA, with ODOT and KYTC as their agents, will consult with federally recognized Native American Indian Tribes that may attach religious and cultural significance to historic properties; and

**WHEREAS**, FHWA, with ODOT and KYTC as their agents, have identified and consulted with consulting parties through public meetings, direct notification, project website, and Section 106 consultation; and, have not denied any of the identified consulting parties such status for this UNDERTAKING; and

**WHEREAS**, FHWA, with ODOT and KYTC as their agents, in consultation with the SHPO, KYTC and other consulting parties, have identified the UNDERTAKING's area of potential effect (APE), as defined in 36 C.F.R. § 800.16(d); and

**WHEREAS**, FHWA with ODOT and KYTC as their agents, have incorporated avoidance and minimization measures into the project development process by incorporating noise walls, retaining walls, pedestrian facilities, and aesthetic treatments into the design where warranted; and

**WHEREAS**, FHWA, with ODOT and KYTC as their agents, will continue to incorporate avoidance and minimization measures into the UNDERTAKING; and

**WHEREAS**, FHWA, with ODOT as their agent, in consultation with the SHPO, and other consulting parties, determined the UNDERTAKING will have an adverse effect upon the B&O Freight and Storage Building/Longworth Hall, listed on the NRHP (86003521), located at 700 Pete Rose Way (Second Street), Cincinnati, Ohio, pursuant to Section 106 of the NHPA, 16 U.S.C. § 470f, and its implementing regulations, 36 C.F.R. § 800; and

**WHEREAS**, FHWA, with KYTC as their agent, in consultation with the KHC, and other consulting parties, determined the UNDERTAKING will have an adverse effect upon the Lewisburg Historic District, listed on the NRHP (93001165), bounded by I-71/75 and the city limits of Covington, Kentucky, pursuant to Section 106 of the NHPA, 16 U.S.C. § 470f, and its implementing regulations, 36 C.F.R. § 800; and

**WHEREAS**, FHWA, with ODOT and KYTC as their agents, have determined the agreed upon measures to resolve the adverse effects of the UNDERTAKING to historic properties, located in the State of Ohio and the Commonwealth of Kentucky, will be formalized by two separate Memoranda of Agreements; and

**WHEREAS**, FHWA, with ODOT as their agent, has initiated this Memorandum of Agreement (AGREEMENT) to build upon the identification and consultation efforts conducted thus far in the State of Ohio; and, to formalize measures to resolve the adverse effect to the B&O Freight and Storage Building/Longworth Hall, listed on the NRHP (86003521), located at 700 Pete Rose Way (Second Street), Cincinnati, Ohio; and

**WHEREAS**, FHWA, with ODOT as their agent, have invited the identified consulting parties to concur with this AGREEMENT and will continue to consult with the consulting parties as the UNDERTAKING progresses; and

**WHEREAS**, FHWA, with ODOT as their agent, in accordance with 36 C.F.R § 800.6(a)(1), has notified the Advisory Council on Historic Preservation (COUNCIL) of the adverse effect determination with specified documentation and the COUNCIL has chosen not to participate in the consultation pursuant to 36 C.F.R 800.6(a)(1)(iii); and

**NOW THEREFORE**, FHWA, with ODOT as their agent, agree that the UNDERTAKING shall be implemented in accordance with the following stipulations in order to take into account the adverse effect of the UNDERTAKING on the B&O Freight and Storage Building/Longworth Hall, listed on the NRHP (86003521), located at 700 Pete Rose Way (Second Street), Cincinnati, Ohio.

## STIPULATIONS

FHWA shall ensure that the following mitigation measures are carried out:

### I. ARCHITECTURAL PROPERTIES

A. In consultation with FHWA, SHPO, and other consulting parties, ODOT has identified architectural historic properties in the APE, as documented by the *Brent Spence Bridge Replacement/Rehabilitation Project Determination of Effects Report ODOT PID No. 75119, HAM-71/75-0.00/0.22, KYTC Project item No. 6-17*; and, has identified the effects to historic properties located within the APE.

B. ODOT proposes treatments commensurate with the level of impact and that are a reasonable public expenditure in light of the severity of the impact. ODOT will mitigate

the adverse effect to B&O Freight and Storage Building/Longworth Hall, listed on the NRHP (860003521), located at 700 Pete Rose Way (Second Street), Cincinnati, Ohio, using, but not limited to, one or more of the treatments on the following list:

1. Installation of exterior storm windows.
2. Restoration of the east wall, to an approximation of its original appearance, will include materials salvaged during demolition in accordance with the Secretary of Interior's Standards.
  - a. Plans will be developed for review and comment by the building owner, Cincinnati Preservation Association, and SHPO.
  - b. Windows, removed to accommodate the new roadway construction, will be restored and used in the east wall reconstruction.
  - c. Windows, removed and not used in the east wall reconstruction, will be restored and returned to the owner.
  - d. A cornerstone, commemorating the date of construction (1904) on one side, and the date of the renovation on the other side, will be included in the east wall reconstruction design.
3. Masonry repair will include: repair or replacement of bricks as warranted; tuck-pointing; and, brick cleaning of the west, north, and south walls.
4. Plaque/Interpretive signage will be constructed:
  - a. The original location of the east wall, prior to the construction of the Brent Spence Bridge, will be outlined by bricks and stone work.
  - b. An interpretive plaque, describing changes to the property that have occurred over time, will be placed near the original location of the east end wall.
5. The original lettering across the top of the building will be refurbished.
6. All materials removed, that retain historic integrity and nature, will be returned to the building owner to be used in future repairs or expansion.
7. ODOT will have follow up discussions with the owner regarding contracting methods and their request to either perform the construction themselves or provide project management control. If ODOT concurs in this approach, details will be outlined in a separate agreement.

Prior to commencement of the proposed treatment plans, ODOT will ensure right-of-way acquisition has been completed.

## II. DURATION

This AGREEMENT will be null and void if the UNDERTAKING is not implemented within five (5) years from the date of its execution. At such time, and prior to work continuing on the UNDERTAKING, FHWA shall either (a) execute a new agreement pursuant to 36 C.F.R. § 800.6; or (b) request, take into account, and respond to the comments of the COUNCIL under 36 C.F.R. § 800.7. Prior to such time, FHWA may consult with the other signatories to reconsider the terms of this AGREEMENT and amend it in accordance with Stipulation VIII below. FHWA shall notify the signatories as to the course of action it will pursue.

### III. POST-REVIEW DISCOVERIES AND UNANTICIPATED DISCOVERY OF HUMAN REMAINS, OHIO

A. If previously unidentified archaeological or historic properties, or unanticipated effects, are discovered after completion of Section 106 review, that portion of the project will stop immediately, pursuant to Section 203.04 of ODOT's *Construction and Material Specifications*. The ODOT project engineer will immediately contact ODOT-OES and/or the appropriate ODOT District Environmental Coordinator. No further construction in the area of discovery will proceed until the requirements of 36 C.F.R. § 800.13 have been satisfied, including consultation with federally recognized Native American Indian tribes that may attach traditional cultural and religious significance to the discovered property. ODOT will consult with SHPO and Indian tribes, as appropriate, to record, document and evaluate NRHP eligibility of the property and the projects effect on the property, and to design a plan for avoiding, minimizing, or mitigating adverse effects on the eligible property. If neither the SHPO nor a federally recognized Native American Indian Tribe file a timely objection to ODOT's Office of Environmental Services (ODOT-OES) plan for addressing the discovery, ODOT-OES may carry out the requirements of 36 C.F.R. § 800.13 on behalf of FHWA and the COUNCIL need not be notified. FHWA and ODOT-OES will conduct all review and consultation in accordance with *Programmatic Agreement Among the Federal Highway Administration, the Advisory Council on Historic Preservation, the Ohio Historical Society, State Historic Preservation Office, and the State of Ohio, Department of Transportation Regarding Implementation of the Federal-Aid Highway Program in Ohio (Agreement No.16734 )* (executed 11/30/2011).

B. Historic and prehistoric human remains are subject to protection under Ohio Revised Code Sections 2909.05 and 2927.11. As such, if previously unidentified human remains are discovered during construction, work in that portion of the project will stop immediately. The remains will be covered and/or protected in place in such a way that minimizes further exposure of and damage to the remains. The ODOT project engineer will immediately consult with ODOT-OES and the ODOT District Environmental Coordinator, and immediately notify local law enforcement and/or the County Coroner. If the project has a US Army Corps of Engineers (USACOE) permit issued, the ODOT District Environmental Coordinator must notify ODOT-OES and the USACOE. If the remains are found to be Native American Indian, a treatment plan will be developed by ODOT-OES and SHPO in consultation with FHWA and appropriate federally recognized Native American Indian Tribes.

FHWA and ODOT-OES will ensure that any treatment and reburial plan is fully implemented. If the remains are not Native American Indian, the appropriate local authority will be consulted to determine final disposition of the remains. Avoidance and preservation in place is the preferred option for treating human remains. FHWA and ODOT-OES will conduct all review and consultation in accordance with *Programmatic Agreement Among the Federal Highway Administration, the Advisory Council on Historic Preservation, the Ohio Historical Society, State Historic Preservation Office and the State of Ohio, Department of Transportation Regarding Implementation of the Federal-Aid Highway Program in Ohio (Agreement No. 16734)* (executed 11/30/2011).



C. For Native American Indian human remains discovered on federal lands, the Federal land managing agency will be responsible for consultation under the *Native American Graves Protection and Repatriation Act of 1990* (PL 101-601). For skeletal remains discovered on property owned by the State of Ohio, ODOT will comply with Section 149.53 of the Ohio Revised Code. Under this section, the Director of the Ohio Historical Society shall determine final disposition of any discovered skeletal remains. FHWA and ODOT-OES will also follow the guidance issued by the COUNCIL, *Policy Statement Regarding Treatment of Burial Sites, Human Remains, and Funerary Objects* (issued 2/23/07).

**IV. MONITORING AND REPORTING**

Each five (5) years following the execution of this AGREEMENT until it expires or is terminated, FHWA shall provide all parties to this AGREEMENT and the COUNCIL if desired, a summary report detailing work carried out pursuant to its terms. Such report shall include any scheduling changes proposed, any problems encountered, and any disputes and objections received in FHWA's efforts to carry out the terms of this AGREEMENT.

**V. DISPUTE RESOLUTION**

Should any signatory or concurring party to this AGREEMENT object at any time to any actions proposed or the manner in which the terms of this AGREEMENT are implemented, FHWA shall consult with such party to resolve the objection. If FHWA determines that such objection cannot be resolved, FHWA will:

A. Forward all documentation relevant to the dispute, including the FHWA's proposed resolution, to the COUNCIL. The COUNCIL shall provide FHWA with its advice on the resolution of the objection within thirty (30) days of receiving adequate documentation. Prior to reaching a final decision on the dispute, FHWA shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the COUNCIL, signatories and concurring parties, and provide them with a copy of this written response. FHWA will then proceed according to its final decision.

B. If the COUNCIL does not provide its advice regarding the dispute within the thirty (30) day time period; FHWA may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, FHWA shall prepare a written response that takes into account any timely comments regarding the dispute from the signatories and concurring parties to this AGREEMENT, and provide them and the COUNCIL with a copy of such written response.

C. FHWA's responsibilities to carry out all other actions subject to the terms of this AGREEMENT that are not the subject of the dispute remain unchanged.

**VI. AMENDMENTS**

This AGREEMENT may be amended when such an amendment is agreed to in writing by all signatories. The amendment will be effective on the date a copy signed by all of the signatories is filed with the COUNCIL.

**VI. AMENDMENTS**

This AGREEMENT may be amended when such an amendment is agreed to in writing by all signatories. The amendment will be effective on the date a copy signed by all of the signatories is filed with the COUNCIL.

**VII. TERMINATION**

If any signatory to this AGREEMENT determines that its terms will not or cannot be carried out, that party shall immediately consult with the other parties to attempt to develop an amendment pursuant to Stipulation VI above. If within thirty (30) days (or another time period agreed to by all signatories) an amendment cannot be reached, any signatory may terminate this AGREEMENT upon written notification to the other signatories.

Once the AGREEMENT is terminated, and prior to work continuing on the UNDERTAKING, FHWA must either (a) execute a new agreement pursuant to 36 C.F.R. § 800.6, or (b) request, take into account, and respond to the comments of the COUNCIL under 36 C.F.R. § 800.7. FHWA shall notify the signatories as to the course of action it will pursue.

EXECUTION of this AGREEMENT by the FHWA, ODOT, and SHPO, and implementation of its terms, is evidence the FHWA has taken into account the effects of this UNDERTAKING on the B&O Freight and Storage Building/Longworth Hall, listed on the NRHP (86003521), located at 700 Pete Rose Way (Second Street), and has afforded the COUNCIL an opportunity to comment.

SIGNATORIES:

Mark L. Vander Embse Date 6/22/2012

for Laura S. Leffler, Division Administrator  
Federal Highway Administration, Ohio Division.


Mark J. Epstein Date 6.28.12


Mark J. Epstein, Department Head, Resource Protection and Review  
Ohio State Historic Preservation Officer

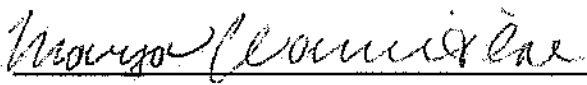
Jerry Wray Date 4.12.12

Jerry Wray, Director  
Ohio Department of Transportation

Concurring:

  
Date 5/8/12  
Michael W. Hancock, Secretary  
Kentucky Transportation Cabinet

  
Date 5/9/12  
Lindy Casebier  
Acting Kentucky State Historic Preservation Office

  
Date 6/18/12  
Margo Warminski  
Cincinnati Preservation Association

\_\_\_\_\_  
Date \_\_\_\_\_  
Michael Schweitzer  
Longworth Hall

  
Date 5/24/12  
Steve Schuckman  
Cincinnati Parks

\_\_\_\_\_  
Date \_\_\_\_\_  
Norman Kattelman  
Dayton Street Historic District

APPROVED AS TO FORM AND LEGALITY:

  
Date 5/9/12  
KYTC, OFFICE OF LEGAL SERVICES



# OHIO DEPARTMENT OF TRANSPORTATION

CENTRAL OFFICE • 1980 WEST BROAD STREET • COLUMBUS, OH 43223  
JOHN R. KASICH, GOVERNOR • JERRY WRAY, DIRECTOR

June 16, 2017

Ms. Laura S. Leffler, Division Administrator  
U.S. Department of Transportation  
Federal Highway Administration  
Ohio Division Office  
200 N. High Street  
Columbus, OH 43215

Ms. Diana Welling  
Department Head  
Resource & Protection  
Ohio Historic Preservation Office  
800 East 17th Avenue  
Columbus, Ohio 43211

**Re: Amendment and Renewal of HAM-I71/I75-0.00/0.22, Brent Spence Bridge Replacement/Rehabilitation Project, PID 75119 MOA, ODOT Agreement Number 16829**

Dear Ms. Leffler and Ms. Welling:

This letter serves as the State of Ohio, Department of Transportation's request to amend and renew the above referenced Memorandum of Agreement (MOA) in accordance with Stipulation VI of the MOA.

Enclosed is a fully executed version of the MOA. Pursuant to Stipulation II of the MOA, that Agreement will expire on June 28, 2017 because the Undertaking described in the Agreement has not yet been implemented. ODOT is requesting the MOA be extended for another five (5) year period from the date. Also enclosed is a draft First Amendment that would extend the MOA by a period of five (5) years.

Please contact me as soon as possible as the MOA is set to expire on June 28.

Respectfully,

A handwritten signature in black ink, appearing to read "Timothy M. Hill".

Timothy M. Hill  
Administrator-OES  
ODOT Office of Environmental Services  
1980 West Broad Street, Mail Stop 4170  
Columbus, OH 43223  
(614) 644-0377

Enc. One copy of fully executed June 28, 2012 MOA.  
Draft First Amendment

**FIRST AMENDMENT TO THE MEMORANDUM OF AGREEMENT BETWEEN THE FEDERAL HIGHWAY ADMINISTRATION, THE OHIO DEPARTMENT OF TRANSPORTATION, AND THE OHIO STATE HISTORIC PRESERVATION OFFICE, REGARDING THE BRENT SPENCE BRIDGE REPLACEMENT/REHABILITATION PROJECT, HAM-71/75-0.00/0.22, PID 75119, HAMILTON COUNTY, OHIO AND KENTON COUNTY, KENTUCKY ADVERSE EFFECT TO THE B&O FREIGHT AND STORAGE BUILDING/LONGWORTH HALL, LISTED ON THE NATIONAL REGISTER OF HISTORIC PLACES (86003521) 700 PETE ROSE WAY (SECOND STREET), CINCINNATI, OHIO (ODOT AGREEMENT NUMBER 16829)**

This AMENDMENT is made among the Ohio Department of Transportation, having an address of 1980 West Broad Street, Columbus, Ohio 43223, the Federal Highway Administration having an address of 200 N. High Street, Columbus, Ohio, 43215, and the Ohio Historic Preservation Office having an address of 800 E. 17<sup>th</sup> Ave. Columbus, Ohio, 43211 (collectively known as the "Parties")

This AMENDMENT modifies the above referenced Memorandum of Agreement (hereinafter "MOA") dated June 28, 2012, among the above-referenced parties.

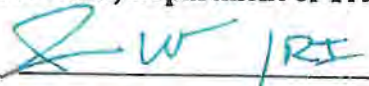
**RECITALS**

1. The Parties have agreed, pursuant to Stipulation VI of the MOA, to amend the MOA to extend the term of the MOA.

NOW, THEREFORE, the Parties agree as follows:

1. Stipulation II of the MOA shall be amended to read as follows:
  - a. This AGREEMENT will be null and void if the UNDERTAKING is not implemented within ~~five (5)~~ ten (10) years from the date of its execution. At such time, and prior to work continuing on the UNDERTAKING, FHWA shall either (a) execute a new agreement pursuant to 36 C.F.R. § 800.6; or (b) request, take into account, and respond to the comments of the COUNCIL under 36 C.F.R. § 800.7. Prior to such time, FHWA may consult with the other signatories to reconsider the terms of this AGREEMENT and amend it in accordance with Stipulation ~~VIII~~ VI below. FHWA shall notify the ~~signatories as to the course of action it will pursue~~.
2. Any person executing this Amendment in a representative capacity hereby represents that he/she has been duly authorized by their respective Principle to execute this Amendment on such Principle's behalf.

**The State of Ohio, Department of Transportation**

Signed: 

Printed: Jerry Wray

Title: Director

Date: 6/18/17

**Federal Highway Administration, Ohio Division**

Signed: 

Printed: Laura S. Leffler

Title: Division Administrator

Date: 6/22/2017

**Ohio Historic Preservation Office**

Signed: \_\_\_\_\_

Printed:

Title:

Date:

**The State of Ohio, Department of Transportation**

Signed: Jerry Wray / RE

Printed: Jerry Wray

Title: Director

Date: 6/18/17

**Federal Highway Administration, Ohio Division**

Signed: \_\_\_\_\_

Printed: Laura S. Leffler

Title: Division Administrator

Date:

**Ohio Historic Preservation Office**

Signed: Diana Welling

Printed: Diana Welling

Title: Department Head for Resource Protection & Review

Date: 6/22/17

MEMORANDUM OF AGREEMENT BETWEEN THE  
FEDERAL HIGHWAY ADMINISTRATION,  
THE OHIO DEPARTMENT OF TRANSPORTATION, AND  
THE OHIO STATE HISTORIC PRESERVATION OFFICE,  
REGARDING THE  
BRENT SPENCE BRIDGE REPLACEMENT/REHABILITATION PROJECT,  
HAM-71/75-0.00/0.22, PID 75119,  
HAMILTON COUNTY, OHIO AND KENTON COUNTY, KENTUCKY  
ADVERSE EFFECT TO THE  
B&O FREIGHT AND STORAGE BUILDING/LONGWORTH HALL,  
LISTED ON THE NATIONAL REGISTER OF HISTORIC PLACES (86003521)  
700 PETE ROSE WAY (SECOND STREET), CINCINNATI, OHIO  
(ODOT AGREEMENT NUMBER 16829)

WHEREAS, the Federal Highway Administration (FHWA), the Kentucky Transportation Cabinet (KYTC), and the Ohio Department of Transportation (ODOT) propose to reconstruct a 7.8-mile segment of Interstate 71 (I-71) and Interstate 75 (I-75) and construct a new bridge over the Ohio River in Kenton County, Kentucky and Hamilton County, Ohio, known as the Brent Spence Bridge Replacement/Rehabilitation Project, and hereby known as the undertaking (UNDERTAKING); and

WHEREAS, FHWA, with ODOT and KYTC as their agents, plan to fund the UNDERTAKING, thereby making the UNDERTAKING subject to review under Section 106 of the National Historic Preservation Act (NHPA), 16 U.S.C. § 470f, and its implementing regulations, 36 C.F.R. Part 800; and

WHEREAS, FHWA, with ODOT and KYTC as their agents, have consulted with the Ohio State Historic Preservation Office (SHPO) and the Kentucky Heritage Council (KHC); and

WHEREAS, FHWA, with ODOT and KYTC as their agents, will consult with federally recognized Native American Indian Tribes that may attach religious and cultural significance to historic properties; and

WHEREAS, FHWA, with ODOT and KYTC as their agents, have identified and consulted with consulting parties through public meetings, direct notification, project website, and Section 106 consultation; and, have not denied any of the identified consulting parties such status for this UNDERTAKING; and

WHEREAS, FHWA, with ODOT and KYTC as their agents, in consultation with the SHPO, KYTC and other consulting parties, have identified the UNDERTAKING's area of potential effect (APE), as defined in 36 C.F.R. § 800.16(d); and

WHEREAS, FHWA with ODOT and KYTC as their agents, have incorporated avoidance and minimization measures into the project development process by incorporating noise walls, retaining walls, pedestrian facilities; and aesthetic treatments into the design where warranted; and

WHEREAS, FHWA, with ODOT and KYTC as their agents, will continue to incorporate avoidance and minimization measures into the UNDERTAKING; and



WHEREAS, FHWA, with ODOT as their agent, in consultation with the SHPO, and other consulting parties, determined the UNDERTAKING will have an adverse effect upon the B&O Freight and Storage Building/Longworth Hall, listed on the NRHP (86003521), located at 700 Pete Rose Way (Second Street), Cincinnati, Ohio, pursuant to Section 106 of the NHPA, 16 U.S.C. § 470f, and its implementing regulations, 36 C.F.R. § 800; and

WHEREAS, FHWA, with KYTC as their agent, in consultation with the KHC, and other consulting parties, determined the UNDERTAKING will have an adverse effect upon the Lewisburg Historic District, listed on the NRHP (93001165), bounded by I-71/75 and the city limits of Covington, Kentucky, pursuant to Section 106 of the NHPA, 16 U.S.C. § 470f, and its implementing regulations, 36 C.F.R. § 800; and

WHEREAS, FHWA, with ODOT and KYTC as their agents, have determined the agreed upon measures to resolve the adverse effects of the UNDERTAKING to historic properties, located in the State of Ohio and the Commonwealth of Kentucky, will be formalized by two separate Memoranda of Agreement; and

WHEREAS, FHWA, with ODOT as their agent, has initiated this Memorandum of Agreement (AGREEMENT) to build upon the identification and consultation efforts conducted thus far in the State of Ohio; and, to formalize measures to resolve the adverse effect to the B&O Freight and Storage Building/Longworth Hall, listed on the NRHP (86003521), located at 700 Pete Rose Way (Second Street), Cincinnati, Ohio; and

WHEREAS, FHWA, with ODOT as their agent, has invited the identified consulting parties to concur with this AGREEMENT and will continue to consult with the consulting parties as the UNDERTAKING progresses; and

WHEREAS, FHWA, with ODOT as their agent, in accordance with 36 C.F.R § 800.6(a)(1), has notified the Advisory Council on Historic Preservation (COUNCIL) of the adverse effect determination with specified documentation and the COUNCIL has chosen not to participate in the consultation pursuant to 36 C.F.R 800.6(a)(1)(ii); and

NOW THEREFORE, FHWA, with ODOT as their agent, agree that the UNDERTAKING shall be implemented in accordance with the following stipulations in order to take into account the adverse effect of the UNDERTAKING on the B&O Freight and Storage Building/Longworth Hall, listed on the NRHP (86003521), located at 700 Pete Rose Way (Second Street), Cincinnati, Ohio.

#### STIPULATIONS

FHWA shall ensure that the following mitigation measures are carried out:

##### I. ARCHITECTURAL PROPERTIES

A. In consultation with FHWA, SHPO, and other consulting parties, ODOT has identified architectural historic properties in the APE, as documented by the *Brent Spence Bridge Replacement/Rehabilitation Project: Determination of Effects Report* ODOT PID No. 75119, HAM-71/75-0.00/0.22, KYTC Project Item No. 6-17; and has identified the effects to historic properties located within the APE.

B. ODOT proposes treatments commensurate with the level of impact and that are a reasonable public expenditure in light of the severity of the impact. ODOT will mitigate

the adverse effect to B&O Freight and Storage Building/Longworth Hall, listed on the NRHP (860003521), located at 700 Pete Rose Way (Second Street), Cincinnati, Ohio, using, but not limited to, the treatments on the following list:

1. Installation of exterior storm windows.
2. Restoration of the east wall, to an approximation of its original appearance, will include materials salvaged during demolition in accordance with the Secretary of Interior's Standards.
  - a. Plans will be developed for review and comment by the building owner, Cincinnati Preservation Association, and SHPO.
  - b. Windows, removed to accommodate the new roadway construction, will be restored and used in the east wall reconstruction.
  - c. Windows, removed and not used in the east wall reconstruction, will be restored and returned to the owner.
  - d. A cornerstone, commemorating the date of construction (1904) on one side, and the date of the renovation on the other side, will be included in the east wall reconstruction design.
3. Masonry repair will include: repair or replacement of bricks as warranted; tuck-pointing; and, brick cleaning of the west, north, and south walls.
4. Plaque/Interpretive signage will be constructed:
  - a. The original location of the east wall, prior to the construction of the Brent Spence Bridge, will be outlined by bricks and stone work.
  - b. An interpretive plaque, describing changes to the property that have occurred over time, will be placed near the original location of the east end wall.
5. The original lettering across the top of the building will be refurbished.
6. All materials removed, that retain historic integrity and nature, will be returned to the building owner to be used in future repairs or expansion.

The above treatments shall be developed in accordance with 36 CFR Part 68 The Secretary of the Interior's Standards for the Treatment of Historic Properties (STANDARDS). The treatment plans shall be submitted to OSHPO and the consulting parties concurrently for review and comment. The OSHPO, in consultation with the parties, will provide comments and/or concurrence with the treatment plans within 30-days.

C. ODOT will have follow up discussions with the owner regarding contracting methods and their request to either perform the construction themselves or provide project management control. If ODOT concurs in this approach, details will be outlined in a separate agreement.

## II. DURATION

This AGREEMENT will be null and void if the UNDERTAKING is not implemented within five (5) years from the date of its execution. At such time, and prior to work continuing on the UNDERTAKING, FHWA shall either (a) execute a new agreement pursuant to 36 C.F.R. § 800.6; or (b) request, take into account, and respond to the comments of the COUNCIL under 36 C.F.R. § 800.7. Prior to such time, FHWA may consult with the other signatories to reconsider the terms of this AGREEMENT and amend it in accordance with Stipulation VIII below. FHWA shall notify the signatories as to the course of action it will pursue.

## III. POST-REVIEW DISCOVERIES AND UNANTICIPATED DISCOVERY OF HUMAN REMAINS, OHIO

- A. If previously unidentified archaeological or historic properties, or unanticipated effects, are discovered after completion of Section 106 review, that portion of the project will stop immediately, pursuant to Section 203.04 of ODOT's *Construction and Material Specifications*. The ODOT project engineer will immediately contact ODOT-OES and/or the appropriate ODOT District Environmental Coordinator. No further construction in the area of discovery will proceed until the requirements of 36 C.F.R. § 800.13 have been satisfied, including consultation with federally recognized Native American Indian tribes that may attach traditional cultural and religious significance to the discovered property. ODOT will consult with SHPO and Indian tribes, as appropriate, to record, document and evaluate NRHP eligibility of the property and the project's effect on the property, and to design a plan for avoiding, minimizing, or mitigating adverse effects on the eligible property. If neither the SHPO nor a federally recognized Native American Indian Tribe file a timely objection to ODOT's Office of Environmental Services (ODOT-OES) plan for addressing the discovery, ODOT-OES may carry out the requirements of 36 C.F.R. § 800.13 on behalf of FHWA and the COUNCIL need not be notified. FHWA and ODOT-OES will conduct all review and consultation in accordance with *Programmatic Agreement Among the Federal Highway Administration, the Advisory Council on Historic Preservation, the Ohio Historical Society, State Historic Preservation Office, and the State of Ohio, Department of Transportation Regarding Implementation of the Federal-Aid Highway Program in Ohio (Agreement No. 16734)* (executed 11/30/2011).

B. Historic and prehistoric human remains are subject to protection under Ohio Revised Code Sections 2909.05 and 2927.11. As such, if previously unidentified human remains are discovered during construction, work in that portion of the project will stop immediately. The remains will be covered and/or protected in place in such a way that minimizes further exposure of and damage to the remains. The ODOT project engineer will immediately consult with ODOT-OES and the ODOT District Environmental Coordinator, and immediately notify local law enforcement and/or the County Coroner. If the project has a US Army Corps of Engineers (USACOE) permit issued, the ODOT District Environmental Coordinator must notify ODOT-OES and the USACOE. If the remains are found to be Native American Indian, a treatment plan will be developed by ODOT-OES and SHPO in consultation with FHWA and appropriate federally recognized Native American Indian Tribes.

FHWA and ODOT-OES will ensure that any treatment and reburial plan is fully implemented. If the remains are not Native American Indian, the appropriate local

authority will be consulted to determine final disposition of the remains. Avoidance and preservation in place is the preferred option for treating human remains. FHWA and ODOT-OES will conduct all review and consultation in accordance with *Programmatic Agreement Among the Federal Highway Administration, the Advisory Council on Historic Preservation, the Ohio Historical Society, State Historic Preservation Office and the State of Ohio, Department of Transportation Regarding Implementation of the Federal-Aid Highway Program in Ohio (Agreement No. 16734) (executed 11/30/2011)*.

C. For Native American Indian human remains discovered on federal lands, the Federal land-managing agency will be responsible for consultation under the *Native American Graves Protection and Repatriation Act of 1990 (PL 101-601)*. For skeletal remains discovered on property owned by the State of Ohio, ODOT will comply with Section 149.53 of the Ohio Revised Code. Under this section, the Director of the Ohio Historical Society shall determine final disposition of any discovered skeletal remains. FHWA and ODOT-OES will also follow the guidance issued by the COUNCIL, *Policy Statement Regarding Treatment of Burial Sites, Human Remains, and Funerary Objects* (issued 2/23/07).

#### IV. MONITORING AND REPORTING

Each five (5) years following the execution of this AGREEMENT until it expires or is terminated, FHWA shall provide all parties to this AGREEMENT and the COUNCIL, if desired, a summary report detailing work carried out pursuant to its terms. Such report shall include any scheduling changes proposed, any problems encountered, and any disputes and objections received in FHWA's efforts to carry out the terms of this AGREEMENT.

#### V. DISPUTE RESOLUTION

Should any signatory or concurring party to this AGREEMENT object at any time to any actions proposed or the manner in which the terms of this AGREEMENT are implemented, FHWA shall consult with such party to resolve the objection. If FHWA determines that such objection cannot be resolved, FHWA will:

A. Forward all documentation relevant to the dispute, including the FHWA's proposed resolution, to the COUNCIL. The COUNCIL shall provide FHWA with its advice on the resolution of the objection within thirty (30) days of receiving adequate documentation. Prior to reaching a final decision on the dispute, FHWA shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the COUNCIL, signatories and concurring parties, and provide them with a copy of this written response. FHWA will then proceed according to its final decision.

B. If the COUNCIL does not provide its advice regarding the dispute within the thirty (30) day time period, FHWA may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, FHWA shall prepare a written response that takes into account any timely comments regarding the dispute from the signatories and concurring parties to this AGREEMENT, and provide them and the COUNCIL with a copy of such written response.

C. FHWA's responsibilities to carry out all other actions subject to the terms of this AGREEMENT that are not the subject of the dispute remain unchanged.

**VI. AMENDMENTS**

This AGREEMENT may be amended when such an amendment is agreed to in writing by all signatories. The amendment will be effective on the date a copy signed by all of the signatories is filed with the COUNCIL.

**VII. TERMINATION**

If any signatory to this AGREEMENT determines that its terms will not or cannot be carried out, that party shall immediately consult with the other parties to attempt to develop an amendment pursuant to Stipulation VI above. If within thirty (30) days (or another time period agreed to by all signatories) an amendment cannot be reached, any signatory may terminate this AGREEMENT upon written notification to the other signatories.

Once the AGREEMENT is terminated, and prior to work continuing on the UNDERTAKING, FHWA must either (a) execute a new agreement pursuant to 36 C.F.R. § 800.6, or (b) request, take into account, and respond to the comments of the COUNCIL under 36 C.F.R. § 800.7. FHWA shall notify the signatories as to the course of action it will pursue.

EXECUTION of this AGREEMENT by the FHWA, ODOT, and SHPO, and implementation of its terms, is evidence the FHWA has taken into account the effects of this UNDERTAKING on the B&O Freight and Storage Building/Longworth Hall, listed on the NRHP (86003521), located at 700 Pete Rose Way (Second Street), and has afforded the COUNCIL an opportunity to comment.

SIGNATORIES:

Mark L. Vander Embse Date 6/22/2012

*for* Laura S. Leffler, Division Administrator  
Federal Highway Administration, Ohio Division.


Mark J. Epstein Date 6.28.12


Mark J. Epstein, Department Head, Resource Protection and Review  
Ohio State Historic Preservation Officer

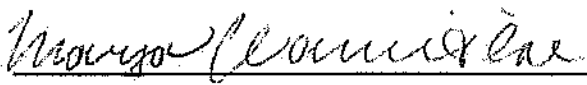
Jerry Wray Date 4.12.12

Jerry Wray, Director  
Ohio Department of Transportation

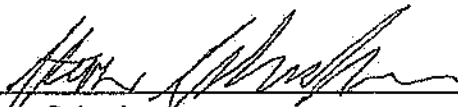
Concurring:

  
Date 5/8/12  
Michael W. Hancock, Secretary  
Kentucky Transportation Cabinet

  
Date 5/9/12  
Lindy Casebier  
Acting Kentucky State Historic Preservation Office

  
Date 6/18/12  
Margo Warminski  
Cincinnati Preservation Association

\_\_\_\_\_  
Date \_\_\_\_\_  
Michael Schweitzer  
Longworth Hall

  
Date 5/24/12  
Steve Schuckman  
Cincinnati Parks

\_\_\_\_\_  
Date \_\_\_\_\_  
Norman Kattelman  
Dayton Street Historic District

APPROVED AS TO FORM AND LEGALITY:

  
Date 5/9/12  
KYTC, OFFICE OF LEGAL SERVICES



# OHIO DEPARTMENT OF TRANSPORTATION

CENTRAL OFFICE • 1980 WEST BROAD STREET • COLUMBUS, OH 43223  
JOHN R. KASICH, GOVERNOR • JERRY WRAY, DIRECTOR

## OFFICE OF ENVIRONMENTAL SERVICES

June 28, 2017

Ms. MaryAnn Naber, Senior Program Analyst  
Office of Federal Agency Programs  
Advisory Council on Historic Preservation  
401 F Street NW, Suite 308  
Washington, D.C. 20001

Attn: La Savio Johnson, Historic Preservation Technician

Subject: Amendment and Renewal of HAM-I71/I75-0.00/0.22 PID 75119  
Brent Spence Bridge Replacement/Rehabilitation Project  
Memorandum of Agreement, ODOT Agreement No. 16829

Dear Ms. Naber:

The subject documentation is enclosed in accordance with 36 CFR § 800.6(c) *Memorandum of agreement, (7) Amendment*, which states, "The signatories to a memorandum of agreement may amend it. If the Council was not a signatory to the original agreement and the signatories execute an amended agreement, the agency official shall file it with the Council". Therefore, the amended and renewed Memorandum of Agreement for the undertaking, HAM-I71/I75-0.00/0.22, Brent Spence Bridge Replacement/Rehabilitation Project, PID 75119, is attached for the Council's records. Questions may be forwarded to Susan Gasbarro, Office of Environmental Services, ODOT at [susan.gasbarro@dot.ohio.gov](mailto:susan.gasbarro@dot.ohio.gov).

Respectfully,

A handwritten signature in black ink, appearing to read "Timothy M. Hill".

Timothy M. Hill, Administrator  
Office of Environmental Services

*The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried-out by ODOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated December 11, 2015, and executed by FHWA and ODOT.*

TMH:sg  
Enclosure

C: Andy Fluegemann, ODOT-D8; Diana Welling, SHPO; Laura Leffler, FHWA; Michael Hancock, Kentucky Transportation Cabinet; Kentucky State Historic Preservation Office; Margo Warminiski, Cincinnati Preservation Association; Michael Schweitzer, Longworth Hall; Steve Schuckman, Cincinnati Parks; Norman Kattelman, Dayton Street Historic District

**Second Amendment to the Memorandum of Agreement Between the Federal Highway Administration, the Ohio Department of Transportation, and the Ohio State Historic Preservation Office, Regarding the Brent Spence Bridge Replacement/Rehabilitation Project, HAM-71/75-0.00/0.22, PID 75119, Hamilton County, Ohio and Kenton County, Kentucky Adverse Effect to the B & O Freight and Storage Building/Longworth Hall, Listed on the National Register of Historic Places (86003521) 700 Pete Rose Way (Second Street), Cincinnati, Ohio (ODOT Agreement Number 16829)**

This SECOND AMENDMENT is made among the Ohio Department of Transportation, having an address of 1980 West Broad Street, Columbus, Ohio 43223, the Federal Highway Administration having an address of 200 North High Street, Columbus, Ohio 43215, and the Ohio State Historic Preservation Office having an address of 800 East 17<sup>th</sup> Avenue, Columbus, Ohio 43211 (collectively known as the "Parties").

This SECOND AMENDMENT modifies the above referenced Memorandum of Agreement (AGREEMENT) dated June 28, 2012, among the above referenced Parties.

The Parties have agreed, pursuant to Stipulation VI of the AGREEMENT, to amend the AGREEMENT to extend the term of the AGREEMENT; and

NOW, THEREFORE, the Parties agree as follows:

1. Henceforth, this UNDERTAKING shall be known as the Brent Spence Bridge Replacement/Rehabilitation Project, HAM-71/75-0.00/0.22, ODOT PID 89068.
2. Stipulation II of the AGREEMENT shall be amended to read as follows:
  - a. This AGREEMENT will be null and void if the UNDERTAKING is not implemented within ~~five (5) years, ten (10) years,~~ fifteen (15) years from the date of its execution. At such time, and prior to work continuing on the UNDERTAKING, FHWA shall either (a) execute a new agreement pursuant to 36 C.F.R. § 800.6; or (b) request, take into account, and respond to the comments of the COUNCIL under 36 C.F.R. § 800.7. Prior to such time, FHWA may consult with the other signatories to reconsider the terms of this AGREEMENT and amend if accordance with Stipulation ~~VI~~ VI below. FHWA shall notify the signatories as to the course of action it will pursue.
3. Any person executing this SECOND AMENDMENT in a representative capacity hereby represents that he/she has been duly authorized by their respective Principle to execute this SECOND AMENDMENT on such Principle's behalf. This SECOND AMENDMENT may be executed in any number of counterparts, each of which shall be deemed an original, and all of which shall constitute but one and the same instrument. Any party hereto may deliver a copy of its counterpart signature page to this SECOND AMENDMENT via fax or e-mail. Each party hereto shall be entitled to rely upon a facsimile or electronic signature of any other party delivered in such a manner as if such signature were an original.



April 18, 2022

2 of 4

Second Amendment & Renewal of the Executed Memorandum of Agreement  
(ODOT Agreement No. 16829)

**SIGNATORY**

Ohio Department of Transportation:

Jack Marchbanks / EUC

Jack Marchbanks, Director  
Ohio Department of Transportation  
1980 West Broad Street  
Columbus, Ohio 43223  
[Jack.Marchbanks@dot.ohio.gov](mailto:Jack.Marchbanks@dot.ohio.gov)

05.24.2022

Date

Reviewed as to Form

Office of Chief Legal Counsel

Ohio Department of Transportation

AR

5/24/2022

April 18, 2022

3 of 4

Second Amendment & Renewal of the Executed Memorandum of Agreement  
(ODOT Agreement No. 16829)

**SIGNATORY**

Ohio State Historic Preservation Office:

**Diana Welling**

Digitally signed by Diana Welling  
DN: cn=Diana Welling, o=Ohio History Connection, ou=State  
Historic Preservation Office, email=dwelling@ohiohistory.org,  
c=US  
Date: 2022.06.03 09:38:50 -04'00'

6/3/2022

Ms. Diana Welling, Department Head Resource and Protection

Date

Ohio State Historic Preservation Office

800 East 17<sup>th</sup> Street

Columbus, Ohio 43211

[dwelling@ohiohistory.org](mailto:dwelling@ohiohistory.org)

April 18, 2022

4 of 4

Second Amendment & Renewal of the Executed Memorandum of Agreement  
(ODOT Agreement No. 16829)

**SIGNATORY**

Federal Highway Administration, Ohio Division:

**LAURA S LEFFLER** Digitally signed by LAURA S LEFFLER  
Date: 2022.05.20 07:05:32 -04'00'

---

Laura S. Leffler, Division Administrator  
200 North High Street  
Columbus, Ohio 43215  
[Laurie.Leffler@dot.gov](mailto:Laurie.Leffler@dot.gov)

Date



June 3, 2022

Mandy Ranslow  
Advisory Council on Historic Preservation  
401 F Street NW, Suite 308  
Washington, D.C. 20001-2637

Email: [mrandslow@achp.gov](mailto:mrandslow@achp.gov)

Subject: Executed Memorandum of Agreement (Agreement No: 16829)

Re: ODOT Project – HAM-71/75-0.00/0.22 PID 89068

Dear Ms. Ranslow,

Pursuant to 36 CFR § 800.6(b)(1)(iv), enclosed is a copy of the fully executed *Second Amendment to the Memorandum of Agreement Between the Federal Highway Administration, the Ohio Department of Transportation, and the Ohio State Historic Preservation Office, Regarding the Brent Spence Bridge Replacement/Rehabilitation Project, HAM-71/75-0.00/0.22, PID 75119, Hamilton County, Ohio and Kenton County, Kentucky Adverse Effect to the B & O Freight and Storage Building/Longworth Hall, Listed on the National Register of Historic Places (86003521) 700 Pete Rose Way (Second Street), Cincinnati, Ohio (ODOT Agreement Number 16829)*. The filing of this Second Amendment to the MOA with the Advisory Council on Historic Preservation is required in order to complete the requirements of Section 106 of the National Historic Preservation Act. Please forward questions or comments to Erica Schneider, ODOT Office of Environmental Services, at [Erica.Schneider@dot.ohio.gov](mailto:Erica.Schneider@dot.ohio.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Erica Schneider" followed by a flourish.

Timothy M. Hill, Administrator  
Office of Environmental Services

TMH:sg/Enclosure

C: Diana Welling, OSHPO; EnviroNet Project File

The environmental review, consultation, and other actions required by applicable Federal environmental laws for this undertaking are being, or have been, carried-out by ODOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated December 14, 2020 and executed by the Federal Highway Administration (FHWA) and ODOT.



August 30, 2022

Diana Welling, Department Head  
Resource Protection and Review  
Ohio Historic Preservation Office  
800 East 17th Avenue  
Columbus, Ohio 43211

Attn: Mary Rody, SHPO Transportation Review Manager  
Thomas Grooms, SHPO Transportation Review Manager

Subject: HAM-IR 71/75 0.00/0.22 PID 89068

Dear Ms. Welling,

The HAM-IR 71/75 0.00/0.22 PID 89068 [PID 75119] project in Cincinnati, Ohio will improve the Brent Spence Bridge crossing over the Ohio River. The Brent Spence Bridge (BSB) corridor consists of 7.8 total miles of I-71 and I-75 located within portions of Ohio and Kentucky. This corridor is located within the Greater Cincinnati/Northern Kentucky region and is a major route for local and regional mobility. Locally, it connects to I-74, I-275, and US 50. The BSB provides an interstate connection over the Ohio River and carries both I-71 and I-75 traffic. The bridge also facilitates local travel by providing access to downtown Cincinnati, Hamilton County, Ohio and Covington, Kenton County, Kentucky. This corridor is also one of the busiest trucking routes in the US, connecting Michigan to Florida via I-75.

The Kentucky Transportation Cabinet (KYTC) and the Ohio Department of Transportation (ODOT) developed a range of alternatives for improving the I-71/I-75 corridor in Kentucky and Ohio through a series of preliminary engineering and planning studies coupled with extensive public and stakeholder involvement. These activities were documented in the project's Environmental Assessment (2012). On August 9, 2012, the Federal Highway Administration (FHWA) issued a Finding of No Significant Impact (FONSI) identifying Alternative I as the preferred alternative for the BSB Project. Since the approval of the FONSI, KYTC and ODOT completed additional studies to update the preferred alternative to reflect current design standards, traffic counts, and traffic operations. KYTC and ODOT also conducted a value engineering analysis of the preferred alternative. These efforts resulted in refinements to Preferred Alternative I, which have been designated as Concept I-W.

Concept I-W follows the Preferred Alternative I design for the I-71/I-75 alignment from the Dixie Highway interchange to 12th Street in Kentucky; north of Freeman Avenue in Ohio; and the local collector-distributor (C-D) roads along both sides of I-75 in Ohio. In addition, a companion bridge will be built just west of the existing BSB with all I-71 and I-75 traffic on the new bridge and all local C-D traffic on the existing BSB. The new bridge will carry five lanes of southbound (SB) I-71 and I-75 on the lower deck and five lanes of northbound (NB) I-71 and I-75 traffic on the upper deck. The existing BSB will be rehabilitated to carry three lanes for NB local traffic on the lower deck and three lanes for SB local traffic on the upper deck.

KYTC and ODOT are currently re-evaluating the project's Environmental Assessment to reflect the refined preferred alternative (Concept I-W). The re-evaluation efforts also involve updating resource specific studies to reflect any changes in conditions that have occurred since they were originally prepared.

### **Previous Consultation**

On October 31, 2011, the Ohio State Historic Preservation Office (SHPO) concurred the undertaking contained no potential for intact archaeological resources due to extensive highway construction and/or sequential urban development and redevelopment with the following exceptions:

- Residential lots associated with the West McMicken Street Historic District would merit archaeological testing for stratified late 19th century deposits if one of the interchange reconfiguration alternatives were chosen. That particular interchange reconfiguration alternative was not chosen, and the West McMicken Street Historic District will not be affected by the undertaking.
- The 1920s Cincinnati subway tunnel would require evaluation for listing on the NRHP if a particular interchange reconfiguration alternative were chosen; and an environmental commitment to avoid the Cincinnati subway tunnels and portals will be included in the environmental document and in the construction plans for the project.
- Soil and geotechnical borings conducted during the design phase in the river bottom area will be monitored and/or reviewed by an archaeologist or geoarchaeologist for evidence of buried archaeological deposits and/or undisturbed original landforms. If either are determined to be present, an archaeological testing strategy would need to be designed and implemented for the horizontal and vertical footprint of the bridge supports and construction work limits.
- An environmental commitment to conduct this work during the design phase will be included in the environmental document.

Concerning history architecture resources, consultation included the: identification of properties eligible for or listed in the NRHP; determination of effect on historic properties; and, identification of measures to mitigate adverse effects. The area of potential effects (APE) included a geographic area large enough to encompass the alternatives under consideration. The following table lists the identified historic properties within the APE and effect of the undertaking on each resource. On October 31, 2011, the SHPO concurred the undertaking will have an adverse effect on the B&O Freight and Storage Building/Longworth Hall, listed in the NRHP (NR# 86003521). Attached is a copy of the October 31, 2011 effect determination.

<b>History Architecture Resources</b>	<b>Section 106 Effect</b>
Western Hills Viaduct Subway Tunnel Portals	No effect
West McMicken Avenue HD (as proposed by Cincinnati Preservation)	No effect
HAM-1709-40 (Chem-Pak, Inc. Building), 2261 Spring Grove Avenue	No effect
Western Hills Viaduct (SFN 3105458)	No Adverse Effect
Brighton Bridge (SFN 3101533)	No effect
HAM-7366-28 (High-Craft Printing Company), 1120 Harrison Avenue	No effect
HAM-2164-28 revised to HAM-6332-40 (Central Trust/Brighton Office), 1110 Harrison Avenue	No effect
HAM-1462-06 (Rumman Building), 635 Kress Alley	No effect
HAM-0484-06, 650 West McMicken Avenue	No effect
Dayton Street HD (NRHP 73001457)	No effect
Our Lady of Mercy/Cincinnati Jobs Corp (NRHP 80003070), 1409 Western Avenue	No effect
Cincinnati Union Terminal (NHL & NRHP 72001018)	No effect
HAM-1342-43 (Harriet Beecher Elementary School/Stowe Adult Education Center 635 West 7 <sup>th</sup> Avenue	No effect
West Fourth Street HD and Amendment (NRHP 766001443 & 79001861)	No effect
John M. Mueller, Sr. House, 724 Mehring Way	No effect
Ohio National Guard Armory (Demolished) (NRHP 80003069), 1437-1439 Western Avenue	No effect

The Memorandum of Agreement Between the Federal Highway Administration, the Ohio Department of Transportation, and the Ohio State Historic Preservation Office, Regarding the Brent Spence Bridge Replacement/Rehabilitation Project, HAM-71/75-0.00/0.22, PID 75119, Hamilton County, Ohio and Kenton County, Kentucky Adverse Effect to the B&O Freight and Storage Building/Longworth Hall, Listed on the National Register of Historic Places (86003521) 700 Pete Rose Way (Second Street), Cincinnati, Ohio (ODOT Agreement Number 16829), was executed on June 28, 2012 [BSB MOA]. The BSB MOA was amended and renewed on June 22, 2017 and June 3, 2022. The project is now referred to as: HAM-Brent Spence Bridge Replacement/Rehabilitation Project, HAM-71/75-0.00/0.22, ODOT PID 89068.

### History Architecture Re-evaluation

The report *Brent Spence Bridge Project Phase I History/Architecture Re-evaluation Survey HAM-71/75-0.00/0.22; PID 89068 City of Cincinnati, Hamilton County, Ohio* (ASC, Inc. July 2022), was uploaded to the project file on July 21, 2022. Objectives of the re-evaluation survey report included the: identification of history architecture and archaeological resources that have been identified within the APE since 2012; the identification of NRHP listed or eligible history architecture resources present in 2012 that have undergone changes such as to warrant a change in their NRHP status; identification of history architecture resources within the APE that have become 50 years of age since 2012 eligible for listing in the NRHP; and to evaluate whether the adverse effect to the B&O Freight Terminal/Longworth Hall, listed in the NRHP, remain unchanged.

The APE for the Phase I history architecture re-evaluation survey was based on previous consultation and refined design. In summary, the APE is limited to the right-of-way (ROW) where improvements are confined to the existing ROW; specifically, adjacent to interstate and highway right-of-way. Where improvements are planned outside of the existing ROW, the APE generally follows a 1,500-foot corridor to accommodate all possible design changes within the proposed alternatives. It should be noted that the APE was developed to follow street lines rather than simply cut across the landscape and to fully incorporate any historic districts wholly or partially included within the 1,500-foot corridor. Although several small portions of Concept I-W extend outside of the APE, the construction limits in these areas have not changed. When construction limits expand beyond the 2012 APE, areas adjacent to the refined design construction limits were reviewed to confirm if additional resources were present.

The SHPO's (2022) Online Mapping System does not show any history architecture properties or archaeological sites have been listed in or determined eligible for listing in the NRHP within or adjacent to the APE since 2012. The West Fourth Street Historic District was extended eastward along W. Fourth Street to Vine Street in 2007 and amended in 2015 to include one additional building along Vine Street; all of this area is outside of the APE and not adjacent to the construction limits.

The re-evaluation report documents the condition of previously documented historic properties. One resource, the Mueller House at 724 Mehring Way, was demolished sometime after 2012. The Chem-Pack, Inc. building (HAM-1709-40/2261 Spring Grove Avenue) and the Western Hills Viaduct (SFN 3105458) will be removed by the undertaking HAM-Western Hills Viaduct (PID 85388). A *Memorandum of Agreement (Agreement No. 30501)* was executed October 19, 2017 and amended on April 1, 2022 for the removal of the two historic properties. Both resources are outside of the subject APE. The remaining NRHP listed or eligible properties have not significantly been altered so as to affect their eligibility since 2012.

Twenty-three (23) resources have become 50 years of age or older since 2012. The resources are described and evaluated in the re-evaluation survey report. The 23 resources are not eligible for inclusion in the NRHP due to diminished integrity and lack of significance. No potential historic districts were newly identified within or adjacent to the APE.

In Ohio, the only cultural resources anticipated to receive adverse effects from the undertaking is the NRHP-listed B&O Freight Terminal/Longworth Hall, located at 700 Pete Rose Way. The building is located immediately west of the existing I-71/I-75. The preferred alternative Concept I-W will pass through 204 feet of the building's northern and eastern end. The building consists of six adjacent blocks and a 1961 addition at the building's northeast corner. The project will necessitate the removal of the easternmost block, approximately half of the next adjacent block, and the addition. A new east wall will be constructed to close off the exposed end of the building. This planned adverse effect remains unchanged since 2012. The BSB MOA discusses these treatments in greater depth. The preferred alternative Concept I-W will not change the nature or degree of the adverse effect to the building.



**Conclusion**

In accordance with 36 CFR § 800.5(a), ODOT-OES has determined a finding of “adverse effect” remains applicable to the undertaking HAM-71/75-0.00/0.22, ODOT PID 89068.

- No cultural resources eligible for or listed in the NRHP will be adversely affected by the undertaking with the exception of the B&O Freight Terminal/Longworth Hall, located at 700 Pete Rose Way.
- Measures to mitigate the adverse effect will comply with the *Memorandum of Agreement (ODOT Agreement Number 16829)*, executed June 28, 2012, amended and renewed June 22, 2017 and June 3, 2022.
- A plan note to avoid the Cincinnati subway tunnels and portals will be included in the construction plans for the project.
- Soil and borings conducted during the design phase in the river bottom area will be monitored and/or reviewed by an archaeologist or geoarchaeologist for evidence of buried archaeological deposits and/or undisturbed original landforms. If either are determined to be present, an archaeological testing strategy will be designed and implemented for the horizontal and vertical footprint of the bridge supports and construction work limits.
- The SHPO and Section 106 consulting parties will be given an opportunity to review and comment on final design plans.

In accordance with 36 CFR 800.5(a), ODOT requests concurrence within 30 days of receipt of this determination. Questions may be addressed to Susan Gasbarro, ODOT-OES at [susan.gasbarro@dot.ohio.gov](mailto:susan.gasbarro@dot.ohio.gov).

Respectfully,



Timothy M. Hill, Administrator  
Office of Administrative Services

Concurrence:



1/25/2023

Ohio State Historic Preservation Office

Date

TMH: sg  
Enclosure

C: Project File, Section 106 Consulting Parties

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# Appendix H: Firefighters Memorial & Ezzard Charles Park Coordination

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- 2023-01-31 Temporary Occupancy Determination for Firefighters Memorial and Ezzard Charles Park ..... H-10



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**From:** Pacella, Steve <Steve.Pacella@cincinnati-oh.gov>  
**Sent:** Friday, August 5, 2022 1:47 PM  
**To:** Jodi Heflin  
**Subject:** Re: [External Email] Brent Spence Bridge Corridor Project, PID 89068; Section 4(f) Official with Jurisdiction (OWJ) Concurrence

Hi Jodi,

Parks has no challenges with your proposed plans and conure with the protective measures you are undertaking.

Thank You,

Stephen J. Pacella, PGA  
Interim Director  
**Cincinnati Park Board** | 950 Eden Park Drive 513-357-2622  
[www.cincinnatiiparks.com](http://www.cincinnatiiparks.com)



#CincyParks

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**From:** Jodi Heflin <JHeflin@HNTB.com>  
**Sent:** Friday, August 5, 2022 12:38 PM  
**To:** Pacella, Steve <Steve.Pacella@cincinnati-oh.gov>  
**Cc:** Keith.Smith@dot.ohio.gov <Keith.Smith@dot.ohio.gov>; Spinosa, Stefan <stefan.spinosa@dot.ohio.gov>; Mark Becherer <mbecherer@HNTB.com>  
**Subject:** [External Email] Brent Spence Bridge Corridor Project, PID 89068; Section 4(f) Official with Jurisdiction (OWJ) Concurrence

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**External Email Communication**

Dear Mr. Pacella:

The Greater Cincinnati Firefighters Memorial is located a 537 Central Avenue in Cincinnati, Ohio. It is situated within the existing limited access right-of-way along Central Avenue and is bordered by W. 6th Street, Central Avenue, W. 5th Street, and the fence that runs parallel to the northbound I-75 ramps (see attachment).

The Brent Spence Bridge (BSB) Corridor Project will reconstruct portions of W. 6<sup>th</sup> Avenue on the northern edge of the Firefighters Memorial, including the curb and sidewalk. No permanent impacts to the Firefighters Memorial will occur, and there will be no change to the ownership of the land. During construction, portions of the adjacent sidewalk and plaza areas may be closed on a temporary

basis to protect the park and the public from construction activities. However, access to the Firefighters Memorial will be maintained, and the project will not interfere with the activities, features, or attributes of the memorial on either a temporary or permanent basis. Finally, any land disturbed will be fully restored and returned to a condition which is at least as good as that which existed prior to the project.

The project will also require reconstruction and widening of W. 5<sup>th</sup> Street near the southern edge of the green space. However, this mulched area is currently occupied by traffic control equipment and is not used for recreation. Therefore, no temporary or permanent impacts to the green space are anticipated due to the construction on W. 5<sup>th</sup> Street.

The timeline for construction of these improvements will be determined during the project's design-build phase. Construction of Phase III of the BSB Corridor Project is anticipated to begin in 2024 and be substantially complete by 2030.

Due to the use of federal funds, the proposed transportation project is subject to the requirements of Section 4(f) of the *Department of Transportation (DOT) Act of 1966*, which affords protection to publicly-owned parks, recreation areas, and wildlife and waterfowl refuges. The purpose of this correspondence is to document that the Official with Jurisdiction concurs with the measures to minimize harm and the assessment of impacts.

The following measures to minimize harm will be incorporated into the plans as plan notes and as environmental commitments in the NEPA document:

- Access to the Greater Cincinnati Firefighters Memorial shall be maintained at all times, except for the time needed to temporarily occupy the property, which shall be less than the time needed for construction of the project.
- Temporary construction fencing shall be installed along proposed construction limits prior to the start of construction activities to protect the Section 4(f) property and the public.
- Appropriate signage shall be installed to alert users of the Greater Cincinnati Firefighters Memorial of construction activities, access restrictions or closures, and to direct users to secondary access points.
- The contractor shall be required to closely coordinate the construction schedule with ODOT and the City of Cincinnati prior to the start of construction activities.

In accordance with 23 CFR 774.13(d), the temporary occupancy of land associated with the Greater Cincinnati Firefighters Memorial will not constitute a "use", based on the following assessment:

- The duration of occupancy is temporary and less than the time needed for construction of the project, and no permanent change in ownership of the land will occur
- The scope of work is minor, in that both the nature and magnitude of the changes to the existing Section 4(f) property are minimal
- There are no anticipated permanent adverse physical impacts, nor interference with the protected recreational activities, features, or attributes of the Section 4(f) property on either a temporary or permanent basis
- And any land to be disturbed will be fully restored and returned to a condition which is at least as good as that which existed prior to the project

Based on the scope of the proposed project and type of work, no permanent restriction of access or incorporation of land from the Greater Cincinnati Firefighters Memorial into a transportation facility will occur. If you concur with the measures to minimize harm and the assessment of impacts in regard to the proposed undertaking, please indicate as such by responding accordingly to this e-mail **no later than August 19**.

Thank you for your time and cooperation on this matter. If you have questions and/or concerns, please feel free to contact me at [jheflin@hntb.com](mailto:jheflin@hntb.com) or (216) 633-2638.

cc: EnviroNet Project File

**Jodi S. Heflin, PE**

Traffic and Planning

Tel (216) 633-2638 Email [jheflin@hntb.com](mailto:jheflin@hntb.com)

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**From:** Gross, Joel <joel.gross@cincinnati-oh.gov>  
**Sent:** Wednesday, December 14, 2022 8:37 AM  
**To:** Jodi Heflin; Pacella, Steve; Barron, Jason  
**Cc:** Mobley, Jenny; Magee, Chris; Courtney, Crystal; Strunc, Angie; Williams, Bryan (Urban Planning); Keith.Smith; Mark Becherer; Spinosa, Stefan  
**Subject:** RE: [External Email] RE: Brent Spence Bridge Corridor Project, PID 89068; Section 4(f) Official with Jurisdiction (OWJ) Concurrence – Laurel Park

Hello Jodi,

We concur with the comments as you have presented. Thank you for addressing and incorporating our Laurel Park property concerns.

Best,

Joel Gross, P.E., LEED AP ND | *Division Manager - Planning and Design*  
**Cincinnati Park Board** | 2625 Reading Road | Cincinnati, OH | 513.475.9600  
[www.cincinnatiiparks.com](http://www.cincinnatiiparks.com)

---

**From:** Jodi Heflin <JHeflin@HNTB.com>  
**Sent:** Monday, November 28, 2022 2:44 PM  
**To:** Gross, Joel <joel.gross@cincinnati-oh.gov>; Pacella, Steve <Steve.Pacella@cincinnati-oh.gov>; Barron, Jason <jason.barron@cincinnati-oh.gov>  
**Cc:** Mobley, Jenny <Jenny.Mobley@cincinnati-oh.gov>; Magee, Chris <chris.magee@cincinnati-oh.gov>; Courtney, Crystal <Crystal.Courtney@cincinnati-oh.gov>; Strunc, Angie <Angie.Strunc@cincinnati-oh.gov>; Williams, Bryan (Urban Planning) <Bryan.Williams@cincinnati-oh.gov>; Keith.Smith <Keith.Smith@dot.ohio.gov>; Mark Becherer <mbecherer@HNTB.com>; Spinosa, Stefan <stefan.spinosa@dot.ohio.gov>  
**Subject:** [External Email] RE: Brent Spence Bridge Corridor Project, PID 89068; Section 4(f) Official with Jurisdiction (OWJ) Concurrence – Laurel Park

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External Email Communication

Mr. Gross:

On September 12, 2022, Cincinnati Parks provided comments regarding the proposed design of Ezzard Charles Drive in the vicinity of Laurel Park. ODOT has further coordinated with the City of Cincinnati regarding the design, and has made the following changes in response to your comments:

- No trees will be removed from Laurel Park
- The existing 6.5-foot sidewalk will be reconstructed on the north side of Ezzard Charles Drive, and the existing 6.5-foot sidewalk on the south side of Ezzard Charles Drive will be relocated to tie into the reconfigured intersection area.
- Where pavement is removed, the roadway and roadbed material will be removed to clean subgrade and areas no longer occupied by roadway pavement will be restored.
- The proposed median area will be a minimum of 11.9 feet wide.

An updated project description is provided below for your review and concurrence.

Laurel Park is located at 500 Ezzard Charles Drive in Cincinnati, Ohio in zip code 45214. Portions of Laurel Park, as mapped by the City of Cincinnati, are situated within the existing transportation right-of-way along Ezzard Charles Drive (see attachment).

The Brent Spence Bridge (BSB) Corridor Project will reconstruct the Ezzard Charles Drive bridge over I-75 and replace the two existing one-way bridges with one, two-way bridge. The transition to the new bridge will slightly alter the vertical profile of Ezzard Charles Drive and shift the roadway north within the existing right-of-way in the vicinity Laurel Park. On the north side of Ezzard Charles Drive, the work will match the existing curb line and will reconstruct a 6.5-foot sidewalk. On the south side of Ezzard Charles Drive, an existing sidewalk will be relocated to tie into the new curb ramps and crosswalk. In addition, an existing median island on Ezzard Charles Drive will be removed and replaced with a median island that is a minimum of 11.9 feet wide.

The area to be impacted is limited to tree lawns, a median, and sidewalks along Ezzard Charles Drive that are within the existing transportation right-of-way and where the primary use is not recreation. The overall pavement area on Ezzard Charles Drive will decrease, and the new pavement will not extend beyond the existing curb line. Although the construction limits will extend beyond the existing roadway right-of-way in some areas, they will remain within an existing slope easement. During construction, portions of the adjacent sidewalks may be closed on a temporary basis to protect the park and the public from construction activities. However, access to Laurel Park will be maintained, and the project will not interfere with the activities, features, or attributes of the park on either a temporary or permanent basis. No permanent impacts to recreational areas within Laurel Park will occur, and there will be no change to the ownership of the land. Where pavement is removed, the roadway and roadbed material will be removed to clean subgrade. Following construction, areas no longer occupied by roadway pavement will be restored, and the area will be returned to the same use as exists today.

Construction of Phase II of the BSB Corridor Project (which includes Laurel Park) is anticipated to begin in 2025 and be substantially complete by 2029.

Due to the use of federal funds, the proposed transportation project is subject to the requirements of Section 4(f) of the *Department of Transportation (DOT) Act of 1966*, which affords protection to publicly-owned parks, recreation areas, and wildlife and waterfowl refuges. The purpose of this correspondence is to document that the Official with Jurisdiction concurs with the measures to minimize harm and the assessment of impacts.

The following measures to minimize harm will be incorporated into the plans as plan notes and as environmental commitments in the NEPA document:

- Access to recreational areas of Laurel Park shall be maintained at all times, except for the time needed to temporarily occupy the property, which shall be less than the time needed for construction of the project.
- Temporary construction fencing shall be installed along proposed construction limits prior to the start of construction activities to protect the Section 4(f) property and the public.
- Appropriate signage shall be installed to alert users of Laurel Park to construction activities, access restrictions or closures, and to direct users to secondary access points.
- Where pavement is removed, the roadway and roadbed material will be removed to clean subgrade, and areas no longer occupied by roadway pavement will be restored.
- The area will be returned to the same use as exists today.
- The contractor shall be required to closely coordinate the construction schedule with ODOT and the City of Cincinnati prior to the start of construction activities.

In accordance with 23 CFR 774.13(d), the temporary occupancy of land associated with Laurel Park will not constitute a “use”, based on the following assessment:

- The duration of occupancy is temporary and less than the time needed for construction of the project, and no permanent change in ownership of the land will occur
- The scope of work is minor, in that both the nature and magnitude of the changes to the existing Section 4(f) property are minimal
- There are no anticipated permanent adverse physical impacts, nor interference with the protected recreational activities, features, or attributes of the Section 4(f) property on either a temporary or permanent basis
- And any land to be disturbed will be fully restored and returned to a condition which is at least as good as that which existed prior to the project

Based on the scope of the proposed project and type of work, no permanent restriction of access or incorporation of land from Laurel into a transportation facility will occur. If you concur with the measures to minimize harm and the assessment of impacts in regard to the proposed undertaking, please indicate as such by responding accordingly to this e-mail no later than December 9.

Thank you for your time and cooperation on this matter. If you have questions and/or concerns, please feel free to contact me at [jheflin@hntb.com](mailto:jheflin@hntb.com) or (216) 633-2638.

**cc: EnviroNet Project File**

**Jodi S. Heflin, PE**

Traffic and Planning

Tel (216) 633-2638 Email [jheflin@hntb.com](mailto:jheflin@hntb.com)

---

**From:** Gross, Joel <[joel.gross@cincinnati-oh.gov](mailto:joel.gross@cincinnati-oh.gov)>

**Sent:** Monday, September 12, 2022 4:23 PM

**To:** Jodi Heflin <[JHeflin@HNTB.com](mailto:JHeflin@HNTB.com)>; Pacella, Steve <[Steve.Pacella@cincinnati-oh.gov](mailto:Steve.Pacella@cincinnati-oh.gov)>; Barron, Jason <[jason.barron@cincinnati-oh.gov](mailto:jason.barron@cincinnati-oh.gov)>

**Cc:** Mobley, Jenny <[Jenny.Mobley@cincinnati-oh.gov](mailto:Jenny.Mobley@cincinnati-oh.gov)>; Magee, Chris <[chris.magee@cincinnati-oh.gov](mailto:chris.magee@cincinnati-oh.gov)>; Courtney, Crystal <[Crystal.Courtney@cincinnati-oh.gov](mailto:Crystal.Courtney@cincinnati-oh.gov)>; Strunc, Angie <[Angie.Strunc@cincinnati-oh.gov](mailto:Angie.Strunc@cincinnati-oh.gov)>; Williams, Bryan (Urban Planning) <[Bryan.Williams@cincinnati-oh.gov](mailto:Bryan.Williams@cincinnati-oh.gov)>

**Subject:** Brent Spence Bridge Corridor Project, PID 89068; Section 4(f) Official with Jurisdiction (OWJ) Concurrence – Laurel Park

Good Afternoon, Jodi,

My name is Joel Gross and I serve as Division Manager of Planning and Design for Cincinnati Parks. I am writing today on behalf of Parks in response to the attached documents and August 29, 2022, request for comment / concurrence in conjunction with proposed replacement of the bridge at Ezzard Charles Drive. After review, Cincinnati Parks has the following initial comments and concerns:

1. **Alignment with Museum Entrance / Functionality of Reconfigured Drive** – Initial concerns about the new alignment and its consideration to the original transportation design and architectural greenspace layout were discussed with Cincinnati DOTE. We understand that the current alignment was initiated by DOTE as this area is known to frequently be the site of “wrong way on one way” drivers. We understand that the museum and DOTE are considering additional alterations beyond this project to further enhance the museum entrance corridor. Parks will assist in advising with respect to plantings and greenspaces when applicable.

2. **Tree Removal** – As noted, it appears that seven (7) mature trees are being removed in accommodation of the proposed alignment and pavement limits. After Initial conference with DOTE, we understand that the alignment may be able to be shifted such that these trees may be spared. Parks strongly recommends incorporation and protection of these existing trees into the proposed plan. It is especially important to maintain our urban canopy in these areas with few urban planting options. This west end neighborhood is one of the most underserved from a climate resilience standpoint, and we do our best to protect and maintain these trees whenever possible.
3. **Widened Pavement Sidewalk** - We confirmed that the intent of the widened 14' walk is to accommodate a future multi-use path.
4. **Restoration of Previously Paved Area** – Parks recommends proper removal of all roadway and roadbed material to clean subgrade in the area of previous pavement to be restored to greenspace. We understand that currently, maintenance of the median area is performed Parks staff. Please ensure the new greenspace area is properly remediated such that restorative vegetation is properly established and maintainable.
5. **Median Area** – The proposed median area should either be expanded to a minimum 10' wide such that a planted area can be properly installed and maintained. The proposed concrete curb median would be difficult to maintain and is too small for viable plantings.

Thank you for the collaboration at this level of the design. Please let me know if you have any questions or concerns.

Joel Gross, P.E., LEED AP ND | *Division Manager - Planning and Design*  
Cincinnati Park Board | 2625 Reading Road | Cincinnati, OH | 513.475.9600  
[www.cincinnatiiparks.com](http://www.cincinnatiiparks.com)



**From:** Jodi Heflin <[JHeflin@HNTB.com](mailto:JHeflin@HNTB.com)>  
**Sent:** Monday, August 29, 2022 11:23 AM  
**To:** Pacella, Steve <[Steve.Pacella@cincinnati-oh.gov](mailto:Steve.Pacella@cincinnati-oh.gov)>  
**Cc:** [Keith.Smith@dot.ohio.gov](mailto:Keith.Smith@dot.ohio.gov) <[Keith.Smith@dot.ohio.gov](mailto:Keith.Smith@dot.ohio.gov)>; Spinosa, Stefan <[stefan.spinosa@dot.ohio.gov](mailto:stefan.spinosa@dot.ohio.gov)>; Mark Becherer <[mbecherer@HNTB.com](mailto:mbecherer@HNTB.com)>  
**Subject:** [External Email] Brent Spence Bridge Corridor Project, PID 89068; Section 4(f) Official with Jurisdiction (OWJ) Concurrence – Laurel Park

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External Email Communication

Dear Mr. Pacella:

Laurel Park is located at 500 Ezzard Charles Drive in Cincinnati, Ohio in zip code 45214. Portions of Laurel Park, as mapped by the City of Cincinnati, are situated within the existing transportation right-of-way along Ezzard Charles Drive (see attachment).

The Brent Spence Bridge (BSB) Corridor Project will reconstruct the Ezzard Charles Drive bridge over I-75 and replace the two existing one-way bridges with one, two-way bridge. The transition to the new bridge will



slightly alter the vertical profile of Ezzard Charles Drive and shift the roadway north within the existing right-of-way in the vicinity Laurel Park. On the north side of Ezzard Charles Drive, the work will require grading in existing green areas (tree lawns), removing seven trees, and replacing the existing 5-foot sidewalk with a new 14-foot sidewalk. On the south side of Ezzard Charles Drive, a connection to the existing sidewalk will be maintained via a new sidewalk along Winchell Avenue. In addition, an existing median island on Ezzard Charles Drive will be removed.

The area to be impacted is limited to tree lawns, a median, and sidewalks along Ezzard Charles Drive that are within the existing transportation right-of-way and where the primary use is not recreation. The overall pavement area on Ezzard Charles Drive will decrease, and the new pavement will not extend beyond the existing curb line. Although the construction limits will extend beyond the existing roadway right-of-way in some areas, they will remain within an existing slope easement. No permanent impacts to recreational areas within Laurel Park will occur, and there will be no change to the ownership of the land. During construction, access to Laurel Park will be maintained, and the project will not interfere with the activities, features, or attributes of the park on either a temporary or permanent basis. Following construction, areas no longer occupied by roadway pavement will be restored, and the area will be returned to the same use as exists today.

Construction of Phase II of the BSB Corridor Project (which includes Laurel Park) is anticipated to begin in 2025 and be substantially complete by 2029.

Due to the use of federal funds, the proposed transportation project is subject to the requirements of Section 4(f) of the *Department of Transportation (DOT) Act of 1966*, which affords protection to publicly owned parks, recreation areas, and wildlife and waterfowl refuges. The purpose of this correspondence is to document that the Official with Jurisdiction concurs with the measures to minimize harm and the assessment of impacts.

The following measures to minimize harm will be incorporated into the plans as plan notes and as environmental commitments in the NEPA document:

- Access to recreational areas of Laurel Park shall be maintained at all times, except for the time needed to temporarily occupy the property, which shall be less than the time needed for construction of the project.
- Temporary construction fencing shall be installed along proposed construction limits prior to the start of construction activities to protect the Section 4(f) property and the public.
- Appropriate signage shall be installed to alert users of Laurel Park to construction activities, access restrictions or closures, and to direct users to secondary access points.
- Areas no longer occupied by roadway pavement will be restored.
- The area will be returned to the same use as exists today.
- The contractor shall be required to closely coordinate the construction schedule with ODOT and the City of Cincinnati prior to the start of construction activities.

In accordance with 23 CFR 774.13(d), the temporary occupancy of land associated with Laurel Park will not constitute a “use”, based on the following assessment:

- The duration of occupancy is temporary and less than the time needed for construction of the project, and no permanent change in ownership of the land will occur
- The scope of work is minor, in that both the nature and magnitude of the changes to the existing Section 4(f) property are minimal
- There are no anticipated permanent adverse physical impacts, nor interference with the protected recreational activities, features, or attributes of the Section 4(f) property on either a temporary or permanent basis
- And any land to be disturbed will be fully restored and returned to a condition which is at least as good as that which existed prior to the project

Based on the scope of the proposed project and type of work, no permanent restriction of access or incorporation of land from Laurel into a transportation facility will occur. If you concur with the measures to

minimize harm and the assessment of impacts in regard to the proposed undertaking, please indicate as such by responding accordingly to this e-mail no later than September 12.

Thank you for your time and cooperation on this matter. If you have questions and/or concerns, please feel free to contact me at [jheflin@hntb.com](mailto:jheflin@hntb.com) or (216) 633-2638.

**cc: EnviroNet Project File**

**Jodi S. Heflin, PE**

Traffic and Planning

Tel (216) 633-2638 Email [jheflin@hntb.com](mailto:jheflin@hntb.com)

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

**Ohio Division**  
January 31, 2023

200 North High Street, Room 328  
Columbus, OH 43215  
614-280-6896

In Reply Refer To:  
HDA-OH

**ELECTRONIC CORRESPONDENCE ONLY**

Jack Marchbanks, Ph.D.  
Director  
Ohio Department of Transportation  
1980 West Broad Street  
Columbus, OH 43223

Subject: Firefighters Memorial and Laurel Park Section 4(f) Determination  
Brent Spence Bridge Corridor Project  
Kenton County, Kentucky and Hamilton County, Ohio  
KYTC Item Number: 6-17; ODOT PID Number: 116649

Dear Director Marchbanks:

On December 16, 2022, the Department provided an evaluation of impacts to the following Section 4(f) properties in Cincinnati, Ohio:

- Greater Cincinnati Firefighters Memorial, 537 Central Avenue in Cincinnati, Ohio, 45230
- Laurel Park, 500 Ezzard Charles Drive, Cincinnati, Ohio, 45214

Temporary occupancies of land that are so minimal as to not constitute a use within the meaning of Section 4(f) are excepted from the requirements of Section 4(f) approval. The following conditions must be satisfied:

- (1) Duration must be temporary, *i.e.*, less than the time needed for construction of the project, and there should be no change in ownership of the land;
- (2) Scope of the work must be minor, *i.e.*, both the nature and the magnitude of the changes to the Section 4(f) property are minimal;
- (3) There are no anticipated permanent adverse physical impacts, nor will there be interference with the protected activities, features, or attributes of the property, on either a temporary or permanent basis;
- (4) The land being used must be fully restored, *i.e.*, the property must be returned to a condition which is at least as good as that which existed prior to the project; and
- (5) There must be documented agreement of the official(s) with jurisdiction over the Section 4(f) resource regarding the above conditions.

Based on the documentation provided and reviewed, FHWA has determined the proposed temporary occupancy of these two properties, meets the exception of the requirement for Section 4(f) approval. This determination is in accordance with 23 CFR 774.13(d)(1-5).

If you have any questions or comments, please contact Tim Long, Planning, Environment and Realty Team Leader, at (614) 280-6879, or [timothy.long@dot.gov](mailto:timothy.long@dot.gov).

Sincerely,

**TIMOTHY  
MICHAEL  
LONG**

Digitally signed by  
TIMOTHY MICHAEL  
LONG

Date: 2023.01.31  
06:23:55 -05'00'

For: Laura S. Leffler  
Division Administrator

---

# Appendix I: Queensgate Playground and Ball Field Coordination

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# OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 8 • 505 SOUTH STATE ROUTE 741 • LEBANON, OH 45036

JOHN KASICH, GOVERNOR • JERRY WRAY, DIRECTOR • STEVE MARY, P.E., DISTRICT 8 DEPUTY DIRECTOR

March 4, 2011

Reverend Kazava Smith, President  
City of Cincinnati Recreation Commission  
805 Central Avenue, Suite 800  
Cincinnati, Ohio 45202

ATTN: Dr. Norman Merrifield, Director of Recreation

RE: **HAM-71/75-0.00/0.22**

**Brent Spence Bridge Replacement/ Rehabilitation Project Section 4(f) *De Minimis*  
Concurrence  
Queensgate Playground and Ball Fields**

Dear Reverend Smith:

This letter is in regard to the Brent Spence Bridge Replacement/ Rehabilitation project and its potential impact to Queensgate Playground and Ball Fields in downtown Cincinnati.

As you may be aware, the Ohio Department of Transportation (ODOT), in cooperation with the Federal Highway Administration (FHWA), is proposing to replace the Brent Spence Bridge and make improvements to I-71/I-75 in Cincinnati from the Ohio River to the Western Hills Viaduct. The project will include the widening of the interstate facility and improvements to several interchanges within this section. The project is needed to improve the safety and operations of I-71/I-75 and the Brent Spence Bridge.

Prior to 2010, a number of alignment alternatives for the Brent Spence Bridge Replacement/ Rehabilitation project were developed and studied, which resulted on the selection of Conceptual Alternatives C, D, and E for further investigation. Upon request of the public, Alternatives C and D were developed as a single alternative, by combining the northbound direction of Alternative C and the southbound direction of Alternative D. This combined alternative has been designated as Alternative I. Through the Environmental Assessment process, Alternative I has been identified as the recommended preferred alternative.

Alternative I will impact one recreational area under the jurisdiction of the Cincinnati Recreation Commission (CRC), specifically, the Queensgate Playground and Ball Fields. As a public recreational area, the facility is afforded protection under Section 4(f) of the US Department of Transportation Act of 1966. The alternative would have the following impacts on this recreational facility.

The proposed construction limits for Alternative I would encroach upon the southwestern edge of the property adjacent to I-75. Alternative I, as the recommended preferred alternative, would extend into the outfield area of both baseball fields. Approximately 0.9 acres would be acquired from the recreational area. The impacts to Queensgate Playground and Ball Fields are shown on Exhibit 1 (enclosed). The right-of-way for the recommended

04-26-11P01:44 RCVD

AN EQUAL OPPORTUNITY EMPLOYER

preferred alternative will extend approximately 55 feet from the existing Winchell Avenue/I-75 right-of-way into the outfields as shown on Exhibit 2. In addition, a small walkway leading from Cutler Street into the recreational area may also be directly affected by Alternative I.

Reconfiguration of the baseball fields and walking paths within the remaining city park area may be accomplished in accordance with the Conceptual Mitigation Plan (see Exhibit 3). The reconfiguration may result in the loss of approximately 15 trees and two sections of walkway that parallel West Court Street and Cutler Street. The enclosed Memorandum of Agreement details the proposed mitigation measures based on the Alternative I impacts to the Queensgate Playground and Ball Fields.

The purpose of this letter is to request your concurrence with ODOT's recommendation that, the impacts to the park will not adversely affect the activities and features of the Queensgate Playground and Ball Fields. Section 6009 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) amends existing Section 4(f) legislation to simplify the processing and approval of projects that only have "*de minimis*" impacts on lands protected by Section 4(f) under your jurisdiction. In accordance with Section 6009(a), *de minimis* impacts on publicly owned parked, recreation areas, and wildlife and waterfowl refuges area defined as those that do not "adversely affect the activities, features, and/or attributes" that make resources eligible for Section 4(f) protection.

#### Section 4(f) Ownership

The Queensgate Playground and Ball Fields are owned by the City of Cincinnati and are under the jurisdiction of the CRC.

#### Section 4(f) Feature of the Property

The Queensgate Playground and Ball Fields are located at 707 West Court Street. The 5.3-acre public recreational area is bounded by West Court Street to the north, Cutler Street to the east, Winchell Avenue and I-75 to the south and Linn Street to the west. On-site amenities include two adult ball fields, one of which is lighted for night-time use, and a neighborhood playground. The lighted field is an A-size ball field with a 305-foot outfield; the second field is a B-size field with a 255-foot outfield. During the fall, a football field is laid out across the two ball fields for use by the Hays-Porter Elementary School. Less than one acre of the park will be affected with impacts limited to the ball fields. The playground, located in the northeastern portion of park will not be affected by the project. A small walkway from Cutler Street into the park will also be directly affected. Mitigation for the park anticipates providing a financial settlement in addition to the purchase of necessary property from the City. The financial settlement is based on Exhibit 3, the Conceptual Mitigation Plan. Reconfiguration of ball fields in accordance with Exhibit 3 would result in the loss of mature shade trees located along West Court Street and displacement of a walkway. These features will also be mitigated in accordance with the enclosed Memorandum of Agreement.

#### Access to Queensgate Playground and Ball Fields

Access to the recreational area is provided via local roads (West Court Street and Cutler Street). These roadways will not be affected by the project. A small walkway from Cutler Street to the ball fields will be affected. However, this will be maintained during construction.

#### Current Use of the Section 4(f) property

The affected area serves as the outfield for two baseball fields used for youth recreational leagues. The area is grassed with some trees and shrubs on the slopes between the ball fields and Winchell Avenue.

#### Similarly Used Land in the Vicinity

There are three recreational areas in close proximity to the Queensgate Playground and Ball Fields:

- Dyer Park - 2110 Freeman Avenue
- Lincoln Community Center – 1027 Linn Street
- Washington Park – 1225 Elm Street

These facilities will be available for use during construction.

#### Public and Agency Involvement

Extensive public involvement and agency coordination has been undertaken for the Brent Spence Bridge Replacement/ Rehabilitation project. Public Meetings were held in May 2006 and May 2009 for the purpose of disclosing information and obtaining comment on project impacts. No comments were received on impacts to Queensgate Playground and Ball fields.

Meetings and on-going coordination have been held with the CRC to disclose information about the project and its impacts as well as collect input. ODOT has worked with the CRC to develop a conceptual mitigation plan for reconfiguration of the affected ball fields. The enclosed Memorandum of Agreement has been developed as a result of this coordination.

Additional public meetings will be held concurrent with the approval of the Environmental Assessment. Exhibits showing impacts of the project alternatives to the ball fields will be available at these meetings for public review and comment.

#### De Minimis Section 4(f) Determination

ODOT, in consultation with the FWHA - Ohio Division, would like to apply for a *de minimis* standard to Queensgate Playground and Ball Fields for the HAM-71/75-0.00/0.22 project. The *de minimis* finding is based on the degree or level of impact including any avoidance, minimization and mitigation measures or enhancement measures that are included in the project to address the Section 4(f) use.

ODOT requests written concurrence from the CRC that the project, as proposed including the mitigation described in the Memorandum of Agreement, will not adversely affect the activities, attributes, and features that qualify the Queensgate Playground and Ball Fields for



protection under Section 4(f). ODOT intends to seek the *de minimis* Section 4(f) finding based upon the assessment of this letter and execution of the Memorandum of Agreement. If the CRC concurs, please sign and date both copies of the Memorandum of Agreement and return it to the ODOT District 8 Planning Department. Once ODOT signatures are obtained, a final executed copy will be returned to the CRC.

If you have any questions regarding this project, please contact Stefan Spinosa at (513)933-6639 or by email at [Stefan.Spinosa@dot.state.oh.us](mailto:Stefan.Spinosa@dot.state.oh.us).

Respectfully,

Andrew J. Fluegemann, P.E.  
District 8 Environmental Coordinator

enclosures

cc: Norman Merrifield, Ed. D. Director of Recreation, Hoffman, Vonder Embse (FHWA),  
file

**HAM-71/75-0.00/0.22, PID 75119**  
**MEMORANDUM OF AGREEMENT BETWEEN THE STATE OF OHIO,**  
**DEPARTMENT OF TRANSPORTATION (ODOT), AND THE CITY OF CINCINNATI**  
**RECREATION COMMISSION (CRC) REGARDING THE BRENT SPENCE BRIDGE**  
**PROJECT IMPACT TO THE QUEENSGATE PLAYGROUND AND BALL FIELDS**  
**Agreement Number: 16588**

1. WHEREAS, the proposed roadway improvement project know as HAM-71/75-0.00/0.22, PID 75119 (PROJECT) will improve safety and traffic flow by reconstructing portions of Interstate 75 in Cincinnati, Ohio; and
2. WHEREAS, the Queensgate Playground and Ball Fields are owned by the City of Cincinnati and are under the jurisdiction of the CRC; and
3. WHEREAS, the PROJECT'S proposed limits of construction impact approximately 0.9 Acres of the Queensgate Playground and Ball Fields operated by the CRC as shown in Exhibit 1; and
4. WHEREAS, the right-of-way for the PROJECT will extend approximately 55 feet from the existing Winchell Avenue/I-75 right-of-way into the outfields of the Queensgate Ball Fields as shown on Exhibit 2; and
5. WHEREAS, the Queensgate Playground and Ball Fields, as a public recreational area, is afforded protection under Section 4(f) of the US Department of Transportation Act of 1966; and
6. WHEREAS, consultation for the PROJECT has taken place in meetings with individuals, specific groups, and the general public; and
7. WHEREAS, meetings and on-going coordination have been held with the CRC to disclose information about the project and its impacts as well as collect input; and
8. WHEREAS, ODOT has worked with the CRC to develop a conceptual mitigation plan for reconfiguration of the affected ball fields; and
9. WHEREAS, ODOT, in consultation with the FWHA, would like to apply for a *de minimis* standard to Queensgate Playground and Ball Fields for PROJECT; and
10. WHEREAS, the *de minimis* finding is based on the degree or level of impact including any avoidance, minimization and mitigation measures or enhancement measures that are included in the project to address the Section 4(f) use; and
11. WHEREAS, ODOT requests concurrence—by signature on this document—from the CRC that the PROJECT as proposed, including the mitigation described in this Memorandum of

Agreement, will not adversely affect the activities, attributes, and features that qualify the Queensgate Playground and Ball Fields for protection under Section 4(f); and

12. WHEREAS, ODOT intends to make the *de minimis* Section 4(f) finding based upon the concurrence of the CRC;
13. NOW, therefore, ODOT and the CRC agree that the PROJECT will be implemented in accordance with the following stipulations in order to mitigate the impacts to the Queensgate Playground and Ball Fields.

#### **STIPULATIONS:**

ODOT will ensure the following stipulations are carried out:


1. ODOT will acquire property from the CRC in accordance with all applicable Federal and State regulations. Compensation for land and property, excluding ball field lighting, will be via the normal ODOT property acquisition procedures. Ball field lighting will be compensated as described in the attached *Cost of Mitigation Compensation, Sections 1(d) and 2(d)*. The current PROJECT schedule anticipates acquisition of the CRC property between 2012-2013 pending approval of funding through ODOT's budgetary process.
2. ODOT, upon receipt of an acceptable plan detailing how the CRC will utilize funds for recreational purposes, will pay \$198,050 to the CRC to be applied toward the submitted plan. CRC may utilize more than the \$198,050 independently of ODOT. The financial obligation of ODOT is subject to Section 126.07 of the Ohio Revised Code and shall terminate as of June 30, 2012.
3. Limited Access Right-of-Way fencing along the park and highway boundary will be installed along the CRC property as part of ODOT's construction project. The fence will consist of 10' high chain link fencing.
4. Park Staff may remove (rescue) understory vegetation in the area to be acquired for highway purposes prior to the PROJECT sale date.
5. ODOT has given members of the public within the project's study area an opportunity to provide comments on the park impacts prior to submission of 4(f) *de minimis* documentation to the CRC. Any comments that have been received concerning impacts to the park will be provided to the CRC.
6. Subject to the Provisions in Stipulations No. 6 and No. 7 below, the CRC, with the intention of binding themselves, their successors-in-interest, and their assigns, do hereby release, hold harmless from any liability, and forever discharge the State of Ohio, the Ohio Department of Transportation, and their agents, servants, employees, and officers, personally and in any other capacity, from all claims, actions, causes of action, demands, costs, loss of services, expenses, and any and all other damages that the undersigned ever

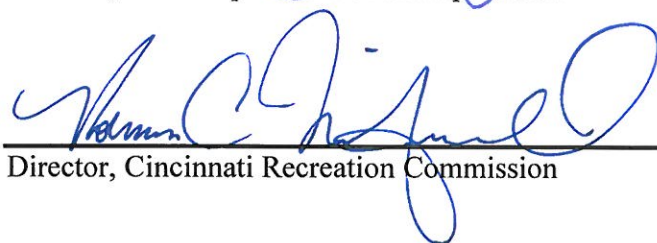
had, now have, or claim to have against the State of Ohio, the Ohio Department of Transportation, or their agents, servants, employees or officers, on account of or in any way arising out of the PROJECT's described impacts to the Queensgate Playground and Ball Fields, including any further measures to avoid, minimize or mitigate such impact.

7. ODOT will seek a *de minimis* Section 4(f) impact finding based on the terms of this Memorandum of Agreement (MOA), in accordance with Section 6009(a) of SAFETEA-LU.
8. Should any signatory to this MOA object at any time to any actions propose for the manner in which the terms of this MOA are implemented, ODOT will consult with such signatory to resolve the objection
9. Any signatory to this MOA may propose that this MOA be amended, whereupon, the parties will consultant in accordance with Section 6009(a) of SAFETEA-LU to consider such an amendment.
10. The parties agree that if plans for the PROJECT substantially change and if such changes may have a significant direct or indirect adverse impact to the Queensgate Playground and Ball Fields, other provisions of this MOA notwithstanding, the parties will reopen discussion regarding mitigation, and proceed under Section 6009(a) of SAFETEA-LU to resolve or mitigate such adverse effects.
11. If the PROJECT has not been implemented within ten (10) years of the date of the execution of this MOA, this MOA will be considered null and void, and ODOT will so notify all of the signatories. If ODOT chooses to continue with the PROJECT utilizing Federal funding then ODOT will reinitiate consultation with the signatories in accordance with Section 6009(a) of SAFETEA-LU; however, if ODOT has paid monies to the CRC pursuant to Stipulation No. 2 by June 30, 2012, the CRC shall be precluded from reinitiating consultation or requesting any further measures to avoid, minimize, or mitigate the PROJECT's described impact.

Execution of this MOA by ODOT and the CRC and implementation of this MOA's terms by ODOT evidences that ODOT has taken into account the effects of the PROJECT on the Queensgate Playground and Ball Fields.

**SIGNATORIES:**

 5/5/11  
\_\_\_\_\_  
Director, Ohio Department of Transportation Date

 4/21/11  
\_\_\_\_\_  
Director, Cincinnati Recreation Commission Date

**ATTACHMENTS:**

1. Cost of Mitigation Compensation
2. Exhibit 1: Alternative I impacts to Queensgate Playground and Ball Fields
3. Exhibit 2: Alternative I Proposed Limited Access R/W Limits
4. Exhibit 3: Queensgate Playground and Ball Fields Conceptual Mitigation Plan

## Cost of Mitigation Compensation

For purposes of establishing fair and reasonable compensation to mitigate the impacts to the Queensgate Playground and Ball fields, the following is provided:

1. In addition to the compensation of land and property needed to complete the project, to mitigate impacts to the park ODOT commits to the following additional compensation:
  - a. Compensation will be provided to the CRC based on the relocation of the two existing ball fields as shown on Exhibit 3.
  - b. Compensation will be provided to the CRC based on the relocation of the 435' of walking path within the park as shown on Exhibit 3.
  - c. Compensation will be provided to the CRC based on the loss of trees due to the relocation of ball fields and path as shown on Exhibit 3.
  - d. Compensation will be provided to the CRC based on the need to relocate field lighting due to the relocation of ball fields and path as shown on Exhibit 3.
  - e. Compensation will be provided to the CRC based on the need to prepare final mitigation plans and monitor construction of the mitigation project.

The mitigation compensation is based on the conceptual mitigation plan (Exhibit 3).

2. This section details the cost of mitigation compensation as described in Section 1(a-e).
  - a. Ball Field Compensation:
    - i. Compensation for excavation and embankment needed for relocation of two ball fields:

A Ballfield Area = 70,686 SF  
B Ballfield Area = 49,087 SF  
Combined Infield Area = 9,450 SF

Excavation:

$$[1' \text{ depth} \times (70,686 + 49,087)] / 27 = 4,436 \text{ CY} \times \$8.00/\text{CY} = \$35,488$$

Embankment (not including infield area):

$$[1' \text{ depth} \times (70,686 + 49,087 - 9,450)] / 27 = 4,086 \text{ CY} \times \$6.00/\text{CY} = \$24,516$$

Embankment (infield area):

$$(1' \text{ depth} \times 9,450 \text{ SF}) / 27 = 350 \text{ CY} \times \$17.75/\text{CY} = \$6,213$$

Embankment (infield area special preparation):

$$10 \text{ Hours} \times \$80/\text{Hour} = \$800 + \$100 \text{ Mobilization} = \$900$$

Seeding and Mulching:

$$70\% \times (70,686 + 49,087) / 9 = 9,316 \text{ SY} \times \$1.00/\text{SY} = \$9,316$$

Sodding of Infield Edge:

$$\text{Lump Sum} = \$650/\text{Field} \times 2 \text{ Fields} = \$1,300$$

ii. Compensation for new field benches and concrete pads:

$$4 \text{ benches} \times \$2,000/\text{bench} = \$8,000$$

iii. Compensation for two new vinyl coated fence backstops:

$$2 \text{ backstops} \times \$15,000 /\text{backstop} = \$30,000$$

b. Walking Path Compensation:

i. Compensation for relocation of two walking paths (270 feet of the eastern path and 165 feet of the northern path) is based on a 8' wide concrete path:

$$8' \times (270' + 165') \times \$6.75/\text{SF} = \$23,490$$

c. Tree Compensation:

i. For purposes of determining the appropriate mitigation for the impacts to the Queensgate Ball Fields, it is agreed by the Ohio Department of Transportation (ODOT) and the Cincinnati Recreation Commission that Cincinnati's legal definition of a public tree: Sec. 743-1-T. Tree. "Tree", shall be used. This definition is defined by the following:

1. Any self-supporting woody plant which has a well-defined stem with a diameter of at least four inches at four and one-half feet from the ground;
2. Any dogwood, redbud or other conspicuously flowering woody plant as designated by the director which has a well-defined stem of at least two inches diameter at four and one-half feet from the ground;

ii. Tree Compensation calculation:

1. All trees as defined in (2.c.i.1) above to be compensated based on a 1 - 2" caliper balled and burlapped or container shade tree at the rate of 1 tree for each 12" of trunk diameter at 4 ½ feet above the ground. The following trees would be impacted by the relocation of the ball fields as shown in Exhibit 3:

<u>Species</u>	<u>dbh</u>	<u>No. of Repl. Trees</u>
Basswood	17.2	2
Basswood	21.0	2
Basswood	30.9	3
Crab Apple	20.7	2
Crab Apple	21.3	2
Hackberry	23.9	2
Hackberry	17.8	2
Hackberry	23.2	2
Hackberry	19.4	2
Hackberry	18.2	2

Hackberry	20.4	2
Hackberry	16.2	2
Hackberry	33.8	3
Hackberry	24.8	2
Hackberry	24.8	<u>2</u>
		32

32 trees X \$100/tree = \$3,200

2. All trees as defined in (2.c.i.2) above to be compensated based on a 1" caliper container understory tree. No trees in this category would be impacted by the relocation of the ball fields as shown in Exhibit 3.

d. Lighting Compensation:

- i. Compensation for relocation of six light towers includes new poles, new wiring, and reuse of existing ballasts and light:

6 towers X \$6,000/tower = \$36,000

e. Design and Construction Engineering Compensation:

- i. Design costs will be compensated based on 8% of the cost of compensation of items listed in Section 1.(b-e).

0.08 X \$178,423 = \$14,274

- ii. Construction costs will be compensated based on 3% of the cost of compensation of items listed in Section 1.(b-e).

0.03 X \$178,423 = \$5,353




- f. Total mitigation compensation to be provided in addition to land and property acquisition is \$198,050.



