

**FEDERAL HIGHWAY ADMINISTRATION**  
**FINDING OF NO SIGNIFICANT IMPACT**  
**For**  
**I-75 MILL CREEK EXPRESSWAY**  
**INTERSTATE ROUTE 75, PID #76257 (HAM-75-2.30)**  
**CINCINNATI, ST. BERNARD, AND ELMWOOD PLACE, OHIO**

Issued Pursuant to 42 U.S.C. 4332 (2)(c), 23 U.S.C. 128(a), 23 U.S.C. 138, and 49 U.S.C. 303

(This action complies with Executive Order 11990, Protection of Wetlands; the Farmland Protection Act of 1981; and the National Historic Preservation Act)

**Proposed Project**

The Ohio Department of Transportation (ODOT) plans to reconstruct Interstate 75 and add one additional through lane in each direction from the Western Hills Viaduct to north of the Paddock Road interchange. The project length is approximately 8 miles. The project also includes improvements to the interchanges on I-75 at Hopple Street, I-74, Mitchell Avenue, Norwood Lateral (SR 562), and Paddock Road. The partial interchange at Towne Street and four ramps servicing local roads at the I-74/I-75 interchange will be removed by the project. The Colerain/ Beekman interchange on I-74, just west of the I-74/I-75 interchange, will be improved as a part of this action. The southern project terminus on I-75 is in the vicinity of the Western Hills Viaduct. The northern terminus on I-75 is just north of the Paddock Road interchange. Due to improvements to the I-74/I-75 interchange, the project also extends along I-74 to the first interchange at Colerain/Beekman. The project is located in Hamilton County, Ohio, within the municipalities of Cincinnati, St. Bernard, and Elmwood Place.

The purpose of the project is to improve traffic flow and enhance safety along I-75 from the Western Hills Viaduct interchange on the south to the Paddock Road Interchange on the north. Detailed studies identified poor existing physical conditions, substandard design features, high accident rates, and pervasive congestion within the project limits.

The Federal Highway Administration (FHWA) has determined this proposed action to reconstruct Interstate 75 will have no significant impact on the human or natural environment. This Finding of No Significant Impact (FONSI) is based on the Environmental Assessment (EA) approved by FHWA on December 24, 2008, along with subsequent comments and responses on the EA and supporting technical studies. The Environmental Assessment was independently evaluated by the FHWA and determined to adequately and accurately discuss the need, environmental issues, and impacts of the proposed project and appropriate mitigation measures. It provides sufficient evidence and analysis for determining that an Environmental Impact Statement (EIS) is not required. The FHWA takes full responsibility for the accuracy, scope, and content of the EA and FONSI determination.

**Alternatives Considered**

The transportation issues along the I-75 corridor were initially examined as a part of the North-South Transportation Initiative (NSTI), a planning-level study initiated in 2000 by Ohio-Kentucky-Indiana Regional Council of Governments (OKI) and the Miami Valley Regional Planning Commission (MVRPC). The NSTI was a regional multi-modal transportation plan and Major Investment Study that focused on how to improve the safety, efficiency and reliability of transportation networks within Southwest Ohio, Northern Kentucky and Southeast Indiana. One of the most important corridors established by the public and stakeholders was I-75.

In late 2004, the I-75 Mill Creek Expressway project began with the intent of building upon the recommendations in the NSTI within this portion of the I-75 corridor. In June 2005, a *Planning Study Report* detailed the development of several concepts to address the identified needs of the project. In March 2006, a *Conceptual Alternatives Study* was published that refined and analyzed transportation improvements selected for further study in the planning phase. Alternatives for the project were developed for the I-75 mainline and each interchange, including Hopple, I-74/I-75, Colerain/Beekman, Mitchell, SR 562 (Norwood Lateral), Towne, and Paddock. In May 2007, an *Assessment of Feasible Alternatives* was published that combined the environmental data with design information to evaluate each

alternative for its potential environmental consequences, design effectiveness, and operational acceptability. Public involvement was conducted throughout the development of alternatives through various activities and means including newsletters, a project website, neighborhood meetings, regular meetings of various stakeholder committees, and open-house public meetings.

Based upon the ability to meet purpose and need, operational performance, public comments, and impacts, the following preferred alternative was identified:

- **I-75 Mainline**

*I-75-D: 5/4-Lane Alternative.* This option will provide one additional through lane throughout the project limits; i.e., four lanes in each direction north of I-74 and five lanes in each direction south of I-74.

