FINDING OF NO SIGNIFICANT IMPACT

Brent Spence Bridge Corridor Project
Kentucky and Ohio

Federal Lead Agency
Federal Highway Administration

Project Sponsors
Ohio Department of Transportation
Kentucky Transportation Cabinet

The Federal Highway Administration may publish a notice in the Federal Register, pursuant to 23 United States Code (USC) 139(l), indicating that one or more Federal agencies have taken final action on permits, licenses, or approvals for a transportation project. If such notice is published, claims seeking judicial review of those Federal agency actions will be barred unless such claims are filed within 150 days after the date of publication of the notice or within such shorter time period as is specified in the Federal laws pursuant to which judicial review of the Federal agency action is allowed. If no notice is published, then the periods of time that otherwise are provided by the Federal laws governing such claims will apply.

Table of Contents

Tables

Figures

Appendices

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1. INTRODUCTION AND PROJECT HISTORY

In accordance with the National Environmental Policy Act (NEPA), an Environmental Assessment (EA) was originally 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. Reevaluations completed in 2015 and 2018 concluded that the 2012 FONSI remained valid.

The 2012 EA/FONSI identified Alternative I as the selected alternative for the BSB Corridor Project. Since the 2012 EA/FONSI and the subsequent reevaluations, the project's design has been refined to incorporate value engineering and practical design features, to accommodate changed site conditions, to reflect updated design criteria, and to respond to feedback from the public and local agencies. 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 new significant impacts, and do not substantially change the key design components included in the 2012 EA/FONSI.

The Kentucky Transportation Cabinet (KYTC) and the Ohio Department of Transportation (ODOT) prepared a supplemental EA consistent with Title 23 of the Code of Federal Regulations (CFR) sections CFR §§ 771.129 and 771.130 to assess updated regulatory requirements, changed site conditions, design refinements to the previously selected alternative, impact changes (mostly reductions), further environmental commitments (enhancements and mitigation), and additional NEPA reevaluation and coordination efforts that have occurred since the 2012 EA/FONSI. The supplemental EA provides an analysis of potential impacts of refined project activities that were not expressly included in the approved 2012 EA/FONSI (Refer to Appendix A). To develop the supplemental EA, KYTC and ODOT implemented a public engagement plan that details community demographics, identifies key stakeholders, and outlines the strategies for public engagement by providing electronic communications, newsletters, social media updates, and direct mailings to announce project updates, and scheduled meetings for targeted neighborhoods, general project area meetings, stakeholder group meetings, and public hearings (Refer to the revised supplemental EA Supporting Plans, Documents, and Reports: Public Involvement Summary, Appendix Q).

Following an inter-agency review process, FHWA approved the supplemental EA for public availability on January 18, 2024. The formal public availability and comment period for the supplemental EA began on January 26, 2024, and concluded on March 8, 2024. During that time, KYTC and ODOT held four in-person public hearings and one virtual public hearing on the supplemental EA, in addition to a meeting with the Project Advisory Committee (PAC). There were 313 individuals who participated in the in-person public hearings, and 242 individuals who participated in the virtual public hearing. Federal, state, and local participating and cooperating agencies were also notified about the publication of the supplemental EA, the process and timeframe for making comments, and public hearing details. A total of 209 public comments from 165 unique commenters were received during the comment period for the supplemental EA. Five participating agencies and one cooperating agency provided comments.

A comment and response summary is included in the FONSI Request provided to FHWA by KYTC and ODOT (Refer to Appendix B). FHWA reviewed all comments and responses. Commenters expressed support for or opposition to the project, and those views were thoroughly considered to determine if any of them resulted in a need to perform additional analyses or use a different methodology to evaluate impacts. The comment responses summarize and refer commenters to the information in the revised supplemental EA, and/or to the appropriate supplemental EA appendices. In response to public and agency comments received during the public availability period, as well as due to limited detailed design activities, KYTC and ODOT developed project refinements and updated information, as well as revised and additional environmental commitments, which are included in the revised supplemental EA and its appendices, attached as Appendix A. These revisions do not result in any significant environmental impacts; these refinements and updated information are discussed below by resource area/topic.

Upon consideration of the revised supplemental EA, public and agency comments, and the environmental commitments which by the FONSI become conditions of the federal funding, the FHWA has determined that the Proposed Action (Brent Spence Bridge Corridor Project - Refined Alternative I [Concept I-W]), will have no significant impact on the human or natural environment and hereby issues this FONSI pursuant to 23 CFR § 771(a).

This FONSI is based on FHWA's independent evaluation. The information contained in the revised supplemental EA and FONSI Request has been reviewed and determined to adequately and accurately discuss the purpose and need, environmental issues, and impacts of the proposed project and appropriate mitigation measures. The revised supplemental EA and its supporting documentation reflect the extensive amount of evaluation and public involvement performed by the study team and provides sufficient evidence and analysis for determining that no impacts identified would cause any significant adverse impact to the human or natural environment. Determination of no significant impact is sufficient cause for determining that an Environmental Impact Statement is not required.

2. DESCRIPTION OF PROPOSED ACTION

The Brent Spence Bridge (BSB) Corridor Project consists of 7.8 total miles of I-71 and I-75 from south of Dixie Highway (US-25) in Kentucky to north of the Western Hills Viaduct in Ohio.

The primary features of the project include:

- Reconstructing I-71/I-75 and adding one lane in each direction;
- Rebuilding the overpass bridges and interchanges in the corridor and adding a new exit at Ezzard Charles Drive in Ohio;
- Constructing 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;
- Extending frontage roads connecting Pike Street to West 4th Street and West 5th Street in Kentucky;
- Adding C-D lanes between Dixie Highway (US-25) and Kyles Lane (KY-1072) in Kentucky;

- Rehabilitating and reconfiguring the existing double-decker BSB to carry three lanes of local traffic on each deck as part of the C-D roadway system; and
- Building 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.

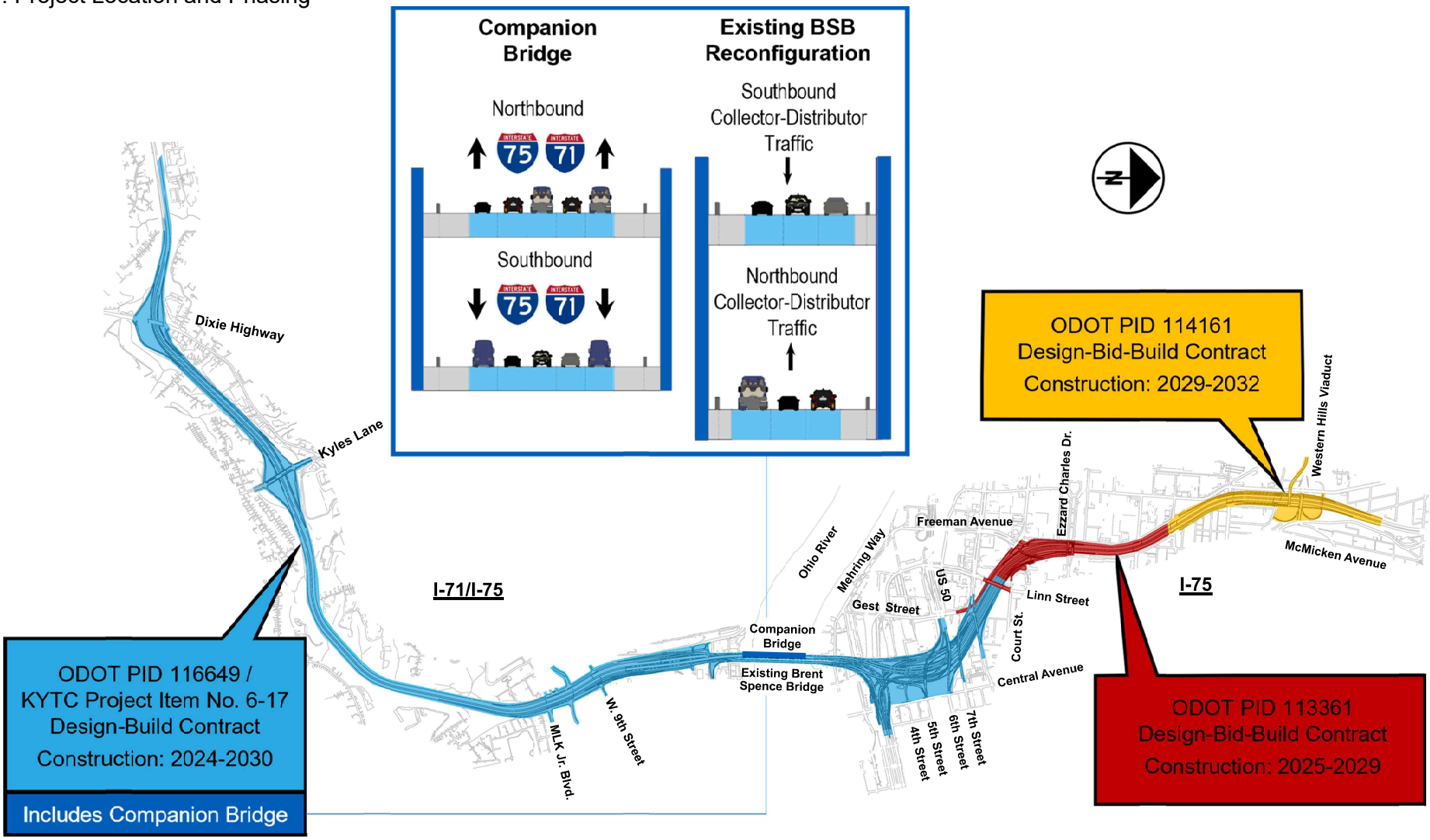
The project will be delivered in three, nonsequential construction phases:

- Phase I (ODOT PID 114161) stretches for 0.8 miles from Findlay Street to just south of Marshall Avenue at the northern end of the BSB corridor in Ohio. Phase I is following a design-bid-build procurement process with construction anticipated to begin in 2029 and be completed in 2032.
- Phase II (ODOT PID 113361) stretches for 0.9 miles from north of the Linn Street overpass to the northern limits of the bridge over Findlay Street in Ohio. Phase II is following a design-bid-build procurement process with construction anticipated to begin in 2026 and be completed in 2031.
- Phase III (ODOT PID 116649 / KYTC Project Item No. 6-17) stretches for approximately 6 miles from south of the Dixie Highway (US-25) interchange in Kentucky to Linn Street in Ohio. Phase III is following a progressive design-build procurement process. The construction of Phase III is anticipated to begin in 2025, although some limited construction activities may begin in 2024. Construction of Phase III is anticipated to be substantially complete in 2030.

The purpose and need for the project is unchanged from what was presented in the approved 2012 EA/FONSI:

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

Figure 1. Project Location and Phasing



The Brent Spence Bridge Corridor Project will be delivered in three phases, which are shown in blue, red, and yellow above.