*ALTERNATIVE I IMPACTS TO QUEENSGATE BALLFIELDS  
- Approximately 0.9 acres needed for Proposed  
Preliminary R/W*



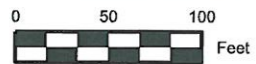
**LEGEND**

-  Existing R/W
-  Proposed Construction Limits
-  Preliminary Engineering R/W



**QUEENSGATE PLAYGROUND AND  
BALLFIELDS MITIGATION PLAN**

**EXHIBIT  
1**



U.S. Department of Transportation  
Federal Highway Administration

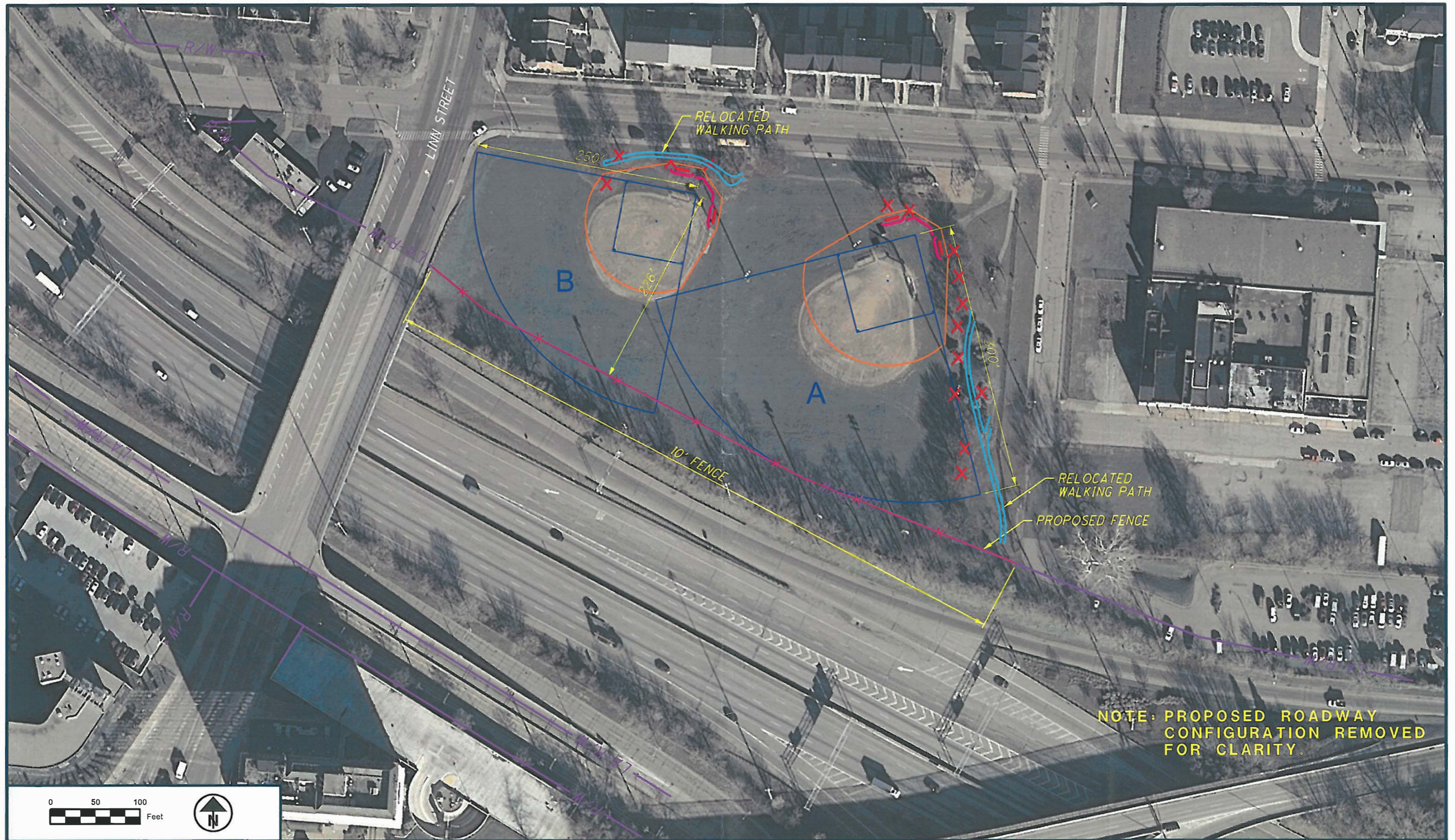


### QUEENSGATE PLAYGROUND AND BALLFIELDS MITIGATION PLAN

EXHIBIT

2

Note: Mitigation plan was utilized to determine the cost of mitigation compensation. The CRC utilized the mitigation compensation to reconfigure the park to include one all-star baseball field.



**QUEENSGATE PLAYGROUND AND BALLFIELDS MITIGATION PLAN**

**EXHIBIT  
3**



# OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 8 • 505 SOUTH STATE ROUTE 741 • LEBANON, OH 45036  
JOHN KASICH, GOVERNOR • JERRY WRAY, DIRECTOR • STEVE MARY, P.E., DISTRICT 8 DEPUTY DIRECTOR

May 9, 2011

Reverend Kazava Smith, President  
City of Cincinnati Recreation Commission  
805 Central Avenue, Suite 800  
Cincinnati, Ohio 45202

ATTN: Dr. Norman Merrifield, Director of Recreation

**RE: HAM-71/75-0.00/0.22**  
**Brent Spence Bridge Replacement/ Rehabilitation Project Section 4(f) *De Minimis***  
**Concurrence**  
**Queensgate Playground and Ball Fields**

Dear Reverend Smith:

Enclosed is one fully executed Memorandum of Agreement (MOA) between the State of Ohio Department of Transportation (ODOT) and the City of Cincinnati Recreation Commission (CRC). This MOA was completed to document commitments of ODOT required as a result of the impacts to the Queensgate Playground and Ball Fields by the proposed roadway improvements associated with the Brent Spence Bridge Project.

ODOT requested written concurrence from the CRC that the project, as proposed including the mitigation described in the Memorandum of Agreement, will not adversely affect the activities, attributes, and features that qualify the Queensgate Playground and Ball Fields for protection under Section 4(f). ODOT intends to seek the *de minimis* Section 4(f) finding based upon the executed Memorandum of Agreement.

As stated in the MOA Stipulations, once the CRC submits an acceptable plan detailing how the ODOT compensation will be utilized, ODOT will pay \$198,050 to the CRC to be applied toward the plan. This obligation will terminate on June 30, 2012 as stated in the MOA.

If you have any questions regarding this project, please contact Stefan Spinosa at (513)933-6639 or by email at [Stefan.Spinosa@dot.state.oh.us](mailto:Stefan.Spinosa@dot.state.oh.us).

Respectfully,

A handwritten signature in cursive script that reads "Andrew J. Fluegemann".

Andrew J. Fluegemann, P.E.  
District 8 Environmental Coordinator

enclosure

cc: Joe Schwind (CRC), Hoffman, Vonder Embse (FHWA), Smith, file (2)



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

**Ohio Division**  
August 8, 2012

200 North High Street, Rm 328  
Columbus, Ohio 43215  
614-280-6896  
614-280-6876  
@dot.gov

In Reply Refer To:  
HDA-OH

Jerry Wray  
Director  
Ohio Department of Transportation  
1980 West Broad Street  
Columbus, OH 43223

Dear Director Wray:

On July 31, 2012 the Ohio Department of Transportation submitted a request for review and approval of the Final Individual Section 4(f) Evaluation for the Brent Spence Bridge; HAM 71/75-0.00/0.22 PID 75119, KYTC Project Item No. 6-17. **The proposed project will impact the following three Section 4(f) properties in Cincinnati, Ohio and Covington, Kentucky qualifying as de minimis impacts:**

- Goebel Park, with 2.59 acres of impact, which is also a Section 6(f) property
- **Queensgate Playground and Ball Fields, with 0.9 acre of impact**
- Western Hills Viaduct, with 1,108 linear feet of impact to eastern approach ramps to connect to I-75

The proposed project will adversely affect the following three Section 4(f) properties requiring an individual Section 4(f) Evaluation:

- Lewisburg Historic District in Kentucky
- Longworth Hall in Ohio
- West McMicken Avenue Historic District in Ohio

FHWA has determined that there is no feasible and prudent avoidance alternative as defined in 23 CFR 774.17, to the use of the land from the properties and the action includes all possible planning, as defined in 23 CFR 774.17, to minimize harm to the properties resulting from such use. **Regarding the de minimis impacts, FHWA has determined that the use of the properties includes any measures to minimize harm through avoidance, minimization, mitigation or enhancement measures as outlined in the Final Individual Section 4(f) Evaluation. Appropriate coordination has been conducted with the officials with jurisdiction per each Section 4(f) property and this is included in the evaluation.**

All coordination requirements of the Final Individual Section 4(f) Evaluation have been met, and all environmental commitments required regarding Section 4(f) will be included in the Finding

of No Significant Impact (FONSI) for the project, and will be carried forward through project development. FHWA approves the use of the Section 4(f) properties associated with this project.

Should there be any questions please contact Mark VonderEmbse, Major Projects Engineer at (614) 280-6854 or e-mail at [Mark.VonderEmbse@dot.gov](mailto:Mark.VonderEmbse@dot.gov) or Noel F. Mehlo Jr., Environmental Program Manager at (614) 280-6841 or e-mail at [Noel.Mehlo@dot.gov](mailto:Noel.Mehlo@dot.gov) .

Sincerely,

A handwritten signature in black ink that reads "Laura S. Leffler". The signature is written in a cursive style with a large, sweeping initial "L".

Laura S. Leffler  
Division Administrator

File:

L:\Electronic Subject and Project Files\Project Files\HAM\75119 Brent Spence

Ecc:

Jose Sepulveda, FHWA KY Division  
John Ballantyne, FHWA KY Division  
Mark VonderEmbse, FHWA OH Division  
Dave Snyder, FHWA OH Division  
Jeff Blanton, FHWA OH Division  
Jason Spilak, FHWA OH Division  
Leigh Oesterling, FHWA OH Division  
Tim Hill, ODOT Office of Environmental Services (OES)  
Larry Hoffman, ODOT OES  
Mike Hancock, KYTC  
Scott Schurman, KYTC



Two Centennial Plaza  
805 Central Avenue, Suite 800  
Cincinnati, OH 45202-1947  
Phone: (513)352-4045  
Fax: (513)352-4042

Technical Services

---

November 2, 2012

Ohio Department of Transportation  
Attn: Andrew Fluegemann  
505 South State Route 741  
Lebanon, OH 45036

Dear A. Fluegemann:

Attached is the invoice pertaining to the Memorandum of Agreement between ODOT and CRC for the Queensgate Recreation Area (Playground and ball fields) renovation due to the Brent Spence Bridge Project. We have established a master plan to best accommodate the new site boundaries and CRC needs.

The funds provided will help install a full size football field, one baseball field, a new playground, regarding and restoration, and a possible walking path. Because of the site size, there will only be one baseball field. Capital funds by CRC have been allocated to pay for costs beyond what is being received from ODOT to help install the desired plan. If there are any questions in regards to this matter, feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads 'Daniel G. Jones'.

Daniel G. Jones, P.E.  
Supervising Engineer

Enclosures (2)





# CITY OF CINCINNATI

# INVOICE

Remit To:

Cincinnati Recreation Comm.  
2 Centennial Plaza  
805 Central Avenue  
Cincinnati OH 45202

Customer Name: Ohio Department of Transportation  
Customer Number: 190R4141

Invoice Date: 10/31/2012  
Invoice Number: 19012303  
Amount Due: \$198,050.00  
Due Date: 11/29/2012  
Amount Enclosed

Bill to:

Ohio Department of Transportation  
Attn: Andrew Fluegemann  
505 South State Route 741  
Lebanon OH 45036

Payment Method: Check\_\_ Money Order\_\_

\_\_\_\_ Please check if address has changed. Write correct address on back of stub and attach with payment.

\_\_\_\_ Please write invoice No on front of check or Money order. DO NOT MAIL CASH

Please detach the above stub and return with your remittance payable to:

2 Centennial Plaza  
805 Central Avenue  
Cincinnati OH 45202

Customer Name	Customer Number	Orig. Inv. Date	Orig. Due Date
Ohio Department of Transportation	190R4141	10/31/2012	11/29/2012
	Invoice Number	Invoice Date	
	19012303	10/31/2012	

Invoice Charges	No. of	Unit of	Unit	Charges/
Ref	Units	Measure	Price	Credit
Line				
No.	DESCRIPTION			
001	Queensgate Playground and Ball Fields			\$198,050.00
Other Charges				
DESCRIPTION				
TOTAL INVOICE CHARGES:				\$198,050.00
OTHER CHARGES:				
TOTAL PAYMENTS AND CREDITS:				\$ .00
TOTAL AMOUNT DUE BY 11/29/2012				\$198,050.00

Instructions

CONTACT:	(513) 352-4016	190
Cindy Burk		



**QUEENSGATE RECREATION AREA  
RENOVATION FOR I-75**

707 West Court Street  
Cincinnati, Ohio 45203

DRAWN BY: XXX  
DATE: XX/XX/XX  
CHECKED BY: XXX  
SCALE: 1" = 30'-0"

REV.	DATE	REMARKS



**City of Cincinnati**  
Cincinnati Recreation Commission  
600 Cincinnati Twp. 505 Central Ave. Cincinnati OH 45202  
TEL (616) 582-4000 FAX (616) 582-4042  
**CONCEPT 1**

SHEET NO.  
C1.01  
CPC PLAN NO.  
368-000  
1 of 1



**CITY OF CINCINNATI**



**INVOICE  
PAST DUE NOTICE**

Ohio Department of Transportation

Account Number:

190R4141

Invoice Number:

19012303

Check box for change of address

Ohio Department of Transportation  
Attn: Andrew Fluegemann  
505 South State Route 741  
Lebanon OH 45036

<b>Past Due Amount</b>	<b>Amount Enclosed</b>
\$198,050.00	
<b>Notice Date</b>	<b>Original Due Date</b>
12-16-12	11-29-12

**Mail Payment to:**

Division of Treasury - City Hall  
801 Plum Street Ste., 202  
Cincinnati, Ohio 45202

**Contact Name & Phone Number**  
**Accounts Receivable 513-352-6987**

*Make checks payable to: CITY OF CINCINNATI - TREASURY*

Return this portion with your payment

Retain this portion for your records

**CITY OF CINCINNATI**

**INVOICE  
PAST DUE NOTICE**

Customer	Account Number	Invoice Number	Notice Date
Ohio Department of Transportation	190R4141	19012303	12-16-12

Invoice Charges			
1	Queensgate Playground and Ball Fields	10-31-12	\$198,050.00
	Interest Charges	\$0.00	
	Late Fee	\$0.00	
	Admin Fee	\$0.00	
	Other Fee	\$0.00	
	NSF Fee	\$0.00	
	<b>Total Additional Charges and Fees</b>		\$0.00
	<b>Credit Payment Applied</b>		\$0.00
<b>Total Amount Due</b>			<b>\$198,050.00</b>

*DB  
ODOT/Accountants.  
Said payment made  
12/12/12. Called City  
on 12/21/12. Payment not  
in their system yet.*

**COURTESY REMINDER: YOUR ACCOUNT IS NOW 15 DAYS PAST DUE. PLEASE REMIT PAYMENT IMMEDIATELY.**

**FOR QUESTIONS, CALL THE AGENCY LISTED IN THE UPPER LEFT CORNER OF THIS INVOICE. THANK YOU.**

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# Appendix J: Section 106 Consulting Party Coordination

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- 2023-08-04 Kentucky Consulting Party Coordination ..... J-33
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- 2023-08-10 Kentucky Consulting Party Meeting Invitation ..... J-36





September 9, 2022

Section 106 Consulting Parties

Subject: HAM-IR 71/75 0.00/0.22 PID 89068

Dear Section 106 Consulting Parties:

The Ohio Department of Transportation Office of Environmental Services (ODOT-OES) submitted the history architecture re-evaluation report *Brent Spence Bridge Project Phase I History/Architecture Re-evaluation Survey HAM-71/75-0.00/0.22; PID 89068 City of Cincinnati, Hamilton County, Ohio* (ASC, Inc. July 2022) to the Ohio State Historic Preservation Office (SHPO) for review. A copy of the August 30, 2022 Section 106 consultation letter, which accompanied and summarized the results of the report is attached for your review. Comments are requested within 30-days of receipt of this notification.

Regarding the *Memorandum of Agreement Between the Federal Highway Administration, the Ohio Department of Transportation, and the Ohio State Historic Preservation Office, Regarding the Brent Spence Bridge Replacement/Rehabilitation Project, HAM-71/75-0.00/0.22, PID 75119, Hamilton County, Ohio and Kenton County, Kentucky Adverse Effect to the B&O Freight and Storage Building/Longworth Hall, Listed on the National Register of Historic Places (86003521) 700 Pete Rose Way (Second Street), Cincinnati, Ohio (ODOT Agreement Number 16829)* executed on June 28, 2012 [BSB MOA], enclosed is a copy of the amendment and renewal agreement executed on June 3, 2022. The project is now referred to as: HAM-Brent Spence Bridge Replacement/Rehabilitation Project, HAM-71/75-0.00/0.22, ODOT PID 89068. Enclosed is a copy of the June 3, 2022 amendment to the MOA.

If you have questions about the enclosed documents or would like a copy of the history architecture re-evaluation report, please contact:

Keith Smith, District Environmental Coordinator  
Ohio Department of Transportation (ODOT) District 8  
Attn: District Environmental Coordinator (DEC)  
Phone: 513.933.6590  
Email: [Keith.Smith@dot.ohio.gov](mailto:Keith.Smith@dot.ohio.gov)

Respectfully,

  
Timothy M. Hill, Administrator  
Office of Environmental Services

Section 106 Consulting Parties  
HAM-IR 71/75 0.00/0.22 PID 89068

September 9, 2022

Enclosure  
TMH:sg

c: Project File

Ohio State Historic Preservation Office  
Kentucky Transportation Cabinet  
Cincinnati Preservation Association  
Cincinnati Park Board  
Dayton Street Historic District  
West End Community Council  
Cincinnati Metropolitan Housing Authority

**Second Amendment to the Memorandum of Agreement Between the Federal Highway Administration, the Ohio Department of Transportation, and the Ohio State Historic Preservation Office, Regarding the Brent Spence Bridge Replacement/Rehabilitation Project, HAM-71/75-0.00/0.22, PID 75119, Hamilton County, Ohio and Kenton County, Kentucky Adverse Effect to the B & O Freight and Storage Building/Longworth Hall, Listed on the National Register of Historic Places (86003521) 700 Pete Rose Way (Second Street), Cincinnati, Ohio (ODOT Agreement Number 16829)**

This SECOND AMENDMENT is made among the Ohio Department of Transportation, having an address of 1980 West Broad Street, Columbus, Ohio 43223, the Federal Highway Administration having an address of 200 North High Street, Columbus, Ohio 43215, and the Ohio State Historic Preservation Office having an address of 800 East 17<sup>th</sup> Avenue, Columbus, Ohio 43211 (collectively known as the "Parties").

This SECOND AMENDMENT modifies the above referenced Memorandum of Agreement (AGREEMENT) dated June 28, 2012, among the above referenced Parties.

The Parties have agreed, pursuant to Stipulation VI of the AGREEMENT, to amend the AGREEMENT to extend the term of the AGREEMENT; and

NOW, THEREFORE, the Parties agree as follows:

1. Henceforth, this UNDERTAKING shall be known as the Brent Spence Bridge Replacement/Rehabilitation Project, HAM-71/75-0.00/0.22, ODOT PID 89068.
2. Stipulation II of the AGREEMENT shall be amended to read as follows:
  - a. This AGREEMENT will be null and void if the UNDERTAKING is not implemented within ~~five (5) years, ten (10) years,~~ fifteen (15) years from the date of its execution. At such time, and prior to work continuing on the UNDERTAKING, FHWA shall either (a) execute a new agreement pursuant to 36 C.F.R. § 800.6; or (b) request, take into account, and respond to the comments of the COUNCIL under 36 C.F.R. § 800.7. Prior to such time, FHWA may consult with the other signatories to reconsider the terms of this AGREEMENT and amend if accordance with Stipulation ~~VI~~ VI below. FHWA shall notify the signatories as to the course of action it will pursue.
3. Any person executing this SECOND AMENDMENT in a representative capacity hereby represents that he/she has been duly authorized by their respective Principle to execute this SECOND AMENDMENT on such Principle's behalf. This SECOND AMENDMENT may be executed in any number of counterparts, each of which shall be deemed an original, and all of which shall constitute but one and the same instrument. Any party hereto may deliver a copy of its counterpart signature page to this SECOND AMENDMENT via fax or e-mail. Each party hereto shall be entitled to rely upon a facsimile or electronic signature of any other party delivered in such a manner as if such signature were an original.

April 18, 2022

2 of 4

Second Amendment & Renewal of the Executed Memorandum of Agreement  
(ODOT Agreement No. 16829)

**SIGNATORY**

Ohio Department of Transportation:

Jack Marchbanks 1/24

Jack Marchbanks, Director  
Ohio Department of Transportation  
1980 West Broad Street  
Columbus, Ohio 43223  
[Jack.Marchbanks@dot.ohio.gov](mailto:Jack.Marchbanks@dot.ohio.gov)

05.24.2022

Date

Reviewed as to Form

Office of Chief Legal Counsel

Ohio Department of Transportation

AR

5/24/2022



April 18, 2022

3 of 4

Second Amendment & Renewal of the Executed Memorandum of Agreement  
(ODOT Agreement No. 16829)

**SIGNATORY**

Ohio State Historic Preservation Office:

**Diana Welling**

Digitally signed by Diana Welling  
DN: cn=Diana Welling, o=Ohio History Connection, ou=State  
Historic Preservation Office, email=dwelling@ohiohistory.org,  
c=US  
Date: 2022.06.03 09:38:50 -0400

6/3/2022

Ms. Diana Welling, Department Head Resource and Protection

Date

Ohio State Historic Preservation Office

800 East 17<sup>th</sup> Street

Columbus, Ohio 43211

[dwelling@ohiohistory.org](mailto:dwelling@ohiohistory.org)

April 18, 2022

4 of 4

Second Amendment & Renewal of the Executed Memorandum of Agreement  
(ODOT Agreement No. 16829)

**SIGNATORY**

Federal Highway Administration, Ohio Division:

**LAURA S LEFFLER** Digitally signed by LAURA S LEFFLER  
Date: 2022.05.20 07:05:32 -04'00'

---

Laura S. Leffler, Division Administrator  
200 North High Street  
Columbus, Ohio 43215  
[Laurie.Leffler@dot.gov](mailto:Laurie.Leffler@dot.gov)

Date

**HAM- IR 71/75 0.00/0.22  
PID 89068  
Section 106 Consulting Party List**

Name	Address	Phone	Email
Michael W. Hancock, Secretary Kentucky Transportation Cabinet	Office of the Secretary 200 Mero Street Frankfort, Kentucky 40622	502-564-5102	<a href="mailto:KYTC.OfficeoftheSecretary@ky.gov">KYTC.OfficeoftheSecretary@ky.gov</a>
Craig Potts, Director and State Historic Preservation Officer, Kentucky Heritage Council	Kentucky Heritage Council 410 High Street Frankfort, Kentucky 40601	502-892-3602	<a href="mailto:craig.potts@ky.gov">craig.potts@ky.gov</a>
Margo Warminiski, Preservation Director Cincinnati Preservation Association	342 West Fourth Street Cincinnati, OH 45202	513-721-4506	<a href="mailto:margo@cincinnati-preservation.org">margo@cincinnati-preservation.org</a>
Michael Schweitzer Longworth Hall	700 Pete Rose Way Cincinnati, OH 45203	513-721-6000	<a href="mailto:mschweitzer@me.com">mschweitzer@me.com</a>
Jason Barron, Director Cincinnati Park Board	950 Eden Park Drive Cincinnati, OH 45202	513-352-4079	<a href="mailto:jason.barron@cincinnati-oh.gov">jason.barron@cincinnati-oh.gov</a>
940 Dayton LLC Dayton Street Historic District West End Community Council	938 Dayton Street Cincinnati, OH 45214	513-381-5353	<a href="mailto:rkillins@fuse.net">rkillins@fuse.net</a>
Gregory Johnson, Chief Executive Officer Cincinnati Metropolitan Housing Authority	1627 Western Ave. Cincinnati, OH 45214	513-977-5661	

# Consulting Party Projects

**FOR MORE INFORMATION ABOUT BECOMING A CONSULTING PARTY FOR BRIDGING KENTUCKY PROJECTS  
PLEASE FOLLOW THIS LINK: (<https://bridgingkentucky.com/section-106/>)**

Click on the Project Name link to apply to become a consulting party.

Filter By County

Project Number	Route	Project Description	County
<a href="#">01-0002</a> (consultingPartyRequest.aspx?ProjectID=01-0002)	I 24	I-24 BRIDGE OVER THE OHIO RIVER @ PADUCAH (B100); JOINT PROJECT WITH ILLINOIS TO MITIGATE SCOUR (073B00100N)	MCCRACKEN
<a href="#">01-0121</a> (consultingPartyRequest.aspx?ProjectID=01-0121)	KY 1327	MURRAY FIVE-POINTS INTERSECTION ROUNDABOUT. (12CCR)	CALLOWAY
<a href="#">01-1142</a> (consultingPartyRequest.aspx?ProjectID=01-1142)	US 60	REPLACE BRIDGE ON US 60 OVER THE CUMBERLAND RIVER 0.27 MILE N OF KY 70 (SR 32.7) 070B00017N.	LIVINGSTON
<a href="#">01-8502</a> (consultingPartyRequest.aspx?ProjectID=01-8502)	Multiple	CITY OF MURRAY BUSINESS LOOP FROM GLENDALE TO INDUSTRIAL ROAD. (SEE 1-120 FOR D, R, & U FUNDING)(08CCN)(10CCR)	CALLOWAY
<a href="#">02-0100.07</a> (consultingPartyRequest.aspx?ProjectID=02-0100.07)	EB 9004	CHRISTIAN COUNTY, E.T. BREATHITT (PENNYRILE) PARKWAY EXTENSION. (07KYD) (2006BOPC)	CHRISTIAN
<a href="#">02-0137.04</a> (consultingPartyRequest.aspx?ProjectID=02-0137.04)	US 41A	U.S. 41A PHASE II DESIGN AND RIGHT-OF-WAY. (2005HPP-KY135)(SEE 2-137.01 FOR "STP" COMPONENT).	HOPKINS
<a href="#">02-0160</a> (consultingPartyRequest.aspx?ProjectID=02-0160)	US 431	IMPROVE RAILROAD CROSSING AT MP 15.674 BETWEEN CENTRAL CITY AND DRAKESBORO. (04CCR)	MUHLENBERG
<a href="#">02-0161</a> (consultingPartyRequest.aspx?ProjectID=02-0161)	KY 1034	STUDY POSSIBILITIES FOR IMPROVING RAILROAD CROSSING ON KY-1034 AT US-41A, MP 11.336.	HOPKINS
<a href="#">02-0203</a> (consultingPartyRequest.aspx?ProjectID=02-0203)	KY 107	INTERSECTION IMPROVEMENT AT KY-107 AND KOFFMAN DRIVE JUST SOUTH OF COUNTRY CLUB LANE IN HOPKINSVILLE. (2006BOPC)	CHRISTIAN
<a href="#">02-0711</a> (consultingPartyRequest.aspx?ProjectID=02-0711)	US 41	US 41/KY 812 INTERSECTION UPGRADE: ADD RIGHT TURN AND LEFT TURN LANES INCLUDING SIGNAL PHASING. KYTC PROJECT WITH KYTC PROVIDING 20% MATCH. (TOLL CREDITS)(FUNDING SUBJECT TO FISCAL CONSTRAINT PENDING MPO TIP)	HENDERSON
<a href="#">02-0712</a> (consultingPartyRequest.aspx?ProjectID=02-0712)	CS 1142	N GREEN RIVER RD UPGRADE-(OSAGE DR TO WOODSPOINT DR).PROJECT WILL INCLUDE UPGRADING EXISTING PAVEMENT TO 28 FT WIDE PAVEMENT W/ CURB & GUTTER & SIDEWALK. LPA PROJECT. CITY TO PROVIDE MATCH.(FUNDING SUBJECT TO FISCAL CONSTRAINT PENDING MPO TIP)	HENDERSON
<a href="#">02-0713</a> (consultingPartyRequest.aspx?ProjectID=02-0713)	CS 1453	WATHEN BRIDGE REPLACEMENT: REPLACE EXISTING BRIDGE WITH 6FT PRECAST CONCRETE BOX CULVERT, PAVEMENT AND GUARDRAIL. LPA PROJECT. CITY TO PROVIDE MATCH.(FUNDING SUBJECT TO FISCAL CONSTRAINT PENDING MPO TIP)	HENDERSON
<a href="#">02-0714</a> (consultingPartyRequest.aspx?ProjectID=02-0714)	KY 2183	KY 2183 / KY 1539 INTERSECTION AND UPGRADE: PROJECT WILL RECONSTRUCT THE INTERSECTION AND MAKE IMPROVEMENTS TO THE SOUTHBOUND APPROACH. (2012BOP)	HENDERSON
<a href="#">02-0715</a> (consultingPartyRequest.aspx?ProjectID=02-0715)	US 41	US 41/ WOLF HILLS ROAD INTERSECTION UPGRADE: PROJECT WILL ADD DEDICATED RIGHT TURN AND LEFT TURN LANES INCLUDING SIGNAL PHASING TO BE MODIFIED OR ADDED TO EACH LEG OF THE INTERSECTION. (2012BOP)	HENDERSON
<a href="#">02-0902</a> (consultingPartyRequest.aspx?ProjectID=02-0902)	Multiple	SAFETY CORRIDORS	HENDERSON
<a href="#">02-1072</a> (consultingPartyRequest.aspx?ProjectID=02-1072)	KY 260	REPLACE BRIDGE ON KY-260 (MP 2.14) OVER OTTER CREEK; .20 MI EAST OF PENNYRILE PARKWAY; (FUNCTIONALLY OBSOLETE, SR=49.9) 054B00022N	HOPKINS
<a href="#">02-1077</a> (consultingPartyRequest.aspx?ProjectID=02-1077)	CR 1194	REPLACE BRIDGE ON CR-1194 (MP 0.079) OVER THREEELICK CREEK; .15 MI W JCT CR 5172; (STRUCTURALLY DEFICIENT, SR=2) 092C00128N	OHIO
<a href="#">02-1078</a> (consultingPartyRequest.aspx?ProjectID=02-1078)	US 431	REPLACE OVERFLOW STRUCTURE ON US-431 AT THE MUHLENBERG-MCLEAN CO LINE (SR 39) B00056N.	MCLEAN
<a href="#">02-1080</a> (consultingPartyRequest.aspx?ProjectID=02-1080)	US 60	REPLACE BRIDGE ON US 60 OVER GREEN RIVER AT INTERSECTION WITH KY 1078 (SR 39)051B00015N.(12CCR)	HENDERSON
<a href="#">02-1083</a> (consultingPartyRequest.aspx?ProjectID=02-1083)	US 62	REPLACE BRIDGE ON US 62 OVER BRANCH OF THREE LICK FORK 0.23 MILE E OF GREEN MEADOWS DR (CS 6068)(SR 49.2)092B00032	OHIO

02-1086 (consultingPartyRequest.aspx?ProjectID=02-1086)	CR 1009	REPLACE BRIDGE ON COUNTRYSIDE DR (CR 1009) OVER BRANCH OF KNOBLICK CREEK 0.07 MILE S OF COTTINGHAM PRATT RD (CR 1010)(SR 34) 117C00004N	WEBSTER
02-8501 (consultingPartyRequest.aspx?ProjectID=02-8501)	US 62	US-62; THREE LANES FROM BOARD OF EDUCATION TO CITY PARK IN DAWSON SPRINGS. (08CCN)(10CCR)(12CCR)	HOPKINS
02-8504 (consultingPartyRequest.aspx?ProjectID=02-8504)	US 60	RELOCATE US-60 BYPASS EAST OF OWENSBORO (EAST COUNTY CORRIDOR) PRIORITY SECTION: FROM REID ROAD EAST TO EXISTING US 60 EAST OF OWENSBORO. (98KYD) (2005HPP-KY158) (SEE 2-287.5 AND 2-287.51 FOR "FS" COMPONENTS)(08CCN)	DAVIESS
03-0202 (consultingPartyRequest.aspx?ProjectID=03-0202)	WN 9007	RECONSTRUCT THE EXISTING NATCHER PARKWAY/US 231 INTERCHANGE ON WEST SIDE OF BOWLING GREEN. (12CCR)	WARREN
03-8706 (consultingPartyRequest.aspx?ProjectID=03-8706)	US 68	SCOPING STUDY AND DESIGN ON US-68 FROM THE CUMBERLAND PARKWAY TO THE GREEN/METCALFE COUNTY LINE.(12CCN)	METCALFE
03-8707 (consultingPartyRequest.aspx?ProjectID=03-8707)	WN 9007	CONSTRUCT A NEW INTERCHANGE ON THE NATCHER PARKWAY AT ELROD ROAD IN BOWLING GREEN (MP 3.4 TO MP 4.0).(12CCN)	WARREN
04-0199 (consultingPartyRequest.aspx?ProjectID=04-0199)	US 31W	REPLACE BRIDGE OVER P&L AND CSX RAILROADS (MP 36.4 TO 36.8 IN WEST POINT) (047B00007N).	HARDIN
04-1077 (consultingPartyRequest.aspx?ProjectID=04-1077)	US 62	REPLACE BRIDGE ON US 62 OVER UNNAMED STREAM 0.65 MILE SW OF KY 1375 (S LONG GROVE RD)(SR 48.5) 047B00052N	HARDIN
04-1078 (consultingPartyRequest.aspx?ProjectID=04-1078)	US 62	REPLACE BRIDGE ON US 62 OVER HINKLE CREEK 0.012 MILE E OF KY 55(SR 34.6) 090B00096N (12CCR)	NELSON
04-8502 (consultingPartyRequest.aspx?ProjectID=04-8502)	US 62	WIDEN PORTIONS OF US-62 FROM LEITCHFIELD TO CLARKSON. (08CCN)(10CCR)	GRAYSON
05-0063 (consultingPartyRequest.aspx?ProjectID=05-0063)	I 64	I-64 BRIDGE (SHERMAN MINTON) OVER OHIO RIVER @ LOUISVILLE (B279); JOINT PROJECT WITH INDIANA TO PERFORM IN-DEPTH INSPECTION. (056B00279N)	JEFFERSON
05-0064 (consultingPartyRequest.aspx?ProjectID=05-0064)	I 64	I-64 BRIDGE (SHERMAN MINTON) OVER THE OHIO RIVER @ LOUISVILLE (B279); JOINT PROJECT WITH INDIANA TO PAINT THIS BRIDGE.	JEFFERSON
05-0159 (consultingPartyRequest.aspx?ProjectID=05-0159)	I 64	WIDEN I-64 WESTBOUND RAMP TO I-264 WESTBOUND FROM ONE TO TWO LANES FOR ENTIRE LENGTH AND OTHER NEEDED IMPROVEMENTS TO ADDRESS WEAVE ISSUES AT MERGE ON I-264. (2006BOPP)(12CCR)	JEFFERSON
05-0205 (consultingPartyRequest.aspx?ProjectID=05-0205)	I 65	RECONSTRUCT SECOND CURVE ONLY ON I-65 SOUTHBOUND RAMP AT KY-1065 (OUTER LOOP).(SEE 5-205.01 FOR BREAKOUT IMPROVEMENTS)	JEFFERSON
05-0417 (consultingPartyRequest.aspx?ProjectID=05-0417)	US 60	FRANKFORT AVENUE; REALIGN INTERSECTION WITH STILZ AND HILLCREST. (TO BE LET BY LOU METRO). (FUNDING SUBJECT TO FISCAL CONSTRAINT PENDING MPO TIP).	JEFFERSON
05-0440.1 (consultingPartyRequest.aspx?ProjectID=05-0440.1)	KY 1793	CONSTRUCT SIDEWALKS ON KY 1793 FROM RIDGEVIEW DRIVE TO SETTLERS POINT TRAIL, AND A SIDEWALK CONNECTION FROM TIMOTHY WAY TO PEGGY BAKER PARK. (FUNDING SUBJECT TO FISCAL CONSTRAINT PENDING MPO TIP)	OLDHAM
05-0458 (consultingPartyRequest.aspx?ProjectID=05-0458)	CS 1002H	BLUEGRASS INDUSTRIAL PARK TRAIL- DESIGN, RIGHT-OF-WAY, UTILITY, & CONSTRUCTION PHASES FOR A BIKE/PED TRAIL ALONG BLUEGRASS PKWY, TUCKER STATION RD, AND PLANTSIDE DR WITHIN THE BLUEGRASS INDUSTRIAL PARK IN JEFFERSONTOWN. (2006BOPC)	JEFFERSON
05-0470 (consultingPartyRequest.aspx?ProjectID=05-0470)	Multiple	CONVERSION OF ONE-WAY STREETS IN DOWNTOWN LOUISVILLE TO TWO-WAY TRAFFIC (MAIN,JEFFERSON,LIBERTY,MUHAMMAD ALL,CHESTNUT,3RD,8TH,7TH,SHELBY,CAMPBELL STREETS.)	JEFFERSON
05-0473 (consultingPartyRequest.aspx?ProjectID=05-0473)	US 60	SHELBYVILLE ROAD OLD US 60 BRIDGE STUDY. (ALL WORK BY LOUISVILLE METRO AND LOUISVILLE METRO WILL PROVIDE REQUIRED 20% MATCHING FUNDS. ) (FY 2011 TCSP) (11KY006)(BOPP)	JEFFERSON
05-0475 (consultingPartyRequest.aspx?ProjectID=05-0475)	I 64	IMPROVE LEVEL OF SERVICE AND SAFETY ON I-64 FROM KY 53 IN SHELBYVILLE TO KY 1790 UNDERPASS.(12CCR)	SHELBY
05-0479 (consultingPartyRequest.aspx?ProjectID=05-0479)	CR 1005B	WIDEN HUBBARDS LANE FROM US 60 (SHELBYVILLE ROAD) TO KY 1447 (WESTPORT ROAD) AND ADD BIKE LANES FROM KRESGE WAY TO KY 1447 (WESTPORT ROAD) IN LOUISVILLE. (BOPC2010)	JEFFERSON
05-0481 (consultingPartyRequest.aspx?ProjectID=05-0481)	KY 864	KY 864 - WIDEN BEULAH CHURCH ROAD FROM 2 TO 3 LANES FROM I-265 TO CEDAR CREEK ROAD.(2010BOP)	JEFFERSON
05-0512 (consultingPartyRequest.aspx?ProjectID=05-0512)	CS 1001B	EXTENSION OF RIVER ROAD, LOUISVILLE. (2006KYD)	JEFFERSON
05-0804 (consultingPartyRequest.aspx?ProjectID=05-0804)	I 264	RECONSTRUCT I-264 (WATTERSON EXPRESSWAY)/US-42 INTERCHANGE AS A SPUI	JEFFERSON
05-0594 (consultingPartyRequest.aspx?ProjectID=05-0594)	I 264	RECONSTRUCT/WIDEN WATTERSON EXPRESSWAY FROM WESTPORT ROAD (KY 1447) TO I-71.(12CCR)	JEFFERSON
05-0905 (consultingPartyRequest.aspx?ProjectID=05-0905)	US 421	ADDRESS SAFETY ISSUES AND ACCESS AT THE INTERSECTION OF US-421/KY-1226 AT MP 11.5. (12CCR)	TRIMBLE

05-0908 (consultingPartyRequest.aspx?ProjectID=05-0908)	Multiple	REPLACE GUARDRAIL END TREATMENTS IN JEFFERSON COUNTY: KY 1703 (MP 2.38), KY 1934 (MP 5.002), US 31W (MP 1.750, 0.346, 0.265, 2.927, 2.274, 1.901, 1.315).(2011BOP)	JEFFERSON
05-1012.12 (consultingPartyRequest.aspx?ProjectID=05-1012.12)	Multiple	LOUISVILLE INCIDENT MANAGEMENT PROGRAM (TRIMARC) CONSTRUCTION. (KYTC SHARE)	JEFFERSON
05-1056 (consultingPartyRequest.aspx?ProjectID=05-1056)	KY 61	REPLACE BRIDGE ON KY-61 (MP 7.609) OVER BARLEY CREEK; .10 MI NORTH OF JCT KY 251; (STRUCTURALLY DEFICIENT, SR=49) 015B00013N	BULLITT
05-1062 (consultingPartyRequest.aspx?ProjectID=05-1062)	Multiple	OLMSTED PARKS HISTORIC BRIDGES: REHABILITATE 11 BRIDGES THROUGH OLMSTED PARK: (056C00032N, 056C00031N, 056C00026N, 056C00027N, 056C00028N, 056C00030N, 056C00029N, 056C00034N, 056C00033N, 056C00139N, 056C00138N)	JEFFERSON
05-1064 (consultingPartyRequest.aspx?ProjectID=05-1064)	US 60A	REPLACE BRIDGE ON EASTERN PARKWAY (US 60A) OVER SOUTH FORK BEARGRASS CREEK 0.2 MILE NE OF POPLAR LEVEL RD (KY 864)(SR 43.6) 056B00139N	JEFFERSON
05-1065 (consultingPartyRequest.aspx?ProjectID=05-1065)	US 460	REPLACE BRIDGE ON US 460 OVER SOUTH ELKHORN CREEK AT INTERSECTION OF US 460 AND N SCRUGGS LN(CR 1010)(SR 41.3) 037B00006N (PART-WIDTH CONSTRUCTION ON EXISTING LOCATION)	FRANKLIN
05-1066 (consultingPartyRequest.aspx?ProjectID=05-1066)	KY 55	REPLACE BRIDGE ON KY 55 OVER DAUGHERTY CREEK 0.17 MILE N OF JONES RD (CR 1331)(SR 46.8) 052B00003N	HENRY
05-1067 (consultingPartyRequest.aspx?ProjectID=05-1067)	US 150	REPLACE BRIDGE ON E BROADWAY (US 150) OVER SOUTH FORK BEARGRASS CREEK AT INTERSECTION WITH BRENT STREET (CS 1312G)(SR 38) 056B00348N	JEFFERSON
05-1068 (consultingPartyRequest.aspx?ProjectID=05-1068)	CR 1004N	REPLACE BRIDGE ON FAIRMOUNT RD (CR 1004N) OVER CEDAR CREEK 0.2 MILE W OF FARMERS WAY (PR 1021N)(SR 16.8) 056C00054N	JEFFERSON
05-1070 (consultingPartyRequest.aspx?ProjectID=05-1070)	CS 1017G	REPLACE BRIDGE ON E KENTUCKY ST (CS 1017G) OVER SOUTH FORK BEARGRASS CREEK 0.01 MILE E OF SCHILLER AVE (CS 1138G)(SR 48.8) 056C00083N	JEFFERSON
05-2000.76 (consultingPartyRequest.aspx?ProjectID=05-2000.76)	I 264	SHAWNEE EXPRESSWAY LANDSCAPING; I-264 AT DIXIE HIGHWAY. (2004BOPC)	JEFFERSON
05-2000.77 (consultingPartyRequest.aspx?ProjectID=05-2000.77)	I 264	SHAWNEE EXPRESSWAY LANDSCAPING; I-264 FENCING PROJECT. (2002BOPC)(10CCR)	JEFFERSON
05-8412 (consultingPartyRequest.aspx?ProjectID=05-8412)	Multiple	CONSTRUCT A RAILROAD SAFETY CROSSING, IMPROVE LIGHTING, ERECT SIGNALS, AND ROADWAY CROSSINGS BETWEEN CARDINAL AND HILL STREETS. (08CCN)(12CCR)	JEFFERSON
06-0183 (consultingPartyRequest.aspx?ProjectID=06-0183)	I 471	STUDY AND REHABILITATE THE I-471 CORRIDOR, CAMPBELL COUNTY, KENTUCKY. (SEE ALSO 6-8104.00)(2005HPP-KY120)	CAMPBELL
06-0400.03 (consultingPartyRequest.aspx?ProjectID=06-0400.03)	Multiple	NORTHERN KENTUCKY RIDESHARE PROGRAM. (FUNDING SUBJECT TO FISCAL CONSTRAINT PENDING MPO TIP)	BOONE
06-0412 (consultingPartyRequest.aspx?ProjectID=06-0412)	US 42	INTERSECTION IMPROVEMENT PROJECT AT US 42 AND RICE PIKE/HICKS PIKE. US 42 MP 8.4 TO 8.6. TOLL CREDITS. (2012BOP)	BOONE
06-0907 (consultingPartyRequest.aspx?ProjectID=06-0907)	KY 19	IMPROVEMENT TO THE INTERSECTION OF KY-19 AND KY-539 AT MILFORD	BRACKEN
06-0910 (consultingPartyRequest.aspx?ProjectID=06-0910)	KY 22	INSTALL SIGNS, GUARDRAIL, FRICTION TREATMENT, SHOULDERS AND REMOVE TREES AND BRUSH ON KY-22 AT CLARKS CREEK BRIDGE AND BATON ROUGE ROAD INTERSECTION.(2010BOP)	GRANT
06-1070 (consultingPartyRequest.aspx?ProjectID=06-1070)	CS 2097	WEST 15TH STREET; REPLACE BRIDGE AND APPROACHES OVER CSX RR IN COVINGTON (C29). (SR=3.9): (059C00029N)(12CCR)	KENTON
06-1073 (consultingPartyRequest.aspx?ProjectID=06-1073)	KY 159	REPLACE BRIDGE ON KY-159 (MP 3.639) OVER KINCAID CREEK; .2 MI. SOUTH OF JCT.KY 609; (STRUCTURALLY DEFICIENT, SR=24.4) 096B00004N	PENDLETON
06-1075 (consultingPartyRequest.aspx?ProjectID=06-1075)	KY 1120	EVALUATE BRIDGE ON KY-1120 (MP 0.621) OVER CSX RAILROAD; 11TH ST E OF RUSSELL ST; (STRUCTURALLY DEFICIENT, SR=3) 059B00083N	KENTON
06-1077 (consultingPartyRequest.aspx?ProjectID=06-1077)	KY 10	REPLACE BRIDGE ON KY 10 OVER TWELVE MILE CREEK SE OF KY 1997 (SR 15.1) 019B00006N	CAMPBELL
06-1081 (consultingPartyRequest.aspx?ProjectID=06-1081)	KY 330	REPLACE BRIDGE ON KY 330 OVER SHORT CREEK 0.35 MILE N OF J H GODMAN RD (CR 1238)(SR 47.3) 096B00012N	PENDLETON
06-8507.1 (consultingPartyRequest.aspx?ProjectID=06-8507.1)	US 62	IMPROVE SAFETY AND CORRECT GEOMETRIC DEFICIENCIES ON US 62 FROM ORCHARD AVENUE TO KY 616.	ROBERTSON
06-8714 (consultingPartyRequest.aspx?ProjectID=06-8714)	CR 1138	REPLACE BRIDGE ON SOUTH END OF BLANCHET ROAD 0.3 MILES NORTHEAST OF US 25.(SR 35.9)(041C00012)(12CCN)	GRANT
06-8715 (consultingPartyRequest.aspx?ProjectID=06-8715)	CR 1138	REPLACE BRIDGE ON NORTH END OF BLANCHET ROAD 0.2 MILES SOUTHEAST OF THE JUNCTION WITH US 25.(SR 29.1)(041C00014)(12CCN)	GRANT

06-8716 (consultingPartyRequest.aspx?ProjectID=06-8716)	CR 1142	REPLACE BRIDGE ON NORTH END OF DELANEY ROAD 0.1 MILE NORTH OF THE JUNCTION WITH US 25.(SR 24.6)(041C00016)(12CCN)	GRANT
07-0113 (consultingPartyRequest.aspx?ProjectID=07-0113)	KY 4	NEW CIRCLE ROAD REHAB AND WIDENING FROM VERSAILLES ROAD TO NEAR GEORGETOWN ROAD. (12CCR)	FAYETTE
07-0242 (consultingPartyRequest.aspx?ProjectID=07-0242)	US 68	REPLACE US 68 AND US 150 BRIDGE OVER CHAPLIN RIVER, PERRYVILLE. (2005HPP-KY134) (EARMARK DOES NOT COVER TOTAL CONSTRUCTION COST OF \$600,000): (011B00042N)	BOYLE
07-0362.01 (consultingPartyRequest.aspx?ProjectID=07-0362.01)	KY 4	NEW CIRCLE ROAD THRU CONGESTED AREA OF NE LEXINGTON BETWEEN RICHMOND RD & GEORGETOWN RD	FAYETTE
07-0397 (consultingPartyRequest.aspx?ProjectID=07-0397)	KY 29	TURN LANES AT W. JESSAMINE HIGH SCHOOL AND E. JESSAMINE MIDDLE SCHOOL. (2008BOPC)(FUNDING SUBJECT TO FISCAL CONSTRAINT PENDING MPO TIP)	JESSAMINE
07-0399 (consultingPartyRequest.aspx?ProjectID=07-0399)	US 27X	NICHOLASVILLE DOWNTOWN RENOVATION. (2008BOPC)	JESSAMINE
07-0404 (consultingPartyRequest.aspx?ProjectID=07-0404)	CS 4791	SOUTHLAND DRIVE BIKE/PEDESTRIAN IMPROVEMENTS: CONSTRUCT ONE MILE OF BIKE LANES ALONG SOUTHLAND DRIVE FROM ROSEMONT GARDEN TO NICHOLASVILLE ROAD. CONSTRUCT SIDEWALKS UNDER RAILROAD BRIDGE THAT CROSSES SOUTHLAND DRIVE. (2010BOPC)	FAYETTE
07-0412 (consultingPartyRequest.aspx?ProjectID=07-0412)	US 27	REPLACE L&N RAILROAD BRIDGE OVERPASS (MP 8.378), IMPROVE DRAINAGE AND TYPICAL SECTION ON US 27 (NORTH BROADWAY)(12CCR)	FAYETTE
07-0413 (consultingPartyRequest.aspx?ProjectID=07-0413)	KY 922	CONSTRUCT AN ADDITIONAL LANE ON KY 922 (NEWTOWN PIKE) FROM PINTAIL DR (MAIN ENTRANCE TO THE MARRIOTT GRIFFIN GATE) TO THE BEGINNING OF THE SOUTHBOUND I-75 ENTRANCE RAMP.(12CCR)	FAYETTE
07-0414 (consultingPartyRequest.aspx?ProjectID=07-0414)	KY 1980	IMPROVE ROADWAY GEOMETRICS, TYPICAL SECTION, AND ROADWAY HAZARDS ON KY 1980 (BRANNON RD) FROM US 68 (HARRODSBURG RD) TO US 27 (NICHOLASVILLE RD)(12CCR)	JESSAMINE
07-0915 (consultingPartyRequest.aspx?ProjectID=07-0915)	US 68	RECONSTRUCT INTERSECTION OF KY 29 NORTH OF WILMORE.	JESSAMINE
07-0916 (consultingPartyRequest.aspx?ProjectID=07-0916)	US 27	ADDRESS SAFETY AND CONGESTION AT THE INTERSECTION OF US 27 AND KY 1939 IN PARIS	BOURBON
07-0917 (consultingPartyRequest.aspx?ProjectID=07-0917)	US 27	DEVELOP, IMPLEMENT, CONTROL AND STUDY USE OF "ADAPTIVE SIGNAL CONTROL" ON US27 IN LEXINGTON FROMM COOPER DRIVE TO SOUTH UPPER STREET.(2011BOP)	FAYETTE
07-0918 (consultingPartyRequest.aspx?ProjectID=07-0918)	US 127	REPLACE GUARDRAIL END TREATMENTS ON VARIOUS ROUTES IN ANDERSON, BOURBON, BOYLE, CLARK, FAYETTE, JESSAMINE, MADISON, MERCER, MONTGOMERY, SCOTT, AND WOODFORD COUNTIES. (2010BOP)	ANDERSON
07-0919 (consultingPartyRequest.aspx?ProjectID=07-0919)	KY 1927	CULVERT EXTENSIONS, PLACE EMBANKMENT AND INSTALL ALUMINUM BOX CULVERT REPLACEMENT AT JONES CREEK ON TODDS ROAD EAST OF CLEVELAND ROAD (KY 1973).(2010BOP)	FAYETTE
07-0922 (consultingPartyRequest.aspx?ProjectID=07-0922)	Multiple	REPLACE TURNDOWN GUARDRAIL END TREATMENTS ON VARIOUS ROUTES IN DISTRICT 7. (2012BOP)	VARIOUS
07-1120 (consultingPartyRequest.aspx?ProjectID=07-1120)	KY 1972	REPLACE BRIDGE ON KY-1972 (MP 0.663) OVER BR OF TURKEY CREEK; .50 MI EAST OF JCT KY 39; (STRUCTURALLY DEFICIENT, SR=19.4) 040B00023N	GARRARD
07-1121 (consultingPartyRequest.aspx?ProjectID=07-1121)	KY 974	REPLACE BRIDGE ON KY-974 (MP 10.924) OVER DRY FORK; .05 MI E-CR 1124 @ALLNSVL; (STRUCTURALLY DEFICIENT, SR=23.1) 025B00090N	CLARK
07-1122 (consultingPartyRequest.aspx?ProjectID=07-1122)	KY 563	REPLACE BRIDGE ON KY-563 (MP 3.89) OVER SUGAR CREEK; E-@ JCT KY 39; (STRUCTURALLY DEFICIENT, SR=21.7) 040B00034N	GARRARD
07-1124 (consultingPartyRequest.aspx?ProjectID=07-1124)	CR 1308	REPLACE BRIDGE ON CR-1308 (MP 3.588) OVER TOWNSEND CREEK; .9 MI E OF JCT KY 353; (STRUCTURALLY DEFICIENT, SR=33.2) 009C00043N	BOURBON
07-1125 (consultingPartyRequest.aspx?ProjectID=07-1125)	CR 1008	REPLACE BRIDGE ON CR-1008 (MP 4.284) OVER STEPSTONE CREEK; .2MI S-STEPSTONE @BATH CL; (STRUCTURALLY DEFICIENT, SR=32.9) 087C00006N	MONTGOMERY
07-1127 (consultingPartyRequest.aspx?ProjectID=07-1127)	KY 1689	REPLACE BRIDGE ON KY 1689 OVER LECOMPTE RUN 0.46 MILE W OF KY 227(SR 37.5) 105B00038N	SCOTT
07-1129 (consultingPartyRequest.aspx?ProjectID=07-1129)	US 421	REPLACE BRIDGE ON US 421 OVER FORK OF TOWN BRANCH AT INTERSECTION OF US 421 AND BRACKTOWN RD (CS 4008)(SR 27.8) 034B00018N	FAYETTE
07-1130 (consultingPartyRequest.aspx?ProjectID=07-1130)	US 421	REPLACE BRIDGE ON BATTLEFIELD MEMORIAL HWY (US 421) OVER COWBELL CREEK AT JCT WITH HIGHWAY 21 E (KY 21)(SR 45.5) 076B00021	MADISON
07-1131 (consultingPartyRequest.aspx?ProjectID=07-1131)	CR 1158	REPLACE BRIDGE ON OLD HAYS FORK LN (CR 1158) OVER BRANCH OF HAYS FORK 0.2 MILE SE OF BATTLEFIELD MEMORIAL HWY (US 421)(SR 16.9) 076C00023N	MADISON
07-1132 (consultingPartyRequest.aspx?ProjectID=07-1132)	CS 3605	REPLACE BRIDGE ON MALABU DRIVE (CS 3605) OVER BRANCH HICKMAN CREEK AT JCT WITH TATES CREEK ROAD (KY 1974)(SR 40) 034C00038N	FAYETTE

07-8503 (consultingPartyRequest.aspx?ProjectID=07-8503)	KY 21	IMPROVE PROSPECT STREET PEDESTRIAN ACCESS BERA. (2005HPP-KY128) (MOA WITH BERA) (SUPPLEMENTAL FUNDING FOR 07-239) (08CCN)	MADISON
07-8506.01 (consultingPartyRequest.aspx?ProjectID=07-8506.01)	I 64	I-64/MOUNTAIN PARKWAY INTERCHANGE.(12CCR)	CLARK
08-0164 (consultingPartyRequest.aspx?ProjectID=08-0164)	US 127	RECONSTRUCT CURVE ON US-127 AT DUNNVILLE. (02CCR)(04CCR) (10CCR)(12CCR)	CASEY
08-0167 (consultingPartyRequest.aspx?ProjectID=08-0167)	US 27	CONTINUE ONGOING IMPROVEMENTS TO US-27 CORRIDOR FROM SOMERSET TO LEXINGTON. IMPROVE LEVEL OF SERVICE AND SAFETY ON US-27 FROM KY-1247 TO EDUCATION WAY.	LINCOLN
08-1050 (consultingPartyRequest.aspx?ProjectID=08-1050)	CR 1136	REPLACE BRIDGE ON CR-1136 (MP 0.225) OVER LITTLE SOUTH FORK RIVER; 0.25 MI SE OF JCT CR-5137; (STRUCTURALLY DEFICIENT, SR=16.6) 116C00007N	WAYNE
08-1055 (consultingPartyRequest.aspx?ProjectID=08-1055)	KY 1247	REPLACE BRIDGE ON KY 1247 OVER ST. ASAPH CREEK 0.044 S OF KY 78(SR 45.4) 069B00055N	LINCOLN
08-8600 (consultingPartyRequest.aspx?ProjectID=08-8600)	KY 90	RELOCATE US 127 FROM KY 90 TO EXISTING US-127 NORTH OF KY-90 APPROX. 0.18 MILES EAST OF THE INTERSECTION OF AARON RIDGE ROAD. (10CCN)(12CCR)	CLINTON
09-1078 (consultingPartyRequest.aspx?ProjectID=09-1078)	CS 1023	"DEMOLISH" BRIDGE ON CS-1023 (MP 0.121) OVER TOWN BRANCH; 100' S. JCT KY 2541; (STRUCTURALLY DEFICIENT, SR=16.5) 045C00051N	GREENUP
09-1084 (consultingPartyRequest.aspx?ProjectID=09-1084)	KY 32	REPLACE BRIDGE ON KY 32 OVER MUD LICK CREEK 0.2 MILES W OF CRAINTOWN RD (CR 1302)(SR 48.9) 035B00038N	FLEMING
10-0168 (consultingPartyRequest.aspx?ProjectID=10-0168)	KY 9009	WIDEN THE MOUNTAIN PARKWAY TO 4 LANES FROM KY 191 OVERPASS BRIDGE (MP 46.2) TO KY 205 INTERCHANGE (MP 57.2). (SEE 2012 HIGHWAY PLAN ITEM NO 10-126.03 FOR PE & ENVIR FUNDING)(2012BOP)	WOLFE
11-0185 (consultingPartyRequest.aspx?ProjectID=11-0185)	US 25E	MAJOR WIDENING - ADDRESS SAFETY, CAPACITY, AND ACCESS MANAGEMENT ON US 25E FROM KNOX/LAUREL COUNTY LINE TO KY 770 (12CCR)	LAUREL
11-0186 (consultingPartyRequest.aspx?ProjectID=11-0186)	US 25W	MAJOR WIDENING, ADDRESSES CONGESTION, FREIGHT MOVEMENT, AND ACCESS ALONG 25W FROM KY 727 TO KY 3041. (12CCR)	WHITLEY
11-0188 (consultingPartyRequest.aspx?ProjectID=11-0188)	US 25E	MAJOR WIDENING - ADDRESS SAFETY AND CAPACITY ON US 25E FROM CORBIN BYPASS TO KNOX/LAUREL COUNTY LINE. IMPROVE SAFETY ALONG CORRIDOR BY PROVIDING IMPROVED ACCESS MANAGEMENT.(12CCR)	KNOX
11-1064 (consultingPartyRequest.aspx?ProjectID=11-1064)	CR 1125	REPLACE BRIDGE AND APPROACHES ON CR-1125 OVER CLOVER FORK OF CUMBERLAND RIVER (C30). (SR=2.0)(PROJECT FUNDING CONTINGENT UPON BRIDGE POSTING COMPLIANCE): (048C00030N)	HARLAN
11-1067 (consultingPartyRequest.aspx?ProjectID=11-1067)	CR 1214	REPLACE BRIDGE AND APPROACHES ON CR-1214 OVER BEECH FORK (C24). (SR=6.0) (PROJECT FUNDING CONTINGENT UPON BRIDGE POSTING COMPLIANCE): (066C00024N)	LESLIE
11-1068 (consultingPartyRequest.aspx?ProjectID=11-1068)	CR 1241	REPLACE BRIDGE AND APPROACHES ON CR-1241 OVER BEECH FORK (C25). (SR=3.0) (PROJECT FUNDING CONTINGENT UPON BRIDGE POSTING COMPLIANCE): (066C00025N)	LESLIE
11-1078 (consultingPartyRequest.aspx?ProjectID=11-1078)	US 421	REPLACE BRIDGE AND APPROACHES ON US-421 OVER STINNET CREEK (B08) 0.028 MILE SOUTH OF KY-406 NEAR STINNETT.(SR=26.0) (10CCR)	LESLIE
11-1079 (consultingPartyRequest.aspx?ProjectID=11-1079)	KY 2011	REPLACE BRIDGE ON KY-2011 (MP 8.498) OVER RED BIRD CREEK; .55 MI SOUTH OF JCT KY 66; (SR=3.5) 007B00074N	BELL
11-1080 (consultingPartyRequest.aspx?ProjectID=11-1080)	KY 578	REPLACE BRIDGE ON KY-578 (MP 5.154) OVER RACCOON CREEK; .10 MI W OF W-JCT KY 638; (STRUCTURALLY DEFICIENT, SR=24.9) 063B00069N	LAUREL
11-1081 (consultingPartyRequest.aspx?ProjectID=11-1081)	KY 92	REPLACE BRIDGE OVER JELICO CREEK; .80 MILE EAST OF KY 1898 (118B00022N).	WHITLEY
11-1084 (consultingPartyRequest.aspx?ProjectID=11-1084)	CR 1067	REPLACE BRIDGE ON CR-1067 (MP 0.237) OVER COLLINS FORK; .2 MI SE-KY 11 @GREEN RD.; (STRUCTURALLY DEFICIENT, SR=18.1) 061C00023N	KNOX
11-1086 (consultingPartyRequest.aspx?ProjectID=11-1086)	I 75	REPLACE NORTHBOUND BRIDGE ON I-75 OVER LAUREL RIVER 1.8 MILES N OF US 25E EXIT (SR 43.2) 063B00043R	LAUREL
11-1087 (consultingPartyRequest.aspx?ProjectID=11-1087)	KY 72	REPLACE BRIDGE ON KY 72 OVER CATRON CREEK AT INTERSECTION OF KY 72 AND SMITH LANE (CR 1226L)(SR 30) 048B00030N	HARLAN
11-1088 (consultingPartyRequest.aspx?ProjectID=11-1088)	US 421	REPLACE BRIDGE ON US 421 OVER ISLAND CREEK AT INTERSECTION OF US 421 & BOWLING BRANCH RD (CR 1346)(SR 27.8) 026B00001N	CLAY
11-1089 (consultingPartyRequest.aspx?ProjectID=11-1089)	KY 80	REPLACE BRIDGE ON KY 80 OVER CUTSHIN CREEK AT INTERSECTION WITH BUSY HOLLOW DR (CR 1063)(SR 30) 066B00002N	LESLIE
11-1090 (consultingPartyRequest.aspx?ProjectID=11-1090)	US 421	REPLACE BRIDGE ON US 421 OVER PIGEON ROOST CREEK AT INTERSECTION WITH WATER STREET E(CS 1006)(SR 43.9) 055B00157N	JACKSON



11-1091 (consultingPartyRequest.aspx?ProjectID=11-1091)	CR 1004	REPLACE BRIDGE ON BEECH CREEK RD (CR 1004) OVER GOOSE CREEK AT INTERSECTION WITH CHANDLER BRANCH RD (CR 1003)(SR 30.8) C00001N	CLAY
11-1092 (consultingPartyRequest.aspx?ProjectID=11-1092)	CR 1154	REPLACE BRIDGE ON MILL CREEK ROAD (CR 1154) OVER GOOSE CREEK AT JCT WITH KY 1524 (SR 47) 026C00025N	CLAY
11-1093 (consultingPartyRequest.aspx?ProjectID=11-1093)	CR 1184	REPLACE BRIDGE ON DAVIS OXENDINE RD (CR 1184) OVER HANCES CREEK AT JCT WITH KY 1344(SR 12.9) 007C00061N	BELL
11-1094 (consultingPartyRequest.aspx?ProjectID=11-1094)	CR 1862	REPLACE BRIDGE ON DOG BRANCH MAIL RD (CR 1862) OVER SINKING CREEK 0.56 MILE NW OF SINKING CREEK RD (FD 781)(SR 13.8) 063C00025N	LAUREL
11-2802 (consultingPartyRequest.aspx?ProjectID=11-2802)	I 75	MEDIAN BARRIER CABLE INSTALLATION ON I-75 IN WHITLEY COUNTY FROM MP0.0 TO MP 6.0	WHITLEY
11-8515 (consultingPartyRequest.aspx?ProjectID=11-8515)	US 25	DESIGN A NEW ROUTE FROM KY-1006 TO KY-25 TO PROVIDE A CONNECTOR BETWEEN CORBIN AND LONDON. (08CCN)	LAUREL
11-8702 (consultingPartyRequest.aspx?ProjectID=11-8702)	US 119	WIDEN US 119 FROM MP 13.0 TO MP 15.88 ALONG EXISTING CORRIDOR. (12CCN)	BELL
11-8703 (consultingPartyRequest.aspx?ProjectID=11-8703)	US 119	RECONSTRUCT US 119 FROM MP 10.7 TO MP 13.9 ALONG NEW CORRIDOR.(12CCN)	HARLAN
11-8705 (consultingPartyRequest.aspx?ProjectID=11-8705)	KY 223	REPLACE STINKING CREEK ROAD BROWNS BRANCH BRIDGE.(12CCN)	KNOX
11-8714 (consultingPartyRequest.aspx?ProjectID=11-8714)	CR 1168L	INSTALL RAILROAD CROSSING GATES AT THE SCHOOL STREET CROSSING IN ARTEMUS. (12CCN)	KNOX
12-0191 (consultingPartyRequest.aspx?ProjectID=12-0191)	US 23	MITIGATE SAFETY HAZARDS DUE TO SPEED, POOR ACCESS CONTROL BETWEEN KY 80 AND INTERSECTION WITH KY 3384.(12CCR)	FLOYD
12-1111 (consultingPartyRequest.aspx?ProjectID=12-1111)	KY 1100	REPLACE BRIDGE ON KY 1100 OVER LITTLE PAINT CREEK NEAR FLOYD/JOHNSON COUNTY LINE (SR 47.1) 036800002N	FLOYD
12-1112 (consultingPartyRequest.aspx?ProjectID=12-1112)	KY 40	REPLACE BRIDGE ON KY 40 OVER BUCK CREEK AT THE KY 2031 INTERSECTION (SR 49.8) 080B00002N.	MARTIN
12-1113 (consultingPartyRequest.aspx?ProjectID=12-1113)	KY 2034C	REPLACE BRIDGE ON KY 2034C OVER N FORK KY RIVER 0.02 E OF US 119(SR 42.7) 067B00121N	LETCHER
12-1114 (consultingPartyRequest.aspx?ProjectID=12-1114)	KY 40	REPLACE BRIDGE ON KY 40 OVER BRANCH OF LITTLE PAINT CREEK 0.38 MILE NE OF JOHNSON/MAGOFFIN COUNTY LINE (SR 12.5) 058B00012N	JOHNSON
12-1116 (consultingPartyRequest.aspx?ProjectID=12-1116)	CR 1008	REPLACE BRIDGE ON ROCKLICK BRANCH (CR 1008) OVER RIGHT FORK BEAVER CREEK AT JCT WITH SOUTH HIGHWAY 7 (KY 7)(SR 43.9) 060C00006N	KNOTT
12-1118 (consultingPartyRequest.aspx?ProjectID=12-1118)	CR 1202	REPLACE BRIDGE ON MATTIE RD (CR 1202) OVER RIGHT FORK OF LITTLE BLAIN 0.38 MILE W OF ASH BRANCH RD (CR 1161)(SR 47) 064C00011N	LAWRENCE
05-8703 (consultingPartyRequest.aspx?ProjectID=05-8703)	US 31E	RESURFACE, STREETScape, PEDESTRIAN BUMP-OUTS AND OTHER TRAFFIC IMPROVEMENTS ON EAST MARKET STREET FROM BAXTER TO BROOK STREET, BETWEEN NUCLEUS UL URBAN RESEARCH PARK AND HOME OF THE INNOCENTS. (12CCN)(LET BY CITY)	JEFFERSON
06-0411 (consultingPartyRequest.aspx?ProjectID=06-0411)	KY 36	ROADWAY IMPROVEMENTS TO KY-36 FROM I-75 AT WILLIAMSTOWN TO APPROXIMATELY 1 MILE WEST OF HEekin CLARKS ROAD.(12CCR)	GRANT
01-0025 (consultingPartyRequest.aspx?ProjectID=01-0025)	I 69	RECONSTRUCT AND IMPROVE I-69 AT THE KENTUCKY/TENNESSEE STATE LINE TO US-51 INTERCHANGE AT FULTON. (2012BOP)	FULTON
01-0026 (consultingPartyRequest.aspx?ProjectID=01-0026)	I 69	RECONSTRUCT AND IMPROVE I-69 AT THE KENTUCKY/TENNESSEE STATE LINE TO US-51 INTERCHANGE AT FULTON. (2012BOP)	FULTON, GRAVES, & HICKMAN
05-0048.01 (consultingPartyRequest.aspx?ProjectID=05-0048.01)	I71	LOUISVILLE-LAGRANGE; I-71, FROM I-64 TO ZORN AVENUE (ADD LANE EACH DIRECTION)	JEFFERSON
10-0169.00 (consultingPartyRequest.aspx?ProjectID=10-0169.00)	KY114	MOUNTAIN PARKWAY CORRIDOR: SALYERSVILLE-PRESTONSBURG; WIDEN KY 114 TO 4 LANES FROM US 460 TO THE MAGOFFIN/FLOYD COUNTY LINE. (SEE 12-1.01 FOR PE & ENV)(14CCR)	MAGOFFIN
07-0918 (consultingPartyRequest.aspx?ProjectID=07-0918)	US 127	REPLACE GUARDRAIL END TREATMENTS ON VARIOUS ROUTES IN ANDERSON, BOURBON, BOYLE, CLARK, FAYETTE, JESSAMINE, MADISON, MERCER, MONTGOMERY, SCOTT, AND WOODFORD COUNTIES. (2010BOP)	ANDERSON
12-0003 (consultingPartyRequest.aspx?ProjectID=12-0003)	KY 3215	CONSTRUCT A NEW ROADWAY TO CONNECT BETWEEN KY 3215 TO KY 1185 AT YATESVILLE LAKE	LAWRENCE
07-0236 (consultingPartyRequest.aspx?ProjectID=07-0236)	KY 595	COMPREHENSIVE TRAFFIC STUDY FOR INTERSECTION OF MAIN STREET AND BEREA COLLEGE CAMPUS, BEREA. (2005HPP-KY112)(MOA WITH BEREA).	MADISON

08-9001 (consultingPartyRequest.aspx?ProjectID=08-9001)	KY 80	INTERSECTION IMPROVEMENTS AND IMPROVE TURNING RADIUS AT THE INTERSECTION OF KY 80 AND CR 1133 (FIRE TOWER RD). (2012BOP)	PULASKI
10-0279.60 (consultingPartyRequest.aspx?ProjectID=10-0279.60)	KY 30	RECONSTRUCT KY 30 FROM KY 847 IN OWSLEY COUNTY TO US 421 IN JACKSON COUNTY.	JACKSON, & OWSLEY
07-8705 (consultingPartyRequest.aspx?ProjectID=07-8705)	US 460	RECONSTRUCT US 460 FROM RUSSELL CAVE ROAD TO US 27 BYPASS IN PARIS; MP 1.394 TO MP 7.696.(	BOURBON
03-8821 (consultingPartyRequest.aspx?ProjectID=03-8821)	KY 1297	MAJOR WIDENING FROM DONNELLY DRIVE TO US-31E (ROGER WELLS) IN GLASGOW AND WIDEN DONNELLY DRIVE.	BARREN
07-8642 (consultingPartyRequest.aspx?ProjectID=07-8642)	CR-1254	REPLACE THE WEISENBERGER MILL ROAD BRIDGE AT THE WOODFORD/SCOTT COUNTY LINE.	SCOTT, & WOODFORD
05-0478.70 (consultingPartyRequest.aspx?ProjectID=05-0478.70)	US 31W	Transforming Dixie Highway BRT Project	JEFFERSON
07- Town Branch Commons (consultingPartyRequest.aspx?ProjectID=07- Town Branch Commons)	NA	The Town Branch Commons Corridor will provide a continuous multimodal greenway connection joining two existing, developing trail systems: the Town Branch Trail and the Legacy Trail.	FAYETTE
07-0252 (consultingPartyRequest.aspx?ProjectID=07-0252)	Newtown Pike	Six lane from KY-4 to I-75	FAYETTE
02-8300 (consultingPartyRequest.aspx?ProjectID=02-8300)	KY-54	Road widening from milepoint 2.45 to 8.0	DAVISS
02-0069.01 (consultingPartyRequest.aspx?ProjectID=02-0069.01)	I-69	LOCATE ALIGNMENT FOR INTERSTATE 69 AROUND HENDERSON FROM E.T. BREATHITT PARKWAY (PENNYRILE PARKWAY) TO OHIO RIVER CROSSING.	HENDERSON
10-0293.1 (consultingPartyRequest.aspx?ProjectID=10-0293.1)	KY 7	RECONSTRUCT/WIDENING OF MAIN ST (KY 7) IN WEST LIBERTY BEGINNING AT RIVERSIDE DR. (CS 1058) AND EXTENDING NORTH TO 0.159 MILES NORTH OF INTERSECTION WITH CEDAR RD (CS 1053)	MORGAN
04-0153.01 (consultingPartyRequest.aspx?ProjectID=04-0153.01)	KY	Reconstruction of KY 251, widening the 2 lane road	HARDIN
04-0441 (consultingPartyRequest.aspx?ProjectID=04-0441)		Truck Route from US 31W South of Horse Cave to KY 218 West of Horse Cave	HART
04-0441 (consultingPartyRequest.aspx?ProjectID=04-0441)		Truck Route from US 31W South of Horse Cave to KY 218 West of Horse Cave	HART
04-0396.2 (consultingPartyRequest.aspx?ProjectID=04-0396.2)	US 150	Reconstruction- Improve Safety, Mobility, and Geometrics	WASHINGTON
04-0396.1 (consultingPartyRequest.aspx?ProjectID=04-0396.1)	US 150	Reconstruction- Improve safety, mobility, and geometrics	NELSON
05-0549 (consultingPartyRequest.aspx?ProjectID=05-0549)	I-265/ I-64	Reconstruction of I-265 and I-64 Interchange	JEFFERSON
07-0235 (consultingPartyRequest.aspx?ProjectID=07-0235)	KY 52	Improve KY 52 From Wallace Mill Rd. to I-75	MADISON
04-0396.3 (consultingPartyRequest.aspx?ProjectID=04-0396.3)	US 150	Reconstruction- Improve Safety, mobility, and geometrics	WASHINGTON
07-8705.1 (consultingPartyRequest.aspx?ProjectID=07-8705.1)	US 460	US 460 Widening from Centerville to Georgetown	BOURBON, & SCOTT
03-10001 (consultingPartyRequest.aspx?ProjectID=03-10001)	US 31WX	Culvert Rehab- Water Street and US 31WX	BARREN
01-1140 (consultingPartyRequest.aspx?ProjectID=01-1140)	US 51	REPLACE CAIRO BRIDGE AT OR BESIDE EXISTING LOCATION	BALLARD
05-565 (consultingPartyRequest.aspx?ProjectID=05-565)		Second St. Corridor TIGER grant	FRANKLIN
04-1094 (consultingPartyRequest.aspx?ProjectID=04-1094)	KY 528	Bridge Replacement No. 115B00043N over Road Run Branch	WASHINGTON
07-8909 (consultingPartyRequest.aspx?ProjectID=07-8909)	I 64/ I 75	IMPROVEMENTS TO I-75 AND I-64	FAYETTE
07-242 (consultingPartyRequest.aspx?ProjectID=07-242)	US 68/ US150	Replace US 68/US150 Bridge over Chaplin River. Add Pedestrian Bridge	BOYLE

07-8902.00 (consultingPartyRequest.aspx?ProjectID=07-8902.00)	KY 1927	Widening of KY 1927- Liberty Road	FAYETTE
05-0557 (consultingPartyRequest.aspx?ProjectID=05-0557)	I-71	WIDEN I-71 FROM ZORN AVE TO I-265	JEFFERSON
01-0153.00 (consultingPartyRequest.aspx?ProjectID=01-0153.00)	KY-1286	IMPROVE KY-1286 (FRIENDSHIP ROAD) FROM MP 3.6 TO MP 6.4 IN PADUCAH. (PRELIMINARY ENGINEERING) (12CCR)(14CCR)(16CCN)(18CCR) (2020CCR)	MCCRACKEN
05-0805.00 (consultingPartyRequest.aspx?ProjectID=05-0805.00)	KY 3506	Address safety concerns of the Broadway Bridge in Frankfort	FRANKLIN
03-10010 (consultingPartyRequest.aspx?ProjectID=03-10010)	US 79	REPLACE BRIDGE ON US 79 TO WIDEN TO 4 LANES FOR FREIGHT MOVEMENT AND IMPROVE SAFETY. BRIDGE ID (071B00025N)(BRIDGE OVER WHIPPOORWILL CREEK) AT MP 4.65 (2020CCR)	LOGAN
06-1086 (consultingPartyRequest.aspx?ProjectID=06-1086)	KY 8	ADDRESS DEFICIENCIES OF BRIDGE OVER LICKING RIVER ON WEST 4TH STREET (KY 8) IN COVINGTON/NEWPORT AT KENTON/CAMPBELL CO LN. (059B00037N) (2020CCR)	CAMPBELL, & KENTON
03-80100 (consultingPartyRequest.aspx?ProjectID=03-80100)	US 79	REPLACE AND WIDEN BRIDGES ON US-79 AT MP 2.921 IN LOGAN COUNTY, AND MP 7.613 IN TODD COUNTY. (INCLUDES ITEM NO. 3-80102)	LOGAN
03-80102 (consultingPartyRequest.aspx?ProjectID=03-80102)	US 79	REPLACE AND WIDEN BRIDGE TO 4 LANES ON US-79 AT MP 7.613 (BRIDGE OVER ELK FORK CREEK)	TODD
07- 8401 (consultingPartyRequest.aspx?ProjectID=07- 8401)	KY 1958	Proposed Winchester Southeastern Connector (KY 1958)	CLARK
07-80001 (consultingPartyRequest.aspx?ProjectID=07-80001)	US 62	US 62 improvements	ANDERSON
07-80150 (consultingPartyRequest.aspx?ProjectID=07-80150)	US 60	US 60 Improvements	FAYETTE
10-8902 (consultingPartyRequest.aspx?ProjectID=10-8902)	KY 191	ADDRESS DEFICIENCIES OF BRIDGE ON KY 191 OVER CANEY CREEK 0.5 MILES WEST OF KY 1162	MORGAN
02-8854 (consultingPartyRequest.aspx?ProjectID=02-8854)	KY 3143	Minor widening and safety improvements on KY 3143 from KY 3335 to KY 54	DAVIESS
02-8951 (consultingPartyRequest.aspx?ProjectID=02-8951)	KY 54	Improve safety on KY 54 by upgrading to three lanes	OHIO
04-80154 (consultingPartyRequest.aspx?ProjectID=04-80154)	KY 210	Improvements to KY 210	GREEN, LARUE, & TAYLOR
05-9030 (consultingPartyRequest.aspx?ProjectID=05-9030)	31E	Overlay, restripe, curb bumpouts and enhanced crosswalks along Bardstown Road between Eastern Parkway and E. Broadway	JEFFERSON
04-198 (consultingPartyRequest.aspx?ProjectID=04-198)	KY 3005	Ring Road Extension from Western Kentucky Parkway to I-65	HARDIN
01-0330 (consultingPartyRequest.aspx?ProjectID=01-0330)	US 60	PADUCAH-HENDERSON; RELOCATE US-60 FROM EAST OF THE TENNESSEE RIVER BRIDGE TO EAST OF RUDD-SPEES ROAD	LIVINGSTON
05-8713 (consultingPartyRequest.aspx?ProjectID=05-8713)	US 60	Construct a third lane on US 60 from the Masonic Lodge to Rocket Lane	SHELBY
01-10002.00 (consultingPartyRequest.aspx?ProjectID=01-10002.00)	CR-1214	ADDRESS DEFICIENCIES OF MARTIN ROAD BRIDGE OVER BRANCH-OBION CREEK.	GRAVES
01-10099.00 (consultingPartyRequest.aspx?ProjectID=01-10099.00)	KY-121	BRIDGE PROJECT IN CALLOWAY COUNTY ON (018B00018N) KY-121 AT CLAYTON CREEK	CALLOWAY
01-10099.00 (consultingPartyRequest.aspx?ProjectID=01-10099.00)	KY-121	BRIDGE PROJECT IN CALLOWAY COUNTY ON (018B00018N) KY-121 AT CLAYTON CREEK	CALLOWAY
01-10100.00 (consultingPartyRequest.aspx?ProjectID=01-10100.00)	KY-121	BRIDGE PROJECT IN CALLOWAY COUNTY ON (018B00023N) KY-121 AT BLOOD RIVER	CALLOWAY
01-10102.00 (consultingPartyRequest.aspx?ProjectID=01-10102.00)	KY-1346	BRIDGE PROJECT IN CALLOWAY COUNTY ON (018B00066N) KY-1346 AT BRANCH OF JONATHAN CREEK	CALLOWAY
01-10104.00 (consultingPartyRequest.aspx?ProjectID=01-10104.00)	US-51	BRIDGE PROJECT IN CARLISLE COUNTY ON (020B00002N) US-51 AT GADDIE CREEK	CARLISLE
01-10105.00 (consultingPartyRequest.aspx?ProjectID=01-10105.00)	US-51	BRIDGE PROJECT IN CARLISLE COUNTY ON (020B00004N) US-51 AT LITTLE MAYFIELD CREEK	CARLISLE

01-10108.00 (consultingPartyRequest.aspx?ProjectID=01-10108.00)	KY-120	BRIDGE PROJECT IN CRITTENDEN COUNTY ON (028B00010N) KY-120 AT SLOUGH OF TRADEWATER RIV	CRITTENDEN
01-10110.00 (consultingPartyRequest.aspx?ProjectID=01-10110.00)	KY-506	BRIDGE PROJECT IN CRITTENDEN COUNTY ON (028B00030N) KY-506 AT PINEY CREEK	CRITTENDEN
01-10112.00 (consultingPartyRequest.aspx?ProjectID=01-10112.00)	KY-387	BRIDGE PROJECT IN CRITTENDEN COUNTY ON (028B00051N) KY-387 AT CROOKED CREEK	CRITTENDEN
01-10115.00 (consultingPartyRequest.aspx?ProjectID=01-10115.00)	KY-166	BRIDGE PROJECT IN FULTON COUNTY ON (038B00022N) KY-166 AT BAYOU DE CHIEN	FULTON
01-10116.00 (consultingPartyRequest.aspx?ProjectID=01-10116.00)	KY-166	BRIDGE PROJECT IN FULTON COUNTY ON (038B00023N) KY-166 AT MUD CREEK	FULTON
01-10128.00 (consultingPartyRequest.aspx?ProjectID=01-10128.00)	US-45	BRIDGE PROJECT IN GRAVES COUNTY ON (042B00090N) US-45 AT JACKSON CREEK	GRAVES
01-10144.00 (consultingPartyRequest.aspx?ProjectID=01-10144.00)	US-51	BRIDGE PROJECT IN HICKMAN COUNTY ON (053B00002N) US-51 AT BRUSH CREEK	HICKMAN
01-10146.00 (consultingPartyRequest.aspx?ProjectID=01-10146.00)	US-51	BRIDGE PROJECT IN HICKMAN COUNTY ON (053B00029N) US-51 AT CANE CREEK	HICKMAN
01-10162.00 (consultingPartyRequest.aspx?ProjectID=01-10162.00)	KY-3520	BRIDGE PROJECT IN MCCRACKEN COUNTY ON (073B00030N) KY-3520 AT P&L RAILWAY	MCCRACKEN
01-10175.00 (consultingPartyRequest.aspx?ProjectID=01-10175.00)	KY-402	BRIDGE PROJECT IN MARSHALL COUNTY ON (079B00037N) KY-402 AT MARTIN CREEK	MARSHALL
01-10176.00 (consultingPartyRequest.aspx?ProjectID=01-10176.00)	KY-402	BRIDGE PROJECT IN MARSHALL COUNTY ON (079B00040N) KY-402 AT EAST FORK CLARKS RIVER	MARSHALL
01-10180.00 (consultingPartyRequest.aspx?ProjectID=01-10180.00)	KY-2603	BRIDGE PROJECT IN MARSHALL COUNTY ON (079B00138N) KY-2603 AT SOLDIER CREEK	MARSHALL
01-10183.00 (consultingPartyRequest.aspx?ProjectID=01-10183.00)	KY-525	BRIDGE PROJECT IN TRIGG COUNTY ON (111B00031N) KY-525 AT UNNAMED STREAM	TRIGG
01-10154.00 (consultingPartyRequest.aspx?ProjectID=01-10154.00)	KY-1943	BRIDGE PROJECT IN LYON COUNTY ON (072B00027N) KY-1943 AT CRAB CREEK	LYON
02-10061.00 (consultingPartyRequest.aspx?ProjectID=02-10061.00)	KY-126	BRIDGE PROJECT IN CALDWELL COUNTY ON (017B00024N) KY-126 AT BURNS CREEK	CALDWELL
02-10065.00 (consultingPartyRequest.aspx?ProjectID=02-10065.00)	KY-1592	BRIDGE PROJECT IN CALDWELL COUNTY ON (017B00076N) KY-1592 AT TOWERLY BRANCH	CALDWELL
02-10079.00 (consultingPartyRequest.aspx?ProjectID=02-10079.00)	US-431	BRIDGE PROJECT IN DAVIESS COUNTY ON (030B00049N) US-431 AT PANTHER CREEK	DAVIESS
02-10081.00 (consultingPartyRequest.aspx?ProjectID=02-10081.00)	US-60	BRIDGE PROJECT IN DAVIESS COUNTY ON (030B00096N) US-60 AT KATIE MEADOW SLOUGH	DAVIESS
02-10091.00 (consultingPartyRequest.aspx?ProjectID=02-10091.00)	KY-145	BRIDGE PROJECT IN HENDERSON COUNTY ON (051B00119N) KY-145 AT BEAVER DAM CREEK	HENDERSON
02-10092.00 (consultingPartyRequest.aspx?ProjectID=02-10092.00)	KY-812	BRIDGE PROJECT IN HENDERSON COUNTY ON (051B00128N) KY-812 AT NORTH FORK CANOE CREEK	HENDERSON
02-10099.00 (consultingPartyRequest.aspx?ProjectID=02-10099.00)	KY-70	BRIDGE PROJECT IN HOPKINS COUNTY ON (054B00089N) KY-70 AT RICHLAND CREEK	HOPKINS
02-10104.00 (consultingPartyRequest.aspx?ProjectID=02-10104.00)	KY-502	BRIDGE PROJECT IN HOPKINS COUNTY ON (054B00126N) KY-502 AT CLEAR CREEK OVERFLOW	HOPKINS
02-10105.00 (consultingPartyRequest.aspx?ProjectID=02-10105.00)	KY-502	BRIDGE PROJECT IN HOPKINS COUNTY ON (054B00127N) KY-502 AT CLEAR CREEK OVERFLOW	HOPKINS
02-10106.00 (consultingPartyRequest.aspx?ProjectID=02-10106.00)	KY-502	BRIDGE PROJECT IN HOPKINS COUNTY ON (054B00128N) KY-502 AT CLEAR CREEK OVERFLOW	HOPKINS
02-10110.00 (consultingPartyRequest.aspx?ProjectID=02-10110.00)	KY-81	BRIDGE PROJECT IN MCCLEAN COUNTY ON (075B00025N) KY-81 AT SLOUGH	MCCLEAN
02-10118.00 (consultingPartyRequest.aspx?ProjectID=02-10118.00)	KY-1412	BRIDGE PROJECT IN MCCLEAN COUNTY ON (075B00053N) KY-1412 AT OVRFLO TRIB-GREEN RIVER	MCCLEAN

02-10130.00 (consultingPartyRequest.aspx?ProjectID=02-10130.00)	KY-2712	BRIDGE PROJECT IN OHIO COUNTY ON (092B00136N) KY-2712 AT WESTERN KENTUCKY PARKWAY	OHIO
02-10135.00 (consultingPartyRequest.aspx?ProjectID=02-10135.00)	KY-56	BRIDGE PROJECT IN WEBSTER COUNTY ON (117B00012N) KY-56 AT GREEN RIVER	WEBSTER
04-10052.00 (consultingPartyRequest.aspx?ProjectID=04-10052.00)	US-62	BRIDGE PROJECT IN HARDIN COUNTY ON (047B00022N) US-62 AT SLOUGH OFF ROLLING FORK	HARDIN
03-10027.00 (consultingPartyRequest.aspx?ProjectID=03-10027.00)	Old Buck Creek Rd	BRIDGE PROJECT IN ALLEN COUNTY ON (002C00019N) OLD BUCK CREEK RD AT BUCK CREEK	ALLEN
03-10028.00 (consultingPartyRequest.aspx?ProjectID=03-10028.00)	Petroleum Rd	BRIDGE PROJECT IN ALLEN COUNTY ON (002C00033N) PETROLEUM RD AT LITTLE TRAMMEL CREEK	ALLEN
03-10037.00 (consultingPartyRequest.aspx?ProjectID=03-10037.00)	I-165	BRIDGE PROJECT IN BUTLER COUNTY ON (016B00061N) I-165 AT GREEN RIVER	BUTLER
03-10039.00 (consultingPartyRequest.aspx?ProjectID=03-10039.00)	KY-70	BRIDGE PROJECT IN EDMONSON COUNTY ON (031B00008N) KY-70 AT BEAR CREEK	EDMONSON
03-10040.00 (consultingPartyRequest.aspx?ProjectID=03-10040.00)	KY-187	BRIDGE PROJECT IN EDMONSON COUNTY ON (031B00019N) KY-187 AT WHETSTONE CREEK	EDMONSON
04-10048.00 (consultingPartyRequest.aspx?ProjectID=04-10048.00)	KY-79	BRIDGE PROJECT IN GRAYSON COUNTY ON (043B00053N) KY-79 AT ROUGH RIVER LAKE	GRAYSON
04-10058.00 (consultingPartyRequest.aspx?ProjectID=04-10058.00)	KY-210	BRIDGE PROJECT IN LARUE COUNTY ON (062B00034R) KY-210 AT NORTH FORK NOLIN RIVER	LARUE
04-10066.00 (consultingPartyRequest.aspx?ProjectID=04-10066.00)	King Rd	BRIDGE PROJECT IN NELSON COUNTY ON (090C00037N) KING RD AT E FK COX CR @SPENCER CL	NELSON
04-10067.00 (consultingPartyRequest.aspx?ProjectID=04-10067.00)	South Columbia Avenue	BRIDGE PROJECT IN TAYLOR COUNTY ON (109C00042N) SOUTH COLUMBIA AVE AT BUCKHORN CREEK	TAYLOR
04-10070.00 (consultingPartyRequest.aspx?ProjectID=04-10070.00)	KY-152	BRIDGE PROJECT IN WASHINGTON COUNTY ON (115B00019N) KY-152 AT CARTWRIGHT CREEK (2022CCR)	WASHINGTON
04-10072.00 (consultingPartyRequest.aspx?ProjectID=04-10072.00)	KY-458	BRIDGE PROJECT IN WASHINGTON COUNTY ON (115B00045N) KY-458 AT BEECH FORK OF SALT RIVER	WASHINGTON
04-10072.00 (consultingPartyRequest.aspx?ProjectID=04-10072.00)	KY-458	BRIDGE PROJECT IN WASHINGTON COUNTY ON (115B00045N) KY-458 AT BEECH FORK OF SALT RIVER	WASHINGTON
04-10074.00 (consultingPartyRequest.aspx?ProjectID=04-10074.00)	Armory Hill at Road Run Creek	BRIDGE PROJECT IN WASHINGTON COUNTY ON (115C00065N) Armory Hill AT Road Run Creek	WASHINGTON
01-10143.00 (consultingPartyRequest.aspx?ProjectID=01-10143.00)	KY-487	BRIDGE PROJECT IN GREEN COUNTY ON (044B00029N) KY-487 AT SOUTH FK RUSSELL CREEK	GREEN
04-80252.00 (consultingPartyRequest.aspx?ProjectID=04-80252.00)	Siloam Rd (CR-1119)	REPLACE LOW WATER STRUCTURE ON SILOAM ROAD (CR 1119) OVER NORTH ROLLING FORK NEAR KY 337 INTERSECTION MP 0.089 TO MP 0.122 (2022CCN)	MARION
05-10036.00 (consultingPartyRequest.aspx?ProjectID=05-10036.00)	KY 1116	BRIDGE PROJECT IN BULLITT COUNTY ON (015B00059N) KY 1116 AT CEDAR CREEK	BULLITT
05-10046.00 (consultingPartyRequest.aspx?ProjectID=05-10046.00)	KY-12	BRIDGE PROJECT IN FRANKLIN COUNTY ON (037B00080N) KY 12 AT FLAT CREEK	FRANKLIN
05-10049.00 (consultingPartyRequest.aspx?ProjectID=05-10049.00)	KY-1861	BRIDGE PROJECT IN HENRY COUNTY ON (052B00062N) KY 1861 AT JACKSON CREEK	HENRY
05-10058.00 (consultingPartyRequest.aspx?ProjectID=05-10058.00)	I-64 WB	BRIDGE PROJECT IN JEFFERSON COUNTY ON (056B00052L) I-64 WB AT MID FK BEARGRASS CREEK	JEFFERSON
05-10059.00 (consultingPartyRequest.aspx?ProjectID=05-10059.00)	I-64 EB	BRIDGE PROJECT IN JEFFERSON COUNTY ON (056B00052R) I-64 EB AT MID FK BEARGRASS CREEK	JEFFERSON
05-10086.00 (consultingPartyRequest.aspx?ProjectID=05-10086.00)	US-60 EB	BRIDGE PROJECT IN SHELBY COUNTY ON (106B00007R) US 60 EB AT CLEAR CREEK	SHELBY
05-10095.00 (consultingPartyRequest.aspx?ProjectID=05-10095.00)	KY-1060	BRIDGE PROJECT IN SPENCER COUNTY ON (108B00015N) KY 1060 AT PLUM CREEK	SPENCER
06-10031.00 (consultingPartyRequest.aspx?ProjectID=06-10031.00)	KY-539	BRIDGE PROJECT IN BRACKEN COUNTY ON (012B00023N) KY-539 AT WILLOW CREEK	BRACKEN

06-10037.00 (consultingPartyRequest.aspx?ProjectID=06-10037.00)	KY-36	BRIDGE PROJECT IN CARROLL COUNTY ON (021B00009N) KY-36 AT LICK CREEK	CARROLL
06-10038.00 (consultingPartyRequest.aspx?ProjectID=06-10038.00)	KY-491	BRIDGE PROJECT IN GRANT COUNTY ON (041B00017N) KY-491 AT BULLOCK CREEK	GRANT
06-80151.00 (consultingPartyRequest.aspx?ProjectID=06-80151.00)	US-62	WIDEN THE BRIDGE ON US 62 OVER N. BRANCH CEDAR CREEK NEAR KENTONTOWN TO IMPROVE SAFETY AND MOBILITY. (2020CCN)	ROBERTSON
07-10040.00 (consultingPartyRequest.aspx?ProjectID=07-10040.00)	KY-3369	BRIDGE PROJECT IN CLARK COUNTY ON (025B00092N) KY-3369 AT LOG LICK CREEK	CLARK
07-10045.00 (consultingPartyRequest.aspx?ProjectID=07-10045.00)	I-75	BRIDGE PROJECT IN FAYETTE COUNTY ON (034B00150R) I-75 AT DAVID FK-ELKHORN CREEK	FAYETTE
08-10050.00 (consultingPartyRequest.aspx?ProjectID=08-10050.00)	Bastin Creek Rd	BRIDGE PROJECT IN CASEY COUNTY ON (023C00094N) BASTIN CREEK RD AT CRANE CREEK	CASEY
08-10051.00 (consultingPartyRequest.aspx?ProjectID=08-10051.00)	KY-1576	BRIDGE PROJECT IN CLINTON COUNTY ON (027B00026N) KY-1576 AT SPRING CREEK	CLINTON
08-10052.00 (consultingPartyRequest.aspx?ProjectID=08-10052.00)	KY-90	BRIDGE PROJECT IN CUMBERLAND COUNTY ON (029B00019N) KY-90 AT ALLEN CREEK	CUMBERLAND
08-10053.00 (consultingPartyRequest.aspx?ProjectID=08-10053.00)	KY-90	BRIDGE PROJECT IN CUMBERLAND COUNTY ON (029B00020N) KY-90 AT DUTCH CREEK	CUMBERLAND
08-10054.00 (consultingPartyRequest.aspx?ProjectID=08-10054.00)	KY-78	BRIDGE PROJECT IN LINCOLN COUNTY ON (069B00023N) KY-78 AT HANGING FORK	LINCOLN
08-10062.00 (consultingPartyRequest.aspx?ProjectID=08-10062.00)	Jellico Creek Rd	BRIDGE PROJECT IN MCCREARY COUNTY ON (074C00020N) JELICO CREEK RD AT JELICO CREEK	MCCREARY
08-10067.00 (consultingPartyRequest.aspx?ProjectID=08-10067.00)	KY-3260	BRIDGE PROJECT IN PULASKI COUNTY ON (100B00093N) KY-3260 AT PITTMAN CREEK	PULASKI
08-10068.00 (consultingPartyRequest.aspx?ProjectID=08-10068.00)	KY-3267	BRIDGE PROJECT IN PULASKI COUNTY ON (100B00096N) KY-3267 AT BEE LICK CREEK	PULASKI
08-10070.00 (consultingPartyRequest.aspx?ProjectID=08-10070.00)	KY-1787	BRIDGE PROJECT IN ROCKCASTLE COUNTY ON (102B00034N) KY-1787 AT CLEAR CREEK	ROCKCASTLE
09-10077.00 (consultingPartyRequest.aspx?ProjectID=09-10077.00)	KY-1	BRIDGE PROJECT IN CARTER COUNTY ON (022B00012N) KY-1 AT LIT.FK.LITTLE SANDY RIVE	CARTER
09-10094.00 (consultingPartyRequest.aspx?ProjectID=09-10094.00)	KY-32	BRIDGE PROJECT IN NICHOLAS COUNTY ON (091B00012N) KY-32 AT FLEMING CREEK (2022CCR)	NICHOLAS
10-10055.00 (consultingPartyRequest.aspx?ProjectID=10-10055.00)	KY-1950	BRIDGE PROJECT IN MORGAN COUNTY ON (088B00039N) KY-1950 AT BLACKWATER CREEK	MORGAN
11-08953.00 (consultingPartyRequest.aspx?ProjectID=11-08953.00)	CR-1414	REPLACE BRIDGE (063C00044N) ON MT ZION CHURCH ROAD (CR 1414). (16CCN) (2020CCR)	LAUREL
11-10095.00 (consultingPartyRequest.aspx?ProjectID=11-10095.00)	CR-1164	ADDRESS DEFICIENCIES ON HICKS CEMETERY LN (CR 1164) OVER CRANKS CREEK. (048C00160N)	HARLAN
11-10099.00 (consultingPartyRequest.aspx?ProjectID=11-10099.00)	CR-1674	ADDRESS DEFICIENCIES ON MOUNTAIN FARM RD (CR 1674) OVER MIDDLE FORK RIVER. (066C00091N)	HARLAN
11-10190.00 (consultingPartyRequest.aspx?ProjectID=11-10190.00)	KY-2007	BRIDGE PROJECT IN HARLAN COUNTY ON (048B00075N) KY-2007 AT CUMBERLAND RIVER	HARLAN
11-10191.00 (consultingPartyRequest.aspx?ProjectID=11-10191.00)	KY-1254	BRIDGE PROJECT IN HARLAN COUNTY ON (048B00091N) KY-1254 AT POOR FK CUMBERLAND RVR	HARLAN
11-10194.00 (consultingPartyRequest.aspx?ProjectID=11-10194.00)	US-119	BRIDGE PROJECT IN HARLAN COUNTY ON (048B00107N) US-119 AT POOR FK CUMBERLAND RVR	HARLAN
11-10196.00 (consultingPartyRequest.aspx?ProjectID=11-10196.00)	KY-72	BRIDGE PROJECT IN HARLAN COUNTY ON (048B00138N) KY-72 AT POOR FK CUMBERLAND RVR	HARLAN
11-10200.00 (consultingPartyRequest.aspx?ProjectID=11-10200.00)	KY-225	BRIDGE PROJECT IN KNOX COUNTY ON (061B00035N) KY-225 AT BRUSH CREEK	KNOX
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11-01101.00 (consultingPartyRequest.aspx?ProjectID=11-01101.00)	US-119	ADDRESS DEFICIENCIES OF BRIDGE ON US 119 OVER KY 160/MAIN ST IN HARLAN COUNTY, KY. 048B00126N (2020CCR)	HARLAN
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# Consulting Party Request

**Project Number:** 06-0017

**County(ies):** KENTON

**Route:** I-71/I-75

**Project:** BRENT SPENCE BRIDGE COMPANION BRIDGE CONSTRUCTION; BRENT SPENCE BRIDGE REHABILITATION; UPGRADE EXISTING I-71/75 BRENT SPENCE BRIDGE CORRIDOR

**Description:** AT THE OHIO RIVER BETWEEN COVINGTON, KY AND CINCINNATI, OH

Section 106 regulations state that "Certain individuals and organizations with demonstrated interest in the undertaking may participate as consulting parties due to the nature of their legal or economic relation to the undertaking or affected properties, or their concern with the undertaking's effects on historic properties."