- **Hopple Interchange**

*HOP-C: Semi-direct Diamond Interchange (modified per VE-3).* A diagonal off-ramp from I-75 southbound will provide direct access to Hopple Street eastbound and westbound. A slip ramp from Hopple Street eastbound and a loop ramp from Hopple Street westbound will provide access to I-75 southbound. A diagonal off-ramp from I-75 northbound will provide access to Hopple Street eastbound and westbound. A diagonal on-ramp to I-75 northbound will provide access from Hopple Street eastbound and westbound. In this alternative, Hopple Street/Martin Luther King Drive will be grade separated over Central Parkway, but a proposed connector road in the southeast quadrant of the interchange will provide access between the streets. The preferred alternative is a modification of HOP-C, called VE-3. The "VE-3" refers to a Value Engineering recommendation incorporated into the project that realigns the I-75 northbound on-ramp from opposite the connector road to opposite the I-75 northbound off-ramp. This change in design improves operations while reducing impacts.

- **I-74/I-75 Interchange**

*I74-B: Fully Directional Interchange with No Local Access.* This option reconstructs and modernizes the I-74/I-75 system interchange. The existing low-speed, deficient ramps connecting I-75 southbound to I-74 westbound and I-74 eastbound to I-75 northbound will be upgraded to current design standards. All service ramps to local streets will be eliminated.

- **Colerain/Beekman Interchange**

*COL-A1: Low Impact Improvement/Full Movement Interchange* – This option involves several changes to the existing interchange. Two missing movements will be added to provide for full movements at I-74. The proposed option extends Beekman Street north to Virginia Avenue and realigns the intersection between Colerain Avenue and Beekman Street. New movements will be provided between Colerain Avenue/Beekman Street southbound and I-74 westbound and Beekman Street northbound and I-74 eastbound. The latter movement will be achieved via a u-turn at the intersection of Colerain Avenue and Beekman Street.

- **Mitchell Interchange**

*MIT-A: Tight Urban Diamond Interchange (TUDI)* – This option tightens the existing diamond configuration and lengthen ramps.

- **SR 562 (Norwood Lateral) Interchange**

*NOR-A: Modified Interchange with Additional Ramp Lanes* – This option maintains the existing configuration but increases capacity on the off-ramp from I-75 southbound and the on-ramp to I-75 northbound.

- **Towne Street Interchange**

*TOW-A: Interchange Closed* – This option closes the existing Towne Street interchange and removes the ramps. The existing partial interchange serves a low traffic volume and interferes with the effective, safe operation of the Norwood Lateral interchange.

- **Paddock Interchange**

*PAD-A: Low Impact Spot Improvements* – This option involves minor modifications to the ramp intersections with Paddock Road by improving turn lane lengths and signal timing. It also improves operations on the local network by adding a new access point to Seymour Street from the I-75 northbound off-ramp to Paddock Road.

A Cost Estimate Workshop for the Mill Creek Expressway project was held on March 9-12, 2009. The total project cost based on information presented at the workshop is estimated at \$848 million: \$101 million for preliminary and construction engineering, \$43 million for right-of-way acquisition and utilities, \$664 million for construction, and \$40 million for post-award change orders. However, based on the workshop's analysis of risks associated with the project, there is a 90% confidence level that the total cost will fall within the range of \$743 million to \$834 million.

The No-Build alternative was evaluated and determined not to satisfy the purpose and need of the project. The No-Build option would perpetuate existing substandard conditions. The operational effectiveness of the local network would continue to degrade as traffic volumes increase. Safety would continue to deteriorate and congestion to increase.

Selected Alternative

The preferred alternative described above, consisting of I-75-D, HOP-C (modified per VE-3), I-74-B, COL-A1, MIT-A, NOR-A, TOW-A, and PAD-A, satisfies the purpose and need of the project and is the Selected Alternative. Construction of the Selected Alternative will have the following impacts:

- Residential relocations - 22 buildings/67 households. Commercial relocations - 15 properties. No substantial concerns are associated with relocations.
- Stream impacts consist of approximately 39 feet of culvert extension on Unnamed Tributary to Mill Creek and pier footings within the channelized Mill Creek. The area of work for the piers will be determined during bridge studies.
- A loss of just under 2 acres of mixed deciduous forest at Mt. Storm Park and approximately 18 additional acres throughout the remainder of the project area.
- Noise impacts are predicted on adjacent sensitive receivers.
- Twenty properties are recommended for Phase II Environmental Site Assessment in subsequent steps. Five properties will require authorization from Ohio EPA under a Rule 27-13 permit prior to any excavation or drilling activities near landfills. All required permitting commitments will be complied with throughout construction. Construction plan notes (for management of contaminated soils) are recommended for several properties evaluated in the Phase I Environmental Site Assessment.
- Minor impacts to parks/recreation areas and historic properties and their Section 4(f) status are summarized below.