BRENT SPENCE BRIDGE CORRIDOR

Brent Spence Bridge Corridor Project Construction Phases

TEAM KENTUCKY TRANSPORTATION CABINET

odot transportation.ohio.gov

KYTC Item No. 6-17 | ODOT PID 89068

3. IMPACTS SUMMARY BY RESOURCE AREA IN THE SUPPLEMENTAL ENVIRONMENTAL ASSESSMENT

All environmental impacts of the Proposed Action have been evaluated and it has been determined that none are significant. The basis for this determination is discussed below. Table 1 below summarizes the potential impacts of the Proposed Action as identified in the revised supplemental EA and the mitigation and enhancement measures incorporated by the Project Sponsors. FHWA has determined the Proposed Action will result in no significant impacts, for the following resource areas:

- Land Use
- Neighborhood and Community Cohesion
- Community Facilities
- Travel Patterns and Access
- Relocations
- Economy and Employment
- Environmental Justice
- Socioeconomic Groups
- Disadvantaged Communities
- Children
- Wetlands
- Streams and Rivers
- Terrestrial Habitat
- Threatened and Endangered Species-Federally Listed, State Listed, Migratory Birds
- Floodplains
- Geological
- Drinking Water
- Farmland
- Regulated Materials
- Cultural Resources
- Air Quality
- Greenhouse Gases and Climate Change
- Noise
- Visual Resources
- Indirect and Cumulative Effects
- Construction Impacts
- Utilities
- Railroads
- Section 4(f) Properties
- Section 6(f) Properties
- Permits

Table 1: Impact Summary

Environmental Resource	Selected Alternative I (from 2012 EA/FONSI)	Refined Alternative I (Concept I-W)	Mitigation and Enhancement Measures
Land Use	53.38 ac. of land permanently converted to transportation use.[1]	51.18 ac. of land permanently converted to transportation use.[2]	None.
Neighborhood and Community Cohesion	• Minor impacts due to residential displacements in Kentucky. • Impacts due to commercial displacements not addressed.	Net improvements to community cohesion: • No anticipated impacts from limited residential displacements. • No anticipated impacts from commercial displacements. • Benefits due to aesthetic enhancements, multimodal facilities, noise reduction measures, and drainage improvements.	• Aesthetic enhancements. • Pedestrian and bicycle facilities on local roads parallel to and across I-71/I-75. • Proposed noise barriers and noise/visual screening barriers.[3] • Separation of highway stormwater runoff. • Measures to address surcharging in the Peaselburg neighborhood.
Community Facilities	• Minor right-of-way acquisition from 2 schools, 1 church, and 1 hospital. • 2.59 ac. impact to Goebel Park Complex. • 0.9 ac. impact to Queensgate Playground and Ball Field.	• Minor strip right-of-way acquisition from 2 schools, 1 church, and 1 hospital. • 2.84 ac. impact to Goebel Park Complex.[4] • 0.72 ac. impact to Queensgate Playground and Ball Field. • Temporary impacts to the Firefighters Memorial and Ezzard Charles Park.[5]	No mitigation or enhancement measures beyond those noted below for Section 4(f) properties, which include the Goebel Park Complex, Queensgate Playground and Ball Field, the Firefighters Memorial, and Ezzard Charles Park.

1. *Total includes 22.01 acres of property owned by the City of Cincinnati that was impacted by Selected Alternative I but was not quantified in the 2012 EA/FONSI and does not include easements.*
2. *Total does not reflect approximately 10 acres to be returned to the City of Cincinnati for potential redevelopment and/or public use and does not include easements.*
3. *Noise barriers have been determined to be reasonable and feasible per Title 23 of the Code of Federal Regulations (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.*
4. *Minor increased impacts due to the extension of Simon Kenton Way and the construction of new stormwater facilities.*
5. *Additional publicly owned parks have been identified since the 2012 EA/FONSI.*

Environmental Resource	Selected Alternative I (from 2012 EA/FONSI)	Refined Alternative I (Concept I-W)	Mitigation and Enhancement Measures
ES-Table I (cont.)			
Travel Patterns and Access	• Minor impacts to vehicular access. • Pedestrian, bicycle, and transit access and mobility not addressed.	• Minor impacts to vehicular access and travel patterns due to rerouting. • Additional resilience in the local and regional transportation network. • New and improved pedestrian, bicycle, and transit access and mobility.	• Pedestrian and bicycle facilities on local roads parallel to and across I-71/I-75. • Non-deck components of Ezzard Charles Drive bridge designed and built to not preclude potential future streetcar route expansion. • Coordination with Kentucky first responders to ensure emergency response access for completed project.
Relocations	• 40 residential relocations.[6] • 14 commercial relocations.[7]	Minor impacts due to: • 4 residential relocations. • 24 full commercial relocations.[7] • 1 partial commercial relocation.	None.
Economy and Employment	• Minor impacts due to loss of residential and commercial property, reduced property/ rental value close to the corridor, and lost rental properties. • Improved infrastructure to support national freight movement.	• Minimal effects on revenues from property taxes or property owner income from rental properties. • No expected impacts on property values or the attractiveness of rental properties. • Net benefits to workforce development and employment. • Improved infrastructure to support national freight movement.	• Aesthetic enhancements. • Proposed noise barriers and noise/visual screening barriers. • Disadvantaged business enterprise participation, on-the-job training, and workforce development. • Diversity & Inclusion Outreach Committee.
Environmental Justice	• No disproportionately high and adverse effects on relocations, community facilities, neighborhood and community cohesion, access/travel patterns, or noise for minority and/or low-income populations (environmental justice populations). *(continued on next page)*	• No adverse effects on community resources, access and mobility, safety, air quality, stormwater, visual setting, and workforce development for environmental justice populations. *(continued on next page)*	• Mitigation for impacts to the Goebel Park Complex, Longworth Hall, and the Queensgate Playground and Ball Field. • Proposed noise barriers and noise/visual screening barriers. *(continued on next page)*

6. *Residential total in the 2012 EA/FONSI counted apartment buildings as one unit and would have relocated closer to 80 households.*
7. *Selected Alternative I (from the 2012 EA/FONSI) counted the removal of 204 feet of Longworth Hall as one commercial relocation and would have relocated 14 commercial tenants within that structure. The commercial relocations for Refined Alternative I (Concept I-W) include 14 tenants that will be displaced by the removal of 204 feet of Longworth Hall.*

Environmental Resource	Selected Alternative I (from 2012 EA/FONSI)	Refined Alternative I (Concept I-W)	Mitigation and Enhancement Measures
ES-Table I (cont.)			
Environmental Justice *(cont.)*	*(cont.)* • Benefits for environmental justice populations due to improved safety, regional connections, traffic flow, and corrected geometric deficiencies.	*(cont.)* • No adverse indirect and cumulative effects on environmental justice populations. • No disproportionately high and adverse relocation, noise, or temporary construction effects on environmental justice populations. • Benefits for environmental justice populations due to mitigation and enhancements for parks and Longworth Hall; improved access, mobility, and safety for all modes of travel; reduced vehicle emissions; reduced noise; reduced flooding and combined sewer overflows; improved aesthetics; direct and indirect and workforce enhancements; and interpretive display in the West End neighborhood.	*(cont.)* • Pedestrian and bicycle facilities on local roads parallel to and across I-71/I-75. • Separation of highway stormwater runoff. • Measures to address surcharging in the Peaselburg neighborhood. • Aesthetic enhancements. • Disadvantaged business enterprise participation, on-the-job training, and workforce development. • Approximately 10 ac. of land for potential redevelopment and/or public use. • Interpretive display in West End neighborhood. • Minimization and mitigation measures for temporary construction impacts.
Socioeconomic Groups	• Consideration of impacts on older adults, persons with disabilities, and zero-car households. • No impacts to identified socioeconomic populations and groups based on a brief qualitative discussion of access and mobility.	• Consideration of impacts on older adults, individuals with limited English proficiency, adults with disabilities, and zero-car households. • No impacts to community resources; pedestrian, bicycle, and transit access and mobility; safety; air quality; stormwater; and workforce development. • No indirect impacts. • No substantial noise impacts. • Minimal relocation and greenhouses gases and climate change impacts. • Minor vehicular access and mobility; visual setting; cumulative; and temporary construction impacts. *(continued on next page)*	• Mitigation for impacts to the Goebel Park Complex, the Lewisburg Historic District, Longworth Hall, and the Queensgate Playground and Ball Field. • Proposed noise barriers and noise/visual screening barriers. • Pedestrian and bicycle facilities on local roads parallel to and across I-71/I-75. • Separation of highway stormwater runoff. • Measures to address surcharging in the Peaselburg neighborhood. • Aesthetic enhancements. *(continued on next page)*

Environmental Resource	Selected Alternative I (from 2012 EA/FONSI)	Refined Alternative I (Concept I-W)	Mitigation and Enhancement Measures
ES-Table I (cont.)			
Socioeconomic Groups *(cont.)*	*(cont.)*	*(cont.)* • Benefits due to mitigation and enhancements for parks and historic properties; improved access, mobility, and safety for all modes of travel; reduced vehicle emissions; reduced noise; reduced flooding and combined sewer overflows; improved aesthetics and visual character; and direct and indirect workforce enhancements.	*(cont.)* • Disadvantaged business enterprise participation, on-the-job training, and workforce development. • Approximately 10 ac. of land for potential redevelopment and/or public use. • Minimization and mitigation measures for temporary construction impacts.
Disadvantaged Communities	Not evaluated.	• No additional contribution to climate change, energy, health, housing, legacy pollution, transportation, water and wastewater, or workforce development burdens for disadvantaged communities. • Features that will help to address existing burdens for disadvantaged communities.	Same as mitigation and enhancement measures for socioeconomic groups in addition to: • Plan notes for removal, handling, and disposal of regulated materials.
Children	Not addressed.	• No permanent impacts. • Temporary construction impacts minimized to the greatest extent practicable. .	• Proposed noise barriers and noise/visual screening barriers. • Outdoor ambient air quality monitoring program during construction. • Measures to minimize noise during construction.
Wetlands	1.38 ac. permanent wetland impacts.	2.38 ac. permanent wetland impacts.[8]	• Wetland mitigation via KYTC Bath County/Ova Arnett advanced mitigation site or Kentucky Department of Fish and Wildlife Resources in-lieu fee mitigation program to be finalized during permitting process. • Best management practices for sediment and erosion control.

8. *Increased reported impacts due to increase in the acreage of wetlands present in the project area since 2012 and due to reconstruction of existing stormwater retention basins (classified as wetlands), which were not specifically considered in the 2012 EA/FONSI.*

Environmental Resource	Selected Alternative I (from 2012 EA/FONSI)	Refined Alternative I (Concept I-W)	Mitigation and Enhancement Measures
ES-Table I (cont.)			
Streams and Rivers	• 3,340 ft. permanent intermittent stream impacts (area of impacts not provided). • 3.8 ac. permanent perennial stream impacts (Ohio River only, length of impacts not provided). • 2 new piers, geotechnical borings, and temporary access in the Ohio River. • Ohio River traffic maintained with temporary restrictions during construction.	• 0.015 ac. permanent jurisdictional ditch impacts. • 820 ft. / 0.107 ac. permanent intermittent stream impacts. • 548 ft. / 1.983 ac. permanent perennial stream impacts, including 350 ft / 1.940 ac. in the Ohio River. • 283 ft. / 1.854 ac. temporary perennial stream impacts (Ohio River only). • 2 new piers, geotechnical borings, and temporary access in the Ohio River. • Ohio River traffic maintained with temporary restrictions during construction.	• Stream mitigation via Licking River Mitigation Bank, including for impacts to the Ohio River, to be finalized during permitting process. • Best management practices for sediment and erosion control (KY and OH). • Separation of highway stormwater runoff (KY and OH). • Best management practices for water quality treatment (OH).
Terrestrial Habitat	52 ac. wooded habitat impacts, including potential foraging and/or maternity areas for threatened or endangered bat species.	90 ac. forested habitat impacts:[9] • 74.20 ac. in Kentucky (69.82 ac. upland and 4.38 ac. riparian). • 15.80 ac. in Ohio (upland). • Includes potential foraging and/or maternity areas for threatened or endangered bat species.	• Tree clearing minimization and seasonal clearing restrictions. • Contribution to Imperiled Bat Conservation Fund (KY).
Threatened or Endangered Species[10] Fed*erally Listed Species* *State Listed Species* *Migrat*ory *Birds*	• Running buffalo clover (NLTAA). • Indiana bat (to be determined). • Mussels (to be determined). • Potential nesting peregrine falcons on existing BSB. • State listed species not addressed.	• Indiana bat (LTAA-KY; NLTAA-OH). • NLEB (NLTAA). • Gray bat (NLTAA-KY). • Tricolored bat (no jeopardy) • Mussels (NLTAA). • No impact or not likely to impact 9 endangered, 3 threatened, and 1 potentially threatened OH state listed species. • Potential nesting peregrine falcons on existing BSB.	• Tree clearing minimization and seasonal clearing restrictions.[11] • Contribution to Imperiled Bat Conservation Fund (KY). • Best management practices for sediment and erosion control.[11] • Mussel salvage (relocation). • Inspection of existing BSB for peregrine falcons. • Avoidance, minimization, and mitigation of wetland and stream impacts (see Wetlands and Streams and Rivers).