Organization:

Title at Organization:

First Name: \*

Last Name: \*

Address: \*

City: \*

State: \*  Zip Code: \*

Email:

Phone 1:

Phone 2:

Please briefly identify below the nature of your interest in becoming a consulting party for the project identified above. \*

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[Project Management \(/EnvironmentalAnalysis/Pages/Project-Management.aspx\)](/EnvironmentalAnalysis/Pages/Project-Management.aspx)  
[Section 4\(f\) \(/EnvironmentalAnalysis/Pages/Section-4\(f\).aspx\)](/EnvironmentalAnalysis/Pages/Section-4(f).aspx)  
[Socioeconomics \(/EnvironmentalAnalysis/Pages/Socioeconomics.aspx\)](/EnvironmentalAnalysis/Pages/Socioeconomics.aspx)  
[USTs and Hazardous Materials \(/EnvironmentalAnalysis/Pages/USTs-and-Hazardous-Materials.aspx\)](/EnvironmentalAnalysis/Pages/USTs-and-Hazardous-Materials.aspx)

## Resources

## Links

[AASHTO General Information \(http://environment.transportation.org/\)](http://environment.transportation.org/)  
[Consulting Party Projects \(/EnvironmentalAnalysis/Pages/Consulting-Party-Projects.aspx\)](/EnvironmentalAnalysis/Pages/Consulting-Party-Projects.aspx)  
[DEA Guidance Manual \(/EnvironmentalAnalysis/Environmental%20Resources/DEA%20Guidance%20Manual.pdf\)](/EnvironmentalAnalysis/Environmental%20Resources/DEA%20Guidance%20Manual.pdf)  
[Environmental MEMO's \(/EnvironmentalAnalysis/Pages/Memos.aspx\)](/EnvironmentalAnalysis/Pages/Memos.aspx)  
[FHWA Environmental Handbook \(https://www.environment.fhwa.dot.gov/default.aspx\)](https://www.environment.fhwa.dot.gov/default.aspx)  
[Guidance and Accountability Forms \(/EnvironmentalAnalysis/Pages/Guidance-and-Forms.aspx\)](/EnvironmentalAnalysis/Pages/Guidance-and-Forms.aspx)  
[KYTC Environmental Handbook \(/EnvironmentalAnalysis/Pages/KYTC-Environmental-Handbook.aspx\)](/EnvironmentalAnalysis/Pages/KYTC-Environmental-Handbook.aspx)  
[KYTC Environmental Overview \(https://maps.kytc.ky.gov/environmentaloverview/\)](https://maps.kytc.ky.gov/environmentaloverview/)  
[Links to Maps, Images and GIS Data \(/EnvironmentalAnalysis/Pages/Links-to-Maps,-Images-and-GIS-Data.aspx\)](/EnvironmentalAnalysis/Pages/Links-to-Maps,-Images-and-GIS-Data.aspx)  
[Partnering Efforts \(/EnvironmentalAnalysis/Pages/Partnering-Efforts.aspx\)](/EnvironmentalAnalysis/Pages/Partnering-Efforts.aspx)  
[Stormwater \(/Stormwater/Pages/default.aspx\)](/Stormwater/Pages/default.aspx)  
[Streamlining Agreements \(/EnvironmentalAnalysis/Pages/Streamlining-Agreements.aspx\)](/EnvironmentalAnalysis/Pages/Streamlining-Agreements.aspx)  
[Public Information Toolbox \(/PublicInvolvementToolbox/Pages/default.aspx\)](/PublicInvolvementToolbox/Pages/default.aspx)  
[Rest Area Pollution Control \(/EnvironmentalAnalysis/Pages/RestAreaPollutionControl.aspx\)](/EnvironmentalAnalysis/Pages/RestAreaPollutionControl.aspx)

## Department of Highways

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[Construction Procurement \(/Construction-Procurement/Pages/default.aspx\)](/Construction-Procurement/Pages/default.aspx)  
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[Environmental Analysis \(/EnvironmentalAnalysis/Pages/default.aspx\)](/EnvironmentalAnalysis/Pages/default.aspx)  
[Highway Design \(/Highway-Design/Pages/default.aspx\)](/Highway-Design/Pages/default.aspx)  
[Highway Safety \(/HighwaySafety/Pages/default.aspx\)](/HighwaySafety/Pages/default.aspx)  
[Maintenance \(/Maintenance/Pages/default.aspx\)](/Maintenance/Pages/default.aspx)  
[Materials \(/Materials/Pages/default.aspx\)](/Materials/Pages/default.aspx)  
[Planning \(/Planning/Pages/default.aspx\)](/Planning/Pages/default.aspx)  
[Professional Services \(/ProfessionalServices/Pages/default.aspx\)](/ProfessionalServices/Pages/default.aspx)  
[Program Management \(/Program-Management/Pages/default.aspx\)](/Program-Management/Pages/default.aspx)  
[Right of Way & Utilities \(/RightofWay/Pages/default.aspx\)](/RightofWay/Pages/default.aspx)  
[Structural Design \(/StructuralDesign/Pages/default.aspx\)](/StructuralDesign/Pages/default.aspx)  
[Traffic Operations \(/TrafficOperations/Pages/default.aspx\)](/TrafficOperations/Pages/default.aspx)

## Department of Aviation


[Kentucky Department of Aviation \(/Aviation/Pages/home.aspx\)](/Aviation/Pages/home.aspx)  
[Airport Zoning Commission \(/Aviation/Pages/airportzoning.aspx\)](/Aviation/Pages/airportzoning.aspx)

## Department of Rural and Municipal Aid

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[Local Public Agencies \(/LPA/Pages/default.aspx\)](/LPA/Pages/default.aspx)  
[Rural and Municipal Aid \(/RuralandMunicipalAid/Pages/default.aspx\)](/RuralandMunicipalAid/Pages/default.aspx)

## Department of Vehicle Regulation

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### Cabinet Offices and Services

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- [Public Affairs \(/PublicAffairs/Pages/default.aspx\)](#)
- [Support Services \(/SupportServices/Pages/default.aspx\)](#)
- [Transportation Delivery \(/TransportationDelivery/Pages/default.aspx\)](#)

### Central Office Contact

200 Mero St Frankfort, KY  
 (https://www.google.com/maps/place/200+Mero+St,+Frankfort,+KY+40601/@38.201997,-84.8757469,17z/data=!3m1!4b1!4m5!3m4!1s0x884274b461372dc9:0x803455591420ab90!8m2!3d38.84.8735582)  
 ✉ [Contact Form](https://bpm.kytc.ky.gov/appbuilder/forms?code=810A005056A2147711773738BD5BE87C&Process=PA-DV-ContactUs) (https://bpm.kytc.ky.gov/appbuilder/forms?code=810A005056A2147711773738BD5BE87C&Process=PA-DV-ContactUs)  
 ☎ (502) 564-4890  
 🌐 [Transportation.ky.gov](https://transportation.ky.gov) (https://transportation.ky.gov/)

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**From:** Schurman, Scott R (KYTC)

**Sent:** Wednesday, January 18, 2023 5:10 PM

**To:** jumeyer@covingtonky.gov; Kaitlin.Bryan@covingtonky.gov; Brandon.Holmes@covingtonky.gov; nkyhist@zoomtown.com; rebecca@rebeccaweber.com

**Cc:** Hans, Stacey D (KYTC) <Stacey.hans@ky.gov>; Lechert, Stephanie E (KYTC) <stephanie.lechert@ky.gov>; Davis, Daniel B (KYTC) <Daniel.Davis@ky.gov>; Peake, Danny R (KYTC) <Danny.Peake@ky.gov>

**Subject:** Brent Spence Bridge Cultural Historic Survey Report

**Importance:** High

Brent Spence Bridge Project Consulting Party Member:

Thank you for your interest as a Consulting Party member on the Brent Spence Bridge Project. You should have received an email from Dropbox with a link to the Brent Spence Cultural Historic Survey Report. As a Consulting Party member, we are providing you the opportunity to review and comment on this report. Due to the file size of the document, we are transferring this report using Dropbox. If you have any problems with accessing or proving comment to the document, please let us know. We respectfully ask for you to review the report and provide us any comments that you may have by 5 PM EST, February 3, 2023.

**Scott R. Schurman**

Environmental Project Manager

Kentucky Transportation Cabinet

[scott.schurman@ky.gov](mailto:scott.schurman@ky.gov)

Office: 502 782 -5031

## **Brent Spence Bridge Project - Meeting Minutes**

### **Material Recovery from Structures to be Demolished in the Lewisburg Historic District**

**Meeting Date:** May 5, 2023

#### **Attendees:**

Kaitlin Bryan – City of Covington, Historic Preservation Officer

Karl Lietzenmayer – Kenton County Historical Society

Dan Davis – KYTC-DEA

Daniel Peake – KYTC-DEA

Stephanie Lechert – KYTC-DEA

Scott Schurman – KYTC-DEA

Stacey Hans – KYTC, BSB Project Manager

David Waldner, Palmer Engineering

A video conference meeting was held via Zoom on Friday May 5, 2023 at 11:00 a.m. This meeting was held to discuss the possibility of salvaging dimensional lumber and other materials from structures in the Lewisburg Historic District that will be demolished as a result of the Brent Spence Bridge Corridor Project. The meeting included the following topics:

- The inquiries that were made regarding material salvage and recovery during a previous Brent Spence Bridge Consulting Party Meeting by Ms. Bryan and Mr. Lietzenmayer were discussed. This included Ms. Bryan's inquiry regarding possible material salvage and reuse for Covington's Academy for Historic Trades and Mr. Lietzenmayer's inquiry regarding dimensional lumber salvage.
- KYTC explained and discussed the issues involved with material salvage from the structures to be demolished in the Lewisburg Historic District.
- Due to site conditions, material salvage and recovery of dimensional lumber and other large structural materials from structures to be demolished would require staged demolition.
- Staged demolition would result in additional project costs and could impact project schedule.
- Other operational issues involved with staged demolition such as the need for specialized equipment, utility concerns, and material transport were discussed.
- This issue of recovered materials requiring a Kentucky Office of Archeology permit to remove materials greater than 50 years old was highlighted.
- Issues regarding material recovery and the possible presence of hazardous materials and mold present in salvaged materials were also discussed.
- As a possible resolution to Ms. Bryan and Mr. Lietzenmayer's inquiries, KYTC proposed that once the structures have been acquired and a demolition contractor has been selected, KYTC would then notify both interested parties of the name and contact information of that contractor. Details regarding the possibility of material recovery and salvage could then be pursued with the demolition contractor. Both Ms. Bryan and Mr. Lietzenmayer's were both acceptable with this proposed approach.
- Future anticipated project schedule finalized the meeting's topics. KYTC communicated that it expects to begin to acquire right of way in the Lewisburg Historic District area in late 2024 with demolition of structures expected to occur sometime in early 2025.



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**From:** Smith, Larry <Keith.Smith@dot.ohio.gov>

**Sent:** Tuesday, August 1, 2023 10:21 AM

**To:** Hill, Timothy <Tim.Hill@dot.ohio.gov>; Schneider, Erica <Erica.Schneider@dot.ohio.gov>; Hoffman, Larry <Larry.Hoffman@dot.ohio.gov>; Gasbarro, Susan <Susan.Gasbarro@dot.ohio.gov>; Baker, Stanley <Stanley.Baker@dot.ohio.gov>; pamelabaughman@dot.gov; mfisher@ohiohistory.org; tgrooms@ohiohistory.org; Craig.potts@ky.gov; Carl.Shields@ky.gov; beth@cincinnati-preservation.org; eols.eric@gmail.com; ehoag@cia.edu; Cgriffin.nati@yahoo.com; mschweitzer@me.com; gregory.johnson@cintimha.com; Spinosa, Stefan <Stefan.Spinosa@dot.ohio.gov>; timothy.long@dot.gov; Barron, Jason <Jason.barron@cincinnati-oh.gov>

**Cc:** beth.johnson@cincinnati-preservation.org; Clarke, David (FHWA) <david.clarke@dot.gov>; Mobley, Jenny <Jenny.Mobley@cincinnati-oh.gov>

**Subject:** Brent Spence Bridge Consulting Parties Meeting PID 89068

Section 106 Consulting Parties,

We are looking forward to meeting with you on August 9 to discuss the Section 106 Programmatic Agreement (PA) for the Brent Spence Bridge Corridor Project (BSB). The BSB corridor consists of 7.8 total miles of I-71 and I-75 connecting southwest Ohio and northern Kentucky. This corridor is located within the Greater Cincinnati/Northern Kentucky region and is a major route for regional and local mobility. Regionally, the BSB carries both I-71 and I-75 traffic over the Ohio River and connects to I-74, I-275, and US-50. The BSB corridor also facilitates local travel by providing access to downtown Cincinnati in Hamilton County, Ohio and Covington in Kenton County, Kentucky. The corridor forms a critical freight route connecting Canada to Florida, carrying more than \$1 billion of freight every day and more than \$400 billion of freight every year. The project will:

- Reconstruct I-71/I-75 and add one lane in each direction;
- Rebuild the overpass bridges and interchanges in the corridor and add a new exit at Ezzard Charles Drive in Ohio;
- Construct a collector-distributor (C-D) roadway system between West 12th Street/Martin Luther King (MLK) Jr. Boulevard in Kentucky and Ezzard Charles Drive in Ohio;
- Extend frontage roads connecting Pike Street to West 4th Street and West 5th Street in Kentucky;
- Add C-D lanes between Dixie Highway (US-25) and Kyles Lane (KY-1072) in Kentucky;
- Rehabilitate and reconfigure the existing double-decker BSB to carry three lanes of traffic on each deck as part of the C-D roadway system; and
- Build a new double-decker companion bridge west of the existing BSB to carry five lanes of through (interstate) traffic on each deck.

The project will also add sidewalks and shared-use paths on local streets that are parallel to or cross the interstate and incorporate aesthetic treatments throughout the corridor.

As you are aware, in accordance with the National Environmental Policy Act (NEPA), an Environmental Assessment (EA) was prepared for the Brent Spence Bridge (BSB) Corridor Project in the Commonwealth of Kentucky and the State of Ohio in March 2012. A Finding of No Significant Impact (FONSI) was approved by the Federal Highway Administration (FHWA) on August 9, 2012. More than three years have passed since the 2012 FONSI and subsequent reevaluations of its validity. Project refinements have also occurred in response to public comments and further study, though they remain within the project footprint and impacts evaluated in the 2012 EA/FONSI. A supplemental EA (SEA) is being prepared consistent with 23 CFR 771.129 and 771.130 and assesses revised regulatory requirements, changed site conditions, design refinements, impact changes, further environmental commitments (enhancements and mitigation), and additional NEPA reevaluation and coordination efforts that have occurred since the 2012 EA/FONSI. The supplemental EA is intended to provide an analysis of potential impacts of refined project activities that were not expressly included in the approved 2012 EA/FONSI. As part of the SEA, FHWA has requested the preparation of a Section 106 Programmatic Agreement (PA) to replace the two separate state specific Section 106 MOA's that were prepared as part of the 2012 EA approval. This new PA will allow for consistent application of the Section 106 process between the two states.

In anticipation of the Section 106 Consulting Party meeting, a brief project history is provided. Attached is a copy of the PA and a copy of the January 2023 Section 106 consultation between the Ohio Department of Transportation (ODOT) and Ohio's State Historic Preservation Office (SHPO).

- SHPO concurred the BSB project will have an "adverse effect" on the B&O Freight and Storage Building/Longworth Hall, listed in the National Register of Historic Places (NRHP) (2011).
- A Memorandum of Agreement (*Agreement No. 16829*) was executed to mitigate the adverse effect in Cincinnati, Ohio (2012, amended and renewed 2017 and 2022).
- A Memorandum of Agreement (*Item # 6-17.00*) was executed to mitigate the adverse effect in Covington, Kentucky (2012, revised 2023).
- Federal Highway Administration (FHWA) approved the Environmental Assessment (EA) and issued a Finding of No Significant Impact (FONSI) (2012) and Alternative I was identified as the selected alternative.
- Since the approval of the FONSI, Kentucky Transportation Cabinet (KYTC) and ODOT completed additional studies to update Selected Alternative I to reflect current design standards, traffic counts and traffic operations.
- These efforts resulted in refinements to Selected Alternative I, which have been designated as Concept I-W.
- KYTC and ODOT are completing a Supplemental EA (SEA) to reflect the refined alternative and to update impacts.
- The SEA efforts involve updating resource specific studies to reflect any changes in conditions that have occurred since they were originally prepared.
- A re-evaluation of effects to historic properties was initiated.
- SHPO concurred with the exception of the B&O Freight Terminal/Longworth Hall, no additional cultural resources listed in or eligible for listing in the NRHP would be adversely affected by the project (January 2023).
- In consultation with the Advisory Council on Historic Preservation (ACHP), FHWA determined the mitigation of the adverse effects previously coordinated in two separate MOAs would be combined into one project-level Section 106 Programmatic Agreement (PA).
- In Ohio, the mitigation measures for the adverse effect to Longworth Hall from 2012 remain unchanged and are included in the draft PA.
- Since the PA is no longer an agreement document for the one adversely affected resource in Ohio (Longworth Hall), but now covers the entire undertaking, additional stipulations were added for Ohio from environmental commitments in the 2012 EA and the SEA. These stipulations relate to avoidance of known above ground resources and monitoring in areas with potential for archaeological resources.

The purpose of the upcoming Section 106 Consulting Party meeting is to discuss the PA and mitigation measures. The meeting will be conducted in person at the ODOT District 8 Headquarters (505 South State Route 741, Lebanon, Ohio). If you are unable to attend in person, you may join the meeting virtually. You may forward questions/comments to:

Keith Smith, P.E.  
District Environmental Coordinator  
[Keith.smith@dot.ohio.gov](mailto:Keith.smith@dot.ohio.gov)

Comments on the PA are requested by the close of business on August 30, 2023.

Thank you,

**Keith Smith P.E.**  
*District Environmental Coordinator*  
ODOT District 8  
505 S. SR 741, Lebanon, Ohio 45036  
513.933.6590  
[transportation.ohio.gov](http://transportation.ohio.gov)



---

**From:** Schurman, Scott R (KYTC) <Scott.Schurman@ky.gov>  
**Sent:** Friday, August 4, 2023 11:29 AM  
**To:** Karl Lietzenmayer; Joseph Meyer; Kaitlin BRYAN; rebecca@rebeccaweber.com; brandon.holmes@covingtonky.gov  
**Cc:** Hans, Stacey D (KYTC-D06); Lechert, Stephanie E (KYTC); Peake, Danny R (KYTC); David Waldner; Davis, Daniel B (KYTC); Jodi Heflin; Valentine, Gary (KYTC); Shields, Carl R (KYTC)  
**Subject:** Brent Spence Consulting Party Update  
**Attachments:** 231261\_FHWA\_KYTC\_6-17\_Kenton\_Brent Spence Addendum Letter Final EDT.pdf (S) (1).pdf; 6-17\_rpt\_forms\_transmittal\_20230523\_01.pdf; PDF Final Draft Programmatic Agreement HAM-BSB 89068 7.5.2023.pdf; BSBRenewalReportAddendum\_Final\_5-11-23-1.pdf

Brent Spence Consulting Party Member:

There have been some recent developments with the Brent Spence Bridge (BSB) Project that has required us to reopen the consulting party process. The first item that you all need to be aware of is that the Federal Highway Administration (FHWA) has required us to restructure the current existing Kentucky MOA for our Adverse effect on the Lewisburg Historic District. Per FHWA's direction, the Kentucky MOA executed earlier this year is now being combined with Ohio's MOA that was developed to mitigate adverse impacts to historic resources in Ohio, into one overall bi-state Programmatic Agreement (PA) for the BSB project. What has occurred is that the Kentucky MOA has now been combined together with Ohio's MOA into one master bi-state PA for the project. It should be noted that mitigation measures that were in the 2023 Kentucky MOA have not changed and the substance of that MOA has not changed either. Attached is a copy of this PA for your review and comment.

The second item that needs to be discussed is the recent assessment of an individual property, the Standard Club (KECL-376), which is a eligible historic resource and contributing element to the Lewisburg Historic District. Current project plans require a strip of right of way to be acquired from this property and it was determined that the property was not originally assessed in the 2022 eligibility and effects report. An assessment of this property has been completed resulting in a No Adverse Effect determination on the Standard Club property. In a letter dated June 7, 2023, Kentucky SHPO concurred with the No Adverse Effect finding on the Standard Club property. Attached for your review and comment are documents related to the assessment and effects determination for this property.

The final item that needs to be brought to your attention is the need for us to have another BSB Consulting Party Meeting. At this meeting we would like to provide you the opportunity to discuss any comments that you may have regarding the new bi-state PA or any comments that you may have regarding the Standard Club effects assessment, determination, and findings. We are looking at having that meeting sometime the week of August 14<sup>th</sup> and plan to hold the meeting virtually using ZOOM format just as our previous meeting. A meeting invite will be sent to you in the near future. In the meantime, if you have any questions or comments regarding these issues please feel free to contact me. Thank you for your consideration and time.

Scott

**Scott R. Schurman**  
Environmental Scientist Consultant  
Kentucky Transportation Cabinet  
Office: 502 782 -5031

# SECTION 106 CONSULTING PARTY MEETING: THE BRENT SPENCE BRIDGE CORRIDOR PROJECT (PID 89068)

Ohio Department of Transportation  
District 8 Office  
9 August 2023

1 | Brent Spence Bridge Section 106 Consulting Party Meeting Ohio



1

## WHY ARE WE HERE?

As a Section 106 Consulting Party, you are provided an opportunity to participate in the process.



4 | Brent Spence Bridge Section 106 Consulting Party Meeting Ohio



4

## HISTORY

- o Brent Spence Bridge original Environmental Assessment/Finding of No Significant Impact - 2012
- o Adverse effect to B&O Freight Terminal/Longworth Hall
  - o MOA Executed 2012, revised in 2017 and 2022



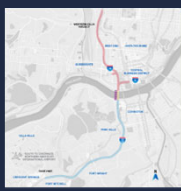

2 | Brent Spence Bridge Section 106 Consulting Party Meeting Ohio




2

## WHY ARE WE HERE?

- o During the SEA development, FHWA and ACHP determined ODOT and KYTC should combine separate state MOAs into one project-wide Programmatic Agreement.

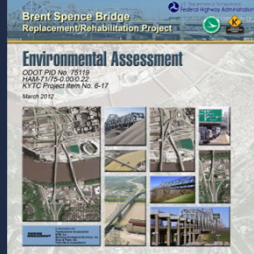
5 | Brent Spence Bridge Section 106 Consulting Party Meeting Ohio




5

## HISTORY

- o EA/FONSI re-evaluated in 2015 and 2018
- o Supplemental EA (SEA) being prepared now
  - o No additional impacts to cultural resources in Ohio




3 | Brent Spence Bridge Section 106 Consulting Party Meeting Ohio




3

## WHY ARE WE HERE?

- o Purpose of PA:
  - o Combine all Section 106 impacts into one agreement document for undertaking
  - o Bring project status up-to-date from original documentation
  - o Update administrative language to current FHWA/ACHP standards



6 | Brent Spence Bridge Section 106 Consulting Party Meeting Ohio




6

**WHY ARE WE HERE?**

- Draft PA sent for your review
- Changes from Ohio MOA:
  - Inclusion of Kentucky's portion and signatories
  - Whereas statements clarifying roles and responsibilities, how we got to where we are, and work that has been completed
  - Mitigation measures for adverse effects to Longworth Hall have remained the same as those agreed to in the 2012 MOA (and its amendments) with one exception:
    - III.A.2.a.iii—Contracting Methods—ODOT will hold and manage contracts


7 | Brent Spence Bridge Section 106 Consulting Party Meeting Ohio




7

**NEXT STEPS**

- Comments on PA are due by August 30, 2023. Please submit to Keith Smith: [Keith.smith@dot.ohio.gov](mailto:Keith.smith@dot.ohio.gov)
- ODOT will address comments and circulate final PA for signature to all parties in late September.



10 | Brent Spence Bridge Section 106 Consulting Party Meeting Ohio




10

**WHY ARE WE HERE?**

- Changes (cont.)
  - Addition of stipulations that were not part of the MOA because they are not Adverse Effects but are included in the SEA as environmental commitments.
    - Avoidance of Cincinnati Subway Tunnels and Portals
    - Monitor and/or review of soil and geotechnical borings in the Ohio River bottom area by an archaeologist or geoarchaeologist to determine if buried archaeological deposits and/or undisturbed original landforms are present. If so, a testing strategy will be designed and implemented.
    - Previously agreed to in the Section 106 process

8 | Brent Spence Bridge Section 106 Consulting Party Meeting Ohio



8

**QUESTIONS**



*Last updated 8/16/2023*

11 | Brent Spence Bridge Section 106 Consulting Party Meeting Ohio



11

**DISCUSSION**



9 | Brent Spence Bridge Section 106 Consulting Party Meeting Ohio



9

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**From:** Schurman, Scott R (KYTC) <Scott.Schurman@ky.gov>  
**Sent:** Thursday, August 10, 2023 7:26 AM  
**To:** Karl Lietzenmayer; Kaitlin BRYAN; rebecca@rebeccaweber.com; brandon.holmes@covingtonky.gov; Joseph Meyer; Hans, Stacey D (KYTC-D06); Peake, Danny R (KYTC); Lechert, Stephanie E (KYTC); Valentine, Gary (KYTC); Davis, Daniel B (KYTC); Shields, Carl R (KYTC); Potts, Craig A (Heritage Council); Konkol, Nicole N (Heritage Council); John.Ballantyne@dot.gov; Diop, Mour (FHWA)  
**Cc:** Hill, Timothy; Hoffman, Larry; Keith.Smith; Jodi Heflin; Spinosa, Stefan; David Waldner; Janie-Rice Brother (JBrother@palmernet.com)  
**Subject:** Kentucky Brent Spence Bridge Consulting Party Meeting

Brent Spence Consulting Party Member:

We will be having another Brent Spence Bridge (BSB) Project Consulting Party Meeting next Thursday August 17<sup>th</sup> beginning at 7:00 p.m. The meeting will be held virtually using Zoom format. You can register for the meeting using the link below.

<http://palmernet.com/bsbproject/>

Agenda items will include the review and discussion of any comments that you may have regarding the draft bi-state Programmatic Agreement (PA) for the BSB project. Also, we will discuss the recent assessment and determination of effect findings for the Standard Club (KECL-376), an eligible historic resource and contributing element to the Lewisburg Historic District. We look forward to meeting with you next week. If you have any questions, or have any issues with registration, please feel free to contact me.

Scott

**Scott R. Schurman**  
Environmental Scientist Consultant  
Kentucky Transportation Cabinet  
Office: 502 782 -5031  
scott.schurman@ky.gov

# Registration

## BRENT SPENCE BRIDGE CORRIDOR



On-Line Consulting Party Meeting  
August 17, 2023, 7:00 – 9:00 pm

Welcome to the Registration Page for the upcoming Consulting Party Meeting for the Brent Spence Bridge Corridor Project. The project is intended to improve the operational characteristics within the I-71/I-75 corridor for both local and through traffic in the Greater Cincinnati/Northern Kentucky region. The I-71/I-75 corridor suffers from congestion and safety-related issues as a result of inadequate capacity to accommodate current traffic demand.

The environmental effects of the project, including effects to historic properties, were evaluated and documented in an Environmental Assessment (EA) approved in 2012. A detailed survey of historic properties and consideration of the project's effects was prepared during that review. A Memorandum of Agreement (MOA) was signed in 2012 that specified commitments to mitigate adverse effects to historic properties. This MOA was listed as an environmental commitment in the Findings of No Significant Impact (FONSI) that was approved by the Federal Highway Administration in August of 2012. Currently, a Supplemental Environmental Assessment (SEA) is being conducted to update the project's originally approved EA/FONSI.

Since the Consulting Parties were last convened on March 9, 2023, Kentucky and Ohio have worked cooperatively to develop a Draft Programmatic Agreement that addresses impacts and mitigation for historic property impacts of the project in a single document, rather than having separate Memoranda of Agreement for each state. A copy of the draft document has been provided to the Consulting Parties for review and comment. In addition, KYTC has also recently completed an assessment of the Standard Club property in the Lewisburg Historic District and determined that the strip taking necessary for the project will result in No Adverse Effect. Consulting Parties are invited to attend the scheduled Consulting Party Meeting to discuss the Draft PA and results of the assessment of the Standard Club property, ask questions, and provide input regarding these matters.

The meeting will be conducted on-line using a Zoom platform. A presentation will be made beginning at 7:00 p.m. followed by a Discussion/Question/Answer Session. Kentucky Transportation Cabinet (KYTC) officials will be participating in the meeting to hear Consulting Party input and answer questions about the project and Draft PA. Presumably, you are visiting this site in response to a recent email that you received from the KYTC. Only persons who are approved as Consulting Parties are being invited to participate in the meeting. Registration is required in order to join the meeting. Registrants will be provided with a link to meeting materials and instructions for how to join the meeting. To register for the meeting, click the link below. We look forward to seeing you at the meeting!

[Click Here to Register](#)





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# Appendix K: Section 106 Programmatic Agreement

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**PROGRAMMATIC AGREEMENT**  
Among the  
**FEDERAL HIGHWAY ADMINISTRATION,**  
the **OHIO DEPARTMENT OF TRANSPORTATION,**  
the **KENTUCKY TRANSPORTATION CABINET,**  
the **OHIO STATE HISTORIC PRESERVATION OFFICER,**  
the **KENTUCKY STATE HISTORIC PRESERVATION OFFICER,**  
and the **CITY OF COVINGTON**  
Implementing Section 106 of the National Historic Preservation Act for the  
**Brent Spence Bridge Corridor Project in**  
**Hamilton County, Ohio (HAM-71/75-0.00/0.22, PID 89068) and**  
**Kenton County, Kentucky (KYTC Item Number 6-17.00)**

**THIS Programmatic Agreement**, hereinafter “PA”, is made as of the date of the last signature below “Effective Date” by and between the U.S. Department of Transportation’s Federal Highway Administration hereinafter referred to as “FHWA”, having the address of 200 North High Street, Columbus, Ohio 43215, the State of Ohio Department of Transportation hereinafter referred to as “ODOT”, having the address of 1980 West Broad Street, Columbus, Ohio 43223, the Kentucky Transportation Cabinet hereinafter referred to as “KYTC”, having the address of 200 Mero Street, Frankfort, Kentucky 40622, and Ohio’s State Historic Preservation Office hereinafter referred to as “OH SHPO”, having the address of 800 East 17th Avenue, Columbus, Ohio 43211, and the Kentucky State Historic Preservation Office hereinafter referred to as “KY SHPO”, having that address of 410 High Street, Frankfort, KY 40601; and herein referred to individually as the “Party” or “Signatory Party” or collectively as the “Parties” or “Signatory Parties”.

**WHEREAS**, FHWA, with ODOT and KYTC as its agents, propose the Brent Spence Bridge Corridor Project (Project); and

**WHEREAS**, the Project consists of reconstructing a 7.8-mile segment of Interstate 71 (I-71) and Interstate 75 (I-75) from north of the Western Hills Viaduct (WHV) in Ohio to south of Dixie Highway in Kentucky, to rehabilitate the existing Brent Spence Bridge, and to build a new companion bridge west of the existing Brent Spence Bridge spanning the Ohio River between Hamilton County, Ohio and Kenton County, Kentucky; and

**WHEREAS**, FHWA has determined that the Project is an undertaking, as defined in 36 C.F.R. 800.16(y), and thus is subject to review under Section 106 of the National Historic Preservation Act (NHPA), 54 U.S.C. § 306108, and its implementing regulations, 36 C.F.R. Part 800 as amended; and

**WHEREAS**, FHWA is the lead agency for purposes of ensuring that the Project complies with Section 106 of the NHPA, as amended, and codified in its implementing regulations, 36 C.F.R. Part 800, as amended (August 5, 2004); and

**WHEREAS**, the United States Coast Guard (USCG) reviews and approves locations and clearances of bridges and causeways in or over navigable waters consistent with the General Bridge Act of 1946 (33 U.S.C. §§ 525-533) and this approval is considered an undertaking by the USCG and thus subject to review under Section 106; and

**WHEREAS**, the United States Army Corps of Engineers (USACE) receives and considers applications for permits under Section 14 of the Rivers and Harbors Act of 1899 (Section 408 as amended and codified under 33 U.S.C. § 408) and Section 404 of the Clean Water Act (Section 404) (33 U.S.C. § 1251 et seq.) and the USACE has determined the activities that require authorizations under these statutes are an undertaking and therefore subject to Section 106; and

**WHEREAS**, USCG and USACE agreed that FHWA will be the lead federal agency for purposes of Section 106 in accordance with 36 C.F.R. 800.2(a)(2); and

**WHEREAS**, adverse effects of this undertaking were previously coordinated under two separate Memoranda of Agreement (MOA): *The Memorandum of Agreement Between the Federal Highway Administration, The Ohio Department of Transportation, and the Ohio State Historic Preservation Office Regarding the Brent Spence Bridge Replacement/Rehabilitation Project, HAM-71/75-0.00/0.22, PID 89068, Hamilton County and Kenton County, Kentucky Adverse Effect to the B&O Freight and Storage Building/Longworth Hall, Listed on the National Register of Historic Places (86003521) 700 Pete Rose Way (Second Street), Cincinnati, Ohio (ODOT Agreement No. 16829) (2012, amended in 2017 and 2022) and the Memorandum of Agreement (MOA) Among The Federal Highway Administration, the Kentucky State Historic Preservation Officer, with Concurrence by the Kentucky Transportation Cabinet and the City of Covington, Kentucky Regarding the Brent Spence Bridge Replacement/Rehabilitation Project Hamilton County, Ohio and Kenton County, Kentucky KYTC Item # 6-17.00 and the Adverse Effect to the Lewisburg Historic District, Listed on the National Register of Historic Places (NRHP 93001165) Covington, Kentucky (2012, revised in 2023); and*

**WHEREAS**, both ODOT and KYTC have separate statewide Section 106 Programmatic Agreements with FHWA, ACHP, and their respective SHPOs for the implementation of the federal-aid highway program in their states (*Programmatic Agreement Among the Federal Highway Administration, The Advisory Council on Historic Preservation, Ohio's State Historic Preservation Office, and the State of Ohio, Department of Transportation Regarding Implementation of the Federal-Aid Highway Program in Ohio (Agreement No. 38503), executed June 29, 2023*) and (*Programmatic Agreement Among the Federal Highway Administration, Kentucky Transportation Cabinet, Kentucky State Historic Preservation Officer, and the Advisory Council on Historic Preservation Regarding the Implementation of Section 106 of the National Historic Preservation Act for Federally Funded Road Projects in the Commonwealth of Kentucky, executed June 2, 2011*); and

**WHEREAS**, based on consultation with the Advisory Council on Historic Preservation (ACHP), and in accordance with 36 C.F.R. § 800.14(b)(3), the mitigation of the adverse effects of the

undertaking on historic properties, previously coordinated in the aforementioned separate MOAs, will be combined into one project-level Section 106 Programmatic Agreement (PA); and

**WHEREAS**, the Project may be implemented in construction phases, yet to be fully defined, and although this PA reflects evaluation of the entire defined Project, certain commitments may require phased implementation; and

**WHEREAS**, FHWA, with ODOT and KYTC as its agents, has initiated consultation pursuant to 36 C.F.R. 800.3(c) with Ohio's State Historic Preservation Office (OH SHPO) and the Kentucky State Historic Preservation Office (KY SHPO), and the term "SHPO" hereinafter is used to refer to both state offices when one is not specified; and

**WHEREAS**, FHWA, with ODOT and KYTC as its agents, has established and updated the Area of Potential Effects (APE) for the project as shown in Exhibit 1, encompassing the corridor project limits as described above, including areas of direct limits of disturbance, inclusive of all project elements with the potential to affect historic properties, such as identified natural resource and park mitigation sites, and a sufficient buffer for audible and visual effects where they may be likely to occur; and

**WHEREAS**, FHWA has elected to phase the identification, evaluation, and effects assessment of certain portions of the APE and historic properties where unavailability of access or design information precluded such identification, evaluation, and assessment, as provided in 36 C.F.R. 800.4(b)(2) and 800.5(a)(3); and

**WHEREAS**, the 2012 EA/FONSI documented the following commitments for archaeology in Kentucky, as stipulated in the KY MOA "*Memorandum of Agreement (MOA) Among the Federal Highway Administration, The Kentucky State Historic Preservation Officer, with Concurrence by the Kentucky Transportation Cabinet and the City of Covington, Kentucky, Regarding the Brent Spence Bridge Replacement/Rehabilitation Project, Hamilton County, Ohio and Kenton County, Kentucky, KYTC Item # 6-17.00 and the Adverse Effect to the Lewisburg Historic District, Listed on the National Register of Historic Places (NRHP 93001165), Covington, Kentucky*" executed on June 27, 2012: Phase I archaeological survey would be completed on 26 individual parcels that could not be previously accessed, due to lack of landowner permission; archaeological monitoring would be conducted during construction on 19 parcels that were inaccessible because of the presence of parking lots, sidewalks, or other impediments; and geo-archaeological deep testing at Site 15KE160 would be conducted to assess the potential for deeply buried cultural deposits at the site. Prior to deep testing, a plan would be developed and provided to KY SHPO for review and comment, stipulating the number, location, and depth of the trenching; and

**WHEREAS**, the refinements incorporated into Preferred Alternative I (Concept I-W) resulted in avoidance or minimizing project impacts, which reduced the number of parcels requiring Phase I survey from 26 to 4. KYTC prepared a *Phase I Cultural Resources Investigation* for the 4 parcels in September 2022. In addition, deep testing was performed for Site 15KE160. No new

archaeological sites were identified. Therefore, KY SHPO concurred with a finding of “No Historic Properties Affected” on October 12, 2022; and

**WHEREAS**, the refinements incorporated into Preferred Alternative I (Concept I-W) resulted in avoidance or minimizing project impacts, which reduced the number of parcels requiring archaeological monitoring during construction from 19 to 1 parcel. This parcel is occupied by parking lots for the Kenton County Government Center. A Phased Archaeological Survey will be conducted once this property is acquired in lieu of monitoring during construction. KY SHPO concurred with this recommendation on April 24, 2023; and

**WHEREAS**, the 2012 EA/FONSI documented the Ohio portion of the Project contained no potential for intact archaeological resources due to extensive highway construction and/or sequential urban development and redevelopment, with several exceptions; residential lots associated with the West McMicken Street Historic District would merit archaeological testing for stratified late 19<sup>th</sup> century deposits if the Single Point Urban Interchange (SPU) at the WHV was chosen; the 1920s Cincinnati subway tunnel would require evaluation for listing in the National Register of Historic Places (NRHP) if impacted by construction; soil and geotechnical borings conducted during the design phase in the river bottom area would be monitored and/or reviewed by an archaeologist or geoarchaeologist for evidence of buried archaeological deposits and/or undisturbed original landforms and, if either are determined to be present, an archaeological testing strategy would be designed and implemented for the horizontal and vertical footprint of the bridge supports and construction work limits; and

**WHEREAS**, the refinements have led to the development of a new NEPA document under preparation “*Brent Spence Bridge Corridor Project, Supplemental Environmental Assessment, ODOT PID 89068 | KYTC PROJECT ITEM NO. 6-17*”, which assesses revised regulatory requirements, changed site conditions, design refinements, impact changes, and additional coordination efforts that have occurred since the 2012EA/FONSI; and

**WHEREAS**, the refinements incorporated into Preferred Alternative I (Concept I-W) within Ohio resulted in avoidance or minimizing project impacts. The SPU interchange design at the WHV was not selected, and the West McMicken Street Historic District will not be affected by the Refined Alternative I (Concept I-W). ODOT has committed to including a plan note to avoid the Cincinnati subway tunnels and portal in the construction plans. Furthermore, ODOT has committed to monitoring and/or reviewing soil and geotechnical borings in the Ohio River bottom area for evidence of buried archaeological deposits and/or undisturbed original landforms. These commitments are documented in a letter sent by ODOT to the OH SHPO on August 30, 2022; and

**WHEREAS**, the 2012 EA/FONSI documented “no adverse effect” for the WHV by the Project. The City of Cincinnati has since developed a stand-alone project to replace the WHV, and the Project will no longer cause effects to the WHV; and

**WHEREAS**, FHWA, with ODOT and KYTC as its agents, will ensure any necessary additional identification, evaluation, and assessment is completed in a timely manner prior to final design

and construction, to allow for meaningful consultation and practical opportunities to avoid, minimize, or mitigate for any potential adverse effects to historic properties; and

**WHEREAS**, FHWA, with ODOT and KYTC as its agents, pursuant to 36 C.F.R 800.2(d) have sought and considered the views of the public regarding the Project’s effects on historic properties by providing notice and information in following its public involvement procedures under the National Environmental Policy Act (NEPA); and

**WHEREAS**, FHWA, with ODOT and KYTC as its agents, have determined the Project will have an adverse effect on the B&O Freight and Storage Building/Longworth Hall, listed in the NRHP (NRHP 86003521) and located at 700 Pete Rose Way (Second Street), Cincinnati, Ohio, and on the Lewisburg Historic District, listed in the NRHP (NRHP 93001165) and located in Covington, Kentucky; and

**WHEREAS**, FHWA, with ODOT and KYTC as its agents, acknowledge the Deed of Gift and Agreement for the Architectural Façade and Preservation Easement, dated December 30, 1986, granting Miami Purchase Association for Historic Preservation now known as Cincinnati Preservation Association an architectural façade and preservation easement of the B&O Freight and Storage Building/Longworth Hall, 700 Pete Rose Way (Second Street) (NRHP 86003521), and

**WHEREAS**, FHWA, with ODOT and KYTC as its agents, sent a Section 106 consultation letter describing the Project, the archaeological investigations completed, and additional planned investigations on November 21, 2022 (Exhibit 2), have consulted with federally recognized Indian Tribes, hereinafter referred to as the “Indian Tribes”, the Absentee Shawnee Tribe of Oklahoma, Cherokee Nation, Delaware Tribe of Oklahoma, Eastern Band of Cherokee Indians, Eastern Shawnee Tribe of Oklahoma, Miami Tribe of Oklahoma, Osage Nation, Peoria Tribe of Indians of Oklahoma, Pokagon Band of Potawatomi, Seneca Nation of Indians, The Shawnee Tribe, United Keetoowah Band of Cherokee Indians, and Wyandotte Nation; provided them with opportunities to participate in the Section 106 process; and on November 29, 2022, the Miami Tribe of Oklahoma accepted FHWA’s invitation to become a consulting party and expressed no objection to the project; and on December 19, 2022 the Cherokee Nation did not foresee the project imparting impacts to Cherokee cultural resources at that time; and on December 29, 2022, the Eastern Shawnee Tribe concluded that the project proposes no adverse effect or endangerment to known sites of interest to the Eastern Shawnee Tribe; and on April 28, 2023, the Osage Nation requested a project update and on May 16, 2023, FHWA and ODOT provided a detailed project summary and update to date; (Exhibit 2); and

**WHEREAS**, the City of Covington is an Invited Signatory to this PA pursuant to 36 C.F.R. 800.6(c)(2); and

**WHEREAS**, FHWA, with ODOT and KYTC as its agents, have invited the Consulting Parties listed in Exhibit 2 to participate in consultation on the Project, based on their relationship to specific actions as specified in this PA, or interest in historic properties affected by the project, and provided them with opportunities to participate in the Section 106 process; and

**WHEREAS**, FHWA, with ODOT and KYTC as its agents, will continue to consult with the appropriate SHPO and Consulting Parties under the terms of this PA as needed to identify historic properties, assess the effects of the Project on historic properties, and, if necessary, resolve adverse effects to historic properties; and

**WHEREAS**, the Consulting Parties are invited to sign this PA as Concurring Parties pursuant to 36 C.F.R. 800.6(c)(2); and

**WHEREAS**, FHWA, with ODOT and KYTC as its agents, pursuant to 36 C.F.R. 800.6(a)(1)(i)(C), initiated Section 106 consultation with the Advisory Council on Historic Preservation (ACHP), and the ACHP has chosen *not* to participate in the consultation pursuant to 36 C.F.R. 800.6(a)(1)(iii); and

**NOW, THEREFORE**, FHWA, ODOT, KYTC, OH SHPO, the KY SHPO, and the City of Covington (hereinafter “Signatories”) agree that the Project will be implemented in accordance with the following Stipulations to take into account the effect of the Project on historic properties and agree that these Stipulations will govern compliance of the Project with Section 106 of the NHPA until this PA expires or is terminated.

## STIPULATIONS

### I. Roles and Responsibilities

- A. FHWA is the lead federal agency and is responsible for ensuring the terms of this PA are carried out.
- B. In Ohio, ODOT is delegated authority by FHWA under this PA and the Statewide PA (*Programmatic Agreement Among the Federal Highway Administration, The Advisory Council on Historic Preservation, Ohio's State Historic Preservation Office, and the State of Ohio, Department of Transportation Regarding Implementation of the Federal-Aid Highway Program in Ohio* (Agreement No. 38503), executed June 29, 2023, to continue defined aspects of consultation, project compliance review, and mitigation implementation. ODOT will be primarily responsible for implementation of this PA in Ohio except where otherwise specified.
- C. In Kentucky, KYTC is delegated authority by FHWA under this PA and the Statewide PA (*Programmatic Agreement Among the Federal Highway Administration, Kentucky Transportation Cabinet, Kentucky State Historic Preservation Officer, and the Advisory Council on Historic Preservation Regarding the Implementation of Section 106 of the National Historic Preservation Act for Federally Funded Road Projects in the Commonwealth of Kentucky*, executed June 2, 2011) to continue defined aspects of consultation, project compliance review, and mitigation implementation. KYTC will be primarily responsible for implementation of this PA in Kentucky except where otherwise specified.
- D. The OH SHPO has jurisdiction as established in the NHPA for historic properties in Ohio.
- E. The KY SHPO has jurisdiction as established in the NHPA for historic properties in Kentucky.
- F. Consulting Parties listed in Exhibit 2 have been consulted by ODOT and KYTC during the Section 106 process. Concurrence with the PA by a party does not necessarily indicate that the party supports the Project, the Preferred Alternative, or all stipulations of this PA, but rather indicates the desire of such party to acknowledge consultation and/or remain involved in implementation of specific terms of this PA.

### II. Professional Standards

- A. Guidelines, standards and regulations relevant to this PA and its purposes are listed below. Additionally, it is the intention of the Signatories to interpret this PA to incorporate any subsequent standards, revisions of standards, or applicable guidance issued by the Secretary of the Interior, ACHP, OH SHPO, or KY SHPO as then in force during this PA.



1. 36 C.F.R. Part 800: Protection of Historic Properties, as amended (2022);
2. 36 C.F.R. Part 68, The Secretary of the Interior’s Standards for the Treatment of Historic Properties, hereinafter referred to as the “Secretary’s Standards”;
3. Secretary of the Interior’s *Standards and Guidelines for Archeology and Historic Preservation* (1983);
4. Secretary of the Interior’s Professional Qualifications Standards (48 Fed. Reg. 44738-39, September 29, 1983);
5. Policy Statement Regarding Treatment of Burial Sites, Human Remains and Funerary Objects (ACHP February 2007);
6. National Register of Historic Places Bulletin 15, How to Apply the National Register Criteria for Evaluation (National Park Service revised 1997);
7. *Archaeology Guidelines*, Ohio History Connection, State Historic Preservation Office (2022);
8. Ohio Revised Code Section 149.53: Archaeological and historic survey and salvage work;
9. ODOT’s *Cultural Resources Manual* (2012) or its successors; and
10. Kentucky Guidelines: *Specifications for Conducting Fieldwork and Preparing Cultural Resource Assessment Reports*; most recent version from the Kentucky State Historic Preservation Office, hereinafter referred to as KY SHPO Specifications;
11. KY SHPO’s February 12, 2020 MEMORANDUM - Update to State Level Documentation ([https://heritage.ky.gov/Documents/OfficialSLDUpdate\\_2-12-2020.pdf](https://heritage.ky.gov/Documents/OfficialSLDUpdate_2-12-2020.pdf));

### III. Agreed Upon Commitments

#### A. Commitments - Ohio

##### 1. General Cultural Resources Commitments

- a. The OH SHPO and Ohio Consulting Parties will be given an opportunity to review and comment on final design plans.

## 2. Architectural Properties

- a. B&O Freight and Storage Building/Longworth Hall - ODOT has proposed mitigation measures commensurate with the level of adverse effect to the B&O Freight and Storage Building/Longworth Hall, listed in the NRHP (NRHP 86003521) and located at 700 Pete Rose Way (Second Street), Cincinnati, Ohio. These mitigation measures have been developed in consultation with the OH SHPO and the Consulting Parties in consideration of the features and attributes that make the historic property eligible for listing in the NRHP. FHWA, with ODOT as its agent, will ensure the following mitigation measures are carried out as environmental commitments and as plan notes where applicable.
  - i. Treatment Plans - The treatment plans shall be developed in accordance with 36 C.F.R. Part 68, The Secretary of the Interior's Standards for the Treatment of Historic Properties, hereinafter referred to as the "Secretary's Standards." The plans will be developed during Phase 1: Preconstruction Phase of the Progressive Design Build Contract currently estimated for completion by April 2025. The OH SHPO, the building owner, and Cincinnati Preservation Association shall be provided the treatment plans for a 30-day review and comment period.
    - 1) Exterior Storm Windows - Storm windows will be installed on the exterior of the building.
    - 2) Restoration of the East Wall - Restoration of the east wall will be to an approximation of its original appearance and will include materials salvaged during demolition.
    - 3) Windows Removed to Accommodate the New Roadway Construction - Windows, removed to accommodate the new roadway construction, will be restored, and used in the east wall reconstruction. Windows, removed and not used in the east wall reconstruction, will be restored, and returned to the owner.
    - 4) Commemorative Cornerstone - A cornerstone, commemorating the date of construction (1904) on one side, and the date of the renovation on the other side, will be included in the east wall reconstruction design.

- 5) Masonry Repairs - Masonry repairs will include repair or replacement of bricks as warranted; tuck-pointing; and brick cleaning of west, north and south walls.
  - 6) Original Lettering - The original lettering across the top of the building will be refurbished.
  - 7) All Materials Removed - All materials removed, that retain historic integrity and nature, will be returned to the building owner to be used in future repairs or expansion.
- ii. Interpretive Plaque or Signage - Interpretive plaque or signage will be constructed.
- 1) The original location of the east wall, prior to the rehabilitation/construction of the Brent Spence Bridge, will be outlined by bricks and stonework.
  - 2) An interpretive plaque, describing changes to the property that have occurred overtime, will be placed near the original location of the east end wall.
- iii. Contracting Methods - ODOT will hold the and manage the contract(s) for all work conducted in 3.A.2.b.i-ii. The demolition and reconstruction of Longworth Hall will be performed in accordance with Section 13.3 of Exhibit E: Technical Requirements of the Progressive Design-Build Contract, as described in Appendix C. The interpretive plaque or signage will be constructed in accordance with Section 7.1 of Exhibit E: Technical Requirements of the Progressive Design-Build Contract, as described in Appendix C.
- iv. Acquisition - ODOT is in the process of acquiring the full property at a mutually agreed upon price and from a willing seller. Because the full property is to be acquired by ODOT, the following additional stipulations apply.
- 1) The building will remain occupied. ODOT may use interior space or the exterior grounds surrounding the building during project construction. No additional adverse effects are anticipated as a result of ODOT's use of the building or exterior grounds; however, if any activities on the property are anticipated to have potential adverse effects, they shall be permitted only after consultation between ODOT, CPA, and the OH SHPO pursuant to Stipulation V;

- 2) The existing Deed of Gift and Agreement for the Architectural Façade and Preservation Easement, dated December 30, 1986, granting Miami Purchase Association for Historic Preservation now known as Cincinnati Preservation Association an architectural façade and preservation easement of the B&O Freight and Storage Building/Longworth Hall, 700 Pete Rose Way (Second Street) (NRHP 86003521) will remain with the deed for any future sale of the property by ODOT and thus transferred to future potential owners in perpetuity.

### 3. Archaeology

- a. The Cincinnati Subway Tunnels and Portals - A plan note to avoid the 1920s Cincinnati subway tunnels (below-ground) and the Western Hills Viaduct subway tunnel portals (above-ground) will be included in the construction plans for the project.
- b. Soil and geotechnical borings conducted during the design phase in the Ohio River bottom area will be monitored and/or reviewed by an archaeologist or geoarchaeologist for evidence of buried archaeological deposits and/or undisturbed original landforms. If either are determined to be present, an archaeological testing strategy will be designed and implemented for the horizontal and vertical footprint of the bridge supports and construction work limits.

## B. Commitments - Kentucky

### 1. Architectural Properties

#### a. Recordation

- i. In order to preserve a record of its history and appearance, the structures within the Lewisburg Historic District to be demolished as a part of this project, will be recorded. Recordation will take place as soon as the properties have been acquired and well in advance of construction in this area; documentation of these structures, barring unforeseen circumstance, will take less than four months to complete. State Level I Documentation is specified and will include the following, per the KY SHPO's February 12, 2020 MEMORANDUM - Update to State Level Documentation:

- 1) A Kentucky Historic Resource Individual Survey form (KHC 2017-1 or current version of form), completed or updated as appropriate.

- 2) A historic context, a synthesis of both archival research and current information, presented both as part of the documentation package as well as included in the “Historical Information” section of the KY SHPO survey form in order to facilitate the separate archiving of these documents. Archival research, thorough but less intensive than a stand-alone historic context, shall be conducted to gather specific historical information about the property and its context with sources cited. If historic archival images are located, please include a representative sample or link to that resource.
- 3) Digital photographs showing all exterior elevations as well as close-ups of significant, character-defining features (i.e., brackets, hood moldings, decorative millwork, log notching/chinking, traditional timber frame joinery/truss systems, mantels, historic hardware/lighting, interior finishes, and/or stair details). Image resolution shall be no less than 6 megapixels (2000 x 3000-pixel image). Images should be in Tag Image File format (TIFF) or RAW format. The electronic files of the digital images should be included on an archival DVD-R disk and a flash drive submitted with the documentation package. Electronic files shall be labeled with the name and address of the building (if applicable), the Kentucky Heritage Council (KHC) survey number, view, and date of capture. In addition, all digital photographs will be included in the KHC survey form. A selection of images shall be printed on archival quality, acid-free paper (rather than as true photographic prints) at a minimum size of 5” x 7” (maximum size of 8 x 10”). These images shall be presented in the documentation package along with an index of photographs keyed to numbered photos. The photography index shall include the name and address of building (if applicable), view, and any explanatory notes necessary for review.
- 4) Measured floor plans of each floor of the building will be prepared by the Preservation Professional. Existing professional scaled drawings/building plans will be utilized whenever possible and presented in a .pdf format along with a hard copy of the existing plans. If existing drawings/plans are not available, will not meet the format recommended below, or parties otherwise agree that drawings/plans need to be prepared, drawings shall be created at a scale of ¼” per 1’-0” and shall be analytical in nature, labeling construction details, alterations, and additions. If applicable, drawings of building details (windows, moldings, mantels, etc.) shall be created at a scale of ½” per 1’-0”. Hand drawings shall be in pencil on archival-quality, acid-free vellum; however, if other formats are used (i.e., 3-dimensional laser

scanning/photogrammetry or Computer-Aided Design/CAD) the scale shall be comparable to that of the hand drawings. The latter native digital plans shall be presented in .pdf format along with a hard copy set of plans. Each drawing / image file shall be labeled as described in 1(c) above and shall be accompanied by a written description of the building(s) as well as an explanation of construction details.

- 5) One complete digital copy of the completed documentation will be submitted by the KYTC to the KY SHPO for review and acceptance. Upon notification of KY SHPO acceptance, the KYTC will provide one complete hard copy to the Kenton County Public Library. One complete digital copy will also be provided to the Kentucky Department for Libraries and Archives by KYTC.
- ii. Upon completion of the Project, KYTC shall prepare and provide to KY SHPO, documentation of appropriate boundaries for the Lewisburg Historic District. Once agreement is reached on appropriate boundaries, KYTC shall prepare a revised nomination form reflecting the newly established boundaries and submit it to KY SHPO for coordination with the Keeper of the NRHP.
  - iii. Upon completion of construction of the Project, KYTC shall prepare a Kentucky Historic Resource Individual Survey form (KHC 2017-1 or current version of form) for each of the properties located within the Lewisburg Historic District. A new survey form is required if more than 5 years have lapsed since the survey form was updated. These survey forms will be submitted to the KY SHPO in .pdf format.
- b. Façade Grant Program
- i. A Façade Grant Program administered by the City of Covington will be developed and implemented to improve and rehabilitate the façade of residential and commercial properties within the Lewisburg Historic District. Specific details of the program, including additional funding sources, review authority, owner matching funds, program marketing, and timeframes for approval and completion of projects will be determined through consultation between KYTC, the City of Covington, KY SHPO, and FHWA. Consultation between these listed parties will take place after this PA has been signed and after project funds have been released by FHWA. Details for administering the program, including oversight, selection criteria, monitoring, and tracking and reporting of completions and expenditures will be delineated in a separate MOA developed for this purpose and agreed upon between the parties listed above.
  - ii. The Façade Grant Program will be provided with project funding in an

amount not to exceed \$1,200,000.00 for property improvements. The FHWA participation will terminate ten years from the date of program implementation.

c. Vibration Testing

- i. To avoid damage to historic properties, the KYTC shall ensure that construction blasting/vibration plans and bridge pier construction plans shall be developed by their contractor(s) prior to beginning any construction activities that would require blasting or result in vibration. These construction blasting/vibration plans shall be implemented during appropriate construction activities. Maximum threshold values for historic properties that the plan must meet are shown in Table 1 below. The values are presented in terms of peak particle velocity (PPV), the accepted method of evaluating the potential for damage. The vibration criteria shall apply for pile driving, vibratory compaction, and blasting activities.

Table 1 - PPV Thresholds

Type of Structure	Ground-borne Vibration Impact Level (PPV)
Fragile	0.20 in/sec
Extremely Fragile Historic	0.12n/sec

- ii. The KYTC shall discuss with the KY SHPO the protective measures to be used by the Contractor to protect historic resources from vibration damage. The KYTC shall seek the recommendations of the KY SHPO regarding any additional properties not identified by the Contractor that should be considered Extremely Fragile.
  - 1) These plans shall be developed, as directed by the contract documents, for all areas within 100' of the potential disturb limits that contain historic structures.
  - 2) Existing conditions of historic structures and current levels of vibration within the selected areas will be obtained first as a baseline for later comparison. Structural engineers will focus on identifying fragile and extremely fragile historic structures. In areas where historic structures are identified but they are not considered either fragile or extremely fragile, vibration levels will be limited to 0.20 in/sec. An initial report of baseline conditions, including structures selected for monitoring and existing vibration levels, will be compiled and coordinated with KY SHPO for review.

- 3) Construction methods adjacent to selected areas will be assessed to determine the potential to create vibration levels that may exceed the threshold limits. In areas where construction methods may exceed vibration threshold limits, alternate methods will be required.
- 4) A third-party contractor will be retained to monitor vibrations and report results on site to the contractor and the KYTC resident engineer. If continuous vibration levels exceed the 0.20 threshold, the vibration equipment monitor shall notify the resident engineer and the construction contractor so that methods can be adjusted to reduce the vibration. If continuous vibration levels exceed 0.20 in/sec. after adjustments have been made, work will need to cease in the area until different methods can be put in place to lessen vibration impacts.
- 5) As construction activities will be continuously monitored to ensure that vibration limits remain below the threshold noted above, the need for daily inspection of adjacent buildings is not anticipated. However, if any transient event occurs that is in excess of 0.50 in/sec, a cursory examination of buildings in the area will be made to check for potential damages.
- 6) Monitoring will occur when active construction activities are adjacent to selected areas. As construction activities are expected to move from location to location or may occur adjacent to multiple areas at once, all selected areas will not be continuously monitored, especially if no construction activities are occurring adjacent.
- 7) At least one examination of structures in each area selected for vibration monitoring will be made during construction, and a post-construction final inspection will be made of each area to determine if there have been any changes to the condition of the buildings. A comparison of pre-, mid-, and post-construction building condition assessments will be compiled in a report and submitted to the KY SHPO for review.
- 8) The KYTC in consultation with KY SHPO will make the determination whether damage has occurred to historic properties identified in the Section 106 process as a result of Project activities.
- 9) The KYTC shall be responsible for repair of any blast and vibration damage to historic properties. Any repairs shall be coordinated in advance with the KY SHPO to ensure they are carried out in



accordance with the Secretary of the Interior's *Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* (Secretary's Standards).

10) Where access to privately owned property is necessary for monitoring or damage repair, consent shall be obtained prior to entry.

## 2. Archaeological Resources

The FHWA shall ensure that the following archaeological work required by this PA is carried out by in accordance with the KY SHPO policies and procedures:

- a. A Phased Archaeological Survey will be conducted on one parcel (Exhibit 1). This parcel is occupied by parking lots for the adjacent Kenton County Administration Building. Once this parcel is acquired, a Phase I archaeological survey shall be conducted prior to the initiation of any ground disturbing activities, such as utility relocation or construction, to determine if the parcel contains archaeological sites that are eligible for listing in the NRHP. All work must comply with the most recent version of KY SHPO Specifications. Upon completion of the survey, a report shall be prepared in accordance with KY SHPO Specifications and shall be submitted by the FHWA, with KYTC as its agent, to the KY SHPO and interested Indian Tribes for review and comment.
- b. Any sites determined to be eligible for the NRHP through Phase II testing that cannot be avoided and will be impacted by the Project, then FHWA will consult with the KY SHPO and other parties whom the FHWA deems appropriate and develop a research design and recovery plan (Plan) in conformance with the KY SHPO Specifications. The Plan will be submitted to the KY SHPO for review and comment. Unless the KY SHPO comments or objects within thirty (30) days of receiving the Plan, The FHWA shall ensure that the Plan is implemented.

**IV. Monitoring and Reporting** - ODOT and KYTC will notify FHWA, SHPO, and Signatory Parties as stipulations in this PA are fulfilled. Furthermore, FHWA, with ODOT and KYTC as its agents, will report to SHPOs and Signatory Parties on the status of the PA annually, submitted no later than the end of each calendar year.

**V. Post-Review Unanticipated Discoveries of Historic Properties** - If previously unidentified historic properties, or unanticipated effects on known historic properties, are discovered after completion of the Section 106 process, ODOT and KYTC shall follow unanticipated discovery plans for their respective states located in Appendix A.

**VI. Unanticipated Discovery of Human Remains** - If previously unidentified human remains are discovered during ground-disturbing activities, such as monitoring, testing, and construction, ODOT and/or KYTC shall implement the discovery plan for their respective states included in Appendix B.

## **VII. Dispute Resolution -**

A. Should any Signatory or consulting party to this PA object to any actions proposed or the manner in which the terms of this PA are implemented, the FHWA, with ODOT and/or KYTC as its agents, shall consult with such party to resolve the objection. Agency contact information is included in Exhibit 3 of this PA. If the FHWA, with ODOT and/or KYTC as its agents, determine that such objection cannot be resolved, the FHWA will:

1. Forward all documentation relevant to the dispute, including FHWA's proposed resolution, to ACHP. ACHP shall provide FHWA with its comment on the resolution of the objection within 30 days of receiving adequate documentation. Prior to reaching a final decision on the dispute, FHWA shall prepare a written response that takes into account any timely advice or comments regarding the dispute from ACHP, Signatories and Consulting Parties and provide them with a copy of this written response. FHWA will then proceed according to its final decision.
2. If ACHP does not provide its advice regarding the dispute within the 30-day period, FHWA may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, FHWA shall prepare a written response that takes into account any timely comments regarding the dispute from the Signatories and Consulting Parties to the PA and provide them and ACHP with a copy of such written response.
3. In the case of objections related to NRHP eligibility, any Signatory may object in writing within 30 days. If ODOT and/or KYTC and FHWA are unwilling to revise the determination in response to the objection or other relevant information, FHWA, with ODOT and/or KYTC as its agent, will submit the determination to the Keeper of the NRHP for a determination pursuant to 36 C.F.R. Part 63.

**VIII. Amendments** - Any Signatory to this PA may request that it be amended, whereupon the Signatories will consult in accordance with 36 C.F.R. 800.14 to consider such an amendment. This PA may be amended when such an amendment is agreed to in writing by all Signatories. The amendment will be effective on the date a copy signed by all of the Signatories is filed with the ACHP.

**IX. Termination** - If any Signatory Party to this PA determines their responsibilities under this PA will not or cannot be carried out, that party shall immediately consult with the other Signatory Parties to attempt to develop an amendment pursuant to Stipulation VIII, above. If within 30 calendar days an amendment cannot be reached, any Signatory Party may terminate the PA upon written notification to the other Signatory Parties. Once the PA is terminated, and prior to work continuing on the undertaking, FHWA, with ODOT and/or KYTC as its agent, must either: (a) consult with the Signatory to execute an alternate agreement pursuant to 36 C.F.R. 800.6; or (b) request, consider, and respond to the

comments of the ACHP in accordance with 36 C.F.R. 800.7(a). FHWA, with ODOT and/or KYTC as its agents, shall notify the signatories as to the course of action they will pursue.

- X. **Duration** - This PA will continue in full force and effect until 20 years from the date of execution of the PA, or such time of final acceptance of the Project and when all terms of this PA have been met, should the terms be met prior to the 20-year expiration. The PA will be invalid if the Project is terminated or authorization for the Project is rescinded. At any time in the six-month period prior to its expiration, the Signatories will consult to consider an extension or amendment of the PA. At such time, the Signatories may consider an amendment to extend the PA unmodified for an additional specified duration or consult to amend the PA in accordance with Stipulation VIII. No extension or amendment will be effective until all Signatories have signed the amendment or amendment to extend.
  
- XI. **Execution** - Execution of this PA by FHWA, ODOT, KYTC, OH SHPO, KY SHPO, and the City of Covington, and implementation of its terms, is evidence that FHWA, with ODOT and KYTC as its agents, have taken into account the effects of the undertaking on historic properties and afforded the ACHP an opportunity to comment.

[signatures on the following pages]

SIGNATORY

PARTY:

**FHWA OHIO  
DIVISION**

**ERIC HOWARD  
ROSS**

Digitally signed by ERIC  
HOWARD ROSS

Date: 2023.10.20 11:55:44  
-04'00'

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Eric Ross

Federal Highway

Administration Ohio

Division

200 North High Street, Room 328

Columbus, Ohio 43215

(614) 280-6879

[Eric.Ross@dot.gov](mailto:Eric.Ross@dot.gov)

Date

SIGNATORY PARTY:

**FHWA KENTUCKY DIVISION**

**TODD A JETER** Digitally signed by TODD A JETER  
Date: 2023.10.20 10:41:48 -04'00'

10/20/2023

---

Todd Jeter  
Federal Highway Administration  
Kentucky Division  
John C. Watts Federal Building  
330 West Broadway  
Frankfort, Kentucky 40601  
(502)223-6720  
[todd.jeter@dot.gov](mailto:todd.jeter@dot.gov)

Date

SIGNATORY PARTY:

**OHIO'S STATE HISTORIC PRESERVATION OFFICE**

*Diana Welling*

September 28, 2023

---

Diana Welling, Department Head, Resource Protection and Review      Date

Ohio's State Historic Preservation Office

Ohio History Connection

800 E. 17<sup>th</sup> Avenue

Columbus, Ohio 43211

614-298-2000

[dwelling@ohiohistory.org](mailto:dwelling@ohiohistory.org)

SIGNATORY PARTY:

**KENTUCKY HERITAGE COUNCIL**



10/4/2023

---

Craig Potts, Director and State Historic Preservation Officer  
Kentucky Heritage Council  
The Barstow House  
410 High Street  
Frankfort, KY 40601  
(502)892-3601  
[craig.potts@ky.gov](mailto:craig.potts@ky.gov)

Date

SIGNATORY PARTY:

**OHIO DEPARTMENT OF TRANSPORTATION**

*Jack Marchbanks-TMH*  
Jack Marchbanks Ph.D., Director  
Ohio Department of Transportation  
1980 West Broad Street  
Columbus, Ohio 43223  
[Jack.Marchbanks@dot.ohio.gov](mailto:Jack.Marchbanks@dot.ohio.gov)


9/21/2023

Date



SIGNATORY PARTY:

**KENTUCKY TRANSPORTATION CABINET**

DocuSigned by:  
  
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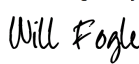
9/22/2023

**Kentucky Transportation Cabinet Signatory**

Date

Jim Gray, Secretary  
Office of the Secretary  
Kentucky Transportation Cabinet  
200 Mero Street  
Frankfort, KY 40622  
(502) 564-5102  
[KYTC.OfficeoftheSecretary@ky.gov](mailto:KYTC.OfficeoftheSecretary@ky.gov)

**APPROVED AS TO FORM AND LEGALITY**  
**KENTUCKY TRANSPORTATION**  
**CABINET**

DocuSigned by:  
  
78ED024141D14BD...

9/21/2023

General Counsel

Date

INVITED SIGNATORY:

CITY OF COVINGTON

*Joseph U. Meyer*

F6A53855FDB66E7D8C259B9D9239B77D

contractworks.

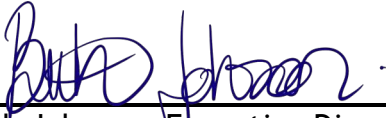
10/17/2023

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Joseph U. Meyer  
City of Covington, Mayor  
20 West Pike Street  
Covington, KY 41011  
(859)292-2160  
[jumeyer@covingtonky.gov](mailto:jumeyer@covingtonky.gov)

Date

CONCURRING PARTY:



9/29/23

---

Beth Johnson, Executive Director  
Cincinnati Preservation Association  
[Beth.Johnson@cincinnati-preservation.org](mailto:Beth.Johnson@cincinnati-preservation.org)

Date

CONCURRING PARTY:

---

Michael Schweitzer  
Longworth Hall  
[mschweitzer@me.com](mailto:mschweitzer@me.com)

Date

CONCURRING PARTY:

---

Chris Griffin, President  
West End Community Council

Date

CONCURRING PARTY:



9/25/2023

---

Gregory Johnson  
Chief Executive Officer  
Cincinnati Metropolitan Housing  
[Gregory.Johnson@cintimha.com](mailto:Gregory.Johnson@cintimha.com)

Date

CONCURRING PARTY:

---

Jason Barron, Director  
Cincinnati Park Board  
[Jason.Barron@cincinnati-oh.gov](mailto:Jason.Barron@cincinnati-oh.gov)

Date

CONCURRING PARTY:

---

Eric Olson  
Ohio Archaeological Council  
Eols.eric@gmail.com

Date



CONCURRING PARTY:

---

Kenton County Historical Society

Date

CONCURRING PARTY:

---

Rebecca Weber

Date

## ATTACHMENTS

## **Exhibits**

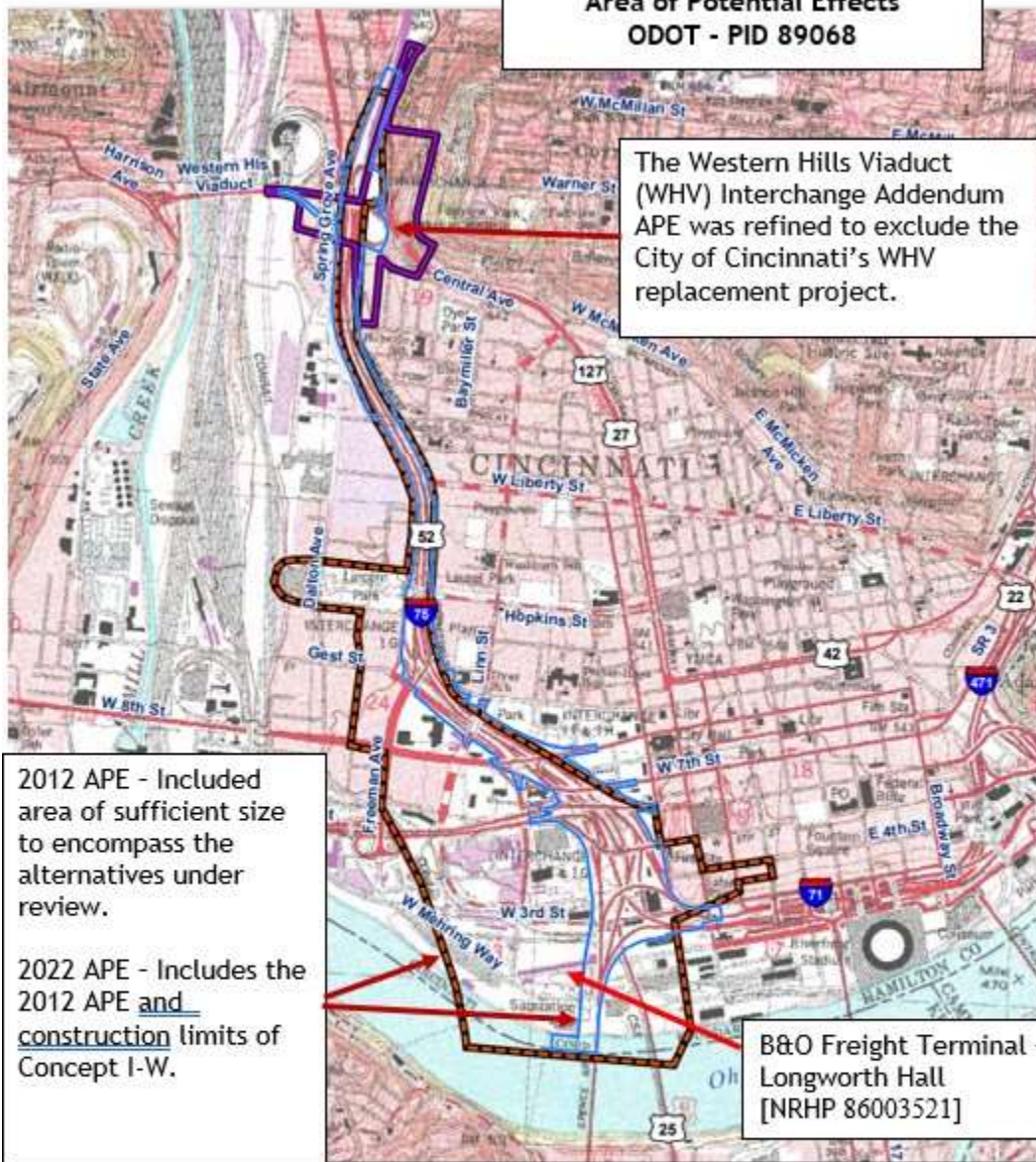
**Exhibit 1 - Area of Potential Effects**

**Exhibit 2 - Section 106 Consulting Parties**

**Exhibit 3 -List of Contacts**

**EXHIBIT 1**  
**Area of Potential Effects**  
**ODOT - PID 89068**

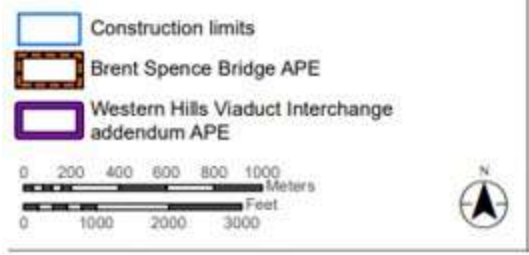
The Western Hills Viaduct (WHV) Interchange Addendum APE was refined to exclude the City of Cincinnati's WHV replacement project.



2012 APE - Included area of sufficient size to encompass the alternatives under review.

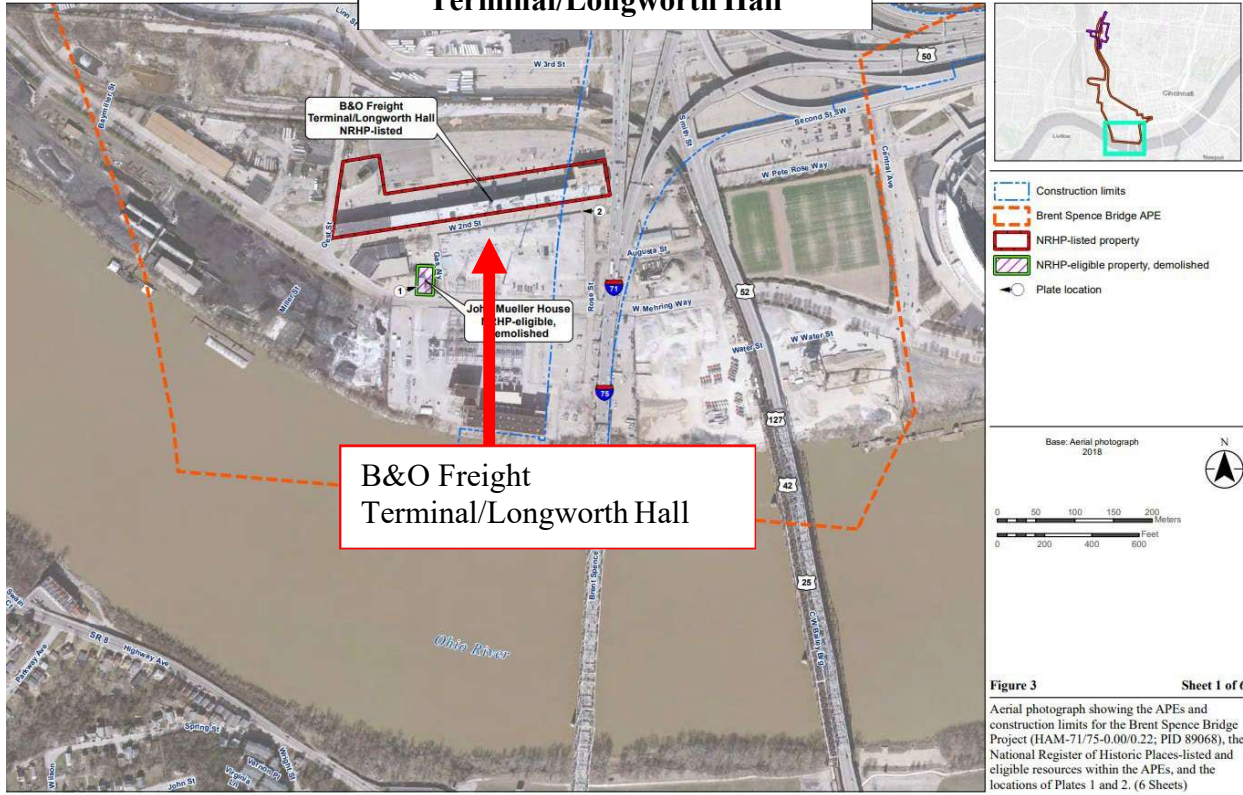
2022 APE - Includes the 2012 APE and construction limits of Concept I-W.

B&O Freight Terminal - Longworth Hall [NRHP 86003521]

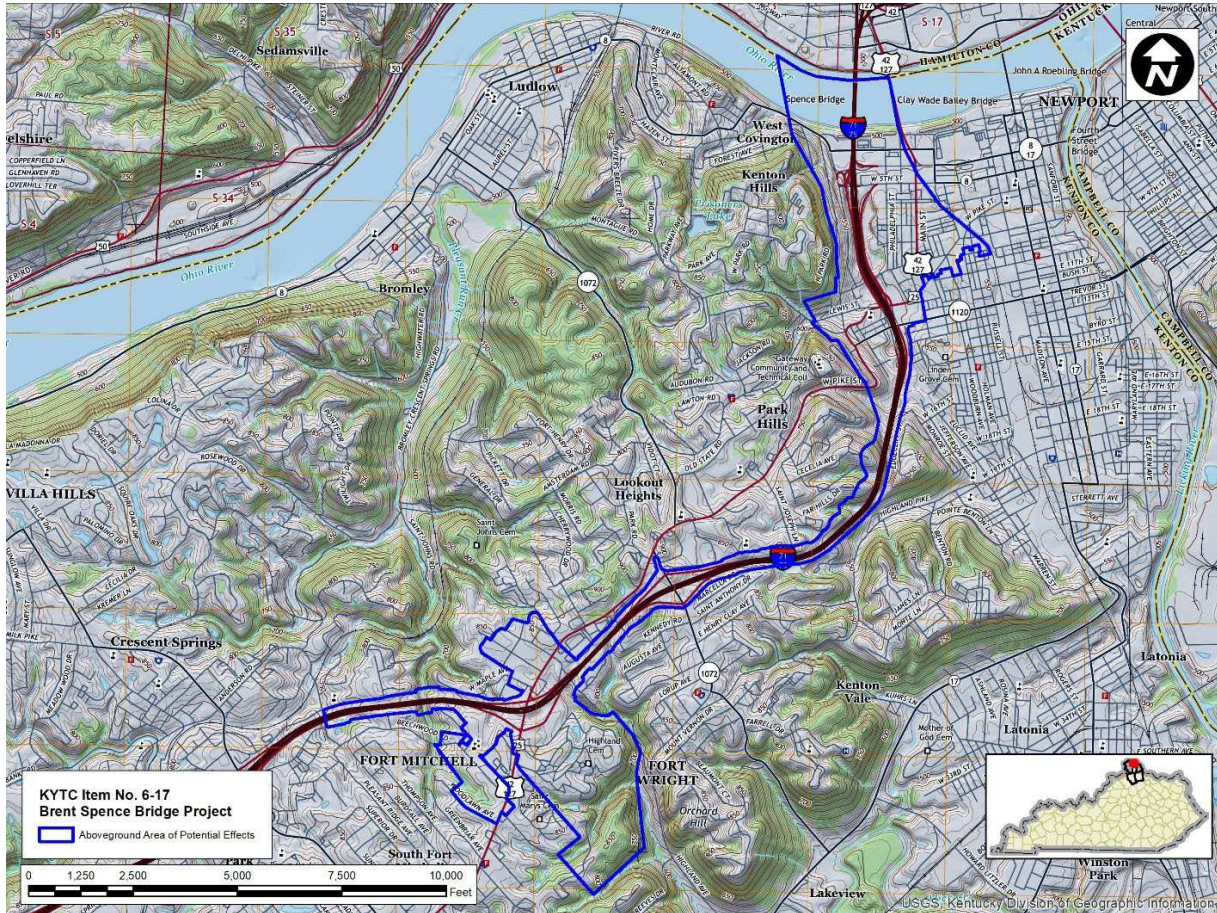


**Figure 2**  
 Portions of the 1961 (photorevised 1981) Cincinnati West, OH and 1981 (photorevised 1987) Covington, KY-OH quadrangles (USGS 7.5' topographic maps) showing the APEs and construction limits for the Brent Spence Bridge Project (HAM-71/75-0.00/0.22; PID 89068).  
 Base: USGS Cincinnati West, OH, and Covington, KY-OH, 7.5' series quadrangles

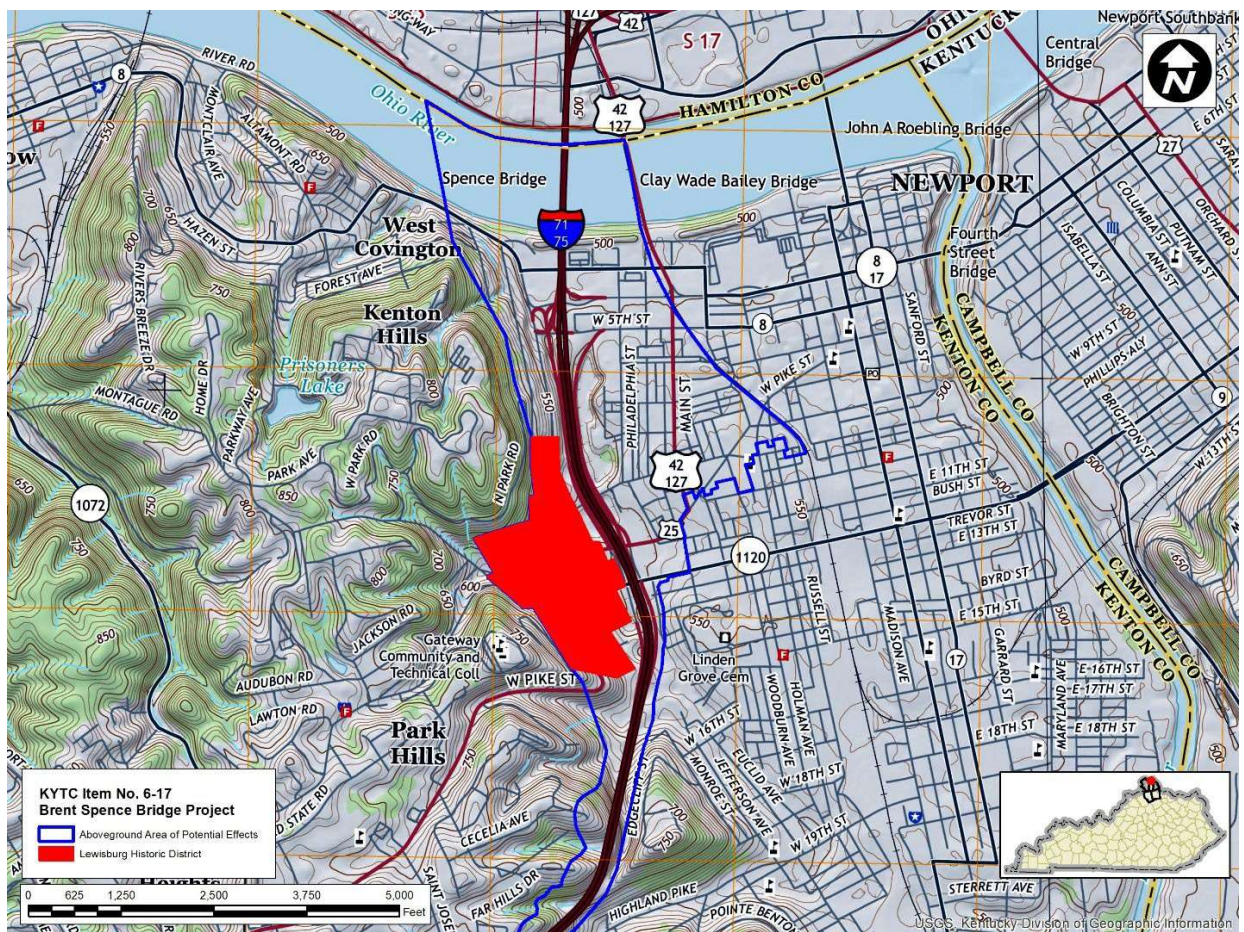
**EXHIBIT 1**  
**Area of Potential Effects**  
**ODOT – PID 89068**  
**B&O Freight**  
**Terminal/Longworth Hall**



**EXHIBIT 1**  
**Area of Potential Effects**  
**KYTC - Item Number 6-17.00**

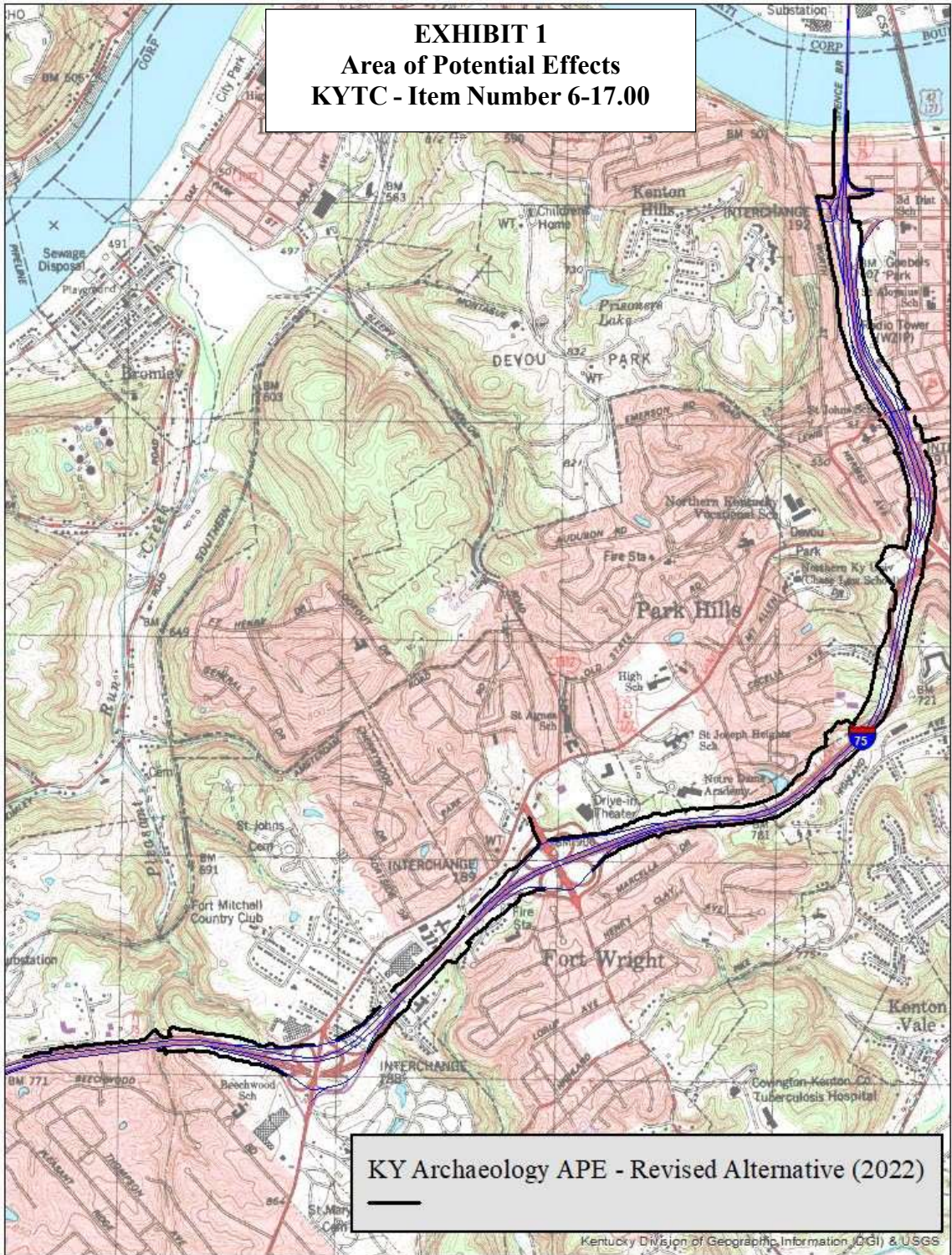


**EXHIBIT 1**  
**Area of Potential Effects**  
**KYTC - Item Number 6-17.00**





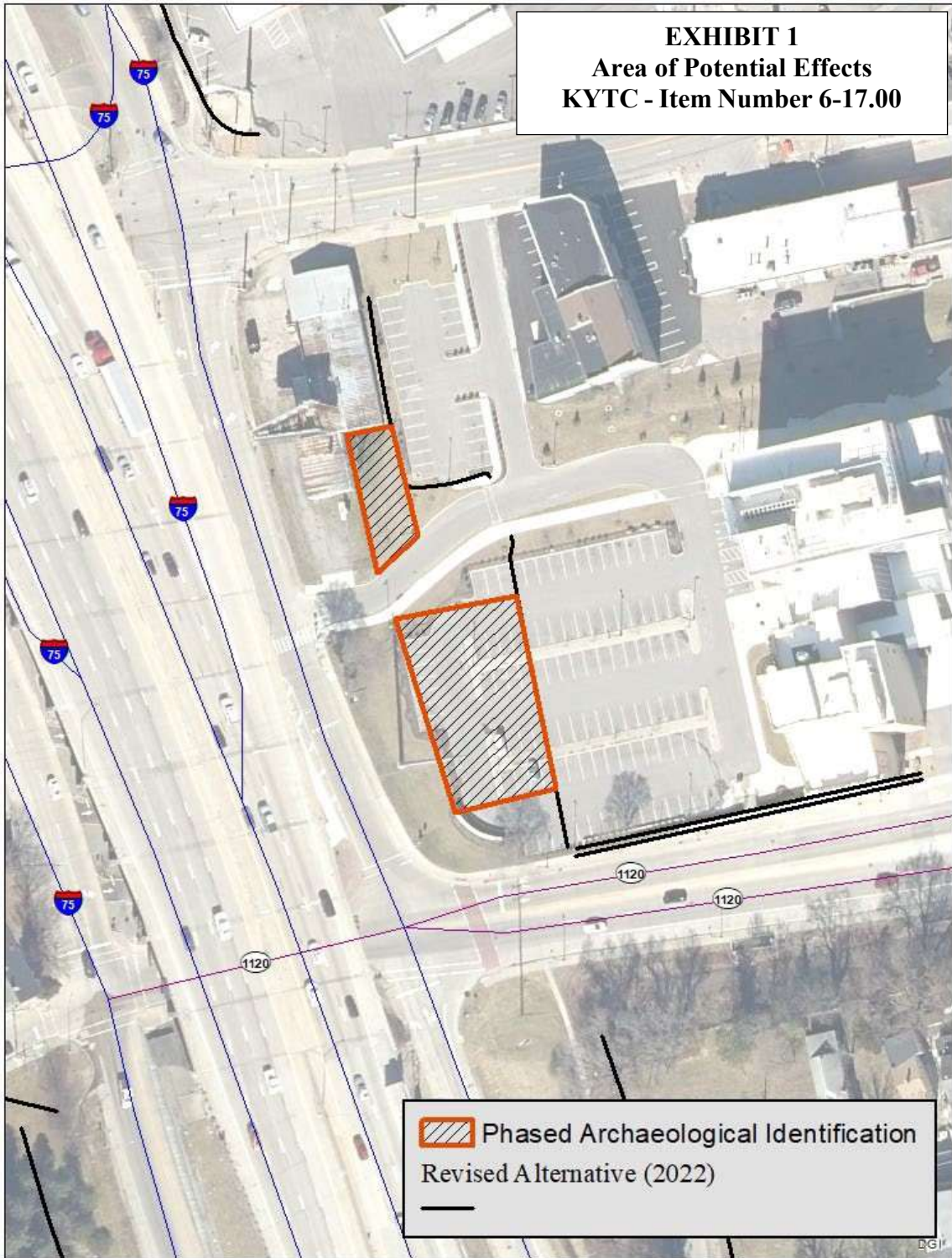
**EXHIBIT 1**  
**Area of Potential Effects**  
**KYTC - Item Number 6-17.00**



**KY Archaeology APE - Revised Alternative (2022)**

Kentucky Division of Geographic Information (DGI) & USGS

**EXHIBIT 1**  
**Area of Potential Effects**  
**KYTC - Item Number 6-17.00**



**Exhibit 2**

**Section 106 Consulting Parties – Ohio  
ODOT PID 89068**

<b>Consulting Party</b>	<b>Address</b>	<b>Phone &amp; Email</b>
Beth Johnson, Executive Director Cincinnati Preservation Association	812 Dayton Street Cincinnati, OH 45214	(513)721-4506 <a href="mailto:beth.johnson@cincinnati-preservation.org">beth.johnson@cincinnati-preservation.org</a>
Michael Schweitzer Longworth Hall	700 Pete Rose Way Cincinnati, OH 45203	(513)721-6000 <a href="mailto:mschweitzer@me.com">mschweitzer@me.com</a>
Jim Gray, Secretary Transportation Cabinet	Office of the Secretary 200 Mero Street Frankfort, KY 40622	(502)564-5102 <a href="mailto:KYTC.OfficeoftheSecretary@ky.gov">KYTC.OfficeoftheSecretary@ky.gov</a>
Craig Potts, Director State Historic Preservation Officer, Kentucky Heritage Council	Barstow House 410 High Street Frankfort, KY 40601	(502)892-3601 (502)564-7005 <a href="mailto:Craig.potts@ky.gov">Craig.potts@ky.gov</a>
Jason Barron, Director Cincinnati Park Board	950 Eden Park Drive Cincinnati, OH 45202	(513)352-4079 <a href="mailto:Jason.barron@cincinnati-oh.gov">Jason.barron@cincinnati-oh.gov</a>
Chris Griffin, President West End Community Council	P.O. Box 14424 Cincinnati, OH 45250	(513)746-9506 <a href="mailto:Cgriffin.nati@yahoo.com">Cgriffin.nati@yahoo.com</a>
Gregory Johnson Chief Executive Officer Cincinnati Metropolitan Housing Authority	1088 West Liberty Street Cincinnati, OH 45214	(513)977-5847 <a href="mailto:Gregory.Johnson@cintimha.com">Gregory.Johnson@cintimha.com</a>
Elizabeth Hoag, President-Elect Ohio Archaeological Council	P.O. Box 82012 Columbus, OH 43224	(614)266-6059 <a href="mailto:ehoag@cia.edu">ehoag@cia.edu</a>

**Section 106 Consulting Parties - Kentucky KYTC  
Item Number 6-17.00**

<b>Consulting Party</b>
City of Covington - Mayor
City of Covington - Historic Preservation
City of Covington - Neighborhood Services
Kenton County Historical Society
Kentucky Heritage Council
Ohio Historic Preservation Office
Rebecca Weber, Realtor

**Exhibit 2**  
**Tribal**  
**Consultation**  
**Federally Recognized Tribes Consulted**

Absentee Shawnee Tribe of Oklahoma

Cherokee Nation\*

Delaware Tribe of Oklahoma

Eastern Band of Cherokee Indians

Eastern Shawnee Tribe of Oklahoma\*

Miami Tribe of Oklahoma\*

Osage Nation\*

Peoria Tribe of Indians of Oklahoma

Pokagon Band of Potawatomi

Seneca Nation of Indians

The Shawnee Tribe

United Keetoowah Band of Cherokee Indians

Wyandotte Nation

\* Response received



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

Ohio Division  
November 21, 2022

200 North High Street, Room 328  
Columbus, OH 43215  
614-280-6896

In Reply Refer To:  
HDA-OH

**ELECTRONIC CORRESPONDENCE ONLY**

Ms. Devon Frazier  
Tribal Historic Preservation Officer  
Absentee Shawnee Tribe of Oklahoma  
2025 S. Gordon Cooper Drive  
Shawnee, OK 74801-9381

Subject: Section 106 Consultation, Brent Spence Bridge Corridor, ODOT PID Number: 89068,  
KYTC Item Number: 6-17

Dear Ms. Frazier:

The Federal Highway Administration (FHWA), Kentucky and Ohio Divisions, would like to initiate consultation with the Absentee Shawnee Tribe of Oklahoma for the proposed Brent Spence Bridge Corridor project carrying Interstates 71 & 75 over the Ohio River, an undertaking subject to Section 106 of the National Historic Preservation Act (NHPA), as amended, and implementing regulations at 36 CFR Part 800: Protection of Historic Properties. The Project is located in Kenton County, Kentucky and Hamilton County, Ohio. Attached, please find a map showing the project location and general study area.