1) Parks and recreation areas

Park or Recreation Property	Impact	Mitigation	Section 4(f) Status
Mt. Storm Park	0.28 acres permanent right-of-way (r/w), 1.64 acres temporary r/w for re-grading of slope. Vegetation on slope will be impacted.	Property purchase at fair market value through real estate acquisition process. Revegetation plan being developed in consultation with Cincinnati Parks	De minimis
Camp Washington Recreation Center	Approx. 140 sq. ft. permanent r/w, including grassy area and trees	Property purchase at fair market value through real estate acquisition process. Compensation for lost vegetation. Compensation for relocation of snake habitat, if impacted	De minimis
Massachusetts Avenue Park	0.11 acres permanent r/w (total site) with play equipment and benches	Property purchase at fair market value through real estate acquisition process. Park to be relocated 200-300 south of existing location at same size or greater.	De minimis

		Compensation for equipment	
Tot Lot	Approx. 17 sq. ft. permanent r/w from grassy area	Property purchase at fair market value through real estate acquisition process.	De minimis
Bank Avenue Park	0.36 acres permanent r/w, impact to walking path	Property purchase at fair market value through real estate acquisition process. Relocation of impacted walking path. Extend noise wall for length of park - 20' height minimum. St. Bernard logo panels to be installed on park side.	De minimis
Elmwood Place Memorial Park (AKA Maple Street Park)	No impacts within park. Impact to trees within highway r/w adjacent to park with construction of retaining wall	Ballfield fence to be extended to retaining wall.	No use
Valley Park	0.03 acres temporary r/w to reconstruct sidewalk and curb return to access drive	None	No use

FHWA has made previous independent findings of applicability for the Section 4(f) de minimis determinations listed in the table above.

2) Historic properties within Area of Potential Effect and Section 106 status

Property	Impact	Effect under Section 106	Section 4(f) Status
St. John's Cemetery	Minor permanent r/w impact. Temporary right-of-way for construction of retaining wall. Permanent underground easement for retaining wall tie-backs.	No adverse effect	De minimis
Western Hills Viaduct Subway Tunnel Portals	0.62 acres of new permanent r/w. Portals to remain intact. All impacts to approach driveway area.	No adverse effect	De minimis
Egbert House	No new right-of-way, temporary or permanent. New area of cut and fill at a lower elevation.	No adverse effect.	De minimis
Mills House	No new right-of-way, temporary or permanent. Wall proposed just outside boundary.	No adverse effect	De minimis
Hopple Street Subway Tunnel Portals	No new right-of-way, temporary or permanent.	No historic properties affected	No use
Wesleyan Cemetery	No new right-of-way, temporary or permanent.	No historic properties affected	No use
Cincinnati Street Railway Colerain Avenue Substation	No new right-of-way, temporary or permanent.	No historic properties affected	No use

With this FONSI document, FHWA is making independent findings of applicability for the Section 4(f) de minimis determinations listed in the table above.

Construction of the Selected Alternative will require the implementation of a variety of environmental commitments. (See page 24 of the EA.) For stream impacts, all necessary Section 404 (U.S. Army Corps of Engineers) and Section 401 (Ohio Environmental Protection Agency) water quality permits will be acquired prior to construction activity. Wetlands outside of the project limits south of the Colerain/Beekman interchange will be avoided.

The required consultation with the U.S. Fish and Wildlife Service under Section 7 of the Endangered Species Act was completed. No impacts to threatened or endangered species are anticipated. The project will comply with ODOT

OES Technical Guidance for Indiana bat habitat. Trees with possible habitat for the Indiana bat will be removed after September 30<sup>th</sup> and before April 1<sup>st</sup> when bats are not utilizing such habitat. Staff of the Camp Washington Recreation Center constructed a snake habitat for a state threatened species, the Kirtland snake, adjacent to the I-75 right-of-way within an impacted area. If it is determined during preparation of detailed plans that this area cannot be avoided, ODOT will include plan notes to safeguard the snake during construction activities. Coordination with ODNR will be required. If the Peregrine Falcon, Eastern Hellbender, or any mussels (in-water work) are encountered during construction, work must be stopped and the ODNR Division of Wildlife will be contacted.