9. *Overall project footprint is reduced. The difference in estimated impacts to forested areas for Refined Alternative I (Concept I-W) is due to the application of the most recent KYTC and ODOT ecological survey guidance, which have been updated since the 2012 EA/FONSI.*
10. *The running buffalo clover was delisted in 2021. Additional potentially affected species have been identified since the 2012 EA/FONSI. LTAA – May affect, likely to adversely affect; NLTAA – May affect, not likely to adversely affect; No jeopardy – May affect but is not likely to jeopardize the continued existence.*
11. *Tree clearing restrictions and best management practices will be provided in accordance with the generally applicable standards and procedures specific to each state agreement.*

Environmental Resource	Selected Alternative I (from 2012 EA/FONSI)	Refined Alternative I (Concept I-W)	Mitigation and Enhancement Measures
ES-Table I (cont.)			
Floodplains	• Impacts due to pier construction for the new companion bridge. • No permanent impacts expected to Ohio River levee, floodwall, and pump station.	• Impacts due to pier construction for the new companion bridge. • No permanent impacts expected to Ohio River levee and floodwall. • Potential modifications to pump station due to new drainage infrastructure.	None.
Geological	No impacts.	No impacts.	None.
Drinking Water	Not addressed.	No impacts.	• Best management practices for sediment and erosion control. • Spill Prevention Control and Countermeasures Plan. • Groundwater protection plan.
Farmland	No impacts.	No impacts.	None.
Regulated Materials	• Phase I ESA (1 site) (OH). • Phase II ESA (2 sites) (KY). • Phase II ESA (9 sites) (OH) • Petroleum contaminated soil and groundwater (3 sites) (OH).	• Phase II ESA (2 sites) (KY). • Petroleum contaminated soil and groundwater (3 sites) (OH). • Underground storage tanks (2 sites) (OH). • Solid waste (2 sites) (OH). • Monitoring wells abandonment (1 site) (OH).	Plan notes for underground storage tank removal, petroleum contaminated soil and groundwater, solid waste, and abandonment of existing groundwater monitoring wells.

Environmental Resource	Selected Alternative I (from 2012 EA/FONSI)	Refined Alternative I (Concept I-W)	Mitigation and Enhancement Measures
ES-Table I (cont.)			
Cultural Resources	• Adverse effect for Lewisburg Historic District (KY) and Longworth Hall (OH). • No adverse effect for Western Hills Viaduct (OH).[12] • No effect for 20 history/ architecture properties (KY). • No effect for 14 history/architecture properties (OH). • Additional archaeological studies and/or construction monitoring for 46 sites (KY).	• Adverse effect for Lewisburg Historic District (KY) and Longworth Hall (OH). • No adverse effect for 13 history/architecture properties (KY).[13] • No effect for 9 history/ architecture properties (KY).[13] • No effect for 13 history/ architecture properties. (OH).[13] • Additional archaeological studies for 1 site (KY).[14]	• Lewisburg Historic District: Recordation of removed structures; $1.2 million grant program to improve and rehabilitate the façades of residential and commercial properties in the district; and the protection, monitoring, and repair of historic structures from vibration during construction. • Longworth Hall: Repairs, upgrades, restoration work, enhancements, and refurbishment on the portions of the building impacted by construction and the portions of the building to remain. • Proposed noise barriers.
Air Quality	• Carbon monoxide - No exceedance of National Ambient Air Quality Standards. • Ozone - Hamilton County in nonattainment. - Kenton County in attainment with maintenance plan. - Addressed through Ohio-Kentucky-Indiana Regional Council of Governments air quality conformity process and plans. • PM2.5 - No new violation of PM2.5 standards. • MSAT - No significant increase based on quantitative analysis. • Emissions burdens - Not evaluated.	• Carbon monoxide - All areas in attainment. • Ozone - Hamilton County in maintenance (2015 standard). - Kenton County in nonattainment (2015 standard). - Addressed through Ohio-Kentucky-Indiana Regional Council of Governments air quality conformity process and plans. • PM2.5 - All areas in attainment. • MSAT - No appreciable impact based on quantitative analysis. • Emissions burdens - No significant emissions increase.	None.

12. Resource scheduled to be removed in conjunction with a separate City of Cincinnati project with independent utility and completed NEPA review. Therefore, effects were not assessed for Refined Alternative I (Concept I-W).

13. Historic properties have been removed, modified, or newly identified since the 2012 EA/FONSI. The project's effects on historic properties were also updated in 2022.

14. Footprint reductions incorporated into Refined Alternative I (Concept I-W) reduced the number of required studies, and additional archaeological surveys and testing were performed in 2022.

Environmental Resource	Selected Alternative I (from 2012 EA/FONSI)	Refined Alternative I (Concept I-W)	Mitigation and Enhancement Measures
ES-Table I (cont.)			
Greenhouse Gases and Climate Change	Not evaluated in detail.	• Minimal effects due to increased vehicle miles of travel. • Reduced overall greenhouse gas emissions due to implementation of latest federal emissions standards coupled with fleet turnover. • Improved climate resilience due to reduced combined sewer overflows and flooding. • Issues related to climate change addressed on a statewide level through KYTC and ODOT *Transportation Asset Management Plans*.	• Separation of highway stormwater runoff. • Measures to address surcharging in the Peaselburg neighborhood. • Project implemented in accordance with KYTC and ODOT *Transportation Asset Plans*.
Noise	• Noise impacts at 565 receivers east/west of I-71/I-75 from Dixie Highway to the existing BSB (KY). • Noise impacts at 283 receivers east/west of I-75 from the existing BSB to north of the Western Hills Viaduct (OH). • No proposed noise barriers west of I-71/I-75 (KY and OH). • 3 proposed noise barriers east of I-71/I-75 from Beechwood Rd. to W. 12th St. (KY). • 5 proposed noise barriers east of I-75 from the Queensgate Playground and Ball Field to Bank St. (OH).	• Noise impacts at 748 receivers east/west of I-71/I-75 from south of Dixie Hwy. to the existing BSB (KY). • Isolated noise impacts at 4 receivers west of I-75 from US-50 to Marshall Ave. (OH). • Noise impacts at 140 receivers east of I-75 from I-71 to Marshall Ave. (OH). • 7 proposed noise and 2 proposed noise/visual screening barriers east/west of I-71/I-75 generally from south of Dixie Hwy to W. 3rd St. (KY). • No proposed noise barriers west of I-75 (OH). • 5 proposed noise barriers and 57-inch parapet walls on bridges east of I-75 from the Queensgate Playground and Ball Field to Bank St. (OH).	• 7 proposed noise barriers (KY).[15] • 2 proposed noise/visual screening barriers (KY).[15] • 5 proposed noise barriers (OH).[16] • 57-inch walls on Liberty, Findlay, and Bank Street bridge parapets (OH).

15. *In accordance with the KYTC Noise Analysis and Abatement Policy, a noise abatement public meeting and surveys will be conducted with benefited receptors at each location where noise and noise/visual screening barriers are proposed in Kentucky. During detailed design, KYTC has committed to coordinating with the City of Covington to evaluate the use of transparent noise barriers in some locations to preserve views of Goebel Park from the highway and to preserve views of the skyline and across I-71/I-75 from surrounding neighborhoods.*
16. *In accordance with the ODOT Analysis and Abatement of Highway Traffic Noise Policy Statement, ODOT will conduct noise abatement public involvement with benefited receptors where noise abatement has been determined to be feasible and reasonable.*

Environmental Resource	Selected Alternative I (from 2012 EA/FONSI)	Refined Alternative I (Concept I-W)	Mitigation and Enhancement Measures
ES-Table I (cont.)			
Visual Resources	• Minor impacts due to changes in interstate width and height, changes to the existing BSB, and construction of the new companion bridge. • Two alternatives for the new companion bridge: arch bridge (simply supported arch with inclined arch ribs) and cable-stayed bridge (two towers, vertical legs/tower).	• Minor impacts due to changes in interstate width and height, changes to the existing BSB, and construction of the new companion bridge (roadway widths minimized by reducing the width of the companion bridge). • More flexibility in alternatives for the new companion bridge: arch bridge and cable-stayed bridge. • Additional aesthetic features such as landscaping; streetscapes; gateways; treatments for piers, abutments, parapets, retaining walls, noise barriers, noise/visual screening barriers; and translucent screen walls on Ohio bridges.	• Aesthetic enhancements. • Coordination with the Aesthetics Committee and Aesthetics Subcommittees.
Indirect and Cumulative Effects	• Minor indirect effects to businesses, stormwater runoff, and cultural resources. • Short-term increase in employment opportunities and business revenue. • Minor contribution to cumulative residential and business displacements; stormwater runoff; and loss of parkland, cultural resources, wetlands, streams, and threatened and endangered species habitat.	• Net beneficial indirect effects. • Minor indirect effects to businesses, stormwater runoff, and cultural resources. • Short-term increase in employment opportunities and business revenue. • Additional indirect community benefits due to potential redevelopment/public use and long-term enhancements in workforce diversity, employment, and income. • Minor contribution to cumulative business displacements; stormwater runoff; and loss of parkland, wetlands, streams, and threatened and endangered species habitat. • Fewer cumulative effects due to reduced residential and historic properties impacts and mitigation and enhancements for parks and historic properties.	• 10 ac. of land for potential redevelopment and/or public use. • Disadvantaged business enterprise participation, on-the-job training, and workforce development. • Mitigation for impacts to public parks, historic properties, wetlands, streams, and threatened and endangered species habitat. • Best management practices for sediment and erosion control. • Separation of highway stormwater runoff to reduce flooding and combined sewer overflows. • Interpretive display in West End neighborhood.