The FHWA, in cooperation with Ohio Department of Transportation (ODOT) and the Kentucky Transportation Cabinet (KYTC), will prepare a Supplemental Environmental Assessment (SEA) in accordance with the National Environmental Policy Act (NEPA).

In the Greater Cincinnati/Northern Kentucky region, the I-75 corridor suffers from congestion and safety-related issues as a result of inadequate capacity to accommodate current traffic demand. The purpose of the Project is to improve the operational characteristics, safety, and correct geometric deficiencies within the I-75 corridor for both local and through traffic, and to maintain connections to key regional and national transportation corridors. Additional information on the Project is available on the project website:  
<https://brentspencebridgecorridor.com/>

The project was previously evaluated in an Environmental Assessment (EA) resulting in an August 9, 2012, Finding of No Significant Impact (FONSI) identifying Alternative I as the preferred alternative for the BSB Corridor Project. Since 2012, FHWA completed two re-evaluations of the BSB Corridor Project. The first re-evaluation was completed on February 11, 2015, and the second re-evaluation was completed on March 15, 2018. As part of the 2018 re-evaluation, FHWA determined the environmental resource studies were more than five years old and would require additional review to ensure the NEPA decision remained valid based on the possibility of new, changed, or additional regulatory requirements. Both re-

evaluations concluded that until KYTC and ODOT committed to any potential changes in project scope and the required re-evaluation has been completed, the existing FONSI dated August 9, 2012, would remain valid.

Based on the results of all archaeological survey work within the Kentucky portion of the project in 2010-2011 and again in 2022, no prehistoric/Native American sites were documented. Additionally, there are no previously known prehistoric/native American sites known within the project footprint. During the survey work in 2010 and 2011, portions of the area of potential effects (APE) were inaccessible. Except for the areas discussed in the paragraph below, all previously inaccessible areas were surveyed in 2022. In a Phase I Cultural Investigation report completed in September 2022, the KYTC recommended that no additional archaeological work be required for the previously inaccessible areas. The Kentucky State Historic Preservation Office (SHPO) reviewed the 2022 Phase I report and accepted the report without comment.

There are two small areas under the parking lot of the Kenton County Government Offices that are pending archaeology evaluation. These areas may contain late 19<sup>th</sup> century residential deposits associated with a contemporaneous brewery. Because of the disruptive nature of this work, the archaeology investigations in this parking lot are being deferred until the property is acquired and more detailed plans are available that provide a clear and definable horizontal and vertical area of potential effects (APE).

In Ohio, the project lies in industrial/commercial setting through the downtown metro area of the City of Cincinnati. Archaeological investigations performed in 2010 identified heavily modified soils and altered land surfaces throughout the entire project area, a result of multiple waves of commercial and industrial development. A re-evaluation recently performed for cultural resources concluded that all areas of the preferred alternative have been addressed by the previous archaeological studies.

On October 31, 2011, the Ohio State Historic Preservation Office (SHPO) concurred the undertaking contained no potential for intact archaeological resources due to extensive highway construction and/or sequential urban development and redevelopment with the following exception. ODOT has committed to conduct soil borings during the design phase of the project in the river bottom area and have those samples reviewed by a geomorphologist/archaeologist for evidence of buried archaeological deposits and/or undisturbed original landforms. If such situations are identified, an archaeological investigation strategy will be developed and implemented for the horizontal and vertical footprint of the bridge supports and construction work limits.

We invite you to meet with representatives of the FHWA, ODOT, and KYTC to receive additional information about the Project, and to offer your views regarding the project location and potential to affect properties of religious and cultural significance to the Absentee Shawnee Tribe of Oklahoma. If you would like to meet with us to discuss the Project, please provide your availability to meet between January 3, 2023, and February 23, 2023. We will contact you to set up a date and time.

If you have any questions or would like to discuss the project, please call Tim Long at (614) 280-6879 or email at [timothy.long@dot.gov](mailto:timothy.long@dot.gov).

Sincerely,

**LAURA S**  
**LEFFLER**

Digitally signed by  
LAURA S LEFFLER  
Date: 2022.11.22  
07:41:58 -05'00'

Laura S. Leffler  
Division Administrator

Enclosure



## Miami Tribe of Oklahoma

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



Via email: [timothy.long@dot.gov](mailto:timothy.long@dot.gov)

November 29, 2022

Timothy Long  
Federal Highway Administration  
Ohio Division  
200 North High Street, Room 328  
Columbus, OH 43215

Re: Brent Spence Bridge Corridor Improvements, Kenton County, Kentucky & Hamilton County, Ohio – Comments of the Miami Tribe of Oklahoma

Dear Mr. Long:

Aya, kweehsitoolaani– I show you respect. The Miami Tribe of Oklahoma, a federally recognized Indian tribe with a Constitution ratified in 1939 under the Oklahoma Indian Welfare Act of 1936, respectfully submits the following comments regarding Brent Spence Bridge Corridor Improvements in Kenton County, Kentucky & Hamilton County, Ohio.

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

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

Respectfully,

*Diane Hunter*

Diane Hunter  
Tribal Historic Preservation Officer





GWYD D3P  
**CHEROKEE NATION®**

P.O. Box 948 • Tahlequah, OK, 74465-0948  
918-453-5000 • www.cherokee.org

**Chuck Hoskin Jr.**  
*Principal Chief*  
GP VPP S,15  
0-EGG,3

**Bryan Warner**  
*Deputy Principal Chief*  
SZ,3PV,3  
WP,1 DL3,1 0-EGG,3

December 19, 2022

Tim Long  
Federal Highway Administration  
200 North High Street, Room 328  
Columbus, OH 43215

Re: Brent Spence Bridge Corridor  
ODOT PID Number 89068; KYTC Item Number 6-17

Mr. Tim Long:

The Cherokee Nation (Nation) is in receipt of your correspondence about **Brent Spence Bridge Corridor**, and appreciates the opportunity to provide comment upon this project. Please allow this letter to serve as the Nation's interest in acting as a consulting party to this proposed project.

The Nation maintains databases and records of cultural, historic, and pre-historic resources in this area. Our Historic Preservation Office (Office) reviewed this project, cross referenced the project's legal description against our information, and found no instances where this project intersects or adjoins such resources. Thus, the Nation does not foresee this project imparting impacts to Cherokee cultural resources at this time.

However, the Nation requests that the Federal Highway Administration (FHWA) halt all project activities immediately and re-contact our Offices for further consultation if items of cultural significance are discovered during the course of this project. Additionally, the Nation requests that FHWA conduct appropriate inquiries with other pertinent Tribal and Historic Preservation Office regarding historic and prehistoric resources not included in the Nation's databases or records.

If you require additional information or have any questions, please contact me at your convenience. Thank you for your time and attention to this matter.

Wado,

Elizabeth Toombs, Tribal Historic Preservation Officer  
Cherokee Nation Tribal Historic Preservation Office  
elizabeth-toombs@cherokee.org  
918.453.5389



**EASTERN SHAWNEE**  
**CULTURAL PRESERVATION DEPARTMENT**  
70500 East 128 Road, Wyandotte, OK 74370

December 29, 2022  
US Department of Transportation FHA  
200 North High Street, Room 328  
Columbus, OH 43215

**RE: Brent Spence Bridge ODOT PID Number 89068 KYTC Item Number 6-17, Kenton and Hamilton County, Kentucky and Ohio**

Dear Mr. Long,

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

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

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

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

Sincerely,

Paul Barton, Tribal Historic Preservation Officer (THPO)

---

Eastern Shawnee Tribe of Oklahoma  
(918) 666-5151 Ext:1833  
THPO@estoo.net

**Watkins, Jason**

---

**From:** Deseray Helton <[deseray.helton@osagenation-nsn.gov](mailto:deseray.helton@osagenation-nsn.gov)>  
**Sent:** Friday, April 28, 2023 12:49 PM  
**To:** Watkins, Jason  
**Subject:** Brent Spence Bridge Corridor project

Good Afternoon Mr. Watkins,

The Osage Nation has been inundate with not only our regular S.106 review duties but a number of survey and monitoring projects and this has unfortunately caused pile ups of projects in need of review.

I came across the Brent Spence Bridge Corridor project and would greatly appreciate any status update you can provide especially pertaining to any ongoing or planned CRS for both the Ohio and Kentucky sides of the project.

Best Regards,



**Deseray Wrynn**  
Pronouns: She/her/hers  
Archaeologist, MA  
Osage Nation Historic Preservation Office  
627 Grandview Avenue, Pawhuska, OK 74056  
Office:918-287-9719 | Fax: 918-287-5376  
[deseray.helton@osagenation-nsn.gov](mailto:deseray.helton@osagenation-nsn.gov)  
<https://www.osageculture.com/culture/historic-preservation-office>



Starting October 1, 2022 the Osage Nation Historic Preservation Office is changing the project notification process. **All project notifications and reports must be emailed to [s106@osagenation-nsn.gov](mailto:s106@osagenation-nsn.gov)** Include the Lead Agency, Project Name and Number on the subject line.

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**Watkins, Jason**

---

**From:** Watkins, Jason  
**Sent:** Tuesday, May 16, 2023 10:42 AM  
**To:** Deseray Helton  
**Cc:** Baughman, Pamela (FHWA); [timothy.long@dot.gov](mailto:timothy.long@dot.gov)  
**Subject:** RE: Brent Spence Bridge Corridor project  
**Attachments:** Project Mapping from Disturbance Assessment\_2010.pdf

Hello Deseray.

Hope the volume of 106 projects are easing up a bit for you. With Spring and Summer projects likely ramping up, I'm sure your schedule is full of monitoring requests, eh?

Before I start, let me apologize for the length of this email. I tried to summarize everything that has been done to date and clearly identify next steps. This project has been around for a while and it's a rather big one, so there are a lot of aspects and history. I tried to keep it simple and tried to be concise. But if you have any questions just let us know.

Also, it occurred to me that The Osage Nation was not part of the initial tribal coordination for this project (back in 2012). So, you likely did not receive the survey reports completed for this project (which were largely disturbance assessments here on the Ohio side). We'll be happy to send these to you, just let me know if you prefer hard copies or digital copies of the reports (they are far too large to email).

And one more thing to note before I get into the project summary. The new contact for tribal consultation at the FHWA Ohio Division is Environmental Program Manager Pamela Baughman, who can be reached at [pamela.baughman@dot.gov](mailto:pamela.baughman@dot.gov) or (614) 280-6835. Pam worked with the Georgia DOT (as an archaeologist and worked on multiple projects and mitigation efforts with Georgia DOT's tribal partners). She also worked at the NPS prior to coming to FHWA. You can also contact Tim Long (who sent the project initiation letter last November), Planning, Environment, and Realty Team Leader, at (614) 280-6879 or [timothy.long@dot.gov](mailto:timothy.long@dot.gov). They are both copied on this email and feel free to contact them anytime.

Now for a project summary and update:

The HAM-I75 corridor improvement project (commonly referred to as Brent Spence Bridge Corridor Project (BSBCP), or ODOT PID Number 89068, KYTC Item Number: 6-17) has been in the planning and design stage for over a decade. The critical element is the replacement of the I75/I71 bridge over the Ohio River, named the Brent Spence Bridge, in Kenton County, Kentucky, and Hamilton County, Ohio, and the purpose is to improve safety and operational characteristics for both local and through traffic. The project has been designed to minimize the project's footprint and to limit impacts to residential and commercial areas, so that the project corridor in large part follows the existing interstate alignment with additions to accommodate collector-distributor lanes and revised lane configurations. Additional information on the Project is available on the project website: <https://brentspencebridgecorridor.com/>.

The project includes three phases, and the largest phase will be completed as progressive design-build. Selections for the prime contractor are currently underway. Both ODOT and KYTC are separately conducting their right-of-way acquisition. In Ohio, of the 79 parcels to be acquired, 70 are complete. The remaining 9 are commercial or railroad properties along the Ohio River in downtown Cincinnati. In Kentucky, 40 of the 70 needed parcels have been acquired. The project was previously evaluated in an Environmental Assessment (EA) resulting in an August 9, 2012, Finding of No Significant Impact (FONSI). Since 2012, FHWA has completed two re-evaluations of the BSBCP, in 2015 and 2018. At this time, FHWA, in cooperation with ODOT and the Kentucky Transportation Cabinet (KYTC), is preparing a Supplemental Environmental Assessment (SEA) in accordance with the National Environmental Policy Act (NEPA). In a

## Exhibit 3

### FHWA, ODOT, and KYTC Staff Contact Information

#### FHWA

Timothy Long  
Planning, Environment, and Realty Team Leader  
Federal Highway Administration  
Ohio Division  
200 North High Street, Room 328  
Columbus, Ohio 43215  
(614) 280-6879  
[Timothy.long@dot.gov](mailto:Timothy.long@dot.gov)

#### ODOT

Keith Smith P.E.  
District Environmental Coordinator  
ODOT District 8  
505 S. SR 741, Lebanon, Ohio 45036  
(513)933-6590  
[Keith.Smith@dot.ohio.gov](mailto:Keith.Smith@dot.ohio.gov)

#### KYTC

Stacey Hans  
Executive Advisor  
KYTC District 6  
Kentucky Transportation Cabinet  
421 Buttermilk Pike  
Covington, KY 41017  
(859) 462-6010  
[stacey.hans@ky.gov](mailto:stacey.hans@ky.gov)

## **Appendices**

**Appendix A - Post-Review Unanticipated Discoveries Plans**

**Appendix B - Unanticipated Discovery of Human Remains Plans**

**Appendix C - Longworth Hall Demolition and Reconstruction Contracting Requirements**

## Appendix A

### Post-Review Unanticipated Discoveries Plan - Ohio

In accordance with Stipulation V of this PA, the following plan shall be followed in the event of an unanticipated discovery of previously unidentified historic properties, or unanticipated effects on historic properties, after completion of the Section 106 process in Ohio.

- (1) Discoveries Made Prior to Project Construction:
  - a) If previously unidentified archaeological or historic properties, or unanticipated effects, are discovered after ODOT-OES has completed a good faith effort to identify properties and carry out its review prior to commencement of project construction, ODOT-OES, in consultation with SHPO, FHWA, and Indian tribes, shall carry out the applicable requirements of 36 CFR § 800.13 and the ACHP need not be notified unless they participated in the project originally or at the request of Indian tribes or consulting parties.
- (2) Discoveries Made After Project Construction Begins:
  - a) If previously unidentified archaeological or historic properties, or unanticipated effects on such properties, are discovered after project construction begins, that portion of the project will stop immediately pursuant with Section 203.04 of ODOT's Construction and Material Specifications (and any successors to those specifications).
  - b) The project engineer will immediately contact ODOT-OES cultural resources staff, the ODOT District 8 Environmental Coordinator, and FHWA. If a person or entity other than the project engineer (e.g., a local resident) reports the discovery, the notified entity will notify the project engineer, ODOT-OES cultural resources staff, and the ODOT District 8 Environmental Coordinator immediately. The project engineer will stop work immediately. No further construction within 100 feet of the discovery will proceed until the requirements of 36 CFR § 800.13 have been satisfied, including consultation with consulting parties and/or Indian tribes that may attach traditional cultural and religious significance to the discovered property, as appropriate.
  - c) Within two business days ODOT-OES shall assess the discovery and if it is determined to be potentially eligible, provide notification to SHPO, FHWA, consulting parties, and Indian tribes, as appropriate. Notification shall include, to the extent such information is available: description of the nature and

extent of the property or properties, assessment of NRHP eligibility of any properties, the type and extent of any damage to the property, the proposed action, any prudent and feasible treatment measures that would take any effects into account, and a request for comments.

- d) Should any of the notified parties respond with comments within three business days of the initial notification of the discovery or indicate that they wish to be involved in resolving the situation, FHWA, with ODOT as their agent, shall take into account their comments or continue consultation with any commenting parties. FHWA, with ODOT as their agent, shall determine the time frame for any further consultation, taking into account the qualities of the property, consequences of construction delays, and interests of the parties. Following the conclusion of any further consultation, FHWA, with ODOT as their agent, shall take all comments received into account and may carry out actions to resolve any effects. Failure of any notified party to respond within three business days of notification shall not preclude FHWA, with ODOT as their agent, from proceeding with their proposed actions.



## Appendix A

### Post-Review Unanticipated Discoveries Plan - Kentucky

In accordance with Stipulation V of this PA, the following plan shall be followed in the event of an unanticipated discovery of previously unidentified historic properties, or unanticipated effects on historic properties, after completion of the Section 106 process in Kentucky.

1. If, during the implementation of The Project, a previously unidentified historic property is discovered or a previously identified historic property is affected in an unanticipated manner, FHWA, and KYTC as its agent, shall ensure all work within a reasonable area of the discovery shall cease until such time as a treatment plan can be developed and implemented as set forth below.
2. KYTC shall require the contractor to take all reasonable measures to clearly mark and avoid harm to the property until FHWA concludes consultation with the KY SHPO, Indian Tribes, and other parties deemed appropriate by FHWA (hereafter in this section, the “Parties”).
3. Upon being notified of the discovery, FHWA shall implement procedures set forth in 36 CFR 800.13(b).
4. Within forty-eight (48) hours of notification of the discovery, or at the very earliest opportunity thereafter, FHWA shall contact the Parties, and provide written details of the discovery.
5. Within forty-eight (48) hours of the discovery, or at the very earliest opportunity thereafter, a qualified professional archaeologist and the KYTC shall conduct an on-site evaluation to consider eligibility, effects, and possible treatment measures. The Parties shall be provided an opportunity to participate in the on-site evaluation and shall be notified in advance of the location, date, and time.
6. If, based on the on-site evaluation, FHWA determines a historic property is being adversely affected, then the Parties shall consult to determine an appropriate treatment plan, and FHWA, and KYTC as its agent, shall develop a treatment plan (Plan). The Plan shall be submitted to the Parties for review and comment within seven (7) days of receipt of the proposed Plan. FHWA shall take comments received into account in developing and implementing the final plan.

7. If FHWA and the Parties agree the discovery is not eligible for the NRHP, then ground-disturbing work may proceed.
8. If FHWA and the Parties cannot reach agreement regarding eligibility, effects, or treatment, then they shall follow the provisions outlined in Stipulation VII - Dispute Resolution.

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## Appendix B

### Unanticipated Discovery of Human Remains - Ohio

In accordance with Stipulation VI of this PA, the following plan shall be followed in the event of an unanticipated discovery of human remains during ground-disturbing activities, such as monitoring, testing, and construction, in Ohio.

- (1) Historic and prehistoric human remains are subject to protection under ORC Sections 2909.05 and 2927.11. As such, if previously unidentified human remains are discovered at any point during the project (during environmental studies, pre-construction activities, or construction), work within 100 feet of the discovery will stop immediately.
  - a. The remains will be covered and/or protected in place in such a way that minimizes further exposure of and damage to the remains.
  - b. The ODOT project manager or project engineer will immediately consult with the ODOT District 8 Environmental Coordinator and the ODOT-OES Cultural Resources Section, and immediately notify local law enforcement and/or the County Coroner and FHWA.
- (2) If the remains are found to be of American Indian origin, ODOT-OES will immediately (but not longer than 48 hours), contact federally recognized Indian tribes and develop a treatment plan with Indian tribes in accordance with the tribal consultation guide developed by FHWA, ODOT, and federally recognized tribal partners.
  - a. Avoidance and preservation in place is the preferred option for treating human remains.
  - b. If avoidance and preservation in place is not possible, FHWA and ODOT- OES will ensure that any agreed upon treatment and reburial plan is fully implemented.
- (3) If the remains are not of American Indian origin, the appropriate local authority will be consulted to determine final disposition of the remains.
  - a. Avoidance and preservation in place is the preferred option for treating human remains.
  - b. If avoidance and preservation in place is not possible, ODOT-OES will ensure that any agreed upon treatment and reburial plan is fully implemented.
- (4) As all lands within the Project are non-federal lands, ODOT will comply with Section 149.53 of the ORC.
  - a. Under this section, the Director of the Ohio History Connection shall determine the final disposition of any discovered human remains.

## Appendix B

### Unanticipated Discovery of Human Remains - Kentucky

In accordance with Stipulation VI of this PA, the following plan shall be followed in the event of an unanticipated discovery of human remains during ground-disturbing activities, such as monitoring, testing, and construction, in Kentucky.

Procedures for addressing the treatment of human remains and grave goods shall be guided by the Advisory Council on Historic Preservation's (ACHP) Policy Statement Regarding Treatment of Burial Sites, Human Remains, and Funerary Objects" (adopted by the ACHP February 23, 2007), the KYTC's Right of Way Manual Section 1300, and other applicable state and local laws. If human remains are found during Project activities, construction activities in the immediate vicinity of those areas shall be halted and the County Coroner contacted. If the remains are determined to be of archaeological context, the KYTC Division of Environmental Analysis District archaeologist shall be notified. KYTC's archaeologist shall in turn notify the KY SHPO staff, FHWA personnel, and other parties as necessary. If associated burial items, sacred items, or items of cultural patrimony are discovered, work must stop in the immediate vicinity of the discovery and the KYTC archaeologist shall be notified.

If the discovery is precontact/American Indian in origin, FHWA shall provide notification and documentation to the KY SHPO, federally recognized Indian Tribes, and other parties deemed appropriate by the FHWA who have requested such notification. The FHWA shall consult with these parties to discuss avoidance, minimization of disturbance, or protocols for disinterment.

## Appendix C

### Longworth Hall Demolition and Reconstruction Contracting Requirements (from Section 7.1 and 13.3 of Exhibit E: Technical Requirements of the Progressive Design-Build Contract) \*

#### 7.1 Environmental Commitments

The Parties will collaborate during the Preconstruction Phase to assign responsibilities for each environmental commitment. The Contractor shall be responsible for fulfilling environmental commitments assigned to the Contractor and shall coordinate with the Department or other parties, as required, to incorporate mitigation activities into the Project Schedule and Opinion of Probable Cost (OPC). The Contractor shall also incorporate plans, details, specifications, notes, and special provisions into the Base Design Submittal, as appropriate, to satisfy the environmental commitments.

#### 13.3 Longworth Hall Demolition and Reconstruction

The Contractor shall prepare plans and perform the demolition and reconstruction of Longworth Hall, identified as Parcel 1 in ODOT's Final Right-of-Way Tracings. The limits of demolition will be in accordance with the *Longworth Hall Impact Analysis Report: Concept Plans*. The reconstruction by the Contractor will be in accordance with the *Longworth Hall Impact Analysis Report: Concept Plans* and consist of all work necessary to reconstruct the building for use. Work will include construction of the structural shell, necessary interior supporting structures, and all interior and exterior work. In addition, construction shall include all work necessary to maintain occupancy of the building during and after completion of the Contractor's work. This will include maintaining, relocating and/or constructing interior life-safety features.

##### 13.3.1 Environmental Mitigation

Restoration of the east wall, to an approximation of its original appearance, will include material salvaged during the demolition in accordance with the Secretary of the Interior's Standards for the Treatment of Historic Properties.

- A. Treatment Plans will be developed and shall be provided to the building owner, Cincinnati Preservation Association, and Ohio State Historic Preservation Officer for a 30-day review and comment period.

- B. Windows, removed to accommodate the new roadway construction, will be restored and used in the east wall reconstruction.
- C. Windows, removed and not used in the east wall reconstruction, will be restored and returned to the owner.
- D. A cornerstone, commemorating the date of construction (1904) on one side, and the date of renovation on the other side, will be included in the east wall reconstruction design.
- E. The Secretary of the Interior's Standards for the Treatment of Historic Properties: Reconstruction as a Treatment and Standards for Reconstruction  
<https://www.nps.gov/articles/000/treatment-standards-reconstruction.htm>
- F. The Secretary of the Interior's Standards for the Treatment of Historic Properties  
<https://www.nps.gov/orgs/1739/secretary-standards-treatment-historic-properties.htm>

### 13.3.2 Historic Façade Modifications

The Work entails demolition of approximately 200 feet of the east end of the building while salvaging the historic masonry and reinstalling it on a newly configured east-facing exterior wall. The newly reconfigured wall should occur at a pilaster like the west end of the building so that the detailing and corner pilaster can be recreated.

The critical historic elements that should be salvaged and recreated on the newly reconfigured east façade, include the historic brick, coping stones, limestone window sills, limestone and brick pilaster elements and rusticated blocks. Key decorative architectural elements such as the brick pilasters, pilaster capitals, arches and roof-line corbelling, window eyebrows and limestone pilaster bases should be documented, catalogued, and carefully salvaged and cleaned for reinstallation on the reconfigured façade. Façade elements should be stored in a manner to prevent exposure to the weather and extreme temperature.

The original brick coursing is a running bond with interlocking header courses which should be recreated. The new wall should be laid up as a monolithic fully parged masonry wall like the original and not be installed as a brick veneer. If possible, the backup masonry should be the same or similar in density and size to the original to maintain the historic structural and thermal/moisture behavior of the existing wall.

Some areas of the existing walls to remain near the new wall on the south and north sides will need to be rebuilt in order to fully integrate the new masonry wall.

Based on the age of the structure, the mortar is likely lime-based mortar with no portland cement. The new mortar should be as close to the original as possible in make up with no portland cement. The existing historic mortar should be tested per ASTM C1324 Standard Test Method for Examination and Analysis of Hardened Masonry Mortar to assist in the selection of replacement and pointing mortar for the sections of the wall to remain.

Chemical analysis of the historic mortar should be performed to determine the mortar make up of lime aggregate and sand. The goal is to recreate the structural strength and vapor permeability of the original wall to prevent freeze-thaw damage.

### **13.3.3 Architect, Engineer, and Contractor Qualifications**

Design professionals and contractors experienced in historic repair and preservation shall prepare the Design Documents and perform the Work. When used with an entity or individual, "experienced" unless otherwise further described means having successfully completed a minimum of five previous projects similar in nature, size, and extent to this specific Work; being familiar with special requirements indicated; and having complied with requirements of authorities having jurisdiction.

- A. Professional architects and engineers shall have experience in the following areas of work related to this building type:
  - 1. temporary bracing and shoring of masonry structures
  - 2. sequential and partial demolition of structure
  - 3. removal and preparation / restoration of materials to be re-used on the project including brick masonry, window systems and historic ceiling systems
  - 4. adaptive reuse of materials to be used on the project in a function other than their current usage
- B. A professional engineer who is legally qualified to practice in jurisdiction where Project is located and who is experienced in providing engineering services of the kind indicated. Engineering services are defined as those performed for installations of the system, assembly, or product that are similar in material, design,



and extent to those indicated for this Project.

- C. Contractor's Statement of Responsibility: When required by authorities having jurisdiction, submit copy of written statement of responsibility submitted to authorities having jurisdiction before starting work on the following systems:
  - 1. Seismic-force-resisting system, designated seismic system, or component listed in the Statement of Special Inspections.
  - 2. Main wind-force-resisting system or a wind-resisting component listed in the Statement of Special Inspections.

The Contractor shall utilize the resources available through the Ohio State Historic Preservation Office (SHPO) website <https://www.ohiohistory.org/preserving-ohio/state-historic-preservation-office/services-fees/> that provides listings of companies which have met federal professional qualification requirements and the following services:

- A. Archaeology Consultants List
- B. History / Architecture Consultants List
- C. Choosing an Archaeology Consultant
- D. Choosing a History / Architecture Consultant

#### **13.3.4 Additional Qualifications**

- A. In completion of the Work, the Contractor shall meet the following requirements unless authorities having jurisdiction supersede requirements of specialists:
- B. Manufacturer Qualifications: A firm experienced in manufacturing products or systems similar to those indicated for this Work and with a record of successful in-service performance, as well as sufficient production capacity to produce required units. As applicable, procure products from manufacturers able to meet qualification requirements, warranty requirements, and technical or factory-authorized service representative requirements.
- C. Fabricator Qualifications: A firm experienced in producing products similar to those indicated for this Work and with a record of

successful in-service performance, as well as sufficient production capacity to produce required units.

- D. **Installer Qualifications:** A firm or individual experienced in installing, erecting, applying, or assembling work similar in material, design, and extent to that indicated for this Work, whose work has resulted in construction with a record of successful in-service performance.
- E. **Specialists:** Certain Specification Sections require that specific construction activities be performed by entities who are recognized experts in those operations. Specialists will satisfy qualification requirements indicated and engage in the activities indicated.

### 13.3.5 Design Development

The Contractor shall perform a detailed field investigation of the exterior and interior of the building in coordination with the owner and prepare a report summarizing the findings which will be used as a basis of design.

As part of Sub-Phase 1A, the Contractor will develop drawings to 50% completion for the Longworth Hall Work required within this Section 13.3 (Longworth Hall Demolition and Reconstruction), develop necessary specifications, and estimate costs to complete the work as part the Project's Opinion of Probable Costs.

During Sub-Phase 1B, the Contractor will develop final plans to 100% completion for the Longworth Hall Work within this Section 13.3, prepare a list of necessary permits to be obtained, and include costs as part of the development of the Early Work Package or Phase 2 Proposal.

Longworth Hall Work will include the necessary permitting, demolition, and reconstruction required.

\* The Longworth Hall Demolition and Reconstruction Contracting Requirements are cited here in part and included in the full, completed Progressive Design-Build Contract. As we work through proof of concept with the designer in Sub-Phase IA, the contract language will be updated and modified as needed through a change order. All work completed to fulfill the Stipulations in Section III.A of this agreement will be adhered to as agreed upon by the Signatories and performed in accordance with the appropriate Secretary of Interior Standards by qualified personnel.

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# Appendix L: Department of the Interior Coordination

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# United States Department of the Interior



OFFICE OF THE SECRETARY  
Office of Environmental Policy and Compliance  
Custom House, Room 244  
200 Chestnut Street  
Philadelphia, Pennsylvania 19106-2904

IN REPLY REFER TO:

May 25, 2012

9043.1  
ER 12/0196

Ms. Laura S. Leffler  
Ohio Division Administrator  
Federal Highway Administration  
200 North High Street, Room 328  
Columbus, Ohio 43215

Dear Ms. Leffler:

The Department of the Interior (Department) has reviewed the Environmental Assessment and Draft Section 4(f) Evaluation for the Brent Spence Bridge over the Ohio River, Hamilton County, Ohio and Kenton County, Kentucky. The Department offers the following comments and recommendations for your consideration.

## Section 4(f) Evaluation Comments

The Federal Highway Administration (FHWA), the Ohio Department of Transportation (ODOT), and Kentucky Transportation Cabinet (KYTC) propose improvements to the operational characteristics of a 7.8-mile segment of Interstate 71 (I-71), Interstate 75 (I-75), and the Brent Spence Bridge. The improvements include adding travel lanes, rehabilitating the existing Brent Spence Bridge, and constructing a new bridge to the west of the existing bridge. The draft section 4(f) evaluation identified several properties in the project study area eligible to be considered under Section 4(f) of the Department of Transportation Act of 1966 (codified at 49 U.S.C. 303§ 771.135). The proposed project has the potential to impact two properties in Kentucky (Lewisburg Historic District and Goebel Park) and four properties in Ohio (Longworth Hall, Queensgate Playground and Ball Fields, the Western Hills Viaduct and West McMicken Avenue Historic District).

In Kentucky, the city of Covington determined that the proposed transportation improvements, after application of mitigation measures, would not adversely affect the function and intent of Goebel Park, and would agree with a *de minimis* finding by FHWA. In Ohio, the Cincinnati Recreation Commission determined that the proposed transportation improvements, after application of mitigation measures and additional planning, would not adversely affect the function and intent of the Queensgate Playground and Ball Fields, and signed a memorandum of agreement agreeing with a *de minimis* finding by FHWA. Also in Ohio, impacts to the Western Hills Viaduct (built in 1932 and eligible for inclusion on the National Register of Historic Places) were determined to not result in any physical destruction or damage to the viaduct, but would affect the connections to the viaduct that were constructed in 1960. The FHWA

determined that there would be no adverse effect to the viaduct, and the State Historic Preservation Officer (SHPO) concurred with the determination, which would lead to a *de minimis* finding by FHWA. The remaining properties are considered under individual evaluations.

The Lewisburg Historic District on the Covington, Kentucky side of the Ohio River consists of 430 buildings, and 46 non-contributing buildings. The district includes late nineteenth and early twentieth century revivals, with the majority of the buildings constructed from the Civil War through the end of the nineteenth century. The West McMicken Avenue Historic District consists of 21 contributing residential buildings and includes one of the finest and most intact collections of historic residences in the Cincinnati Heights neighborhoods. The district includes one non-contributing building and one non-contributing structure, a billboard. Longworth Hall (the Baltimore & Ohio Railroad Freight Station and Storage Warehouse) is located in Cincinnati, Ohio and was constructed in 1904 to serve as the western terminus to the B&O Railroad. It has undergone some modifications over the years.

All conceptual and feasible alternatives would impact Section 4(f) resources, and each would directly impact both historic resources and public parks. Only two action alternatives were found feasible and prudent and met the purpose and need for the project; FHWA maintains that it was not possible to develop a build alternative that avoided impacts to Section 4(f) properties and satisfied the purpose and need of the project. The only alternative that avoids Section 4(f) resources is the No Build Alternative. For purposes of the 4(f) evaluation, three alternatives have been evaluated, including two Build Alternatives and the No Build Alternative (Avoidance Alternative). Alternative I has been determined to be the Preferred Alternative, and additional mitigation has been proposed to specifically address the impacts to the National Register-eligible properties.

The Department concurs with the FHWA, ODOT and KYTC that the preferred alternative has less overall impacts to the 4(f) properties than the other build alternative, but there are still considerable impacts to the two historic districts. The Department also concurs that there were no feasible or prudent avoidance alternatives to the preferred alternative presented which results in impacts to section 4(f) properties. Impact mitigation measures for the historic 4(f) properties are being developed in consultation with the SHPO's in both states, as well as other consulting parties, and a Memorandum of Agreement (MOA) will be prepared. Therefore, the Department concurs that all possible planning needed to minimize harm to the 4(f) resources has been employed. The Department will withhold its final concurrence that all possible planning needed to minimize harm to the historic 4(f) resource has been employed until a fully executed MOA between the FHWA, ODOT, KYTC, and the respective SHPO offices in each state has been signed, and we recommend that it be included in the final evaluation.

### Section 6(f) Comments

The Environmental Assessment (EA) identifies one Section 6(f) (Land and Water Conservation Fund Act of 1965, as amended; Public Law 88-578; 16 U.S.C. 4601-4 et seq.) resource. This resource is Goebel Park located in Covington, Kentucky. Section 4.15.2 of the EA details measures to mitigate impacts to the affected resource. This section also notes that KYTC will continue coordination on the proposed conversion and mitigations options with "...the US Department of the Interior-NPS to obtain required approvals under Section 6(f)." However, no documentation has been included in the EA confirming that discussions with the Department and or the National Park Service have occurred. As noted in the EA, Section 6(f) conversions must

be approved by the Secretary of the Department of the Interior. We request that you coordinate future mitigation discussions and Section 6(f) conversion approval with Ms. Lydia Williams, Land and Water Conservation Fund Project Officer, National Park Service, Southeast Regional Office, Atlanta Federal Center, 1924 Building, 100 Alabama Street, S.W., Atlanta, Georgia 30303, telephone 404-507-5687.

The Department has a continuing interest in working with the FHWA, ODOT and KYTC to ensure impacts to resources of concern to the Department are adequately addressed. For continued consultation and coordination with the issues concerning historic resources identified as section 4(f) resources, please contact Regional Environmental Coordinator Nick Chevance, Midwest Regional Office, National Park Service, 601 Riverfront Drive, Omaha, Nebraska 68102, telephone 402-661-1844.

We appreciate the opportunity to provide these comments.

Sincerely,

A handwritten signature in blue ink that reads "Dave Sire". The signature is fluid and cursive, with a large initial "D" and "S".

Dave Sire  
Natural Resources Management  
Team Leader

cc:

Jerry Wray, Director  
Ohio Department of Transportation  
1980 West Broad Street  
Columbus Ohio, 43223

Secretary Mike Hancock  
Kentucky Transportation Cabinet  
200 Mero Street  
Frankfort, KY 40622

OH-SHPO (Burt Logan – [blogan@ohiohistory.org](mailto:blogan@ohiohistory.org))

KY-SHPO (Lindy Casebier – [Lindy.Casebier@ky.gov](mailto:Lindy.Casebier@ky.gov))

**From:** [Baughman, Pamela \(FHWA\)](#)  
**To:** [environmental\\_review@ios.doi.gov](mailto:environmental_review@ios.doi.gov)  
**Cc:** [Newman, April L](#); [Long, Timothy \(FHWA\)](#); [Toni, Melissa \(FHWA\)](#); [Ballantyne, John \(FHWA\)](#); [Diop, Mour \(FHWA\)](#); [Clarke, David \(FHWA\)](#); [Brueggeman, Louis C](#); [Darby, Valincia](#); [Nelson, John V](#)  
**Subject:** DOI/NPS Review of Revised Section 4(f) Evaluation - Brent Spence Bridge Corridor Project  
**Date:** Monday, December 18, 2023 2:18:00 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)

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Hello,

On behalf of the Ohio and Kentucky Divisions, we are transmitting a copy of the Revised Section 4(f) Evaluation for the Brent Spence Bridge Corridor Project and requesting review and comment based on your areas of expertise.

This review is being requested on a compressed and concurrent timeframe with internal FHWA HEP and Divisions review, in addition to FHWA legal sufficiency review, as well as review by external Cooperating Agencies.

Review of these revised documents is being requested to be completed by noon on **Thursday, December 21st**, so that any comments for resolution can be compiled and transmitted to the Project Team by COB on **Friday, December 22<sup>nd</sup>** prior to the holiday break; however, comments must be transmitted **no later than Thursday, January 4<sup>th</sup>** for a comment resolution meeting with the Project Team on **Friday, January 5<sup>th</sup>**.

The next Federal Agency Coordination Meeting is scheduled for **Tuesday, December 19th**; however, if you have any questions, or would like to discuss specific comments, please reach out via email, chat, or phone at any time.

Please let me know if you have any questions about this request, the schedule, or any trouble accessing the documents as outlined below:

- **Revised Draft Section 4(f) Evaluation:**
  - Clean Revised: [2023-12-14\\_Draft Individual Section 4\(f\)-Clean.docx](#)
  - Appendices: [2023-12-14\\_Draft Individual Section 4\(f\)-Appendices.pdf](#)
  - Redline: [2023-11-01\\_Draft Individual Section 4\(f\)-Redline.docx](#)
- Comments can be made in the **CLEAN** documents as comments or track changes, or in the spreadsheet provided here: [BSB Revised SEA Review Comment Matrix-External.xlsx](#). The spreadsheet for comments contains tabs for the overall SEA and for each technical report. **If your agency prefers to provide correspondence or comments in another way, please address those comments and correspondence to my attention provided in the signature below.**
- Please note that there are Word documents for the main body and pdfs for the Appendices. **\*\*Please also note that in review of the BSB SEA and technical reports, particularly Word documents, it is recommended that you choose "Open in Desktop App" to make comments or reference section headings for the spreadsheet.** Due to file size considerations, the resolution of the figures in the supplemental EA are substantially reduced.

They will be replaced with full resolution versions once the document is converted to a full pdf. All pdfs are bookmarked for ease of navigation.

Additional project documentation is provided for reference below; copies of these documents have been provided to Cooperating Agencies, including NPS, for review and comment along with the Draft Section 4(f) Evaluation:

- **BSB Supplemental EA:**
  - Clean Revised:  [2023-12-14\\_BSB Supplemental EA-CLEAN.docx](#)
  - Appendices:  [2023-12-14\\_BSB Supplemental EA-Appendices.pdf](#)
  - Redline:  [2023-11-01\\_BSB Supplemental EA-REDLINE.docx](#)
- **Environmental Justice Analysis Report:**
  - Clean Revised:  [2023-12-14\\_Environmental Justice Analysis-Clean.docx](#)
  - Appendices:  [2023-12-14\\_Environmental Justice Analysis-Appendices.pdf](#)
  - Redline:  [2023-11-01\\_Environmental Justice Analysis-Redline.docx](#)
- **Public Involvement Summary:**
  - Clean Revised:  [2023-12-14\\_Public Involvement Summary-Clean.docx](#)
  - Appendices:  [2023-12-14\\_Public Involvement Summary-Appendices.pdf](#)
  - Redline:  [2023-11-01\\_Public Involvement Summary-Redline.docx](#)
- **Socioeconomic Report:**
  - Clean Revised:  [2023-12-14\\_Socioeconomic Technical Report-Clean.docx](#)
  - Appendices:  [2023-12-14\\_Socioeconomic Technical Report-Appendices.pdf](#)
  - Redline:  [2023-11-01\\_Socioeconomic Technical Report-Redline.docx](#)
- Please also note that the **Ohio Noise report** has been revised based on draft comments and can be found here:  [2023-10\\_OH BSB Noise Analysis Report with Appendices.pdf](#)
- The supplemental EA contains some placeholders for document links to a few reports, which will be updated once those reports are approved and made available on the project website ([Brent Spence Bridge | Investing in Local Communities, Growing America's Economy \(brentspencebridgecorridor.com\)](#)).

Please do not hesitate to reach out with any comments, questions, or concerns.

Thanks,  
Pam

**Pamela Baughman**  
U.S. DOT | FHWA Ohio Division  
Environmental Program Manager  
(614) 280-6835  
[Pamela.Baughman@dot.gov](mailto:Pamela.Baughman@dot.gov)

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# United States Department of the Interior

OFFICE OF THE SECRETARY  
Office of Environmental Policy and Compliance  
Custom House, Room 244  
200 Chestnut Street  
Philadelphia, Pennsylvania 19106-2904

IN REPLY REFER TO:

January 3, 2024

4112.1  
ER23/0515

Pamela Baughman, Environmental Program Manager  
Federal Highway Administration  
Ohio Division  
200 North High Street, Rm 328  
Columbus, Ohio 43215

**RE: Draft Individual 4(f) Evaluation for the Brent Spence Bridge Corridor Project,  
Hamilton County, Ohio, and Kenton County, Kentucky**

Dear Pamela Baughman,

The Department of the Interior (Department) has reviewed the draft Section 4(f) evaluation for the subject project proposing the replacement and/or rehabilitation the I-71/I-75 corridor of the Brent Spence Bridge (BSB) structure and improvements to its approaches and surrounding transportation system. The project area is located within Hamilton County, Ohio and Kenton County, Kentucky. Federal Highway Administration (FHWA) is the lead agency for this project's Section 4(f) evaluation.

**Section 4(f) Properties**

The draft Section 4(f) evaluation considers effects under Section 4(f) of the Department of Transportation Act of 1966 (codified at 49 U.S.C. 303) associated with the project. Section 4(f) applies to publicly owned parks, recreation areas, wildlife and waterfowl refuges, or significant historic resources. Implementation of the proposed action would result in impacts to public parks, historic structures, and historic districts.

Hillsdale Subdivision Historic District

The Hillsdale Subdivision was established in 1916 and includes 19 single family residences and one additional building. It is recommended as eligible for listing on the National Register of Historic Places (NRHP) under Criterion A as a good example of the development and growth of a Northern Kentucky subdivision from a settlement-era farmstead into a more traditional post-World War II suburb. The interstate widening will place the highway lanes closer to the Hillsdale Subdivision Historic District and will acquire 0.06 acre of new strip right-of-way along the back

property line of one contributing element however no buildings within the district will be removed. Due to noise impacts a 20-foot high noise barrier has been proposed but will be constructed outside the NRHP boundary.

#### Elberta Apartments Historic District

The Elberta Apartment Historic District was established in the mid-late twentieth century and consist of a leasing office building and a 32-unit apartment building of four different arrangements across four clusters. It is recommended as eligible for listing on the NRHP at the local level under Criterion A with a period of significance encompassing its period of development from the late 1940s through the 1970s and with its leasing office building as well as all of its 32 apartment buildings being contributing elements. The project will acquire 0.39 acre of permanent easement from three contributing elements and 0.03 acre of new strip right-of-way from one contributing element. A proposed retaining wall will be located outside of the proposed NRHP boundary and will have minimal visibility from the Elberta Apartments Historic District. Due to noise impacts a 18-20-foot high noise barrier has been proposed but will be constructed outside the NRHP boundary.

#### Goebel Park Complex

The Goebel Park Complex is owned by the City of Covington and includes three interconnected public parks: Goebel Park, Kenney Shields Park, and the SFC Jason Bishop Memorial Dog Park. The Goebel Park Complex is not eligible for the NRHP, and the resources located in the park, including a Carroll Chimes Clock Tower, are not yet of sufficient age to be considered eligible for the NRHP. Changes in the use of the Goebel Park Complex would not affect these resources. The project will acquire 2.84 acres of permanent right-of-way and 0.07 acre of temporary easement from the Goebel Park Complex, as shown in Exhibit 5 (Appendix A). The land to be acquired includes 0.50 acre in Kenney Shields Park, which is currently being utilized for two basketball courts and associated resources such as parking and sidewalks providing access to the courts. The project proposes noise/visual screening barriers that will vary in height from 16 to 24 feet, as required to achieve noise reduction goals at different locations along the length of the barriers and will improve the viewshed due to the incorporation of aesthetic treatments on the barriers.

#### Lewisburg Historic District

The Lewisburg Historic District is comprised of about 430 buildings situated in a mixed-use urban setting. Architectural styles and types represented most frequently include Italianate, Gothic Revival, Queen Anne, Greek Revival, Bungalow/ Craftsman, Shotgun houses, Northern Kentucky Townhouses, and Colonial Revival. The district is characterized by narrow lot sizes and an urban appearance and was listed in the NRHP under Criterion A in 1993 as an important example of suburban growth in Covington from 1840 to 1947. The district was also nominated under Criterion C for its inventory of typical working- and middle-class domestic architecture of the second half of the nineteenth century and early twentieth century, as well as for some notable examples of domestic, institutional, and commercial architecture. Three properties, approximately 0.48 acres will be acquired and removed to obtain the right-of-way needed for the westward shift of Bullock Street and the construction of retaining walls in this area. These

include contributing and a non-contributing element. A 12–24-foot tall, proposed noise barriers and retaining walls will be constructed along I-71/I-75 outside of the NRHP boundary and will improve the viewshed due to the incorporation of aesthetic treatments on these features.

#### Longworth Hall

Longworth Hall, also known as the Baltimore & Ohio Railroad Freight Station and Storage Warehouse is a five-story 1,277 ft long structure, constructed in 1904, of which 150 ft was removed during the 1961 construction of I-71/I-75. It was listed on the NRHP in 1986 and is significant under Criterion A because it contributes to the understanding of freight movement by railroad during a period when this was an important mode of transportation. The resource is also significant under Criterion C as a unique example of functional railroad architecture embellished with Romanesque Revival details. It exhibits distinctive characteristics of the style and is further enhanced because of its exceptional length. The Ohio Department of Transportation (ODOT) is in the process of purchasing the full Longworth Hall property at a mutually agreed upon price and from a willing seller as a result of the right-of-way negotiation process. The portions of the building not removed as described above will remain occupied. ODOT may use interior space or the exterior grounds surrounding the building during the project's construction, but no impacts to the building's continued use for commercial office, retail, and event space are anticipated.

#### Firefighters Memorial

The memorial occupies about 0.9 acres and includes a statue originally dedicated in 1968 to honor Cincinnati firefighters who have died in the line of duty. In 2010, the park was expanded and redesigned, and the scope expanded to encompass firefighters throughout Greater Cincinnati and Northern Kentucky. In addition to the memorial statue, the Firefighters Memorial includes an open plaza and greenspace. The Firefighter's Memorial is accessible to pedestrians and bicyclists via sidewalks that connect to downtown Cincinnati. Vehicular parking is also available on Central Avenue. A change in the use of the Firefighters Memorial would not affect this park. During construction, portions of the adjacent sidewalk and plaza area may be closed on a temporary basis to protect the park and the public from construction activities.

#### Queensgate Playground and Ball Field

The property occupies approximately 5.3 acres and includes the Chris Nelms All-Star Field (baseball), two playgrounds, benches, picnic tables, and open space. A change in the use of the Queensgate Playground and Ball Field would not affect these ball fields and playgrounds. About 0.72 acres of the park were acquired for the right-of-way/easement.

#### Ezzard Charles Park

Ezzard Charles Park occupies approximately 6.5 acres and consist of sidewalks and tree lawns that are situated within (encroaching upon) the existing transportation right-of-way along Ezzard Charles Drive. A change in the use of Ezzard Charles Park would not affect these properties.

#### Lewis and Clark National Historic Trail

The Lewis and Clark National Historic Trail, which is administered by NPS, follows the historic outbound and inbound routes of the Lewis and Clark Expedition of 1803-1806 from Pittsburgh, Pennsylvania to the Pacific Ocean and includes the portion of the Ohio River in the project area. The entire length of the Lewis and Clark National Historic Trail, from the Ohio River in

Pittsburgh, Pennsylvania to the mouth of the Columbia River in Oregon, is included in the National Trails System Act, as amended in 2019. The trail's primary use is for recreation. While there are elements along the trail that are listed on or have been determined eligible for listing on the NRHP, the trail itself has not been. There are no elements associated with the trail that are listed on or eligible for listing on the NRHP in the project's area of potential effects.

### **Alternatives**

FHWA considered a no build action alternative and several avoidance alternatives. The no action and all the avoidance alternatives were found to be not prudent or feasible and did not meet the purpose and need. The Refined Alternative I (Concept I-W), the preferred alternative was carried forward for least overall harm analysis.

### **Assessment of Effect and Proposed Mitigations**

The FHWA determined that the proposed Refined Alternative I (Concept I-W) would result in an adverse effect to the historic properties under Section 106 of the National Historic Preservation Act (NHPA).

#### Hillsdale Subdivision and Elberta Apartments Historic Districts

In November 2022 the Kentucky (KY) State Historic Preservation Office (SHPO) concurred with the no adverse effect on the proposed Hillsdale Subdivision and Elberta Apartments Historic Districts. In March 2023 FHWA sent a letter to the KY SHPO with a de minimis use determination.

#### Goebel Park Complex

FHWA revived concurrence of a de minimis determination from the City of Covington, KY in July 2012 and from Kentucky Transportation Cabinet (KYTC) in July 2023 (*year maybe a typo in the 4(f) submittal, likely should be 2012 not 2023*) for the impacts to the Goebel Park Complex. FHWA will make the final *de minimis* impact determination based on the outcome of the public comment process and written concurrence from the City of Covington. A draft minimization and mitigations agreement has been drafted.

#### Lewisburg Historic District

The KY SHPO concurred with the eligibility determinations and finding of adverse effect for the Lewisburg Historic District on November 17, 2022, and June 7, 2023. Consultation with the Advisory Council on Historic Preservation (ACHP) that occurred in 2023, mitigation measures for adverse effects that were previously coordinated in separate Memorandum of Agreement (MOA) for each historic property were combined into one project-level *Programmatic Agreement Among FHWA, ODOT, KYTC, the Ohio SHPO, the Kentucky SHPO, and the City of Covington implementing Section 106 of the National Historic Preservation Act for the BSB Corridor Project*.

#### Longworth Hall

The Ohio SHPO concurred with the "adverse effect" on January 25, 2023. Mitigation measures for the adverse effect to Longworth Hall were established in an MOA between FHWA, ODOT, and the Ohio SHPO executed on June 28, 2012. A First Amendment to the MOA was executed on June 22, 2017, and filed with ACHP on June 28, 2017. A Second Amendment was executed

on May 24, 2022, and filed with ACHP on June 3, 2022. Both amendments extended the period of the MOA.

#### Firefighters Memorial and Ezzard Charles Park

The Cincinnati Park Board, which is the official with jurisdiction over the Firefighters Memorial and Ezzard Charles Park, concurred with these findings and the measures to minimize harm on August 5, 2022, and December 14, 2022.

#### Queensgate Playground and Ballfield

In 2012 FHWA determined that the BSB Corridor Project, with the committed mitigations, will have a *de minimis* impacts to the Queensgate Playground and Ballfield. Additional Section 4(f) coordination was not required for Refined Alternative I (Concept I-W) because the impacts have been slightly reduced, the right-of-way has already been acquired under the 2012 FONSI, ODOT has fulfilled its financial obligations, and the ball fields have been reconfigured in accordance with the MOA.

The following are minimization and mitigation measures documented in the Programmatic agreement between FHWA, ODOT, KYTC, OH SHOP, KY SHOP and the City of Covington:

#### A. Recordation

1. In order to preserve a record of its history and appearance, the structures within the Lewisburg Historic District to be demolished as a part of this project will be recorded. Recordation will take place as soon as the properties have been acquired and well in advance of construction in this area; documentation of these structures, barring unforeseen circumstance, will take less than four months to complete. State Level I Documentation is specified and will include the following per the Kentucky SHPO's February 12, 2020, Memorandum - Update to State Level Documentation:
  - a. A Kentucky Historic Resource Individual Survey form (Kentucky Heritage Council (KHC) 2017-1 or current version of form), completed or updated as appropriate.
  - b. A historic context, a synthesis of both archival research and current information, presented both as part of the documentation package as well as included in the "Historical Information" section of the Kentucky SHPO survey form in order to facilitate the separate archiving of these documents. Archival research, thorough but less intensive than a stand-alone historic context, shall be conducted to gather specific historical information about the property and its context with sources cited. If historic archival images are located, a representative sample or link to that resource will be included.
  - c. Digital photographs showing all exterior elevations as well as close-ups of significant, character-defining features (i.e., brackets, hood moldings, decorative millwork, log notching/chinking, traditional timber frame joinery/truss systems, mantels, historic hardware/lighting, interior finishes, and/or stair details). Image resolution shall be no less than 6 megapixels (2000 x 3000-pixel image). Images should be in Tag Image File format (TIFF) or raw image format (RAW).

The electronic files of the digital images should be included on an archival DVD-R disk and a flash drive submitted with the documentation package. Electronic files shall be labeled with the name and address of the building (if applicable), KHC survey number, view, and date of capture. In addition, all digital photographs will be included in the KHC survey form. A selection of images shall be printed on archival quality, acid-free paper (rather than as true photographic prints) at a minimum size of 5" x 7" (maximum size of 8" x 10"). These images shall be presented in the documentation package along with an index of photographs keyed to numbered photos. The photography index shall include the name and address of building (if applicable), view, and any explanatory notes necessary for review.

- d. Measured floor plans of each floor of the building will be prepared by a preservation professional. Existing professional scaled drawings/building plans will be utilized whenever possible and presented in a .pdf format along with a hard copy of the existing plans. If existing drawings/plans are not available, will not meet the format recommended below, or parties otherwise agree that drawings/plans need to be prepared, drawings shall be created at a scale of ¼" per 1'-0" and shall be analytical in nature, labeling construction details, alterations, and additions. If applicable, drawings of building details (windows, moldings, mantels, etc.) shall be created at a scale of ½" per 1'-0". Hand drawings shall be in pencil on archival-quality, acid-free vellum; however, if other formats are used (i.e., 3-dimensional laser scanning/photogrammetry or Computer-Aided Design/CAD) the scale shall be comparable to that of the hand drawings. The latter native digital plans shall be presented in .pdf format along with a hard copy set of plans. Each drawing/image file shall be labeled as described in A.1.c. above and shall be accompanied by a written description of the building(s) as well as an explanation of construction details.
  - e. One complete digital copy of the completed documentation will be submitted by KYTC to the Kentucky SHPO for review and acceptance. Upon notification of Kentucky SHPO acceptance, KYTC will provide one complete hard copy to the Kenton County Public Library. One complete digital copy will also be provided to the Kentucky Department for Libraries and Archives by KYTC.
2. Upon completion of the project, KYTC shall prepare and provide to Kentucky SHPO documentation of appropriate boundaries for the Lewisburg Historic District. Once agreement is reached on appropriate boundaries, KYTC shall prepare a revised nomination form reflecting the newly established boundaries and submit it to Kentucky SHPO for coordination with the Keeper of the NRHP.
  3. Upon completion of construction of the project, KYTC shall prepare a Kentucky Historic Resource Individual Survey form (KHC 2017-1 or current version of form) for each of the properties located within the Lewisburg Historic District. A new survey form is required if more than 5 years have lapsed since the survey form was updated. These survey forms will be submitted to the Kentucky SHPO in .pdf format.

## B. Façade Grant Program

1. A Façade Grant Program administered by the City of Covington will be developed and implemented to improve and rehabilitate the façade of residential and commercial properties within the Lewisburg Historic District. Specific details of the program, including additional funding sources, review authority, owner matching funds, program marketing, and timeframes for approval and completion of projects will be determined through consultation between KYTC, the City of Covington, the Kentucky SHPO, and FHWA. Consultation between these listed parties will take place after the Section 106 Programmatic Agreement has been signed and after project funds have been released by FHWA. Details for administering the program, including oversight, selection criteria, monitoring, and tracking and reporting of completions and expenditures will be delineated in a separate MOA developed for this purpose and agreed upon between the parties listed above.
2. The Façade Grant Program will be provided with project funding in an amount not to exceed \$1,200,000.00 for property improvements. FHWA participation will terminate ten years from the date of program implementation.

## C. Vibration Testing

1. To avoid damage to historic properties, KYTC shall ensure that construction blasting/vibration plans, and bridge pier construction plans shall be developed by their contractor(s) prior to beginning any construction activities that would require blasting or result in vibration. These construction blasting/vibration plans shall be implemented during appropriate construction activities. Maximum threshold values for historic properties that the plan must meet are shown the table below. The values are presented in terms of peak particle velocity (PPV), the accepted method of evaluating the potential for damage. The vibration criteria shall apply for pile driving, vibratory compaction, and blasting activities.
2. KYTC shall discuss with the Kentucky SHPO the protective measures to be used by the contractor to protect historic resources from vibration damage. KYTC shall seek the recommendations of the Kentucky SHPO regarding any additional properties not identified by the contractor that should be considered extremely fragile.
  - a. These plans shall be developed, as directed by the contract documents, for all areas within 100 feet of the potential disturb limits that contain historic structures.
  - b. Existing conditions of historic structures and current levels of vibration within the selected areas will be obtained first as a baseline for later comparison. Structural engineers will focus on identifying fragile and extremely fragile historic structures. In areas where historic structures are identified but they are not considered either fragile or extremely fragile, vibration levels will be limited to 0.20 inch/second. An initial report of baseline conditions, including structures selected for monitoring and existing vibration levels, will be compiled and coordinated with Kentucky SHPO for review.
  - c. Construction methods adjacent to selected areas will be assessed to determine the potential to create vibration levels that may exceed the threshold limits. In areas

where construction methods may exceed vibration threshold limits, alternate methods will be required.

- d. A third-party contractor will be retained to monitor vibrations and report results on site to the contractor and the KYTC resident engineer. If continuous vibration levels exceed the 0.20 inch/second threshold, the vibration equipment monitor shall notify the resident engineer and the construction contractor so that methods can be adjusted to reduce the vibration. If continuous vibration levels exceed 0.20 inch/second after adjustments have been made, work will need to cease in the area until different methods can be put in place to lessen vibration impacts.
- e. As construction activities will be continuously monitored to ensure that vibration limits remain below the threshold noted above, the need for daily inspection of adjacent buildings is not anticipated. However, if any transient event occurs that is in excess of 0.50 inch/second, a cursory examination of buildings in the area will be made to check for potential damages.
- f. Monitoring will occur when active construction activities are adjacent to selected areas. As construction activities are expected to move from location to location or may occur adjacent to multiple areas at once, all selected areas will not be continuously monitored, especially if no construction activities are occurring adjacent.
- g. At least one examination of structures in each area selected for vibration monitoring will be made during construction, and a post-construction final inspection will be made of each area to determine if there have been any changes to the condition of the buildings. A comparison of pre-, mid-, and post-construction building condition assessments will be compiled in a report and submitted to the Kentucky SHPO for review.
- h. KYTC, in consultation with Kentucky SHPO, will make the determination whether damage has occurred to historic properties identified in the Section 106 process as a result of project activities.
- i. KYTC shall be responsible for repair of any blast and vibration damage to historic properties. Any repairs shall be coordinated in advance with the Kentucky SHPO to ensure they are carried out in accordance with the *Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* (Secretary's Standards).
- j. Where access to privately owned property is necessary for monitoring or damage repair, consent shall be obtained prior to entry.

#### **Section 4(f) Comments**

The Department concurs with the FHWA's determination. Based on the information provided by the FHWA in its Section 4(f) evaluation, the Department also concurs with FHWA's determination that there is no feasible and prudent avoidance alternative to the Section 4(f) use of these historic properties. The Department recommends that consultation continue with all




Section 106 consulting parties pursuant to 36 CFR § 800.6 and that the project not proceed until an MOA to resolve adverse effects is executed that is satisfactory to all parties.

For issues concerning Section 4(f) resources, please contact April Newman, Regional Environmental Coordinator, Regions 3/4/ 5, National Park Service, April\_Newman@nps.gov. We appreciate the opportunity to provide these comments.

Sincerely,

JOHN  
NELSON

John Nelson  
Regional Environmental Officer

 Digitally signed by JOHN  
NELSON  
Date: 2024.01.03 12:03:17  
-05'00'

cc: April Newman, NPS  
Joyce Stanley, PhD, OEPC REO/ATL

Electronic distribution: [Pamela.Baughman@dot.gov](mailto:Pamela.Baughman@dot.gov)

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# Appendix M: Resource Cross Reference Guide



**Brent Spence Bridge Corridor Project  
Resource Cross Reference Guide**

	State	U.S. Census Block Group (Map ID)	Minority <sup>1</sup>	Low-Income <sup>1</sup>	Older Adult <sup>1</sup>	Limited English Proficiency <sup>1</sup>	Adults with Disabilities <sup>1</sup>	Zero-Car Household <sup>1</sup>	Burdens for Disadvantaged Communities <sup>1</sup>	Noise Analysis Location <sup>2</sup>
<b>Neighborhoods/Cities Adjacent to the Project Corridor</b>										
Fort Mitchell	KY	71, 72, 74, 75, 76	No	No	Yes	No	Yes	No	N/A	16A, B16B, B17A, B17B, B18 (KY-S)
Fort Wright	KY	63, 69, 71, 72, 73, 74, 76	No	Yes	Yes	No	Yes	No	N/A	B19, B20 (KY-S)
Park Hills	KY	38, 63, 64, 69	No	Yes	Yes	Yes	Yes	Yes	Health Workforce Dev.	B23 (KY-S) NSA D (KY-N)
Peaseburg	KY	57, 58, 63, 64, 65, 66, 67, 69, 70	Yes	Yes	Yes	Yes	Yes	Yes	Health Housing Workforce Dev.	B23 (KY-S) NCA C, D (KY-N)
Lewisburg	KY	38, 39, 47, 48, 57, 63, 64	No	Yes	Yes	Yes	Yes	Yes	Health Housing Transportation Workforce Dev. Water/Wastewater	(KY-S) NSA B, F (KY-N)
Westside	KY	41, 47, 48, 49, 55, 57, 58, 59	Yes	Yes	Yes	Yes	Yes	Yes	Health Housing Transportation Workforce Dev. Energy	NSA B, C (KY-N)
Mainstrasse	KY	39, 40, 47	No	Yes	Yes	Yes	Yes	Yes	Health Housing Transportation Water/Wastewater	NSA B (KY-N)
Covington Central Business District	KY	33, 39, 40, 41, 49	Yes	Yes	Yes	Yes	Yes	Yes	Health Housing Transportation Water/Wastewater	NSA A (KY-N)
Botany Hills	KY	30, 31, 32, 33, 37, 38, 39	No	Yes	Yes	Yes	Yes	Yes	N/A	NSA E (KY-N)
Cincinnati CBD Riverfront	OH	23, 25, 26, 27, 28, 29	Yes	No	Yes	No	No	Yes	Health Housing Legacy Pollution Transportation Workforce Dev.	NSA 7, 8, 9 (OH)
Queensgate	OH	4	Yes	Yes	No	No	Yes	Yes	Health Housing Legacy Pollution Transportation Workforce Dev. Energy	West of I-75 (OH) <sup>3</sup>

**Brent Spence Bridge Corridor Project  
Resource Cross Reference Guide**

	State	U.S. Census Block Group (Map ID)	Minority <sup>1</sup>	Low-Income <sup>1</sup>	Older Adult <sup>1</sup>	Limited English Proficiency <sup>1</sup>	Adults with Disabilities <sup>1</sup>	Zero-Car Household <sup>1</sup>	Burdens for Disadvantaged Communities <sup>1</sup>	Noise Analysis Location <sup>2</sup>
West End	OH	4, 5, 6, 11, 12, 13, 14, 15, 16, 24, 25, 26	Yes	Yes	Yes	Yes	Yes	Yes	Health Housing Legacy Pollution Transportation Water/Wastewater Workforce Dev. Climate Change Energy	NSA 2, 3, 4, 5, 6 (OH)
CUF	OH	2, 3, 6	Yes	Yes	No	No	No	No	Health Housing Legacy Pollution Transportation Workforce Dev. Energy	NSA 1 (OH)
Camp Washington	OH	1	No	Yes	No	No	Yes	No	Housing Legacy Pollution Transportation Water/Wastewater Workforce Dev.	West of I-75 (OH) <sup>3</sup>
<b>Impacted Public Recreational Properties</b>										
Goebel Park Complex	KY	39	No	Yes	No	Yes	Yes	Yes	Housing Transportation Water/Wastewater	NSA B (KY-N)
Firefighters Memorial	OH	28	Yes	No	No	No	No	No	N/A	NSA 7 (OH)
Queensgate Playground and Ball Field	OH	24	Yes	Yes	No	No	Yes	Yes	N/A	NSA 6 (OH)
Ezzard Charles Park	OH	11, 13, 14, 15	Yes	Yes	Yes	No	Yes	Yes	Health Housing Legacy Pollution Transportation Water/Wastewater Workforce Dev. Climate Change	NSA 4, 5 (OH)
Lewis and Clark National Historic Trail	Ohio River	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

**Brent Spence Bridge Corridor Project  
Resource Cross Reference Guide**

	State	U.S. Census Block Group (Map ID)	Minority <sup>1</sup>	Low-Income <sup>1</sup>	Older Adult <sup>1</sup>	Limited English Proficiency <sup>1</sup>	Adults with Disabilities <sup>1</sup>	Zero-Car Household <sup>1</sup>	Burdens for Disadvantaged Communities <sup>1</sup>	Noise Analysis Location <sup>2</sup>
<b>Impacted Historic Properties</b>										
Hillsdale Subdivision Historic District	KY	72	No	No	No	No	No	No	N/A	B19 (KY-S)
Elberta Apartments Historic District	KY	63	No	Yes	Yes	No	Yes	No	N/A	B23 (KY-S)
Lewisburg Historic District	KY	38	No	No	No	Yes	Yes	No	N/A	NSA F (KY-N)
Longworth Hall	OH	4	Yes	Yes	No	No	Yes	Yes	Health Housing Legacy Pollution Transportation Workforce Dev. Energy	West of I-75 (OH) <sup>3</sup>

- Notes:**
1. A "Yes" indicates presence in one or more census block group occupied by the resource.
  2. Noise sensitive areas are identified by the noise report in which they are addressed: Southern Kentucky (KY-S), Northern Kentucky (KY-N), and Ohio (OH).
  3. The Ohio Noise Report did not designate a noise sensitive area west of I-75.

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**Attachment 1**  
**Final Individual Section 4(f) Evaluation (July 2012)**





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

**Ohio Division**

August 8, 2012

200 North High Street, Rm 328  
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In Reply Refer To:  
HDA-OH

Jerry Wray  
Director  
Ohio Department of Transportation  
1980 West Broad Street  
Columbus, OH 43223

Dear Director Wray:

On July 31, 2012 the Ohio Department of Transportation submitted a request for review and approval of the Final Individual Section 4(f) Evaluation for the Brent Spence Bridge; HAM 71/75-0.00/0.22 PID 75119, KYTC Project Item No. 6-17. The proposed project will impact the following three Section 4(f) properties in Cincinnati, Ohio and Covington, Kentucky qualifying as de minimis impacts:

- Goebel Park, with 2.59 acres of impact, which is also a Section 6(f) property
- Queensgate Playground and Ball Fields, with 0.9 acre of impact
- Western Hills Viaduct, with 1,108 linear feet of impact to eastern approach ramps to connect to I-75

The proposed project will adversely affect the following three Section 4(f) properties requiring an individual Section 4(f) Evaluation:

- Lewisburg Historic District in Kentucky
- Longworth Hall in Ohio
- West McMicken Avenue Historic District in Ohio

FHWA has determined that there is no feasible and prudent avoidance alternative as defined in 23 CFR 774.17, to the use of the land from the properties and the action includes all possible planning, as defined in 23 CFR 774.17, to minimize harm to the properties resulting from such use. Regarding the de minimis impacts, FHWA has determined that the use of the properties includes any measures to minimize harm through avoidance, minimization, mitigation or enhancement measures as outlined in the Final Individual Section 4(f) Evaluation. Appropriate coordination has been conducted with the officials with jurisdiction per each Section 4(f) property and this is included in the evaluation.

All coordination requirements of the Final Individual Section 4(f) Evaluation have been met, and all environmental commitments required regarding Section 4(f) will be included in the Finding

of No Significant Impact (FONSI) for the project, and will be carried forward through project development. FHWA approves the use of the Section 4(f) properties associated with this project.

Should there be any questions please contact Mark VonderEmbse, Major Projects Engineer at (614) 280-6854 or e-mail at [Mark.VonderEmbse@dot.gov](mailto:Mark.VonderEmbse@dot.gov) or Noel F. Mehlo Jr., Environmental Program Manager at (614) 280-6841 or e-mail at [Noel.Mehlo@dot.gov](mailto:Noel.Mehlo@dot.gov).

Sincerely,



Laura S. Leffler

Division Administrator



File:

L:\Electronic Subject and Project Files\Project Files\HAM\75119 Brent Spence

Ecc:

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U.S. Department of Transportation  
Federal Highway Administration



# Brent Spence Bridge Replacement/Rehabilitation Project

## Final Individual Section 4(f) Evaluation

ODOT PID No. 75119  
HAM-71/75-0.00/0.22  
KYTC Project Item No. 6-17

July 2012



Prepared by:  
**PARSONS  
BRINCKERHOFF**

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## 1.0 INTRODUCTION

This Final Individual Section 4(f) Evaluation has been prepared pursuant to Section 4(f) of the Department of Transportation Act of 1966, codified in 49 USC 303 and 23 USC 138 and section 6009 of the *Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users* (SAFETEA-LU). Section 4(f) protects publicly owned land within parks, recreation areas, and wildlife and waterfowl refuges and historic and archaeological sites whether publicly or privately owned. Historic sites are protected under Section 4(f) if they have been listed in or determined eligible for listing on the National Register of Historic Places (NRHP). Section 4(f) applies to archaeological sites that are on or eligible for listing on the NRHP and that warrant preservation in place. Properties protected by Section 4(f) are referred to in this document as “Section 4(f) resources.”

The requirements of Section 4(f) apply only to agencies within the U.S. Department of Transportation (USDOT). The Secretary of the USDOT may approve a transportation project that “uses” a Section 4(f) resource only if the Secretary makes the following findings:

- There is no feasible and prudent alternative available to the use of land from the Section 4(f) resources; and
- The project includes all possible planning to minimize harm to the Section 4(f) resource resulting from the use (23 CFR 774.17).

A Section 4(f) use occurs when property from a Section 4(f) resource is:

- Permanently incorporated into a transportation project;
- When there is a temporary occupancy of the Section 4(f) site that is adverse in terms of the statutes’ preservationist purposes; and/or
- When the proximity of the project’s impacts are so severe that the protected activities, features, or attributes that qualify the resource for protection are substantially impaired.

When impacts are determined not to be adverse, a USDOT agency can approve the use of a Section 4(f) resource, by making a finding of *de minimis* impact. The option of making a finding of *de minimis* impact was created by an amendment to Section 4(f) in section 6009 of SAFETEA-LU, which was enacted on August 10, 2005. Section 6009 also required the Section 4(f) regulations to be updated in order to provide greater clarity regarding the standards and procedures for determining whether there are “prudent and feasible” avoidance alternatives for a potential Section 4(f) use. Revised Section 4(f) regulations were issued on March 12, 2008 and are codified in 23 CFR Part 774.

This Final Individual Section 4(f) Evaluation describes resources adversely affected by the proposed project and impacts to these resources. These resources are the Lewisburg Historic District in Kentucky; and Longworth Hall, and the West McMicken Avenue Historic District in Ohio. Avoidance alternatives and measures to minimize and mitigate harm are also discussed.

## **1.1 Project Description**

The Ohio Department of Transportation (ODOT) and Kentucky Transportation Cabinet (KYTC) are proposing to improve the operational characteristics of a 7.8-mile segment of Interstate 71 (I-71), Interstate I-75 (I-75), and the Brent Spence Bridge in the Greater Cincinnati/Northern Kentucky region. This project proposes to add travel lanes, eliminate where possible the geometric deficiencies of the interstate, rehabilitate the existing Brent Spence Bridge, which carries I-71/I-75 over the Ohio River between Covington, Kentucky and Cincinnati, Ohio, and construct a new bridge to the west of the existing bridge.

Two Build Alternatives were evaluated in the Environmental Assessment (EA) for the Brent Spence Bridge Replacement/Reconstruction Project, Alternatives E and I. Alternative I with minor modifications was identified as the Selected Alternative. Based upon public comments and coordination between the KYTC and City of Covington following the public hearing process, Alternative I was refined to include the following modifications:

- In Kentucky, the (collector-distributor) C-D roadway northbound and Jillians Way will be modified to include a new KY 5<sup>th</sup> Street exit ramp. The C-D roadway will be widened to accommodate the new exit ramp and a section of Jillians Way will be reduced in width due to the changes in traffic volumes. The proposed section of Jillians between KY 9<sup>th</sup> and KY 5<sup>th</sup> streets will be removed to accommodate the new exit ramp from the C-D Roadway.
- In Ohio, the exit ramp from the C-D roadway southbound will connect to the OH 3<sup>rd</sup> Street intersection at the north end of the Clay Wade Bailey Bridge.

Descriptions of Alternatives E and I are provided in Sections 3.1 and 3.2, respectively.

The identification of Alternative I as the Selected Alternative is based on the design features, local access features, traffic operations, estimated costs, and environmental impacts. Both alternatives have the potential to result in the use of Section 4(f) resources. Both Build Alternatives would use land from two Section 4(f) resources in Kentucky (the Lewisburg Historic District and Goebel Park) and three Section 4(f) resources in Ohio (Longworth Hall, Queensgate Playground and Ball Fields and the Western Hills Viaduct [WHV]). An additional Section 4(f) impact in Ohio would occur to the West McMicken Avenue Historic District with the selection of a single point urban interchange (SPUI) to replace the existing WHV interchange. However, this impact can be avoided with a tight urban diamond interchange (TUDI). Alternative I includes a TUDI to avoid impacts to the West McMicken Avenue Historic District.

## **1.2 Project Background**

The I-75 corridor within the Greater Cincinnati/Northern Kentucky region is a major thoroughfare for local and regional mobility. Locally, it connects to I-71, Interstate 74 (I-74) and US Route 50 (US 50). The Brent Spence Bridge provides an interstate connection over the Ohio River and carries both I-71 and I-75 traffic. The bridge also facilitates local travel by providing access to downtown Cincinnati, Ohio and Covington, Kentucky. Safety, congestion and geometric problems exist on the structure and its approaches. The Brent Spence Bridge, which opened to traffic in 1963, was designed to carry 80,000 vehicles per day. Currently, approximately 160,000 vehicles per day use the Brent Spence Bridge and traffic volumes are projected to increase to approximately 233,000 vehicles per day in 2035 under the No Build Alternative.

The I-75 corridor in the Greater Cincinnati/Northern Kentucky region, suffers from congestion and safety-related issues as a result of inadequate capacity to accommodate current traffic demand and geometric design deficiencies. The I-75 corridor is a major north-south transportation corridor through the Midwestern United States and one of the region's busiest trucking routes. A key link in the I-71/I-75 corridor is the Brent Spence Bridge. Traffic volumes have increased far beyond what was originally envisioned when the corridor was constructed in the 1950s and are anticipated to continue to increase. This increase in traffic volume has caused the I-75 corridor to be characterized as having poor levels of service which threaten the overall efficiency of moving people and goods throughout the region.

The Brent Spence Bridge Replacement/Rehabilitation Project is being funded through federal and state sources. Funding for each phase subsequent to project planning (design, right-of-way acquisition, construction and maintenance) will use the appropriate Federal Fund Types with the eligible federal pro-rata share. This project will be subject to the Federal Highway Administration's (FHWA) Major Project requirements, which includes development of a Project Management Plan (PMP). The PMP will be prepared jointly by ODOT and KYTC. (Responsibility by state is defined geographically as approximately N39°05.516'/ W85°31.324'.)

### **1.3 Study Area**

The overall project corridor is located along a 7.8-mile segment of I-75 within the Commonwealth of Kentucky (state line mile 186.7) and the State of Ohio (state line mile 2.7) (Exhibit 1). The southern limit of the project is 5,000 feet south of the midpoint of the Dixie Highway Interchange on I-71/I-75 in Fort Wright, south of Covington, Kentucky. The northern limit of the project is 1,500 feet north of the midpoint of the Western Hills Viaduct interchange on I-75 in Cincinnati, Ohio.

The eastern and western limits of the study area generally follow the existing alignment of I-75. From the south, the study area is a 1,500-foot wide corridor centered on I-71/I-75 northward towards the city of Covington. At Covington, the eastern and western study area boundaries widen and follow city streets as described below:

- Western project limits (from south to north):
  - At KY 5<sup>th</sup> Street in the city of Covington, the western boundary extends in the northwesterly direction across the Ohio River to US 50, approximately 1,000 feet west of the Freeman Avenue Interchange.
  - The western limit extends northerly parallel to Dalton Avenue to Hopkins Street.
  - The western limit extends westerly along Hopkins Street to the western limits of Union Terminal, where it then extends northerly along the western limits of Union Terminal to Kenner Street.
  - The western limit follows easterly along Kenner Street to the intersection with Dalton Avenue.
  - The western limit parallels Dalton Avenue to north of Findlay Street, where it follows in the northerly direction with a consistent 750-foot offset from the I-75 centerline.

- Eastern project limits (from south to north):
  - In the city of Covington, the eastern boundary follows Philadelphia Street to its intersection with KY 5<sup>th</sup> Street.
  - The eastern boundary follows KY 5<sup>th</sup> Street to its intersection with Main Street and then follows Main Street to the Ohio River.
  - The eastern boundary parallels the Clay Wade Bailey Bridge across the Ohio River to Pete Rose Way in the city of Cincinnati.
  - Through downtown Cincinnati, the eastern boundary follows OH 2<sup>nd</sup> Street and US 50 eastbound to approximately the I-71/US 50 Interchange over Broadway Avenue, north on Broadway Avenue then westerly along OH 4<sup>th</sup> Street to Plum Street, then northward until it reaches West Court Street.
  - From West Court Street, the eastern boundary extends west to Linn Street, where it follows Linn Street to Central Parkway.
  - The eastern boundary extends north paralleling Central Parkway to Linn Street.
  - From Linn Street, the eastern boundary extends westerly to Bank Street.
  - From Bank Street, the eastern limits extend in the northerly direction with a consistent 750-foot offset from the I-75 centerline.

#### **1.4 Purpose and Need**

The Brent Spence Bridge Replacement/Rehabilitation Project will improve the operational characteristics within the I-75 corridor for both local and through traffic. In the Greater Cincinnati/Northern Kentucky region, the I-75 corridor suffers from congestion and safety-related issues as a result of inadequate capacity to accommodate current traffic demand.

The purpose of this project is to:

- improve traffic flow and level of service,
- improve safety,
- correct geometric deficiencies, and
- maintain connections to key regional and national transportation corridors.

The I-75 corridor is a major north-south transportation corridor through the Midwestern United States and one of the busiest freight movement (trucking) routes. Traffic volumes have increased far beyond what was originally envisioned when it was constructed in the 1950s. As a result, the I-75 corridor is characterized by poor levels of service which threaten the overall efficiency of the movement of people and goods within the region. The design features of I-71 and I-75 within the study area do not meet current standards for an interstate highway facility. A recent inventory of I-71 and I-75 within the study area, including the Brent Spence Bridge, reports numerous design deficiencies associated with lane widths, shoulder widths, left-hand exits, horizontal and vertical alignments, and horizontal and vertical clearances. The substandard design features, compounded by increasing traffic volumes, result in deteriorated operations while affecting the safety of motorists on the facility. Specific problems of I-71 and I-75 within the study area include, but are not limited to, growing demand for capacity, congestion, and design deficiencies.

The details of the purpose and need for the project are presented in the *Brent Spence Bridge Replacement/Rehabilitation Environmental Assessment* (2012).



## 2.0 DESCRIPTION OF SECTION 4(f) RESOURCES

The Brent Spence Bridge Replacement/Rehabilitation Project has the potential to result in the use of six Section 4(f) resources. Table 1 presents the Section 4(f) resources affected by the feasible alternatives and Western Hills Viaduct alternatives, impacts and type of Section 4(f) determination for each resource. This Final Individual Section 4(f) Evaluation has been prepared for the Lewisburg Historic District in Kentucky; Longworth Hall, and the West McMicken Avenue Historic District in Ohio. The Lewisburg Historic District and Longworth Hall are listed on the NRHP. The West McMicken Avenue Historic District was determined eligible for the NRHP in 2011. Exhibit 2 shows the locations of the three resources.

FHWA has determined that the project with the committed mitigation measures will have *de minimis* impacts, as defined in 23 CFR 774.17, on Goebel Park, the Queensgate Playground and Ball Fields and the Western Hills Viaduct.

**Table 1. Section 4(f) Resource Impacts**

Resource	Alternative	Direct Impacts	Section 4(f) Evaluation Type
Goebel Park (13.57 acres)	No Build	None	<i>De Minimis</i>
	Alternative E	3.7 acres acquired Loss of basketball court, parking lot, and portion of walking trail	
	Alternative I	2.59 acres acquired Loss of basketball court, parking lot, and portion of a walking trail.	
Lewisburg Historic District (Approximately 700 acres including 430 buildings)	No Build	None	Individual
	Alternative E	5.1 acres acquired Affects 53 contributing elements (38 fully acquired; 15 with partial acquisition).	
	Alternative I	2.1 acres acquired Affects 28 contributing elements (21 fully acquired; 7 with partial acquisition).	
Queensgate Playground and Ball Fields (5.26 acres)	No Build	None	<i>De Minimis</i>
	Alternative E	0.6 acres	
	Alternative I	0.9 acres	
Longworth Hall (1,160 feet in length, five stories tall)	No Build	None	Individual
	Alternative E	Demolition of 204 feet of the eastern section of the building.	
	Alternative I	Demolition of 204 feet of the eastern section of the building.	
West McMicken Avenue Historic	No Build	None	Individual
	SPUI Alternative	Demolition of 8 contributing buildings	

**Table 1. Section 4(f) Resource Impacts**

<b>Resource</b>	<b>Alternative</b>	<b>Direct Impacts</b>	<b>Section 4(f) Evaluation Type</b>
District (consists of 21 buildings)	TUDI Alternative	None	
Western Hills Viaduct	No Build	None	<i>De Minimis</i>
	Alternative E	Realign viaduct to intersect at the existing West McMillan Street/West McMicken Avenue intersection; and grade-separate the intersection of WHV and Central Parkway. Reconstruction of the viaduct structure from approximately 900 feet west of Spring Grove Avenue to just east of I-75.	
	Alternative I	Reconstruction of 1,108 feet of the viaduct eastern approach ramps to connect to I-75	

## **2.1 De Minimis Findings**

FHWA-Kentucky Division has determined that the project with the KYTC committed mitigation will have a *de minimis* impact, as defined in 23 CFR 774.17, on Goebel Park. FHWA-Ohio Division has determined that the project with the ODOT committed mitigation will have *de minimis* impacts, as defined in 23 CFR 774.17, on the Queensgate Playground and Ball Fields and the Western Hills Viaduct. Exhibit 2 shows the locations of these Section 4(f) resources. *De minimis* correspondence and documentation is provided in Appendix A.

A *de minimis* impact is defined in 23 CFR 774.17 as follows:

- For public parks recreational areas and wildlife and waterfowl refuges, a *de minimis* impact is one that would not adversely affect the features or attributes or activities that qualify a property for protection under Section 4(f).
- For historic and archaeological sites, a *de minimis* impact means that the Federal Highway Administration (FHWA) has determined, in accordance with 36 CFR 800, the project will have either “no effect” or “no adverse effect” on the site, and the SHPO concurs with the determination.

### **2.1.1 Goebel Park**

Goebel Park is a public park owned by the city of Covington. The park is approximately 13.57 acres in size; recreational facilities include playground equipment, walking trails, shelter house, basketball and tennis courts, Olympic size pool, baby pool, bath house with showers and restrooms, and a parking lot.

Alternatives E and I would directly impact the western edge of Goebel Park through widening of I-71/I-75 and reconstruction of the interchange at KY 5<sup>th</sup> Street. Much of the affected area is unimproved parkland that is alternatively used during storm events to

contain overflow from the Willow Run Sewer. A small portion of the area affected by either feasible alternative is used for recreational activities. Alternative E would impact 3.7 acres, or 25 percent, of the total park area. Alternative E would impact a parking lot, a basketball court, and a walking path. Alternative I with modifications would affect 2.59 acres, or 17.5 percent, of the total park area. Alternative I would impact approximately 360 feet of the walking path, the parking lot and basketball court. A neighborhood pool, located in Goebel Park will not be directly impacted by either feasible alternative.

Due to concerns regarding current and proposed noise levels within Goebel Park, 24 hour noise levels were measured in August 2011 at three locations in the park. The readings were taken in early August when the pool was open to the public and in late August after the pool had been closed for the year, to determine if activities associated the pool contributed to the overall diurnal noise cycle. Noise levels when the pool was open were generally higher than when the pool was closed. However, measurements at the pool were above the FHWA noise criteria. A noise barrier was analyzed along Goebel Park in accordance with the KYTC noise abatement policy guidelines. Based upon the abatement analysis, a noise barrier does not meet the KYTC criteria for the area around the park. The complete *Brent Spence Bridge Replacement/ Rehabilitation Project Noise Study Report: Kentucky* (December 2011) can be found on the project website: [www.brentspencebridgecorridor.com/studydocuments.html](http://www.brentspencebridgecorridor.com/studydocuments.html).

To mitigate the impact to Goebel Park from the project, KYTC will vacate 2.38 acres of land immediately adjacent to the park along KY 5<sup>th</sup> Street and transfer the land to the city of Covington for the purpose of mitigating the loss of parkland. Additionally, KYTC will reimburse the city of Covington \$77,600 for the reconstruction of the basketball court and associated resources, and reconstruction of the walking path within the park. These funds will be used for the replacement and enhancement of the basketball courts or for other outdoor recreational facilities within Goebel Park. KYTC has also committed to reconstruction of the walking trail within Goebel Park during the construction phase of the project. Location of the walking trail will be determined in coordination with the City during the detailed design phase of the project. Correspondence stating these commitments is provided in Appendix A.

Additionally, mitigation of impacts to the Goebel Park resource includes reduction of stormwater impacts on the area also used by Sanitation District 1 for the Willow Street stormwater overflow. The KYTC is working with Sanitation District 1 to develop a management plan that reduces stormwater runoff from I-71/I-75 onto Goebel Park property.

#### **2.1.1.1 Agency Coordination**

On July 19, 2011, the city of Covington submitted correspondence to the Department for Local Government, Office of Federal Grants requesting that land adjacent to Goebel Park along KY 5<sup>th</sup> Street owned by KYTC be transferred to the City to replace the 2.59 acres of Goebel Park impacted by the project.

#### **2.1.1.2 Public Involvement**

Section 4(f) coordination with local government officials was initiated in 2008 and concluded in 2012. The following coordination meetings were held with KYTC and the city of Covington.

- September 30, 2008: representatives from KYTC and the city of Covington conducted a field review of Goebel Park and discussed potential impacts.
- April 1, 2010: KYTC and FHWA met with the city of Covington concerning mitigation opportunities for impacts to Goebel Park and the Lewisburg Historic District.
- June 28, 2010: representatives from the Project Team, KYTC and FHWA met with the city of Covington concerning mitigation opportunities for impacts to Goebel Park and the Lewisburg Historic District.
- October 5, 2010: representatives from the Project Team and KYTC met with the city of Covington concerning mitigation opportunities for impacts to Goebel Park.
- January 6, 2012: representatives from KYTC and city of Covington met to discuss mitigation measures for Goebel Park.
- February 14, 2012: representatives from KYTC and city of Covington met to discuss Alternative I impacts to the Lewisburg Historic District and Goebel Park.
- February 21, 2012: representatives from KYTC met with the city of Covington and representatives of local officials to discuss concerns about impacts to Goebel Park.
- April 24, 2012: representatives from KYTC and city of Covington met to discuss the Memorandum of Agreement (MOA) and mitigation for the Lewisburg Historic District. Impacts to and mitigation for Goebel Park were also discussed.
- May 24, 2012: representatives from KYTC met with the city of Covington and representatives of elected officials to discuss an update of the project including additional impacts to Goebel Park due to the requested access to KY 5<sup>th</sup> Street.. (In Kentucky, the C-D roadway northbound and Jillians Way will be modified to include a new KY 5<sup>th</sup> Street exit ramp.)
- June 28, 2012: representatives from KYTC met with the city of Covington to discuss the additional impacts to Goebel Park with the northbound ramp from the C-D roadway to KY 5<sup>th</sup> Street and replacement of the walking trail.

ODOT and KYTC held two public hearings on April 24 and 25, 2012 to present the results of the Environmental Assessment document and identify the Preferred Alternative for the Brent Spence Bridge Replacement/Rehabilitation Project. The public hearings also afforded the public the opportunity to comment on the impacts to the Section 4(f) resources.

During the public comment period, the cities of Covington and Newport, Kentucky, local businesses, and the local residents expressed a strong desire to maintain the existing direct access to KY 5<sup>th</sup> Street from a C-D roadway. Near the end of the public comment period, a meeting was held between FHWA-KY Division, KYTC, and the city of Covington to discuss maintaining the direct access to KY 5<sup>th</sup> Street from the C-D roadway. As a result, it was agreed to modify the design of Alternative I to include a direct access ramp to KY 5<sup>th</sup> Street from the C-D roadway.

This design change resulted in additional impacts to Goebel Park. The original design of Alternative I would impact 1.9 acres of the park. The addition of the direct access ramp to KY 5<sup>th</sup> Street from the C-D roadway increased the park impacts to 2.59 acres and would affect a portion of the walking path, the parking lot and basketball court. The city of Covington acknowledged the increased impacts to Goebel Park and that the impacts will not adversely affect the park if the mitigation process that has been outlined by KYTC is followed.

The city of Covington provided the following Section 4(f) documentation, which are located in Appendix A:

- July 19, 2011: the city of Covington submitted correspondence to the Department for Local Government, Office of Federal Grants requesting that land adjacent to Goebel Park along KY 5<sup>th</sup> Street owned by KYTC replace the 1.9 acres of Goebel Park that would be impacted by the project.
- November 28, 2011: the city of Covington submitted correspondence to KYTC, which stated that the City acknowledges the project will impact the Goebel Park. However, the impacts will not adversely affect the park if the mitigation process that has been outlined is followed.
- February 17, 2012: the city of Covington concurred with FHWA's determination that the project with the KYTC committed mitigation will have a *de minimis* impact, as defined in 23 CFR 774.17, on Goebel Park.
- July 20, 2012: the city of Covington concurred with FHWA's revised determination that the project with the KYTC committed mitigation will have a *de minimis* impact, as defined in 23 CFR 774.17, on Goebel Park.

The city of Covington and the KYTC concurred with FHWA-Kentucky Division's revised *de minimis* determination by correspondence dated July 12, 2012. This concurrence letter is provided in Appendix A.

### **2.1.2 Queensgate Playground and Ball Fields**

The Queensgate Playground and Ball Fields is a 5.3-acre public recreational area owned by the city of Cincinnati. On-site amenities include two adult ball fields and a neighborhood playground.

The Queensgate Playground and Ball Fields would be impacted by both feasible alternatives. Alternative E would require 0.6 acres and Alternative I would require 0.9 acres along the southwestern edge of the property adjacent to I-75. The impacts extend a maximum of 55 feet into the ball fields. A small walkway leading from Cutler Street into the park may be directly affected by the alternatives. The existing ball diamonds fall within the proposed right-of-way of either Alternative E or I.

To mitigate the impacts, the ball fields within the remaining park area will be reconfigured and reconstructed. Reconfiguration of the ball fields will result in the loss of mature shade trees located along West Court Street and displacement of two sections of an intra-park walkway, which meanders along the north and east perimeters of the park. Limited access right of way fence will be installed along the park and highway boundary. ODOT will compensate the city of Cincinnati for the land, relocation of recreational facilities, mitigation plans, and construction monitoring. A MOA between ODOT and the Cincinnati Recreation Commission was prepared to address impacts and mitigation commitments for the Queensgate Playground and Ball Fields.

In correspondence dated March 4, 2011, ODOT requested concurrence from the Cincinnati Recreation Commission that the project as proposed including mitigation, will not adversely affect the activities, features, and attributes that qualify the Queensgate Playground and Ball Fields for protection under Section 4(f). The Cincinnati Recreation Commission concurred by signing the MOA on April 21, 2011. The MOA is provided in Appendix A.

FHWA-Ohio Division has determined that the project with the ODOT committed mitigation will have a *de minimis* impact, as defined in 23 CFR 774.17, on the Queensgate Playground and Ball Fields.

### **2.1.3 Western Hills Viaduct**

The WHV was built from 1931 to 1932 at a cost of \$3.5 million. It was part of the Union Terminal redevelopment and was constructed to replace the outmoded Harrison Avenue Viaduct built in 1908. The eastern most section of the viaduct was demolished in 1960 during construction of I-75.

The bridge was rehabilitated in 1976-1978. The historic boundary for the WHV is the footprint of the bridge, including its piers; super and sub-structures; and roadway from Central Parkway on the east to just east of Beekman Street on the west. The WHV was determined eligible for inclusion in the NRHP under Criterion A for its association with the Union Terminal and its role in Cincinnati's transportation history.

The WHV would be affected by the SPUI alternative. The viaduct would be realigned to intersect West McMillan Street at the existing West McMillan Street/West McMicken Avenue intersection. This realignment also includes grade separating the intersection of WHV and Central Parkway. A new bridge would replace the existing WHV structure from approximately 900 feet west of Spring Grove Avenue to just east of I-75. An additional structure would be required to carry the WHV over Central Parkway. The WHV would be connected to Central Parkway by a new two-way Connector Road. The existing access between I-75 and the lower deck would be removed.

The WHV would be affected by the TUDI alternative through reconstruction of the interchange connecting I-75 to the viaduct. The TUDI would require reconstruction of 1,108 feet of the approach ramps of the WHV to connect with the interstate reconstruction at ground level. This will not result in any physical destruction or damage to the viaduct, but does constitute an alteration to the property as it currently exists.

The proposed alterations from the feasible alternatives would not have an adverse effect on the viaduct because they rework the connection to the bridge, which originally was built in 1960 with the construction of I-75. ODOT proposed a *No Adverse Effect* finding for the WHV in correspondence dated October 28, 2011. The Ohio State Historic Preservation Office (OHPO) concurred with the *No Adverse Effect* finding on October 31, 2011. A copy of the letter is included in Appendix A.

FHWA-Ohio Division has determined that the project will have a *de minimis* impact, as defined in 23 CFR 774.17, on the WHV.

## **2.2 Individual Section 4(f) Evaluations**

Three Section 4(f) resources would be adversely affected by the proposed project. These resources are the Lewisburg Historic District in Kentucky; and Longworth Hall, and the West McMicken Avenue Historic District in Ohio.

### **2.2.1 Lewisburg Historic District**

The Lewisburg Historic District is roughly bounded by I-75 to the east and the Covington city limits. The district, just west of the I-71/I-75 corridor, includes 700 acres, 430 buildings, and 46 non-contributing buildings. Architecture in the district includes late nineteenth and early

twentieth century revivals, Late Victorian, and Greek Revival styles. The majority of the buildings constructed in Lewisburg date from the Civil War through the end of the nineteenth century, with most built in the 1870s-1880s. Most of the buildings were built in the Italianate Style with some Victorian Gothic and Queen Anne examples. Vernacular worker housing also is scattered throughout the district.

The Lewisburg Historic District was added to the NRHP in 1993 under Criteria A and C for its significance of suburban growth in Covington from 1840 to 1947 and for its cohesive community of domestic, institutional, and commercial architecture.