Noise walls are recommended at 10 locations. Public input meetings were conducted per ODOT Noise Policy. The public desires construction of the recommended walls. In addition, two churches will be investigated for eligibility for noise insulation during the design stage of the project.

All real estate transactions and relocations will be carried out under the laws of the State of Ohio and the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act. Residents being relocated will be provided relocation benefits and will have the opportunity to relocate to equivalent, decent, safe, and sanitary or better housing than their present situation.

#### Public Involvement and Comments

During construction, traffic will be maintained on existing roadways using a combination of construction phasing and detours on existing routes. Coordination will be maintained with the City of Cincinnati, St. Bernard, and Elmwood Place to advise them of road closures and detours to ensure that construction activities will not interrupt emergency services to the community.

In accordance with Executive Order 11990, the Selected Alternative has been developed to avoid and minimize impacts to wetlands. No wetland impacts are anticipated.

During development of the proposed project, there have been numerous opportunities for the public to provide input into the decision-making process. Coordination with Federal, State, and local agencies was also conducted. Since 2004, stakeholder meetings, three public meetings, a formal hearing, and meetings with individual groups, organizations, and elected officials have occurred. In accordance with Title VI of the Civil Rights Act of 1964 which states "No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance," all efforts were made to include all people during the Planning and Public Involvement processes.

The EA was approved for public availability on December 24, 2008. The Notice of Public Hearing was advertised on January 26 and February 2, 2009, in the *Cincinnati Enquirer*. The open house public hearing was held on February 10, 2009, at the St. Bernard Municipal Building in St. Bernard, Ohio. Comments on the EA were due by February 26, 2009. Comments received have been documented and addressed in the *Public Hearing Summary* (attached).

One comment raised a concern about the cumulative impact of this project on the quality of the Mill Creek due to water run-off. The study area watershed drains into the Ohio River by way of three named tributaries, Mill Creek, West Fork Creek (tributary to Mill Creek), Ross Run (tributary to Mill Creek) and four unnamed tributaries. Mill Creek and West Fork Creek flow south along I-75 and I-74 respectively within the study area. These streams form a confluence at the I-74 and I-75 split. Ross Run is located at the I-75/Norwood Lateral Expressway juncture and confluences with Mill Creek approximately 775 feet west of I-75. All streams within the study area flow to Mill Creek, which flows south approximately two miles to the Ohio River. Within the study area, Mill Creek is designated as modified warmwater habitat (MWH), agricultural water supply (AWS), industrial water supply (IWS), and has a primary contact recreation (PCR) use designation.

Old industrial and municipal landfills, hazardous waste sites, industry, combined sewer overflows, raw sewage discharges, leaking sewer lines, and urban runoff have impacted the lower portion of Mill Creek and its tributaries. In addition to chemical impacts, areas of permanent stream channel modifications occur to segments of Mill Creek and its tributaries within the study area. Mill Creek was identified as a priority impaired water in the 1998 303 (d) list and is listed as non-attainment within the study area. Pollutants for the lower Mill Creek (lower 17 miles) include elevated

concentrations of heavy metals, organic compounds, pesticides, ammonia, nutrients, and bacteria from sewage contamination.

Development of the I-75 Mill Creek Expressway project has included coordination with the Municipal Sewer District (MSD). ODOT has committed to working with MSD to assist in meeting their consent decree to reduce the number of combined sewer overflows. The corridor as a whole is being studied to separate the highway storm water runoff from the combined sewer where practical. Where the water cannot be separated, ODOT is working with MSD to determine the amount of detention required. The project will provide detention per the City of Cincinnati storm water regulations, mostly in the form of oversized underground pipes. The project will incorporate Best Management Practices (BMPs), such as exfiltration trenches and vegetated filters to improve water quality. The exact nature and location of BMPs will be determined during the design process. Based upon the above drainage improvements, the project is expected to have a net positive impact on water quality for the Mill Creek.

Finding of No Significant Impact

No new information or other issues were raised by the agencies or public to affect the recommended decision. Based on the above analysis of the environmental document, supporting technical studies, the public involvement process, and our oversight involvement in the project's development, it is our determination (in accordance with Federal Regulation 23 CFR 771.121(a)) that implementation of the Selected Alternative will have no significant impact on the human and natural environments.

  
for Dennis A. Decker, Ohio Division Administrator

  
Date