Environmental Resource	Selected Alternative I (from 2012 EA/FONSI)	Refined Alternative I (Concept I-W)	Mitigation and Enhancement Measures
ES-Table I (cont.)			
Construction Impacts	• Temporary impacts for all transportation modes due to increased traffic on local roads, access restrictions, and detours. • Temporary utility impacts. • Temporary economic and employment benefits. • Temporary air quality effects. • Temporary noise increases. • Temporary erosion and sediment increases.	Same as Selected Alternative I with additional measures to minimize and mitigate temporary impacts.	• Development of traffic management, MOT, and incident management plans. • Coordination with local cities, transit agencies, and the regional incident management task force. • Notifications/outreach to public and trucking companies. • Dust control plan. • Measures to monitor and protect air quality. • Measures to manage construction noise. • Best management practices for erosion and sediment control.
Utilities	• Impacts to public and private aerial and underground utilities. • Increased stormwater runoff.	• Impacts to public and private aerial and underground utilities. • Increased stormwater runoff.	• Separation of highway stormwater runoff (KY and OH). • Measures to address surcharging in the Peaselburg neighborhood (KY). • Best management practices for water quality treatment (OH).
Railroads	• 7 bridges over railroad property. • Aerial easements over CSX property, including 2 active tracks. • Access to CSX property.	• 8 bridges over railroad property. • Aerial easements over CSX property, including 2 active tracks. • Access to CSX property.	None.
Section 4(f) Properties	• Individual Section 4(f) determination for Lewisburg Historic District and Longworth Hall. • *De minimis* impacts to Goebel Park Complex, Queensgate Playground and Ball Field, and Western Hills Viaduct.	• Individual Section 4(f) determination for Lewisburg Historic District and Longworth Hall. • *De minimis* impacts to Hillsdale Subdivision Historic District, Elberta Apartments Historic District, Goebel Park Complex, and Queensgate Playground and Ball Field.[17] • Section 4(f) exception for Firefighters Memorial, Ezzard Charles Park, Lewis and Clark National Historic Trail, and existing BSB.[17] • No Section 4(f) use of the Riverfront Commons Trail.[17]	• Lewisburg Historic District: Recordation of removed structures; $1.2 million grant program to improve and rehabilitate the façades of residential and commercial properties in the district; and protection, monitoring, and repair of historic structures from vibration during construction. • Longworth Hall: Repairs, upgrades, restoration work, enhancements, and refurbishment on the portions of the building impacted by construction and the portions of the building to remain. *(continued on next page)*

17. *Additional Section 4(f) properties have been identified since the 2012 EA/FONSI. The Western Hills Viaduct is scheduled to be removed in conjunction with a separate City of Cincinnati project with independent utility and completed NEPA review; therefore, a Section 4(f) use will not occur for Refined Alternative I (Concept I-W).*

Environmental Resource	Selected Alternative I (from 2012 EA/FONSI)	Refined Alternative I (Concept I-W)	Mitigation and Enhancement Measures
ES-Table I (cont.)			
Section 4(f) Properties *(cont.)*	*(cont.)*	*(cont.)*	*(cont.)* • Longworth Hall (cont.): Maintenance of building and its historic integrity. Storage of removed and reconstructed materials that retain historic integrity. • Queensgate Playgrounds and Ball Field: Compensation for land, relocation of recreational facilities, construction plans for ball field reconfiguration, and construction monitoring of mitigation. Construction of noise barrier or fence. • Firefighters Memorial and Ezzard Charles Park: Maintenance of access, construction fencing and signing, and site restoration. • Lewis and Clark National Historic Trail: Notification to the National Park Service and signing for project-related activities and access restrictions. • Riverfront Commons Trail: Maintenance of trail operations, installation of protective measures, permanent easement granted to City of Covington for continued operation and maintenance. • Coordination with officials with jurisdiction. • Proposed noise barriers and noise/visual screening barriers. • Separation of highway runoff to reduce flooding and combined sewer overflows. • Dust control plan, measures to monitor and protect air quality, and measures to manage construction noise.

Environmental Resource	Selected Alternative I (from 2012 EA/FONSI)	Refined Alternative I (Concept I-W)	Mitigation and Enhancement Measures
ES-Table I (cont.)			
Section 6(f) Properties	• 2.59 acres permanent right-of-way from Goebel Park/Kenney Shields Park, including impacts to walking trail and basketball courts. • Potential proximity impacts to Goebel Park pool.	• 2.84 acres permanent right-of-way from the Goebel Park Complex, including impacts to walking trail, basketball courts, and associated resources. [18] • Proximity impacts to pool.	• 2.23 acres replacement land. • Reconstruction of walking trail within the complex. • 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 relocated outdoor pool and associated facilities or other comparable aquatic facility serving the same purpose within the park. • Proposed noise/visual screening barriers. • Separation of highway runoff to reduce flooding and combined sewer overflows. • Dust control plan, measures to monitor and protect air quality, and measures to manage construction noise.
Permits	• KDOW KPDES permit. • OEPA NPDES permit. • USACE Section 404 permit. • KDOW and OEPA Section 401 Water Quality Certifications. • USCG Section 9 permit.	Same as Selected Alternative I, in addition to:[19] • USACE Section 10 permit (as applicable for Ohio River work and/or structures not under the purview of the USCG bridge program). • Cincinnati and Covington floodplain permits. • FEMA approval. • USACE Section 408 permission.	• Wetland mitigation via KYTC Bath County/Ova Arnett advanced mitigation site or Kentucky Department of Fish and Wildlife Resources in-lieu fee mitigation program to be finalized during permitting process. • Stream mitigation via Licking River Mitigation Bank to be finalized during permitting process.

18. Minor increased reported impacts due to the extension of Simon Kenton Way and construction of new stormwater facilities.

19. These permits also would have been required for Selected Alternative I but were not expressly identified in the 2012 EA/FONSI.

4. PROJECT REFINEMENTS AND UPDATED INFORMATION

The following sections describe project refinements and updated information which have been incorporated into Refined Alternative I (Concept I-W) after the supplemental EA was approved for public availability. The supplemental EA was publicly available from January 26th until March 8th 2024. Project refinements and updated information have been developed in response to public comments received during the public availability period. In addition, continuing detailed design activities have led to minor project refinements. The refinements and updated information are described in the revised supplemental EA and below, organized by topic heading; refer also to the revised supplemental EA provided in Appendix A. These revisions do not yield any significant environmental impacts.

- **Streetcar Coordination:** In consideration of feedback provided by the City of Cincinnati Department of Transportation and Engineering, ODOT will design and construct the non-deck components for the new Ezzard Charles Drive bridge over I-75 to not preclude potential future streetcar route expansion. The design modification will not change the footprint or the environmental impacts of the project. ***In response to this feedback, an existing commitment in the environmental commitments list (Number 49) has been revised to address this comment and the Transit (Section 4.1.4) and Local Agency Coordination (5.2) sections have been updated in therevised supplemental EA (Appendix A).***

- **Riverfront Commons Trail Coordination:** In the project area, the Riverfront Commons Trail is located along the base of the north side of the Ohio River floodwall and earthen levee in Kentucky and passes under the existing BSB. The trail provides pedestrian and bicycle access to Covington neighbourhoods as well as local hotels, retail sites, and dining and entertainment establishments. There are no trail access points within the immediate project area. The Riverfront Commons Trail is free and open to the public, and it serves both transportation and recreational purposes. The section of the trail in the project area is located on land owned by the City of Covington, and the sections of the trail within the City of Covington are being built, constructed, and maintained by the City of Covington. ***The location of the Riverfront Commons Trail is shown in Figure 8 in the revised supplemental EA (Appendix A).***

  The new companion bridge will be constructed over the Riverfront Commons Trail. The land use impacts described in Section 4.1.1 of the revised supplemental EA include the acquisition of approximately 1.3 acres of permanent right-of-way from the City of Covington to construct the new companion bridge. Based on updated information since the supplemental EA was approved for public availability and as described in the revised supplemental EA, KYTC has committed to granting a permanent easement to the City of Covington to allow for the continued operation and maintenance of the Riverfront Commons Trail. Preliminary design activities indicate that access to the trail can be maintained throughout construction of Refined Alternative I (Concept I-W). The trail already passes under the existing BSB and three other Ohio River bridges in Covington. The minor visual and other proximity effects due to the construction of the new companion bridge will not cause a substantial impairment or constitute a Section 4(f) constructive use. As currently planned, the project will not result in a Section 4(f) use of the Riverfront Commons Trail. However, any temporary closures, occupancy, or detours of the Riverfront Commons Trail,

should they be determined as necessary during detailed design, will require additional coordination with the City of Covington and approvals by KYTC and FHWA to ensure that no adverse effects or interference will occur to the trail or its use.

Environmental commitments incorporated into the project will require the contractor to coordinate construction activities with KYTC and the City of Covington to maintain trail operations and to install protective measures to provide safe passage for pedestrians and bicyclists utilizing the Riverfront Commons Trail through the project work zone prior to beginning any construction activities over the trail. KYTC coordinated the environmental commitments related to the Riverfront Commons Trail with the City of Covington on March 25, 2024. ***Discussion of the trail has been included in the Final Individual Section 4(f) Evaluation (Appendix C), the revised supplemental EA (Appendix A), and new commitments have been added to the environmental commitments list (Numbers 57-59) to address coordination with the City of Covington for construction activities, coordination for any temporary closures, occupancy, or detours, and granting of permanent easement.***

- **Pedestrian and Bicycle:** Based on public comments provided by a resident, KYTC and ODOT determined that an existing sidewalk trail in Covington and outside of the limits of the BSB Corridor Project was incorrectly shown on the existing and proposed multimodal features exhibit provided as display at the public hearings. No sidewalk trail exists connecting the Riverfront Commons Trail and the Goebel Park Complex (generally located along Bakewell Street). ***Figure 10 has been updated accordingly in the revised supplemental EA (Appendix A) and correctly shows the locations of existing and proposed multimodal facilities in the areas surrounding the BSB Corridor Project.***
- **Noise:** During the comment period for the supplemental EA, an individual expressed concerns that the layout of the proposed noise barrier in the Lewisburg area would allow sound generated by interstate traffic to reflect into residential areas in the vicinity of Hermes Avenue, Watkins Street, and Hinde Street. The proposed noise barrier included stand-alone noise walls depicted on the provided exhibits; these stand-alone noise walls are included in the proposed noise barrier for southbound I-71/I-75 from West 3rd Street to south of Hermes Avenue. ***In response to this comment, an existing commitment in the environmental commitments list (Number 23) has been revised to address this comment and the Noise-Kentucky section (4.8.1) has been updated in the revised supplemental EA (Appendix A).***
- **Construction Impacts:** In response to comments received during the public hearings for the supplemental EA, KYTC and ODOT have committed to making monitoring and enforcement data from the project ambient air quality monitoring program available to the public. Details about how the data will be made publicly available will be included in a plan to be developed by the contractors and approved by KYTC and ODOT during detailed design. At a minimum, information will be shared with the public through project website updates, social media, e-newsletters, and the Project Advisory Committee. ***To address these comments, an existing commitment has been revised in the environmental commitments list (Number 32, part aa)***

to include the statement about the plan's development and details about how the data will be made publicly available.

- **Section 4(f) Properties –**
    - **Goebel Park Complex:** The public was provided the opportunity to comment on the impacts to the Goebel Park Complex during the comment period for the supplemental EA. During that time, fourteen individuals or groups provided comments related to the Goebel Park Complex or park impacts in general. The proposed minimization and mitigation measures for the Goebel Park Complex have not changed since the supplemental EA was approved for public availability. In a letter dated March 14, 2024, FHWA stated that it intends to determine that the BSB Corridor Project, including the KYTC committed mitigations, will have a *de minimis* impact on the Goebel Park Complex, as defined by 23 CFR § 774.17. FHWA requested written concurrence that the project will not adversely affect the activities, features, or attributes that make the Goebel Park Complex eligible for Section 4(f) protection. KYTC concurred with these findings on March 14, 2024, and the City of Covington concurred on March 28, 2024. Copies of the coordination documents for the Goebel Park Complex, including the full list of public comments related to the complex, are provided in Appendix B with the FONSI Request documentation. ***The Final Individual Section 4(f) Evaluation (Appendix C) and revised supplemental EA (Section 4.13.3)(Appendix A) include updates reflecting this additional coordination.***
    - **Final Individual Section 4(f) Evaluation:** The Final Individual Section 4(f) Evaluation is included in Appendix C and provides the following conclusion:

      FHWA determined that the BSB Corridor Project will result in a *de minimis* use of the Hillsdale Subdivision Historic District, the Elberta Apartments Historic District, the Goebel Park Complex, and the Queensgate Playground and Ball Field. 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). Section 4(f) does not apply to the remaining historic properties in the project area.

      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).

      The land use impacts described in Section 4.1.1 of the supplemental EA include the acquisition of approximately 1.3 acres of permanent right-of-way from the City of Covington to construct the new companion bridge. KYTC has committed to granting a permanent easement to the City of Covington to allow for the continued operation and maintenance of the Riverfront Commons Trail. Access to the trail will be maintained during construction. Minor visual effects that will occur due to construction of the new companion bridge do not constitute a constructive use. Thus, the project will not result in a Section 4(f) use of the Riverfront Commons Trail. Any temporary closures, occupancy, or detours of the Riverfront Commons Trail, should they be determined as necessary

during detailed design, will require additional coordination with the City of Covington and approvals by KYTC and FHWA to ensure that no adverse effects or interference will occur to the trail or its use [23 CFR § 774.13(d) and (f)].