**Photograph 1:** View of West KY 12<sup>th</sup> Street, Within the Lewisburg Historic District, Facing East



**Photograph 2:** View of Baker Street, Within the Lewisburg Historic District, Facing South East

### **2.2.2 Longworth Hall (Baltimore & Ohio Railroad Freight Station and Storage Warehouse)**

The Baltimore & Ohio Railroad Freight Station and Storage Warehouse, also known as Longworth Hall, is located at 700 Pete Rose Way in Cincinnati, Ohio and occupies 4.3 acres. The warehouse was designed by M.A. Long and constructed in 1904, to serve as the western terminus to the B&O Railroad. It was reported to be the largest structure of its type in the world at five stories high and 1,277 feet long. Camden Yards in Baltimore, Maryland is a similar structure at the eastern terminus of the railroad.

The building originally measured 1,277 feet in length, but in 1961 construction of I-71/75 resulted in the demolition of the easternmost 150 feet of the building for the piers supporting the approaches to the Brent Spence Bridge (I-71/75). Later, a five-story 30,000 square foot brick addition was built at the east end of the north façade of the original building. Part of the fifth floor was later destroyed by fire.

It was listed on the NRHP in 1986. The building is significant under Criterion A because it contributes to the understanding of freight movement by railroad during a period when this was an important mode of transportation. The resource is also significant under Criterion C as a unique example of functional railroad architecture embellished with Romanesque Revival details. It exhibits distinctive characteristics of the style and is further enhanced because of its exceptional length.

The structure is a large 1,160-foot long, five-story, common bond brick railroad freight storage building exhibiting details associated with the Romanesque style. The building has a concrete foundation and a flat roof and possesses a high degree of integrity, despite several changes to its exterior. The first story has rock-faced ashlar piers supporting columns rising to the fourth story, where decorative semi-circular arches adorn the façades. The warehouse is an important surviving example of an early 20<sup>th</sup> Century building associated with a major railroad. The NRHP-listed property includes the former two-story brick building housing a boiler room and scales located at the northwest edge of the property.

The historic resource is bounded by I-71/I-75, Pete Rose Way (Second Street), Gest Street, and the parking area behind the building. The existing I-71/75 structure is within eight feet of the eastern end of Longworth Hall.



**Photograph 3:** *North Side of Longworth Hall, Looking South East*



**Photograph 4:** *East End of Longworth Hall Next to Southbound I-71-75, Looking North from Rose Street.*

### **2.2.3 West McMicken Avenue Historic District**

The NRHP eligible West McMicken Avenue Historic District is 4.4 acres in size and consists of 21 contributing residential buildings. The district is located along West McMicken Avenue between West McMillan Street and the Brighton Bridge Approach. The district is a cohesive residential neighborhood sitting along a ridge above the Mill Creek Valley. The West McMicken Avenue Historic District includes one of the finest and most intact collections of historic residences in the Cincinnati Heights neighborhoods. The district contains good examples of several architectural styles, including Greek Revival, Second Empire, Victorian, Italianate, and American Foursquare. Highlights of the district include a landmark Second Empire residence, a Queen Ann rowhouse, and a Folk Victorian frame residence of eccentric design. Clearly distinguished from surrounding areas by topography, land use and architectural character, the district possesses a strong sense of place that is well preserved with few intrusions. The NRHP eligible district includes one non-contributing building located at 2351 West McMicken Avenue and one non-contributing structure, a billboard, at 2329 West McMicken Avenue.

The district was recommended as eligible for inclusion in the NRHP under Criterion C. On February 25, 2011, OHPO concurred with the recommendation and the following historic boundaries.



The historic boundaries begin at the western curb line of West McMicken Avenue south of the Warner Street steps and proceed east to the rear of the parcel boundary of 2364 West McMicken Avenue. The boundary proceeds south following the rear line of the parcels fronting West McMicken Avenue to a point at the southeast corner of the parcel boundary of 2342 West McMicken Avenue. The boundary then continues west to the western curb line of West McMicken Avenue and turns south along the road to a point on the southern parcel boundary of 2321 West McMicken Avenue. Turning west, the boundary proceeds to the eastern curb line of Central Parkway, where it turns north, follows West McMillan Street to the northern parcel boundary of 2411 West McMicken Avenue. The boundary then turns east along said parcel to the western curb line of West McMicken Avenue, thence continuing south to the point of beginning.

### **3.0 ALTERNATIVES**

Development of alternatives for the Brent Spence Bridge was initiated in 2003 and continued through 2011. A wide range of conceptual alternatives were developed and studied for replacement and/or rehabilitation of the Brent Spence Bridge structure and improvement to its approaches and surrounding transportation system. A series of alternatives were evaluated, eliminated and recommended for further study throughout the project development process (PDP). A discussion of the alternatives development process is provided in Appendix B.

Three alternatives are evaluated in the *Brent Spence Bridge Replacement/ Reconstruction Project Environmental Assessment* (2012), two Build Alternatives, Feasible Alternatives E and I (Exhibits 3 and 4) and the No Build Alternative (Avoidance Alternative). The two Build Alternatives were developed through an iterative process involving engineering, planning and environmental studies; evaluation against design criteria and costs; and review and comment by the public and stakeholders. Alternative I was identified as the Selected Alternative based on its design features, local access features, traffic operations, estimated costs, and environmental impacts.

#### **3.1 Alternative E**

Alternative E utilizes the existing I-71/I-75 alignment from the southern project limits to the Kyles Lane Interchange. The Dixie Highway and Kyles Lane interchanges will be modified slightly to accommodate a collector-distributor (C-D) roadway, which will be constructed along both sides of I-71/I-75 between the two interchanges. North of the Kyles Lane Interchange, the alignment shifts to the west to accommodate additional I-71/I-75 travel lanes. Currently, between Kyles Lane and KY 12<sup>th</sup> Street there are four southbound lanes and three northbound lanes. Alternative I will provide six lanes in each direction for a total of 12 travel lanes.

Near KY 12<sup>th</sup> Street, the northbound alignment separates into two routes; one for interstate traffic and one for a local C-D roadway. Between Pike Street and KY 9<sup>th</sup> Street, the interstate separates into I-71 and I-75 only routes. The C-D roadway will carry local traffic northbound and provide access to Covington at KY 12<sup>th</sup> and 5<sup>th</sup> streets and access from KY 9<sup>th</sup> and 4<sup>th</sup> streets. The southbound C-D roadway will carry traffic from Ohio and cross over I-71 and I-75 and provide access to both the interstate and into Covington at KY 9<sup>th</sup> Street.

A portion of Crescent Avenue will be closed with a new connection to Bullock Street. Access from Covington for southbound interstate traffic is located at KY 12<sup>th</sup> Street. Bullock

Street will be extended north from Pike Street to KY 9<sup>th</sup>, 5<sup>th</sup>, and 4<sup>th</sup> streets and Jillians Way will be extended north from Pike Street to KY 9<sup>th</sup> and 5<sup>th</sup>, and 4<sup>th</sup> streets. Bullock Street and Jillians Way will function as one way pair local frontage roadways.

A new double deck bridge, the new Ohio River Bridge, will be built just west of the existing Brent Spence Bridge to carry northbound and southbound I-71 and I-75 traffic. On the upper deck, I-71 southbound will have three lanes and I-71 northbound will have two lanes. On the lower deck, I-75 will have three northbound and three southbound lanes. The width of the upper and lower decks will be the same on the new Ohio River Bridge. The existing Brent Spence Bridge will be rehabilitated to carry northbound and southbound local traffic with two lanes in the southbound direction and three lanes in the northbound direction, while maintaining the constant existing bridge width.

In Ohio, Alternative E reconfigures I-75 through the I-71/I-75/US 50 Interchange and eliminates some of the existing access points along I-75. Existing ramps to I-71, US 50 and downtown Cincinnati will be reconfigured. The existing direct connections between I-75 to westbound and from eastbound US 50 will be maintained in Alternative E. US 50 will be reconfigured to eliminate left-hand entrances and exits. The OH 5<sup>th</sup> Street overpass will be eliminated and the OH 6<sup>th</sup> Street Expressway will be reconfigured as a two-way, six-lane elevated roadway with a new signalized intersection for US 50 access and egress. Access between southbound I-71 (Fort Washington Way) and northbound I-75 will be provided near OH 9<sup>th</sup> Street as a direct connection. Both I-75 southbound and US 50 (OH 6<sup>th</sup> Street Expressway) will have access to northbound I-71 (Fort Washington Way).

A local C-D roadway will carry local traffic northbound from the existing Brent Spence Bridge and provide access to OH 2<sup>nd</sup>, 5<sup>th</sup>, and 9<sup>th</sup> streets, Winchell Avenue and access from OH 4<sup>th</sup> before reconnecting to I-75 just south of the Linn Street overpass. The northbound ramps from OH 6<sup>th</sup> and 9<sup>th</sup> streets to I-75 will be removed requiring traffic from these points to utilize a new local roadway parallel to I-75 connecting to Winchell Avenue and access the interstate at Bank Street. Southbound I-75 traffic will separate from the local C-D roadway near Ezzard Charles Drive. The southbound C-D roadway will carry traffic over I-75 to OH 7<sup>th</sup> Street, allowing traffic to either; access downtown at 7<sup>th</sup> Street, travel south to OH 5<sup>th</sup> and 2<sup>nd</sup> streets, or travel across the existing Brent Spence Bridge into Covington. Access to the local southbound C-D roadway will be provided at Western Avenue and at OH 4<sup>th</sup> and 8<sup>th</sup> streets.

Alternative E also improves Western and Winchell avenues to facilitate traffic flow and increase capacity. The ramps to Western Avenue and from Winchell Avenue just north of Ezzard Charles Drive will be removed. The ramp from Freeman Avenue to I-75 northbound and the ramp from I-75 southbound to Freeman Avenue will remain. Between Ezzard Charles Drive and WHV, southbound I-75 will have six lanes and northbound I-75 will have five lanes. Alternative E then proceeds northward to its convergence with the WHV Interchange (see Section 3.3).

### **3.2 Alternative I**

Alternative I utilizes the existing I-71/I-75 alignment from the southern project limits to the Kyles Lane Interchange. The Dixie Highway and Kyles Lane interchanges will be modified slightly to accommodate a C-D roadway, which will be constructed along both sides of I-71/I-75 between the two interchanges. North of the Kyles Lane Interchange, the alignment shifts to the west to accommodate additional I-71/I-75 travel lanes. Between Kyles Lane and KY

12<sup>th</sup> Street, six lanes will be provided in each direction for a total of 12 travel lanes. Near KY 12<sup>th</sup> Street, the alignment northbound separates into three routes for I-71, I-75 and a local C-D roadway.

In Alternative I, access into Covington from the interstate will be provided by the local C-D roadway; at KY 12<sup>th</sup> and 5<sup>th</sup> streets for northbound traffic and at KY 5<sup>th</sup> and 9<sup>th</sup> streets for southbound traffic. Access from Covington for northbound traffic will be provided by a ramp located between Pike Street and KY 9<sup>th</sup> Street from Jillians Way. The ramp will provide direct access to I-71 from Covington and provide access to I-75 northbound using the C-D roadway through downtown Cincinnati and connecting at the merge near Ezzard Charles Drive. Access from Covington will also be provided at KY 4<sup>th</sup> Street to the northbound C-D roadway. Access from Covington for southbound interstate traffic is located at KY 12<sup>th</sup> Street. Bullock Street will be extended north from Pike Street to KY 9<sup>th</sup>, and 4<sup>th</sup> streets and Jillians Way will be extended north from Pike Street to KY 9<sup>th</sup> and 5<sup>th</sup> streets. Bullock Street and Jillians Way will function as one way pair local frontage roadways. Access will be provided from the Clay Wade Bailey Bridge to northbound I-75 at the intersection of OH 3<sup>rd</sup> Street and from southbound I-75 to the Clay Wade Bailey Bridge at the same intersection.

A new double deck bridge will be built just west of the existing Brent Spence Bridge to carry northbound and southbound I-75 (three lanes in each direction), two lanes for southbound I-71 and three lanes for southbound local traffic. The width of the upper and lower decks will be the same on the new Ohio River Bridge. The existing Brent Spence Bridge will be rehabilitated to carry two lanes for northbound I-71 and three lanes for northbound local traffic, while maintaining the constant existing bridge width.

Alternative I reconfigures I-75 through the I-71/I-75/US 50 Interchange and eliminates all access to and from I-75 from KY 12<sup>th</sup> Street to the Freeman Avenue overpass in the northbound direction. Alternative I eliminates access to I-75 southbound between the Freeman Avenue exit and KY 9<sup>th</sup> Street. Alternative I also eliminates access from I-75 southbound between the US 50/6<sup>th</sup> Street overpass and Kyles Lane.

In Ohio, a local C-D roadway will be constructed along both sides of I-75. The local northbound C-D roadway will carry local traffic from the existing bridge and provide access ramps to OH 2<sup>nd</sup> Street, I-71 northbound, US 50 westbound, OH 5<sup>th</sup> Street, and Winchell Avenue before reconnecting to I-75 just south of Ezzard Charles Drive. The northbound ramps from OH 4<sup>th</sup> Street will utilize the new local northbound C-D roadway for access to I-75. The northbound ramps from OH 6<sup>th</sup> and 9<sup>th</sup> streets to I-75 will be removed requiring traffic from these two points to utilize a new local roadway parallel to I-75 connecting to Winchell Avenue and access the interstate at Bank Street. The southbound C-D roadway begins near the Ezzard Charles Drive overpass and carries both downtown Covington and Cincinnati traffic. The southbound C-D roadway will provide access to OH 7<sup>th</sup>, 5<sup>th</sup> and 2<sup>nd</sup> streets, as well as connecting to access ramps from Western Avenue, OH 9<sup>th</sup> Street, and US 50 eastbound. The C-D roadway will continue south over the new bridge into Covington.

Between Ezzard Charles Drive and the WHV, northbound I-75 will have five lanes and southbound I-75 will have six lanes, for a total of 11 travel lanes. The ramps to Western Avenue and from Winchell Avenue just north of Ezzard Charles Drive to the Interstate will be eliminated. The southbound ramp to Freeman Avenue and the northbound ramp from Freeman Avenue to I-75 will remain. Alternative I then proceeds northward to its convergence with the WHV Interchange (see Section 3.3).

### **3.3 Western Hills Viaduct Interchange**

#### **3.3.1 Interchange Alternative Development**

The WHV is a multi level structure which spans across the Mill Creek Valley connecting I-75, Central Parkway, West McMillan Street, and Spring Grove Avenue on the east with Queen City Avenue, Harrison Avenue, and State Avenue on the west. The WHV carries local traffic between the west side of Cincinnati and downtown and provides connections to I-75 northbound and southbound from the west side of Cincinnati. Interstate and local traffic movements are intermixed between the upper deck, which consists of four travel lanes, and the lower deck, which consists of three travel lanes.

The existing interchange is a full movement interchange to the west only with a left-hand exit. Southbound I-75 traffic exits to the lower deck and enters from the lower deck while northbound I-75 traffic exits to the upper deck and enters from the upper deck.

Throughout the project development process, several sub-alternatives were evaluated for the WHV Interchange. Three of these sub-alternatives were recommended for further study in the *Planning Study Report* (September 2006). These three sub-alternatives were an offset roundabout diamond, a single roundabout diamond, and a SPUI with an at-grade intersection with Central Parkway. All three sub-alternatives were dismissed from further study because analyses showed each concept did not have the capacity to handle the projected future traffic. A fourth alternative was considered, which connected Spring Grove to I-75 by adding a third level to the interchange under I-75. This full movement interchange was also dismissed after further investigation due to several operationally and geometrically fatal flaws consisting of inadequate interchange spacing with the Hopple Street Interchange to the north and inadequate local roadway capacity.

The primary conceptual design constraints of the WHV were:

- Incorporating the existing WHV multi-level configuration into the proposed design to avoid replacing the entire structure to the west.
- Number of existing travel lanes on both levels of the WHV.
- Limited storage capacity between the I-75/WHV Interchange and the intersection to the east with Central Parkway and West McMillan Street.
- Large traffic demand created when adding additional movements to make a full movement interchange.
- Close proximity between the existing WHV and Hopple Street interchanges precluded designs which required two lane entrance ramps or ramp braiding from WHV to the north.
- Topography of the general area, particularly to the east of I-75 restricted possible realignment of side roads and intersection locations.

A full movement SPUI alternative and a TUDI alternative with restricted access to and from the west were developed in 2010 and 2011 for the WHV Interchange. The two interchange alternatives were developed independently from the rest of the Brent Spence Bridge Replacement/Rehabilitation Project. This was done to achieve the best configuration for the WHV Interchange. The geometric layout of either interchange will work with Alternative E or Alternative I. For the purpose of delineating the configuration of the two feasible alternatives, the SPUI design is shown with Alternative E and the TUDI design is shown with Alternative I.

### **3.3.2 Single Point Urban Interchange (grade-separated with Central Parkway)**

The SPUI alternative is a full movement interchange. A SPUI has a single intersection for all ramps located in the center of the interchange, versus a traditional diamond interchange which has two ramp intersections located to the right and to the left of the mainline.

Both northbound and southbound interstate traffic would have access to WHV eastbound and westbound. Local traffic from the east and from the west would also have access to both northbound and southbound I-75. Several of these movements are not provided by the existing interchange. There is one existing movement that would not be provided by the SPUI. Westbound traffic on West McMillan Street would no longer have access to northbound Central Parkway because the left turn movement onto the Connector Road would be prohibited. This movement accounts for a very small number of vehicles. This movement would account for 10 vehicles in the AM peak period and 20 vehicles in the PM peak period. The design of the SPUI would accommodate pedestrians and bicyclists.

An earlier SPUI design was removed from consideration during Step 5 of the PDP. This original design did not provide the necessary storage at the Western Hills interchange with Central Parkway, and was therefore removed from consideration. The SPUI was later redesigned to its current configuration to bridge Central Parkway and loop back around, connecting to the east side of Central Parkway, thereby providing sufficient storage at the interchange of Western Hills and Central Parkway.

For the SPUI alternative, WHV was realigned to intersect West McMillan Street at the existing West McMillan Street/West McMicken Avenue intersection. This realignment also includes grade separating the intersection of WHV and Central Parkway. A new bridge would replace the existing WHV structure from approximately 900 feet west of Spring Grove Avenue to just east of I-75. An additional structure would be required to carry the WHV over Central Parkway. The WHV would be connected to Central Parkway by a new two-way Connector Road. The addition of this new road would provide storage between the WHV and Central Parkway necessary for acceptable traffic operations at this interchange. In several locations multi-lane turning movements would be required including one triple left turn movement from I-75 southbound to WHV eastbound.

On the upper deck of the WHV, traffic would be a mix of both local and interstate traffic. The lower deck connection to and from Spring Grove Avenue would remain; however, the existing access between I-75 and the lower deck would be removed. Pedestrian access on the south side of the upper deck would be maintained on the new structure with a connection to Central Parkway along the inside of the new Connector Road.

### **3.3.3 Tight Urban Diamond Interchange**

The TUDI alternative is a full movement interchange to the west only. It has two ramp intersections like a traditional diamond but they are located much closer to the mainline. This configuration creates a smaller footprint than a traditional diamond interchange.

This alternative would replace the same movements provided in the existing interchange but removes the undesirable left-hand exit and splits the existing function of the WHV by separating the local traffic movements from the interstate traffic movements between the upper and lower decks. The local traffic movement between the west side of Cincinnati and downtown would be located on the upper deck of the WHV, while interstate traffic movements would be located on the realigned lower deck.

The TUDI would provide a replacement structure to the existing upper deck from just east of Spring Grove Avenue to the existing abutment. This replacement structure would connect to the existing upper deck of the WHV at Spring Grove Avenue. The lower deck structure would be realigned beginning west of the current I-75 southbound ramp diverge location. It would follow a new alignment which crosses Spring Grove Avenue and I-75 south of the WHV upper deck location. This new lower deck structure would be constructed along a new alignment to accommodate two lanes in each direction to carry WHV interstate traffic over I-75 to the lower deck of the WHV.

This new lower deck structure would provide the basis for the interchange, which would have the I-75 northbound and southbound ramps tying into it. Two lanes of traffic in each direction would be provided on the new I-75 interchange structure. The two lanes of traffic in the westbound direction would taper down utilizing pavement markings to one lane west of the interchange and would tie into the outside lane on the north side of the lower deck. The remaining two lanes on the lower deck of the WHV would be used to move eastbound traffic to the new I-75 interchange. This configuration requires reversing the direction of traffic in the center lane on the lower deck from the existing condition (westbound) to eastbound.

Realigning the lower deck removes the existing connection to and from Spring Grove Avenue. In order to restore this connection, two one-way connections are proposed. One connection replaces the movement from Spring Grove Avenue to the west and the other replaces the movement from the west to Spring Grove Avenue. Both connections utilize the footprint of the existing loop ramps, which would be removed as part of this interchange alternative. Pedestrian access to and from the upper deck would be provided along the inside of these two connections. The connection to carry traffic to the west would be located north of the interchange. This connection would have an intersection at Spring Grove Avenue, pass under I-75; and form a merge with the WHV to the east of I-75 closely following the alignment of the existing loop ramp. Similarly, in the eastbound direction, the connection would follow the alignment of the existing loop ramp for several hundred feet and then align to become the fourth leg of an intersection with Harrison Avenue and Winchell Avenue to the southeast of the new interchange.

### **3.4 Avoidance Alternatives**

All of the conceptual alternatives and feasible alternatives developed for the Brent Spence Bridge Replacement/ Reconstruction Project would impact Section 4(f) resources (see the Conceptual Alternatives Evaluation Matrix located in Appendix B). Each alternative would directly impact both historic resources and public parks. Due to the densely developed urban environment of the study area, it was not possible to develop a build alternative that avoids impacts to Section 4(f) properties and satisfies the purpose and need of the project.

The only alternative that avoids Section 4(f) resources is the No Build Alternative. The No Build Alternative was retained as a baseline for evaluation of the Build Alternatives. The No Build Alternative consists of minor, short-term safety and maintenance improvements to the Brent Spence Bridge and I-75 corridor, which would maintain continuing operations. Because it does not meet the project purpose and need, the No Build is not considered to be a prudent and feasible alternative for the Brent Spence Bridge Replacement/ Rehabilitation Project.

### 3.4.1 Lewisburg Historic District

All of the alternatives developed for the Brent Spence Bridge Replacement/Rehabilitation Project would impact the Lewisburg Historic District. Because the district abuts I-71/I-75, impacts to the district could not be avoided throughout the development and design of the alternatives. Avoidance of this Section 4(f) resource was further complicated by the presence of another Section 4(f) resource on the east side of the interstate, Goebel Park, which is directly across from the historic district and also abuts the I-71/I-75 right of way.

### 3.4.2 Longworth Hall

Conceptual Alternative B developed in 2007 and 2008, is the only alternative that would avoid direct impacts to Longworth Hall. This alternative is unique from the other conceptual and feasible alternatives considered for this project because it follows a new alignment across the Ohio River and through the Queensgate area of Cincinnati. Conceptual Alternative B would be located within 37 feet of the west end of Longworth Hall. All other alternatives would have a direct impact to the east end of the building.

Even though Alternative B would not directly impact Longworth Hall, it would impact three other Section 4(f) resources located in Kentucky: Goebel Park; the residence at 632 Western Avenue in Covington, which is eligible for the NRHP; and the Lewisburg Historic District. Alternative B would encroach upon the western edge of Goebel Park and the eastern edge of the Lewisburg Historic District. Alternative B would also displace the NRHP eligible residence at 632 Western Avenue.

Further information about Conceptual Alternative B and reasons for eliminating from further consideration in the PDP is provided in Appendix B.

### 3.4.3 West McMicken Avenue Historic District

The West McMicken Avenue Historic District would be affected by the SPUI at the WHV. The TUDI was developed to avoid impacts to the West McMicken Avenue Historic District. A TUDI has two ramp intersections like a traditional diamond but they are located much closer to the mainline. This configuration creates a smaller footprint than a traditional diamond interchange. Therefore, it avoids impacts to the West McMicken Avenue Historic District.

## 4.0 SECTION 4(f) IMPACTS

Three alternatives are evaluated in the *Brent Spence Bridge Replacement/ Reconstruction Project Environmental Assessment* (2012) (EA), two Build Alternatives, Feasible Alternatives E and I (Exhibits 3 and 4), and the No Build Alternative. The two WHV Interchanges are also evaluated in the EA because the geometric layout of either interchange will work with Alternative E or Alternative I.

The No Build Alternative is retained as a baseline for evaluation of the feasible alternatives. The No Build Alternative consists of minor, short-term safety and maintenance improvements to the Brent Spence Bridge and I-75 corridor, which would maintain continuing operations.

Both Alternatives E and I would result in the use of the Lewisburg Historic District and Longworth Hall. The WHV SPUI would impact the NRHP eligible West McMicken Avenue Historic District while the WHV TUDI avoids these impacts. Only the No Build Alternative

would avoid the use of any Section 4(f) resources. The effects of the project on Section 4(f) resources are summarized in Table 2 and discussed in the following sections.

FHWA has determined that the project with the committed mitigation measures will have a *de minimis* impact, as defined in 23 CFR 774.17, on Goebel Park, the Queensgate Playground and Ball Fields, and the Western Hills Viaduct. The impacts to these resources and mitigation measures are discussed in Section 2.1.

**Table 2. Effects on Section 4(f) Resources**

Resource	Alternative	Direct Impacts
Lewisburg Historic District (Approximately 700 acres including 430 buildings)	No Build/Avoidance	None
	Alternative E	5.1 acres acquired Affects 53 contributing elements (38 fully acquired; 15 with partial acquisition).
	Alternative I	2.1 acres acquired Affects 28 contributing elements (21 fully acquired; 7 with partial acquisition).
Longworth Hall (1,160 feet in length, five stories tall)	No Build/Avoidance	None
	Alternative E	Demolition of 204 feet of the eastern section of the building.
	Alternative I	Demolition of 204 feet of the eastern section of the building.
West McMicken Avenue Historic District (consists of 21 buildings)	No Build/Avoidance	None
	WHV Single Point Urban Interchange	Demolition of 8 contributing buildings
	WHV Tight Urban Diamond Interchange	None

#### **4.1 Lewisburg Historic District**

The Lewisburg Historic District abuts the western right-of-way for I-71/I-75 and Goebel Park, another Section 4(f) resource, abuts the eastern right-of-way for I-71/I-75 in the same vicinity, therefore, impacts to the district could not be avoided throughout the development and design of the alternatives.

Alternative E would require the acquisition of 5.1 acres of land within the boundary of the Lewisburg Historic District. Land from 53 properties that are contributing elements to the historic district would be affected. A total of 38 parcels would be totally acquired with demolition of associated residential structures and land from 15 others would also be acquired for right-of-way without impact to any structures. Exhibit 5 shows Alternative E's impacts on the Lewisburg Historic District.

Alternative I would require the acquisition of 2.1 acres of land within the historic district boundary, affecting 28 of the 430 properties that are considered to be contributing elements to the Lewisburg Historic District. Twenty-one parcels would be acquired as total right-of-way acquisitions with demolition of structures; seven additional parcels would be affected through partial or strip-take right-of-way acquisition, which would not require taking of any buildings. Exhibit 6 shows Alternative I's impacts on the Lewisburg Historic District.



Additionally, the historic district would experience changes in access with both Alternatives E and I. Under Alternative E, 1,800 feet of Crescent Avenue would be eliminated that links the Lewisburg Historic District to the interstate system and the regional roadway network. Crescent Avenue would be realigned to connect to Bullock Street to the south. Access to the historic district would be provided by Bullock and KY 9<sup>th</sup> streets. Alternative access is available via Western Avenue which runs parallel to Crescent approximately 200 feet to the west. Under Alternative I, Lewis Street which provides access to the historic district would be closed at Pike Street. Access to the historic district would still be provided by Bullock and KY 9<sup>th</sup> streets as well as Crescent Avenue.

Noise levels within the Lewisburg Historic District were modeled using the FHWA Traffic Noise Model Version 2.5 (TNM) at 241 noise sensitive locations. Based upon the analysis, the existing ambient noise levels (2010) exceed the FHWA's noise abatement criteria (NAC) at 123 locations (51 percent). Under the No Build Alternative (2035), the NAC criteria would be exceeded at 138 locations (57 percent). Based upon Alternative E, the FHWA NAC criteria would be exceeded at 140 locations (63 percent) however, an additional 13 receptors would be acquired for implementation. For Alternative I, the FHWA NAC criteria would be exceeded at 152 locations (63 percent). Even though the existing and future noise levels exceed the FHWA NAC, the noise increases will not introduce audible elements that diminish the integrity of the historic district's significant historic features.

In accordance with FHWA noise policies, abatement must be considered for locations where traffic-related noise impacts would occur. For this project, noise barriers have been determined to be the only potentially effective noise abatement measure. KYTC has defined criteria for determining the feasibility and reasonableness of constructing a noise barrier. The determination of reasonableness of a proposed abatement measure is based upon three primary factors: the noise reduction design goal, acoustic feasibility, and cost effectiveness. For a noise barrier to be determined reasonable, all three factors must be achieved. Four noise barrier locations were analyzed for the Lewisburg Historic District, however, based upon KYTC policies, none of the proposed noise barriers met abatement criteria for acoustic feasibility and/or cost effective for either Alternative E or I. The complete *Brent Spence Bridge Replacement/Rehabilitation Project Noise Study Report: Kentucky* (December 2011) can be found on the project website: [www.brentspencebridgecorridor.com/studydocuments.html](http://www.brentspencebridgecorridor.com/studydocuments.html).

A MOA among FHWA and the Kentucky State Historic Preservation Officer with concurrence by KYTC and the city of Covington was prepared to address the adverse effect to the Lewisburg Historic District. This MOA is provided in Appendix C.

## **4.2 Longworth Hall**

Feasible Alternatives E and I would directly impact the eastern section of Longworth Hall. Both alternatives would pass through 204 feet of the eastern end of the building, requiring that three, 15-foot, two 13-foot, and six 12-foot bays of the building be demolished. This affected section of the building is the portion which was previously altered by reducing its length by 150 feet in 1961, to allow for the supporting piers of elevated I-71/I-75. A five-story 30,000 square foot brick addition was then built onto the northeast corner. Exhibits 7, 8 and 9 show the impacts to Longworth Hall from Alternatives E and I.

A MOA among the FHWA, ODOT, OHPO and other consulting parties was prepared to address the adverse effects to Longworth Hall resulting from the project. The MOA is provided in Appendix C.

### **4.3 West McMicken Avenue Historic District**

The NRHP eligible West McMicken Avenue Historic District would be affected by the WHV SPUI alternative but would experience no adverse effects from the TUDI alternative. This interchange alternative would require construction of a connector road between the Central Parkway and the WHV. This would result in the demolition of eight of the 21 residences that are contributing elements to the historic district. Exhibit 10 shows the SPUI impacts on the West McMicken Avenue District. The TUDI alternative would not directly impact the West McMicken Avenue Historic District (Exhibit 11).

Noise levels at modeled receiver sites in the West McMicken Avenue Historic District indicate that current (2010) ambient noise levels range between 54.3 and 70.1 dB(A). For the remaining (those not acquired as a result of the alternative) receiver sites under the Future (2035) noise levels for Alternative E would range between 64.4 dB(A) and 71.7 in the AM peak hour and 65.1 and 72.1 dB(A) in the PM peak hour. As a result of Alternative E, noise in 2035 would approach or exceed NAC at seven of nine modeled receiver locations. The noise increases would not introduce audible elements that diminish the integrity of the historic district's significant historic features.

Future noise levels for Alternative I would range between 63.2 and 70.9 dB(A) during the AM and 63.2 and 71.6 dB(A) during the PM Peak Hour periods. As a result of Alternative I, noise in 2035 would approach or exceed NAC at 10 of 14 modeled receiver locations. The noise increases would not introduce audible elements that diminish the integrity of the historic district's significant historic features.

A noise wall is not recommended at the West McMicken Avenue Historic District because it would not be considered reasonable according to ODOT's noise policies. The complete *Brent Spence Bridge Replacement/Rehabilitation Project Noise Study Report: Ohio* (December 2011) can be found on the project website: [www.brentspencebridgecorridor.com/studydocuments.html](http://www.brentspencebridgecorridor.com/studydocuments.html).

## **5.0 MEASURES TO MINIMIZE HARM TO SECTION 4(f) RESOURCES**

Since there were no feasible or prudent avoidance alternatives for the Brent Spence Bridge Replacement/Rehabilitation Project, measures to minimize impacts and potential mitigation for impacts were examined throughout the project development process as required under 23 CFR 774.17. Where possible, measures to minimize harm to resources were incorporated into the design of the alternatives. The following sections describe the measures taken to minimize impacts on Section 4(f) resources for Alternatives E and I.

## **5.1 Measures to Minimize Harm During Design**

### **5.1.1 Lewisburg Historic District**

The Lewisburg Historic District is in very close proximity to I-71/I-75, therefore impacts to the district could not be avoided throughout the development and design of the alternatives. Avoidance of this Section 4(f) resource was further complicated by the presence of another Section 4(f) resource on the opposite side of the interstate, Goebel Park, which also abuts the I-71/I-75 right of way. Goebel Park is located directly across from the Lewisburg Historic District.

Alternative E requires a wider right-of-way than Alternative I through Covington, Kentucky due to the 12 proposed travel lanes, ramps from I-71 and I-75, and a collector-distributor (C-D) roadway system. Near KY 12<sup>th</sup> Street, the northbound alignment separates into two routes; one for interstate traffic and one for a local C-D roadway. Between Pike Street and KY 9<sup>th</sup> Street, the interstate separates into I-71 and I-75 only routes. The C-D roadway will carry local traffic northbound and provide access to Covington at KY 12<sup>th</sup> and 5<sup>th</sup> streets and access from KY 9<sup>th</sup> and 4<sup>th</sup> streets. The southbound C-D roadway will carry traffic from Ohio and cross over I-71 and I-75 and provide access to both the interstate and into Covington at KY 9<sup>th</sup> Street.

The design of Alternative I limited impacts to the historic district as much as possible. For example, ramp access from the interstate system was configured in a manner to reduce impacts to the district by combining geometric connections which required less property impacts. Improvements to Pike Street were also redesigned to avoid impacts to historic properties on the south side of the street. Retaining walls along I-71/75 adjacent to the Lewisburg Historic District will further reduce the amount of right of way required from the district. Retaining walls will also allow Crescent Avenue to remain open to provide access to the district.

The Access Point Study conducted in 2010, determined that improvements were needed on Pike Street in Covington to accommodate future traffic volumes under Alternative I. The improvements to Pike Street include widening and adding turn lanes west of Jillians Way under I-71/I-75 and widening and realigning Pike Street through the intersection with Jillians Way continuing eastward eventually tapering into the current design of Pike Street east of Philadelphia Street. The improvements to Pike Street east of Jillians Way resulted in impacts to two additional historic properties adjacent to the south side of Pike Street: KECL 817 Boehmer Decorating Company, 533-535 Pike Street and the adjacent KECL 864 C&C Mortuary Service, 511-519 Pike Street. Both properties are eligible for listing in the NRHP. To avoid impacts to these two historic properties, the design of the Pike Street improvements was revised. Six lanes are proposed between Bullock Street and Jillians Way under I-71/I-75 for Pike Street, which include four turn lanes and two through lanes. There will be one through lane on Pike Street which passes under I-71/I-75 east crossing Jillians Way. This merge shifts eight feet north through the intersection with Jillians Way and realigns with existing Pike Street east of the intersection. The southern existing curb line of Pike Street will remain in place. These design changes reduced the width of right of way needed for Pike Street improvements east of Jillians Way, which avoided impacts to KECL 817 Boehmer Decorating Company, 533-535 Pike Street and to KECL 864 C&C Mortuary Service, 511-519 Pike Street.

### **5.1.2 Longworth Hall**

Impacts to Longworth Hall could not be avoided throughout the development and design of the feasible alternatives. Therefore, measures were taken to minimize direct impacts to Longworth Hall. For both Alternatives E and I, the alignments were shifted to the east as much as possible. This resulted in the need for a design exception for the ramp from I-71 southbound/US 50 westbound to the southbound collector-distributor roadway. This ramp was designed for a speed of 35 miles per hour (mph), which does not meet the minimum design standard of 45 mph, therefore requiring a design exception. In order to avoid the design exception and use a flatter curve radius, the ramp would have extended farther to the west. This would have resulted in an additional 30 feet of impact to Longworth Hall.

Additionally, the southbound C-D roadway and the ramp from US 50 eastbound were designed to connect into the ramp from I-71 southbound/US 50 westbound to the southbound collector-distributor roadway alignment as soon as possible so that the acceleration lanes could be tied into the lower deck of the new Ohio River Bridge. This design provided narrow right of way limits for the alternatives, which further reduced impacts to Longworth Hall.

### **5.1.3 West McMicken Avenue Historic District**

The West McMicken Avenue Historic District would be affected by the SPUI at the WHV. The TUDI was developed to avoid impacts to the West McMicken Avenue Historic District. A TUDI has two ramp intersections like a traditional diamond but they are located much closer the mainline. This configuration creates a smaller footprint than a traditional diamond interchange. Therefore, it avoids impacts to the West McMicken Avenue Historic District (Exhibit 11).

## **5.2 Mitigation Measures**

To mitigate the unavoidable impacts to Section 4(f) resources resulting from Alternative I, the Selected Alternative, measures to minimize harm/mitigate were jointly developed between FHWA, ODOT, KYTC, FHWA, OHPO, KHC, city of Covington and consulting parties. MOAs were prepared for adverse affects by the project to the Lewisburg Historic District and Longworth Hall. A MOA among FHWA and the Kentucky State Historic Preservation Officer with concurrence by KYTC and the city of Covington was prepared to address the adverse effect to the Lewisburg Historic District. A MOA among FHWA, ODOT and the Ohio Historic Preservation Office (OHPO) was prepared to address the adverse effect to Longworth Hall. The MOAs are provided in Appendix C.

The following sections present mitigation measures for the Section 4(f) resources to be incorporated in the project.

### **5.2.1 Lewisburg Historic District**

Mitigation measures for the Lewisburg Historic District include:

- Recordation of historic structures to be demolished. In order to preserve a record of its history and appearance, the structures within the Lewisburg Historic District to be demolished as a part of this project, will be recorded. State Level I Documentation is required and will include:
  - A Kentucky Historic Resource Individual Survey form (KHC 2011-1), completed or updated as appropriate;

- Utilizing an archival search and gathering specific historic information from appropriate data sources, a brief report describing the history and architectural significance of the structures and history of the area or neighborhood will be prepared to accompany the inventory form;
  - The buildings or structures will be photographically documented with a series of digital color images showing all exterior elevations architectural elements, interior ornamentation, woodwork, and any other significant, character defining details. A selection of photographs should be printed on 5" x 7" archival quality, acid free paper. Each photo will be labeled with the date, site number, direction, and subject. A Gold, Archival type CD-Rom of the digital images shall be provided in notebook sleeves and submitted in a three-ring binder;
  - Measured floor plans of each floor of the buildings or structures will be prepared. These drawings will be at a scale of 1/8 inch per foot, and will be analytical in nature, showing construction details, alterations, and additions. The drawings shall be on archival quality, acid free paper and may be in ink or pencil. Each drawing shall be labeled with the title of the building, survey number, view, dimension, name of the field worker and drawing preparer, date of the drawing, scale bar, north arrows for plans, and explanatory notes. The drawings will be accompanied by a written description of the building.
  - Upon completion of the Undertaking, KYTC shall prepare and provide to KHC, documentation of appropriate boundaries for the Lewisburg Historic District. Once agreement is reached on appropriate boundaries, KYTC shall prepare a revised nomination form reflecting the newly established boundaries and submit it to KHC for coordination with the Keeper of the National Register of Historic Places.
  - Upon completion of construction of Undertaking, KYTC shall prepare a Kentucky Historic Resource Individual Survey form (KHC 2011-1) for each of the properties located within the Lewisburg Historic District. A new survey form is required if more than five years have lapsed since the survey form was updated. These survey forms along with associated CD-Rom with photographs will be submitted to the KHC.
- A Façade Grant Program administered by the city of Covington will be developed, and implemented to improve and rehabilitate the façade of residential and commercial properties within the Lewisburg Historic District. This program will be approved and funded by FHWA. Specific details of the program, including additional funding sources, review authority, owner matching funds, program marketing, and timeframes for approval and completion of projects will be determined through consultation between KYTC, the city of Covington, KHC, and FHWA. The Façade Grant Program will be provided with project funding in an amount not to exceed \$420,000.00 for property improvements. The FHWA participation will terminate ten years from the date of program implementation.
  - Vibration Testing will be conducted during construction. To avoid damage to historic properties, the KYTC shall ensure that construction blasting/vibration plans and bridge pier construction plans shall be developed by their contractor(s) prior to beginning any construction activities that would require blasting or result in vibration. These construction blasting/vibration plans shall be implemented during appropriate construction activities. The KYTC shall discuss with the KHC the protective measures to be used by the Contractor to protect historic resources from vibration damage. The KYTC shall seek the recommendations of the KHC regarding any

additional properties not identified by the Contractor that should be considered Extremely Fragile.

- These plans shall be developed, as directed by the contract documents, for all historic properties within the Kentucky APE and shall include requirements for pre-and post-construction surveys conforming to industry standards, construction monitoring, and other measures to minimize harm to historic properties. The KYTC shall be responsible for overseeing the development of these plans, in consultation with the KHC, who will help identify appropriate structures to monitor.
- The KYTC in consultation with KHC will make the determination whether damage has occurred to historic properties identified in the Section 106 process as a result of project activities.
- The KYTC shall be responsible for repair of any blast and vibration damage to historic properties. Any repairs shall be coordinated in advance with the respective KHC to ensure they are carried out in accordance with the Secretary of the Interior's *Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* (Secretary's Standards).
- Where access to privately owned property is necessary for monitoring or damage repair, consent shall be obtained prior to entry.

### **5.2.2 Longworth Hall**

Mitigation measures for Longworth Hall include:

- Masonry repair, which will include repair or replacement of bricks as warranted; tuck-pointing; and brick cleaning of the west, north and south walls.
- Installation of exterior storm windows.
- Restoration of the east wall, to an approximation of its original appearance. This will include materials salvaged during demolition in accordance with the Secretary of Interior's Standards
  - Plans will be developed for review and comment by the building owner, Cincinnati Preservation Association and OHPO.
  - Windows removed to accommodate the new roadway construction, will be restored and used in the east wall reconstruction.
  - Windows removed and not used in the east wall reconstruction will be restored and returned to the owner.
  - A cornerstone commemorating the date of construction (1904) on one side and the date of the renovation on the other side will be included in the east wall reconstruction design.
- Plaque/Interpretive signage will be constructed:
  - The original location of the east wall prior to construction of the Brent Spence Bridge will be outlined by bricks and stone work.
  - An interpretive plaque describing changes to the property that have occurred over time will be placed near the original location of the east end wall.
- The original lettering across the top of the building will be refurbished.
- All materials removed that retain historic integrity and nature will be returned to the building owner to be reused in future repairs or future expansion.
- ODOT will have follow up discussions with the owner regarding contracting methods and their request to either perform the construction themselves or provide project management control. If ODOT concurs in this approach, details will be outlined in a separate agreement.

**5.2.3 West McMicken Avenue Historic District**

The West McMicken Avenue Historic District would be affected by the WHV SPUI. Selection of the TUDI as the preferred interchange alternative will avoid impacts to the historic district.

**6.0 COORDINATION**

Coordination for Section 4(f) resources was initiated at the beginning of the project development process. Section 106 of 36 CFR Part 800 of the National Historic Preservation Act requires that those parties eligible to participate as consulting parties in the historic preservation review process be identified. The Section 106 process requires the coordination of findings of the Section 106 investigations with the KHC and OHPO as well as other defined consulting parties. In 2006, individuals and organizations with interests in the affected communities and historic preservation were invited to participate as consulting parties. Consulting party application forms were also provided at the public meetings held for the project in 2006. Table 3 provides a list of local, state, and federal consulting parties for the Brent Spence Bridge Replacement/ Rehabilitation Project.

**Table 3. Consulting Parties**

Consulting Party	Ohio	Kentucky
Local Agencies	Cincinnati Historic Conservation Office Cincinnati Preservation Association Historic Southwest Ohio, Inc. - Hauck House Dayton Street Historic District Association Lower Price Hill Community Council Price Hill Civic Club West End Community Council Cincinnati Metropolitan Housing Authority Community Revitalization Agency Cincinnati Park Board	City of Covington – Mayor City of Covington – Historic Preservation Officer City of Covington – Assistant City Engineer
Local Community Groups	Cincinnati Museum Center	Lewisburg Neighborhood Association Covington Neighborhood Services Coordination Kenton Hills Botany Hills Home Owners Association Botany Hills Neighborhood (West Covington)
State Agencies	Ohio Department of Transportation Ohio Historic Preservation Office	Kentucky Transportation Cabinet Kentucky Heritage Council
Federal Agencies	FHWA, Urban Programs Engineer	FHWA, Kentucky Division
Citizens	Jenny Edwards Michael Schweitzer	None

Section 106 consulting party coordination included written correspondence as well as meetings and site visits with consulting parties, which resulted in concurrence of a defined Area of Potential Effect (APE), impacts to cultural resources, and mitigation measures. The following sections present a summary of Section 106 coordination throughout the PDP.

## **6.1 Section 106 Coordination Activities**

### **6.1.1 2006 Activities**

The first public involvement meetings for the Brent Spence Bridge Replacement/ Rehabilitation Project were held on May 2 and 4, 2006. These public meetings represented Concurrence Point #1 and were held to present work completed in Steps 1 through 4 of the PDP. These meetings were also the first Section 106 public meetings. The meeting advertisement specifically requested that citizens provide information about historic and archaeological resources within the study area. Exhibits showing the locations of documented cultural resources within the study area were displayed at the meetings and posted on the project website. Consulting party application forms were also provided at the public meetings and on the project website.

Meetings with consulting parties in Ohio were held on August 10 and November 16, 2006. Meetings with consulting parties in Kentucky were held on August 30 and November 29, 2006.

### **6.1.2 2007 Activities**

Consulting party coordination in 2007 focused on the results of the historic architecture surveys completed in Kentucky and Ohio within the study area. Determination of eligibility recommendations by the Project Team were presented in separate historic architecture survey reports for Kentucky and Ohio properties. These reports were submitted to KHC and OHPO for review and concurrence. There were further discussions/meetings between KYTC, ODOT, KHC, and OHPO regarding the APE, viewshed APE and consulting party coordination.

The *Phase I History/Architecture Survey Report: Hamilton County, Ohio* (June 2007) was circulated to Ohio consulting parties in August 2007. The *History/Architecture Survey Report: Kenton County, Kentucky* (June 2007) was circulated to Kentucky consulting parties in November 2007. Only two consulting parties provided comments on the report.

### **6.1.3 2008 Activities**

Phase II historic architecture surveys were conducted for Ohio resources and reports prepared in 2008. There were further discussions/meetings between ODOT and OHPO regarding eligibility determinations and impacts to historic resources held on October 30 and November 6, 2008.

The *History/Architecture Survey Report: Kenton County, Kentucky* was revised in accordance with agency and consulting party comments in November 2008.

### **6.1.4 2009 Activities**

The second public involvement meetings for the Brent Spence Bridge Replacement/ Rehabilitation Project were held on May 6 and 7, 2009. These public meetings represented Concurrence Point #2 and were held to present work completed through Step 5 of the PDP. The meeting advertisement and handout specifically requested that citizens provide information about cultural resources within the study area. Exhibits showing the locations of documented cultural resources from the historic architecture surveys within the APE were displayed at the meetings and posted on the project website. Consulting party application forms were also provided at the public meetings and on the project website.



The *Phase II History/Architecture Survey Report: Hamilton County, Ohio* (December 2008) was submitted to OHPO for review and concurrence in January 2009. This report was circulated to consulting parties in June 2009. An *Addendum Phase II History/Architecture Survey Report: Hamilton County, Ohio* (September 2009) was submitted to OHPO for review and concurrence in September 2009. This addendum report was circulated to Ohio consulting parties in October 2009.

KHC provided comments on the revised *History/Architecture Survey Report: Kenton County, Kentucky* (November 2008) in May 2009. The study area in Kentucky was extended south to Dixie Highway Interchange and a historic architecture survey was conducted in this new area in August 2009. The *History/Architecture Survey Report: Kenton County, Kentucky* was revised to include the results of the survey in the extended study area in November 2009.

#### **6.1.5 2010 Activities**

The study area in Ohio in the vicinity of the WHV was widened and a historic architecture survey was conducted in this expanded portion of the APE in March 2010. The *Addendum Phase I History/Architecture Survey Report for the Western Hills Viaduct* (July 2010) was submitted to OHPO for review in August 2010. This report was distributed to Ohio consulting parties in September 2010.

ODOT, OHPO, and FHWA met on July 15, 2010 to discuss impacts to Longworth Hall and the Harriet Beecher Stowe School. Information about the impacts to these resources was sent to Ohio consulting parties for comment and posted on the project website. A consulting parties meeting was held on October 7, 2010 to discuss impacts to Longworth Hall and the Harriet Beecher Stowe School and possible mitigation measures.

KYTC, the city of Covington, and FHWA held meetings to discuss impacts to the Lewisburg Historic District on April 1 and June 28, 2010.

The *History/Architecture Survey Report: Kenton County, Kentucky* (April 2010) was reviewed by FHWA and KHC in May and June 2010. KHC concurred with the report findings in July 2010. This report was distributed to consulting parties in September 2010. A Kentucky consulting parties meeting was held on October 15, 2010 to discuss impacts to the Lewisburg Historic District and possible mitigation measures.

#### **6.1.6 2011 Activities**

The *Phase I History/Architecture Survey Addendum Report for the Western Hills Viaduct Interchange* (November 2010) was submitted to OHPO for review and concurrence in January 2011. The OHPO concurred with the findings of the report on February 25, 2011. OHPO's concurrence letter was circulated to Ohio consulting parties in March 2011.

The *Determination of Effects Report* (February 2011) was submitted to KHC for review in April 2011. This report was revised in accordance with KHC comments and resubmitted to KHC in June 2011. The *Determination of Effects Report* (June 2011) was also submitted to OHPO and FHWA for review and concurrence in June 2011 and July 2011, respectively. KHC concurred with the findings of the report on August 12, 2011.

ODOT notified the Advisory Council on Historic Preservation (ACHP) of the adverse effects of the project on Longworth Hall and the Lewisburg Historic District in August 2011. ODOT

submitted to ACHP the draft MOA between ODOT, FHWA and OHPO, the *Determination of Effects Report* (June 2011), and the *Longworth Hall Impact Analysis Report – Part Three: Potential Mitigation Measures* (June 2011). ACHP reviewed this documentation and notified ODOT that their participation in the consultation to resolve adverse effects of the project was not warranted. ODOT distributed the ACHP correspondence, draft MOA concerning adverse effects to Longworth Hall, *Determination of Effects Report* (June 2011), and *Longworth Hall Impact Analysis Report – Part Three: Potential Mitigation Measures* (June 2011) to Ohio consulting parties in August 2011.

The *Phase I Intensive Archaeological Survey - Kenton County, Kentucky* (April 2011) was submitted to KHC for review in April 2011. This report was revised in accordance with KHC comments and resubmitted to FHWA and KHC in May 2011. FHWA provided conditional clearance of the Phase I archaeological survey on July 15, 2011. Additional archaeological surveys were completed at the request of KHC within the APE and documented in the *Phase I Intensive Archaeological Survey - Kenton County, Kentucky* (September 2011). KHC concurred with the survey results and report findings on September 22, 2011.

In correspondence dated October 28, 2011, ODOT notified OHPO of FHWA's determination that the Brent Spence Bridge Replacement/ Rehabilitation Project will have an *Adverse Effect* on Longworth Hall. OHPO concurred with the *Adverse Effect* determination on October 31, 2011. A copy of the letter is included in Appendices A and C.

An Ohio consulting parties meeting was held on November 2, 2011 to discuss impacts to Longworth Hall and proposed mitigation measures. The details of the measures, their advantages and disadvantages, and estimated costs were discussed. Following the Ohio consulting parties meeting, OHPO prepared a prioritized list of proposed mitigation measures for Longworth Hall. This list was submitted to ODOT in correspondence dated November 21, 2011. A copy of this letter is included in Appendix C.

A second meeting was held with the Ohio consulting parties on December 8, 2011 to further discuss impacts and mitigation for Longworth Hall. An MOA among the FHWA, ODOT, OHPO and other consulting parties was prepared to address the adverse effects to Longworth Hall resulting from the project. Mitigation measures for Longworth Hall are presented in the MOA provided in Appendix C.

KYTC distributed the *Determination of Effects Report* (June 2011) to Kentucky consulting parties in November 2011. A Kentucky consulting parties meeting was held on November 16, 2011 to discuss impacts to the Lewisburg Historic District and proposed mitigation measures. KYTC led the discussion of mitigation of effects to the Lewisburg Historic District. The potential mitigation measures that were presented included the following:

- Photo documentation.
- Survey forms for the 430 contributing resources to the historic district.
- Revise the National Register of Historic Places (NRHP) nomination form to include building that were not yet 50 years old.
- Preservation plan to preserve the history of the district.
- Vegetative plan to replace screening removed by the project.

The following suggestions for mitigation measures were provided by the consulting parties:

- Façade grant pool for rehabilitation of buildings.
- Mitigation for the change in access to Devou Park and implementation of a gateway plan.
- Pedestrian and bicycle connections to Pike Street, Mainstrasse and Goebel Park.
- Enhanced vibration standards during construction.

The parties seemed in agreement with the benefits of the development of documentation, survey forms and updating of the NRHP nomination form. There was little support for a Preservation Plan that was not accompanied with funding for implementation. There was also comment that a vegetative plan may be more of a project commitment than historic mitigation.

The consulting parties generally seemed highly supportive of a façade grant pool. The city of Covington also suggested that access improvements into the neighborhood would help to promote future investment.

Representatives from FHWA, KYTC and KHC met on December 19, 2011, to discuss mitigation measures for impacts to the Lewisburg Historic District. KHC stated that they approved of the mitigation options presented at the November 16, 2011 consulting parties meeting. Other potential mitigation options were also discussed during the meeting. FHWA and KHC agreed that a Façade Program and vibration testing during construction are the options that would best mitigate actual impacts to the historic district.

#### **6.1.7 2012 Activities**

Representatives from KYTC and city of Covington met on February 14, 2012 to discuss Alternative I impacts to the Lewisburg Historic District and Goebel Park. Representatives from KYTC and city of Covington also met on April 24, 2012 to discuss the Memorandum of Agreement (MOA) and mitigation for the Lewisburg Historic District. Impacts to and mitigation for Goebel Park were also discussed.

One public hearing was held on April 24, 2012 and a second hearing was held on April 25, 2012. These meetings were held to present the findings of the Environmental Assessment. Exhibits showing the location of Section 4(f) resources and impacts of Alternative I were presented at the hearings.

A MOA among FHWA and the Kentucky State Historic Preservation Officer with concurrence by KYTC and the city of Covington was prepared to address the adverse effect to the Lewisburg Historic District. The MOA was signed in June 2012. This MOA is provided in Appendix C.

## **6.2 US Department of the Interior Coordination**

ODOT submitted the Draft Individual Section 4(f) Evaluation to the US Department of the Interior (USDOI) in March 2012. In correspondence dated May 25, 2012, the USDOI concurred with the following:

- The preferred alternative has less overall impacts to the Section 4(f) properties than the other build alternatives, but there are still considerable impacts to the two historic properties.
- There were no feasible or prudent avoidance alternatives to the preferred alternative presented which results in impacts to Section 4(f) properties.

- All possible planning needed to minimize harm to the Section 4(f) resources has been employed.

The USDOJ letter is provided in Appendix D.

## **7.0 CONCLUSION**

Based upon the above considerations, there is no feasible and prudent alternative to the use of land from the Lewisburg Historic District and Longworth Hall and the proposed action includes all possible planning to minimize harm to the Lewisburg Historic District and Longworth Hall resulting from such use.

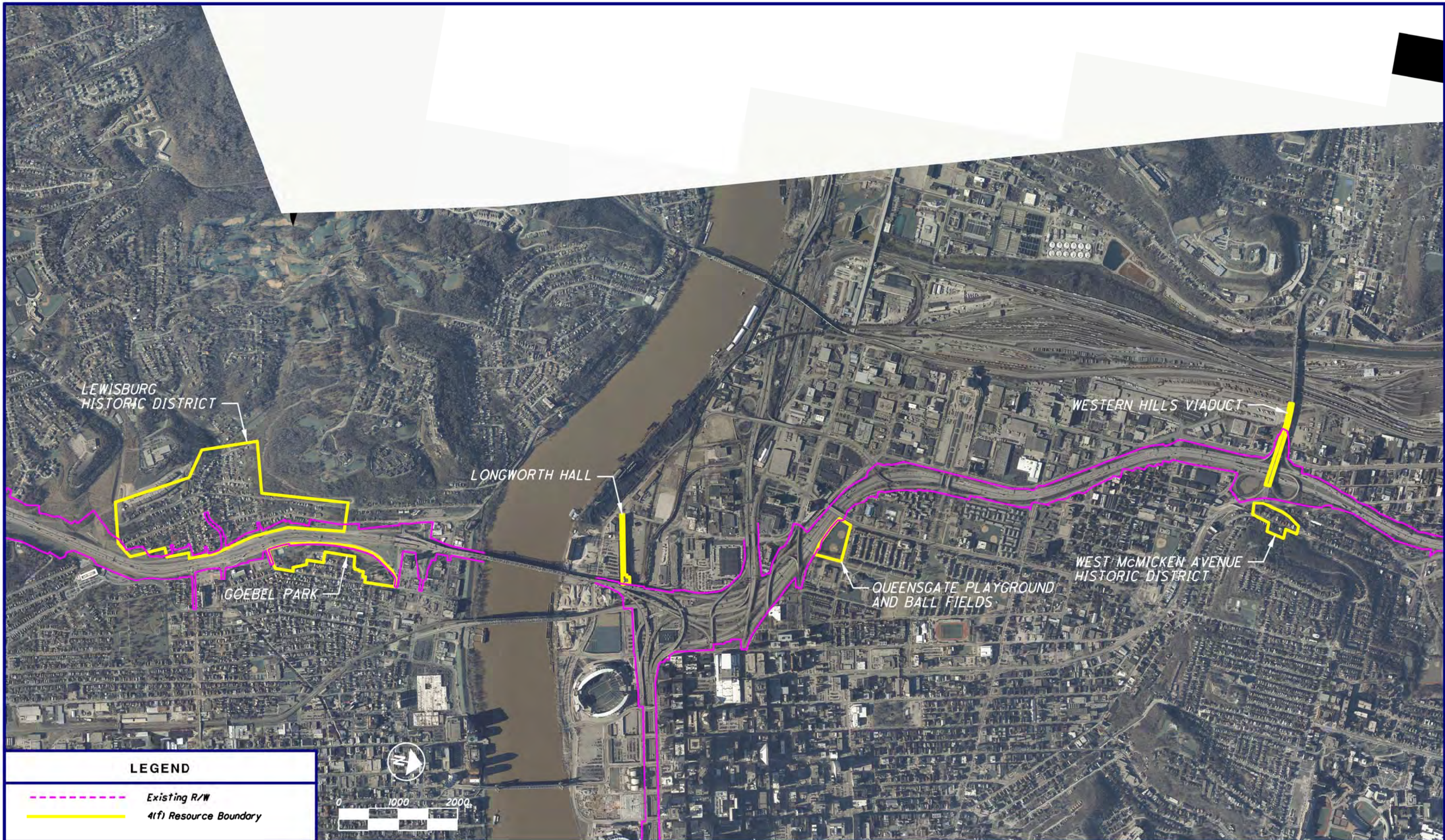
## **Exhibits**



**STUDY AREA**

**EXHIBIT**

**1**



LEWISBURG  
HISTORIC DISTRICT

LONGWORTH HALL


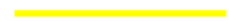
WESTERN HILLS VIADUCT

GOEBEL PARK

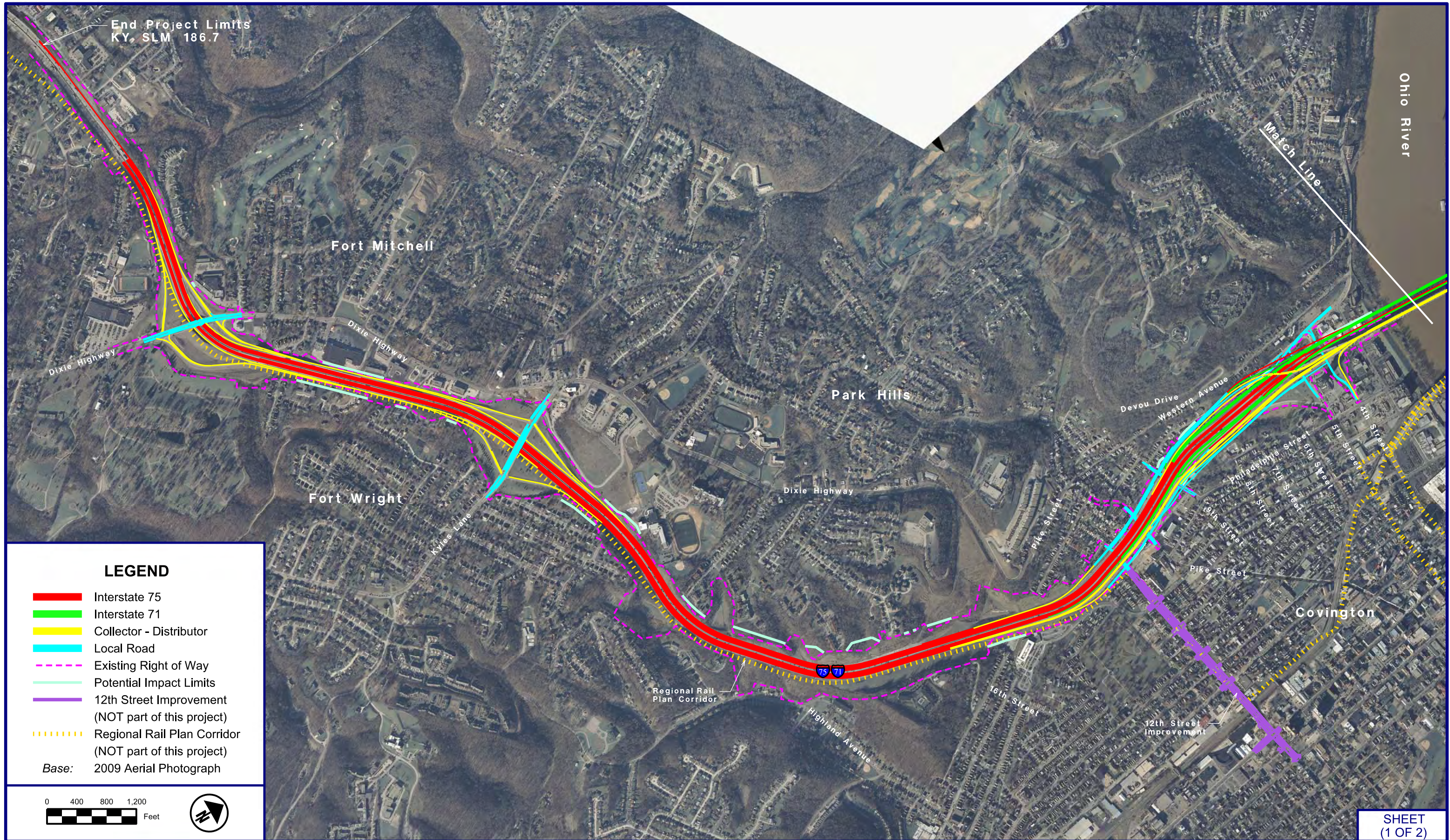
QUEENSGATE PLAYGROUND  
AND BALL FIELDS

WEST McMICKEN AVENUE  
HISTORIC DISTRICT

**LEGEND**

-  Existing R/W
-  4(f) Resource Boundary





End Project Limits  
KY, SLM 186.7

Ohio River

Match Line

Fort Mitchell

Park Hills

Fort Wright

Covington

**LEGEND**

- Interstate 75
- Interstate 71
- Collector - Distributor
- Local Road
- Existing Right of Way
- Potential Impact Limits
- 12th Street Improvement  
(NOT part of this project)
- Regional Rail Plan Corridor  
(NOT part of this project)

Base: 2009 Aerial Photograph



U.S. Department of Transportation  
Federal Highway Administration



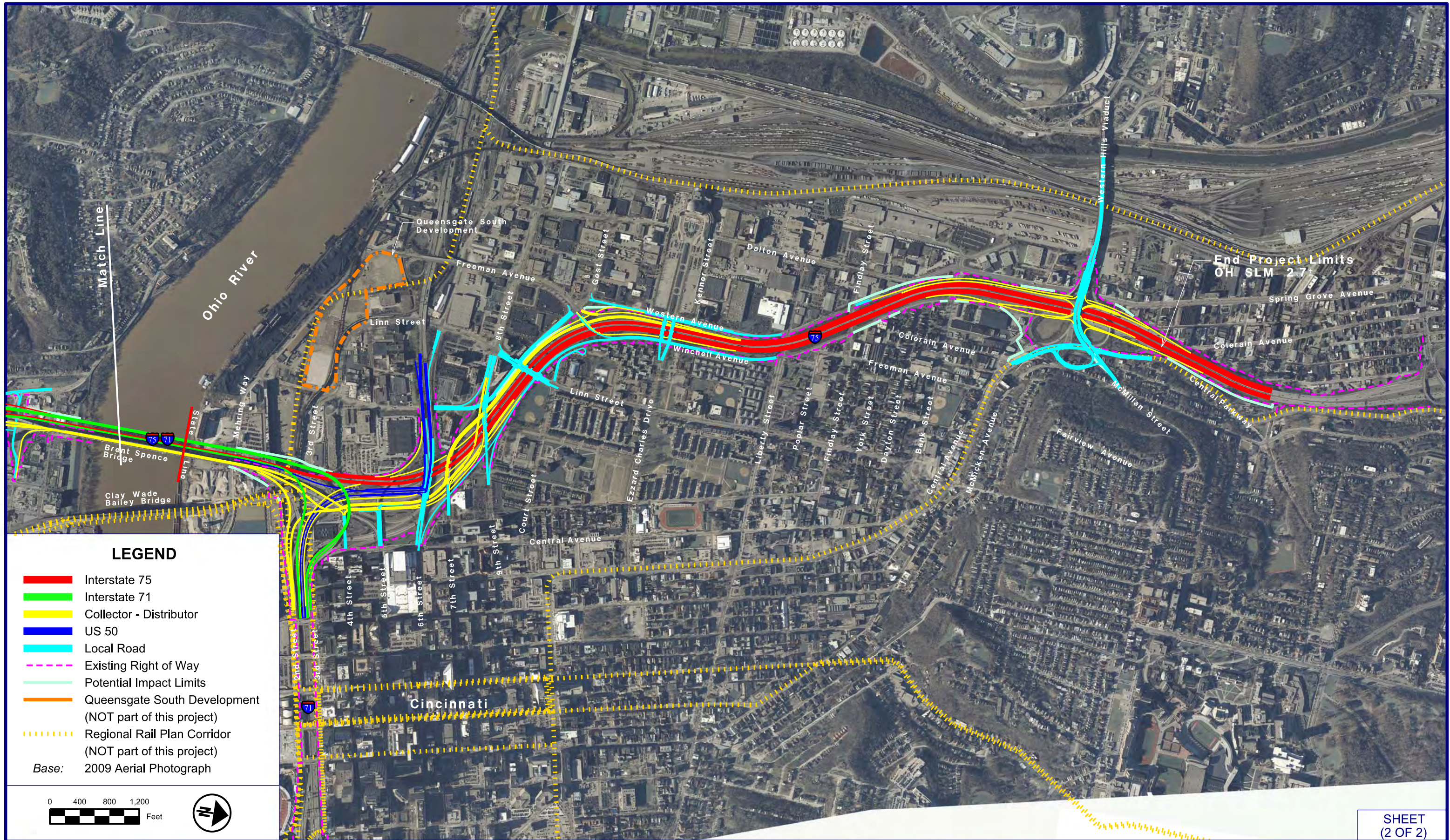
**FEASIBLE ALTERNATIVE E  
(KENTUCKY)**

SHEET  
(1 OF 2)

EXHIBIT

3A





**LEGEND**

- Interstate 75
- Interstate 71
- Collector - Distributor
- US 50
- Local Road
- Existing Right of Way
- Potential Impact Limits
- Queensgate South Development (NOT part of this project)
- Regional Rail Plan Corridor (NOT part of this project)

Base: 2009 Aerial Photograph



U.S. Department of Transportation  
Federal Highway Administration



Prepared by:  
**PARSONS BRINCKERHOFF**

**FEASIBLE ALTERNATIVE E  
(OHIO)**

SHEET  
(2 OF 2)

EXHIBIT

**3B**

# LEGEND

- Existing Right of Way
  - Potential Impact Limits
  - Regional Rail Plan Corridor (NOT part of this project)
- Base: 2009 Aerial Photograph



U.S. Department of Transportation  
Federal Highway Administration



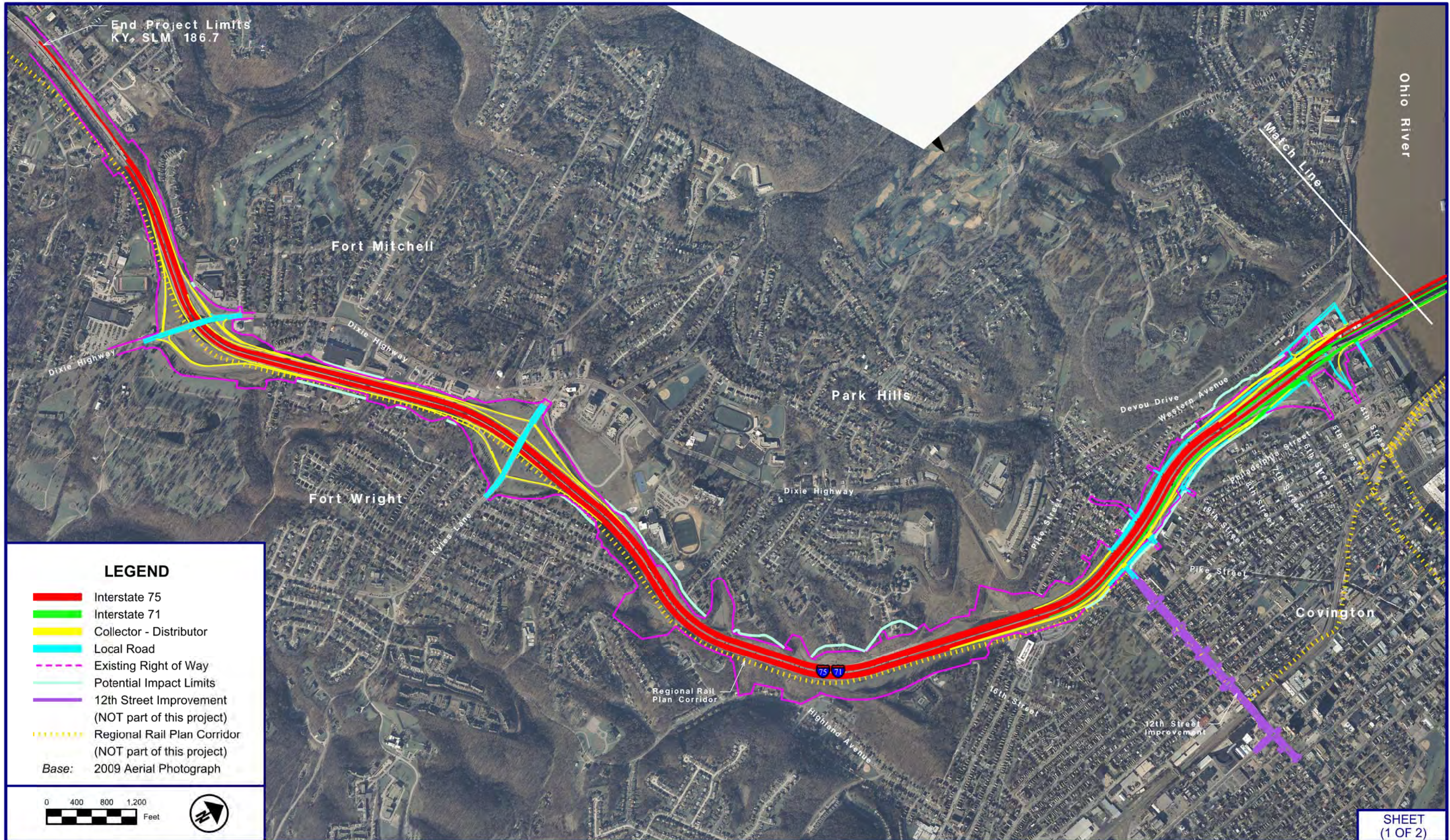
**ALTERNATIVE E  
DETAIL  
(KENTUCKY)**

SHEET  
(1 OF 1)

EXHIBIT

3C

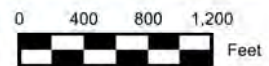
Prepared by:  
**PARSONS  
BRINCKERHOFF**



**LEGEND**

- Interstate 75
- Interstate 71
- Collector - Distributor
- Local Road
- Existing Right of Way
- Potential Impact Limits
- 12th Street Improvement  
(NOT part of this project)
- Regional Rail Plan Corridor  
(NOT part of this project)

Base: 2009 Aerial Photograph



U.S. Department of Transportation  
Federal Highway Administration

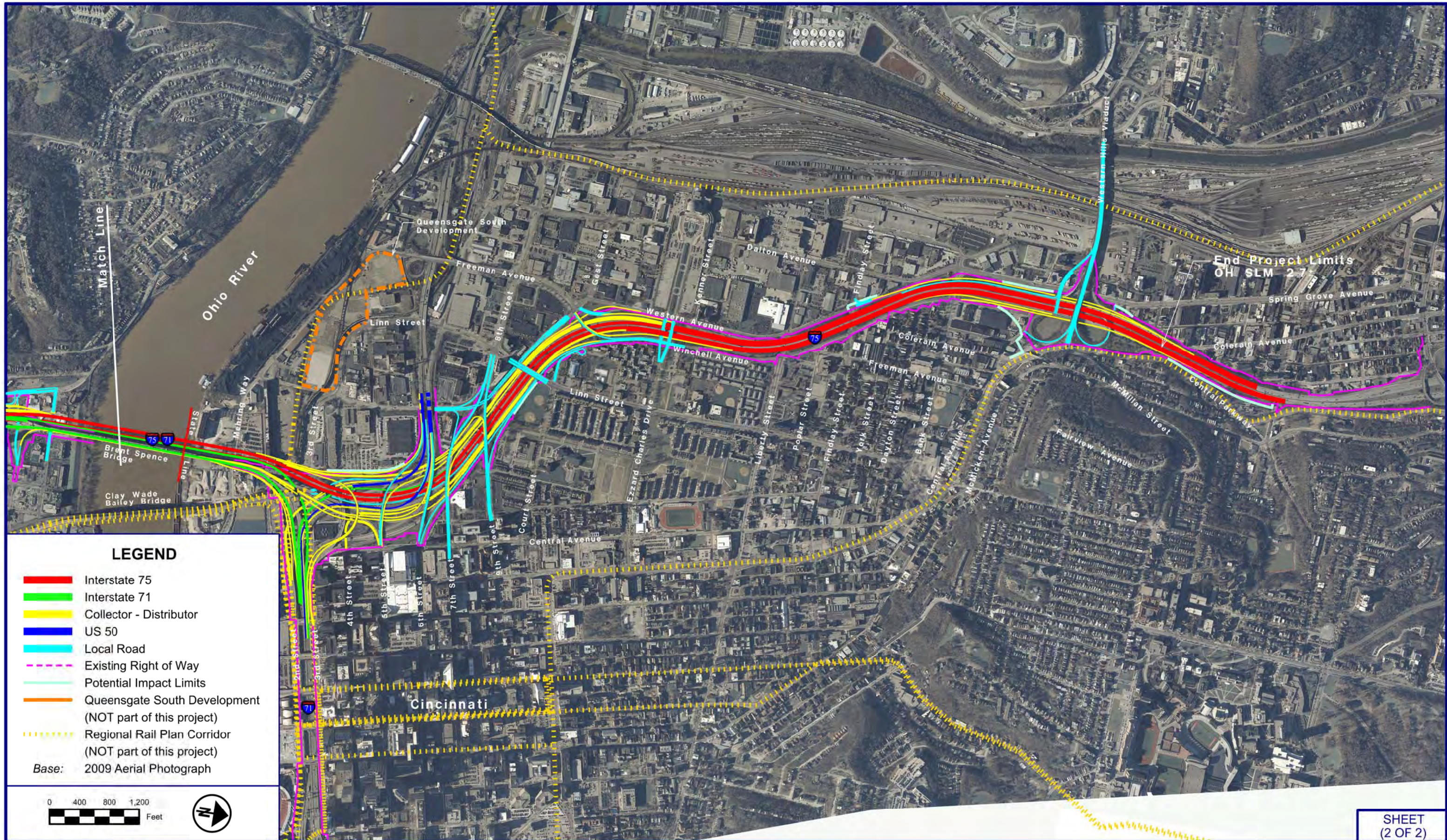


**FEASIBLE ALTERNATIVE I  
(KENTUCKY)**

SHEET  
(1 OF 2)

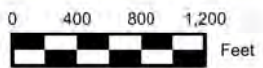
EXHIBIT

4A



**LEGEND**

- Interstate 75
  - Interstate 71
  - Collector - Distributor
  - US 50
  - Local Road
  - Existing Right of Way
  - Potential Impact Limits
  - Queensgate South Development (NOT part of this project)
  - Regional Rail Plan Corridor (NOT part of this project)
- Base: 2009 Aerial Photograph



U.S. Department of Transportation  
Federal Highway Administration



Prepared by:  
**PARSONS BRINCKERHOFF**

**ALTERNATIVE I  
(OHIO)**

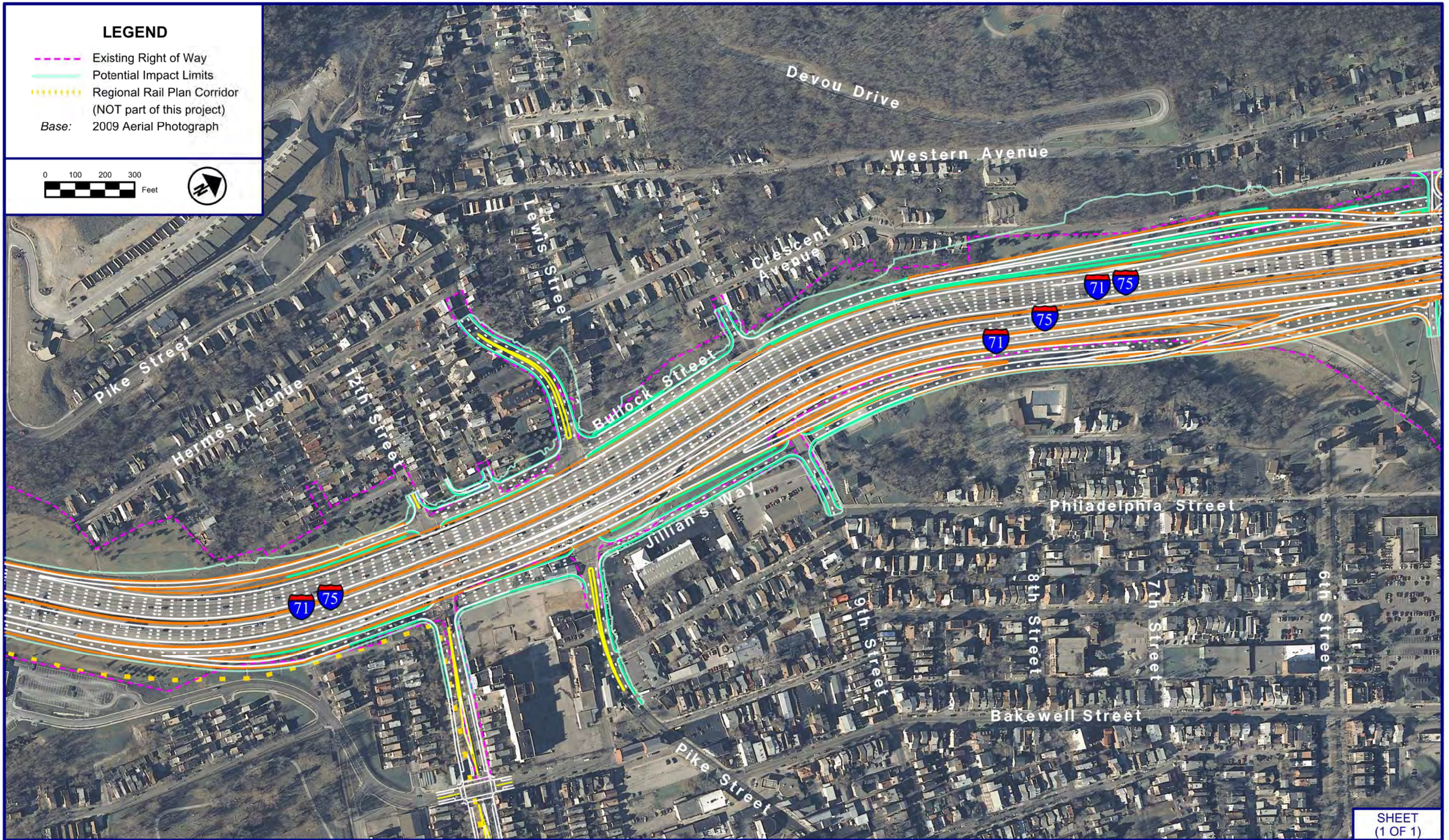
SHEET  
(2 OF 2)

EXHIBIT

4B

# LEGEND

- Existing Right of Way
  - Potential Impact Limits
  - Regional Rail Plan Corridor (NOT part of this project)
- Base: 2009 Aerial Photograph



U.S. Department of Transportation  
Federal Highway Administration



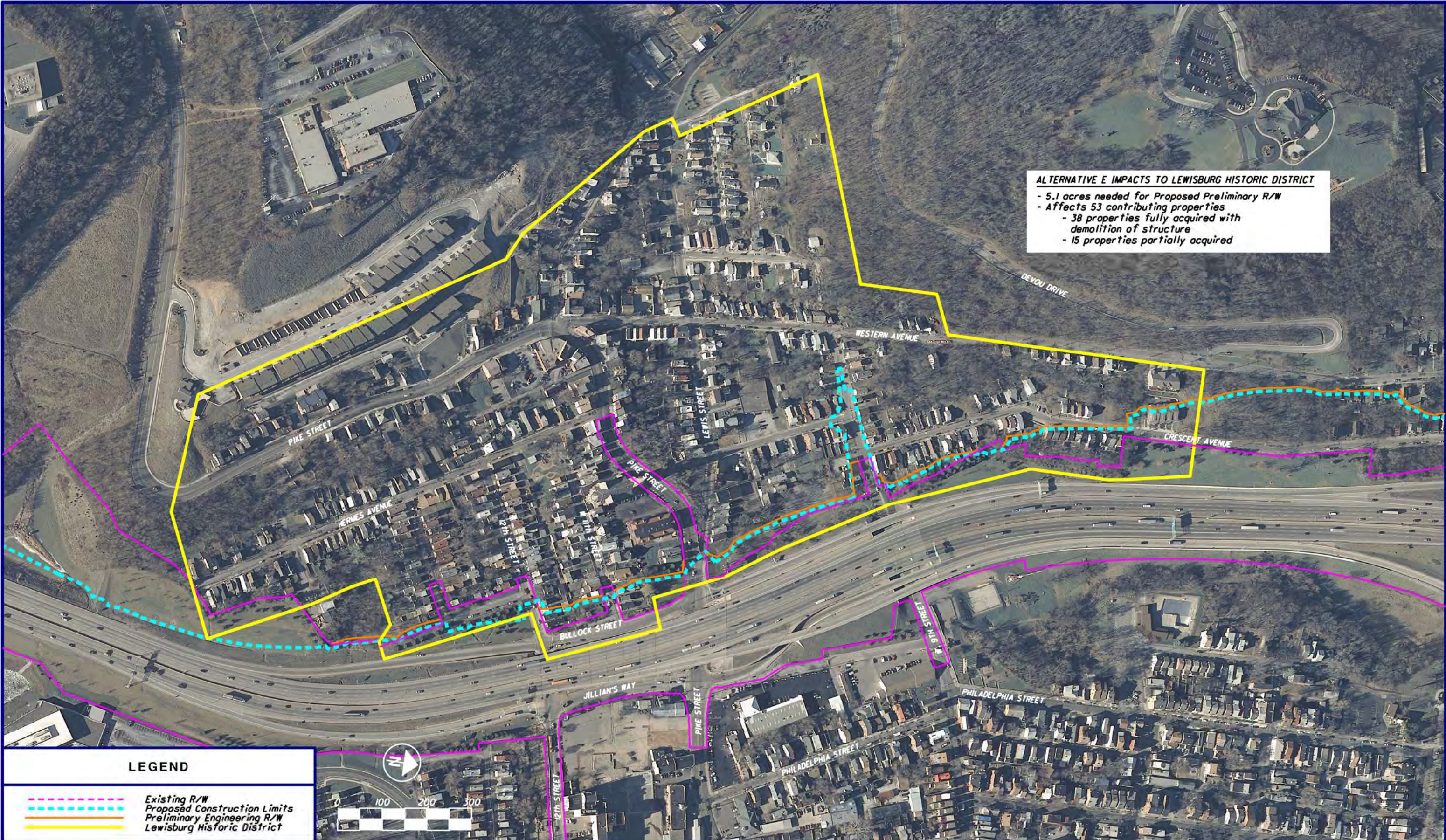
Prepared by:  
**PARSONS BRINCKERHOFF**

**ALTERNATIVE I  
DETAIL  
(KENTUCKY)**

SHEET  
(1 OF 1)

EXHIBIT

4C



**ALTERNATIVE E IMPACTS TO LEWISBURG HISTORIC DISTRICT**

- 5.1 acres needed for Proposed Preliminary R/W
- Affects 53 contributing properties
  - 38 properties fully acquired with demolition of structure
  - 15 properties partially acquired

**LEGEND**

- - - Existing R/W
- - - Proposed Construction Limits
- Preliminary Engineering R/W
- Lewisburg Historic District



U.S. Department of Transportation  
Federal Highway Administration

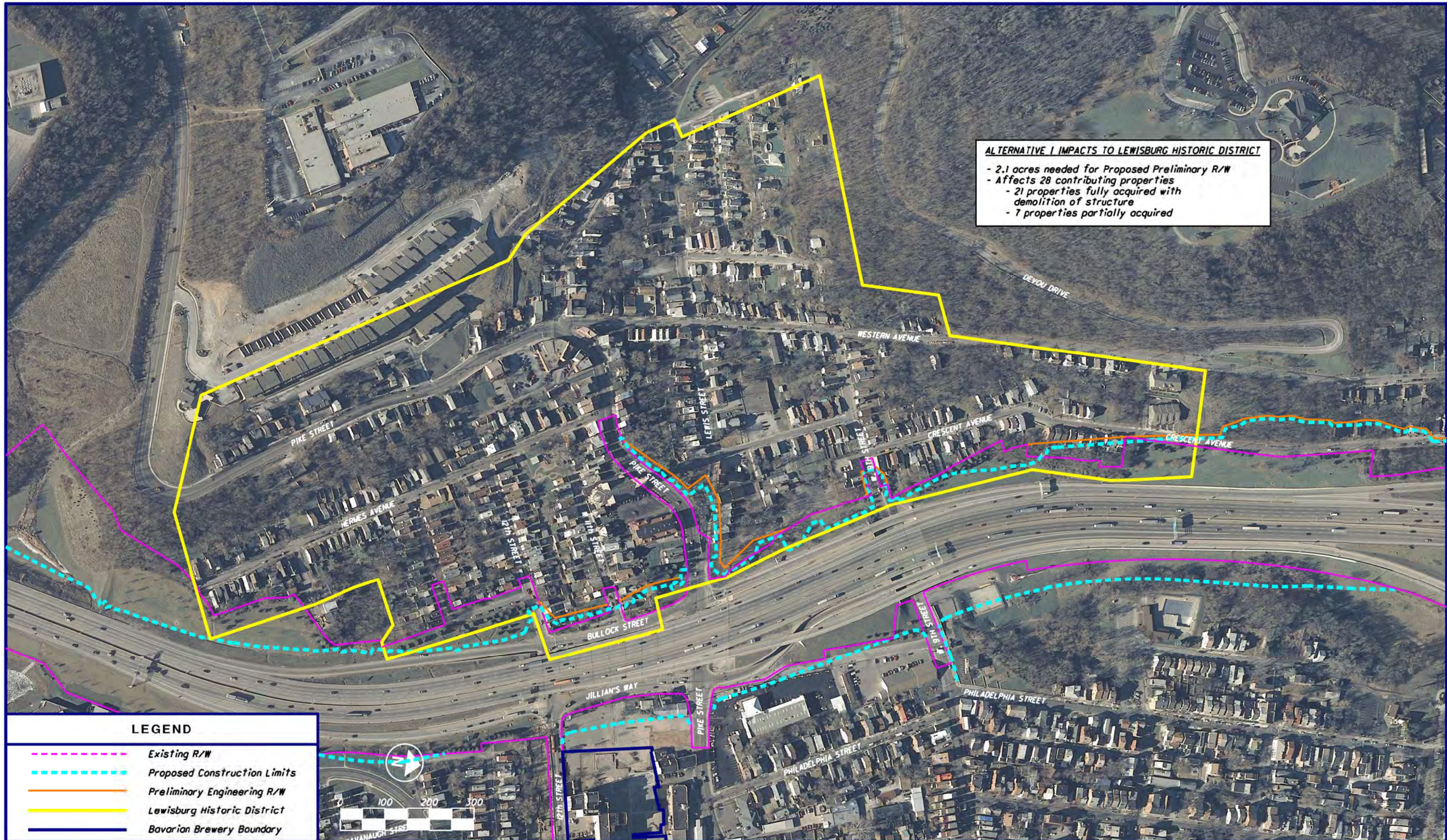


Prepared by:  
**PARSONS BRINCKERHOFF**

**ALTERNATIVE E IMPACTS TO THE LEWISBURG HISTORIC DISTRICT**

**EXHIBIT**

**5**



**ALTERNATIVE I IMPACTS TO LEWISBURG HISTORIC DISTRICT**

- 2.1 acres needed for Proposed Preliminary R/W
- Affects 28 contributing properties
  - 21 properties fully acquired with demolition of structure
  - 7 properties partially acquired

**LEGEND**

- - - Existing R/W
- - - Proposed Construction Limits
- Preliminary Engineering R/W
- Lewisburg Historic District
- Bavarian Brewery Boundary



U.S. Department of Transportation  
Federal Highway Administration



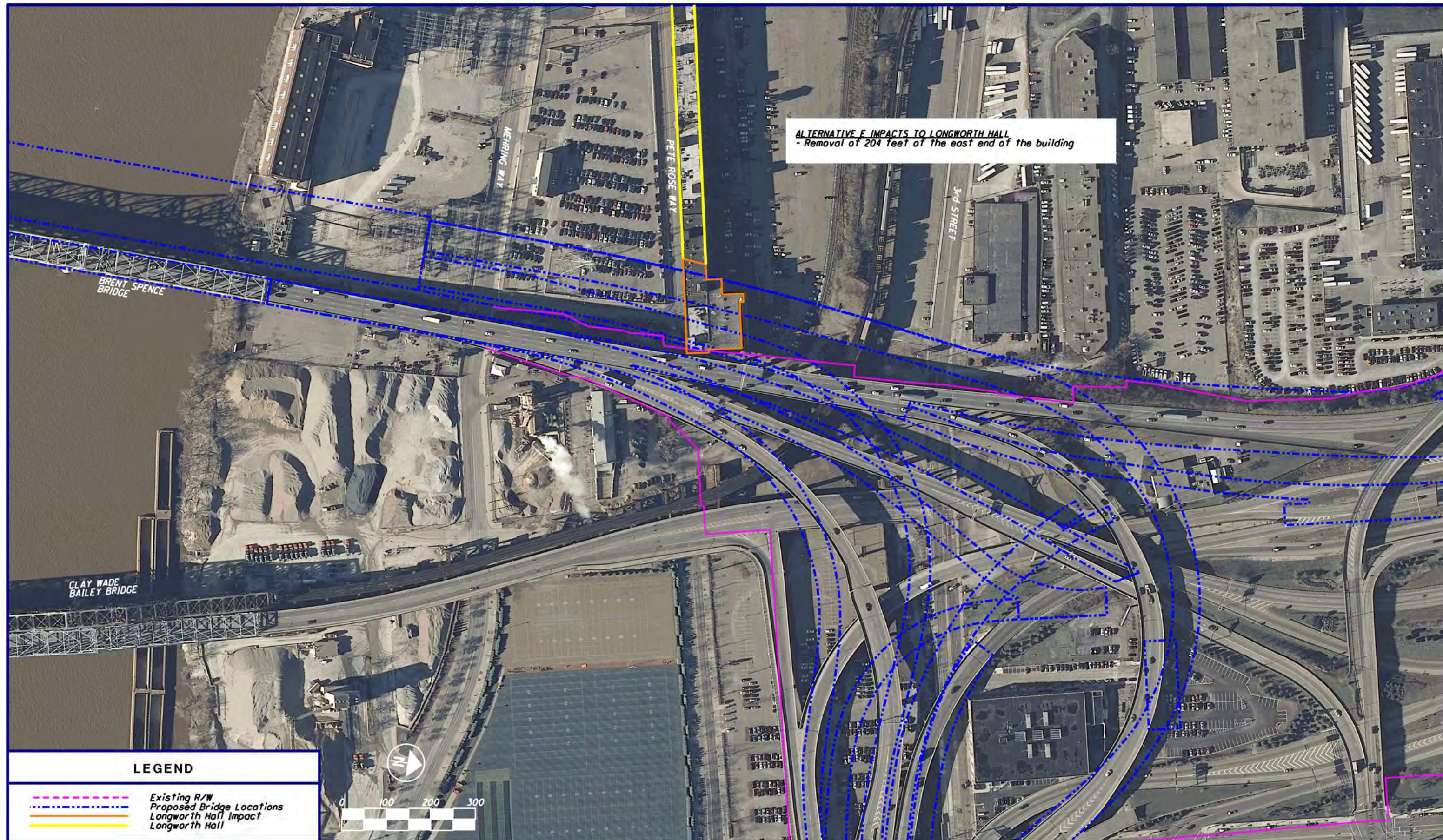
Prepared by:  
**PARSONS BRINCKERHOFF**

**ALTERNATIVE I IMPACTS TO THE  
LEWISBURG HISTORIC DISTRICT**

**EXHIBIT**

**6**

**ALTERNATIVE F IMPACTS TO LONGWORTH HALL**  
- Removal of 204 feet of the east end of the building



**LEGEND**

- Existing R/W
- Proposed Bridge Locations
- Longworth Hall Impact
- Longworth Hall

U.S. Department of Transportation  
Federal Highway Administration



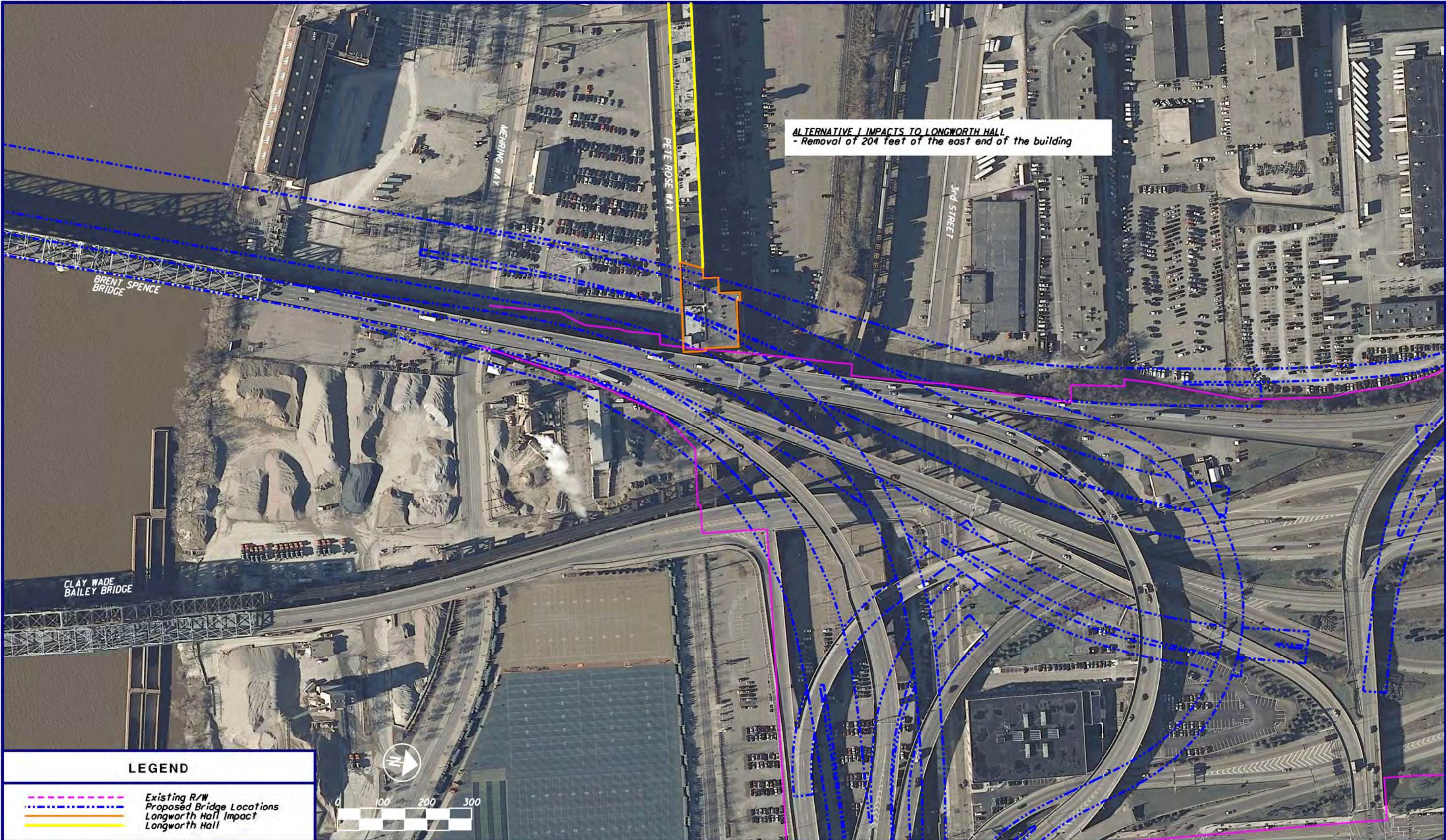
**ALTERNATIVE E IMPACTS  
TO LONGWORTH HALL**

EXHIBIT

7



**ALTERNATIVE I IMPACTS TO LONGWORTH HALL**  
- Removal of 204 Feet of the east end of the building



**LEGEND**

- Existing R/W
- Proposed Bridge Locations
- Longworth Hall Impact
- Longworth Hall

U.S. Department of Transportation  
Federal Highway Administration

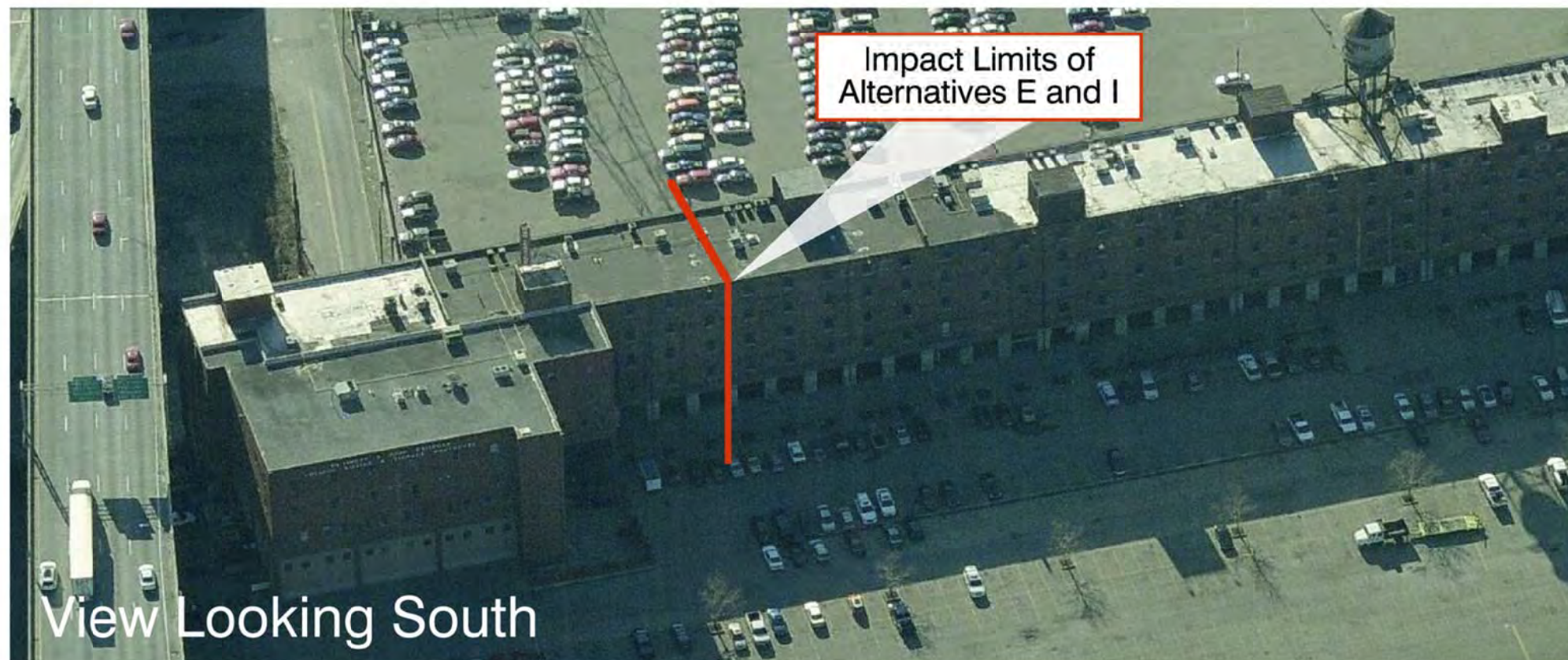


**ALTERNATIVE I IMPACTS  
TO LONGWORTH HALL**

**EXHIBIT  
8**

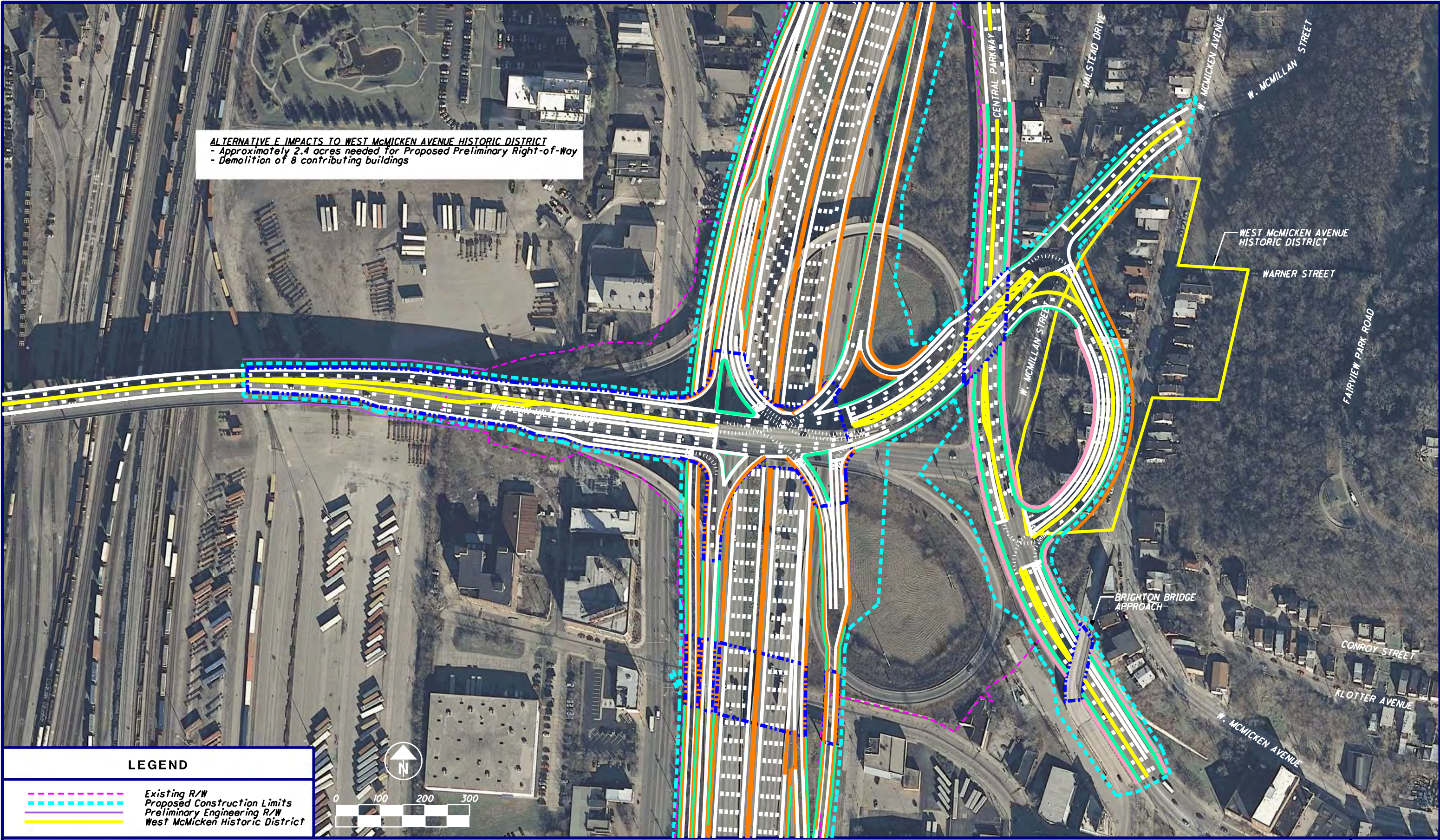


View Looking North



View Looking South

**ALTERNATIVE E IMPACTS TO WEST McMICKEN AVENUE HISTORIC DISTRICT**  
 - Approximately 2.4 acres needed for Proposed Preliminary Right-of-Way  
 - Demolition of 8 contributing buildings



**LEGEND**

- - - Existing R/W
- - - Proposed Construction Limits
- - - Preliminary Engineering R/W
- West McMicken Historic District



U.S. Department of Transportation  
 Federal Highway Administration

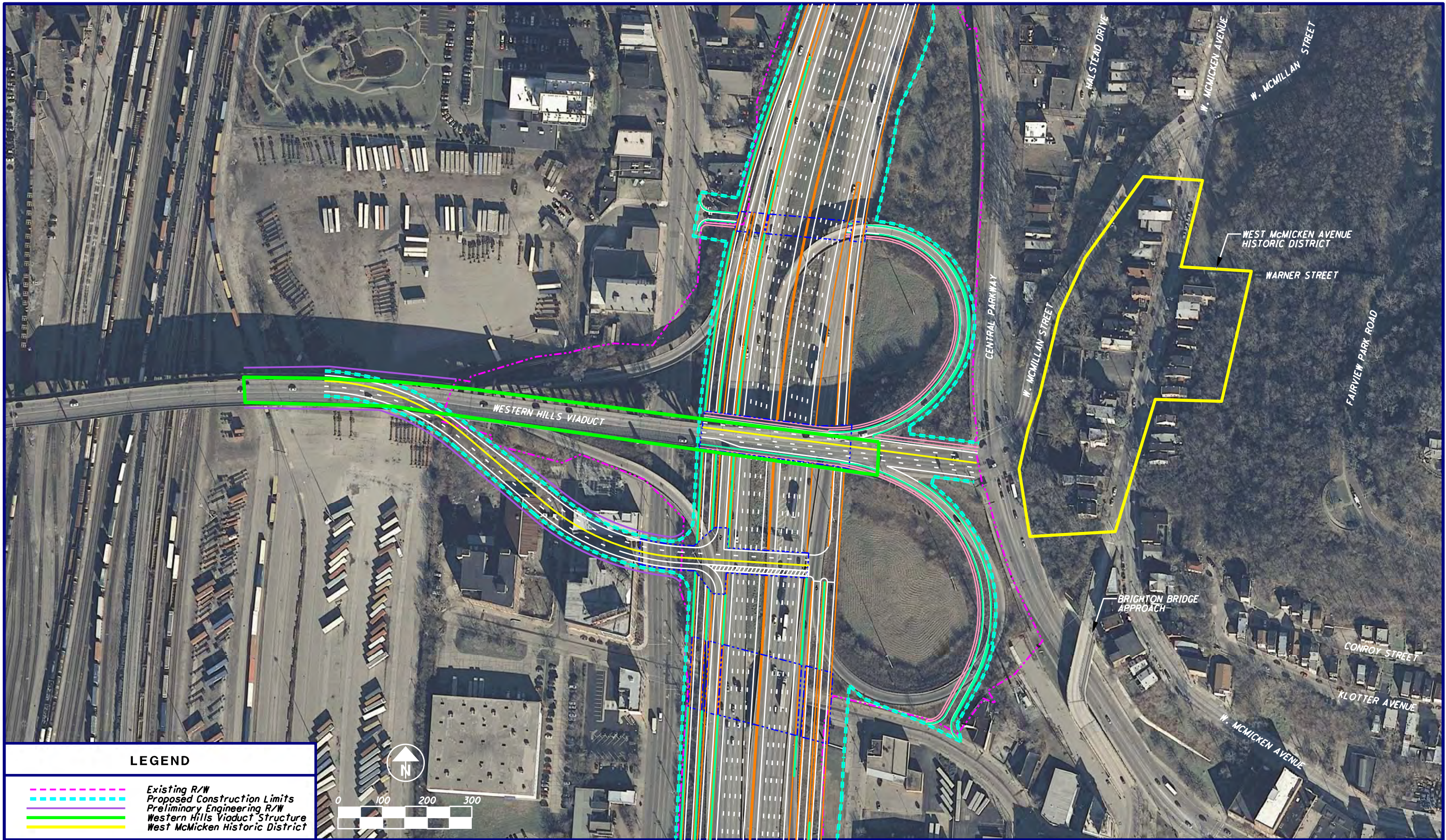


Prepared by:  
**PARSONS BRINCKERHOFF**

**SINGLE POINT URBAN INTERCHANGE  
 IMPACTS TO THE WEST McMICKEN AVE  
 HISTORIC DISTRICT**

EXHIBIT

10



**LEGEND**

- - - - - Existing R/W
- - - - - Proposed Construction Limits
- - - - - Preliminary Engineering R/W
- - - - - Western Hills Viaduct Structure
- - - - - West McMicken Historic District



U.S. Department of Transportation  
Federal Highway Administration



Prepared by:  
**PARSONS BRINCKERHOFF**

**TIGHT URBAN DIAMOND INTERCHANGE  
AVOIDANCE ALTERNATIVE FOR THE  
WEST McMICKEN AVENUE HISTORIC DISTRICT**

EXHIBIT

11

**Appendix A**  
***De Minimis* Coordination and Correspondence**



# CITY OF COVINGTON

638 MADISON AVENUE • COVINGTON, KENTUCKY 41011-2298

July 19, 2011

Jodie McDonald  
Department for Local Government  
Office Federal Grants  
Community Enhancement Branch  
1024 Capital Center Drive, Suite 340  
Frankfort, Kentucky 40601

Dear Ms. McDonald:

The City of Covington has identified replacement property for the portions of Goebel Park that will be impacted by the Brent Spence Bridge Project. Based on the Summary Appraisal Report prepared by Lisa A. Keaton on June 30, 2010, approximately 1.9 acres of fee simple right of way will need to be acquired within Goebel Park. Approximately 2.8 acres of surplus right of way adjoining the Goebel Park property along 5<sup>th</sup> Street will be left after the project is complete. The City would like to request that the 2.8 acres of surplus right of way replace the 1.9 acres of Goebel Park that will be impacted.