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).

Based on the considerations documented in the Final Individual Section 4(f) Evaluation, 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 District and Longworth Hall resulting from such use.

- **Section 6(f) Coordination:** Appraisals for the 2.84 acres of impacted land and the 2.23 acres of replacement property for the Goebel Park Complex were updated after the supplemental EA was approved for public availability. The impacted land and replacement land were appraised based on their highest and best use in accordance with applicable standards for Section 6(f) appraisals. The area to be acquired has an appraised value of $1,075,000, and the replacement property has an appraised value of $1,440,000. On November 16, 2023, NPS provided a signed amendment to the project agreement (NPS Project No. 21-00541.1) approving the conversion. NPS accepted the updated appraisals for the impacted land and the replacement property on February 12, 2024. No changes to the signed amendment to the project agreement (NPS Project No. 21-00541.1) were required as a result of the updated appraisals. ***Updated information from these appraisals and NPS coordination documents are included in Appendix B with the FONSI Request documentation as well as discussed and included in the revised supplemental EA (Section 4.14.6)(Appendix A)***.

- **Floodplains and Permits:** Additional design activities that have occurred since the supplemental EA was approved for public availability determined that areas to be acquired by the project in Kentucky provide flood storage during times when the Ohio River is at flood stage. These flood storage areas work in conjunction with the Ohio River levee, floodwall, and pump station, which were constructed as part of a USACE Civil Works project. Refined Alternative I (Concept I-W) does not include land acquisition solely for flood storage, and the project does not currently include construction of flood storage areas. After the design-build team has developed the project to a sufficient level of design detail, KYTC will coordinate impacts to and potential mitigation measures for flood storage capacity in the Kentucky portions of the project area during the USACE Section 408 permission process; ***this coordination is reflected in a new commitment added to the environmental commitments list (Number 60)***. Based on additional design activities that have occurred since the publication of the supplemental EA, piers will not be constructed in or near the existing levee, and permanent impacts to the Ohio River levee are not anticipated; ***this updated information on permanent impacts related to the levee is reflected in the FONSI Request documentation (Appendix B) and revised supplemental EA (Section 4.2.5)(Appendix A)***

- **Ongoing Public and Stakeholder Coordination:** In response to comments received during the public availability of the supplemental EA, KYTC and ODOT have committed to additional public and stakeholder involvement activities; these activities and other ongoing public and stakeholder involvement, is discussed in Section 5.6 of the revised supplemental EA. ***In particular, two additional commitments have been added regarding making information regarding compliance with the project's environmental commitments publicly available (Number 61) and coordination with Hamilton County to discuss stormwater measures (Number 62), and as noted above under construction impacts, an existing commitment has been revised (Number 32aa).***

5. ENVIRONMENTAL COMMITMENTS FOR THE PROPOSED ACTION AND COUNCIL ON ENVIRONMENTAL QUALITY (CEQ) REGULATIONS DISCUSSION

In response to comments received during the public comment period for the supplemental EA, some of the environmental commitments have been modified, and additional commitments have been incorporated. The environmental commitments that have been modified since the approval of the supplemental EA for public availability are discussed as part of the refinements and updated project information in the previous section, in the FONSI Request (Appendix B), and in Section 6 of the revised supplemental EA. A complete, updated list of environmental commitments for the BSB Corridor Project is included in Table 2 below and is provided as ES-Table II of the revised supplemental EA in Appendix A.

Table 2 therefore sets forth the Project Sponsors and relevant agencies which will implement the identified mitigation and enhancement measures and the responsibility of the Project Sponsors to implement these commitments.

ES-Table II: Environmental Commitments

No.	Resource Area[1]	Commitment	Responsibility	Timing of Implementation	Project Phase(s)[2]	Section/ Figure Reference[3]
1.	**Future Design Refinements** *Public Inv. and Agency Coord.*	KYTC and ODOT will conduct the following coordination when innovations are proposed for the Phase III progressive design-build contract:				
		a. When innovations are proposed, KYTC and ODOT will share recommendations with key stakeholders such as the City of Cincinnati, the City of Covington, the City of Park Hills, the City of Fort Wright, the City of Fort Mitchell, Hamilton County, and Kenton County and will gather feedback from local agencies that may be affected by any changes. Each local entity will be responsible for soliciting public feedback on innovations as part of their review and comment process.	KYTC, ODOT	Design	III	3.7, 5.6
		b. When KYTC, ODOT, and FHWA determine that an innovation will be incorporated into the project, the public will be informed of the decision. Information provided to the public will include a description of the innovation, an explanation of the expected benefits, and the rationale for the decision.	KYTC, ODOT	Design	III	3.7, 5.6
		c. If an innovation requires additional coordination or reevaluation to meet National Environmental Policy Act (NEPA) requirements, KYTC, ODOT, and FHWA will conduct those activities in accordance with all federal requirements.	KYTC, ODOT	Design	III	3.7
2.	**Travel Patterns and Access** *Neighborhood and Com. Cohesion* *Env. Justice* *Socioeconomic Groups* *Disadvantaged Communities* *Section 6(f)*	In support of the Kentucky Transportation Cabinet (KYTC) *Complete Streets, Roads, and Highways Policy*, the Ohio Department of Transportation (ODOT) *Multimodal Design Guide*, and the Ohio-Kentucky-Indiana Regional Council of Governments (OKI) *Regional Complete Streets Policy,* the project will implement the following:				
		a. Measures will be implemented 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, enhancing the pavement markings to better define the crosswalk for pedestrians and vehicles.	KYTC	Construction	III	4.1.4

No.	Resource Area[1]	Commitment	Responsibility	Timing of Implementation	Project Phase(s)[2]	Section/ Figure Reference[3]
ES-Table II (cont.)						
2. (cont.)	**Travel Patterns and Access** *Neighborhood and Community Cohesion* *Environmental Justice* *Socioeconomic Groups* *Disadvantaged Communities* *Section 6(f)*	b. A new shared-use path will be built along the outside lanes on Simon Kenton Way. New/rebuilt sidewalks will be constructed along the outside lanes of Bullock Street.	KYTC	Construction	III	4.1.2, 4.1.4, 4.1.7, 4.1.8, 4.1.9, 4.14.3, Figure 10
		c. Rebuilt sidewalks will be constructed along Pike Street west of I-71/ I-75. A switchback accessible ramp will be constructed to replace steep stairs between Pike Street and Lewis Street. New and rebuilt sidewalks will be constructed under the West 12th Street/MLK Jr. Boulevard, Pike Street, West 9th Street, West 5th Street, and West 3rd Street bridges.	KYTC	Construction	III	4.1.2, 4.1.4, 4.1.7, 4.1.8, 4.1.9, 4.14.3, Figure 10
		d. A new shared-use path, which will tie into the shared-use paths in the Goebel Park Complex, will be built under the West 5th Street bridge. The shared-use path will be extended along Crescent Avenue to connect to an existing shared-use path along the Ohio River.	KYTC	Construction	III	4.1.2, 4.1.4, 4.1.7, 4.1.8, 4.1.9, 4.14.3, Figure 10
		e. Shared-use paths will be built across I-75 on 6th Street, 7th Street, 9th Street, Linn Street, and Ezzard Charles Drive.	ODOT	Construction	I, II, and III	4.1.2, 4.1.4, 4.1.7, 4.1.8, 4.1.9, Figure 10
		f. A new shared-use path will be constructed along Winchell Avenue between 9th Street and Ezzard Charles Drive.	ODOT	Construction	II and III	4.1.2, 4.1.4, 4.1.7, 4.1.8, 4.1.9, Figure 10
		g. New and rebuilt sidewalks will be constructed across I-75 on Linn Street, Freeman Avenue, Ezzard Charles Drive, Liberty Street, Findlay Street, Bank Street, and Harrison Avenue.	ODOT	Construction	I and II	4.1.2, 4.1.4, 4.1.7, 4.1.8, 4.1.9, Figure 10
		h. New sidewalk will be installed along West Court Street, including a pedestrian bridge connection to Freeman Avenue.	ODOT	Construction	II	4.1.2, 4.1.4, 4.1.7, 4.1.8, 4.1.9, Figure 10
		i. New and rebuilt bike lanes will be constructed across I-75 on Liberty Street, Findlay Street, Bank Street, and Harrison Avenue.	ODOT	Construction	I and II	4.1.2, 4.1.4, 4.1.7, 4.1.8, 4.1.9, Figure 10

No.	Resource Area[1]	Commitment	Responsibility	Timing of Implementation	Project Phase(s)[2]	Section/ Figure Reference[3]
ES-Table II (cont.)						
3.	**Travel Patterns and Access** *Public Inv. and Agency Coord.*	During final design, KYTC will coordinate with the Northern Kentucky cities along the corridor, including Fort Mitchell, Fort Wright, Park Hills, and Covington, and Kentucky first responders, including police, fire, and emergency services, to ensure the completed project accommodates emergency response access to the collector-distributor and mainline roadways.	KYTC	Design	III	4.1.4, 5.6
4.	**Relocations** *Environmental Justice* *Socioeconomic Groups* *Indirect and Cumulative*	If project-related activities result in impacts beyond those identified in the supplemental EA to tenants in Longworth Hall, then ODOT will conduct additional coordination in order for FHWA to determine if reevaluation to meet NEPA requirements is necessary.	ODOT	Design, Construction	III	4.1.5, 4.1.7, 4.1.8, 4.10.1
5.	**Economy and Employment** *Environmental Justice* *Socioeconomic Groups* *Disadvantaged Communities* *Indirect and Cumulative*	During Phase III of the Brent Spence Bridge (BSB) Corridor Project, KYTC and ODOT will conduct the following activities to support business and workforce development:				
		a. Establish separate goals for disadvantaged business enterprise (DBE) participation in both the design and construction portions of the Phase III contract.	KYTC, ODOT	Design, Construction	III	4.1.6, 4.1.7, 4.1.8, 4.1.9, 4.10.1
		b. Develop an on-the-job training program to offer equal opportunity for the training of minorities, women, and disadvantaged persons to advance their skills toward journeyperson status in the highway construction trades. The project's contract documents will include a 15 percent on-the-job training target that will be finalized during the preconstruction phase of the progressive design-build contract.	KYTC, ODOT	Design, Construction	III	4.1.6, 4.1.7, 4.1.8, 4.1.9, 4.10.1
		c. Create a workforce development plan to assist candidates seeking employment in the transportation industry or on related infrastructure projects.	KYTC, ODOT	Design, Construction	III	4.1.6, 4.1.7, 4.1.8, 4.1.9, 4.10.1

No.	Resource Area[1]	Commitment	Responsibility	Timing of Implementation	Project Phase(s)[2]	Section/ Figure Reference[3]
ES-Table II (cont.)						
6.	**Economy and Employment** *Environmental Justice* *Socioeconomic Groups* *Disadvantaged Communities* *Indirect and Cumulative* *Public Inv. and Agency Coord.*	For the Phase III contract, KYTC, ODOT, and the design-build team will regularly engage with the Brent Spence Bridge Corridor Diversity & Inclusion Outreach Committee to provide updates on the Diversity, Inclusion, and Outreach Plan, with a specific focus on contract requirements such as commercially useful function and wages; goal attainment for DBE participation and on-the-job training opportunities; and workforce diversity requirements.	KYTC, ODOT	Design, Construction	III	4.1.6, 4.1.7, 4.1.8, 4.1.9, 4.10.1, 5.6
7.	**Threatened or Endangered Species**	Coordination with the Kentucky Department of Fish and Wildlife Resources (KDFWR) will occur in the spring prior to the rehabilitation of the existing Brent Spence Bridge or the demolition of the bridge approaches to address potential nesting of peregrine falcons.	KYTC	Construction	III	4.2.4
8.	**Threatened or Endangered Species** *Wetlands* *Streams* *Terrestrial Habitat* *Drinking Water* *Construction*	Measures will be implemented to minimize and mitigate effects to mussels, the federally listed Indiana bat, gray bat, and northern long-eared bat and Ohio state listed little brown bat and tricolored bat as outlined in the project's *Biological Assessment (October 2022)*:				
		a. Mussel salvage (relocation) within areas of direct impact and appropriate salvage zone buffers will be conducted per the Ohio Mussel Survey Protocol no more than one year prior to the start of construction in the Ohio River.	KYTC, ODOT	Design, Construction	III	4.2.4
		b. Potential incidental take for the Indiana bat in Kentucky will be mitigated through a contribution to the Imperiled Bat Conservation Fund (IBCF) in accordance with the *Programmatic Biological Opinion on the Effects of Transportation Projects in Kentucky on the Indiana Bat and Gray Bat*.	KYTC	Construction	III	4.2.3, 4.2.4
		c. No tree removal will occur in Kentucky from June 1 to July 31.	KYTC	Construction	III	4.2.4

No.	Resource Area[1]	Commitment	Responsibility	Timing of Implementation	Project Phase(s)[2]	Section/ Figure Reference[3]
ES-Table II (cont.)						
8. (cont.)	**Threatened or Endangered Species** *Wetlands* *Streams* *Terrestrial Habitat* *Drinking Water* *Construction*	d. As required under Section 213 of the KYTC *Standard Specifications*, a site-specific erosion control plan, including best management practices (BMPs), will be developed by the resident engineer and contractor prior to onsite activities to ensure continuous erosion control throughout the construction and post-construction period. The plan will identify individual disturbed drainage areas where stormwater from the construction area will be discharged off-site or into waters of the Commonwealth of Kentucky. The location of the individual erosion prevention/sediment control measures will be identified by the resident engineer and contractor.	KYTC	Design, Construction	III	4.2.1, 4.2.2, 4.2.4, 4.2.7, 4.11.7
		e. During grade and drain activities in Kentucky, mulch will be placed across all areas where no work will be conducted for a period of 14 consecutive days.	KYTC	Construction	III	4.2.4, 4.11.7
		f. Tree clearing within riparian areas will be minimized. Trees to be removed will be determined by the resident engineer and the contractor prior to disturbance.	KYTC	Construction	III	4.2.3, 4.2.4
		g. In Kentucky, silt fence, or other approved method, will be installed at the edge waters within the project corridors to eliminate the deposition of rock and debris in the stream during construction activities. In the unforeseen event that unintended debris does enter the stream, the resident engineer will halt the contributing activity until appropriate remedial actions have been implemented.	KYTC	Construction	III	4.2.4, 4.11.7
		h. To the maximum extent practicable, construction activities in streams will take place during low-flow periods.	KYTC, ODOT	Construction	III	4.2.4
		i. Equipment staging and cleaning areas will be located to eliminate direct inputs to the waters of the Commonwealth of Kentucky. These areas will be located such that effluent will be filtered through vegetated areas and appropriate sediment controls prior to discharge offsite.	KYTC	Construction	III	4.2.4, 4.11.7

No.	Resource Area[1]	Commitment	Responsibility	Timing of Implementation	Project Phase(s)[2]	Section/ Figure Reference[3]
ES-Table II (cont.)						
8. (cont.)	**Threatened or Endangered Species** *Wetlands* *Streams* *Terrestrial Habitat* *Drinking Water* *Construction*	j. Concrete will be poured in a manner to avoid spills into streams. In the unforeseen event that a spill does occur, the U.S. Fish and Wildlife Service (USFWS) will be notified, and the resident engineer will immediately halt the activity until remedial measures have been implemented.	KYTC, ODOT	Construction	III	4.2.4
		k. Areas disturbed during construction activities in Kentucky will be stabilized through vegetation establishment and placement of riprap and geotextile fabric.	KYTC	Construction	III	4.2.4, 4.11.7
		l. Areas disturbed during construction in Kentucky and not stabilized with riprap and erosion blanket will be seeded using a standard seed mix. Depending on project slope and project location, application rates will vary and will utilize current and appropriate seed mixes as specified in the KYTC *Standard Specifications*.	KYTC	Construction	III	4.2.4, 4.11.7
		m. No tree removal will occur in Ohio from April 1 through September 30.	ODOT	Construction	I, II, and III	4.2.4
		n. All phases/aspects of the project (e.g., temporary work areas, alignments) in Ohio will be modified to avoid tree removal in excess of what is required to implement the project safely.	ODOT	Design, Construction	I, II, and III	4.2.3, 4.2.4
		o. Tree removal in Ohio will be limited to that specified in project plans by clearly marking clearing limits. Contractors will be made aware of clearing limits in Ohio and how they are marked in the field.	ODOT	Construction	I, II, and III	4.2.3, 4.2.4
		p. ODOT's *Construction and Material Specifications* (CMS) and ODOT *Supplemental Specification* (SS) 813, SS 832, and SS 913 will be followed as applicable to address the following bat avoidance and minimization measures in Ohio: lighting (SS 813); dust control (CMS 616); water quality, wetland and stream protection (CMS 601, CMS 659, CMS 671, SS 832, and ODOT's *Location and Design Manual, Volume 2*).	ODOT	Design, Construction	I, II, and III	4.2.4, 4.11.7

No.	Resource Area[1]	Commitment	Responsibility	Timing of Implementation	Project Phase(s)[2]	Section/ Figure Reference[3]
ES-Table II (cont.)						
9.	**Drinking Water** *Section 6(f)*	A Spill Prevention Control and Countermeasures Plan that is acceptable to KYTC, ODOT, and the Kentucky Department for Environmental Protection will be prepared for the project. This plan will define, at minimum, protocols for the managing, handling, and disposing of oil spills, including contact with emergency response personnel, safety data sheets, and copies of agreements with agencies that would be part of a spill-response effort. The plan will also outline communication protocols to ensure proper and timely notification of nearby public drinking water supplies in the event of a spill, including the source water protection zones for the Louisville Water Company (KY0560258) and the Northern Kentucky Water District (KY0590220).	KYTC, ODOT	Design, Construction	I, II, and III	4.2.7, 4.14.3
10.	**Drinking Water** *Section 6(f)*	A groundwater protection plan for the protection of groundwater will be developed in accordance with Title 401 of the Kentucky Administrative Regulations, Chapter 5, Regulation 37 (401 KAR 5:037). The plan will include the installation, construction, operation or abandonment of wells, bore holes or core holes, and other applicable project activities, as defined in 401 KAR 5:037. If groundwater monitoring wells are constructed, modified, or abandoned in Kentucky, the work will be conducted in accordance with 401 KAR 6:350.	KYTC	Design, Construction	III	4.2.7, 4.14.3
11.	**Regulated Materials** *Disadvantaged Communities*	The following Environmental Site Assessment (ESA) work will be completed:				
		a. Phase II ESAs will be conducted at 666 West 3rd Street and 550 Pike Street in Covington, Kentucky as required by the Comprehensive, Environmental Response, Compensation and Liability Act (1980) as amended by the Superfund Amendments and Reauthorization Act (1986). Only areas of construction/utility disturbances of 3 feet or greater in depth will be assessed.	KYTC	Design	III	4.4.1
		b. If dewatering is necessary for construction purposes, plan notes for petroleum contaminated soil (PCS) and contaminated groundwater will be developed for the following sites and placed into the plans: 351 John Street, 514 West 3rd Street, and 302-304 Central Avenue in Cincinnati, Ohio.	ODOT	Design	III	4.1.9, 4.4.2

No.	Resource Area[1]	Commitment	Responsibility	Timing of Implementation	Project Phase(s)[2]	Section/ Figure Reference[3]
ES-Table II (cont.)						
11. (cont.)	**Regulated Materials** *Disadvantaged Communities*	c. Plan notes for the removal of underground storage tanks (USTs) will be developed for the following sites and placed in the plans: 508 West 3rd Street (1 UST) and 605 West 3rd Street (4 USTs) in Cincinnati, Ohio.	ODOT	Design	III	4.1.9, 4.4.2
		d. Plan notes for solid waste will be developed for the following sites and placed in the plans: 205 Central Avenue and 612 Mehring Way in Cincinnati, Ohio.	ODOT	Design	III	4.1.9, 4.4.2
		e. The project's construction documents will include a plan note to abandon the existing monitoring wells on property to be acquired from the Duke Energy West End Substation (646/655 Mehring Way in Cincinnati, Ohio).	ODOT	Design	III	4.4.2
12.	**History/ Architecture Resources** *Socioeconomic Groups* *Disadvantaged Communities* *Section 4(f) Properties* *Public Inv. and Agency Coord.*	Measures to mitigate the adverse effect to the Lewisburg Historic District will comply with 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* (Section 106 Programmatic Agreement):				
		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 State Historic Preservation Officer's (SHPO's) February 12, 2020 Memorandum - Update to State Level Documentation:	KYTC	Design	III	4.1.8, 4.5.2, 4.13.4
		a. A Kentucky Historic Resource Individual Survey form (KHC 2017-1 or current version of form), completed or updated as appropriate.	KYTC	Design	III	4.1.8, 4.5.2, 4.13.4

No.	Resource Area[1]	Commitment	Responsibility	Timing of Implementation	Project Phase(s)[2]	Section/ Figure Reference[3]
ES-Table II (cont.)						
12. (cont.)	**History/ Architecture Resources** *Socioeconomic Groups* *Disadvantaged Communities* *Section 4(f) Properties* *Public Inv. and Agency Coord.*	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.	KYTC	Design	III	4.1.8, 4.5.2, 4.13.4
		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), 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.	KYTC	Design	III	4.1.8, 4.5.2, 4.13.4

No.	Resource Area[1]	Commitment	Responsibility	Timing of Implementation	Project Phase(s)[2]	Section/ Figure Reference[3]
ES-Table II (cont.)						
12. (cont.)	**History/ Architecture Resources** *Socioeconomic Groups* *Disadvantaged Communities* *Section 4(f) Properties* *Public Inv. and Agency Coord.*	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 12.A.1.c above and shall be accompanied by a written description of the building(s) as well as an explanation of construction details.	KYTC	Design	III	4.1.8, 4.5.2, 4.13.4
		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.	KYTC	Design	III	4.1.8, 4.5.2, 4.13.4
		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 National Register of Historic Places.	KYTC	Post-Construction	III	4.1.8, 4.5.2, 4.13.4

No.	Resource Area[1]	Commitment	Responsibility	Timing of Implementation	Project Phase(s)[2]	Section/ Figure Reference[3]
ES-Table II (cont.)						
12. (cont.)	**History/ Architecture Resources** *Socioeconomic Groups* *Disadvantaged Communities* *Section 4(f) Properties* *Public Inv. and Agency Coord.*	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.	KYTC	Post-Construction	III	4.1.8, 4.5.2, 4.13.4
		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 memorandum of agreement developed for this purpose and agreed upon between the parties listed above.	KYTC	Post-Construction	III	4.1.8, 4.1.9, 4.5.2, 4.13.4, 5.6
		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.	KYTC	Post-Construction	III	4.1.8, 4.1.9, 4.5.2, 4.13.4, 5.6