Copies of the Summary Appraisal Reports and an aerial map showing the identified property are attached for reference. If you have questions or need any additional information, please let me know.

Sincerely,

A handwritten signature in cursive script that reads "Larry Klein".

Larry Klein  
City Manager  
City of Covington, Kentucky

cc: Stacey Hans  
Assistant City Manager Larisa Sims  
City Engineer Tom Logan  
Assistant City Engineer Mike Yeager  
Recreation Director Natalie Gardner



# CITY OF COVINGTON

638 MADISON AVENUE • COVINGTON, KENTUCKY 41011-2298

November 28, 2011

Mr. Robert Hans, P.E.  
Chief District Engineer-District 6  
Kentucky Department of Highways  
421 Buttermilk Pike  
Covington, Kentucky 41017

Dear Rob:

Thank you for meeting with City Staff to further discuss the environmental process and specifically talk about the impacts the Brent Spence Bridge Project will have on Goebel Park. The City would like to acknowledge that the project will impact the park. However, we feel the project will not adversely impact the park if the mitigation process that has been outlined to us is followed. The City is comfortable with the project team moving forward in the 4(f) process with a determination of de minimus versus an Individual 4(f) Statement.

Please do not hesitate to contact my office if you have any questions or need any additional information.

Sincerely,

A handwritten signature in cursive script that reads "Larry Klein".

Larry Klein  
City Manager  
City of Covington, Kentucky

cc: Stefan Spinosa, ODOT  
Stacey Hans, KYTC  
Assistant City Manager Larisa Sims  
City Engineer Tom Logan  
Assistant City Engineer Mike Yeager  
Recreation Director Natalie Gardner

**January 13, 2012**

**KYTC Item # 6-17**

**Brent Spence Bridge Replacement/Rehabilitation Project**

**Summary of Meeting Regarding Potential Mitigation for 4(f) Impacts to Goebel Park**

Attendees:

Larry Klein	City of Covington
Natalie Gardner	City of Covington
Mike Yeager	City of Covington
Rob Hans	KYTC
Stacey Hans	KYTC
Scott Schurman	KYTC

A meeting was held at the City of Covington's, Administration Building on January 6, 2012 to discuss mitigation measures for impacts to 4(f) resources with Goebel Park. Mitigation discussion included:

- Build Alternate I will have impacts to Goebel Park and will require the taking of the basketball courts and associated resources located in the southwest corner of Goebel Park. Resources associated with the basketball court include fencing, lighting structures, park bench, backboards, baskets with rims, and anchor polls. These items have been recently appraised and results of that appraisal were previously submitted in an e-mail dated December 19, 2011 from KYTC to the City of Covington (attached).
- The City of Covington was in agreement with the appraised costs of the basketball courts and associated resources. The city agreed that these appraised costs estimates will be good for a time period of two years. If acquisition is to occur after two years, then a reappraisal will occur and the revised appraised cost will be presented to the city for review and approval. This information will be included in the project Memorandum of Agreement (MOA),
- Funds that will be ultimately transferred as mitigation to the City of Covington must be expended on an outdoor recreational resource within Goebel Park itself. This stipulation will be included in the project MOA,
- Reimbursement for the replacement of the parking lot at the basketball court area will be handled through KYTC's standard right-of-way process,
- KYTC confirmed that the walking trails in Goebel Park would not be impacted by Alternate I.
- The City of Covington inquired about the status of the revised noise report. The city was particularly interested in the results of the revised noise monitoring and analysis specific to the pool location within Goebel Park. KYTC informed the city that the review for the revised noise report was being finalized and should be completed the week of January 9, 2012. The city requested to a copy of the report once KYTC has approved the report. KYTC indicated that they would forward a copy of the revised noise report to the city once it has been approved.





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

**Kentucky Division**

February 14, 2012

330 West Broadway  
Frankfort, KY 40601  
PH (502) 223-6720  
FAX (502) 223 6735  
<http://www.fhwa.dot.gov/kydiv>

In Reply Refer To:  
HDA-KY

Mr. Larry Klein  
City Manager  
City of Covington  
638 Madison Avenue  
Covington, Kentucky 41011-2298

Dear Mr. Klein:

This letter addresses our De Minimis Determination for Goebel Park, related to the Brent Spence Bridge Replacement/Rehabilitation Project, in Kenton County, Kentucky (KYTC Item Number: 6-17).

Thank you for your coordination with us and the Kentucky Transportation Cabinet (KYTC) to minimize the project's impacts to the park. It appears that Alternative I will take approximately 1.9 acres of parkland, a basketball court, and the court's associated resources. The impacts and specific mitigation measures are:


The taking of 1.9 acres of park property from the southwest corner of Goebel Park will be replaced with 2.6 acres of currently state-owned property adjacent to the northwest corner of Goebel Park;


The taking of the basketball court and associated resources will be mitigated by mitigation funding of approximately \$77,600.00 for the replacement and enhancement of the basketball courts or for other outdoor recreation facilities within the park.

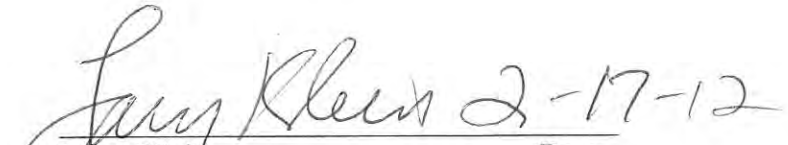
Enclosed is a map showing the project and affected park property. We find that there is no alternative that will avoid the use of 4(f) resources. This action includes all possible planning to minimize harm to the property, and that the resulting impacts, with mitigations, will not adversely affect the activities, features, and attributes that qualify the resource for protection under 4(f). The project, including the mitigations, will expand and enhance the park boundaries, amenities, and public safety.

Thus, FHWA has determined that the project, with the KYTC committed mitigations, will have a de minimis impact, as defined in 23 CFR 774.17, on the park. We request your concurrence with this determination.

If you have any questions, please contact me at (502) 223-6747.

  
\_\_\_\_\_  
John Ballantyne  
Program Delivery Team Leader  
Federal Highway Administration

Concurrence:  2/14/12  
\_\_\_\_\_  
David M. Waldner, P.E., Director      Date  
Division of Environmental Analysis  
Kentucky Transportation Cabinet

 2-17-12  
\_\_\_\_\_  
Larry Klein      Date  
City Manager  
City of Covington

Enclosure

cc: David Waldner, KYTC  
Stacie Hans, KYTC



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

**Kentucky Division**

July 12, 2012

330 West Broadway  
Frankfort, KY 40601  
PH (502) 223-6720  
FAX (502) 223 6735  
<http://www.fhwa.dot.gov/kydiv>

In Reply Refer To:  
HDA-KY

Mr. Larry Klein  
City Manager  
City of Covington  
638 Madison Avenue  
Covington, Kentucky 41011-2298

Dear Mr. Klein:

This letter revises and replaces our February 14, 2012 De Minimis Determination for Goebel Park, related to the Brent Spence Bridge Replacement/Rehabilitation Project, in Kenton County, Kentucky (KYTC Item Number: 6-17). This revision is necessary to account for exit ramp and other roadway modifications requested by the City of Covington.

Thank you for your coordination with the Kentucky Transportation Cabinet (KYTC) and us to minimize the project's impacts to Goebel Park. The selected alternative, Alternative I, will use an estimated 2.59 acres of parkland, approximately 360 feet of walking trail, a basketball court, and the court's associated resources. The impacts and specific mitigation measures are:

The use of an estimated 2.59 acres of flood-prone park property from the southwest corner of Goebel Park will be replaced with an estimated 2.38 acres of currently state-owned property that is at a higher elevation and adjacent to the northwest corner of Goebel Park;


The taking of a approximately 360 feet of walking trail will be mitigated by reconstructing the walking trail within the park on location to be determined in coordination with the City during the project's final design phase; and

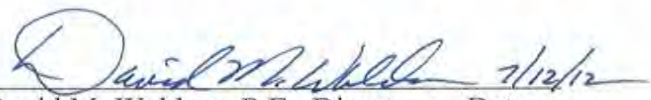
The taking of the basketball court and associated resources will be mitigated by mitigation funding of approximately \$77,600 of project funds for the replacement and enhancement of the basketball courts or for other outdoor recreation facilities within the park.

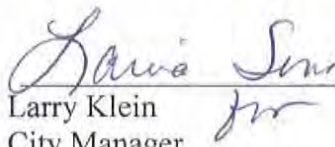
Enclosed are two maps showing the park boundaries and the replacement property. We find that there is no alternative that will avoid the use of 4(f) resources. This action includes all possible planning to minimize harm to the property, and that the resulting impacts, with the mitigations, will not adversely affect the activities, features, and attributes that qualify the resource for protection under 4(f).

Thus, FHWA has determined that the Brent Spence Bridge Replacement/Rehabilitation project, with the KYTC committed mitigations, will have a de minimis impact, as defined in 23 CFR 774.17, on Goebel Park. We request your concurrence with this determination.

If you have any questions, please contact me at (502) 223-6742.

  
John D. Ballantyne  
Program Delivery Team Leader  
Federal Highway Administration

Concurrence:  7/12/12  
David M. Waldner, P.E., Director      Date  
Division of Environmental Analysis  
Kentucky Transportation Cabinet

Concurrence:  7-20-12  
Larry Klein      Date  
City Manager  
City of Covington

Enclosures (2)

cc: David Waldner, KYTC  
Stacey Hans, KYTC



# OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 8 • 505 SOUTH STATE ROUTE 741 • LEBANON, OH 45036  
JOHN KASICH, GOVERNOR • JERRY WRAY, DIRECTOR • STEVE MARY, P.E., DISTRICT 8 DEPUTY DIRECTOR

May 9, 2011

Reverend Kazava Smith, President  
City of Cincinnati Recreation Commission  
805 Central Avenue, Suite 800  
Cincinnati, Ohio 45202

ATTN: Dr. Norman Merrifield, Director of Recreation

**RE: HAM-71/75-0.00/0.22**  
**Brent Spence Bridge Replacement/ Rehabilitation Project Section 4(f) *De Minimis***  
**Concurrence**  
**Queensgate Playground and Ball Fields**

Dear Reverend Smith:

Enclosed is one fully executed Memorandum of Agreement (MOA) between the State of Ohio Department of Transportation (ODOT) and the City of Cincinnati Recreation Commission (CRC). This MOA was completed to document commitments of ODOT required as a result of the impacts to the Queensgate Playground and Ball Fields by the proposed roadway improvements associated with the Brent Spence Bridge Project.

ODOT requested written concurrence from the CRC that the project, as proposed including the mitigation described in the Memorandum of Agreement, will not adversely affect the activities, attributes, and features that qualify the Queensgate Playground and Ball Fields for protection under Section 4(f). ODOT intends to seek the *de minimis* Section 4(f) finding based upon the executed Memorandum of Agreement.

As stated in the MOA Stipulations, once the CRC submits an acceptable plan detailing how the ODOT compensation will be utilized, ODOT will pay \$198,050 to the CRC to be applied toward the plan. This obligation will terminate on June 30, 2012 as stated in the MOA.

If you have any questions regarding this project, please contact Stefan Spinosa at (513)933-6639 or by email at [Stefan.Spinosa@dot.state.oh.us](mailto:Stefan.Spinosa@dot.state.oh.us).

Respectfully,

A handwritten signature in cursive script that reads "Andrew J. Fluegemann".

Andrew J. Fluegemann, P.E.  
District 8 Environmental Coordinator

enclosure

cc: Joe Schwind (CRC), Hoffman, Vonder Embse (FHWA), Smith, file (2)



# OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 8 • 505 SOUTH STATE ROUTE 741 • LEBANON, OH 45036

JOHN KASICH, GOVERNOR • JERRY WRAY, DIRECTOR • STEVE MARY, P.E., DISTRICT 8 DEPUTY DIRECTOR

March 4, 2011

Reverend Kazava Smith, President  
City of Cincinnati Recreation Commission  
805 Central Avenue, Suite 800  
Cincinnati, Ohio 45202

ATTN: Dr. Norman Merrifield, Director of Recreation

RE: **HAM-71/75-0.00/0.22**

**Brent Spence Bridge Replacement/ Rehabilitation Project Section 4(f) *De Minimis*  
Concurrence  
Queensgate Playground and Ball Fields**

Dear Reverend Smith:

This letter is in regard to the Brent Spence Bridge Replacement/ Rehabilitation project and its potential impact to Queensgate Playground and Ball Fields in downtown Cincinnati.

As you may be aware, the Ohio Department of Transportation (ODOT), in cooperation with the Federal Highway Administration (FHWA), is proposing to replace the Brent Spence Bridge and make improvements to I-71/I-75 in Cincinnati from the Ohio River to the Western Hills Viaduct. The project will include the widening of the interstate facility and improvements to several interchanges within this section. The project is needed to improve the safety and operations of I-71/I-75 and the Brent Spence Bridge.

Prior to 2010, a number of alignment alternatives for the Brent Spence Bridge Replacement/ Rehabilitation project were developed and studied, which resulted on the selection of Conceptual Alternatives C, D, and E for further investigation. Upon request of the public, Alternatives C and D were developed as a single alternative, by combining the northbound direction of Alternative C and the southbound direction of Alternative D. This combined alternative has been designated as Alternative I. Through the Environmental Assessment process, Alternative I has been identified as the recommended preferred alternative.

Alternative I will impact one recreational area under the jurisdiction of the Cincinnati Recreation Commission (CRC), specifically, the Queensgate Playground and Ball Fields. As a public recreational area, the facility is afforded protection under Section 4(f) of the US Department of Transportation Act of 1966. The alternative would have the following impacts on this recreational facility.

The proposed construction limits for Alternative I would encroach upon the southwestern edge of the property adjacent to I-75. Alternative I, as the recommended preferred alternative, would extend into the outfield area of both baseball fields. Approximately 0.9 acres would be acquired from the recreational area. The impacts to Queensgate Playground and Ball Fields are shown on Exhibit 1 (enclosed). The right-of-way for the recommended

preferred alternative will extend approximately 55 feet from the existing Winchell Avenue/I-75 right-of-way into the outfields as shown on Exhibit 2. In addition, a small walkway leading from Cutler Street into the recreational area may also be directly affected by Alternative I.

Reconfiguration of the baseball fields and walking paths within the remaining city park area may be accomplished in accordance with the Conceptual Mitigation Plan (see Exhibit 3). The reconfiguration may result in the loss of approximately 15 trees and two sections of walkway that parallel West Court Street and Cutler Street. The enclosed Memorandum of Agreement details the proposed mitigation measures based on the Alternative I impacts to the Queensgate Playground and Ball Fields.

The purpose of this letter is to request your concurrence with ODOT's recommendation that, the impacts to the park will not adversely affect the activities and features of the Queensgate Playground and Ball Fields. Section 6009 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) amends existing Section 4(f) legislation to simplify the processing and approval of projects that only have "*de minimis*" impacts on lands protected by Section 4(f) under your jurisdiction. In accordance with Section 6009(a), *de minimis* impacts on publicly owned parks, recreation areas, and wildlife and waterfowl refuges area defined as those that do not "adversely affect the activities, features, and/or attributes" that make resources eligible for Section 4(f) protection.

#### Section 4(f) Ownership

The Queensgate Playground and Ball Fields are owned by the City of Cincinnati and are under the jurisdiction of the CRC.

#### Section 4(f) Feature of the Property

The Queensgate Playground and Ball Fields are located at 707 West Court Street. The 5.3-acre public recreational area is bounded by West Court Street to the north, Cutler Street to the east, Winchell Avenue and I-75 to the south and Linn Street to the west. On-site amenities include two adult ball fields, one of which is lighted for night-time use, and a neighborhood playground. The lighted field is an A-size ball field with a 305-foot outfield; the second field is a B-size field with a 255-foot outfield. During the fall, a football field is laid out across the two ball fields for use by the Hays-Porter Elementary School. Less than one acre of the park will be affected with impacts limited to the ball fields. The playground, located in the northeastern portion of park will not be affected by the project. A small walkway from Cutler Street into the park will also be directly affected. Mitigation for the park anticipates providing a financial settlement in addition to the purchase of necessary property from the City. The financial settlement is based on Exhibit 3, the Conceptual Mitigation Plan. Reconfiguration of ball fields in accordance with Exhibit 3 would result in the loss of mature shade trees located along West Court Street and displacement of a walkway. These features will also be mitigated in accordance with the enclosed Memorandum of Agreement.

#### Access to Queensgate Playground and Ball Fields

Access to the recreational area is provided via local roads (West Court Street and Cutler Street). These roadways will not be affected by the project. A small walkway from Cutler Street to the ball fields will be affected. However, this will be maintained during construction.

#### Current Use of the Section 4(f) property

The affected area serves as the outfield for two baseball fields used for youth recreational leagues. The area is grassed with some trees and shrubs on the slopes between the ball fields and Winchell Avenue.

#### Similarly Used Land in the Vicinity

There are three recreational areas in close proximity to the Queensgate Playground and Ball Fields:

- Dyer Park - 2110 Freeman Avenue
- Lincoln Community Center – 1027 Linn Street
- Washington Park – 1225 Elm Street

These facilities will be available for use during construction.

#### Public and Agency Involvement

Extensive public involvement and agency coordination has been undertaken for the Brent Spence Bridge Replacement/ Rehabilitation project. Public Meetings were held in May 2006 and May 2009 for the purpose of disclosing information and obtaining comment on project impacts. No comments were received on impacts to Queensgate Playground and Ball fields.

Meetings and on-going coordination have been held with the CRC to disclose information about the project and its impacts as well as collect input. ODOT has worked with the CRC to develop a conceptual mitigation plan for reconfiguration of the affected ball fields. The enclosed Memorandum of Agreement has been developed as a result of this coordination.

Additional public meetings will be held concurrent with the approval of the Environmental Assessment. Exhibits showing impacts of the project alternatives to the ball fields will be available at these meetings for public review and comment.

#### De Minimis Section 4(f) Determination

ODOT, in consultation with the FWHA - Ohio Division, would like to apply for a *de minimis* standard to Queensgate Playground and Ball Fields for the HAM-71/75-0.00/0.22 project. The *de minimis* finding is based on the degree or level of impact including any avoidance, minimization and mitigation measures or enhancement measures that are included in the project to address the Section 4(f) use.

ODOT requests written concurrence from the CRC that the project, as proposed including the mitigation described in the Memorandum of Agreement, will not adversely affect the activities, attributes, and features that qualify the Queensgate Playground and Ball Fields for



protection under Section 4(f). ODOT intends to seek the *de minimis* Section 4(f) finding based upon the assessment of this letter and execution of the Memorandum of Agreement. If the CRC concurs, please sign and date both copies of the Memorandum of Agreement and return it to the ODOT District 8 Planning Department. Once ODOT signatures are obtained, a final executed copy will be returned to the CRC.

If you have any questions regarding this project, please contact Stefan Spinosa at (513)933-6639 or by email at [Stefan.Spinosa@dot.state.oh.us](mailto:Stefan.Spinosa@dot.state.oh.us).

Respectfully,

Andrew J. Fluegemann, P.E.  
District 8 Environmental Coordinator

enclosures

cc: Norman Merrifield, Ed. D. Director of Recreation, Hoffman, Vonder Embse (FHWA),  
file

**HAM-71/75-0.00/0.22, PID 75119**

**MEMORANDUM OF AGREEMENT BETWEEN THE STATE OF OHIO,  
DEPARTMENT OF TRANSPORTATION (ODOT), AND THE CITY OF CINCINNATI  
RECREATION COMMISSION (CRC) REGARDING THE BRENT SPENCE BRIDGE  
PROJECT IMPACT TO THE QUEENSGATE PLAYGROUND AND BALL FIELDS  
Agreement Number: 16588**

1. WHEREAS, the proposed roadway improvement project know as HAM-71/75-0.00/0.22, PID 75119 (PROJECT) will improve safety and traffic flow by reconstructing portions of Interstate 75 in Cincinnati, Ohio; and
2. WHEREAS, the Queensgate Playground and Ball Fields are owned by the City of Cincinnati and are under the jurisdiction of the CRC; and
3. WHEREAS, the PROJECT'S proposed limits of construction impact approximately 0.9 Acres of the Queensgate Playground and Ball Fields operated by the CRC as shown in Exhibit 1; and
4. WHEREAS, the right-of-way for the PROJECT will extend approximately 55 feet from the existing Winchell Avenue/I-75 right-of-way into the outfields of the Queensgate Ball Fields as shown on Exhibit 2; and
5. WHEREAS, the Queensgate Playground and Ball Fields, as a public recreational area, is afforded protection under Section 4(f) of the US Department of Transportation Act of 1966; and
6. WHEREAS, consultation for the PROJECT has taken place in meetings with individuals, specific groups, and the general public; and
7. WHEREAS, meetings and on-going coordination have been held with the CRC to disclose information about the project and its impacts as well as collect input; and
8. WHEREAS, ODOT has worked with the CRC to develop a conceptual mitigation plan for reconfiguration of the affected ball fields; and
9. WHEREAS, ODOT, in consultation with the FWHA, would like to apply for a *de minimis* standard to Queensgate Playground and Ball Fields for PROJECT; and
10. WHEREAS, the *de minimis* finding is based on the degree or level of impact including any avoidance, minimization and mitigation measures or enhancement measures that are included in the project to address the Section 4(f) use; and
11. WHEREAS, ODOT requests concurrence—by signature on this document—from the CRC that the PROJECT as proposed, including the mitigation described in this Memorandum of

Agreement, will not adversely affect the activities, attributes, and features that qualify the Queensgate Playground and Ball Fields for protection under Section 4(f); and

12. WHEREAS, ODOT intends to make the *de minimis* Section 4(f) finding based upon the concurrence of the CRC;
13. NOW, therefore, ODOT and the CRC agree that the PROJECT will be implemented in accordance with the following stipulations in order to mitigate the impacts to the Queensgate Playground and Ball Fields.

#### STIPULATIONS:

ODOT will ensure the following stipulations are carried out:


1. ODOT will acquire property from the CRC in accordance with all applicable Federal and State regulations. Compensation for land and property, excluding ball field lighting, will be via the normal ODOT property acquisition procedures. Ball field lighting will be compensated as described in the attached *Cost of Mitigation Compensation, Sections 1(d) and 2(d)*. The current PROJECT schedule anticipates acquisition of the CRC property between 2012-2013 pending approval of funding through ODOT's budgetary process.
2. ODOT, upon receipt of an acceptable plan detailing how the CRC will utilize funds for recreational purposes, will pay \$198,050 to the CRC to be applied toward the submitted plan. CRC may utilize more than the \$198,050 independently of ODOT. The financial obligation of ODOT is subject to Section 126.07 of the Ohio Revised Code and shall terminate as of June 30, 2012.
3. Limited Access Right-of-Way fencing along the park and highway boundary will be installed along the CRC property as part of ODOT's construction project. The fence will consist of 10' high chain link fencing.
4. Park Staff may remove (rescue) understory vegetation in the area to be acquired for highway purposes prior to the PROJECT sale date.
5. ODOT has given members of the public within the project's study area an opportunity to provide comments on the park impacts prior to submission of 4(f) *de minimis* documentation to the CRC. Any comments that have been received concerning impacts to the park will be provided to the CRC.
6. Subject to the Provisions in Stipulations No. 6 and No. 7 below, the CRC, with the intention of binding themselves, their successors-in-interest, and their assigns, do hereby release, hold harmless from any liability, and forever discharge the State of Ohio, the Ohio Department of Transportation, and their agents, servants, employees, and officers, personally and in any other capacity, from all claims, actions, causes of action, demands, costs, loss of services, expenses, and any and all other damages that the undersigned ever

had, now have, or claim to have against the State of Ohio, the Ohio Department of Transportation, or their agents, servants, employees or officers, on account of or in any way arising out of the PROJECT's described impacts to the Queensgate Playground and Ball Fields, including any further measures to avoid, minimize or mitigate such impact.


7. ODOT will seek a *de minimis* Section 4(f) impact finding based on the terms of this Memorandum of Agreement (MOA), in accordance with Section 6009(a) of SAFETEA-LU.
8. Should any signatory to this MOA object at any time to any actions propose for the manner in which the terms of this MOA are implemented, ODOT will consult with such signatory to resolve the objection
9. Any signatory to this MOA may propose that this MOA be amended, whereupon, the parties will consultant in accordance with Section 6009(a) of SAFETEA-LU to consider such an amendment.
10. The parties agree that if plans for the PROJECT substantially change and if such changes may have a significant direct or indirect adverse impact to the Queensgate Playground and Ball Fields, other provisions of this MOA notwithstanding, the parties will reopen discussion regarding mitigation, and proceed under Section 6009(a) of SAFETEA-LU to resolve or mitigate such adverse effects.
11. If the PROJECT has not been implemented within ten (10) years of the date of the execution of this MOA, this MOA will be considered null and void, and ODOT will so notify all of the signatories. If ODOT chooses to continue with the PROJECT utilizing Federal funding then ODOT will reinitiate consultation with the signatories in accordance with Section 6009(a) of SAFETEA-LU; however, if ODOT has paid monies to the CRC pursuant to Stipulation No. 2 by June 30, 2012, the CRC shall be precluded from reinitiating consultation or requesting any further measures to avoid, minimize, or mitigate the PROJECT's described impact.

Execution of this MOA by ODOT and the CRC and implementation of this MOA's terms by ODOT evidences that ODOT has taken into account the effects of the PROJECT on the Queensgate Playground and Ball Fields.

**SIGNATORIES:**

  
\_\_\_\_\_  
Director, Ohio Department of Transportation

5/5/11  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Director, Cincinnati Recreation Commission

4/21/11  
\_\_\_\_\_  
Date

**ATTACHMENTS:**

1. Cost of Mitigation Compensation
2. Exhibit 1: Alternative I impacts to Queensgate Playground and Ball Fields
3. Exhibit 2: Alternative I Proposed Limited Access R/W Limits
4. Exhibit 3: Queensgate Playground and Ball Fields Conceptual Mitigation Plan

## Cost of Mitigation Compensation

For purposes of establishing fair and reasonable compensation to mitigate the impacts to the Queensgate Playground and Ball fields, the following is provided:

1. In addition to the compensation of land and property needed to complete the project, to mitigate impacts to the park ODOT commits to the following additional compensation:
  - a. Compensation will be provided to the CRC based on the relocation of the two existing ball fields as shown on Exhibit 3.
  - b. Compensation will be provided to the CRC based on the relocation of the 435' of walking path within the park as shown on Exhibit 3.
  - c. Compensation will be provided to the CRC based on the loss of trees due to the relocation of ball fields and path as shown on Exhibit 3.
  - d. Compensation will be provided to the CRC based on the need to relocate field lighting due to the relocation of ball fields and path as shown on Exhibit 3.
  - e. Compensation will be provided to the CRC based on the need to prepare final mitigation plans and monitor construction of the mitigation project.

The mitigation compensation is based on the conceptual mitigation plan (Exhibit 3).

2. This section details the cost of mitigation compensation as described in Section 1(a-e).
  - a. Ball Field Compensation:
    - i. Compensation for excavation and embankment needed for relocation of two ball fields:

A Ballfield Area = 70,686 SF  
B Ballfield Area = 49,087 SF  
Combined Infield Area = 9,450 SF

Excavation:

$$[1' \text{ depth} \times (70,686 + 49,087)] / 27 = 4,436 \text{ CY} \times \$8.00/\text{CY} = \$35,488$$

Embankment (not including infield area):

$$[1' \text{ depth} \times (70,686 + 49,087 - 9,450)] / 27 = 4,086 \text{ CY} \times \$6.00/\text{CY} = \$24,516$$

Embankment (infield area):

$$(1' \text{ depth} \times 9,450 \text{ SF}) / 27 = 350 \text{ CY} \times \$17.75/\text{CY} = \$6,213$$

Embankment (infield area special preparation):

$$10 \text{ Hours} \times \$80/\text{Hour} = \$800 + \$100 \text{ Mobilization} = \$900$$

Seeding and Mulching:

$$70\% \times (70,686 + 49,087) / 9 = 9,316 \text{ SY} \times \$1.00/\text{SY} = \$9,316$$

Sodding of Infield Edge:

$$\text{Lump Sum} = \$650/\text{Field} \times 2 \text{ Fields} = \$1,300$$

- ii. Compensation for new field benches and concrete pads:

$$4 \text{ benches} \times \$2,000/\text{bench} = \$8,000$$

- iii. Compensation for two new vinyl coated fence backstops:

$$2 \text{ backstops} \times \$15,000 / \text{backstop} = \$30,000$$

- b. Walking Path Compensation:

- i. Compensation for relocation of two walking paths (270 feet of the eastern path and 165 feet of the northern path) is based on a 8' wide concrete path:

$$8' \times (270' + 165') \times \$6.75/\text{SF} = \$23,490$$

- c. Tree Compensation:

- i. For purposes of determining the appropriate mitigation for the impacts to the Queensgate Ball Fields, it is agreed by the Ohio Department of Transportation (ODOT) and the Cincinnati Recreation Commission that Cincinnati's legal definition of a public tree: Sec. 743-1-T. Tree. "Tree", shall be used. This definition is defined by the following:

1. Any self-supporting woody plant which has a well-defined stem with a diameter of at least four inches at four and one-half feet from the ground;
2. Any dogwood, redbud or other conspicuously flowering woody plant as designated by the director which has a well-defined stem of at least two inches diameter at four and one-half feet from the ground;

- ii. Tree Compensation calculation:

1. All trees as defined in (2.c.i.1) above to be compensated based on a 1 - 2" caliper balled and burlapped or container shade tree at the rate of 1 tree for each 12" of trunk diameter at 4 ½ feet above the ground. The following trees would be impacted by the relocation of the ball fields as shown in Exhibit 3:

<u>Species</u>	<u>dbh</u>	<u>No. of Repl. Trees</u>
Basswood	17.2	2
Basswood	21.0	2
Basswood	30.9	3
Crab Apple	20.7	2
Crab Apple	21.3	2
Hackberry	23.9	2
Hackberry	17.8	2
Hackberry	23.2	2
Hackberry	19.4	2
Hackberry	18.2	2

Hackberry	20.4	2
Hackberry	16.2	2
Hackberry	33.8	3
Hackberry	24.8	2
Hackberry	24.8	<u>2</u>
		32

$$32 \text{ trees} \times \$100/\text{tree} = \$3,200$$

2. All trees as defined in (2.c.i.2) above to be compensated based on a 1" caliper container understory tree. No trees in this category would be impacted by the relocation of the ball fields as shown in Exhibit 3.

d. Lighting Compensation:

- i. Compensation for relocation of six light towers includes new poles, new wiring, and reuse of existing ballasts and light:

$$6 \text{ towers} \times \$6,000/\text{tower} = \$36,000$$

e. Design and Construction Engineering Compensation:

- i. Design costs will be compensated based on 8% of the cost of compensation of items listed in Section 1.(b-e).

$$0.08 \times \$178,423 = \$14,274$$

- ii. Construction costs will be compensated based on 3% of the cost of compensation of items listed in Section 1.(b-e).

$$0.03 \times \$178,423 = \$5,353$$




- f. Total mitigation compensation to be provided in addition to land and property acquisition is \$198,050.



*ALTERNATIVE I IMPACTS TO QUEENSGATE BALLFIELDS  
- Approximately 0.9 acres needed for Proposed  
Preliminary R/W*

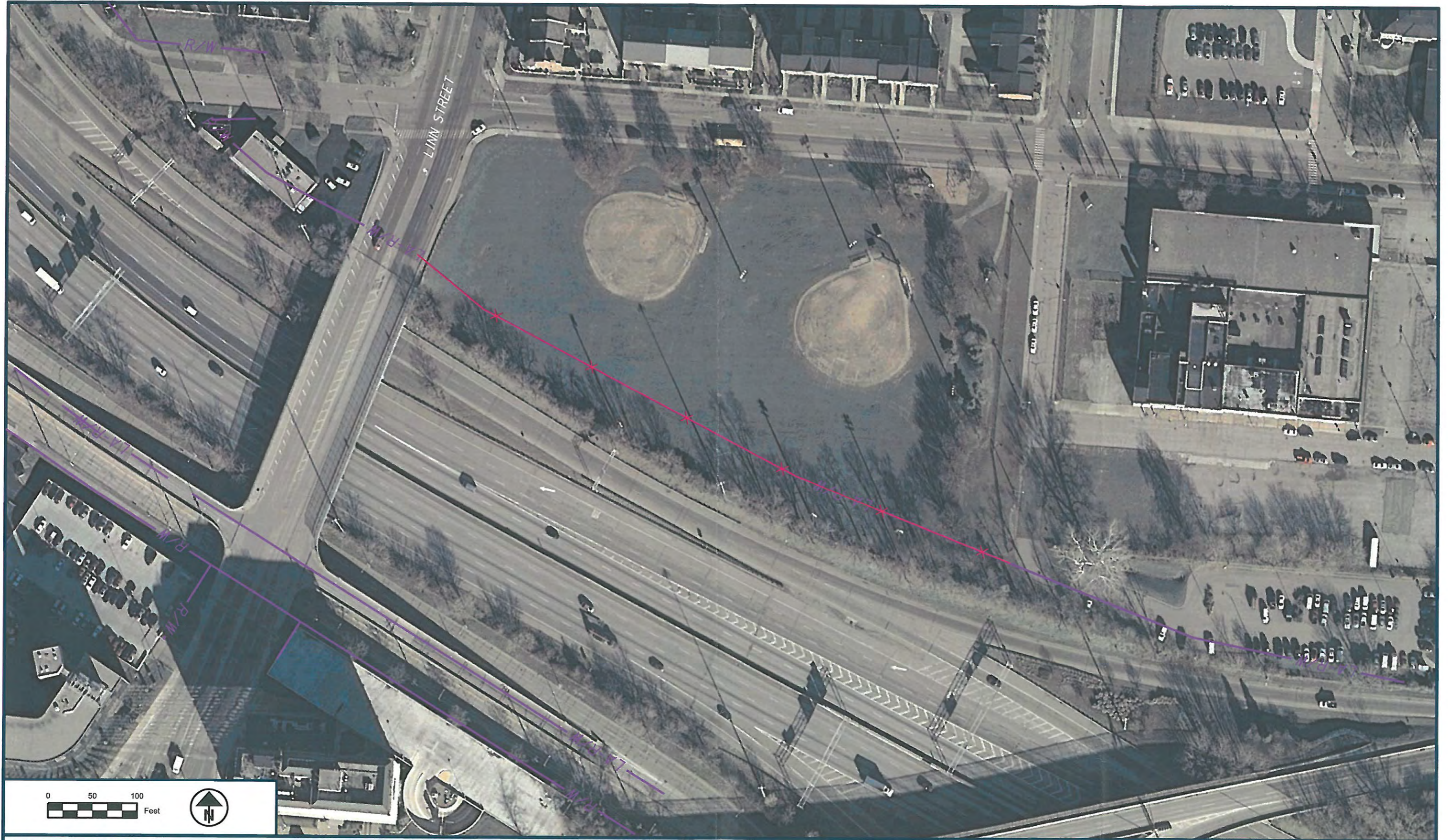


**LEGEND**

-  Existing R/W
-  Proposed Construction Limits
-  Preliminary Engineering R/W



**QUEENSGATE PLAYGROUND AND  
BALLFIELDS MITIGATION PLAN**



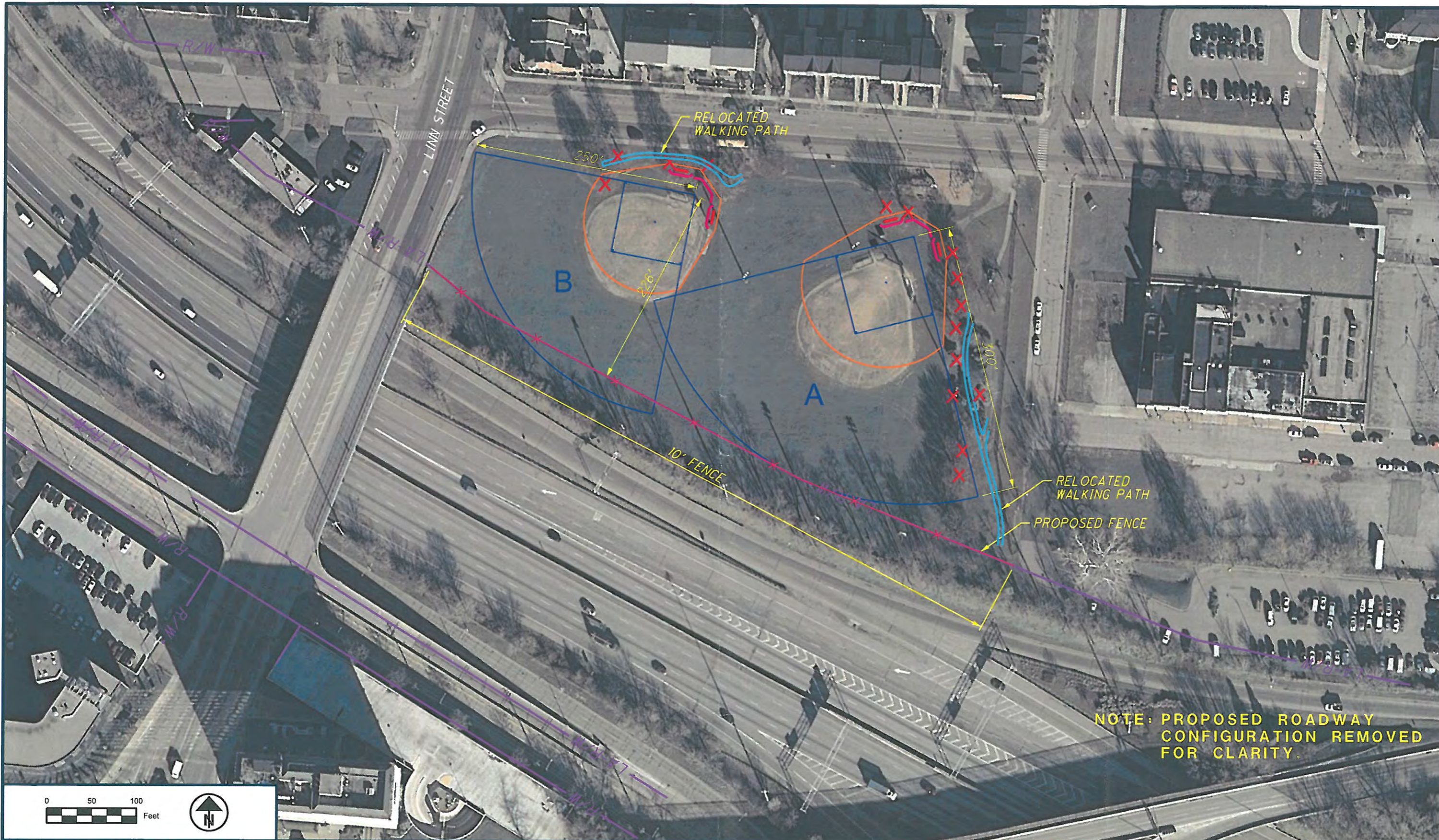
U.S. Department of Transportation  
Federal Highway Administration



### QUEENSGATE PLAYGROUND AND BALLFIELDS MITIGATION PLAN

EXHIBIT

2





# OHIO DEPARTMENT OF TRANSPORTATION

CENTRAL OFFICE • 1980 WEST BROAD STREET • COLUMBUS, OH 43223

JOHN R. KASICH, GOVERNOR • JERRY WRAY, DIRECTOR

## OFFICE OF ENVIRONMENTAL SERVICES

October 28, 2011

Mr. Mark Epstein, Department Head  
Resource Protection and Review  
Ohio Historic Preservation Office  
800 East 17<sup>th</sup> Avenue  
Columbus, Ohio 43211

Attn: ODOT Transportation Review Managers

Subject: HAM-71/75-0.00/0.22 (PID 75119)

Re: *Notification of Adverse Effect*

Dear Mr. Epstein:

The intent of the subject submission is to consult with the Ohio State Historic Preservation Office (OSHP) concerning the Section 106 effect of the subject undertaking, HAM-71/75-0.00/0.22 (PID 75119), on historic properties within the State of Ohio. The subject undertaking is to provide for operational improvements within the Interstate (IR) 71 and 75 corridors in the Greater Cincinnati/Northern Kentucky region. The corridor currently suffers from congestion and safety-related issues as a result of inadequate capacity to accommodate current traffic demand.

### **Project Description**

The proposed undertaking will rehabilitate the existing Brent Spence Bridge; as well as, construct a double-deck bridge over the Ohio River. The existing Brent Spence Bridge will continue to carry northbound and southbound local traffic with two lanes in the southbound direction and three lanes in the northbound direction. The new double-deck bridge will carry northbound and southbound IR-71 and IR-75 traffic. The upper deck will carry IR-71 south via three southbound lanes and north via two northbound lanes. The lower deck will carry IR-75 south via three southbound lanes and north via three northbound lanes.

### **Notification of Adverse Effect – B & O Freight Building/Longworth Hall (NRHP)**

In accordance with 36 CFR § 800.5(a), FHWA has determined the subject undertaking will adversely affect the B & O Freight and Storage Building/Longworth Hall, listed on the National Register of Historic Places (NRHP) (860003521), 700 Pete Rose Way (Second Street), Cincinnati, Ohio. The report *the Brent Spence Bridge Replacement/Rehabilitation Project, Determination of Effects Report, ODOT PID No. 75119, HAM-71/75-0.00/0.22, KYTC Project Item No. 6-17 (June 2011)*, forwarded to the OSHP on June 14, 2011, provides documentation of the adverse effect finding as specified by 36 CFR § 800.11(e) (Figure 1).



The undertaking, as proposed, will result in the removal of a portion of the B & O Freight and Storage Building/Longworth Hall, listed on the NRHP, to facilitate the construction of the new double-deck bridge. The undertaking will require the removal of a portion of the eastern end of the building which includes: three, 15-foot, two 13-foot, and six 12 foot bays for a total of 20,000 square feet of floor space. It is to be noted the eastern end of the building was previously altered by the removal of a portion of the building to allow for the construction of the Brent Spence Bridge. The Scale House, located within the National Register boundaries as a contributing building, will not be removed or altered by the undertaking. Enclosed is an electronic copy of the report, *Brent Spence Bridge Replacement/Rehabilitation Project, Longworth Hall Impact Analysis Report, Part Three: Potential Mitigation Measures, ODOT PID No. 75119, HAM-71/75-0.00/0.22, KYTC Project Item No. 6-17 (June 2011)*, which provides additional details as to the effect of the undertaking on the historic property (**Figure 1**).

The implementing regulations of Section 106, codified at 36 CFR § 800.5(a)(2), provide examples of adverse effects: (i) *Physical destruction of or damage to, all or part of the property . . .* (ii) *Alteration of a property, including restoration, repair, maintenance.* Therefore, based on the proposed removal of a portion of the B & O Freight and Storage Building/Longworth Hall, listed on the NRHP, FHWA, with ODOT as their agent, have determined a finding of "adverse effect" is applicable. In regard to the applicability of the remaining aspects of the adverse effect criteria as specified by 36 CFR § 800.5(a)(2), the following is offered:

(iii) *Removal of the property from its historic location:* The building will not be removed from its original location;

(iv) *Change of the character of the property's use or of physical features within the property's setting that contribute to its historic significance:* The property will continue to be used in a manner consistent with its current use upon the completion of the undertaking. The property is eligible for inclusion on the NRHP under Criterion A for its association with significant period of Cincinnati's rail transportation history; and, under Criterion C as an outstanding representation of an architectural type and method of construction applied to a rail depot. These characteristics will not be compromised. The introduction of a new double-deck bridge, to the east of the property would not alter the historic significance of the property in regard to Criterion A and its association with Cincinnati's rail transportation history. Concerning architectural significance, the remaining portion of the building will retain its current architectural features. Alterations to the building will be limited to the eastern end the building.

(v) *Introduction of visual, atmospheric or audible elements that diminish the integrity of the properties significant historic features:* During the property's period of significance, its setting and use as a rail depot was likely associated with relatively high ambient noise levels. The current setting features multiple transportation modes and facilities including: rail lines, bus transit, adjacent elevated interstate routes, and local ground level traffic featuring the movement of freight, services, local travelers and visitors. Noise analyses were conducted in conjunction with the project development process and noise barriers were determined to be unwarranted at this location. As an integral part of ODOT's project development process, measures to avoid or minimize harm to adjacent buildings and structures due to construction related vibration impacts are monitored before, during and after construction. No long term vibration impacts are anticipated. During construction, any anticipated short-term vibration impacts will be minimized or avoided by alternative construction methods. The property is eligible for inclusion on the NRHP under: Criterion A for its association with significant period of Cincinnati's rail transportation history; and, under Criterion C as an outstanding representation of an architectural type and method of construction applied to a rail depot. These characteristics will not be compromised.

In regard to the visual context, baseline conditions include the existing setting, including the natural and built environment. Visual intensity refers to the significance of an anticipated visual impact, either beneficial or adverse. The existing project area is highly urbanized and includes freeways, bridges, highway lighting, traffic control devices, guardrail, and local roadways. Short term visual impacts may include: earthwork, material and equipment storage, and construction activities. However, permanent negative visual impacts are not anticipated. The characteristics which qualify the B & O Freight Building/Longworth Hall for inclusion on the NRHP will not be diminished by the proposed undertaking.

*(vi) Neglect of a property which causes its deterioration:* The property will remain under current ownership. FHWA, with ODOT as their agent, will restore the building to a condition as agreed upon in consultation with the property owner and as a result of the Section 106 consultation process.

*(vii) Transfer, lease, or sale of property:* The property will remain under current ownership. The property owner will be compensated for any loss or damages as specified by Ohio Revised Code and in accordance with all applicable federal regulations.

#### **Notification of Adverse Effect to the ACHP**

On August 11, 2011, FHWA, with ODOT as their agent, notified the Advisory Council on Historic Preservation (ACHP) of the adverse effect of the undertaking to determine their participation in resolving the adverse effects (**Figure 2**). The enclosed documents were forwarded to the ACHP for review and consideration:

- *Brent Spence Bridge Replacement/Rehabilitation Project, Determination of Effects Report, ODOT PID No. 75119, HAM-71/75-0.00/0.22, KYTC Project Item No. 6-17 (June 2011).*
- *Brent Spence Bridge Replacement/Rehabilitation Project, Longworth Hall Impact Analysis Report, Part Three: Potential Mitigation Measures, ODOT PID No. 75119, HAM-71/75-0.00/0.22, KYTC Project Item No. 6-17 (June 2011).*
- *Draft Memorandum of Agreement Between the Federal Highway Administration, the Ohio Department of Transportation, the Ohio State Historic Preservation Office, Regarding the HAM-71/75-0.00/0.22, PID 75119, Brent Spence Bridge Replacement/Rehabilitation Project, Hamilton County, Ohio and Kenton County, Kentucky, Adverse Effect to the B & O Freight and Storage Building/Longworth Hall, Listed on the National Register of Historic Places (86003521), 700 Pete Rose Way (Second Avenue), Cincinnati, Ohio (ODOT Agreement Number 16829).*

On August 31, 2011 the ACHP responded to the request, "we do not believe that our participation in the consultation to resolve adverse effects is needed . . ." (Johnson 2011) (**Figure 2**)

#### **Resolution of Adverse Effect to B & O Freight Building/Longworth Hall**

As documented by the enclosed agreement, *Draft Memorandum of Agreement Between the Federal Highway Administration, the Ohio Department of Transportation, the Ohio State Historic Preservation Office, Regarding the HAM-71/75-0.00/0.22, PID 75119, Brent Spence Bridge Replacement/Rehabilitation Project, Hamilton County, Ohio and Kenton County, Kentucky, Adverse Effect to the B & O Freight and Storage Building/Longworth Hall, Listed on the National Register of Historic Places (86003521), 700 Pete Rose Way (Second Avenue), Cincinnati, Ohio (ODOT Agreement Number 16829)*, FHWA intends to formalize the resolution of the adverse effects of the

undertaking in two separate Memorandum of Agreements, one applicable to the adverse effects in Ohio and one applicable to the adverse effects in Kentucky, due to the complexity of the adverse effects of the undertaking.

The Section 106 consultation meetings, for the resolution of the adverse effect to the B & O Freight Building/Longworth Hall, will provide an opportunity for the agency officials and Section 106 consulting parties to discuss the results of the report, *Brent Spence Bridge Replacement/Rehabilitation Project, Longworth Hall Impact Analysis Report, Part Three: Potential Mitigation Measures, ODOT PID No. 75119, HAM-71/75-0.00/0.22, KYTC Project Item No. 6-17 (June 2011)*, and in the identification of measures to resolve the adverse effect.

**Section 106 Effect on Historic Properties**

In addition to the B & O Freight Building/Longworth Hall, listed on the NRHP, the following historic properties were identified as a result of Section 106 consultation and Phase I and Phase II history/architecture investigations, within the area of potential effects in Ohio. Documentation of the Section 106 consultation conducted to date, between the OSHPO and ODOT, is provided by **Figure 3**.

<b>Resource</b>	<b>Section 106 Effect</b>
Western Hills Viaduct Subway Tunnel Portals	No effect
West McMicken Avenue HD (as proposed by Cincinnati Preservation)	No effect
HAM-1709-40 (Chem-Pak, Inc. Building), 2261 Spring Grove Avenue	No effect
Western Hills Viaduct (SFN 3105458)	No Adverse Effect
Brighton Bridge (SFN 3101533)	No effect
HAM-7366-28 (High-Craft Printing Company), 1120 Harrison Avenue	No effect
HAM-2164-28 revised to HAM-6332-40 (Central Trust/Brighton Office), 1110 Harrison Avenue	No effect
HAM-1462-06 (Rumman Building), 635 Kress Alley	No effect
HAM-0484-06, 650 West McKicken Avenue	No effect
Dayton Street HD (NRHP 73001457)	No effect
Our Lady of Mercy/Cincinnati Jobs Corp (NRHP 80003070), 1409 Western Avenue	No effect
Cincinnati Union Terminal (NHL & NRHP 72001018)	No effect
HAM-1342-43 (Harriet Beecher Elementary School/Stowe Adult Education Center 635 West 7 <sup>th</sup> Avenue	No effect
West Fourth Street HD and Amendment (NRHP 766001443 & 79001861)	No effect
John M. Mueller, Sr. House, 724 Mehring Way	No effect
Ohio National Guard Armory (Demolished) (NRHP 80003069), 1437-1439 Western Avenue	No effect

**Section 106 Effect – Archaeology – Ohio**

On October 15, 2010, FHWA, with ODOT as their agent determined the undertaking contained no potential for intact archaeological resources due to extensive highway construction and/or sequential urban development and redevelopment (**Figure 3**) pursuant to the *Programmatic Agreement Among the Federal Highway Administration, The Advisory Council on Historic Preservation, The Ohio Historical Society, State Historic Preservation Office, And The State*

of Ohio, Department of Transportation Regarding The Implementation Of The Federal-Aid Highway Program In Ohio (Agreement No. 12642) executed July 17, 2006 with the following exceptions:

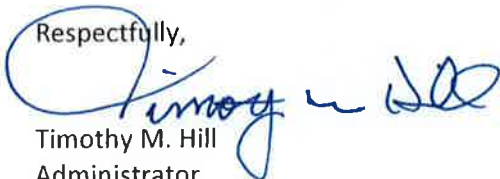
- The residential lots associated with the West McMicken Street Historic District would merit archaeological testing for stratified late 19<sup>th</sup> century deposits if one of the interchange reconfiguration alternatives were chosen (see Figure 3). That particular interchange reconfiguration alternative was not chosen and the West McMicken Street Historic District will not be affected by the undertaking.
- The 1920s Cincinnati subway tunnel would require evaluation for listing on the NRHP if a particular interchange reconfiguration alternative were chosen. An environmental commitment to avoid the Cincinnati subway tunnels and portals will be included in the environmental document and in the construction plans for the project. Therefore, these resources will not be affected by the undertaking.
- It was recommended that soil and geotechnical borings conducted during the design phase in the river bottom area be monitored and/or reviewed by an archaeologist or geoarchaeologist for evidence of buried archaeological deposits and/or undisturbed original landforms. If either are determined to be present, an archaeological testing strategy would need to be designed and implemented for the horizontal and vertical footprint of the bridge supports and construction work limits. An environmental commitment to conduct this work during the design phase will be included in the environmental document.

No further archaeological investigations are warranted at this time. The OSHPO and the ODOT-OES will be provided an opportunity to review the final design. An environmental commitment to allow OSHPO an opportunity to comment on the final design plans will be included in the environmental document.

### Conclusion

Based on the Section 106 consultation to date, FHWA, with ODOT as their agent, request the OSHPO's concurrence a finding of "adverse effect" is applicable to the subject undertaking's effect on the B & O Freight Building/Longworth Hall, listed on the NRHP. In accordance with 36 CFR § 800, FHWA will continue to consult with the agency officials and consulting parties in regard to the Section 106 effect of the undertaking on historic resources and in the resolution of Section 106 adverse effects. Measures to minimize harm to historic properties will continue to be incorporated into the project development process. In addition, the OSHPO and consulting parties will be provided an opportunity to review and comment on the refined design as the process progresses. Questions or comments should be directed to Timothy Hill, Administrator, ODOT Office of Environmental Services, at 614-644-0377.

Respectfully,



Timothy M. Hill  
Administrator  
Office of Environmental Services

OHIO STATE HISTORIC PRESERVATION OFFICE CONCURRENCE:



10.31.11

DATE



Enclosures

TMH:sg

Mark Vonder Embse, FHWA, w/att.

Najah Duvall-Gabriel, ACHP, w/att.

Stefan Spinosa, ODOT-District 8, w/att.

Project file

**Appendix B**  
**Identification and Evaluation of Alternatives**  
**Considered Prior to**  
**the Environmental Assessment**

## Appendix B

# Identification and Evaluation of Alternatives Considered Prior to the Environmental Assessment

### 1.0 INTRODUCTION

Development of conceptual alternatives for the Brent Spence Bridge was initiated in 2003 by KYTC. These initial alternatives were documented in the *Feasibility and Constructability Study of the Replacement/Rehabilitation of the Brent Spence Bridge* (May 2005). This report recommended a series of potential feasible build alternatives for replacement and/or rehabilitation of the Brent Spence Bridge structure and improvement to its approaches and surrounding transportation system. Six conceptual alternatives were recommended for further study.

In 2006, the Ohio Department of Transportation (ODOT) and the Kentucky Transportation Cabinet initiated the current Brent Spence Bridge Replacement/Reconstruction Project. The project is following ODOT's Major Project Development Process (PDP). The following sections discuss the alternatives that were developed, evaluated, eliminated and recommended for further study throughout ODOT's Major PDP.

#### 1.1 Step 4 Conceptual Alternatives

In 2006, 25 conceptual alternatives, including the No Build Alternative, were developed in Step 4 of ODOT's PDP. These 25 conceptual alternatives included the six alternatives from the 2005 *Feasibility and Constructability Study of the Replacement/Rehabilitation of the Brent Spence Bridge*. The 25 conceptual alternatives were evaluated using a two-phased screening process based on a comparative analysis. Phase one of the analysis was an evaluation of the conceptual alternatives based on the goals of the purpose and need and comments received from local governments. In phase two of the analysis, the conceptual alternatives that were not eliminated in phase one were evaluated using stakeholder goals and measures of success; design compatibility with the I-75 Mill Creek Expressway Project (HAM-75-2.30) to the north; and concurrence among government agencies obtained through a series of meetings. Some alternatives were combined into hybrid alternates and then evaluated in phase two of the analysis. The *Planning Study Report* (September 2006) documented the 25 conceptual alternatives and the two-phased comparative analysis.

The two-phased comparative analysis eliminated 19 of the 25 conceptual alternatives from further study and evaluation. These 19 conceptual alternatives failed to meet the purpose and need goals of the project and did not adequately address the stakeholder's goals and measures of success. Additionally, these alternatives would not be compatible with the I-75 Mill Creek Expressway Project (HAM-75-2.30). Five travel lanes were needed to provide a seamless connection between the two projects.

At the end of Step 4 of the PDP, a total of six conceptual alternatives, the No Build and five mainline Build Alternatives were recommended for further study in Step 5 of the PDP. The No Build Alternative was retained as a baseline for evaluation of the Build Alternatives. The No Build Alternative consists of minor, short-term safety and maintenance improvements to the Brent Spence Bridge and I-75 corridor, which would maintain continuing operations. The five mainline Build Alternatives recommended for further study in the *Planning Study Report* were:

- Mainline Alternative 1 - Queensgate Alignment for I-75
- Mainline Alternative 2 - Queensgate Alignment for I-71/I-75
- Mainline Alternative 3 - New Bridge Just West for I-75
- Mainline Alternative 4 - New Bridge Just West for all Traffic
- Mainline Alternative 5 - Construct New Bridges for I-75

A variety of sub-alternatives were developed to provide options for key intersection and traffic flow areas within the project corridor. The various sub-alternatives accommodated the design requirements of the mainline Build Alternatives:

- I-75 Northbound at KY 12<sup>th</sup> Street Ramp Sub-Alternatives
- I-71/US 50 Interchange Sub-Alternatives (for I-75 Queensgate Alignment)
- I-71/I-75/US 50 Interchange Sub-Alternatives
- I-75 Ohio C-D Road/Arterial Improvement Sub-Alternatives
- Western Hills Viaduct Interchange Sub-Alternatives

Detailed descriptions of the mainline Build Alternatives and the various sub-alternatives are presented in the *Planning Study Report*. These mainline Build Alternatives and sub-alternatives were carried forward into Step 5 of the PDP for further study and refinement.

## **1.2 Step 5 Conceptual Alternatives**

The five mainline Build Alternatives and sub-alternatives were further developed in more detail and refined during Step 5 of the PDP. These efforts included environmental studies, traffic analysis, refinement of horizontal and vertical alignments, cost estimates, utilities coordination, and stakeholder coordination. As a result, the mainline Build Alternatives and sub-alternatives from Step 4 as presented in the *Planning Study Report* evolved into eight conceptual alternatives. The eight conceptual alternatives were identified as Alternatives A through H:

- Alternative A (Alternative 1, I-71/US 50 Interchange Sub-Alternative 1, Hybrid of Collector-Distributor Roads Sub-Alternative 1 and Arterial Improvements Sub-Alternative 2 from the *Planning Study Report*)
- Alternative B (Alternative 2, I-71/US 50 Interchange Sub-Alternative 2, Hybrid of Collector-Distributor Roads Sub-Alternative 1 and Arterial Improvements Sub-Alternative 2 from the *Planning Study Report*)
- Alternative C (Variation of Alternative 3, I-71/I-75/US 50 Interchange Sub-Alternative, 1, Hybrid of Collector-Distributor Roads Sub-Alternative 1 and Arterial Improvements Sub-Alternative 2 from the *Planning Study Report*)
- Alternative D (Variation of Alternative 3, I-71/I-75/US 50 Interchange Sub-Alternative 3, Hybrid of Collector-Distributor Roads Sub-Alternative 1 and Arterial Improvements Sub-Alternative 2 from the *Planning Study Report*)
- Alternative E (Variation of Alternative 3, I-71/I-75/US 50 Interchange Sub-Alternative 3, Hybrid of Collector-Distributor Roads Sub-Alternative 1 and Arterial Improvements Sub-Alternative 2 from the *Planning Study Report*)
- Alternative F (Variation of Alternative 4, I-71/I-75/US 50 Interchange Sub-Alternative 2, Hybrid of Collector-Distributor Roads Sub-Alternative 1 and Arterial Improvements Sub-Alternative 2 from the *Planning Study Report*)

- Alternative G (Variation of Alternative 4, I-71/I-75/US 50 Interchange Sub-Alternative 3, Hybrid of Collector-Distributor Roads Sub-Alternative 1 and Arterial Improvements Sub-Alternative 2 from the *Planning Study Report*)
- Alternative H (Alternative 5 from the *Planning Study Report*)

The comparative analysis of the eight conceptual alternatives eliminated some of the alternatives, including Alternatives A, F, and H. Alternatives A and H were eliminated from further consideration due to fatal flaws, which were identified as the alternatives were developed in more detail. Alternative A's fatal flaw was that it was developed as an avoidance alternative to avoid having a direct impacts to the Longworth Hall building which was unable to be accomplished due to the need to take part of the building to construct I-71 southbound. Alternative H fatal flaw was that it was developed to have new bridges built along both sides of the existing Brent Spence Bridge, but the connections to the eastern bridge were unable to be made within Ohio due to geometric design problems. Alternative F was eliminated from further consideration because it was very similar to Alternative G and did not provide any additional benefit. Alternatives evaluated throughout Step 5 were Alternatives B, C, D, E, and G. These five alternatives were compared for their ability to meet the project's purpose and need, impacts, constructability, and estimated costs. Impacts were determined using the construction limits of each alternative.

The Conceptual Alternatives Evaluation Matrix provides a summary of impacts of the No Build Alternative and each conceptual alternative. The following sections present summary discussions of, each conceptual alternative and recommendations for feasible alternatives to be carried forward and studied in Step 6 of the PDP.

It is important to note that ODOT's PDP establishes specific steps that begin with a broad range of conceptual alternatives which are evaluated with broad environmental, engineering and cost information. As the alternatives are refined through the PDP, so are the data used in the comparative analyses of the alternatives.

### **1.2.1 Alternative B**

Alternative B shown in Exhibit A1 is the former Alternative 2, I-71/US 50 Interchange Sub-Alternative 2, Hybrid of Collector-Distributor Roads Sub-Alternative 1 and Arterial Improvements Sub-Alternative 2 from the *Planning Study Report*. It is also known as the "Queensgate alignment". Alternative B is different from the conceptual Alternatives C, D, E, and G between the limits of KY 12<sup>th</sup> Street and Ezzard Charles Drive. Alternative B south of KY 12<sup>th</sup> Street has six lanes northbound and six lanes southbound. Access into Covington will be provided by a C-D roadway which will connect to the existing Brent Spence Bridge. A new bridge will be constructed west of the existing Brent Spence Bridge for I-71/I-75 traffic. The new bridge will be approximately 900 feet west of the existing bridge on a skew across the river. This new alignment passes through the Queensgate area of Cincinnati and reconnects to the existing I-75 alignment near Ezzard Charles Drive. I-71/I-75 consists of four lanes in each direction within Kentucky. Both I-71 and I-75 will consist of two lanes in each direction in Ohio. US 50 will be realigned in Ohio within the existing I-71/I-75/US 50 interchange area. The existing Brent Spence Bridge will be rehabilitated to carry local C-D roadway traffic consisting of two lanes southbound and three lanes northbound. Western and Winchell avenues will be improved to carry local traffic.

### **1.2.1.1 Alternative B Evaluation**

Alternative B is unique from the other conceptual alternatives because it follows a new alignment across the Ohio River and through the Queensgate area of Cincinnati. For I-71/I-75, a new bridge will be constructed approximately 900 feet west of the existing Brent Spence Bridge for I-71/I-75 traffic only. The alignment will pass through the Queensgate area and re-connect with the existing I-75 alignment near the Freeman Avenue Interchange. The new bridge across the Ohio River will have a middle span length of approximately 1,650 feet with end spans of approximately 650 feet in length. The approach structures to the new bridge would consist of approximately 13,000 feet of additional bridge structure as compared to the other alternatives.

Future (2035) traffic projections indicate similar levels of future congestion and delay on mainlines of the conceptual alternatives. When reviewing freeway segments and ramp junctions, Alternative B operates comparable to Alternatives C, D, and G as each of these alternatives generally provide the same number of lanes in each direction. Constructability and construction phasing issues are also similar among the alternatives although concerns have been expressed about risk and uncertainty with Alternative B. On February 12, 2009, a constructability workshop was held where participants concluded that Alternative B posed significant construction difficulties. These issues include accessibility and logistics for constructing the I-71 connector ramps to the new bridge alignment, relocation of transmission lines, slope stability on the south side of the Ohio River, and the greater possibility of encountering hazardous materials, buried objects, differing site conditions, and any other unknowns.

Environmental impacts expected for Alternative B are comparable to the other conceptual alternatives' impacts. Alternative B would impact three wetland areas, 11 woodlots, one threatened and endangered species potential habitat area, and four historic and five Section 4(f) resources. Alternative B would be located adjacent to the historic boundary of Longworth Hall and within 37 feet of the west end of the building. All other conceptual alternatives would have a direct impact to the eastern portion of this structure.

Alternative B requires the acquisition of 72.2 acres of additional land for right of way. This is more than 2.5 times the amount of land needed for any of the other conceptual alternatives. The community impacts of Alternative B include disruption of the West Covington neighborhood and loss of businesses in Queensgate. Alternative B would impact community cohesion in the Queensgate area by placing a new alignment through the neighborhood. Alternative B would displace 43 residential units and 34 businesses, which would affect approximately 1,900 employees. It would have 74 partial property takes. These would cause direct loss of property tax revenues to cities. KYTC and ODOT conducted a survey to determine whether these displaced businesses would remain in the area. In Kentucky, one business stated they would relocate out of the state while two businesses indicated they would close. In Ohio, the majority of businesses that responded to the survey indicated that they would not relocate outside of Cincinnati if impacted. The largest employer in the Queensgate area, United Parcel Service employing 919 people, indicated that they would relocate their operation outside of Cincinnati if displaced by the project.

As part of the public involvement process, both cities of Covington and Cincinnati have documented their opposition to Alternative B based on impacts to community services, loss of property values and taxes, and displacements of residences and businesses. The City of Covington specifically opposes the potential for impacts in West Covington as noted in a letter

dated October 8, 2008, while the City of Cincinnati opposes the loss of businesses in the Queensgate area and loss of potential redevelopment opportunities. Further, the City of Cincinnati prepared a report entitled *Queensgate Area Issues, Considerations and Recommendations for Implementation of the Brent Spence Bridge Project* (September 2008), which describes the potential impacts that Alternative B would have on the Queensgate area. Within the Queensgate area, Alternative B would not use existing land uses in a way that is compatible with land use plans and would pass through areas where there are plans for redevelopment. Alternative B would result in the loss of future jobs and tax base in Queensgate due to impacts on redevelopment anticipated as a result of implementing the *Queensgate South Redevelopment Plan*. The fully executed plan is projected to generate 500 to 750 new jobs in the area.

Alternative B would directly impact three Section 4(f) resources: Goebel Park, the residence at 632 Western Avenue in Covington, and the Lewisburg Historic District. Alternative B would encroach upon the western edge of Goebel Park. Alternative B would encroach upon the Lewisburg Historic District along its eastern border and impact 2.4 acres of the historic district. It would displace eight residences adjacent to the west side of I-71/I-75. One of these residences is a non-contributing property to the historic district and seven residences are contributing properties to the historic district. Alternative B would displace the residence at 632 Western Avenue. Alternative B could have noise and visual impacts on two other Section 4(f) resources, the residences at 521 Western Avenue and 881 Highway Avenue in Covington.

Alternative B impacts a total of 58 individual utilities, the greatest number of utility impacts of the conceptual alternatives. This is the only alternative that would not displace Duke Energy's West End Substation, which is located just west of the existing Brent Spence Bridge. However, it does require the relocation of major transmission lines and towers prior to construction of the bridge. This relocation would add two years to the construction period, which would add approximately \$240 million in inflation to the estimated \$2.86 billion project cost. Over this two year period, the level of service for the interstate system would continue to worsen.

Alternative B has the highest potential of the conceptual build alternatives to impact hazardous material sites because of its location through the Queensgate area. This area of Cincinnati has a history of industrial land use. Alternative B would impact approximately 50 percent more sites with hazardous material concerns than Alternatives C, D, E, and G due to their location within the existing highway right of way.

Alternative B would cost an estimated \$2.86 billion, which is at least \$150 million more than any of the other conceptual alternatives. The estimated cost for Kentucky is \$1.75 billion and the estimated cost for Ohio is \$1.11 billion. The estimated costs for Alternative B are higher than conceptual Alternatives C, D, E, and G due to right of way acquisition and utility relocation.

Based on the adverse impacts to communities, residences, businesses, hazardous material sites, utilities and property acquisition associated with Alternative B, as well as the overall complexity, constructability risk, and cost, it was recommended that Alternative B be eliminated from further consideration.

### **1.2.2 Alternative C**

Alternative C shown in Exhibit A2 is a variation of the former Alternative 3, I-71/I-75/US 50 Interchange Sub-Alternative 1, Hybrid of Collector-Distributor Roads Sub-Alternative 1 and Arterial Improvements Sub-Alternative 2 from the *Planning Study Report*. Alternative C south of

KY 12<sup>th</sup> Street has six lanes northbound and six lanes southbound. A local C-D roadway is provided from KY 12<sup>th</sup> Street to the Ohio River. A new double deck bridge will be built just west of the existing Brent Spence Bridge for I-75 (two lanes in each direction), two lanes for southbound I-71 and two lanes for southbound local traffic. The existing Brent Spence Bridge will be rehabilitated to carry two lanes for northbound I-71 and three lanes for northbound local traffic. Alternative C reconfigures I-75 through the I-71/I-75/US 50 Interchange and eliminates all access to and from I-75 from KY 12<sup>th</sup> Street to just south of Ezzard Charles Drive in the northbound direction. Between Ezzard Charles Drive and the Western Hills Viaduct, northbound I-75 will have five lanes, southbound I-75 will have two lanes, and the local southbound C-D roadway will have four lanes, for a total of 11 travel lanes. Western and Winchell avenues will be improved to carry local traffic.

Alternatives C and D were developed based on the former Alternative 3 with very slight difference between them. The differences permitted the opportunity to evaluate how slight changes in horizontal and vertical configurations affected the flow of traffic with respect to level of service. The major difference between Alternatives C and D is the location and configuration of the C-D roadways in Ohio.

#### **1.2.2.1 Alternative C Evaluation**

The alignment of Alternative C provides a new bridge just west of the existing Brent Spence Bridge similar to Alternatives D, E, and G. Alternative C provides interstate access to both Covington and Cincinnati. Alternatives C and D provide a separation of local and regional traffic in both downtown areas through the use of C-D roadways.

Access into Covington from the interstate would be provided by the local C-D roadway at KY 12<sup>th</sup> Street for northbound traffic and at KY 9<sup>th</sup> Street for southbound traffic. Access to the interstate system from Covington will be provided at Pike Street for northbound traffic and at KY 12<sup>th</sup> Street for southbound traffic.

Access to downtown Cincinnati would be made through a series of C-D roadways that would require a decision point outside of the downtown area. In the northbound direction just north of the existing Brent Spence Bridge, the C-D roadway lane configuration is combined on a single structure between the OH 2<sup>nd</sup> Street diverge and the OH 5<sup>th</sup> Street diverge. Utilizing a single structure in this area simplifies the vertical geometric design, reduces costs, and would be easier to construct as compared to Alternative D, which utilizes three structures in this area. A negative aspect to combining the lane configuration onto a single structure is that it would introduce a weave movement north of OH 5<sup>th</sup> Street from traffic coming from I-71 southbound traveling towards the Western Hills Viaduct. Upon analyzing the weave movement, no degradation of level of service was noted.

In the southbound direction, the Alternative C C-D roadway lane configuration is located west of I-75 north of Ezzard Charles Drive, similar to Alternative D. Upon passing under Ezzard Charles Drive, the southbound C-D roadway using a bridge crosses over I-75 which allows it to be located adjacent to the northbound C-D roadway. The intent was to isolate I-75 from the C-D roadways. Several design issues became apparent as a result. Crossing over I-75 created vertical geometry complications with steep grades, as underground utilities prevented I-75 from being lowered. Traffic entering from Western Avenue could no longer access I-71 northbound or US 50 eastbound. The ramp to OH 5<sup>th</sup> Street had to be eliminated due to limited horizontal separation between the two C-D roadways, which is needed to allow the OH 5<sup>th</sup> Street ramp to



pass under US 50 and then cross over the northbound C-D roadway. The southbound C-D roadway remains on the west side in Alternative D in this area.

Future (2035) traffic projections indicate similar levels of future congestion and delay on the mainline as compared to Alternatives B, D, and G. Alternative C provides for more efficient traffic flow over the No Build Alternative when reviewing operations at basic freeway segments and ramp junctions. It does not provide the region with the most efficient traffic flow on its own. Portions of this alternative combined with another alternative may provide better traffic flow on the interstate and provide better connections to local roads. Constructability and construction phasing issues are also similar among the alternatives.

Alternative C requires approximately 22.2 acres of additional right of way. This is the second least amount of land impacted by the conceptual alternatives. Alternative C would displace 16 residential units and 35 businesses. Approximately 300 employees would be affected by this alternative. Alternative C, as with Alternatives D, E, and G, would impact Longworth Hall which includes 21 businesses. Alternatives C, D, E, and G have similar environmental impacts because they are all located within the existing transportation corridor. Alternative C would impact three wetland areas, 10 woodlots and one potential threatened and endangered species habitat area, four community resources, three historic resources, and five Section 4(f) properties.

Alternative C would be compatible with existing land use plans and would not have a negative impact on community cohesion. Alternative C would be constructed within the existing interstate corridor and not bisect neighborhoods in Kentucky or Ohio. Alternative C would support the Queensgate redevelopment plans and help Cincinnati facilitate its economic renewal goals.

Since the alignment of Alternative C would be located just west of the existing Brent Spence Bridge, it would impact a portion of the Duke Energy West End substation and require the relocation of 52 individual utility facilities.

Alternative C would directly impact four Section 4(f) resources. These include Goebel Park, the Lewisburg Historic District, Longworth Hall, and the Queensgate playground and ballfields. Alternative C could have noise and visual impacts on one Section 4(f) resource, the Harriet Beecher Stowe Elementary School (Fox 19 Television Station).

Alternative C would encroach upon the Lewisburg Historic District along its eastern border and directly impact 0.83 acres of the historic district. It would displace 10 residences adjacent to the west side of I-71/I-75. One of these residences is a non-contributing property to the historic district and nine residences are contributing properties to the historic district. Alternative C would directly impact 0.25 acres of Longworth Hall resource including the building and historic boundary. The eastern end of the building would be demolished.

Alternative C would cost an estimated \$2.28 billion, which is one of the least expensive alignments of the conceptual alternatives due to lower construction costs, less right of way, and lower costs for utility relocation. The estimated cost for Kentucky is \$1.41 billion and the estimated cost for Ohio is \$0.87 billion.

Based on the estimated cost, design features described above and the local access features, it was recommended that the northbound portion of Alternative C advance for further

consideration, while the southbound portions of this alternative be eliminated from further consideration. It was recommended that the northbound portion of Alternative C be combined with the southbound portion of Alternative D to create a hybrid alternative for further evaluation.

### **1.2.3 Alternative D**

Alternative D shown in Exhibit A3 is a variation of the former Alternative 3, I-71/I-75/US 50 Interchange Sub-Alternative 3, Hybrid of Collector-Distributor Roads Sub-Alternative 1 and Arterial Improvements Sub-Alternative 2 from the *Planning Study Report*. Alternative D south of KY 12<sup>th</sup> Street has six lanes northbound and six lanes southbound. A local C-D roadway will provide access into Covington between KY 12<sup>th</sup> Street and the Ohio River. A new double deck bridge will be built just west of the existing Brent Spence Bridge I-75 (two lanes in each direction), two lanes for southbound I-71, and two lanes for southbound local traffic. The existing Brent Spence Bridge will be rehabilitated to carry two lanes for northbound I-71 and three lanes for northbound local traffic. Alternative D reconfigures I-75 through the I-71/I-75/US 50 Interchange and eliminates all access to and from I-75 from KY 12<sup>th</sup> Street to just south of Ezzard Charles Drive in the northbound direction. In Ohio, between Ezzard Charles Drive and the Western Hills Viaduct there will be a total of 11 travel lanes for I-75 and local southbound traffic. Western and Winchell avenues will be improved to carry local traffic.

As previously noted, Alternatives C and D were developed based on the former Alternative 3 with very slight difference between them. The major difference between Alternatives C and D is the location and configuration of the C-D roadways in Ohio.

#### **1.2.3.1 Alternative D Evaluation**

The alignment of Alternative D provides a new bridge alignment just west of the existing Brent Spence Bridge similar to Alternatives C, E, and G. Alternative D provides interstate access to both Covington and Cincinnati. Like Alternative C, Alternative D provides a separation of local and regional traffic through the use of a C-D roadway.

Alternative D would keep one direct exit to Covington in place per the north and south bound directions, south of the current KY 5<sup>th</sup> Street exit. Access into Covington from the interstate will be provided by the local C-D roadway at KY 12<sup>th</sup> Street for northbound traffic and at KY 9<sup>th</sup> Street for southbound traffic. Access to the interstate system from Covington will be provided at KY 9<sup>th</sup> Street for northbound traffic and at KY 12<sup>th</sup> Street for southbound traffic.

Access to downtown Cincinnati will be made through a series of C-D roadways that would require a decision point outside of the downtown area. In the northbound direction, the C-D roadway lane configuration was split among three structures between the OH 2<sup>nd</sup> Street diverge and the OH 5<sup>th</sup> Street diverge to simplify the horizontal configuration to reduce the number of weave movements. Utilizing multiple structures, complicated the vertical geometric design, increased the cost, and is more complicated to construct. This design would not provide a better level of service compared to Alternative C. The vertical alignment of this alternative would require OH 3<sup>rd</sup> Street to be lowered approximately eight feet, west of Central Avenue due to the northbound C-D roadway lane configuration being split among three structures. This lowering would require complex and expensive retaining walls and the relocation of underground utilities.

In the southbound direction, the C-D roadway remains west of I-75. Traffic entering from Western Avenue will have access to I-71 northbound and US 50 eastbound, by using a weave condition. The ramp access to OH 5<sup>th</sup> Street will remain.

Future (2035) traffic projections indicate similar levels of future congestion and delay on the mainline as compared to Alternatives B, C, and G. Alternative D provides for more efficient traffic flow over the No Build Alternative when reviewing operations at basic freeway segments and ramp junctions. It does not provide the region with the most efficient traffic flow on its own. Various parts of this alternative combined with parts of another alternative may provide better traffic operations on the interstate and provide better connections to local roads. Constructability and construction phasing issues are also similar among the alternatives.

Environmental and community impacts resulting from Alternative D are the lowest of the conceptual alternatives. Alternative D would require approximately 19.7 acres of new right of way and would displace 16 residential units and 34 businesses. Alternative D, as with Alternatives C, E, and G would impact Longworth Hall which includes 21 businesses. Alternative D requires the fewest number of residence and business employee relocations. Alternative D would impact three wetland areas, 10 woodlots, one potential threatened and endangered species habitat area, four community resources, two historic properties, one historic district, and five Section 4(f) properties.

Alternative D would be compatible with existing land use plans and would not have a negative impact on community cohesion. Alternative D would be constructed within the existing interstate corridor and not bisect neighborhoods in Kentucky or Ohio. Alternative D would support the Queensgate redevelopment plans and help Cincinnati facilitate its economic renewal goals.

Since the alignment of Alternative D would be located just west of the existing Brent Spence Bridge, it would impact a portion of the Duke Energy West End substation and require the relocation of 52 individual utility facilities.

Alternative D would directly impact four Section 4(f) resources Goebel Park, the Lewisburg Historic District, Longworth Hall, and the Queensgate playground and ballfields. It could have visual and noise impacts on one Section 4(f) resource, the Harriet Beecher Stowe Elementary School (Fox 19 Television Station).

Alternative D would encroach upon the Lewisburg Historic District along its eastern border and impact 0.88 acres of the historic district. It would displace 10 residences adjacent to the west side of I-71/I-75. One of these residences is a non-contributing property to the historic district and nine residences are contributing properties to the historic district. Alternative D would impact 0.25 acres of Longworth Hall resource including the building and historic boundary. The eastern end of the building would be demolished.

Alternative D would cost an estimated \$2.28 billion, which is one of the least expensive alignments of the conceptual alternatives. The estimated cost for Kentucky is \$1.41 billion and the estimated cost for Ohio is \$0.87 billion. Alternative D and Alternative C are the least expensive of the five conceptual alternatives due to lower construction costs, less right of way, and lower costs for utility relocation.

Based on the estimated cost, design features described above and the local access features, it was recommended that the southbound portion of Alternative D advance for further consideration, while the northbound portion of this alternative be eliminated from further

consideration. It was recommended that the southbound portion of Alternative D be combined with the northbound portion of Alternative C to create a hybrid alternative for further evaluation.

#### **1.2.4 Alternative E**

Alternative E shown in Exhibit A4 is a variation of the former Alternative 3, I-71/I-75/US 50 Interchange Sub-Alternative 3, Hybrid of Collector-Distributor Roads Sub-Alternative 1 and Arterial Improvements Sub-Alternative 2 from the *Planning Study Report*. Alternative E south of KY 12<sup>th</sup> Street has six lanes northbound and six lanes southbound. Alternative E provides two access points into Covington for both northbound and southbound traffic. A local C-D roadway will be provided from KY 12<sup>th</sup> Street to the Ohio River. A new double deck bridge will be built just west of the existing Brent Spence Bridge to carry northbound and southbound I-71 and I-75 traffic. On the upper deck, I-71 southbound will have three lanes and I-71 northbound will have two lanes. On the lower deck, I-75 will have three northbound and three southbound lanes. The existing Brent Spence Bridge will be rehabilitated to carry northbound and southbound local traffic with two lanes in each direction as this number of lanes provides an acceptable level of service. In Ohio, Alternative E reconfigures I-75 through the I-71/I-75/US 50 Interchange and eliminates some of the existing access points along I-75. The existing direct connections between I-75 to westbound US 50 and from eastbound US 50 will be maintained in Alternative E. Between Ezzard Charles Drive and Western Hills Viaduct, southbound I-75 will have six lanes, northbound I-75 will have five lanes, and there will be one auxiliary lane to the Western Hills Viaduct. Western and Winchell avenues will be improved to carry local traffic.

##### **1.2.4.1 Alternative E Evaluation**

The alignment of Alternative E is similar to Alternatives C, D, and G in that it provides a new bridge alignment just west of the existing Brent Spence Bridge. Alternative E provides two direct access points to Covington in both the northbound and southbound directions. In the northbound direction, access will be provided by the local C-D roadway at KY 12<sup>th</sup> Street and KY 5<sup>th</sup> Street. In the southbound direction, access will be provided by the local C-D roadway at KY 5<sup>th</sup> Street, and off of I-71 and I-75 at KY 9<sup>th</sup> Street. Access to the interstate system from Covington will be provided by local city streets. In the northbound direction, access to I-75 will be provided at KY 9<sup>th</sup> Street, access to I-71 will be provided at KY 5<sup>th</sup> Street. Access to I-75 northbound will also be provided at KY 4<sup>th</sup> and 5<sup>th</sup> Streets through the local C-D roadway across the lower deck of the existing Brent Spence Bridge. In the southbound direction, access to I-71/I-75 will be provided at KY 5<sup>th</sup> Street and KY 12<sup>th</sup> Street.

All access to downtown Cincinnati from I-75 will be provided by a C-D roadway that would require a decision point outside of the downtown area, KY 12<sup>th</sup> Street for northbound traffic and just south of Ezzard Charles Drive for southbound traffic. Access to I-75 northbound will be provided at OH 4<sup>th</sup> and 6<sup>th</sup> streets through the local C-D roadway and at OH 9<sup>th</sup> Street through Winchell Avenue. Southbound I-75 access will be provided at Western Avenue, OH 8<sup>th</sup> Street, and OH 4<sup>th</sup> Street through the local C-D roadway across the upper deck of the existing Brent Spence Bridge.

Future (2035) traffic projections indicate similar levels of future congestion and delay on the mainline as compared to Alternatives B, C, and G except for the I-75 mainline when I-75 consists of three lanes in each direction. When reviewing the level of service at basic freeway segments and ramp junctions, Alternative E operates better overall than all of the other alternatives. Notable improvements for I-75 level of service (LOS) were: LOS F to D in the northbound PM peak hour, LOS E to D in the southbound AM peak hour, and LOS D to C in the southbound PM peak hour. The improved traffic flow will aid in the reduction of traffic crashes,

reduce delay and travel times throughout the region. Constructability and construction phasing issues are also similar among the alternatives.

When compared to Alternatives C, D, and G, Alternative E is expected to have similar environmental impacts. Alternative E would impact three wetland areas, 10 woodlots and one potential threatened and endangered species habitat area. Alternative E would impact three community resources, two historic resources, one historic district, and four Section 4(f) properties. This is slightly fewer impacts than other conceptual alternatives. Alternative E would displace 19 residential units and 39 businesses, which is the fewest number of people displaced among alternatives. Alternative E, as with Alternatives C, D, and G, would impact Longworth Hall which includes 21 businesses. In addition, the 19 residential units estimated to be displaced to build Alternative E is expected to result in the fewest number of people displaced.

Alternative E would be compatible with existing land use plans and would not have a negative impact on community cohesion. Alternative E would be constructed within the existing interstate corridor and not bisect neighborhoods in Kentucky or Ohio. Alternative E would support the Queensgate redevelopment plans and help Cincinnati facilitate its economic renewal goals.

Since the alignment of Alternative E would be located just west of the existing Brent Spence Bridge, it would impact a portion of the Duke Energy West End substation and require the relocation of 52 individual utility facilities.

Alternative E would directly impact three Section 4(f) resources Goebel Park, the Lewisburg Historic District, and Longworth Hall. It could also have noise and visual impacts on one Section 4(f) resource, the Harriet Beecher Stowe Elementary School (Fox 19 Television Station).

Alternative E would encroach upon the Lewisburg Historic District along its eastern border and impact 0.98 acres of the historic district. It would displace 11 residences adjacent to the west side of I-71/I-75. One of these residences is a non-contributing property to the historic district and 10 residences are contributing properties to the historic district. Alternative E would impact 0.54 acres of Longworth Hall resource including the building and historic boundary. The eastern end of the building would be demolished.

Alternative E would cost an estimated \$2.58 billion, which is in the mid-range of the costs for the conceptual alternatives. The estimated cost for Kentucky is \$1.65 billion and the estimated cost for Ohio is \$0.93 billion. Only Alternatives C and D have lower estimated costs.

Alternative E was recommended and supported by the City of Covington. Based on the access provided by this alternative and the minimized amount of community impacts in comparison to other alternatives, it was recommended that Alternative E be advanced for further study as a feasible alternative. Based on the improved LOS, it was recommended to increase the number of lanes for I-75 mainline to three lanes in each direction due to the level of service improvements noted above.