No.	Resource Area[1]	Commitment	Responsibility	Timing of Implementation	Project Phase(s)[2]	Section/ Figure Reference[3]
ES-Table II (cont.)						
12. (cont.)	**History/ Architecture Resources** *Socioeconomic Groups* *Disadvantaged Communities* *Section 4(f) Properties* *Public Inv. and Agency Coord.*	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 in 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.	KYTC	Design, Construction	III	4.1.8, 4.1.9, 4.5.2, 4.13.4
		PPV Thresholds Type of Structure: Ground-borne Vibration Impact Level (PPV) Fragile: 0.20 inch/second Extremely Fragile Historic: 0.12 inch/second				
		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.	KYTC	Design	III	4.1.8, 4.1.9, 4.5.2, 4.13.4
		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.	KYTC	Design	III	4.1.8, 4.1.9, 4.5.2, 4.13.4

No.	Resource Area[1]	Commitment	Responsibility	Timing of Implementation	Project Phase(s)[2]	Section/ Figure Reference[3]
ES-Table II (cont.)						
12. (cont.)	**History/ Architecture Resources** *Socioeconomic Groups* *Disadvantaged Communities* *Section 4(f) Properties* *Public Inv. and Agency Coord.*	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.	KYTC	Design	III	4.1.8, 4.1.9, 4.5.2, 4.13.4
		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.	KYTC	Design	III	4.1.8, 4.1.9, 4.5.2, 4.13.4
		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.	KYTC	Construction	III	4.1.8, 4.1.9, 4.5.2, 4.13.4
		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.	KYTC	Construction	III	4.1.8, 4.1.9, 4.5.2, 4.13.4
		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.	KYTC	Construction	III	4.1.8, 4.1.9, 4.5.2, 4.13.4

No.	Resource Area[1]	Commitment	Responsibility	Timing of Implementation	Project Phase(s)[2]	Section/ Figure Reference[3]
ES-Table II (cont.)						
12. (cont.)	**History/ Architecture Resources** *Socioeconomic Groups* *Disadvantaged Communities* *Section 4(f) Properties* *Public Inv. and Agency Coord.*	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.	KYTC	Construction	III	4.1.8, 4.1.9, 4.5.2, 4.13.4
		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.	KYTC	Post-Construction	III	4.1.8, 4.1.9, 4.5.2, 4.13.4
		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).	KYTC	Post-Construction	III	4.1.8, 4.1.9, 4.5.2, 4.13.4
		j. Where access to privately owned property is necessary for monitoring or damage repair, consent shall be obtained prior to entry.	KYTC	Construction, Post-Construction	III	4.1.8, 4.1.9, 4.5.2, 4.13.4
13.	**History/ Architecture Resources** *Environmental Justice* *Socioeconomic Groups* *Section 4(f) Properties* *Public Inv. and Agency Coord.*	Measures to mitigate the adverse effect to the B&O Freight and Storage Building/Longworth Hall will comply with 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* (Section 106 Programmatic Agreement):				
		a. Treatment Plans. The treatment plans shall be developed in accordance with Title 36 of the Code of Federal Regulations (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 State Historic Preservation Officer (SHPO), the building owner, and the Cincinnati Preservation Association shall be provided the treatment plans for a 30-day review and comment period.	ODOT	Design	III	4.1.7, 4.1.8, 4.5.2, 4.13.5, 5.6

No.	Resource Area[1]	Commitment	Responsibility	Timing of Implementation	Project Phase(s)[2]	Section/ Figure Reference[3]
ES-Table II (cont.)						
13. (cont.)	**History/ Architecture Resources** *Environmental Justice* *Socioeconomic Groups* *Section 4(f) Properties* *Public Inv. and Agency Coord.*	i. 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.	ODOT	Construction	III	4.1.7, 4.1.8, 4.5.2, 4.13.5
		ii. 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.	ODOT	Construction	III	4.1.7, 4.1.8, 4.5.2, 4.13.5
		iii. 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.	ODOT	Construction	III	4.1.7, 4.1.8, 4.5.2, 4.13.5
		iv. 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.	ODOT	Post-Construction	III	4.1.7, 4.1.8, 4.5.2, 4.13.5
		v. 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.	ODOT	Construction	III	4.1.7, 4.1.8, 4.5.2, 4.13.5
		vi. Original Lettering. The original lettering across the top of the building will be refurbished.	ODOT	Construction	III	4.1.7, 4.1.8, 4.5.2, 4.13.5
		vii. 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.	ODOT	Post-Construction	III	4.1.7, 4.1.8, 4.5.2, 4.13.5

No.	Resource Area[1]	Commitment	Responsibility	Timing of Implementation	Project Phase(s)[2]	Section/ Figure Reference[3]
ES-Table II (cont.)						
13. (cont.)	**History/ Architecture Resources** *Environmental Justice* *Socioeconomic Groups* *Section 4(f) Properties* *Public Inv. and Agency Coord.*	b. <u>Interpretive Plaque or Signage</u>. An interpretive plaque or signage will be constructed.				
		i. The original location of the east wall prior to construction of the Brent Spence Bridge will be outlined by bricks and stonework.	ODOT	Post-Construction	III	4.1.7, 4.1.8, 4.5.2, 4.13.5
		ii. 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.	ODOT	Post-Construction	III	4.1.7, 4.1.8, 4.5.2, 4.13.5
		c. <u>Contracting Methods</u>. ODOT will hold and manage the contract(s) for all work conducted in 13.a-b. 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.	ODOT	Construction	III	4.1.7, 4.1.8, 4.5.2, 4.13.5
		d. <u>Acquisition</u>. 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.				
		i. 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 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;	ODOT	Right-of-Way Acquisition	III	4.1.7, 4.1.8, 4.5.2, 4.13.5

No.	Resource Area[1]	Commitment	Responsibility	Timing of Implementation	Project Phase(s)[2]	Section/ Figure Reference[3]
ES-Table II (cont.)						
13. (cont.)	**History/ Architecture Resources** *Environmental Justice* *Socioeconomic Groups* *Section 4(f) Properties* *Public Inv. and Agency Coord.*	ii. 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	Right-of-Way Acquisition	III	4.1.7, 4.1.8, 4.5.2, 4.13.5
		The following measures to minimize and mitigate impacts to Longworth Hall will be implemented pursuant to Section 4(f) of the U.S. Department of Transportation Act of 1966 to ensure the preservation of the property:				
		a. While in ODOT's ownership, ODOT will be responsible for maintaining Longworth Hall and its historic integrity.	ODOT	Design, Construction, Post-Construction	III	4.13.5
		b. 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.	ODOT	Design, Construction, Post-Construction	III	4.13.5
14.	**History/ Architecture Resources** *Section 4(f) 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 the unanticipated discovery plans for their respective states, as described in Appendix A of 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 Brent Spence Bridge Corridor Project*.	KYTC, ODOT	Design, Construction	I, II, and III	4.5.2, 4.13.13
15.	**History/ Architecture Resources**	If project-related construction adjoining the Goebel Park Complex, including the transfer of replacement land, has not yet been completed by 2029, the Goebel Park Complex and associated elements (including the Carroll Chimes Clock Tower) will be reevaluated for NRHP eligibility.	KYTC	Construction	III	4.5.2

No.	Resource Area[1]	Commitment	Responsibility	Timing of Implementation	Project Phase(s)[2]	Section/ Figure Reference[3]
ES-Table II (cont.)						
16.	**Archaeological Resources**	A Phased Archaeological Survey will be conducted on one parcel (Exhibit 1 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*). 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 National Register of Historic Places (NRHP). All work must comply with the most recent version of the Kentucky SHPO's *Specifications for Archaeological Field Work and Assessment Reports* (Kentucky SHPO Specifications). Upon completion of the survey, a report shall be prepared in accordance with the Kentucky SHPO Specifications and shall be submitted by the FHWA, with KYTC as its agent, to the Kentucky SHPO and interested Federally Recognized Tribes for review and comment.	KYTC	Design, Construction	III	4.5.3
17.	**Archaeological Resources**	If any sites are determined to be eligible for the NRHP through Phase II testing, and these sites cannot be avoided or will be impacted by the project, then FHWA will consult with the Kentucky SHPO and other parties whom the FHWA deems appropriate and develop a research design and recovery plan (Plan) in conformance with the Kentucky SHPO's *Specifications for Archaeological Field Work and Assessment Reports*. The Plan will be submitted to the Kentucky SHPO for review and comment. Unless the Kentucky SHPO comments or objects within thirty (30) days of receiving the Plan, the FHWA shall ensure that the Plan is implemented.	KYTC	Design, Construction	III	4.5.3
18.	**Archaeological Resources**	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.	ODOT	Design	I	4.5.3

No.	Resource Area[1]	Commitment	Responsibility	Timing of Implementation	Project Phase(s)[2]	Section/ Figure Reference[3]
ES-Table II (cont.)						
19.	**Archaeological Resources**	Soil and geotechnical borings conducted during the design phase in the Ohio portion of 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.	ODOT	Design	III	4.5.3
20.	**Section 106 Consulting Parties** *Public Inv. and Agency Coord.*	Once the structures to be demolished in the Lewisburg Historic District are acquired and a demolition contractor has been selected, KYTC will notify the Kenton County Historical Society and the City of Covington Historic Preservation Office of the name and contact information of the contractor to allow the interested parties to discuss the possibility of material recovery and salvage directly with the demolition contractor.	KYTC	Construction	III	4.5.4, 5.6
21.	**Section 106 Consulting Parties** *Public Inv. and Agency Coord.*	The Ohio State Historic Preservation Officer (SHPO) and Ohio Section 106 consulting parties will be given an opportunity to review and comment on final design plans.	ODOT	Design	I, II, and III	4.5.4, 5.6
22.	**Noise** *Socioeconomic Groups*	The existing berm between West Maple Avenue and I-71/I-75 shall be marked “not to be disturbed” during construction.	KYTC	Construction	III	4.1.8, 4.8.1
23.	**Noise** *Env. Justice Socio. Groups Disadvantaged Communities Children Section 4(f) Prop. Public Inv. and Agency Coord.*	In accordance with the KYTC *Noise Analysis and Abatement Policy*, a noise abatement public meeting and surveys will be conducted with benefited receptors at the following locations where noise and noise/visual screening barriers are proposed in Kentucky:				
		a. Northbound (NB) I-71/I-75 from Beechwood Road to Dixie Highway.	KYTC	Design	III	4.1.10, 4.8.1, 5.6, Fig. 8 & 22
		b. NB I-71/I-75 from Dixie Highway to Kyles Lane.	KYTC	Design	III	4.1.10, 4.8.1, 4.13.1, 5.6, Fig. 8 & 22

No.	Resource Area[1]	Commitment	Responsibility	Timing of Implementation	Project Phase(s)[2]	Section/ Figure Reference[3]
ES-Table II (cont.)						
23. (cont.)	**Noise** *Environmental Justice* *Socioeconomic Groups* *Disadvantaged Communities* *Children* *Section 4(f) Properties* *Public Inv. and Agency Coord.*	c. NB I-71/I-75 from Kyles Lane to the Ivy Knoll Senior Living Community.	KYTC	Design	III	4.1.7, 4.1.8, 4.1.9, 4.8.1, 5.6, Fig. 8 & 22
		d. NB I-71/I-75 from south of Edgecliff Road to Pike Street.	KYTC	Design	III	4.1.7, 4.1.8, 4.1.9, 4.1.10, 4.8.1, 5.6, Fig. 8 & 22
		e. NB I-71/I-75 from Pike Street to West 4th Street.	KYTC	Design	III	4.1.7, 4.1.8, 4.1.9, 4.1.10, 4.8.1, 4.13.3, 5.6, Fig. 8 & 22
		f. Southbound (SB) I-71/I-75 from West 3rd Street to south of Hermes Avenue.	KYTC	Design	III	4.1.8, 4.1.10, 4.8.1, 4.13.4, 5.6, Fig. 8 & 22
		g. SB I-71/I-75 from north of St. Joseph Lane to Kyles Lane.	KYTC	Design	III	4.1.7, 4.1.8, 4.1.10, 4.8.1, 4.13.2, 5.6, Fig. 8 & 22
		h. SB I-71/I-75 north of Dixie Highway.	KYTC	Design	III	4.1.8, 4.8.1, 5.6, Fig. 8 & 22
		i. SB I-71/I-75 from Dixie Highway to south of West Maple Avenue.	KYTC	Design	III	4.1.8, 4.8.1, 5.6, Fig. 8 & 22
		KYTC will further evaluate the spacing between the proposed stand-alone noise walls in the vicinity of Hermes Avenue, Watkins Street, and Hinde Street (included in the proposed noise barrier for SB I-71/I-75 from West 3rd Street to south of Hermes Avenue) during detailed design and through the noise public involvement process.	KYTC	Design	III	4.8.1, 5.1.2, 5.6, Fig. 8 & 22