### **1.2.5 Alternative G**

Alternative G shown in Exhibit A5 is a variation of the former Alternative 4, I-71/I-75/US 50 Interchange Sub-Alternative 3, Hybrid of Collector-Distributor Roads Sub-Alternative 1 and Arterial Improvements Sub-Alternative 2 from the *Planning Study Report*. Alternative G south of

KY 12<sup>th</sup> Street has six lanes northbound and six lanes southbound. In Alternative G, there are two access points into Covington for both northbound and southbound traffic through a C-D roadway. Local city streets will provide access to the interstate system from Covington. A new double deck bridge will be built just west of the existing Brent Spence Bridge to carry northbound and southbound I-75 (two lanes in each direction), two lanes for southbound I-71, and two lanes for southbound local traffic. The existing Brent Spence Bridge will be rehabilitated to carry two lanes for northbound I-71 and three lanes for local traffic. Alternative G reconfigures I-75 through the I-71/I-75/US 50 Interchange and eliminates all access to and from I-75 between KY 12<sup>th</sup> Street to just north of Ezzard Charles Drive in the northbound direction. I-75 would be elevated from the Ohio River to just south of Linn Street for northbound and southbound traffic. In Ohio, the northbound C-D roadway will carry local traffic from the existing Brent Spence Bridge, provide access to US 50 and city streets, and reconnect to I-75 just north of Ezzard Charles Drive. In Ohio, the southbound C-D roadway will provide a new access point to the north end of the Clay Wade Bailey Bridge. Western and Winchell avenues will be improved to carry local traffic.

#### **1.2.5.1 Alternative G Evaluation**

The alignment of Alternative G is similar to Alternatives C, D, and E in that it provides a new bridge alignment just west of the existing Brent Spence Bridge. Alternative G provides two direct access points to Covington in both northbound and southbound directions. In the northbound direction, access will be provided by the local C-D roadway at KY 12<sup>th</sup> Street and KY 5<sup>th</sup> Street. In the southbound direction, access will be provided by the local C-D roadway at KY 5<sup>th</sup> Street and KY 9<sup>th</sup> Street. Access to the interstate system from Covington will be provided by local city streets. In the northbound direction, access to I-71 will be provided at KY 9<sup>th</sup> Street, and access to I-71/I-75 will be provided by the local C-D roadway at KY 4<sup>th</sup> Street. In the southbound direction, access to I-71/I-75 will be provided at KY 12<sup>th</sup> Street.

Alternative G eliminates all access to and from I-75 between KY 12<sup>th</sup> Street to just north of Ezzard Charles Drive in the northbound direction. Between KY 9<sup>th</sup> Street and Western Hills Viaduct there will be no access to southbound I-75. In Ohio, I-75 will be elevated from the Ohio River to just south of Linn Street. Existing connections to I-71, US 50, and downtown Cincinnati will be maintained. Direct local access from Cincinnati to I-75 will be provided by an exit at OH 9<sup>th</sup> Street. All other existing interstate access points in downtown Cincinnati will be made by way of C-D roadways.

Future (2035) traffic projections indicate similar levels of future congestion and delay on the mainline as compared to Alternatives B, C, and D. When reviewing the level of service at the basic freeway segments and ramp junctions, Alternative G operates better overall than the other alternatives, with the exception of Alternative E. Improvements to safety and traffic flow are some of the benefits of this alternative. Constructability and construction phasing issues are also similar among the alternatives.

Alternative G requires approximately 28.2 acres of new right of way. Alternative G would displace 31 residential units and 41 businesses, which would affect approximately 1,300 employees. The United Parcel Service, which employs 919 persons, is one of the businesses that would be impacted by Alternative G. Alternative G, as with Alternatives C, D, and E, would impact Longworth Hall which includes 21 businesses. When compared to Alternatives C, D, and E, Alternative G has similar environmental impacts. Alternative G would impact three wetland areas and ten woodlots, one potential threatened and endangered species habitat area;

four community resources, two historic properties, one historic district, and five Section 4(f) properties.

Overall, Alternative G supports local land use with the exception of the impact to UPS. Alternative G would not have a negative impact on community cohesion. Alternative G would be constructed mostly within the existing interstate corridor and not bisect neighborhoods in Kentucky or Ohio. Alternative G would support the existing Queensgate redevelopment plans and help Cincinnati facilitate its economic renewal goals.

Since the alignment of Alternative G would be located just west of the existing Brent Spence Bridge, it would impact a portion of the Duke Energy West End substation and require the relocation of 52 individual utility facilities.

Alternative G would directly impact four Section 4(f) resources Goebel Park, the Lewisburg Historic District, Longworth Hall, and the Queensgate playground and ballfields. It could also have noise and visual impacts on one Section 4(f) resource, the Harriet Beecher Stowe Elementary School (Fox 19 Television Station).

Alternative G would encroach upon the Lewisburg Historic District along its eastern border and impact 2.9 acres of the historic district. It would displace 12 residences adjacent to the west side of I-71/I-75. Two of these residences are non-contributing properties to the historic district and 10 residences are contributing properties to the historic district. Alternatives G would impact 0.42 acres of Longworth Hall resource including the building and historic boundary. The eastern end of the building would be demolished.

Alternative G would cost an estimated \$2.70 billion, which is the second most expensive alignment of the five conceptual alternatives. Alternative B at \$2.86 billion is the most expensive of all the conceptual alternatives. The estimated cost for Kentucky is \$1.47 billion and the estimated cost for Ohio is \$1.23 billion. Alternative G has the highest overall cost of the alternatives which follow the existing I-71/I-75 corridor.

Alternative G was recommended to be eliminated from further consideration due to the high costs of this alternative and the higher property acquisition associated with it. Alternative G would result in 31 residential and 41 business displacements. The business displacements would affect over 1,300 employees.

### **1.3 Recommended Feasible Alternatives**

The *Conceptual Alternatives Study* (April 2009) from Step 5 recommended two feasible alternatives for further study in Steps 6 and 7. The two feasible alternatives consist of Alternative E and Alternative I, which is a combination of Alternatives C and D with certain design elements of Alternative G. The following summaries present the reasons why conceptual alternatives were eliminated from further consideration or recommended as feasible alternatives for further study:

- **Alternative B:** Based on the adverse impacts to communities, residences, businesses, hazardous material sites, utilities and property acquisition associated with Alternative B, as well as the overall complexity, constructability risk, and cost, it was recommended that Alternative B be eliminated from further consideration for the Brent Spence Replacement/ Rehabilitation Project.

- **Alternatives C and D:** It was recommended that a combination of Alternatives C and D be developed for further study in Step 6 as a feasible alternative. Based on the comparative analysis with respect to horizontal and vertical alignments, impacts, and the flow of traffic of Alternatives C and D, it was determined that a hybrid alternative of the northbound portion of Alternative C and the southbound portion of Alternative D be advanced for further consideration.
- **Alternative E:** It was recommended that Alternative E be developed for further study in Step 6 as a feasible alternative. This recommendation was based on the access provided by Alternative E to Covington and Cincinnati and the minimal amount of community impacts in comparison to the other alternatives. It was recommended to increase the number of lanes for I-75 to three lanes in each direction to support the improved level of service this alternative would provide.
- **Alternative G:** It was recommended that Alternative G be eliminated from further consideration due to the high costs, and residential and business displacements associated with this alternative. However, the following beneficial design features of Alternative G were carried forward for further analysis and incorporated into the feasible alternatives:
  - access to north end of Clay Wade Bailey Bridge from I-75 southbound using a C-D roadway and US 50 eastbound;
  - two access points into Covington;
  - access from a northbound C-D roadway from KY to I-71 northbound in Ohio; and
  - access ramp just north of Ezzard Charles Drive for Freeman Ave and local traffic to I-75 northbound.

The Conceptual Alternatives Evaluation Matrix provides a summary of impacts of the No Build Alternative and each conceptual alternative.

#### **1.4 Feasible Alternatives**

In Steps 6 and 7 the feasible alternatives, Alternatives E and I were developed in more detail. This included refinement of vertical and horizontal geometries, elimination of design exceptions, and connections to the local roadway network. Connections and improvements to local roads included adding travel lanes and turn lanes, which increased the right of way limits of both feasible alternatives. The recommendations from Step 5 were also incorporated into the design of the feasible alternatives. One recommendation was to increase the number of lanes on I-71/I-75 from four to six and to add full width shoulders along the mainline. This design change also increased the right of way limits of both feasible alternatives.

Alternative E and I are evaluated in the Environmental Assessment (EA) for the Brent Spence Bridge Replacement/Reconstruction Project. Alternative I is recommended as the Preferred Alternative. This recommendation is based on the design features, local access features, traffic operations, estimated costs, and environmental impacts.



Conceptual Alternatives Evaluation Matrix						
Impacts	No Build	Alternative B (Former Alternative 2)	Alternative C (Former Alternative 3)	Alternative D (Former Alternative 3)	Alternative E (Former Alternative 3)	Alternative G (Former Alternative 4 Hybrid)
<b>Alternative Description</b>	The No Build Alternative consists of minor, short-term safety and maintenance improvements to the Brent Spence Bridge and I-75 corridor, which would maintain continuing operations. All within existing right of way.	Six lanes each direction between Kyles Lane and KY 12 <sup>th</sup> Street; Local C-D roadway from KY 12 <sup>th</sup> Street to Ohio River; New bridge (4 lanes in each direction) through Queensgate 900 feet west of existing for I-71/I-75 traffic; Rehab existing bridge for local traffic (2 lanes SB and 3 lanes NB); Realign US 50; Improvements to Western and Winchell Avenues	Six lanes in each direction between Kyles Lane and KY 12 <sup>th</sup> Street; local C-D roadway from KY 12 <sup>th</sup> Street to Ohio River; New double deck bridge just west of existing bridge for I-75 (2 lanes NB and SB), 2 lanes SB I-71, two lanes SB local traffic; Rehab existing bridge for NB I-71 (2 lanes), NB local traffic (3 lanes); Reconfigure I-75 through I-71/I-75/US 50 Interchange; From KY 12 <sup>th</sup> Street to Ezzard Charles Drive NB I-75 5 lanes, SB I-75 2 lanes, and local SB C-D roadway 4 lanes; Improvements to Western and Winchell Avenues	Six lanes in each direction between Kyles Lane and KY 12 <sup>th</sup> Street; Local C-D roadway between KY 12 <sup>th</sup> Street and the Ohio River; New double deck bridge just west of the existing bridge I-75 (2 lanes NB and SB), two lanes SB I-71, and two lanes SB local traffic; Rehab existing bridge for NB I-71 (2 lanes) and three lanes for NB local traffic (3 lanes); Reconfigure I-75 through the I-71/I-75/US 50 Interchange; 11 lanes for I-75 and SB local traffic between Ezzard Charles Drive and the Western Hills Viaduct; Improvements to Western and Winchell Avenues	Six lanes in each direction between Kyles Lane and KY 12 <sup>th</sup> Street; Two access points into Covington for both NB and SB traffic; New double-deck bridge just west of the existing Bridge for I-71/I-75 traffic (2 lanes in each direction); Reconfigure I-75 through the I-71/I-75/US 50 Interchange; Between Ezzard Charles Drive and Western Hills Viaduct, SB I-75 6 lanes, NB I-75 5 lanes, and one auxiliary lane to the Western Hills Viaduct; Improvements to Western and Winchell Avenues	Six lanes in each direction between Kyles Lane and KY 12 <sup>th</sup> Street; 2 access points to Covington for NB and SB traffic through a C-D roadway; New double deck bridge just west of the existing bridge for I-75 (2 lanes in each direction), 2 lanes for SB I-71 and 2 lanes for SB local traffic; Rehab existing bridge for NB I-71 (2 lanes) and local traffic (3 lanes); Reconfigure I-75 through the I-71/I-75/US 50 Interchange; I-75 elevated from Ohio River to Linn Street; NB C-D roadway will carry local traffic to Ezzard Charles Drive; Improvements to Western and Winchell Avenues
<b>Purpose and Need Elements</b>						
Improve traffic flow and level of service in 2035	Does not improve traffic flow and level of service <ul style="list-style-type: none"> <li>Congestion will continue to worsen</li> <li>I-71 majority of segments (43 of 50) LOS E or F</li> <li>I-75 majority of segments (43 of 50) LOS E or F</li> </ul>	Improves traffic and level of service over the No Build <ul style="list-style-type: none"> <li>I-71 majority LOS E or F segments</li> <li>I-75 NB three LOS F segments</li> <li>I-75 SB two LOS F segments</li> <li>Improves congested sections</li> </ul>	Improves traffic and level of service over the No Build <ul style="list-style-type: none"> <li>I-75 NB three LOS F segments</li> <li>I-75 SB two LOS F segments</li> <li>I-71 majority LOS E or F segments</li> <li>Reduces congested segments</li> </ul>	Improves traffic and level of service over the No Build <ul style="list-style-type: none"> <li>I-75 NB three LOS F segments</li> <li>I-75 SB two LOS F segments</li> <li>I-71 majority LOS E or F segments</li> <li>Reduces congested sections</li> </ul>	Improves traffic and level of service over the No Build <ul style="list-style-type: none"> <li>I-75 majority segments are LOS D or better</li> <li>I-75 NB and SB two segments LOS F</li> <li>I-71 majority segments of LOS E or F</li> <li>Additional lanes for I-75 to reduce congestion through Covington and Cincinnati;</li> </ul>	Improves traffic and level of service over the No Build <ul style="list-style-type: none"> <li>I-75 NB three LOS F segments</li> <li>I-75 SB two LOS F segments</li> <li>I-71 majority segments LOS E or F</li> </ul>
Improve safety	Will not improve safety	Improves safety <ul style="list-style-type: none"> <li>Provides proper shoulder widths</li> <li>Improves geometries</li> <li>Separates local and interstate traffic to help reduce accident rates</li> </ul>	Improves safety <ul style="list-style-type: none"> <li>Provides proper shoulder widths</li> <li>Lower design speed for local C-D roadway help reduce accident rates</li> </ul>	Improves safety <ul style="list-style-type: none"> <li>Provides proper shoulder widths</li> <li>Improves geometry on I-75 to help reduce accident rates</li> </ul>	Improves safety <ul style="list-style-type: none"> <li>Reduced congested sections,</li> <li>Provides proper shoulder widths to help reduce accident rates</li> </ul>	Improves safety <ul style="list-style-type: none"> <li>Reduced congested sections</li> <li>Proper shoulder widths</li> <li>Improved geometries help reduce accident rates</li> </ul>
Correct geometric deficiencies	Will not correct geometric deficiencies	Corrects geometric deficiencies with design exceptions <ul style="list-style-type: none"> <li>I-71 remains geometrically deficient</li> </ul>	Corrects geometric deficiencies with design exceptions <ul style="list-style-type: none"> <li>I-71 remains geometrically deficient</li> <li>I-75, US 50 and local C-D roadway has several geometrically deficient locations</li> </ul>	Corrects geometric deficiencies with design exceptions <ul style="list-style-type: none"> <li>I-71 remains geometrically deficient</li> <li>US 50 geometrically deficient in several locations</li> </ul>	Corrects geometric deficiencies with design exceptions <ul style="list-style-type: none"> <li>I-71 remains geometrically deficient</li> <li>Local C-D roadway geometrically deficient in several locations</li> </ul>	Corrects geometric deficiencies with design exceptions <ul style="list-style-type: none"> <li>I-71 remains geometrically deficient</li> </ul>
Maintain and improve connections to local, regional, and national transportation corridors	Maintains but does not improve existing connections	Changes and improves connections <ul style="list-style-type: none"> <li>Local traffic separated from regional traffic on I-75 in Cincinnati and Covington</li> <li>No direct connections to I-75 and I-71 through Queensgate area</li> </ul>	Does not maintain all existing connections <ul style="list-style-type: none"> <li>Removes local connections to I-75 by using a C-D system from KY 12<sup>th</sup> Street to just south of Ezzard Charles Drive</li> </ul>	Maintains and improves connections <ul style="list-style-type: none"> <li>Maintains access to I-75 and I-71 in Covington</li> <li>uses a C-D system for local connections in Covington and Cincinnati</li> <li>US 50 maintains direct access to interstate</li> </ul>	Removes some local connections <ul style="list-style-type: none"> <li>Access provided to I-75 by using a C-D system in Cincinnati and Covington</li> </ul>	

Conceptual Alternatives Evaluation Matrix						
Impacts	No Build	Alternative B (Former Alternative 2)	Alternative C (Former Alternative 3)	Alternative D (Former Alternative 3)	Alternative E (Former Alternative 3)	Alternative G (Former Alternative 4 Hybrid)
<b>Alternative Description</b>	The No Build Alternative consists of minor, short-term safety and maintenance improvements to the Brent Spence Bridge and I-75 corridor, which would maintain continuing operations. All within existing right of way.	Six lanes each direction between Kyles Lane and KY 12 <sup>th</sup> Street; Local C-D roadway from KY 12 <sup>th</sup> Street to Ohio River; New bridge (4 lanes in each direction) through Queensgate 900 feet west of existing for I-71/I-75 traffic; Rehab existing bridge for local traffic (2 lanes SB and 3 lanes NB); Realign US 50; Improvements to Western and Winchell Avenues	Six lanes in each direction between Kyles Lane and KY 12 <sup>th</sup> Street; local C-D roadway from KY 12 <sup>th</sup> Street to Ohio River; New double deck bridge just west of existing bridge for I-75 (2 lanes NB and SB), 2 lanes SB I-71, two lanes SB local traffic; Rehab existing bridge for NB I-71 (2 lanes), NB local traffic (3 lanes); Reconfigure I-75 through I-71/I-75/US 50 Interchange; From KY 12 <sup>th</sup> Street to Ezzard Charles Drive NB I-75 5 lanes, SB I-75 2 lanes, and local SB C-D roadway 4 lanes; Improvements to Western and Winchell Avenues	Six lanes in each direction between Kyles Lane and KY 12 <sup>th</sup> Street; Local C-D roadway between KY 12 <sup>th</sup> Street and the Ohio River; New double deck bridge just west of the existing bridge I-75 (2 lanes NB and SB), two lanes SB I-71, and two lanes SB local traffic; Rehab existing bridge for NB I-71 (2 lanes) and three lanes for NB local traffic (3 lanes); Reconfigure I-75 through the I-71/I-75/US 50 Interchange; 11 lanes for I-75 and SB local traffic between Ezzard Charles Drive and the Western Hills Viaduct; Improvements to Western and Winchell Avenues	Six lanes in each direction between Kyles Lane and KY 12 <sup>th</sup> Street; Two access points into Covington for both NB and SB traffic; New double-deck bridge just west of the existing Bridge for I-71/I-75 traffic (2 lanes in each direction); Reconfigure I-75 through the I-71/I-75/US 50 Interchange; Between Ezzard Charles Drive and Western Hills Viaduct, SB I-75 6 lanes, NB I-75 5 lanes, and one auxiliary lane to the Western Hills Viaduct; Improvements to Western and Winchell Avenues	Six lanes in each direction between Kyles Lane and KY 12 <sup>th</sup> Street; 2 access points to Covington for NB and SB traffic through a C-D roadway; New double deck bridge just west of the existing bridge for I-75 (2 lanes in each direction), 2 lanes for SB I-71 and 2 lanes for SB local traffic; Rehab existing bridge for NB I-71 (2 lanes) and local traffic (3 lanes); Reconfigure I-75 through the I-71/I-75/US 50 Interchange; I-75 elevated from Ohio River to Linn Street; NB C-D roadway will carry local traffic to Ezzard Charles Drive; Improvements to Western and Winchell Avenues
<b>Engineering</b>						
Maintain and improve connections: Provides local access to/from the interstate	Provides local access to/from the interstate as it currently exists	Provides access to interstate by way of local C-D road • I-75 access between KY 12 <sup>th</sup> Street and Ezzard Charles Drive Provides direct access to interstate • 1 direct access point to I-71 NB in KY at Pike Street	Provides access to interstate by way of local C-D road • I-75 access between KY 12 <sup>th</sup> Street and Ezzard Charles Drive Provides direct access to interstate • 1 direct access point to I-71 NB in KY at Pike Street	Provides indirect access to interstate by way of local C-D road • I-75 access between KY 12 <sup>th</sup> Street and Ezzard Charles Drive Provides direct access to interstate • 1 direct access point to I-71 NB at KY 9 <sup>th</sup> Street	Provides indirect access to interstate by way of local C-D road • I-75 access KY 12 <sup>th</sup> Street and Ezzard Charles Drive Provides direct access to interstate • 1 direct access point to I-71 NB in KY • 1 direct access point to I-75 NB in KY • Direct access to I-71/I-75 SB in KY at 5 <sup>th</sup> Street	Provides indirect access to interstate by way of local C-D road • I-75 access KY 12 <sup>th</sup> Street and Ezzard Charles Drive Provides direct access to interstate • 1 direct access point to I-71 NB at KY 9 <sup>th</sup> Street
Maintain and improve connections: Provide direct access to Covington from I-75	Provides direct local access to/from the I-75 as it currently exists	Provides indirect access to Covington from I-75 by a C-D road • NB access at KY 12 <sup>th</sup> Street • SB access at KY 9 <sup>th</sup> Street	Provides indirect access to Covington from I-75 by a C-D road • NB access at KY 12 <sup>th</sup> Street • SB access at KY 9 <sup>th</sup> Street	Provides direct access to Covington • SB I-75 and SB I-71 access at KY 9 <sup>th</sup> NB traffic Provides indirect access to Covington by C-D road • Access at KY 12 <sup>th</sup> Street	Provides indirect access to Covington by C-D road • NB access at KY 12 <sup>th</sup> and KY 5 <sup>th</sup> streets • SB access at KY 5 <sup>th</sup> and KY 9 <sup>th</sup> streets	Provides indirect access to Covington by C-D road • NB access at KY 12 <sup>th</sup> and KY 5 <sup>th</sup> streets • SB access at KY 5 <sup>th</sup> and KY 9 <sup>th</sup> streets
Maintain and improve connections: Maintain existing access points to I-75 in Cincinnati	Maintains local access to/from I-75 as it currently exists	Maintains local access to/from the interstate as it currently exists	Eliminates direct access to/from I-75; Access provided by C-D road • I-75 NB access eliminated between KY 12 <sup>th</sup> Street to just south of Ezzard Charles Drive • I-75 SB access eliminated between KY 9 <sup>th</sup> Street and the Western Hills Viaduct • Access provided by C-D road	Alters existing access to I-75 • Existing I-75 NB and SB access eliminated or reconfigured between KY 12 <sup>th</sup> Street to just north of Ezzard Charles • Existing direct access to/from I-75 will remain but reconfigured at US 50	Eliminates direct access to/from I-75 • I-75 NB access eliminated between KY 12 <sup>th</sup> Street to just north of Ezzard Charles Drive • I-75 SB access between KY 9 <sup>th</sup> Street and the Western Hills Viaduct	Eliminates direct access to/from I-75 • I-75 NB access eliminated between KY 12 <sup>th</sup> Street to just north of Ezzard Charles Drive • I-75 SB access between KY 9 <sup>th</sup> Street and the Western Hills Viaduct
Separates local and regional traffic	Does not separate Interstate system as it currently exists	Separates local and regional traffic • A new bridge for I-71/I-75 traffic will be constructed through Queensgate • Existing Brent Spence Bridge will be rehabilitated to carry local NB and SB traffic.	Separates local and regional traffic • A new bridge just west of the existing Brent Spence Bridge will be constructed to carry I-75 NB and SB, I-71 SB, and local SB traffic • Existing Brent Spence Bridge will be rehabilitated to carry I-71 NB and local NB traffic.	Separates local and regional traffic • A new bridge just west of the existing Brent Spence Bridge will be constructed to carry I-75 and I-71 NB and SB traffic • The existing Brent Spence Bridge will be rehabilitated to carry local NB and SB traffic.	Separates local and regional traffic • A new bridge just west of the existing Brent Spence Bridge will be constructed to carry I-75 NB and SB, I-71 SB, and local SB traffic • The existing Brent Spence Bridge will be rehabilitated to carry I-71 NB and local NB traffic.	Separates local and regional traffic • A new bridge just west of the existing Brent Spence Bridge will be constructed to carry I-75 NB and SB, I-71 SB, and local SB traffic • The existing Brent Spence Bridge will be rehabilitated to carry I-71 NB and local NB traffic.

Conceptual Alternatives Evaluation Matrix						
Impacts	No Build	Alternative B (Former Alternative 2)	Alternative C (Former Alternative 3)	Alternative D (Former Alternative 3)	Alternative E (Former Alternative 3)	Alternative G (Former Alternative 4 Hybrid)
<b>Alternative Description</b>	The No Build Alternative consists of minor, short-term safety and maintenance improvements to the Brent Spence Bridge and I-75 corridor, which would maintain continuing operations. All within existing right of way.	Six lanes each direction between Kyles Lane to KY 12 <sup>th</sup> Street; Local C-D roadway from KY 12 <sup>th</sup> Street to Ohio River; New bridge (4 lanes in each direction) through Queensgate 900 feet west of existing for I-71/I-75 traffic; Rehab existing bridge for local traffic (2 lanes SB and 3 lanes NB); Realign US 50; Improvements to Western and Winchell Avenues	Six lanes in each direction between Kyles Lane and KY 12 <sup>th</sup> Street; local C-D roadway from KY 12 <sup>th</sup> Street to Ohio River; New double deck bridge just west of existing bridge for I-75 (2 lanes NB and SB), 2 lanes SB I-71, two lanes SB local traffic; Rehab existing bridge for NB I-71 (2 lanes), NB local traffic (3 lanes); Reconfigure I-75 through I-71/I-75/US 50 Interchange; From KY 12 <sup>th</sup> Street to Ezzard Charles Drive NB I-75 5 lanes, SB I-75 2 lanes, and local SB C-D roadway 4 lanes; Improvements to Western and Winchell Avenues	Six lanes in each direction between Kyles Lane and KY 12 <sup>th</sup> Street; Local C-D roadway between KY 12 <sup>th</sup> Street and the Ohio River; New double deck bridge just west of the existing bridge I-75 (2 lanes NB and SB), two lanes SB I-71, and two lanes SB local traffic; Rehab existing bridge for NB I-71 (2 lanes) and three lanes for NB local traffic (3 lanes); Reconfigure I-75 through the I-71/I-75/US 50 Interchange; 11 lanes for I-75 and SB local traffic between Ezzard Charles Drive and the Western Hills Viaduct; Improvements to Western and Winchell Avenues	Six lanes in each direction between Kyles Lane and KY 12 <sup>th</sup> Street; Two access points into Covington for both NB and SB traffic; New double-deck bridge just west of the existing Bridge for I-71/I-75 traffic (2 lanes in each direction); Reconfigure I-75 through the I-71/I-75/US 50 Interchange; Between Ezzard Charles Drive and Western Hills Viaduct, SB I-75 6 lanes, NB I-75 5 lanes, and one auxiliary lane to the Western Hills Viaduct; Improvements to Western and Winchell Avenues	Six lanes in each direction between Kyles Lane and KY 12 <sup>th</sup> Street; 2 access points to Covington for NB and SB traffic through a C-D roadway; New double deck bridge just west of the existing bridge for I-75 (2 lanes in each direction), 2 lanes for SB I-71 and 2 lanes for SB local traffic; Rehab existing bridge for NB I-71 (2 lanes) and local traffic (3 lanes); Reconfigure I-75 through the I-71/I-75/US 50 Interchange; I-75 elevated from Ohio River to Linn Street; NB C-D roadway will carry local traffic to Ezzard Charles Drive; Improvements to Western and Winchell Avenues
<b>Environmental Resources</b>						
Wetlands – (number of wetland areas and total acreage impacted)	No impacts	3 wetland areas totaling 0.59 acres impacted in KY	3 wetland areas totaling 0.59 acres impacted in KY	3 wetland areas totaling 0.59 acres impacted in KY	3 wetland areas totaling 0.59 acres impacted in KY	3 wetland areas totaling 0.59 acres impacted in KY
Ohio River – (number of new bridge crossings and new piers in the river)	No impacts	<ul style="list-style-type: none"> <li>New bridge located 900 feet west of existing Brent Spence Bridge</li> <li>Two piers located on north and south river banks, less than 10% of the piers will be in the river</li> </ul>	<ul style="list-style-type: none"> <li>New bridge located 120 feet west of existing Brent Spence Bridge</li> <li>Two new piers located in the river within 35 feet of the existing bridge piers</li> </ul>	<ul style="list-style-type: none"> <li>New bridge located 120 feet west of existing Brent Spence Bridge</li> <li>Two new piers located in the river within 35 feet of the existing bridge piers</li> </ul>	<ul style="list-style-type: none"> <li>New bridge located 120 feet west of existing Brent Spence Bridge;</li> <li>Two new piers located in the river within 35 feet of the existing bridge piers</li> </ul>	<ul style="list-style-type: none"> <li>New bridge located 120 feet west of existing Brent Spence Bridge;</li> <li>Two new piers located in the river within 35 feet of the existing bridge piers</li> </ul>
Streams – (total linear feet impacted)	No impacts	<ul style="list-style-type: none"> <li>207 feet from 2 intermittent streams</li> <li>245 feet from 1 ephemeral stream</li> </ul>	<ul style="list-style-type: none"> <li>207 feet from 2 intermittent streams</li> <li>245 feet from 1 ephemeral stream</li> </ul>	<ul style="list-style-type: none"> <li>207 feet from 2 intermittent streams</li> <li>245 feet from 1 ephemeral stream</li> </ul>	<ul style="list-style-type: none"> <li>207 feet from 2 intermittent streams</li> <li>245 feet from 1 ephemeral stream</li> </ul>	<ul style="list-style-type: none"> <li>207 feet from 2 intermittent streams</li> <li>245 feet from 1 ephemeral stream</li> </ul>
Threatened and Endangered Species	No impacts	<ul style="list-style-type: none"> <li>8 Woodlots with potential Indiana bat habitat</li> <li>3 Woodlots with marginal Indiana bat habitat (additional woodlot on west side of Western Ave in KY)</li> <li>1 Area with potential running buffalo clover habitat</li> </ul>	<ul style="list-style-type: none"> <li>8 Woodlots with potential Indiana bat habitat</li> <li>2 Woodlots with marginal Indiana bat habitat</li> <li>1 Area with potential running buffalo clover habitat</li> </ul>	<ul style="list-style-type: none"> <li>8 Woodlots with potential Indiana bat habitat</li> <li>2 Woodlots with marginal Indiana bat habitat</li> <li>1 Area with potential running buffalo clover habitat</li> </ul>	<ul style="list-style-type: none"> <li>8 Woodlots with potential Indiana bat habitat</li> <li>2 Woodlots with marginal Indiana bat habitat</li> <li>1 Area with potential running buffalo clover habitat</li> </ul>	<ul style="list-style-type: none"> <li>8 Woodlots with potential Indiana bat habitat</li> <li>2 Woodlots with marginal Indiana bat habitat</li> <li>1 Area with potential running buffalo clover habitat</li> </ul>
Floodplains	No impacts	17.8 acres of floodplain impacted	4.2 acres of floodplain impacted	4.0 acres of floodplain impacted	6.0 acres of floodplain impacted	5.2 acres of floodplain impacted

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<b>Alternative Description</b>	The No Build Alternative consists of minor, short-term safety and maintenance improvements to the Brent Spence Bridge and I-75 corridor, which would maintain continuing operations. All within existing right of way.	Six lanes each direction between Kyles Lane to KY 12 <sup>th</sup> Street; Local C-D roadway from KY 12 <sup>th</sup> Street to Ohio River; New bridge (4 lanes in each direction) through Queensgate 900 feet west of existing for I-71/I-75 traffic; Rehab existing bridge for local traffic (2 lanes SB and 3 lanes NB); Realign US 50; Improvements to Western and Winchell Avenues	Six lanes in each direction between Kyles Lane and KY 12 <sup>th</sup> Street; local C-D roadway from KY 12 <sup>th</sup> Street to Ohio River; New double deck bridge just west of existing bridge for I-75 (2 lanes NB and SB), 2 lanes SB I-71, two lanes SB local traffic; Rehab existing bridge for NB I-71 (2 lanes), NB local traffic (3 lanes); Reconfigure I-75 through I-71/I-75/US 50 Interchange; From KY 12 <sup>th</sup> Street to Ezzard Charles Drive NB I-75 5 lanes, SB I-75 2 lanes, and local SB C-D roadway 4 lanes; Improvements to Western and Winchell Avenues	Six lanes in each direction between Kyles Lane and KY 12 <sup>th</sup> Street; Local C-D roadway between KY 12 <sup>th</sup> Street and the Ohio River; New double deck bridge just west of the existing bridge I-75 (2 lanes NB and SB), two lanes SB I-71, and two lanes SB local traffic; Rehab existing bridge for NB I-71 (2 lanes) and three lanes for NB local traffic (3 lanes); Reconfigure I-75 through the I-71/I-75/US 50 Interchange; 11 lanes for I-75 and SB local traffic between Ezzard Charles Drive and the Western Hills Viaduct; Improvements to Western and Winchell Avenues	Six lanes in each direction between Kyles Lane and KY 12 <sup>th</sup> Street; Two access points into Covington for both NB and SB traffic; New double-deck bridge just west of the existing Bridge for I-71/I-75 traffic (2 lanes in each direction); Reconfigure I-75 through the I-71/I-75/US 50 Interchange; Between Ezzard Charles Drive and Western Hills Viaduct, SB I-75 6 lanes, NB I-75 5 lanes, and one auxiliary lane to the Western Hills Viaduct; Improvements to Western and Winchell Avenues	Six lanes in each direction between Kyles Lane and KY 12 <sup>th</sup> Street; 2 access points to Covington for NB and SB traffic through a C-D roadway; New double deck bridge just west of the existing bridge for I-75 (2 lanes in each direction), 2 lanes for SB I-71 and 2 lanes for SB local traffic; Rehab existing bridge for NB I-71 (2 lanes) and local traffic (3 lanes); Reconfigure I-75 through the I-71/I-75/US 50 Interchange; I-75 elevated from Ohio River to Linn Street; NB C-D roadway will carry local traffic to Ezzard Charles Drive; Improvements to Western and Winchell Avenues
<b>Cultural Resources</b>						
Individual properties eligible for listing or listed in the National Register of Historic Places (NRHP)	No Impacts	3 Properties: 3 eligible properties: • Residence at 632 Western Avenue direct impact • Residence at 521 Western Avenue potential visual and noise impact • Residence at 881 Highway Avenue potential visual and noise impact	2 Properties: 1 eligible property: • Harriet Beecher Stowe School potential visual and noise impact  1 NRHP Listed: • Longworth Hall direct impact (0.25 acres and eastern portion of building)	2 Properties: 1 eligible property: • Harriet Beecher Stowe School potential visual and noise impact  1 NRHP Listed: • Longworth Hall direct impact (0.25 acres and eastern portion of building)	2 Properties: 1 eligible property: • Harriet Beecher Stowe School potential visual and noise impact  1 NRHP Listed: • Longworth Hall direct impact (0.54 acres and eastern portion of building)	2 Properties: 1 eligible property: • Harriet Beecher Stowe School potential visual and noise impact  1 NRHP Listed: • Longworth Hall direct impact (0.42 acres and eastern portion of building)
Historic Districts (HD) directly impacted	No Impacts	2.4 acres impacted of NRHP Listed Lewisburg HD • Direct impacts to 8 residences (1 non-contributing; 7 contributing)	0.83 acres impacted of NRHP Listed Lewisburg HD • Direct impacts to 10 residences (1 non-contributing; 9 contributing)	0.88 acres impacted of NRHP Listed Lewisburg HD • Direct impacts to 10 residences (1 non-contributing; 9 contributing)	0.98 acres impacted of NRHP Listed Lewisburg HD • Direct impacts to 11 residences (1 non-contributing; 10 contributing)	2.9 acres impacted of NRHP Listed Lewisburg HD • Direct impacts to 12 residences (2 non-contributing; 10 contributing)
<b>Community Resources</b>						
Facilities and Services (property or structure impacted)	No impacts	3 properties or structures: • Notre Dame Academy School (tennis courts) • Goebel Park (walking path, ball courts, parking lot) • Central Church of the Nazarene (KY) (parking lot)	4 properties or structures: • Notre Dame Academy School (tennis courts) • Goebel Park (walking path, ball courts, parking lot) • Queensgate Playground (strip take of ballfields) • Central Church of the Nazarene (KY) (parking lot)	4 properties or structures: • Notre Dame Academy School (tennis courts) • Goebel Park (walking path, ball courts, parking lot) • Queensgate Playground (strip take of ballfields) • Central Church of the Nazarene (KY) (parking lot)	3 properties or structures: • Notre Dame Academy School (tennis courts) • Goebel Park (strip take of property) • Central Church of the Nazarene (KY) (parking lot)	4 properties or structures: • Notre Dame Academy School (tennis courts) • Goebel Park (ball courts) • Queensgate Playground (strip take of ballfields) • Central Church of the Nazarene (KY) (parking lot)

Conceptual Alternatives Evaluation Matrix						
Impacts	No Build	Alternative B (Former Alternative 2)	Alternative C (Former Alternative 3)	Alternative D (Former Alternative 3)	Alternative E (Former Alternative 3)	Alternative G (Former Alternative 4 Hybrid)
<b>Alternative Description</b>	The No Build Alternative consists of minor, short-term safety and maintenance improvements to the Brent Spence Bridge and I-75 corridor, which would maintain continuing operations. All within existing right of way.	Six lanes each direction between Kyles Lane to KY 12 <sup>th</sup> Street; Local C-D roadway from KY 12 <sup>th</sup> Street to Ohio River; New bridge (4 lanes in each direction) through Queensgate 900 feet west of existing for I-71/I-75 traffic; Rehab existing bridge for local traffic (2 lanes SB and 3 lanes NB); Realign US 50; Improvements to Western and Winchell Avenues	Six lanes in each direction between Kyles Lane and KY 12 <sup>th</sup> Street; local C-D roadway from KY 12 <sup>th</sup> Street to Ohio River; New double deck bridge just west of existing bridge for I-75 (2 lanes NB and SB), 2 lanes SB I-71, two lanes SB local traffic; Rehab existing bridge for NB I-71 (2 lanes), NB local traffic (3 lanes); Reconfigure I-75 through I-71/I-75/US 50 Interchange; From KY 12 <sup>th</sup> Street to Ezzard Charles Drive NB I-75 5 lanes, SB I-75 2 lanes, and local SB C-D roadway 4 lanes; Improvements to Western and Winchell Avenues	Six lanes in each direction between Kyles Lane and KY 12 <sup>th</sup> Street; Local C-D roadway between KY 12 <sup>th</sup> Street and the Ohio River; New double deck bridge just west of the existing bridge I-75 (2 lanes NB and SB), two lanes SB I-71, and two lanes SB local traffic; Rehab existing bridge for NB I-71 (2 lanes) and three lanes for NB local traffic (3 lanes); Reconfigure I-75 through the I-71/I-75/US 50 Interchange; 11 lanes for I-75 and SB local traffic between Ezzard Charles Drive and the Western Hills Viaduct; Improvements to Western and Winchell Avenues	Six lanes in each direction between Kyles Lane and KY 12 <sup>th</sup> Street; Two access points into Covington for both NB and SB traffic; New double-deck bridge just west of the existing Bridge for I-71/I-75 traffic (2 lanes in each direction); Reconfigure I-75 through the I-71/I-75/US 50 Interchange; Between Ezzard Charles Drive and Western Hills Viaduct, SB I-75 6 lanes, NB I-75 5 lanes, and one auxiliary lane to the Western Hills Viaduct; Improvements to Western and Winchell Avenues	Six lanes in each direction between Kyles Lane and KY 12 <sup>th</sup> Street; 2 access points to Covington for NB and SB traffic through a C-D roadway; New double deck bridge just west of the existing bridge for I-75 (2 lanes in each direction), 2 lanes for SB I-71 and 2 lanes for SB local traffic; Rehab existing bridge for NB I-71 (2 lanes) and local traffic (3 lanes); Reconfigure I-75 through the I-71/I-75/US 50 Interchange; I-75 elevated from Ohio River to Linn Street; NB C-D roadway will carry local traffic to Ezzard Charles Drive; Improvements to Western and Winchell Avenues
Community Cohesion	No Impact	<ul style="list-style-type: none"> <li>Loss of homes and local businesses on Crescent Avenue in West Covington neighborhood</li> <li>Loss of 8 homes in the Lewisburg neighborhood and Historic District adjacent to I-71/I-75</li> <li>Traverses West Covington community residents and Queensgate business district</li> <li>Residents displaced near Western Hills Viaduct</li> </ul>	<ul style="list-style-type: none"> <li>Loss of 10 homes in the Lewisburg neighborhood and Historic District adjacent to I-71/I-75</li> <li>Residents displaced near Western Hills Viaduct</li> </ul>	<ul style="list-style-type: none"> <li>Loss of 10 homes in the Lewisburg neighborhood and Historic District adjacent to I-71/I-75</li> <li>Residents displaced near Western Hills Viaduct</li> </ul>	<ul style="list-style-type: none"> <li>Loss of 8 homes in the Lewisburg neighborhood and Historic District adjacent to I-71/I-75</li> <li>Residents displaced near Western Hills Viaduct</li> </ul>	<ul style="list-style-type: none"> <li>Loss of homes and local businesses on Crescent Avenue in West Covington neighborhood</li> <li>Loss of 12 homes in the Lewisburg neighborhood and Historic District adjacent to I-71/I-75</li> <li>Residents displaced near Western Hills Viaduct</li> </ul>
Environmental Justice – (impacts neighborhoods and Census tracts with high percentage of low income and minority populations)	No impacts	<ul style="list-style-type: none"> <li>No minority population impact in KY</li> <li>Medium impact to low-income populations (residences displaced in Lewisburg) in KY</li> <li>Impact to facilities in Goebel Park</li> <li>Medium impact to low-income population in Ohio</li> <li>No disproportionate impacts</li> </ul>	<ul style="list-style-type: none"> <li>No minority population impact in KY</li> <li>Medium impact to low-income populations (residences displaced in Lewisburg) in KY</li> <li>Impact to facilities in Goebel Park</li> <li>Strip taken of land in Queensgate ballfields</li> <li>Medium impact to low-income population in Ohio</li> <li>No disproportionate impacts</li> </ul>	<ul style="list-style-type: none"> <li>No minority population impact in KY</li> <li>Medium impact to low-income populations (residences displaced in Lewisburg) in KY</li> <li>Strip taken of land in Queensgate ballfields</li> <li>Medium impact to low-income population in Ohio</li> <li>No disproportionate impacts</li> </ul>	<ul style="list-style-type: none"> <li>No minority population impact in KY</li> <li>Medium impact to low-income populations (residences displaced in Lewisburg) in KY</li> <li>Impact to land in Goebel Park</li> <li>Medium impact to low-income population in Ohio</li> <li>No disproportionate impacts</li> </ul>	<ul style="list-style-type: none"> <li>No minority population impact in KY</li> <li>Medium impact to low-income populations (residences displaced in Lewisburg) in KY</li> <li>Strip taken of land in Queensgate ballfields</li> <li>Medium impact to low-income population in Ohio</li> <li>No disproportionate impacts</li> </ul>

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<b>Alternative Description</b>	The No Build Alternative consists of minor, short-term safety and maintenance improvements to the Brent Spence Bridge and I-75 corridor, which would maintain continuing operations. All within existing right of way.	Six lanes each direction between Kyles Lane and KY 12 <sup>th</sup> Street; Local C-D roadway from KY 12 <sup>th</sup> Street to Ohio River; New bridge (4 lanes in each direction) through Queensgate 900 feet west of existing for I-71/I-75 traffic; Rehab existing bridge for local traffic (2 lanes SB and 3 lanes NB); Realign US 50; Improvements to Western and Winchell Avenues	Six lanes in each direction between Kyles Lane and KY 12 <sup>th</sup> Street; local C-D roadway from KY 12 <sup>th</sup> Street to Ohio River; New double deck bridge just west of existing bridge for I-75 (2 lanes NB and SB), 2 lanes SB I-71, two lanes SB local traffic; Rehab existing bridge for NB I-71 (2 lanes), NB local traffic (3 lanes); Reconfigure I-75 through I-71/I-75/US 50 Interchange; From KY 12 <sup>th</sup> Street to Ezzard Charles Drive NB I-75 5 lanes, SB I-75 2 lanes, and local SB C-D roadway 4 lanes; Improvements to Western and Winchell Avenues	Six lanes in each direction between Kyles Lane and KY 12 <sup>th</sup> Street; Local C-D roadway between KY 12 <sup>th</sup> Street and the Ohio River; New double deck bridge just west of the existing bridge I-75 (2 lanes NB and SB), two lanes SB I-71, and two lanes SB local traffic; Rehab existing bridge for NB I-71 (2 lanes) and three lanes for NB local traffic (3 lanes); Reconfigure I-75 through the I-71/I-75/US 50 Interchange; 11 lanes for I-75 and SB local traffic between Ezzard Charles Drive and the Western Hills Viaduct; Improvements to Western and Winchell Avenues	Six lanes in each direction between Kyles Lane and KY 12 <sup>th</sup> Street; Two access points into Covington for both NB and SB traffic; New double-deck bridge just west of the existing Bridge for I-71/I-75 traffic (2 lanes in each direction); Reconfigure I-75 through the I-71/I-75/US 50 Interchange; Between Ezzard Charles Drive and Western Hills Viaduct, SB I-75 6 lanes, NB I-75 5 lanes, and one auxiliary lane to the Western Hills Viaduct; Improvements to Western and Winchell Avenues	Six lanes in each direction between Kyles Lane and KY 12 <sup>th</sup> Street; 2 access points to Covington for NB and SB traffic through a C-D roadway; New double deck bridge just west of the existing bridge for I-75 (2 lanes in each direction), 2 lanes for SB I-71 and 2 lanes for SB local traffic; Rehab existing bridge for NB I-71 (2 lanes) and local traffic (3 lanes); Reconfigure I-75 through the I-71/I-75/US 50 Interchange; I-75 elevated from Ohio River to Linn Street; NB C-D roadway will carry local traffic to Ezzard Charles Drive; Improvements to Western and Winchell Avenues
<b>Section 4(f) and 6(f) Resources</b>						
Section 6(f) Parks – acres of properties impacted	No impact	1.86 acres of Goebel Park impacted (walking path, ball courts, parking lot)	2.6 acres of Goebel Park impacted (walking path, ball courts, parking lot)	1.94 acres of Goebel Park impacted (walking path, ball courts, parking lot)	0.35 acres of Goebel Park impacted (strip take of property)	0.78 acres of Goebel Park impacted (ball courts)
Section 4(f) Resources – (number of properties directly and potentially indirectly impacted)	No impact	5 resources impacted: <ul style="list-style-type: none"> <li>Goebel Park (1.86 acres)</li> <li>Lewisburg Historic District (2.4 acres; 8 residences - 1 non-contributing and 7 contributing)</li> <li>Residence at 632 Western Avenue direct impact</li> <li>Residence at 521 Western Avenue potential visual and noise impacts</li> <li>Residence at 881 Highway Avenue potential visual and noise impacts</li> </ul>	5 resources impacted: <ul style="list-style-type: none"> <li>Goebel Park (2.6 acres)</li> <li>Lewisburg Historic District (0.83 acres; 10 residences: 1 non-contributing; 9 contributing)</li> <li>Longworth Hall (0.25 acres)</li> <li>Harriet Beecher Stowe School potential visual and noise impacts</li> <li>Queensgate Playground (0.31 acres)</li> </ul>	5 resources impacted: <ul style="list-style-type: none"> <li>Goebel Park (1.94 acres)</li> <li>Lewisburg Historic District (0.88 acres; 10 residences - 1 non-contributing; 9 contributing)</li> <li>Longworth Hall (0.25 acres)</li> <li>Harriet Beecher Stowe School potential visual and noise impacts</li> <li>Queensgate Playground (0.45 acres)</li> </ul>	4 resources impacted: <ul style="list-style-type: none"> <li>Goebel Park(0.35 acres)</li> <li>Lewisburg Historic District (0.98 acres; 11 residences - 1 non-contributing; 10 contributing)</li> <li>Longworth Hall (0.54 acres)</li> <li>Harriet Beecher Stowe School potential visual and noise impacts</li> </ul>	5 resources impacted: <ul style="list-style-type: none"> <li>Goebel Park (0.78 acres)</li> <li>Lewisburg Historic District (2.9 acres; 12 residences - 2 non-contributing; 10 contributing)</li> <li>Longworth Hall (0.42 acres)</li> <li>Harriet Beecher Stowe School potential visual and noise impacts</li> <li>Queensgate Playground (0.29 acres)</li> </ul>
<b>Property Acquisition</b>						
Residential – (total estimated structures and residences displaced)	None displaced	42 structures: <p>KY – 38 (65-260 residents displaced)</p> <ul style="list-style-type: none"> <li>Majority of residences along Western and Crescent Avenues in KY</li> </ul> <p>OH – 5 (10-36 residents displaced)</p> <ul style="list-style-type: none"> <li>OH residences near Western Hills Viaduct</li> </ul>	16 structures: <p>KY – 11 (13-52 residents displaced)</p> <ul style="list-style-type: none"> <li>Majority of residences along Crescent Avenue in KY</li> </ul> <p>OH – 5 (10-36 residents displaced)</p> <ul style="list-style-type: none"> <li>OH residences near Western Hills Viaduct</li> </ul>	16 structures: <p>KY – 11 (13-52 residents displaced)</p> <ul style="list-style-type: none"> <li>Majority of residences along Crescent Avenue in KY</li> </ul> <p>OH – 5 (10-36 residents displaced)</p> <ul style="list-style-type: none"> <li>OH residences near Western Hills Viaduct</li> </ul>	19 structures: <p>KY – 13 (12-48 residents displaced)</p> <ul style="list-style-type: none"> <li>Majority of residences along Crescent Avenue in KY</li> </ul> <p>OH – 6 (11-40 residents displaced)</p> <ul style="list-style-type: none"> <li>OH residences near Western Hills Viaduct and Western Avenue</li> </ul>	31 structures: <p>KY – 25 (28-112 residents displaced)</p> <ul style="list-style-type: none"> <li>Majority of residences along Crescent Avenue in KY</li> </ul> <p>OH – 6 (11-40 residents displaced)</p> <ul style="list-style-type: none"> <li>OH residences near Western Hills Viaduct</li> </ul>

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<b>Alternative Description</b>	The No Build Alternative consists of minor, short-term safety and maintenance improvements to the Brent Spence Bridge and I-75 corridor, which would maintain continuing operations. All within existing right of way.	Six lanes each direction between Kyles Lane to KY 12 <sup>th</sup> Street; Local C-D roadway from KY 12 <sup>th</sup> Street to Ohio River; New bridge (4 lanes in each direction) through Queensgate 900 feet west of existing for I-71/I-75 traffic; Rehab existing bridge for local traffic (2 lanes SB and 3 lanes NB); Realign US 50; Improvements to Western and Winchell Avenues	Six lanes in each direction between Kyles Lane and KY 12 <sup>th</sup> Street; local C-D roadway from KY 12 <sup>th</sup> Street to Ohio River; New double deck bridge just west of existing bridge for I-75 (2 lanes NB and SB), 2 lanes SB I-71, two lanes SB local traffic; Rehab existing bridge for NB I-71 (2 lanes), NB local traffic (3 lanes); Reconfigure I-75 through I-71/I-75/US 50 Interchange; From KY 12 <sup>th</sup> Street to Ezzard Charles Drive NB I-75 5 lanes, SB I-75 2 lanes, and local SB C-D roadway 4 lanes; Improvements to Western and Winchell Avenues	Six lanes in each direction between Kyles Lane and KY 12 <sup>th</sup> Street; Local C-D roadway between KY 12 <sup>th</sup> Street and the Ohio River; New double deck bridge just west of the existing bridge I-75 (2 lanes NB and SB), two lanes SB I-71, and two lanes SB local traffic; Rehab existing bridge for NB I-71 (2 lanes) and three lanes for NB local traffic (3 lanes); Reconfigure I-75 through the I-71/I-75/US 50 Interchange; 11 lanes for I-75 and SB local traffic between Ezzard Charles Drive and the Western Hills Viaduct; Improvements to Western and Winchell Avenues	Six lanes in each direction between Kyles Lane and KY 12 <sup>th</sup> Street; Two access points into Covington for both NB and SB traffic; New double-deck bridge just west of the existing Bridge for I-71/I-75 traffic (2 lanes in each direction); Reconfigure I-75 through the I-71/I-75/US 50 Interchange; Between Ezzard Charles Drive and Western Hills Viaduct, SB I-75 6 lanes, NB I-75 5 lanes, and one auxiliary lane to the Western Hills Viaduct; Improvements to Western and Winchell Avenues	Six lanes in each direction between Kyles Lane and KY 12 <sup>th</sup> Street; 2 access points to Covington for NB and SB traffic through a C-D roadway; New double deck bridge just west of the existing bridge for I-75 (2 lanes in each direction), 2 lanes for SB I-71 and 2 lanes for SB local traffic; Rehab existing bridge for NB I-71 (2 lanes) and local traffic (3 lanes); Reconfigure I-75 through the I-71/I-75/US 50 Interchange; I-75 elevated from Ohio River to Linn Street; NB C-D roadway will carry local traffic to Ezzard Charles Drive; Improvements to Western and Winchell Avenues
Business – (total estimated businesses and employees displaced)	None displaced	34 businesses displaced: KY – 8 (121-158 employees) • KY businesses mostly on KY 3 <sup>rd</sup> and 4 <sup>th</sup> streets and Crescent Avenue OH –26 (1,791-1,831 employees) • Impacts United Parcel Service (OH) with approximately 900 employees and Butternut Bread with 200 employees • Majority of business are in Queensgate area	35 businesses displaced: KY – 4 (90-115 employees) • KY businesses mostly on KY 3 <sup>rd</sup> and 4 <sup>th</sup> streets OH – 31(242-283 employees) • 21 businesses within Longworth Hall (OH) with approximately 100 employees	34 businesses displaced: KY – 4 (90-115 employees) • KY businesses mostly on KY 3 <sup>rd</sup> and 4 <sup>th</sup> streets OH – 30 (164-190 employees) • 21 businesses within Longworth Hall (OH) with approximately 100 employees	39 businesses displaced: KY – 4 (90-115 employees) • KY businesses mostly on KY 3 <sup>rd</sup> and 4 <sup>th</sup> streets OH – 35 (327-363 employees) • 21 businesses within Longworth Hall (OH) with approximately 100 employees	41 businesses displaced: KY – 7 (103-140 employees) • KY businesses mostly on KY 3 <sup>rd</sup> and 4 <sup>th</sup> streets and Crescent Avenue OH – 34 (1,215-1,251 employees) • Impacts United Parcel Service (OH) with approximately 900 employees • 21 businesses within Longworth Hall (OH) with approximately 100 employees
Partial property acquisition – (number of parcels with partial takes)	No takes	88 (KY – 67; OH – 24)	61 (KY – 42; OH – 19)	66 (KY – 48; OH – 18)	55 (KY – 39; OH – 16)	79 (KY – 54; OH – 25)
Right of Way Impacts – (acres converted to right of way)	No impacts	72.2 acres converted	22.2 acres converted	19.7 acres converted	22.3 acres converted	28.2 acres converted
<b>Land Use</b>						
Residential – (total acres of residential uses)	None	4.94 acres (KY – 4.80; OH – 0.14)	5.45 acres (KY – 5.30; OH – 0.15)	5.17 acres (KY – 5.01; OH – 0.16)	3.35 acres (KY – 3.19; OH – 0.16)	4.04 acres (KY – 3.77; OH – 0.27)
Commercial – (total acres of commercial uses)	None	6.82 acres (KY – 1.52; OH – 5.30)	4.56 acres (KY – 3.42; OH – 1.14)	4.06 acres (KY – 3.13; OH – 0.93)	4.29 acres (KY – 2.79; OH – 1.50)	5.04 acres (KY – 3.75; OH – 1.29)
Industrial – (total acres of industrial uses)	None	18.56 acres (KY – 5.61; OH – 12.95)	0.70 acres (KY - 0; OH – 0.70)	0.48 acres (KY - 0; OH – 0.48)	0.88 acres (KY - 0; OH – 0.88)	2.01 acres (KY - 0; OH – 1.65)
Other – (total acres of other land uses)	None	41.88 acres (KY – 14.53; OH – 27.36)	11.59 acres (KY – 5.06; OH – 6.53)	10.07 acres (KY – 4.64; OH – 5.44)	13.18 acres (KY – 4.35; OH – 8.83)	17.12 acres (KY – 9.45; OH – 7.67)

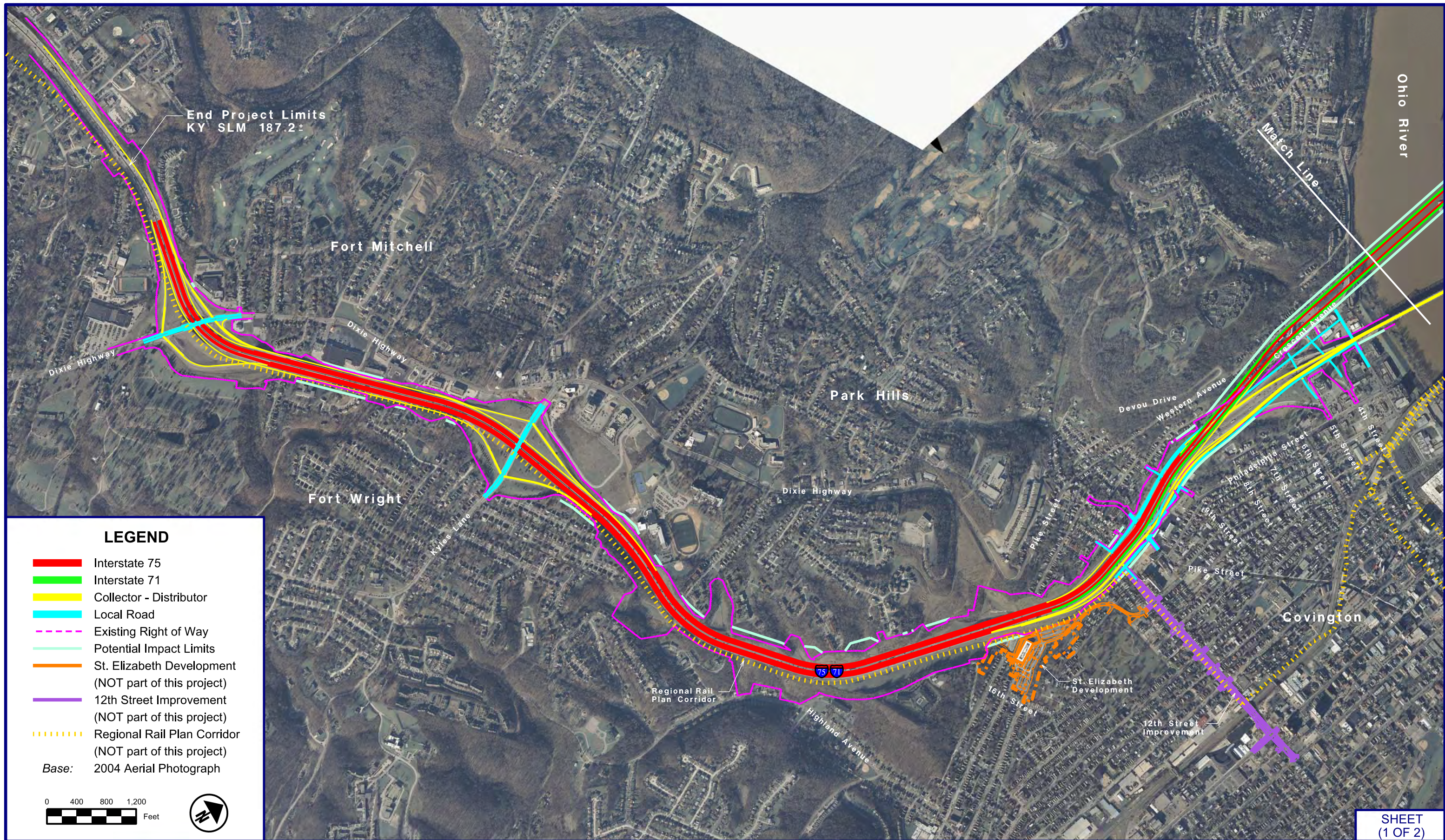
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Compatibility with existing community land use plans	Not compatible with economic development plans	Not compatible with plans <ul style="list-style-type: none"> <li>Goes through area of <i>Queensgate South Redevelopment Plan</i></li> <li>Impacts on goals of <i>GO Cincinnati</i> for Queensgate</li> <li>Changes land uses noted in Northern Kentucky comprehensive plans</li> </ul>	Compatible with plans <ul style="list-style-type: none"> <li>Supports redevelopment and economic plans in Queensgate and Cincinnati</li> <li>Keeps land uses conducive with Northern Kentucky comprehensive plans</li> </ul>	Compatible with plans <ul style="list-style-type: none"> <li>Supports redevelopment and economic plans in Queensgate and Cincinnati</li> <li>Keeps land uses conducive with Northern Kentucky comprehensive plans</li> </ul>	Compatible with plans <ul style="list-style-type: none"> <li>Supports redevelopment and economic plans in Queensgate and Cincinnati</li> <li>Keeps land uses conducive with Northern Kentucky comprehensive plans</li> </ul>	Compatible with some plans <ul style="list-style-type: none"> <li>Supports redevelopment and economic plans in Queensgate;</li> <li>Keeps land uses conducive with Northern Kentucky comprehensive plans</li> </ul>
<b>Noise</b>						
Number of receptor sites where 2035 noise levels will approach or exceed the NAC of 66 dBA for Category B land use (residential)	High noise impacts <ul style="list-style-type: none"> <li>All receptor sites will approach or exceed the NAC of 66 dBA in both KY and OH</li> </ul>	High noise impacts <ul style="list-style-type: none"> <li>All receptor sites will approach or exceed the NAC of 66 dBA in both KY and OH</li> </ul>	High noise impacts <ul style="list-style-type: none"> <li>All receptor sites will approach or exceed the NAC of 66 dBA in both KY and OH</li> </ul>	High noise impacts <ul style="list-style-type: none"> <li>All receptor sites will approach or exceed the NAC of 66 dBA in both KY and OH</li> </ul>	High noise impacts <ul style="list-style-type: none"> <li>All receptor sites will approach or exceed the NAC of 66 dBA in both KY and OH</li> </ul>	High noise impacts <ul style="list-style-type: none"> <li>All receptor sites will approach or exceed the NAC of 66 dBA in both KY and OH</li> </ul>
Number of receptor sites where 2035 noise levels will approach or exceed the NAC of 71 dBA for Category C land use (industrial/commercial)	High noise impacts <ul style="list-style-type: none"> <li>Noise levels will approach or exceed the NAC of 71 dBA</li> <li>49 of 55 receptor sites in KY</li> <li>"substantial increase" at 4 receptor sites in KY only</li> <li>47 of 55 receptor sites in OH</li> </ul>	High noise impacts <ul style="list-style-type: none"> <li>Noise levels will approach or exceed the NAC of 71 dBA</li> <li>50 of 55 receptor sites in KY</li> <li>54 of 55 receptor sites in OH</li> </ul>	High noise impacts <ul style="list-style-type: none"> <li>Noise levels will approach or exceed the NAC of 71 dBA</li> <li>49 of 55 receptor sites in KY</li> <li>51 of 55 receptor sites in OH</li> </ul>	High noise impacts <ul style="list-style-type: none"> <li>Noise levels will approach or exceed the NAC of 71 dBA</li> <li>48 of 55 receptor sites in KY</li> <li>49 of 55 receptor sites in OH</li> </ul>	High noise impacts <ul style="list-style-type: none"> <li>Noise levels will approach or exceed the NAC of 71 dBA</li> <li>49 of 55 receptor sites in KY</li> <li>49 of 55 receptor sites in OH</li> </ul>	High noise impacts <ul style="list-style-type: none"> <li>Noise levels will approach or exceed the NAC of 71 dBA</li> <li>50 of 55 receptor sites in KY</li> <li>49 of 55 receptor sites in OH</li> </ul>
<b>Hazardous Materials</b>						
Number of sites recommended for Phase I Environmental Site Assessment	No impact	51 sites recommended for Phase I: <ul style="list-style-type: none"> <li>14 sites in KY</li> <li>37 sites (1 CERCLIS) in OH</li> </ul>	29 sites recommended for Phase I: <ul style="list-style-type: none"> <li>12 sites in KY</li> <li>17 sites in OH</li> </ul>	34 sites recommended for Phase I: <ul style="list-style-type: none"> <li>12 sites in KY</li> <li>21 sites in OH</li> </ul>	34 sites recommended for Phase I: <ul style="list-style-type: none"> <li>12 sites in KY</li> <li>22 sites in OH</li> </ul>	36 sites recommended for Phase I: <ul style="list-style-type: none"> <li>13 sites in KY</li> <li>23 sites in OH</li> </ul>



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<b>Traffic</b>						
Existing (2005) levels of service and average daily traffic	Approximately 160,000 vehicles per day in project corridor  LOS range from C to F: • 22 segments – C • 19 segments – D • 7 segment – E or F (includes I-75, I-71, US 50)	N/A	N/A	N/A	N/A	N/A
Future (2035) levels of service along mainline segments (NB = northbound; SB = southbound)	LOS includes I-75 • 16 segments – D • 8 segments – E • 19 segments – F	I-75: • 1 NB segment LOS F north of Dixie Highway • 7 SB segments LOS E  I-71: • NB all segments LOS E or F • SB two segments LOS F	I-75: • 1 NB segment LOS F north of Dixie Highway • 7 SB segments LOS E  I-71: • NB all segments LOS E or F • SB two segments LOS F	I-75: • 1 NB segment LOS E and one LOS F • 6 SB segments LOS E  I-71: • NB all segments LOS E or F • SB two segments LOS F	I-75: • No NB segments LOS E or F north of Dixie Highway • 4 SB segments LOS E  I-71: • NB all segments LOS E or F • SB two segments LOS F	I-75: • 1 NB segment LOS F north of Dixie Highway • 7 SB segments LOS E  I-71: • NB all segments LOS E or F • SB two segments LOS
Future (2035) daily hourly volumes along mainline segments (NB = northbound; SB = southbound)	I-75: • NB ranges from 2,360 – 8,860 • SB ranges from 2,760 – 10,170  I-71/I-75: • NB ranges from 5,310-8,650 • SB ranges from 940-9,160  I-71: • NB ranges from 1,900 – 7,400 • SB ranges from 2,420 – 6,330	I-75: • NB ranges from 2,450 – 8,790 • SB ranges from 2,730 – 9,780  I-71/I-75: • NB ranges from 6,070 -8,910 • SB ranges from 5,900 -10,390  I-71: • NB ranges from 2,510 – 7,530 • SB ranges from 2,310 – 6,490	I-75: • NB ranges from 2,450 – 9,120 • SB ranges from 2,730 – 9,780  I-71/I-75: • NB ranges from 6,010 -8,910 • SB ranges from 5,900 -10,390  I-71: • NB ranges from 2,260 – 7,530 • SB ranges from 2,310 – 6,490	I-75: • NB ranges from 2,450 – 9,020 • SB ranges from 2,730 – 9,840  I-71/I-75: • NB ranges from 6,070 -8,910 • SB ranges from 5,900 -10,390  I-71: • NB ranges from 2,260 – 7,530 • SB ranges from 2,310 – 6,490	I-75: • NB ranges from 2,870 – 8,680; • SB ranges from 2,730 – 9,480  I-71/I-75: • NB ranges from 6,440 – 8,910; • SB ranges from 6,460 – 10,390  I-71: • NB ranges from 2,240 – 7,530; • SB ranges from 2,500 – 6,660	I-75: • NB ranges from 2,450 – 9,280 • SB ranges from 2,730 – 9,820  I-71/I-75: • NB ranges from 5,640 – 8,910 • SB ranges from 5,900 – 10,390  I-71: • NB ranges from 2,240 – 7,530 • SB ranges from 2,310 – 6,490

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<b>Maintenance of Traffic and Constructability</b>	N/A	<ul style="list-style-type: none"> <li>Access and logistics improved over existing alignment</li> <li>Concerns of access and logistics for constructing I-71 connector ramps</li> <li>Issues related to disruption and delays due to encountering hazardous materials, unknown utilities, buried objects</li> <li>Concern with realignment of transmission lines</li> <li>Need to determine slope stability on south side of Ohio River</li> </ul>	<ul style="list-style-type: none"> <li>Contractors would have limited space for access and logistics</li> <li>Transportation elements reduced to "open" areas of construction</li> <li>Issue with construction footprint in the area of I-71/I-75/FWW/US 50 would be clear due to existing transportation facility construction</li> </ul>	<ul style="list-style-type: none"> <li>Contractors would have limited space for access and logistics</li> <li>Transportation elements reduced to "open" areas of construction</li> <li>Issue with construction footprint in the area of I-71/I-75/FWW/US 50 would be clear due to existing transportation facility construction</li> </ul>	<ul style="list-style-type: none"> <li>Contractors would have limited space for access and logistics</li> <li>Transportation elements reduced to "open" areas of construction</li> <li>Issue with construction footprint in the area of I-71/I-75/FWW/US 50 would be clear due to existing transportation facility construction</li> </ul>	<ul style="list-style-type: none"> <li>Contractors would have limited space for access and logistics</li> <li>Transportation elements reduced to "open" areas of construction</li> <li>Issue with construction footprint in the area of I-71/I-75/FWW/US 50 would be clear due to existing transportation facility construction</li> </ul>
<b>Signage</b>	No impact	<ul style="list-style-type: none"> <li>New signage required on local streets</li> <li>Final signage plans to include signs outside of project limits</li> <li>Vertical clearance to accommodate signage for double-deck bridge and flyover ramps between OH 2<sup>nd</sup> and 8<sup>th</sup> streets</li> <li>No signage problems are anticipated for any of the alternatives</li> </ul>				
<b>Utilities</b>						
Number of utilities impacted	No impact	<ul style="list-style-type: none"> <li>58 individual facilities identified. 46 are below ground and 12 are above ground</li> <li>Does not impact the Duke Energy Sub-station near Longworth Hall</li> <li>Requires relocation of 5 high voltage transmission cables</li> </ul>	<ul style="list-style-type: none"> <li>52 individual facilities identified. 45 are below ground and 7 are above ground</li> <li>Impacts to portion of the Duke Energy Sub-station near Longworth Hall</li> <li>Does not impact high voltage transmission cables</li> </ul>	<ul style="list-style-type: none"> <li>52 individual facilities identified. 45 are below ground and 7 are above ground</li> <li>Impacts to portion of the Duke Energy Sub-station near Longworth Hall</li> <li>Does not impact high voltage transmission cables</li> </ul>	<ul style="list-style-type: none"> <li>52 individual facilities identified. 45 are below ground and 7 are above ground</li> <li>Impacts to portion of the Duke Energy Sub-station near Longworth Hall</li> <li>Does not impact high voltage transmission cables</li> </ul>	<ul style="list-style-type: none"> <li>52 individual facilities identified. 45 are below ground and 7 are above ground</li> <li>Impacts to portion of the Duke Energy Sub-station near Longworth Hall</li> <li>Does not impact high voltage transmission cables</li> </ul>
Utility relocation costs (2012 with inflation) (does not include right of way costs)	N/A	Duke Energy \$175.0 million (ranges from \$42.0 – 175.0 million)	Duke Energy \$39.4 million	Duke Energy \$39.4 million	Duke Energy \$39.4 million	Duke Energy \$39.4 million

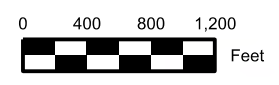
Conceptual Alternatives Evaluation Matrix						
Impacts	No Build	Alternative B (Former Alternative 2)	Alternative C (Former Alternative 3)	Alternative D (Former Alternative 3)	Alternative E (Former Alternative 3)	Alternative G (Former Alternative 4 Hybrid)
<b>Alternative Description</b>	The No Build Alternative consists of minor, short-term safety and maintenance improvements to the Brent Spence Bridge and I-75 corridor, which would maintain continuing operations. All within existing right of way.	Six lanes each direction between Kyles Lane to KY 12 <sup>th</sup> Street; Local C-D roadway from KY 12 <sup>th</sup> Street to Ohio River; New bridge (4 lanes in each direction) through Queensgate 900 feet west of existing for I-71/I-75 traffic; Rehab existing bridge for local traffic (2 lanes SB and 3 lanes NB); Realign US 50; Improvements to Western and Winchell Avenues	Six lanes in each direction between Kyles Lane and KY 12 <sup>th</sup> Street; local C-D roadway from KY 12 <sup>th</sup> Street to Ohio River; New double deck bridge just west of existing bridge for I-75 (2 lanes NB and SB), 2 lanes SB I-71, two lanes SB local traffic; Rehab existing bridge for NB I-71 (2 lanes), NB local traffic (3 lanes); Reconfigure I-75 through I-71/I-75/US 50 Interchange; From KY 12 <sup>th</sup> Street to Ezzard Charles Drive NB I-75 5 lanes, SB I-75 2 lanes, and local SB C-D roadway 4 lanes; Improvements to Western and Winchell Avenues	Six lanes in each direction between Kyles Lane and KY 12 <sup>th</sup> Street; Local C-D roadway between KY 12 <sup>th</sup> Street and the Ohio River; New double deck bridge just west of the existing bridge I-75 (2 lanes NB and SB), two lanes SB I-71, and two lanes SB local traffic; Rehab existing bridge for NB I-71 (2 lanes) and three lanes for NB local traffic (3 lanes); Reconfigure I-75 through the I-71/I-75/US 50 Interchange; 11 lanes for I-75 and SB local traffic between Ezzard Charles Drive and the Western Hills Viaduct; Improvements to Western and Winchell Avenues	Six lanes in each direction between Kyles Lane and KY 12 <sup>th</sup> Street; Two access points into Covington for both NB and SB traffic; New double-deck bridge just west of the existing Bridge for I-71/I-75 traffic (2 lanes in each direction); Reconfigure I-75 through the I-71/I-75/US 50 Interchange; Between Ezzard Charles Drive and Western Hills Viaduct, SB I-75 6 lanes, NB I-75 5 lanes, and one auxiliary lane to the Western Hills Viaduct; Improvements to Western and Winchell Avenues	Six lanes in each direction between Kyles Lane and KY 12 <sup>th</sup> Street; 2 access points to Covington for NB and SB traffic through a C-D roadway; New double deck bridge just west of the existing bridge for I-75 (2 lanes in each direction), 2 lanes for SB I-71 and 2 lanes for SB local traffic; Rehab existing bridge for NB I-71 (2 lanes) and local traffic (3 lanes); Reconfigure I-75 through the I-71/I-75/US 50 Interchange; I-75 elevated from Ohio River to Linn Street; NB C-D roadway will carry local traffic to Ezzard Charles Drive; Improvements to Western and Winchell Avenues
<b>Cost Estimates (in millions)</b>						
Estimated Right of way costs (2012 with inflation)	N/A	Kentucky: \$18.4 Ohio: \$46.5 Subtotal: \$64.9	Kentucky: \$2.5 Ohio: \$15.5 Subtotal: \$18.0	Kentucky: \$2.4 Ohio: \$12.1 Subtotal: \$14.5	Kentucky: \$2.4 Ohio: \$13.0 Subtotal: \$15.4	Kentucky: \$4.6 Ohio: \$19.9 Subtotal: \$24.5
Estimated Construction Costs (2008 plus 59.5% inflation) <i>*Note: Main span bridge included in Kentucky costs</i>	N/A	Kentucky: \$1,485.4 Ohio: \$880.6 Subtotal: \$2,366.0	Kentucky: \$1,260.4 Ohio: \$752.0 Subtotal: \$2,012.4	Kentucky: \$1,260.4 Ohio: \$752.0 Subtotal: \$2,012.4	Kentucky: \$1,474.1 Ohio: \$809.3 Subtotal: \$2,283.4	Kentucky: \$1,305.3 Ohio: \$1,079.3 Subtotal: \$2,384.6
Estimated Utilities Costs (relocation and right of way costs with inflation)	N/A	Kentucky: \$91.0 Ohio: \$91.0 Subtotal: \$182.0	Kentucky: \$20.2 Ohio: \$20.2 Subtotal: \$40.4	Kentucky: \$20.2 Ohio: \$20.2 Subtotal: \$40.4	Kentucky: \$20.2 Ohio: \$20.2 Subtotal: \$40.4	Kentucky: \$20.2 Ohio: \$20.2 Subtotal: \$40.4
Project Development Costs (with inflation)	N/A	Kentucky: \$151.6 Ohio: \$92.6 Subtotal: \$244.2	Kentucky: \$130.1 Ohio: \$80.3 Subtotal: \$210.4	Kentucky: \$130.1 Ohio: \$80.3 Subtotal: \$210.4	Kentucky: \$150.5 Ohio: \$85.8 Subtotal: \$236.3	Kentucky: \$134.4 Ohio: \$111.6 Subtotal: \$246.0
<b>Total Estimated Costs</b> <i>*Total estimated costs include construction, real estate, utilities, utilities right of way, and project development costs</i>	N/A	Kentucky: \$1,746.4 Ohio: \$1,110.7 \$2,857.1	Kentucky: \$1,413.2 Ohio: \$868.0 \$2,281.2	Kentucky: \$1,413.1 Ohio: \$864.6 \$2,277.7	Kentucky: \$1,647.2 Ohio: \$928.3 \$2,575.5	Kentucky: \$1,464.5 Ohio: \$1,231.0 \$2,695.5



**LEGEND**

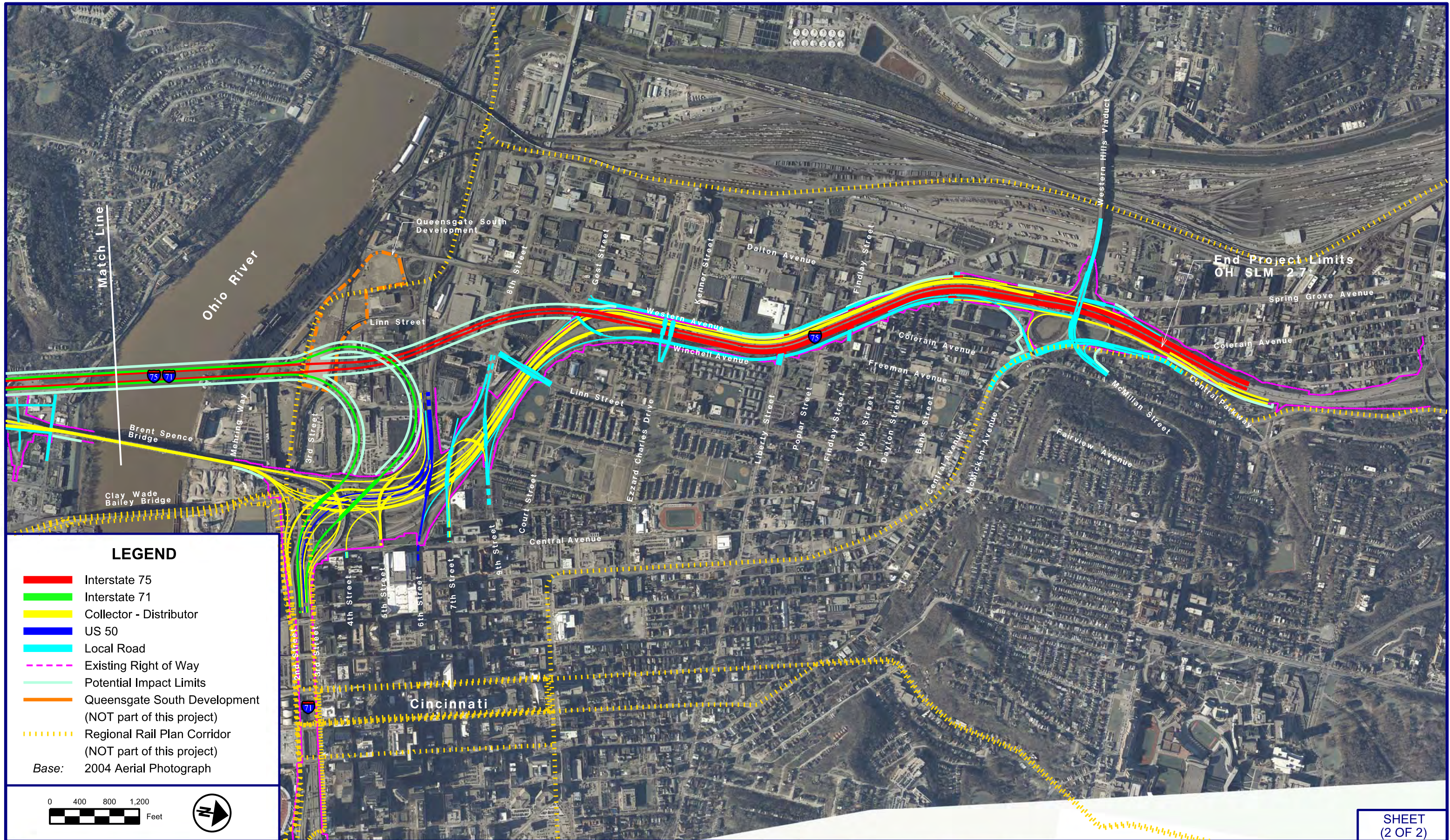
- Interstate 75
- Interstate 71
- Collector - Distributor
- Local Road
- Existing Right of Way
- Potential Impact Limits
- St. Elizabeth Development (NOT part of this project)
- 12th Street Improvement (NOT part of this project)
- Regional Rail Plan Corridor (NOT part of this project)

Base: 2004 Aerial Photograph



**STEP 5 CONCEPTUAL  
ALTERNATIVE B  
(KENTUCKY)**

SHEET  
(1 OF 2)  
EXHIBIT  
**B1a**



**LEGEND**

- Interstate 75
- Interstate 71
- Collector - Distributor
- US 50
- Local Road
- Existing Right of Way
- Potential Impact Limits
- Queensgate South Development (NOT part of this project)
- Regional Rail Plan Corridor (NOT part of this project)

Base: 2004 Aerial Photograph



U.S. Department of Transportation  
Federal Highway Administration



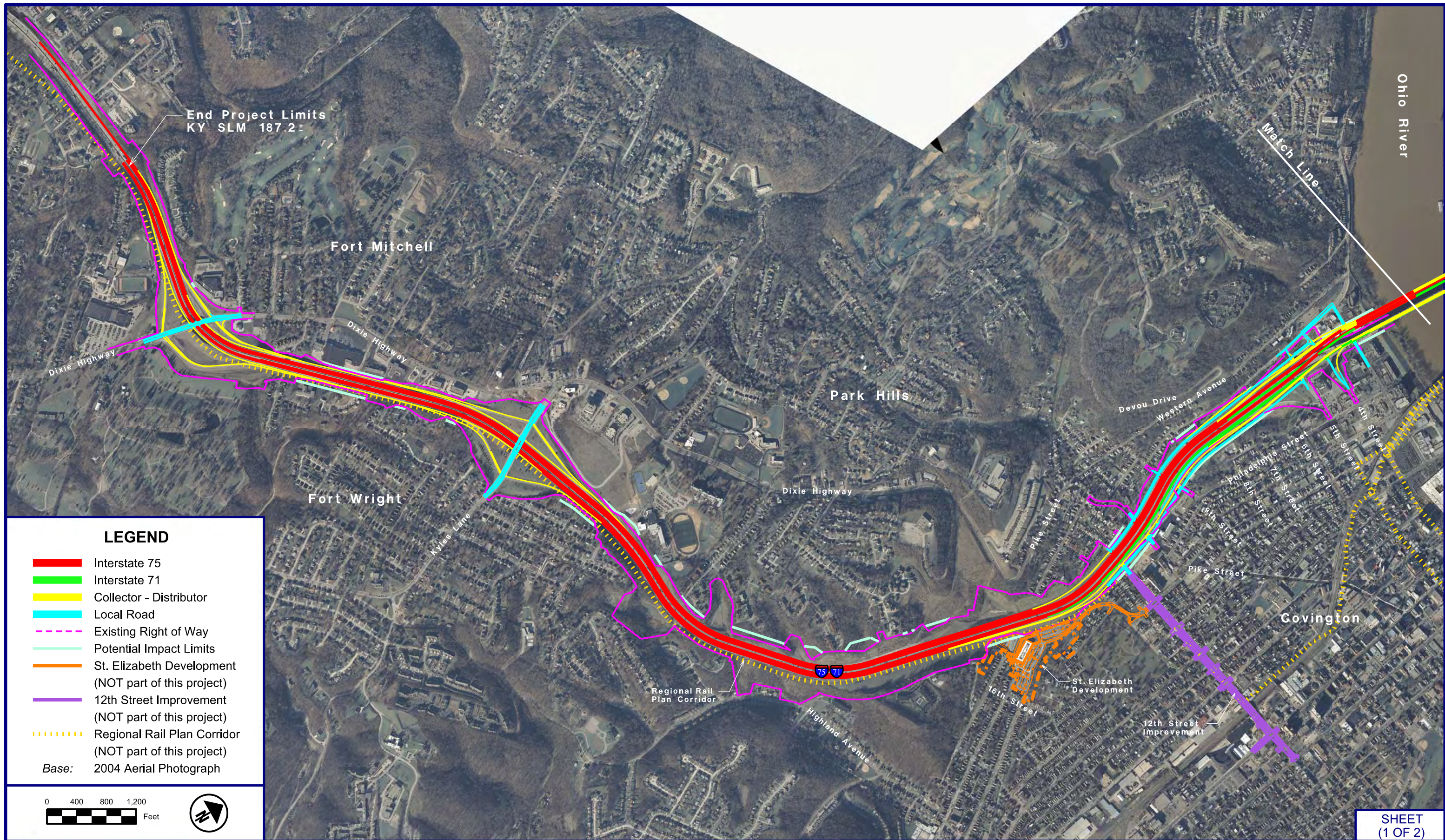
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**PARSONS BRINCKERHOFF**

**STEP 5 CONCEPTUAL  
ALTERNATIVE B  
(OHIO)**

SHEET  
(2 OF 2)

EXHIBIT

**B1b**



End Project Limits  
KY SLM 187.2±

Ohio River

Match Line

Fort Mitchell

Park Hills

Fort Wright

Govington

**LEGEND**

- █ Interstate 75
- █ Interstate 71
- █ Collector - Distributor
- █ Local Road
- - - Existing Right of Way
- - - Potential Impact Limits
- █ St. Elizabeth Development (NOT part of this project)
- █ 12th Street Improvement (NOT part of this project)
- - - - - Regional Rail Plan Corridor (NOT part of this project)

Base: 2004 Aerial Photograph



U.S. Department of Transportation  
Federal Highway Administration



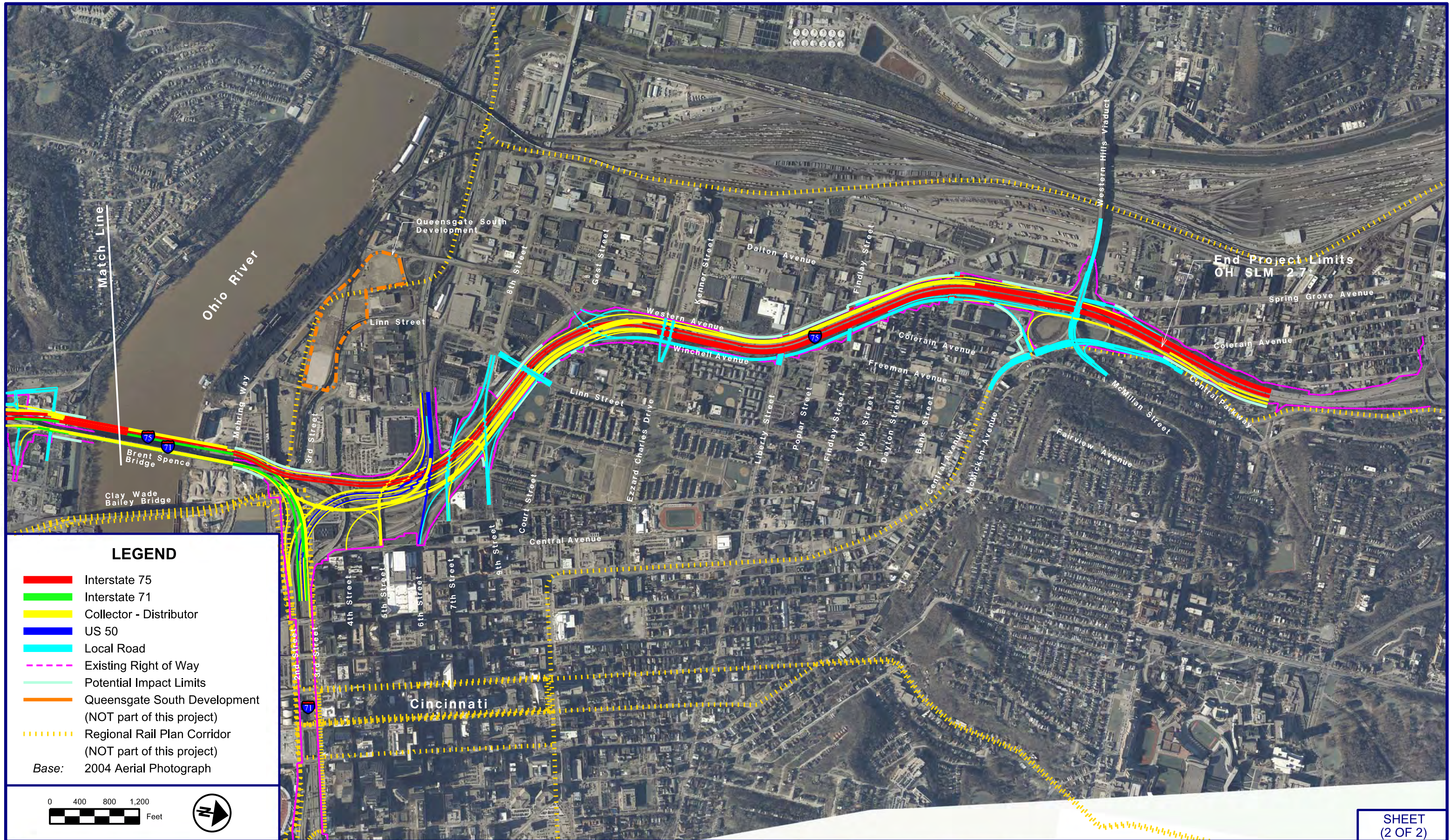
**STP 5 CONCEPTUAL  
ALTERNATIVE C  
(KENTUCKY)**

SHEET  
(1 OF 2)

EXHIBIT

B2a

Prepared by  
**PARSONS  
BRINCKERHOFF**



**LEGEND**

- Interstate 75
- Interstate 71
- Collector - Distributor
- US 50
- Local Road
- Existing Right of Way
- Potential Impact Limits
- Queensgate South Development (NOT part of this project)
- Regional Rail Plan Corridor (NOT part of this project)

Base: 2004 Aerial Photograph



U.S. Department of Transportation  
Federal Highway Administration



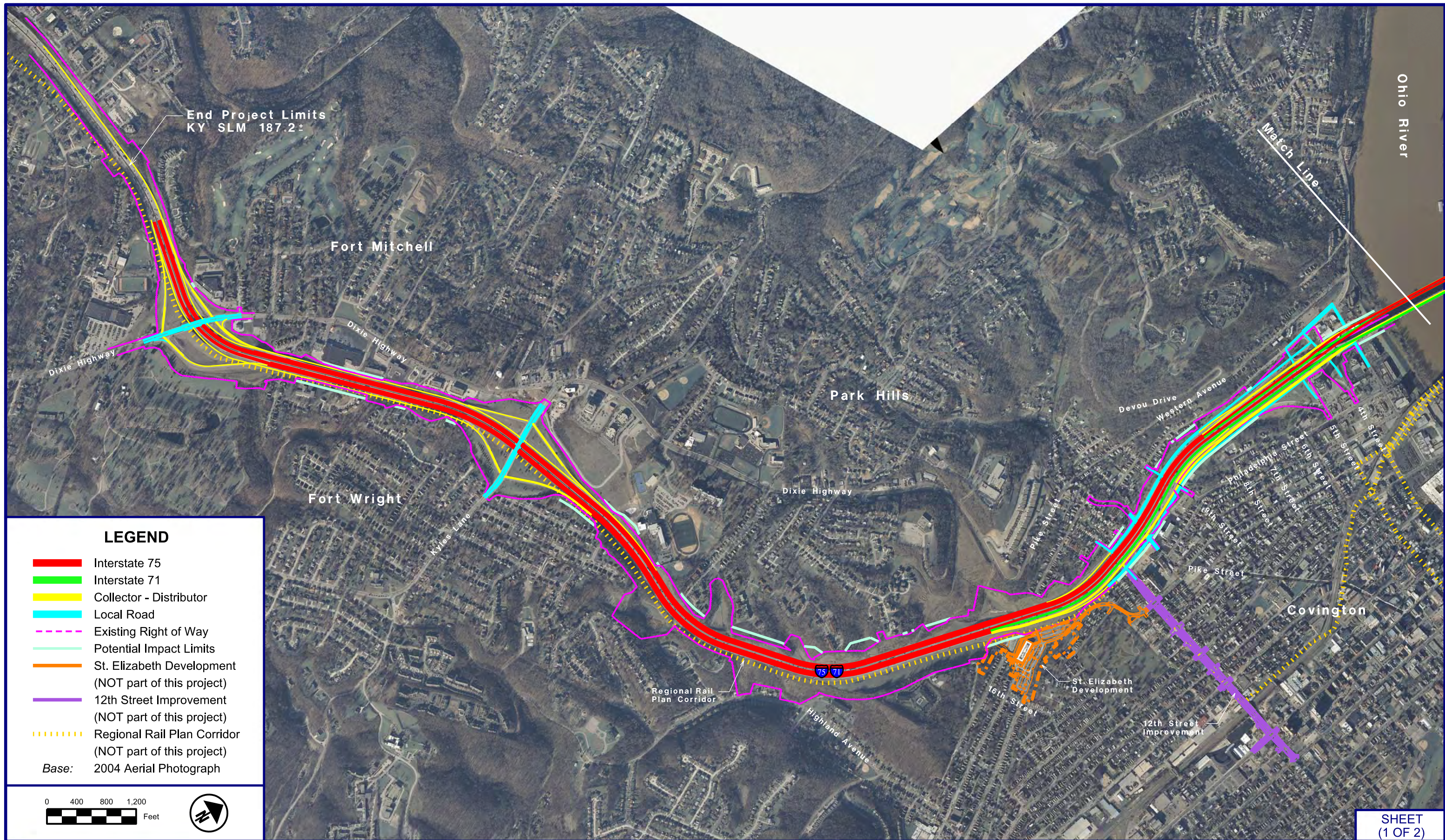
Prepared by:  
**PARSONS BRINCKERHOFF**

**STEP 5 CONCEPTUAL  
ALTERNATIVE C  
(OHIO)**

SHEET  
(2 OF 2)

EXHIBIT

B2b



Ohio River

Match Line

End Project Limits  
KY SLM 187.2±

Fort Mitchell

Park Hills

Fort Wright

Covington

Dixie Highway

Dixie Highway

Dixie Highway

Devou Drive  
Western Avenue

Philadelphia Street  
5th Street  
4th Street

Kyle Lane

Pike Street

Pike Street

Regional Rail  
Plan Corridor

16th Street

St. Elizabeth  
Development

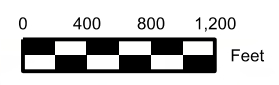
12th Street  
Improvement

Highland Avenue

**LEGEND**

- Interstate 75
- Interstate 71
- Collector - Distributor
- Local Road
- Existing Right of Way
- Potential Impact Limits
- St. Elizabeth Development  
(NOT part of this project)
- 12th Street Improvement  
(NOT part of this project)
- Regional Rail Plan Corridor  
(NOT part of this project)

Base: 2004 Aerial Photograph



U.S. Department of Transportation  
Federal Highway Administration



**STEP 5 CONCEPTUAL  
ALTERNATIVE D  
(KENTUCKY)**

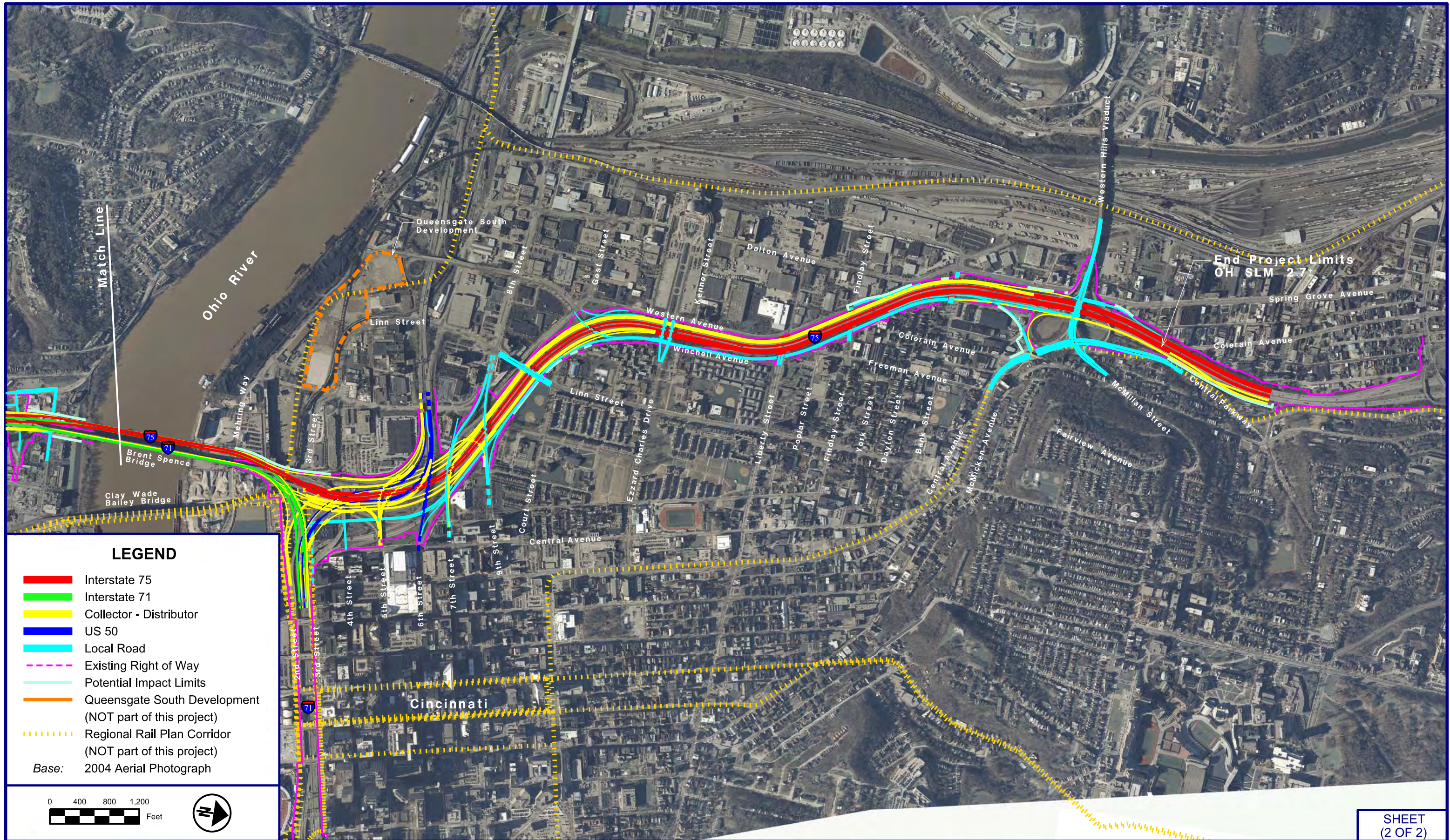
SHEET  
(1 OF 2)

EXHIBIT

B3a

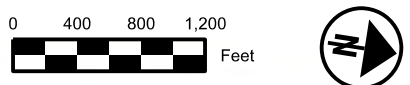
Prepared by  
**PARSONS  
BRINCKERHOFF**





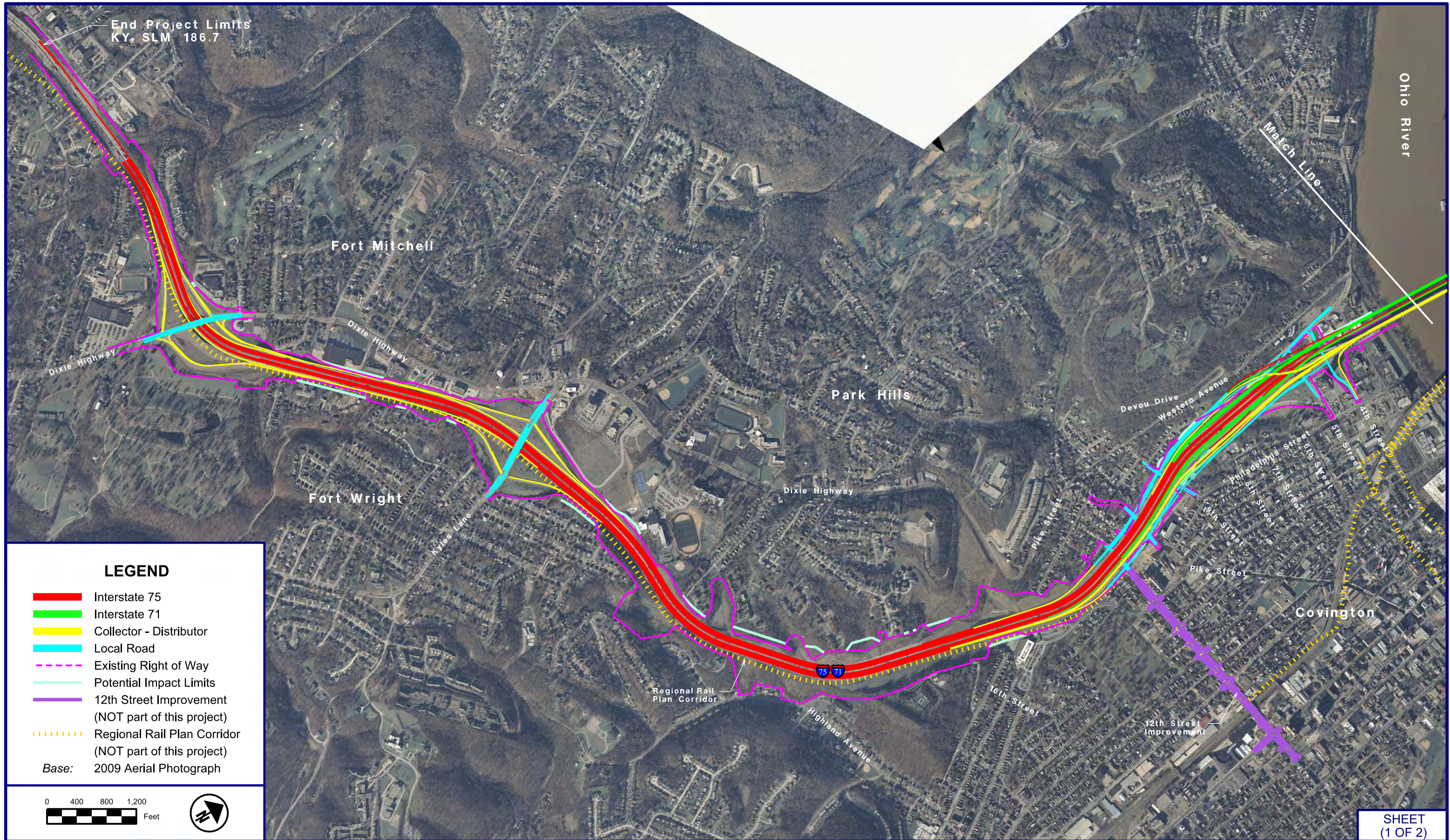
**LEGEND**

- Interstate 75
  - Interstate 71
  - Collector - Distributor
  - US 50
  - Local Road
  - Existing Right of Way
  - Potential Impact Limits
  - Queensgate South Development (NOT part of this project)
  - Regional Rail Plan Corridor (NOT part of this project)
- Base: 2004 Aerial Photograph



**STEP 5 CONCEPTUAL ALTERNATIVE D (OHIO)**

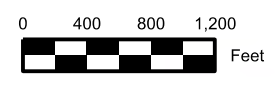
SHEET (2 OF 2)  
EXHIBIT B3b



**LEGEND**

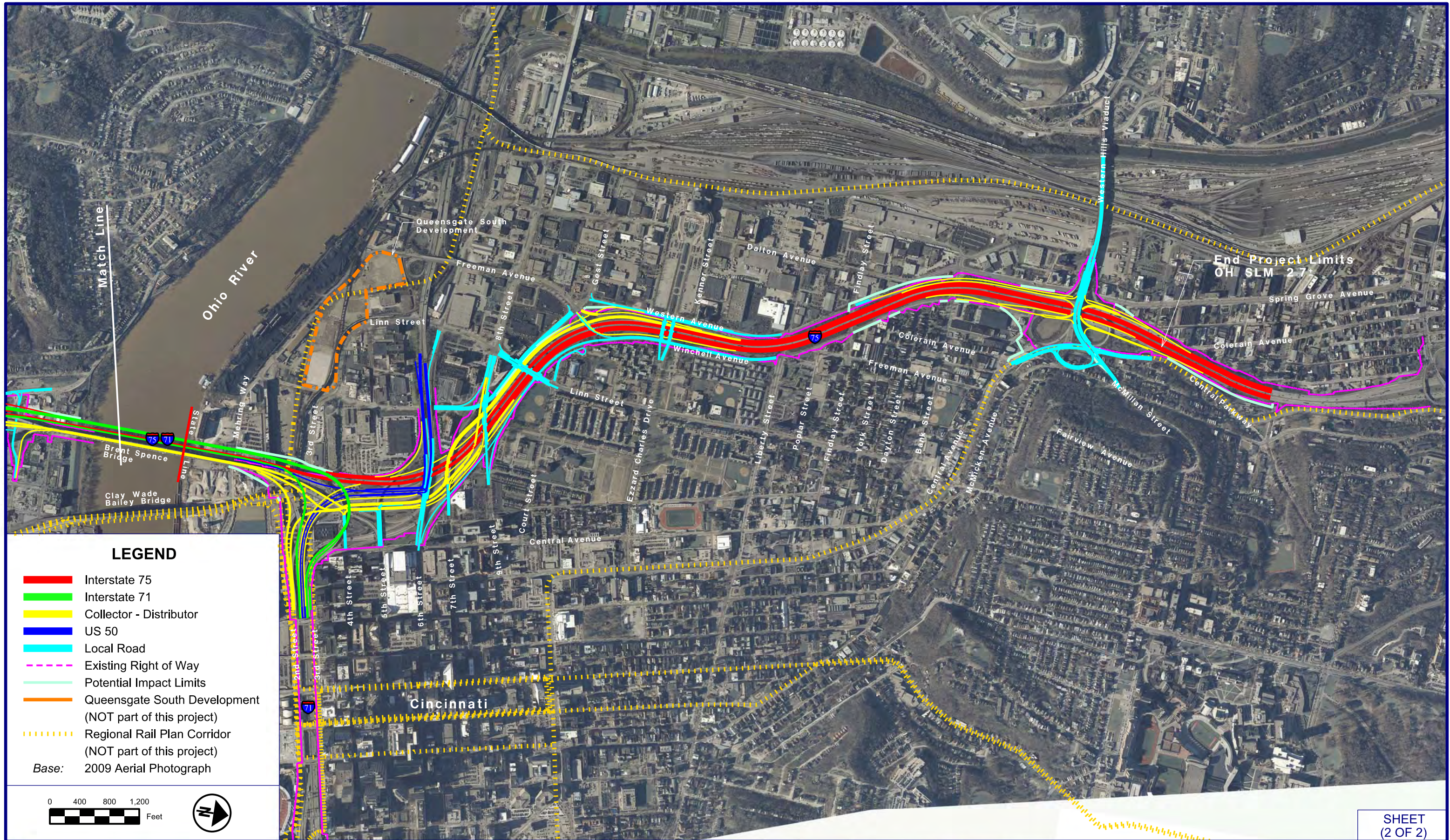
- Interstate 75
- Interstate 71
- Collector - Distributor
- Local Road
- Existing Right of Way
- Potential Impact Limits
- 12th Street Improvement (NOT part of this project)
- Regional Rail Plan Corridor (NOT part of this project)

Base: 2009 Aerial Photograph



**STEP 5 CONCEPTUAL  
ALTERNATIVE E  
(KENTUCKY)**

SHEET  
(1 OF 2)  
EXHIBIT  
**B4a**



**LEGEND**

- Interstate 75
- Interstate 71
- Collector - Distributor
- US 50
- Local Road
- - - Existing Right of Way
- - - Potential Impact Limits
- - - Queensgate South Development (NOT part of this project)
- - - - - Regional Rail Plan Corridor (NOT part of this project)

Base: 2009 Aerial Photograph



U.S. Department of Transportation  
Federal Highway Administration



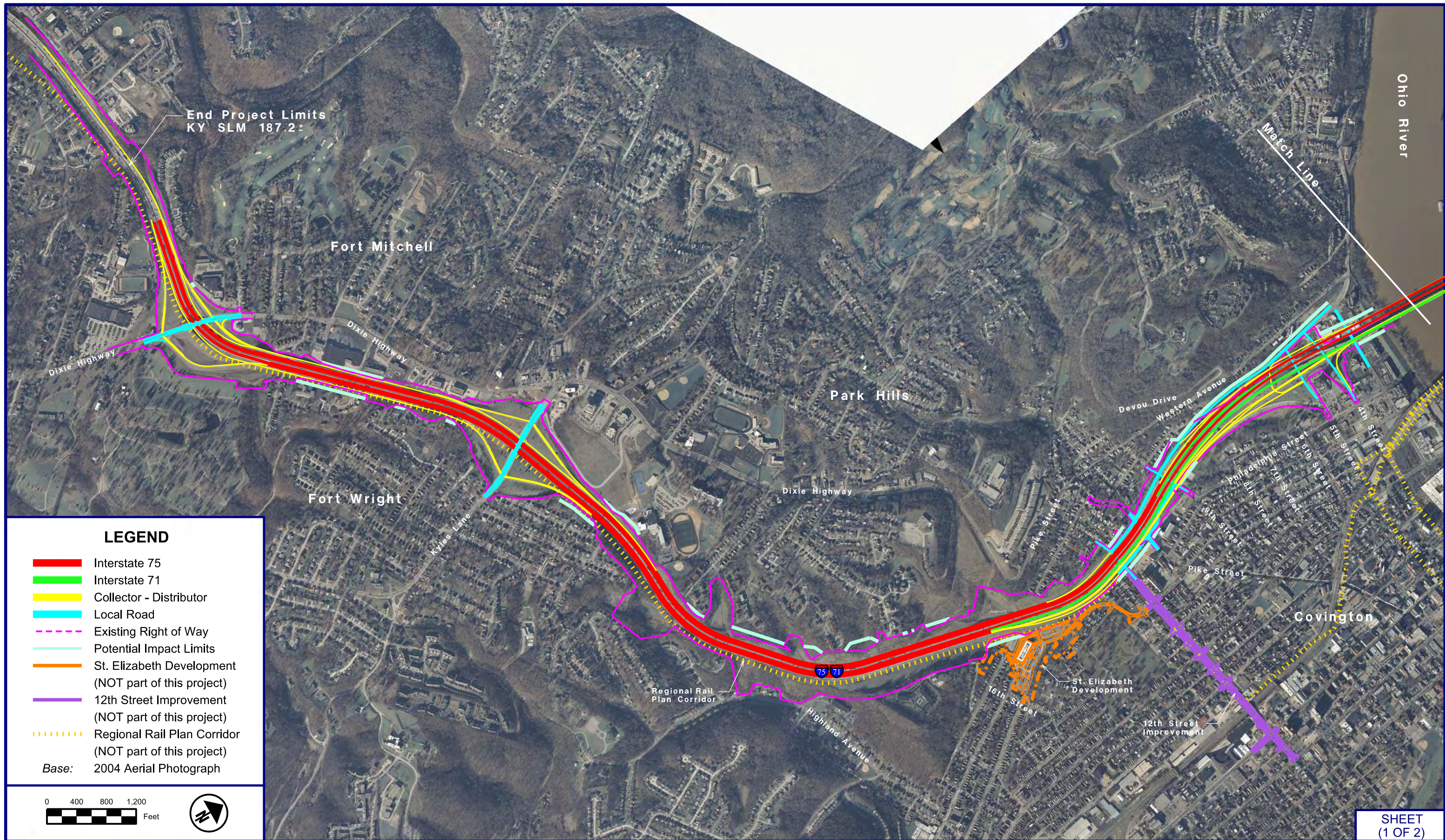
Prepared by:  
**PARSONS BRINCKERHOFF**

**STEP 5 CONCEPTUAL  
ALTERNATIVE E  
(OHIO)**

SHEET  
(2 OF 2)

EXHIBIT

B4b



End Project Limits  
KY SLM 187.2±

Ohio River

Match Line

Fort Mitchell

Park Hills

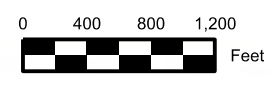
Fort Wright

Covington

**LEGEND**

- █ Interstate 75
- █ Interstate 71
- █ Collector - Distributor
- █ Local Road
- - - Existing Right of Way
- - - Potential Impact Limits
- █ St. Elizabeth Development (NOT part of this project)
- █ 12th Street Improvement (NOT part of this project)
- - - - - Regional Rail Plan Corridor (NOT part of this project)

Base: 2004 Aerial Photograph



U.S. Department of Transportation  
Federal Highway Administration



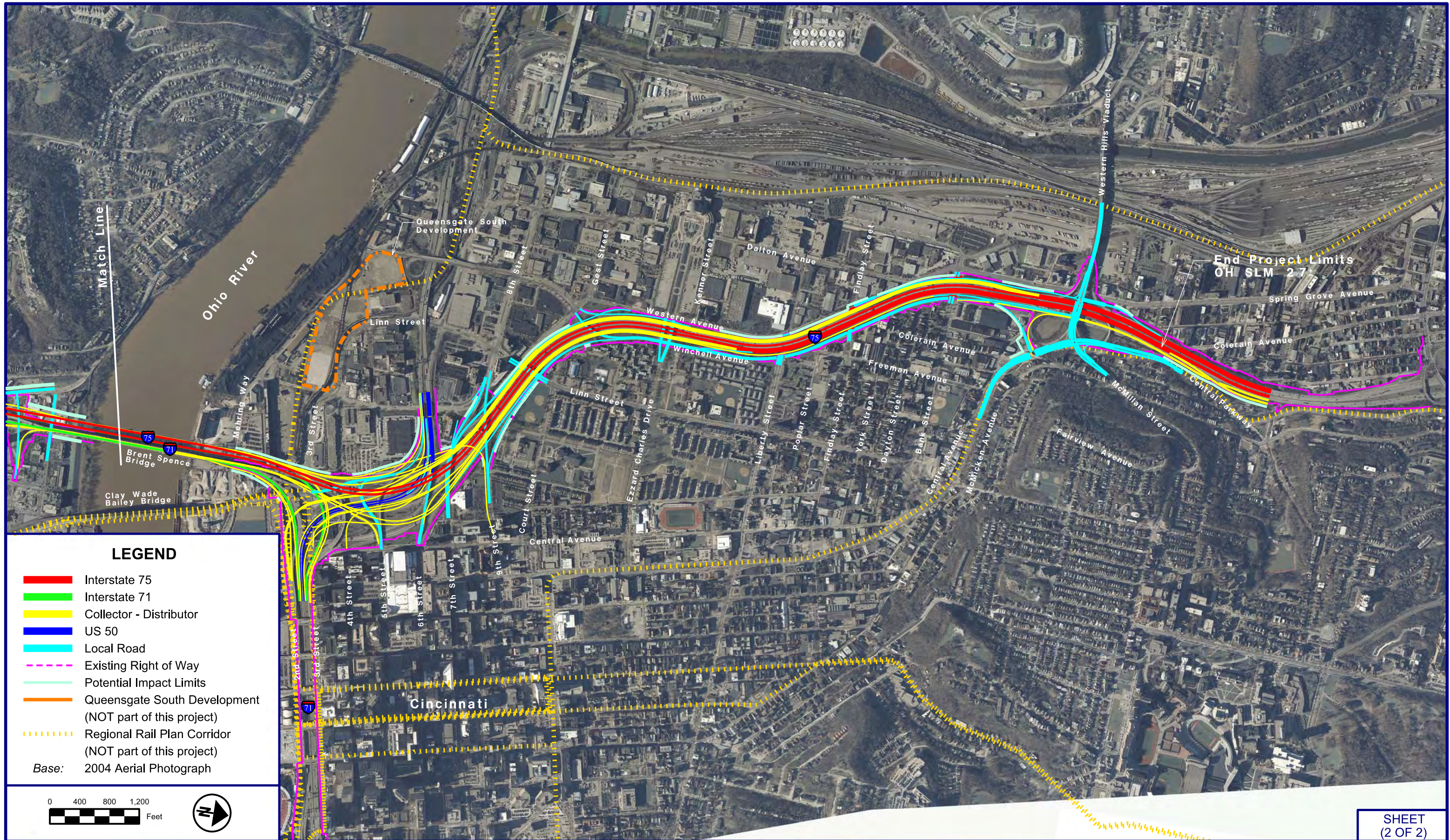
**STEP 5 CONCEPTUAL  
ALTERNATIVE G  
(KENTUCKY)**

SHEET  
(1 OF 2)

EXHIBIT

B5a

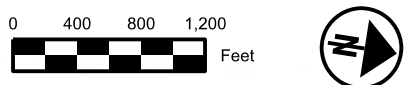
Prepared by  
**PARSONS  
BRINCKERHOFF**



End Project Limits  
OH SLM 2.7+

**LEGEND**

- Interstate 75
  - Interstate 71
  - Collector - Distributor
  - US 50
  - Local Road
  - Existing Right of Way
  - Potential Impact Limits
  - Queensgate South Development (NOT part of this project)
  - Regional Rail Plan Corridor (NOT part of this project)
- Base: 2004 Aerial Photograph



**STEP 5 CONCEPTUAL  
ALTERNATIVE G  
(OHIO)**

SHEET  
(2 OF 2)  
EXHIBIT  
B5b

**Appendix C**  
**Documentation for the Lewisburg Historic District,**  
**Longworth Hall, and West McMicken Avenue Historic District**



# CITY OF COVINGTON

638 MADISON AVENUE • COVINGTON, KENTUCKY 41011-2298

December 12, 2011

Ms. Stacey Hans  
Environmental Coordinator  
KYTC District 6  
421 Buttermilk Pike  
Covington, Kentucky 41017

RE: Brent Spence Bridge- Section 106 Mitigation and Concerns to the Lewisburg National Register District

Dear Ms. Hans:

Please accept this letter as the City of Covington's formal response to the Section 106 Mitigation meeting held on November 16, 2011 in Covington City Commission Chambers the purpose of which was to solicit public input on adverse effects to the Lewisburg National Register District from the Brent Spence Bridge replacement project. The City is presenting additional information herein about the façade grant program that was proposed at the public meeting, as well as other mitigation measures, including a purchase rehab program; demolition of non-contributing buildings; and the Charles Zimmer Memorial Path as a re-connection from Lewisburg to commercial and recreational areas of the City. The City also wants to present its concerns about additional project impacts which include decreased access to the Lewisburg neighborhood by its residents, and access to Devou Park by residents and visitors from the region, and proposed mitigation measures to offset that loss of access.

Lewisburg is an important historic neighborhood of Covington. It was an industrial center because of Willow Run Creek and has always been an important gateway that hosted the Covington-Lexington Turnpike. The first I/75 project severed Lewisburg from the rest of the City and contributed heavily to disinvestment in the neighborhood. The current project will expand the interstate highway and right-of-way which exacerbates this separation, contributing to further disinvestment in Lewisburg. The expansion places a larger, more daunting physical barrier between the Lewisburg neighborhood and the rest of Covington. In addition, the expansion will increase noise and air pollution for this neighborhood. The City believes that the measures proposed below will help to offset the disinvestment in this historic neighborhood by causing reinvestment in the physical assets of the neighborhood and creating connections that will strengthen the historic resources of the Lewisburg National Register District.

1. Façade Grant Program: The City of Covington has coordinated and administered three different façade grant programs. Through Covington's Renaissance on Main Program, the City of Covington has administered over \$300,000 worth of matching commercial façade grant funds. The City also had a matching awning and façade grant program in which

over \$60,000 funds were administered to commercial storefronts. Currently the City is administering a homeowner façade grant program in two areas of the City with \$80,000 of CDBG and HOME funds. While all three of these programs had slightly different requirements, all were required to be compliant with the Covington Historic Design Guidelines and/or the Secretary of the Interior's Standards for the treatment of Historic Properties. Attached are the guidelines for the three programs that the City has administered.

In reviewing past and present programs the City believes that the amount of \$5,000 per property with a local match of 20% would have a significant positive impact on the neighborhood. Upon conducting an inventory of the neighborhood, the City proposes that 50 buildings be funded through this program. We also suggest that priority areas be designated through the program guidelines for these grants, such as the major corridors in the neighborhood, including Pike Street and 12<sup>th</sup> Street, which also function as gateways to Covington and Lewisburg and are high visibility areas.

2. **Purchase Rehab Program:** The City has evaluated the major gateways into the Lewisburg Neighborhood, specifically the Pike Street/Dixie Highway Corridor as it is a major entrance and gateway into both Lewisburg and the City of Covington. The City identified 9 buildings in this area that are currently vacant or for sale that would be eligible for purchase-rehab projects. Attached is a spreadsheet with that list of properties and the Property Valuation Administration or real estate Multiple Listing Service value with an estimated rehab cost for each.
3. **Demolition of Non-Contributing Buildings:** There are currently 41 buildings standing that are listed as non-contributing on either the Lewisburg National Register District Nomination Form or the Brent Spence Bridge Historic/Architectural Survey. Upon preliminary site visits to these properties there are approximately 15 properties that could be razed either for non-compliance with City property maintenance and building codes, or to provide easier access for parking or traffic circulation. The average demolition cost to the City for similar properties has been in the range of \$8,000 to \$14,000 depending on the size of the structure and the ease of access for equipment. A map is attached with the noncontributing buildings highlighted.
4. **Charles Zimmer Memorial Path:** As stated, the original I/75 highway project severed major access points from Lewisburg to the rest of the City. While the current physical pedestrian connections at 9<sup>th</sup> Street, Pike Street, and 12<sup>th</sup> Street, will remain with the new bridge, the pedestrian and multi-modal nature of that access needs to be improved for safety reasons and to encourage movement between the neighborhood and the rest of the City. Having good pedestrian and multi-modal connections will enhance the neighborhood by providing greater access for Lewisburg residents to commercial and recreational areas of the City in a safer and more attractive manner. Further, an important figure in Covington's history, Charles Zimmer, is from Lewisburg. He has been affectionately referred to as "Mr. Lewisburg", and providing an enhanced multi-modal connection at 9<sup>th</sup> Street, Pike Street, and 12<sup>th</sup> Street that is named after him will highlight his importance to Covington and Lewisburg History. Charles Zimmer lived and worked



in Lewisburg and owned and operated a hardware store in the 500 Block of Pike Street. A renewed connection along 9<sup>th</sup> Street, Pike Street, and 12<sup>th</sup> Street would once again connect the historic homes of the Zimmer Family in Lewisburg to the building that still retains their name, Zimmer Hardware. The paths should be multi-modal with sufficient distance from the road to allow for both pedestrian and bicycle traffic that is safely separated from automobile traffic, and it should also include improved and attractive lighting, landscaping, and other amenities to make the connection between Lewisburg and the rest of Covington more inviting. A short biography of Charles Zimmer, provided by the Kenton County Library, is attached.

5. Gateway at the 1200 Block of Pike Street on the east side of the road: The highway project has created disinvestment in Lewisburg and has created a lack of place and significance as one enters Covington on Pike Street/Dixie Highway. Providing a landscaped entrance with an attractive Covington and Lewisburg identification would improve the experience of entering Covington and enhance the Lewisburg National Register Historic District.

An extremely important asset to Covington and the greater Cincinnati Region is Devou Park. Devou Park is an important 700 acre recreational, historic, and cultural asset in the region. In 1910 the area was donated to the City of Covington by the Devou family for public park use. The park hosts a golf course that dates back to 1922, with a WPA era band shell; a museum that hosts historic displays of Northern Kentucky; and a tennis court that from the 1920's to the 1940's hosted the Ohio Valley Tennis Tournament, precursor of the Western Open and ATP Tournament now held in Mason, Ohio. The current design of the highway will cut off a major access point into Devou Park for Lewisburg historic district residents and visitors from the Greater Cincinnati region. It will also compromise residents' ability to easily access their homes and their use of the park. In order to mitigate these adverse effects to an important historic neighborhood and recreational resource for Covington and the Greater Cincinnati region, but especially for Lewisburg residents, the City is proposing the following measures:

1. Demolish non-contributing buildings along the one-way Montague Road as well as take current vacant parcels and convert them into off street parking in order to allow Montague to facilitate two-way access into Lewisburg and the Devou Park, consistent with the Devou Park Master Plan, adopted by the City in 2008. Providing additional off street parking in Lewisburg will be a necessity in order to provide continued access to the neighborhood and to Devou Park for residents and visitors.
2. Enhance the gateways and access to Devou Park by making improvements at Quarry and Lewis Street for off street parking, making it safer and easier for traffic circulation and access for residents to their homes and to Devou Park.
3. Provide wayfinding signage at Montague Road and Pike Street directing residents and visitors to the Lewisburg neighborhood and Devou Park. Since the current and most prominent access point at Pike Street and Lewis Street will be eliminated by the bridge

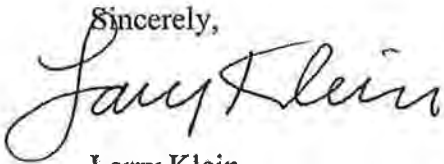
project, Lewisburg residents and visitors to Devou Park will need signs directing them along the new access points into the neighborhood and the park.

The City of Covington requests that these mitigation measures be given serious consideration and implemented for the Section 106 mitigation of adverse impact to the Lewisburg National Register Historic District caused by the bridge project. The disinvestment, separation, and limited access that the original I/75 highway project has caused to the Lewisburg neighborhood will cause further deterioration without this mitigation.

Please let me know if you have any questions or need any additional information.

As always, your time and attention is greatly appreciated.

Sincerely,

A handwritten signature in cursive script that reads "Larry Klein".

Larry Klein  
City Manager  
City of Covington, Kentucky

c: Bernadette Dupont Federal Highway Administration-Kentucky Division

**December 22, 2011**

**KYTC Item # 6-17**

**Brent Spence Bridge Replacement/Rehabilitation Project**

**Summary of Meeting Regarding Potential Mitigation for Impacts to Lewisburg Historic District**

Attendees:

Anthony Goodman	FHWA
John Ballantyne	FHWA
Ian Childster	FHWA
Phil Johnston	KHC
Craig Potts	KHC
Vicki Birenberg	KHC
Nick Laracuente	KHC
Stacey Hans	KYTC
Phil Logsdon	KYTC
Scott Schurman	KYTC
Rebecca Turner	KYTC
David Waldner	KYTC

A meeting was held at KYTC-CO on December 19, 2011 to discuss potential mitigation measures for impacts to the Lewisburg Historic District as a result of the Brent Spence Bridge Project. KHC stated that they were favorable to the mitigation items that were presented at the November 16, 2011 Consulting Party meeting. Mitigation items presented at that meeting included:

- Completion of photographic documentation of buildings to be demolished,
- Completion of Kentucky Individual Buildings Survey Forms for contributing resources within the Lewisburg Historic District (430 contributing buildings are listed in the National Register of Historic Places (NRHP) nomination),
- Revision of the 1993 NRHP nomination form to include contributing buildings that were not yet 50 years old at the date of nomination and to note which buildings are no longer extant due to recent residential development in the area,
- Creation of a Historic Preservation Plan for Lewisburg to preserve the history of the district,
- Development of a vegetative screening plan.

In addition to these mitigation items, the following mitigation items for Lewisburg Historic District were discussed:

- A Façade Grant program – this program would be implemented to improve façades of homes and businesses within the Lewisburg Historic District. The program would be funded by FHWA and administered by the City of Covington. The fund would require matching funds by the owner and a deadline date to complete improvements by would apply. Details such as the total

amount of the fund, the amount that would be available for each property, matching fund requirements, and the naming of the fund would have to be worked out in the future and specified in a Memorandum of Agreement (MOA). Additionally, there was further discussion regarding making the program affordable to low-income households that reside in the District.

- Barvarian Brewing Company – The Bavarian Brewing Company building is a listed resource (NRHP 96000281) located on 12<sup>th</sup> Street in Covington. The building is currently on sale for approximately 6 million dollars. KHC inquired about the possibility of whether the building could be purchased, refurbished, and ultimately turned over to the City Of Covington as a possible mitigation measure.
- Multi-modal; multi-use path – KHC inquired about the possibility of the construction of a multi-modal path that would connect Lewisburg Historic District with the City of Covington. KHC would like to implement a program similar to Legacy Trail in Lexington. This approach would connect the trail to be constructed to already existing bike and pedestrian trails. Also, KHC presented the idea of placing historic trail markers along the multi-use path. These markers would contain historic photographs of areas along the path and would give users of the path a perspective of how a specific area once was viewed historically.
- Vibration Testing – KHC requests that vibration testing for Lewisburg Historic District be performed during construction activities. Seismographs would be located at positions within Lewisburg Historic District to help avoid adverse impacts to the District during construction.

Further discussion ensued between KHC, FHWA, and KYTC on which of these mitigation measures should move forward. FHWA and KYTC were in favor of moving forward with the Façade Grant Program and the implementation of vibration testing during construction activities. It was agreed that these items best mitigated actual impacts to Lewisburg Historic District itself. Implementation of the Façade Grant Program would occur at the time of right-of-way authorization. Details of the Façade Grant Program and vibration testing will be worked out and specified in the MOA.

FHWA was not in favor with moving forward with mitigation regarding the Bavarian Brewing Company. FHWA indicated that the purchase of the building would be extremely difficult with FHWA funding due to legal and logistical implementation issues. In addition, it was agreed between all parties that the purchase and rehabilitation of the Bavarian Brewery would not directly mitigate impacts to Lewisburg Historic District.

Finally, FHWA and KYTC indicated that the implementation of a multi-modal trail should be looked at from a project wide perspective and will be considered a project commitment, not as mitigation to Lewisburg Historic District. Connectivity between Lewisburg Historic District and the City of Covington was severed when I-75 was originally constructed. Current project impacts will not significantly affect that connectivity. However, FHWA recognizes the sensitivity of the connectivity issue with local residents and will address the issue on a project commitment basis. FHWA also requested information from KHC regarding the cost of the historical markers that were presented as a possible mitigation item.



# OHIO DEPARTMENT OF TRANSPORTATION

CENTRAL OFFICE • 1980 WEST BROAD STREET • COLUMBUS, OH 43223

JOHN R. KASICH, GOVERNOR • JERRY WRAY, DIRECTOR

## OFFICE OF ENVIRONMENTAL SERVICES

October 28, 2011

Mr. Mark Epstein, Department Head  
Resource Protection and Review  
Ohio Historic Preservation Office  
800 East 17<sup>th</sup> Avenue  
Columbus, Ohio 43211

Attn: ODOT Transportation Review Managers

Subject: HAM-71/75-0.00/0.22 (PID 75119)

Re: *Notification of Adverse Effect*

Dear Mr. Epstein:

The intent of the subject submission is to consult with the Ohio State Historic Preservation Office (OSHP) concerning the Section 106 effect of the subject undertaking, HAM-71/75-0.00/0.22 (PID 75119), on historic properties within the State of Ohio. The subject undertaking is to provide for operational improvements within the Interstate (IR) 71 and 75 corridors in the Greater Cincinnati/Northern Kentucky region. The corridor currently suffers from congestion and safety-related issues as a result of inadequate capacity to accommodate current traffic demand.

### **Project Description**

The proposed undertaking will rehabilitate the existing Brent Spence Bridge; as well as, construct a double-deck bridge over the Ohio River. The existing Brent Spence Bridge will continue to carry northbound and southbound local traffic with two lanes in the southbound direction and three lanes in the northbound direction. The new double-deck bridge will carry northbound and southbound IR-71 and IR-75 traffic. The upper deck will carry IR-71 south via three southbound lanes and north via two northbound lanes. The lower deck will carry IR-75 south via three southbound lanes and north via three northbound lanes.

### **Notification of Adverse Effect – B & O Freight Building/Longworth Hall (NRHP)**

In accordance with 36 CFR § 800.5(a), FHWA has determined the subject undertaking will adversely affect the B & O Freight and Storage Building/Longworth Hall, listed on the National Register of Historic Places (NRHP) (860003521), 700 Pete Rose Way (Second Street), Cincinnati, Ohio. The report *the Brent Spence Bridge Replacement/Rehabilitation Project, Determination of Effects Report, ODOT PID No. 75119, HAM-71/75-0.00/0.22, KYTC Project Item No. 6-17 (June 2011)*, forwarded to the OSHP on June 14, 2011, provides documentation of the adverse effect finding as specified by 36 CFR § 800.11(e) (**Figure 1**).



The undertaking, as proposed, will result in the removal of a portion of the B & O Freight and Storage Building/Longworth Hall, listed on the NRHP, to facilitate the construction of the new double-deck bridge. The undertaking will require the removal of a portion of the eastern end of the building which includes: three, 15-foot, two 13-foot, and six 12 foot bays for a total of 20,000 square feet of floor space. It is to be noted the eastern end of the building was previously altered by the removal of a portion of the building to allow for the construction of the Brent Spence Bridge. The Scale House, located within the National Register boundaries as a contributing building, will not be removed or altered by the undertaking. Enclosed is an electronic copy of the report, *Brent Spence Bridge Replacement/Rehabilitation Project, Longworth Hall Impact Analysis Report, Part Three: Potential Mitigation Measures, ODOT PID No. 75119, HAM-71/75-0.00/0.22, KYTC Project Item No. 6-17 (June 2011)*, which provides additional details as to the effect of the undertaking on the historic property (**Figure 1**).

The implementing regulations of Section 106, codified at 36 CFR § 800.5(a)(2), provide examples of adverse effects: (i) *Physical destruction of or damage to, all or part of the property . . .* (ii) *Alteration of a property, including restoration, repair, maintenance.* Therefore, based on the proposed removal of a portion of the B & O Freight and Storage Building/Longworth Hall, listed on the NRHP, FHWA, with ODOT as their agent, have determined a finding of "adverse effect" is applicable. In regard to the applicability of the remaining aspects of the adverse effect criteria as specified by 36 CFR § 800.5(a)(2), the following is offered:

(iii) *Removal of the property from its historic location:* The building will not be removed from its original location;

(iv) *Change of the character of the property's use or of physical features within the property's setting that contribute to its historic significance:* The property will continue to be used in a manner consistent with its current use upon the completion of the undertaking. The property is eligible for inclusion on the NRHP under Criterion A for its association with significant period of Cincinnati's rail transportation history; and, under Criterion C as an outstanding representation of an architectural type and method of construction applied to a rail depot. These characteristics will not be compromised. The introduction of a new double-deck bridge, to the east of the property would not alter the historic significance of the property in regard to Criterion A and its association with Cincinnati's rail transportation history. Concerning architectural significance, the remaining portion of the building will retain its current architectural features. Alterations to the building will be limited to the eastern end the building.

(v) *Introduction of visual, atmospheric or audible elements that diminish the integrity of the properties significant historic features:* During the property's period of significance, its setting and use as a rail depot was likely associated with relatively high ambient noise levels. The current setting features multiple transportation modes and facilities including: rail lines, bus transit, adjacent elevated interstate routes, and local ground level traffic featuring the movement of freight, services, local travelers and visitors. Noise analyses were conducted in conjunction with the project development process and noise barriers were determined to be unwarranted at this location. As an integral part of ODOT's project development process, measures to avoid or minimize harm to adjacent buildings and structures due to construction related vibration impacts are monitored before, during and after construction. No long term vibration impacts are anticipated. During construction, any anticipated short-term vibration impacts will be minimized or avoided by alternative construction methods. The property is eligible for inclusion on the NRHP under: Criterion A for its association with significant period of Cincinnati's rail transportation history; and, under Criterion C as an outstanding representation of an architectural type and method of construction applied to a rail depot. These characteristics will not be compromised.

In regard to the visual context, baseline conditions include the existing setting, including the natural and built environment. Visual intensity refers to the significance of an anticipated visual impact, either beneficial or adverse. The existing project area is highly urbanized and includes freeways, bridges, highway lighting, traffic control devices, guardrail, and local roadways. Short term visual impacts may include: earthwork, material and equipment storage, and construction activities. However, permanent negative visual impacts are not anticipated. The characteristics which qualify the B & O Freight Building/Longworth Hall for inclusion on the NRHP will not be diminished by the proposed undertaking.

*(vi) Neglect of a property which causes its deterioration:* The property will remain under current ownership. FHWA, with ODOT as their agent, will restore the building to a condition as agreed upon in consultation with the property owner and as a result of the Section 106 consultation process.

*(vii) Transfer, lease, or sale of property:* The property will remain under current ownership. The property owner will be compensated for any loss or damages as specified by Ohio Revised Code and in accordance with all applicable federal regulations.

#### **Notification of Adverse Effect to the ACHP**

On August 11, 2011, FHWA, with ODOT as their agent, notified the Advisory Council on Historic Preservation (ACHP) of the adverse effect of the undertaking to determine their participation in resolving the adverse effects (**Figure 2**). The enclosed documents were forwarded to the ACHP for review and consideration:

- *Brent Spence Bridge Replacement/Rehabilitation Project, Determination of Effects Report, ODOT PID No. 75119, HAM-71/75-0.00/0.22, KYTC Project Item No. 6-17 (June 2011).*
- *Brent Spence Bridge Replacement/Rehabilitation Project, Longworth Hall Impact Analysis Report, Part Three: Potential Mitigation Measures, ODOT PID No. 75119, HAM-71/75-0.00/0.22, KYTC Project Item No. 6-17 (June 2011).*
- *Draft Memorandum of Agreement Between the Federal Highway Administration, the Ohio Department of Transportation, the Ohio State Historic Preservation Office, Regarding the HAM-71/75-0.00/0.22, PID 75119, Brent Spence Bridge Replacement/Rehabilitation Project, Hamilton County, Ohio and Kenton County, Kentucky, Adverse Effect to the B & O Freight and Storage Building/Longworth Hall, Listed on the National Register of Historic Places (86003521), 700 Pete Rose Way (Second Avenue), Cincinnati, Ohio (ODOT Agreement Number 16829).*

On August 31, 2011 the ACHP responded to the request, "we do not believe that our participation in the consultation to resolve adverse effects is needed . . ." (Johnson 2011) (**Figure 2**)

#### **Resolution of Adverse Effect to B & O Freight Building/Longworth Hall**

As documented by the enclosed agreement, *Draft Memorandum of Agreement Between the Federal Highway Administration, the Ohio Department of Transportation, the Ohio State Historic Preservation Office, Regarding the HAM-71/75-0.00/0.22, PID 75119, Brent Spence Bridge Replacement/Rehabilitation Project, Hamilton County, Ohio and Kenton County, Kentucky, Adverse Effect to the B & O Freight and Storage Building/Longworth Hall, Listed on the National Register of Historic Places (86003521), 700 Pete Rose Way (Second Avenue), Cincinnati, Ohio (ODOT Agreement Number 16829)*, FHWA intends to formalize the resolution of the adverse effects of the

undertaking in two separate Memorandum of Agreements, one applicable to the adverse effects in Ohio and one applicable to the adverse effects in Kentucky, due to the complexity of the adverse effects of the undertaking.

The Section 106 consultation meetings, for the resolution of the adverse effect to the B & O Freight Building/Longworth Hall, will provide an opportunity for the agency officials and Section 106 consulting parties to discuss the results of the report, *Brent Spence Bridge Replacement/Rehabilitation Project, Longworth Hall Impact Analysis Report, Part Three: Potential Mitigation Measures, ODOT PID No. 75119, HAM-71/75-0.00/0.22, KYTC Project Item No. 6-17 (June 2011)*, and in the identification of measures to resolve the adverse effect.

**Section 106 Effect on Historic Properties**

In addition to the B & O Freight Building/Longworth Hall, listed on the NRHP, the following historic properties were identified as a result of Section 106 consultation and Phase I and Phase II history/architecture investigations, within the area of potential effects in Ohio. Documentation of the Section 106 consultation conducted to date, between the OSHPO and ODOT, is provided by **Figure 3**.

<b>Resource</b>	<b>Section 106 Effect</b>
Western Hills Viaduct Subway Tunnel Portals	No effect
West McMicken Avenue HD (as proposed by Cincinnati Preservation)	No effect
HAM-1709-40 (Chem-Pak, Inc. Building), 2261 Spring Grove Avenue	No effect
Western Hills Viaduct (SFN 3105458)	No Adverse Effect
Brighton Bridge (SFN 3101533)	No effect
HAM-7366-28 (High-Craft Printing Company), 1120 Harrison Avenue	No effect
HAM-2164-28 revised to HAM-6332-40 (Central Trust/Brighton Office), 1110 Harrison Avenue	No effect
HAM-1462-06 (Rumman Building), 635 Kress Alley	No effect
HAM-0484-06, 650 West McKicken Avenue	No effect
Dayton Street HD (NRHP 73001457)	No effect
Our Lady of Mercy/Cincinnati Jobs Corp (NRHP 80003070), 1409 Western Avenue	No effect
Cincinnati Union Terminal (NHL & NRHP 72001018)	No effect
HAM-1342-43 (Harriet Beecher Elementary School/Stowe Adult Education Center 635 West 7 <sup>th</sup> Avenue	No effect
West Fourth Street HD and Amendment (NRHP 766001443 & 79001861)	No effect
John M. Mueller, Sr. House, 724 Mehring Way	No effect
Ohio National Guard Armory (Demolished) (NRHP 80003069), 1437-1439 Western Avenue	No effect

**Section 106 Effect – Archaeology – Ohio**

On October 15, 2010, FHWA, with ODOT as their agent determined the undertaking contained no potential for intact archaeological resources due to extensive highway construction and/or sequential urban development and redevelopment (**Figure 3**) pursuant to the *Programmatic Agreement Among the Federal Highway Administration, The Advisory Council on Historic Preservation, The Ohio Historical Society, State Historic Preservation Office, And The State*



of Ohio, Department of Transportation Regarding The Implementation Of The Federal-Aid Highway Program In Ohio (Agreement No. 12642) executed July 17, 2006 with the following exceptions:

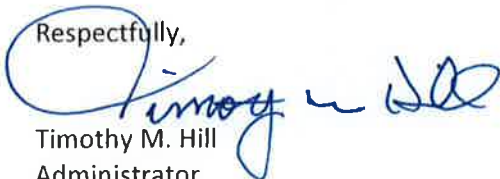
- The residential lots associated with the West McMicken Street Historic District would merit archaeological testing for stratified late 19<sup>th</sup> century deposits if one of the interchange reconfiguration alternatives were chosen (see Figure 3). That particular interchange reconfiguration alternative was not chosen and the West McMicken Street Historic District will not be affected by the undertaking.
- The 1920s Cincinnati subway tunnel would require evaluation for listing on the NRHP if a particular interchange reconfiguration alternative were chosen. An environmental commitment to avoid the Cincinnati subway tunnels and portals will be included in the environmental document and in the construction plans for the project. Therefore, these resources will not be affected by the undertaking.
- It was recommended that soil and geotechnical borings conducted during the design phase in the river bottom area be monitored and/or reviewed by an archaeologist or geoarchaeologist for evidence of buried archaeological deposits and/or undisturbed original landforms. If either are determined to be present, an archaeological testing strategy would need to be designed and implemented for the horizontal and vertical footprint of the bridge supports and construction work limits. An environmental commitment to conduct this work during the design phase will be included in the environmental document.

No further archaeological investigations are warranted at this time. The OSHPO and the ODOT-OES will be provided an opportunity to review the final design. An environmental commitment to allow OSHPO an opportunity to comment on the final design plans will be included in the environmental document.

**Conclusion**

Based on the Section 106 consultation to date, FHWA, with ODOT as their agent, request the OSHPO's concurrence a finding of "adverse effect" is applicable to the subject undertaking's effect on the B & O Freight Building/Longworth Hall, listed on the NRHP. In accordance with 36 CFR § 800, FHWA will continue to consult with the agency officials and consulting parties in regard to the Section 106 effect of the undertaking on historic resources and in the resolution of Section 106 adverse effects. Measures to minimize harm to historic properties will continue to be incorporated into the project development process. In addition, the OSHPO and consulting parties will be provided an opportunity to review and comment on the refined design as the process progresses. Questions or comments should be directed to Timothy Hill, Administrator, ODOT Office of Environmental Services, at 614-644-0377.

Respectfully,



Timothy M. Hill  
Administrator  
Office of Environmental Services

OHIO STATE HISTORIC PRESERVATION OFFICE CONCURRENCE:



10.31.11

DATE

Enclosures

TMH:sg

Mark Vonder Embse, FHWA, w/att.

Najah Duvall-Gabriel, ACHP, w/att.

Stefan Spinosa, ODOT-District 8, w/att.

Project file



CINCINNATI  
PRESERVATION  
ASSOCIATION

November 17, 2011

Mr. Stefan C. Spinosa  
ODOT Project Manager, District 8 Design Engineer  
505 South State Route 741  
Lebanon, Ohio 45036

Re: HAM-71/75-0.00/0.22, PID 75/19 Brent Spence Bridge  
Replacement/Rehabilitation Project: B&O Freight & Storage Building/Longworth  
Hall

Dear Mr. Spinosa:

Cincinnati Preservation Association (CPA) would like to comment on the mitigation measures proposed for Longworth Hall as discussed at the Consulting Parties meeting on November 2, 2011. As a Consulting Party, and as the holder of a historic preservation easement on the building, we support mitigation options that will not only help mitigate the adverse effects of the bridge construction, but confer practical benefits, helping to preserve the building and extend the life of its materials. Therefore, we support the following options as outlined in the draft Memorandum of Agreement, following the Secretary of the Interior's Standards for the Rehabilitation of Historic Buildings:

**Replacement of missing portion of top floor.** A portion of the top floor of Longworth Hall was removed following a fire. We propose that this missing portion be rebuilt to compensate for the square footage to be removed for the new bridge, as was done in the 1960s following construction of the original bridge.

**Window repair/storm windows.** Longworth Hall has original 6/6, double-hung, single-pane wood windows, which are a character-defining feature of the building. Noise and dust are an issue for building tenants because of the building's proximity to the highway and to industrial facilities: problems that will worsen after the new bridge is built. The addition of appropriate weatherstripping and storm windows as a mitigation measure would benefit the building in many ways. These improvements would help preserve the windows, reduce outside noise and dust infiltration, and reduce the building's energy consumption and carbon footprint, thereby improving its profitability.

**Masonry repair.** Historic brick buildings are in need of periodic repair and repointing, and Longworth Hall is no exception. While sections of the walls have been repointed by

the owners, large areas are still in need of this costly and time-consuming restoration work. Repointing mortar joints and repairing or replacing bricks as necessary would help preserve the building, improve its appearance, and prevent costly future repairs.

**Stabilization of the former boiler house.** Better known as the scale building, this is a freestanding, one-story, brick building located at the northwest corner of the property that originally housed boilers for the no-longer-extant railroad roundhouse. It is presently in a ruinous state with collapsed roof. Stabilization of the building would help preserve an important contributing feature of the property with potential for adaptive reuse and eventual fit-out by a future tenant.

Finally, we would like to clarify our status as an easement holder, not only regarding the mitigation options, but future issues such as the design of the end wall, and possible compensation for partial loss of the building as a result of the undertaking.

Thank you for your consideration. Please contact us if you need more information.

Sincerely,

Margo Warminski  
Preservation Director

Cc: Mark Epstein, Department Head, Resource Protection and Reviews, Ohio  
Historic Preservation Office  
Paul J. Muller, AIA, Executive Director, Cincinnati Preservation Association



November 21, 2011

Stefan Spinosa  
ODOT District 8  
505 South SR 741  
Lebanon, OH 45036

Dear Mr. Spinosa:

After attending the Consulting Parties meeting in Cincinnati on November 2, 2011, regarding mitigation measures for the HAM-71/75-0.00/0.22 project's adverse effect on Longworth Hall, Mark Epstein, Thomas Grooms, and I have discussed and prioritized the list of measures that have been suggested. Our list reflects our preference for "bricks and mortar" repairs to the building, much of which will remain standing, rather than documentation of it. We are completely open, however, to discussion, re-prioritizing, and additional measures that might be suggested. Further consultation with the consulting parties will ultimately provide the final and appropriate mitigation measures.

ODOT and the Consulting Parties have created an excellent list of mitigation possibilities. This is our prioritized list of the proposed mitigation measures:

Higher Priority

1. Masonry Repair and Tuck-Pointing
2. Installation of Storm Windows
3. Stabilization of associated Scale/Boiler House
4. Aesthetic treatments on new east wall (to Secretary of the Interior's Standards)
5. Plaque/Interpretive Signage
6. Commemorative dates on a cornerstone for new east wall (1904 on one side, 2015 on other)

Medium Priority

7. Building parapet wall on missing 4th floor
8. Reconstruction of 4th floor that was demolished by fire

Lower Priority

9. Preparation of HABS documentation on Longworth Hall
10. Re-painting rooftop water tower
11. Marking the footprint of the former RR roundhouse
12. Removal of upper floors and retention of lower floors under new bridge.
13. Preparation of a contextual study of similar RR freight buildings in Ohio
14. Rehabilitation of associated Scale/Boiler House

I will see you at the next meeting on December 8, 2011.

Sincerely,

Nancy H. Campbell  
Architecture Transportation Reviews Manager

1041620  
2006-HAM-1640

**OHIO HISTORICAL SOCIETY**

*Ohio Historic Preservation Office*

1982 Velma Avenue, Columbus, Ohio 43211-2497 ph: 614.298.2000 fx: 614.298.2037  
www.ohiohistory.org

**JOSEPH L. TRAUTH, JR.**  
DIRECT DIAL: (513) 579-6515  
FACSIMILE: (513) 579-6457  
E-MAIL: JTRAUTH@KMKLAW.COM

November 28, 2011

Dear Consulting Parties:

This firm represents the owners of Longworth Hall. We appreciate the concern ODOT and others have shown regarding Longworth Hall. We have been waiting to understand the full desires of the public officials involved in the Brent Spence Bridge Replacement project before openly making comments.

This letter explains our concerns on the Brent Spence Bridge Replacement as it relates to Longworth Hall and also covers our requests on Historic Mitigation.

We have two concerns that have not been addressed to our satisfaction:

- We have not been convinced that the Bridge Replacement needs to go through Longworth Hall as opposed to being built just East of the current bridge where it could be placed over the Bengals practice field and the City/County parking lot. How can anyone justify going through a historic building as opposed to placing a bridge over a parking lot?
- We also are unconvinced that Longworth Hall can survive a partial "take". The multi-year bridge construction, the demolition, the bad press, the loss of quiet enjoyment of space, the reduced square footage without significantly reduced operating expenses and other serious concerns makes it unclear whether a partial take is a realistic course of action. Prior to and during construction, our lease levels may drop 80%. Who will mitigate that damage?

#### Historic Mitigation

My clients have preserved 300,000 square feet of historic property with Bedford limestone piers over three inches of maple-top wood flooring, 14-inch poplar wood joists, and century old kiln-fired bricks. Even the solid wood weight and pulley windows, built over a century ago, are original and working.

The proposed mitigation grossly underestimates the actual negative historic impact and in no way is sufficient. Suggesting that tuck-pointing and storm windows will mitigate the permanent removal of 204 feet of historic building is woefully inadequate. We now have a chance here to preserve and restore a historic property that will be the pride of this area for many generations. Having the government previously take 150 feet and now another 204 feet is an

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enormous impact on the building. Its very appeal is its historic nature, and that is literally being destroyed by this project.

There will never be another time when we can restore the building with original bricks, floors, and joists. This would not be a re-creation -- it would be a literal restoration with the actual original materials. Once this opportunity is gone, it is gone forever.

These are the steps we require if an alternate route for the bridge is impossible:

1. Restoration of Fifth floor E. Again, this will be the only chance to use original materials to do so.
2. Restore the East face end to the original construction with original materials. We believe Section 106 requirements are met if a paving change (cobblestone, brick pavers) continues from the East end to the original end, or length, of the building, with a short wall and plaque at that end describing the original length and history. In this way, there would be no confusion that the restored end is the original. How can anyone justify not using original material to restore to original condition? This is **not** a "copy" of the old -- something Section 106 might frown upon -- but a literal restoration from original materials.
3. Masonry repair and tuck-pointing **and cleaning**. We also want the brick cleaned. The cleaning would help to match the new 4E reconstruction to the rest of the building and possibly preserve existing brick.
4. Storm window installation. This would preserve the original windows. However, it does not seem logical to install storm windows without restoring the actual windows themselves.
5. Window restoration. We believe the windows need to be removed, have working mechanisms repaired, windows re-glazed and repainted, and sash repair as needed.
6. All materials removed during demolition will become the property of Longworth Hall (for repair, restoration, and other purposes).
7. Roof replacement. Just as storm windows and tuck-pointing preserve what is original, roof replacement is needed to preserve the integrity of the building structure. We would like the remaining portion of the building to have a new roof system installed (est. \$120,000).
8. Water tower. I believe the water tower is original to the building's first construction. Although no longer in use, it is in need of repair. We would like the water tower repainted (est. \$50,000).

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9. Refurbish the original lettering across the top of the building (Baltimore and Ohio Service [Station?]).
10. Stabilize the walls and replace the roof of the boiler house.

**Construction control:**

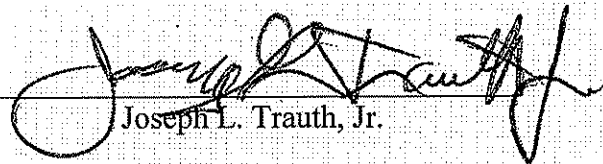
My clients have had poor experience with contractors working on a tight schedule and having their primary concern with budget and not building needs. Our concern is with retaining current tenants and gaining new tenants. My clients would like to either perform the construction themselves to preservation standards or have project management control, or have us write specifications as to how and when work will occur. We would perform work in a manner non disruptive to tenants (after hours, weekends, etc.).

Since this is a once-in-a-lifetime opportunity to preserve and restore a historic treasure, we ask that the consulting parties work hard to either find an alternative location for the bridge or do everything possible to fully mitigate the damages. We will be happy to discuss these very important issues with you at our upcoming meeting on December 8<sup>th</sup>.

Sincerely,

KEATING MUETHING & KLEKAMP PLL

By:



Joseph L. Trauth, Jr.

ksl

4156844.1



**JOSEPH L. TRAUTH, JR.**  
DIRECT DIAL: (513) 579-6515  
FACSIMILE: (513) 579-6457  
E-MAIL: JTRAUTH@KMKLAW.COM

December 21, 2011

Dear Consulting Parties:

As you know, this firm represents the owners of Longworth Hall. In follow up to our meeting of December 8, 2011 we have the following concerns: After initial consultation with our appraisers, we are now more convinced more than ever that Longworth Hall, following a take process, will not be an economically feasible nor viable entity. This is due to the length of the construction project, the demolition of one-third of the building, the addition of a second bridge making our site more difficult to find, the relocation of a major Duke Energy substation from a relatively distant location to immediately adjacent to the south of the building, the influence of negative press, noise from pile driving and general construction, a multi-year construction zone, reduced square footage which significantly impacts the operating efficiency of the current building as well as the effects of 200,000 – 220,000 vehicles per day within 40 feet of the building.

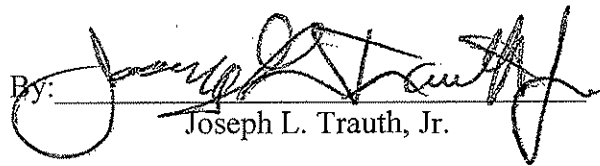
We seem to have the cart before the horse with the 106 process taking place in advance of the eminent domain process. As to our mitigation, in my letter dated November 28, 2011 (attached) we addressed approximately 11 points. On point one, the restoration of the fifth floor, was responded to with a front parapet wall only, which we believe is totally inadequate for true historic mitigation and would demand that the parapet wall be placed not only in the south but also on the north with a roof to preserve it. Item 2 was agreed to. Items 3 and 4 were agreed to. Number 5, window restoration, was met with a negative, however, we believe that is also important to preserve the historical integrity and significance of the building. Number 6 was agreed to. Number 7 was not agreed to, but we believe that the roof replacement is as important as the storm windows -- and maybe more important -- to preserve this historic structure. Number 8, painting the water tower, was turned down. We could potentially agree to that being done by the owner. Number 9, refurbishing the original lettering across the top of the building, was agreed to. Number 10 was not agreed to, however, we believe that the boiler house is a significant portion of the historical value of the complex. Number 11 was also agreed to.

December 21, 2011  
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We can further discuss these matters at your convenience and are more than willing to do so.

Yours very truly,

KEATING MUETHING & KLEKAMP PLL

By:   
Joseph L. Trauth, Jr.

JLT:ksl

4186423.1

**MEMORANDUM OF AGREEMENT BETWEEN THE  
FEDERAL HIGHWAY ADMINISTRATION,  
THE OHIO DEPARTMENT OF TRANSPORTATION, AND  
THE OHIO STATE HISTORIC PRESERVATION OFFICE,  
REGARDING THE  
BRENT SPENCE BRIDGE REPLACEMENT/REHABILITATION PROJECT,  
HAM-71/75-0.00/0.22, PID 75119,  
HAMILTON COUNTY, OHIO AND KENTON COUNTY, KENTUCKY  
ADVERSE EFFECT TO THE  
B&O FREIGHT AND STORAGE BUILDING/LONGWORTH HALL,  
LISTED ON THE NATIONAL REGISTER OF HISTORIC PLACES (86003521)  
700 PETE ROSE WAY (SECOND STREET), CINCINNATI, OHIO  
(ODOT AGREEMENT NUMBER 16829)**

**WHEREAS**, the Federal Highway Administration (FHWA), the Kentucky Transportation Cabinet (KYTC), and the Ohio Department of Transportation (ODOT) propose to reconstruct a 7.8-mile segment of Interstate 71 (I-71) and Interstate 75 (I-75) and construct a new bridge over the Ohio River in Kenton County, Kentucky and Hamilton County, Ohio, known as the Brent Spence Bridge Replacement/Rehabilitation Project, and hereby known as the undertaking (UNDERTAKING); and

**WHEREAS**, FHWA, with ODOT and KYTC as their agents, plan to fund the UNDERTAKING, thereby making the UNDERTAKING subject to review under Section 106 of the National Historic Preservation Act (NHPA), 16 U.S.C. § 470f, and its implementing regulations, 36 C.F.R. Part 800; and

**WHEREAS**, FHWA, with ODOT and KYTC as their agents, have consulted with the Ohio State Historic Preservation Office (SHPO) and the Kentucky Heritage Council (KHC); and

**WHEREAS**, FHWA, with ODOT and KYTC as their agents, will consult with federally recognized Native American Indian Tribes that may attach religious and cultural significance to historic properties; and

**WHEREAS**, FHWA, with ODOT and KYTC as their agents, have identified and consulted with consulting parties through public meetings, direct notification, project website, and Section 106 consultation; and, have not denied any of the identified consulting parties such status for this UNDERTAKING; and

**WHEREAS**, FHWA, with ODOT and KYTC as their agents, in consultation with the SHPO, KYTC and other consulting parties, have identified the UNDERTAKING's area of potential effect (APE), as defined in 36 C.F.R. § 800.16(d); and

**WHEREAS**, FHWA with ODOT and KYTC as their agents, have incorporated avoidance and minimization measures into the project development process by incorporating noise walls, retaining walls, pedestrian facilities, and aesthetic treatments into the design where warranted; and

**WHEREAS**, FHWA, with ODOT and KYTC as their agents, will continue to incorporate avoidance and minimization measures into the UNDERTAKING; and

**WHEREAS**, FHWA, with ODOT as their agent, in consultation with the SHPO, and other consulting parties, determined the UNDERTAKING will have an adverse effect upon the B&O Freight and Storage Building/Longworth Hall, listed on the NRHP (86003521), located at 700 Pete Rose Way (Second Street), Cincinnati, Ohio, pursuant to Section 106 of the NHPA, 16 U.S.C. § 470f, and its implementing regulations, 36 C.F.R. § 800; and

**WHEREAS**, FHWA, with KYTC as their agent, in consultation with the KHC, and other consulting parties, determined the UNDERTAKING will have an adverse effect upon the Lewisburg Historic District, listed on the NRHP (93001165), bounded by I-71/75 and the city limits of Covington, Kentucky, pursuant to Section 106 of the NHPA, 16 U.S.C. § 470f, and its implementing regulations, 36 C.F.R. § 800; and

**WHEREAS**, FHWA, with ODOT and KYTC as their agents, have determined the agreed upon measures to resolve the adverse effects of the UNDERTAKING to historic properties, located in the State of Ohio and the Commonwealth of Kentucky, will be formalized by two separate Memoranda of Agreement; and

**WHEREAS**, FHWA, with ODOT as their agent, has initiated this Memorandum of Agreement (AGREEMENT) to build upon the identification and consultation efforts conducted thus far in the State of Ohio; and, to formalize measures to resolve the adverse effect to the B&O Freight and Storage Building/Longworth Hall, listed on the NRHP (86003521), located at 700 Pete Rose Way (Second Street), Cincinnati, Ohio; and

**WHEREAS**, FHWA, with ODOT as their agent, has invited the identified consulting parties to concur with this AGREEMENT and will continue to consult with the consulting parties as the UNDERTAKING progresses; and

**WHEREAS**, FHWA, with ODOT as their agent, in accordance with 36 C.F.R § 800.6(a)(1), has notified the Advisory Council on Historic Preservation (COUNCIL) of the adverse effect determination with specified documentation and the COUNCIL has chosen not to participate in the consultation pursuant to 36 C.F.R 800.6(a)(1)(iii); and

**NOW THEREFORE**, FHWA, with ODOT as their agent, agree that the UNDERTAKING shall be implemented in accordance with the following stipulations in order to take into account the adverse effect of the UNDERTAKING on the B&O Freight and Storage Building/Longworth Hall, listed on the NRHP (86003521), located at 700 Pete Rose Way (Second Street), Cincinnati, Ohio.

## STIPULATIONS

FHWA shall ensure that the following mitigation measures are carried out:

### I. ARCHITECTURAL PROPERTIES

A. In consultation with FHWA, SHPO, and other consulting parties, ODOT has identified architectural historic properties in the APE, as documented by the *Brent Spence Bridge Replacement/Rehabilitation Project Determination of Effects Report ODOT PID No. 75119, HAM-71/75-0.00/0.22, KYTC Project item No. 6-17*; and has identified the effects to historic properties located within the APE.

B. ODOT proposes treatments commensurate with the level of impact and that are a reasonable public expenditure in light of the severity of the impact. ODOT will mitigate

the adverse effect to B&O Freight and Storage Building/Longworth Hall, listed on the NRHP (860003521), located at 700 Pete Rose Way (Second Street), Cincinnati, Ohio, using, but not limited to, the treatments on the following list:

1. Installation of exterior storm windows.
2. Restoration of the east wall, to an approximation of its original appearance, will include materials salvaged during demolition in accordance with the Secretary of Interior's Standards.
  - a. Plans will be developed for review and comment by the building owner, Cincinnati Preservation Association, and SHPO.
  - b. Windows, removed to accommodate the new roadway construction, will be restored and used in the east wall reconstruction.
  - c. Windows, removed and not used in the east wall reconstruction, will be restored and returned to the owner.
  - d. A cornerstone, commemorating the date of construction (1904) on one side, and the date of the renovation on the other side, will be included in the east wall reconstruction design.
3. Masonry repair will include: repair or replacement of bricks as warranted; tuck-pointing; and, brick cleaning of the west, north, and south walls.
4. Plaque/Interpretive signage will be constructed:
  - a. The original location of the east wall, prior to the construction of the Brent Spence Bridge, will be outlined by bricks and stone work.
  - b. An interpretive plaque, describing changes to the property that have occurred over time, will be placed near the original location of the east end wall.
5. The original lettering across the top of the building will be refurbished.
6. All materials removed, that retain historic integrity and nature, will be returned to the building owner to be used in future repairs or expansion.

The above treatments shall be developed in accordance with 36 CFR Part 68 The Secretary of the Interior's Standards for the Treatment of Historic Properties (STANDARDS). The treatment plans shall be submitted to OSHPO and the consulting parties concurrently for review and comment. The OSHPO, in consultation with the parties, will provide comments and/or concurrence with the treatment plans within 30-days.

C. ODOT will have follow up discussions with the owner regarding contracting methods and their request to either perform the construction themselves or provide project management control. If ODOT concurs in this approach, details will be outlined in a separate agreement.

## II. DURATION

This AGREEMENT will be null and void if the UNDERTAKING is not implemented within five (5) years from the date of its execution. At such time, and prior to work continuing on the UNDERTAKING, FHWA shall either (a) execute a new agreement pursuant to 36 C.F.R. § 800.6; or (b) request, take into account, and respond to the comments of the COUNCIL under 36 C.F.R. § 800.7. Prior to such time, FHWA may consult with the other signatories to reconsider the terms of this AGREEMENT and amend it in accordance with Stipulation VIII below. FHWA shall notify the signatories as to the course of action it will pursue.

## III. POST-REVIEW DISCOVERIES AND UNANTICIPATED DISCOVERY OF HUMAN REMAINS, OHIO

A. If previously unidentified archaeological or historic properties, or unanticipated effects, are discovered after completion of Section 106 review, that portion of the project will stop immediately, pursuant to Section 203.04 of ODOT's *Construction and Material Specifications*. The ODOT project engineer will immediately contact ODOT-OES and/or the appropriate ODOT District Environmental Coordinator. No further construction in the area of discovery will proceed until the requirements of 36 C.F.R. § 800.13 have been satisfied, including consultation with federally recognized Native American Indian tribes that may attach traditional cultural and religious significance to the discovered property. ODOT will consult with SHPO and Indian tribes, as appropriate, to record, document and evaluate NRHP eligibility of the property and the projects effect on the property, and to design a plan for avoiding, minimizing, or mitigating adverse effects on the eligible property. If neither the SHPO nor a federally recognized Native American Indian Tribe file a timely objection to ODOT's Office of Environmental Services (ODOT-OES) plan for addressing the discovery, ODOT-OES may carry out the requirements of 36 C.F.R. § 800.13 on behalf of FHWA and the COUNCIL need not be notified. FHWA and ODOT-OES will conduct all review and consultation in accordance with *Programmatic Agreement Among the Federal Highway Administration, the Advisory Council on Historic Preservation, the Ohio Historical Society, State Historic Preservation Office, and the State of Ohio, Department of Transportation Regarding Implementation of the Federal-Aid Highway Program in Ohio (Agreement No.16734 ) (executed 11/30/2011)*.

B. Historic and prehistoric human remains are subject to protection under Ohio Revised Code Sections 2909.05 and 2927.11. As such, if previously unidentified human remains are discovered during construction, work in that portion of the project will stop immediately. The remains will be covered and/or protected in place in such a way that minimizes further exposure of and damage to the remains. The ODOT project engineer will immediately consult with ODOT-OES and the ODOT District Environmental Coordinator, and immediately notify local law enforcement and/or the County Coroner. If the project has a US Army Corps of Engineers (USACOE) permit issued, the ODOT District Environmental Coordinator must notify ODOT-OES and the USACOE. If the remains are found to be Native American Indian, a treatment plan will be developed by ODOT-OES and SHPO in consultation with FHWA and appropriate federally recognized Native American Indian Tribes.

FHWA and ODOT-OES will ensure that any treatment and reburial plan is fully implemented. If the remains are not Native American Indian, the appropriate local

authority will be consulted to determine final disposition of the remains. Avoidance and preservation in place is the preferred option for treating human remains. FHWA and ODOT-OES will conduct all review and consultation in accordance with *Programmatic Agreement Among the Federal Highway Administration, the Advisory Council on Historic Preservation, the Ohio Historical Society, State Historic Preservation Office and the State of Ohio, Department of Transportation Regarding Implementation of the Federal-Aid Highway Program in Ohio (Agreement No. 16734)* (executed 11/30/2011).

C. For Native American Indian human remains discovered on federal lands, the Federal land managing agency will be responsible for consultation under the *Native American Graves Protection and Repatriation Act of 1990 (PL 101-601)*. For skeletal remains discovered on property owned by the State of Ohio, ODOT will comply with Section 149.53 of the Ohio Revised Code. Under this section, the Director of the Ohio Historical Society shall determine final disposition of any discovered skeletal remains. FHWA and ODOT-OES will also follow the guidance issued by the COUNCIL, *Policy Statement Regarding Treatment of Burial Sites, Human Remains, and Funerary Objects* (issued 2/23/07).

#### **IV. MONITORING AND REPORTING**

Each five (5) years following the execution of this AGREEMENT until it expires or is terminated, FHWA shall provide all parties to this AGREEMENT and the COUNCIL if desired, a summary report detailing work carried out pursuant to its terms. Such report shall include any scheduling changes proposed, any problems encountered, and any disputes and objections received in FHWA's efforts to carry out the terms of this AGREEMENT.

#### **V. DISPUTE RESOLUTION**

Should any signatory or concurring party to this AGREEMENT object at any time to any actions proposed or the manner in which the terms of this AGREEMENT are implemented, FHWA shall consult with such party to resolve the objection. If FHWA determines that such objection cannot be resolved, FHWA will:

A. Forward all documentation relevant to the dispute, including the FHWA's proposed resolution, to the COUNCIL. The COUNCIL shall provide FHWA with its advice on the resolution of the objection within thirty (30) days of receiving adequate documentation. Prior to reaching a final decision on the dispute, FHWA shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the COUNCIL, signatories and concurring parties, and provide them with a copy of this written response. FHWA will then proceed according to its final decision.

B. If the COUNCIL does not provide its advice regarding the dispute within the thirty (30) day time period; FHWA may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, FHWA shall prepare a written response that takes into account any timely comments regarding the dispute from the signatories and concurring parties to this AGREEMENT, and provide them and the COUNCIL with a copy of such written response.

C. FHWA's responsibilities to carry out all other actions subject to the terms of this AGREEMENT that are not the subject of the dispute remain unchanged.

**VI. AMENDMENTS**

This AGREEMENT may be amended when such an amendment is agreed to in writing by all signatories. The amendment will be effective on the date a copy signed by all of the signatories is filed with the COUNCIL.

**VII. TERMINATION**

If any signatory to this AGREEMENT determines that its terms will not or cannot be carried out, that party shall immediately consult with the other parties to attempt to develop an amendment pursuant to Stipulation VI above. If within thirty (30) days (or another time period agreed to by all signatories) an amendment cannot be reached, any signatory may terminate this AGREEMENT upon written notification to the other signatories.

Once the AGREEMENT is terminated, and prior to work continuing on the UNDERTAKING, FHWA must either (a) execute a new agreement pursuant to 36 C.F.R. § 800.6, or (b) request, take into account, and respond to the comments of the COUNCIL under 36 C.F.R. § 800.7. FHWA shall notify the signatories as to the course of action it will pursue.

EXECUTION of this AGREEMENT by the FHWA, ODOT, and SHPO, and implementation of its terms, is evidence the FHWA has taken into account the effects of this UNDERTAKING on the B&O Freight and Storage Building/Longworth Hall, listed on the NRHP (86003521), located at 700 Pete Rose Way (Second Street), and has afforded the COUNCIL an opportunity to comment.

SIGNATORIES:

Mark L. Vonder Embse Date 6/22/2012

802 Laura S. Leffler, Division Administrator  
Federal Highway Administration, Ohio Division,

Mark J. Epstein Date 6.28.12

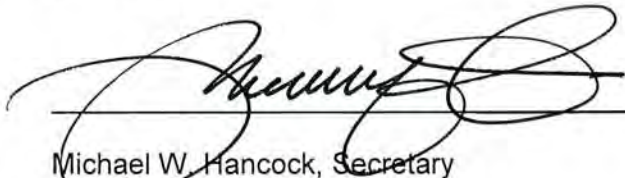
Mark J. Epstein, Department Head, Resource Protection and Review  
Ohio State Historic Preservation Officer

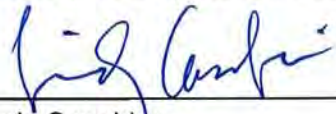
Jerry Wray Date 4-12-12

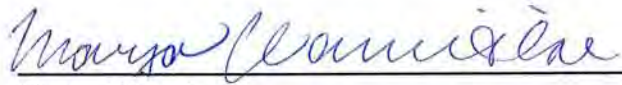
Jerry Wray, Director  
Ohio Department of Transportation



Concurring:

  
Date 5/8/12  
Michael W. Hancock, Secretary  
Kentucky Transportation Cabinet

  
Date 5/9/12  
Lindy Casebeer  
Acting Kentucky State Historic Preservation Office

  
Date 6/8/12  
Margo Warminski  
Cincinnati Preservation Association

\_\_\_\_\_  
Date \_\_\_\_\_  
Michael Schweitzer  
Longworth Hall

  
Date 5/24/12  
Steve Schuckman  
Cincinnati Parks

\_\_\_\_\_  
Date \_\_\_\_\_  
Norman Kattelman  
Dayton Street Historic District

APPROVED AS TO FORM AND LEGALITY:

  
Date 5/9/12  
KYTC, OFFICE OF LEGAL SERVICES

**MEMORANDUM OF AGREEMENT (MOA)**  
**AMONG**  
**THE FEDERAL HIGHWAY ADMINISTRATION,**  
**THE KENTUCKY STATE HISTORIC PRESERVATION OFFICER**  
**WITH CONCURRENCE BY THE KENTUCKY TRANSPORTATION CABINET**  
**AND THE CITY OF COVINGTON, KENTUCKY**  
**REGARDING THE**  
**BRENT SPENCE BRIDGE REPLACEMENT/REHABILITATION PROJECT**  
**HAMILTON COUNTY, OHIO AND KENTON COUNTY, KENTUCKY**  
**KYTC ITEM # 6-17.00**  
**AND THE ADVERSE EFFECT TO THE**  
**LEWISBURG HISTORIC DISTRICT,**  
**LISTED ON THE NATIONAL REGISTER OF HISTORIC PLACES (NRHP 93001165)**  
**COVINGTON, KENTUCKY**

**Whereas**, the Federal Highway Administration (FHWA), the Kentucky Transportation Cabinet (KYTC) and the Ohio Department of Transportation (ODOT) propose to reconstruct a 7.8-mile segment of Interstate 71 (I-71) and Interstate 75 (I-75) and construct a new bridge over the Ohio River in Kenton County, Kentucky and Hamilton County, Ohio, known as the Brent Spence Bridge Replacement/Rehabilitation Project (Undertaking); and

**Whereas**, FHWA, with ODOT and KYTC as its agents, has defined the Undertaking's Area of Potential Effect (APE), as defined in 36 C.F.R. Section 800.16(d). The description and mapping of the project's APE is included in Attachment A; and

**Whereas**, FHWA, with ODOT and KYTC as its agents, have consulted with Ohio Historic Preservation Office (OHPO) and Kentucky Heritage Council (KHC); and

**Whereas**, FHWA, with ODOT and KYTC as its agents, plan to fund the Undertaking, thereby making the Undertaking subject to review under Section 106 of the National Historic Preservation Act (NHPA), 16 U.S.C. § 470f, and its implementing regulations, 36 C.F.R. Part 800; and

**Whereas**, FHWA, with ODOT and KYTC as its agents, will consult with federally recognized Indian Tribes that may attach religious and cultural significance to historic properties; and

**Whereas**, FHWA, with ODOT and KYTC as its agents, have consulted with Consulting Party members (Attachment B) regarding the effects of the Undertaking on historic properties and has invited them to sign this MOA as concurring parties; and

**Whereas**, FHWA, with ODOT and KYTC as its agents, after due consideration of input provided by Consulting Parties, have determined the agreed upon measures to resolve the adverse

effects of the Undertaking to historic properties, located in the State of Ohio and the Commonwealth of Kentucky, which will be formalized in two separate MOAs; and

**Whereas**, FHWA, with ODOT as its agent, in accordance with 36 C.F.R § 800.6(a)(1), has notified the Advisory Council on Historic Preservation (COUNCIL) of the adverse effect determination with specified documentation and the COUNCIL has chosen not to participate in the consultation pursuant to 36 C.F.R 800.6(a)(1)(iii); and

**Whereas**, FHWA, with KYTC as its agent, in consultation with the KHC, and other consulting parties, determined the Undertaking will have an adverse effect upon the Lewisburg Historic District, listed on the NRHP (93001165), bounded by I-71/75 and the city limits of Covington, Kentucky (Lewisburg Historic District), pursuant to Section 106 of the NHPA, 16 U.S.C. § 470f, and its implementing regulations, 36 C.F.R. § 800; and

**Whereas**, FHWA, with KYTC as its agent, has initiated this MOA to build upon the identification and consultation efforts conducted thus far in the Commonwealth of Kentucky; and, to formalize measures to resolve the adverse effect to the Lewisburg Historic District; and

**Whereas**, FHWA, with KYTC as its agent, have identified 207 parcels in Kentucky potentially affected by the project. Archeological investigations to date have addressed all but 45 of those parcels and have not identified any archeological sites eligible for listing on the National Register of Historic Places. Due to difficulties accessing the remaining 45 parcels, additional archeological investigation will be necessary to complete the identification of historic properties within the archeological APE for the undertaking or alternate mitigation may be considered in lieu of those investigations;

**Now, Therefore**, FHWA, KYTC and KHC agree that the Undertaking shall be implemented in accordance with the following stipulations in order to take into account the adverse effect of the undertaking on the Lewisburg Historic District and further identification requirements for archeological investigations.

#### **STIPULATIONS**

FHWA shall ensure that the following mitigation measures are implemented:

#### **I. ARCHITECTURAL PROPERTIES**

##### **A. Recordation**

1. In order to preserve a record of its history and appearance, the structures within the Lewisburg Historic District to be demolished as a part of this project, will be recorded. **State Level I Documentation** is specified and will include:

- a. A Kentucky Historic Resource Individual Survey form (KHC 2011-1), completed or updated as appropriate;

- b. Utilizing an archival search and gathering specific historic information from appropriate data sources, a brief report describing the history and architectural significance of the structures and history of the area or neighborhood will be prepared to accompany the inventory form;
  - c. The buildings or structures will be photographically documented with a series of digital color images showing all exterior elevations architectural elements, interior ornamentation, woodwork, and any other significant, character defining details. A selection of photographs should be printed on 5" x 7" archival quality, acid free paper. Each photo will be labeled with the date, site number, direction, and subject. A Gold, Archival type CD-Rom of the digital images shall be provided in notebook sleeves and submitted in a three-ring binder;
  - d. Measured floor plans of each floor of the buildings or structures will be prepared by the Preservation Professional following the conventions outlined in Attachment C. These drawings will be at a scale of 1/8 inch per foot, and will be analytical in nature, showing construction details, alterations, and additions. The drawings shall be on archival quality, acid free paper and may be in ink or pencil. Each drawing shall be labeled with the title of the building, survey number, view, dimension, name of the field worker and drawing preparer, date of the drawing, scale bar, north arrows for plans, and explanatory notes. The drawings will be accompanied by a written description of the building.
  - e. Two copies of the completed documentation will be submitted by the KYTC to the KHC for review and acceptance. Upon notification of KHC acceptance, the KHC will provide a copy to a local agency, archive, university or preservation group designated by the KHC. A copy will also be provided to the State Department of Libraries and Archives by KHC.
2. Upon completion of the Undertaking, KYTC shall prepare and provide to KHC, documentation of appropriate boundaries for the Lewisburg Historic District. Once agreement is reached on appropriate boundaries, KYTC shall prepare a revised nomination form reflecting the newly established boundaries and submit it to KHC for coordination with the Keeper of the National Register of Historic Places.
  3. Upon completion of construction of Undertaking, KYTC shall prepare a Kentucky Historic Resource Individual Survey form (KHC 2011-1) for each of the properties located within the Lewisburg Historic District. A new survey form is required if more than 5 years have lapsed since the survey form was updated. These survey forms along with associated CD-Rom with photographs will be submitted to the KHC.

#### B. Façade Grant Program

1. A Façade Grant Program administered by the city of Covington will be developed, and implemented to improve and rehabilitate the façade of residential and commercial properties within the Lewisburg Historic District. This program will be approved and

funded by FHWA. Specific details of the program, including additional funding sources, review authority, owner matching funds, program marketing, and timeframes for approval and completion of projects will be determined through consultation between KYTC, the City of Covington, KHC, and FHWA.

2. The Façade Grant Program will be provided with project funding in an amount not to exceed \$420,000.00 for property improvements. The FHWA participation will terminate ten years from the date of program implementation.

C. Vibration Testing

1. To avoid damage to historic properties, the KYTC shall ensure that construction blasting/vibration plans and bridge pier construction plans shall be developed by their contractor(s) prior to beginning any construction activities that would require blasting or result in vibration. These construction blasting/vibration plans shall be implemented during appropriate construction activities. Maximum threshold values for historic properties that the plan must meet are shown in Table 1 below. The values are presented in terms of peak particle velocity (PPV), the accepted method of evaluating the potential for damage. The vibration criteria shall apply for pile driving, vibratory compaction, and blasting activities.

Table 1 – PPV Thresholds

Type of Structure	Ground-borne Vibration Impact Level (PPV)
Fragile	0.20 in/sec
Extremely Fragile Historic	0.12 n/sec

2. The KYTC shall discuss with the KHC the protective measures to be used by the Contractor to protect historic resources from vibration damage. The KYTC shall seek the recommendations of the KHC regarding any additional properties not identified by the Contractor that should be considered Extremely Fragile.
  - a. These plans shall be developed, as directed by the contract documents, for all historic properties within the Kentucky APE and shall include requirements for pre- and post-construction surveys conforming to industry standards, construction monitoring, and other measures to minimize harm to historic properties. The KYTC shall be responsible for overseeing the development of these plans, in consultation with the KHC, who will help identify appropriate structures to monitor.
  - b. The KYTC in consultation with KHC will make the determination whether damage has occurred to historic properties identified in the Section 106 process as a result of Project activities.
  - c. The KYTC shall be responsible for repair of any blast and vibration damage to historic properties. Any repairs shall be coordinated in advance with the KHC to ensure they are carried out in accordance with the Secretary of the Interior's *Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* (Secretary's Standards).
  - d. Where access to privately owned property is necessary for monitoring or damage repair, consent shall be obtained prior to entry.

## **II. ARCHAEOLOGICAL RESOURCES**

The FHWA shall ensure that the following archaeological work required by this MOA is carried out by in accordance with the KHC policies and procedures:

- A. Phase I archaeological surveys shall be completed on 26 individual parcels that could not be previously accessed, due to lack of landowner permission.
- B. Archaeological monitoring shall be conducted during construction in 19 parcels that are currently inaccessible because of the presence of parking lots, sidewalks, or other impediments.
- C. Geo-archaeological deep testing at Site 15KE160 will be conducted to assess the potential for deeply buried cultural deposits at the site. Prior to deep testing a plan will be developed and provided to KHC for review and comment, stipulating the number, location, and depth of the trenching.
- D. If Phase I survey of previously unsurveyed parcels, monitoring or deep testing identifies archaeological sites considered by the FHWA, in consultation with the SHPO, to be potentially eligible for listing in the NRHP, they will be further tested for eligibility. These sites will be tested prior to the initiation of any ground disturbing activities, such as utility relocations or construction, to determine their eligibility for listing in the NRHP. Upon completion of the testing, a report will be prepared in accordance with the SHPO Specifications and will be submitted by the FHWA to the SHPO and interested Indian Tribes for review and comment.
- E. Any sites determined to be eligible for the NRHP through Phase II testing that cannot be avoided and will be impacted by the Undertaking, then FHWA will consult with the SHPO and other parties whom the FHWA deems appropriate, and develop a research design and recovery plan (Plan) in conformance with the SHPO Specifications. The Plan will be submitted to the SHPO for review and comment. Unless the SHPO comments or objects within thirty (30) days of receiving the Plan, The FHWA shall ensure that the Plan is implemented.

## **III. UNANTICIPATED DISCOVERIES**

- A. If, during the implementation of the Undertaking, a previously unidentified archaeological site or historic property is discovered or a previously identified historic property or archaeological resource is affected in an unanticipated manner, KYTC as appropriate, shall ensure that all work within a minimum of 100 feet around the areas of discovery shall cease until such time as a treatment plan can be developed and implemented. The KHC will be contacted within 24 hours.

- B. KYTC as appropriate shall require the Contractor to take all reasonable measures to avoid harm to previously unidentified property until the FHWA concludes consultation with the KHC and other parties deemed appropriate by FHWA.
- C. If, based on the on-site evaluation, FHWA determines that an eligible historic property or archaeological resource will be adversely affected, then the KHC shall be consulted to determine an appropriate treatment plan. The treatment plan will be submitted to the KHC for review and comment. FHWA will take comments received into account in developing and implementing the final plan.
- D. If the FHWA and KHC agree the site(s) is not eligible for the NRHP, then ground-disturbing work may proceed.
- E. Should human remains be discovered during any stage of the Undertaking, work shall stop immediately in the area and the county coroner and local law enforcement agencies shall be contacted immediately. If the county coroner determines the remains are of sufficient age to be considered archaeological in nature, the KHC must be contacted.
- F. If the remains are determined to be potentially affiliated with Indian tribes, the FHWA will notify the appropriate federally recognized tribes.

#### **IV. PROFESSIONAL QUALIFICATIONS**

- A. Professional Qualifications - The FHWA shall ensure that all cultural resources work carried out pursuant to this MOA shall be carried out by or under the direct supervision in the field, laboratory, and office of individuals that meet the *Secretary of the Interior's Professional Qualification Standards*. Professional standards shall correspond to the nature of the resource, e.g. work related to archaeological sites shall be carried out by or under the direct supervision of individuals prequalified to perform archaeological work.
- B. Standards and Guidelines - The FHWA, shall also ensure that all historic preservation resource work carried out pursuant to this MOA shall be guided by the most recent version of the following standards and guidelines, as applicable:
  - 1. The Secretary of Interior: *Standards and Guidelines for Archeology and Historic Preservation*.
  - 2. Advisory Council on Historic Preservation: *Treatment of Archeological Properties: A Handbook*.
  - 3. Kentucky Guidelines: *Specifications for Conducting Fieldwork and Preparing Cultural Resource Assessment Reports*; most recent version of the Kentucky State Historic Preservation Office.

## **V. DISPUTE RESOLUTION**

Should any signatory or concurring party to this MOA object to any actions proposed or the manner in which the terms of this MOA are implemented, the FHWA shall consult with such party to resolve the objection. If the FHWA determines that such objection cannot be resolved, the FHWA will:

- A. Forward all documentation relevant to the dispute, including the FHWA's proposed resolution, to the COUNCIL. The COUNCIL shall provide the FHWA with its advice on the resolution of the objection within 30 days of receiving adequate documentation. Prior to reaching a final decision on the dispute, the FHWA shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the COUNCIL, signatories and concurring parties, and provide them with a copy of this written response. The FHWA will then proceed according to its final decision.
- B. The FHWA's responsibilities to carry out all other actions subject to the terms of this MOA that are not the subject of the dispute remain unchanged.

## **VI. AMENDMENTS**

This MOA may be amended when such an amendment is agreed to in writing by all signatories. The amendment will be effective on the date a copy signed by all of the signatories is filed with the COUNCIL.

## **VII. FAILURE TO COMPLY/TERMINATION**

- A. If any signatory to this MOA determines that its terms will not or cannot be carried out, that party shall immediately consult with the other parties to attempt to develop an amendment pursuant to Stipulation VI above. If within 30 days (or another time period agreed to by all signatories) an amendment cannot be reached, any signatory may terminate the MOA upon written notification to the other signatories.
- B. Once the MOA is terminated, and prior to work continuing on the undertaking, the FHWA must either (a) execute an MOA pursuant to 36 C.F.R. § 800.6, or (b) request, take into account, and respond to the comments of the COUNCIL under 36 C.F.R. § 800.7. The FHWA shall notify the signatories as to the course of action it will pursue.

## **VIII. DURATION**

- A. This MOA shall remain in effect for 10 years following its execution. If the Undertaking has not been completed and the terms of this MOA implemented within this time, the signatories shall consult to reconsider the terms of this MOA and determine whether extension, amendment, or termination is in order. It is not anticipated that stipulations specified within this MOA will be implemented any earlier than authorization of detailed design for the Undertaking.



- B. On the 10<sup>th</sup> anniversary after the signing of the document, barring any of the signatories enacting the provisions specified in Sections VI or VII, the MOA shall be considered automatically extended for one additional year. This shall continue on the anniversary date each year, thereafter, provided that none of the signatories provides written objection.

EXECUTION of this AGREEMENT by the FHWA, KYTC and KHC, and implementation of its terms, is evidence the FHWA has taken into account the effects of this undertaking on the Lewisburg Historic District, listed on the NRHP (93001165), bounded by I-71/75 and the city limits of Covington, Kentucky and has afforded the COUNCIL an opportunity to comment on those effects

**SIGNATORIES:**

**FEDERAL HIGHWAY ADMINISTRATION; U.S. DEPARTMENT OF TRANSPORTATION**

BY: John D Ballantine Date 6/27/2012  
Kentucky Division Administrator

**KENTUCKY HERITAGE COUNCIL**  
BY: [Signature] Date 6/22/12  
Acting State Historic Preservation Officer

**INVITED SIGNATORIES:**

**KENTUCKY TRANSPORTATION CABINET**  
BY: [Signature] Date 6/11/12  
Secretary, Kentucky Transportation Cabinet

**APPROVED AS TO FORM AND LEGALITY**  
**KENTUCKY TRANSPORTATION CABINET**

BY: [Signature] Date 6/6/12  
General Counsel

**INVITED SIGNATORIES (Continued):**

**CITY OF COVINGTON**

BY: Chuck Schyze Date 7/10/12  
Mayor, City of Covington

**CONSULTING PARTY**

**BOTANY HILLS**

**BY:** \_\_\_\_\_ **Date** \_\_\_\_\_  
          **Name, Title**

**CONSULTING PARTY**

**KENTON COUNTY HISTORICAL SOCIETY**

**BY:** \_\_\_\_\_ **Date** \_\_\_\_\_  
          **Name, Title**

**CONSULTING PARTY**

**KENTON HILLS**

**BY:** \_\_\_\_\_ **Date** \_\_\_\_\_  
          **Name, Title**

**CONSULTING PARTY**

**LEWISBURG NEIGHBORHOOD ASSOCIATION**

**BY:** \_\_\_\_\_ **Date** \_\_\_\_\_  
          **Name, Title**

**CONSULTING PARTY**

OHIO DEPARTMENT OF TRANSPORTATION


BY:  \_\_\_\_\_  
Director, Ohio Department of Transportation

Date 7-25-12



CONSULTING PARTY

OHIO HISTORIC PRESERVATION OFFICE

BY:  Date 7.18.12  
for State Historic Preservation Officer

**CONSULTING PARTY**

**REBECCA WALKER**

**BY:** \_\_\_\_\_ **Date** \_\_\_\_\_  
          **Name, Title**

**CONSULTING PARTY**

**WESTSIDE ACTION COALITION**

**BY:** \_\_\_\_\_ **Date** \_\_\_\_\_  
          **Name, Title**

**Appendix D**  
**US Department of the Interior Correspondence**



IN REPLY REFER TO:

# United States Department of the Interior

OFFICE OF THE SECRETARY  
Office of Environmental Policy and Compliance  
Custom House, Room 244  
200 Chestnut Street  
Philadelphia, Pennsylvania 19106-2904



May 25, 2012

9043.1  
ER 12/0196

Ms. Laura S. Leffler  
Ohio Division Administrator  
Federal Highway Administration  
200 North High Street, Room 328  
Columbus, Ohio 43215

Dear Ms. Leffler:

The Department of the Interior (Department) has reviewed the Environmental Assessment and Draft Section 4(f) Evaluation for the Brent Spence Bridge over the Ohio River, Hamilton County, Ohio and Kenton County, Kentucky. The Department offers the following comments and recommendations for your consideration.

## Section 4(f) Evaluation Comments

The Federal Highway Administration (FHWA), the Ohio Department of Transportation (ODOT), and Kentucky Transportation Cabinet (KYTC) propose improvements to the operational characteristics of a 7.8-mile segment of Interstate 71 (I-71), Interstate 75 (I-75), and the Brent Spence Bridge. The improvements include adding travel lanes, rehabilitating the existing Brent Spence Bridge, and constructing a new bridge to the west of the existing bridge. The draft section 4(f) evaluation identified several properties in the project study area eligible to be considered under Section 4(f) of the Department of Transportation Act of 1966 (codified at 49 U.S.C. 303§ 771.135). The proposed project has the potential to impact two properties in Kentucky (Lewisburg Historic District and Goebel Park) and four properties in Ohio (Longworth Hall, Queensgate Playground and Ball Fields, the Western Hills Viaduct and West McMicken Avenue Historic District).

In Kentucky, the city of Covington determined that the proposed transportation improvements, after application of mitigation measures, would not adversely affect the function and intent of Goebel Park, and would agree with a *de minimis* finding by FHWA. In Ohio, the Cincinnati Recreation Commission determined that the proposed transportation improvements, after application of mitigation measures and additional planning, would not adversely affect the function and intent of the Queensgate Playground and Ball Fields, and signed a memorandum of agreement agreeing with a *de minimis* finding by FHWA. Also in Ohio, impacts to the Western Hills Viaduct (built in 1932 and eligible for inclusion on the National Register of Historic Places) were determined to not result in any physical destruction or damage to the viaduct, but would affect the connections to the viaduct that were constructed in 1960. The FHWA

determined that there would be no adverse effect to the viaduct, and the State Historic Preservation Officer (SHPO) concurred with the determination, which would lead to a *de minimis* finding by FHWA. The remaining properties are considered under individual evaluations.

The Lewisburg Historic District on the Covington, Kentucky side of the Ohio River consists of 430 buildings, and 46 non-contributing buildings. The district includes late nineteenth and early twentieth century revivals, with the majority of the buildings constructed from the Civil War through the end of the nineteenth century. The West McMicken Avenue Historic District consists of 21 contributing residential buildings and includes one of the finest and most intact collections of historic residences in the Cincinnati Heights neighborhoods. The district includes one non-contributing building and one non-contributing structure, a billboard. Longworth Hall (the Baltimore & Ohio Railroad Freight Station and Storage Warehouse) is located in Cincinnati, Ohio and was constructed in 1904 to serve as the western terminus to the B&O Railroad. It has undergone some modifications over the years.

All conceptual and feasible alternatives would impact Section 4(f) resources, and each would directly impact both historic resources and public parks. Only two action alternatives were found feasible and prudent and met the purpose and need for the project; FHWA maintains that it was not possible to develop a build alternative that avoided impacts to Section 4(f) properties and satisfied the purpose and need of the project. The only alternative that avoids Section 4(f) resources is the No Build Alternative. For purposes of the 4(f) evaluation, three alternatives have been evaluated, including two Build Alternatives and the No Build Alternative (Avoidance Alternative). Alternative I has been determined to be the Preferred Alternative, and additional mitigation has been proposed to specifically address the impacts to the National Register-eligible properties.

The Department concurs with the FHWA, ODOT and KYTC that the preferred alternative has less overall impacts to the 4(f) properties than the other build alternative, but there are still considerable impacts to the two historic districts. The Department also concurs that there were no feasible or prudent avoidance alternatives to the preferred alternative presented which results in impacts to section 4(f) properties. Impact mitigation measures for the historic 4(f) properties are being developed in consultation with the SHPO's in both states, as well as other consulting parties, and a Memorandum of Agreement (MOA) will be prepared. Therefore, the Department concurs that all possible planning needed to minimize harm to the 4(f) resources has been employed. The Department will withhold its final concurrence that all possible planning needed to minimize harm to the historic 4(f) resource has been employed until a fully executed MOA between the FHWA, ODOT, KYTC, and the respective SHPO offices in each state has been signed, and we recommend that it be included in the final evaluation.

### Section 6(f) Comments

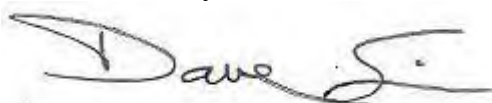
The Environmental Assessment (EA) identifies one Section 6(f) (Land and Water Conservation Fund Act of 1965, as amended; Public Law 88-578; 16 U.S.C. 4601-4 et seq.) resource. This resource is Goebel Park located in Covington, Kentucky. Section 4.15.2 of the EA details measures to mitigate impacts to the affected resource. This section also notes that KYTC will continue coordination on the proposed conversion and mitigations options with "...the US Department of the Interior-NPS to obtain required approvals under Section 6(f)." However, no documentation has been included in the EA confirming that discussions with the Department and or the National Park Service have occurred. As noted in the EA, Section 6(f) conversions must

be approved by the Secretary of the Department of the Interior. We request that you coordinate future mitigation discussions and Section 6(f) conversion approval with Ms. Lydia Williams, Land and Water Conservation Fund Project Officer, National Park Service, Southeast Regional Office, Atlanta Federal Center, 1924 Building, 100 Alabama Street, S.W., Atlanta, Georgia 30303, telephone 404-507-5687.

The Department has a continuing interest in working with the FHWA, ODOT and KYTC to ensure impacts to resources of concern to the Department are adequately addressed. For continued consultation and coordination with the issues concerning historic resources identified as section 4(f) resources, please contact Regional Environmental Coordinator Nick Chevance, Midwest Regional Office, National Park Service, 601 Riverfront Drive, Omaha, Nebraska 68102, telephone 402-661-1844.

We appreciate the opportunity to provide these comments.

Sincerely,

A handwritten signature in black ink that reads "Dave Sire". The signature is fluid and cursive, with a large initial "D" and a stylized "S".

Dave Sire  
Natural Resources Management  
Team Leader

cc:

Jerry Wray, Director  
Ohio Department of Transportation  
1980 West Broad Street  
Columbus Ohio, 43223

Secretary Mike Hancock  
Kentucky Transportation Cabinet  
200 Mero Street  
Frankfort, KY 40622

OH-SHPO (Burt Logan – [blogan@ohiohistory.org](mailto:blogan@ohiohistory.org))

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