No.	Resource Area[1]	Commitment	Responsibility	Timing of Implementation	Project Phase(s)[2]	Section/ Figure Reference[3]
ES-Table II (cont.)						
24.	**Noise** *Env. Justice* *Socio. Groups* *Disadvantaged Communities* *Cultural Resources* *Visual Resources* *Section 4(f) Prop.* *Section 6(f) Prop.* *Public Inv. and Agency Coord.*	KYTC will coordinate with the City of Covington to evaluate the use of transparent noise barriers in some locations to preserve views of Goebel Park from the highway and to preserve views of the skyline and across I-71/I-75 from surrounding neighborhoods.	KYTC	Design	III	4.1.7, 4.1.8, 4.1.9, 4.5.2, 4.8.1, 4.9, 4.13.3, 4.13.4, 4.14.3, 5.1.2, 5.6
25.	**Noise** *Environmental Justice* *Socioeconomic Groups* *Disadvantaged Communities* *Children* *Section 4(f) Prop.* *Public Inv. and Agency Coord.*	In accordance with the ODOT *Analysis and Abatement of Highway Traffic Noise Policy Statement*, ODOT will conduct noise abatement public involvement with benefited receptors where noise abatement has been determined to be feasible and reasonable:				
		a. Northbound (NB) I-75 in front of the Queensgate Playground and Ball Field.	ODOT	Design	II	4.1.7, 4.1.8, 4.1.9, 4.1.10, 4.8.2, 4.13.7, 5.6, Fig. 8 & 22
		b. NB I-75 from West Court Street to Ezzard Charles Drive.	ODOT	Design	II	4.1.7, 4.1.8, 4.1.9, 4.1.10, 4.8.2, 5.6, Fig. 8 & 22
		c. NB I-75 from Ezzard Charles Drive to Liberty Street.	ODOT	Design	II	4.1.7, 4.1.8, 4.1.9, 4.1.10, 4.8.2, 5.6, Fig. 8 & 22
		d. NB I-75 from Liberty Street to Findlay Street.	ODOT	Design	II	4.1.7, 4.1.8, 4.1.9, 4.1.10, 4.8.2, 5.6, Fig. 8 & 22
		e. NB I-75 from York Street to Bank Street.	ODOT	Design	I	4.1.7, 4.1.8, 4.1.9, 4.8.2, 5.6, Fig. 8 & 22

No.	Resource Area[1]	Commitment	Responsibility	Timing of Implementation	Project Phase(s)[2]	Section/ Figure Reference[3]
ES-Table II (cont.)						
26.	**Noise** *Env. Justice* *Socioeconomic Groups* *Disadvantaged Communities* *Children*	ODOT will construct 57-inch barriers on the Liberty Street, Findlay Street, and Bank Street bridge parapets to reduce tire pavement noise.	ODOT	Construction	I and II	4.1.7, 4.1.8, 4.1.9, 4.1.10, 4.8.2
27.	**Visual Resources** *Neighborhood and Com. Cohesion* *Env. Justice* *Socio. Groups* *Cultural Resources* *Section 4(f) Prop.* *Section 6(f) Prop.* *Public Inv. and Agency Coord.*	KYTC will continue to coordinate with the Covington and Fort Wright/ Fort Mitchell Aesthetics Subcommittees to finalize aesthetic treatments in those cities.	KYTC	Design	III	4.1.2, 4.1.7, 4.1.8, 4.5.2, 4.9, 4.13.1, 4.13.2, 4.13.3, 4.13.4, 4.14.3, 5.6
28.	**Visual Resources** *Neighborhood and Com. Cohesion* *Env. Justice* *Socio. Groups* *Section 4(f) Prop.* *Public Inv. and Agency Coord.*	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. Potential changes to 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 in accordance with ODOT's *Aesthetic Design Guidelines*.	ODOT	Design	I and II	4.1.2, 4.1.7, 4.1.8, 4.9, 4.13.6, 4.13.7, 4.13.8, 5.6

No.	Resource Area[1]	Commitment	Responsibility	Timing of Implementation	Project Phase(s)[2]	Section/ Figure Reference[3]
ES-Table II (cont.)						
29.	**Visual Resources** *Neighborhood and Com. Cohesion* *Env. Justice* *Socio. Groups* *Public Inv. and Agency Coord.*	KYTC and ODOT will continue to engage the project Aesthetics Committee as described in the *Brent Spence Bridge Project Aesthetic Committee Charter* for final confirmation of the aesthetic treatments included in Phase III of the project.	KYTC, ODOT	Design	III	4.1.2, 4.1.7, 4.1.8, 4.9, 5.6
30.	**Visual Resources** *Environmental Justice* *Socioeconomic Groups* *Public Inv. and Agency Coord.*	The approved bridge types for the new companion bridge include an arch bridge and a cable-stayed bridge. The approved top elevation is no less than 300 feet and no more than 420 feet above the normal pool elevation of the Ohio River. KYTC and ODOT will determine the final bridge type for the new companion bridge based on a technical evaluation performed by the design-build team. Once the bridge type is determined, the project Aesthetics Committee will be engaged to provide initial feedback on the aesthetic elements of the new companion bridge and the existing Brent Spence Bridge.	KYTC, ODOT	Design	III	4.1.7, 4.1.8, 4.9, 5.6
31.	**Indirect and Cumulative** *Environmental Justice*	In recognition of the history of city-sponsored urban renewal and the original Mill Creek Expressway (I-75) construction and as an enhancement in the West End neighborhood, ODOT will work with the City of Cincinnati, which includes the West End Community Council, to develop content for an interpretive display describing the West End community in relation to historic city urban renewal and the Millcreek Expressway construction and to identify a location in proximity to the I-75 corridor to install the display.	ODOT	Construction	II	4.1.7, 4.10.2

No.	Resource Area[1]	Commitment	Responsibility	Timing of Implementation	Project Phase(s)[2]	Section/ Figure Reference[3]
ES-Table II (cont.)						
32.	**Construction** *Env. Justice* *Socio. Groups* *Disadvantaged Communities* *Children* *Eco. Resources* *Air Quality* *Noise* *Indirect & Cumulative* *Utilities & RRs* *Section 4(f) Prop.* *Section 6(f) Prop.* *Permits* *Public Inv. and Agency Coord.*	The following measures will be implemented to minimize and mitigate temporary construction impacts:				
		a. During construction, vehicular, bicycle, and Americans with Disabilities Act-compliant pedestrian access to neighborhoods and community facilities will be maintained through provision of alternate routes of entry. Where sidewalks, walkways, or shoulders must be temporarily closed to facilitate construction, safe pedestrian passage will always be maintained on one side of the roadway, unless other temporary pedestrian accommodations are provided. Construction zone pedestrian access will be maintained in accordance with the *Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way as published in Federal Register Volume 88 page 53604 (88 FR 53604)*. A maintenance of traffic (MOT) plan will be developed and implemented to maintain traffic operation through the corridor and minimize disruption to the surrounding communities. The MOT plan will be coordinated with the Regional Incident Management Task Force.	KYTC, ODOT	Construction	I, II, and III	4.1.7, 4.1.8, 4.1.9, 4.11.7. 4.14.3
		b. Improvements to the intersections of West 4th Street and Main Street and West 5th Street and Main Street will be evaluated to ensure satisfactory levels of service during project construction and operation.	KYTC	Design	III	4.11.7
		c. An MOT plan will be created to meet the access requirements of communities in the City of Covington and the City of Cincinnati to minimize impacts to local businesses during project construction to the extent practicable. The contractor will be directed to maintain access to businesses for vehicles, pedestrians, and bicyclists. If access cannot be maintained, the contractor will notify the business and provide alternative access. If alternative access cannot be provided, the contractor must conduct work when the business is not operational and must restore access during business hours. In addition, temporary business signs to identify entrances will be provided by the contractor.	KYTC, ODOT	Design	I, II, and III	4.1.7, 4.1.8, 4.1.9, 4.11.7

No.	Resource Area[1]	Commitment	Responsibility	Timing of Implementation	Project Phase(s)[2]	Section/ Figure Reference[3]
ES-Table II (cont.)						
32. (cont.)	**Construction** *Environmental Justice* *Socioeconomic Groups* *Disadvantaged Communities* *Children* *Ecological Resources* *Air Quality* *Noise* *Indirect and Cumulative* *Utilities and Railroads* *Section 4(f) Properties* *Section 6(f) Properties* *Permits* *Public Inv. and Agency Coord.*	d. Impacts of the MOT plan on public transportation will be evaluated. The design-build team will develop measures to maintain existing services to provide safe, reasonable, and efficient access to goods and services unless other temporary accommodations are provided.	KYTC, ODOT	Design	I, II, and III	4.1.7, 4.1.8, 4.1.9, 4.11.7
		e. During design development, in addition to evaluating parameters such as cost, schedule, access, traffic impacts, safety, risk, etc., KYTC and ODOT will also consider construction noise abatement in areas where noise sensitive receptors are present, including:				
		i. Foundation type selection: Different foundation types have varying effects on the intensity and duration of construction noise (e.g., piling versus cast-in-place concrete shafts).	KYTC, ODOT	Design	I, II, and III	4.1.7, 4.1.8, 4.1.9, 4.1.10, 4.8.3, 4.11.7, 4.13, 4.14
		ii. Installation methodology: The same feature of work can be achieved in a variety of ways and planned for in the design phase. This could involve using mechanical or chemical splitting as means of demolition versus the use of explosives or drilling and setting a retaining wall versus driving soldier piles.	KYTC, ODOT	Design	I, II, and III	4.1.7, 4.1.8, 4.1.9, 4.1.10, 4.8.3, 4.11.7, 4.13, 4.14
		iii. Storage and staging areas: Identification or acquisition of locations/properties that provide separation from sensitive receptors. This could be by proximity or by the use of existing barriers.	KYTC, ODOT	Design	I, II, and III	4.1.7, 4.1.8, 4.1.9, 4.1.10, 4.8.3, 4.11.7, 4.13, 4.14
		iv. Phasing of work: Consideration of how work is phased can have a prominent impact on the duration for which a noise sensitive receptor is exposed to construction noise from a particular feature of work. This concept is especially evident when dealing with a receptor like a school that is out of session during the summer. Phasing the project to allow/facilitate all high decibel work to be completed at once and during this window not only reduces, but eliminates, this impact.	KYTC, ODOT	Design	I, II, and III	4.1.7, 4.1.8, 4.1.9, 4.1.10, 4.8.3, 4.11.7, 4.13, 4.14

No.	Resource Area[1]	Commitment	Responsibility	Timing of Implementation	Project Phase(s)[2]	Section/ Figure Reference[3]
ES-Table II (cont.)						
32. (cont.)	**Construction** *Environmental Justice* *Socioeconomic Groups* *Disadvantaged Communities* *Children* *Ecological Resources* *Air Quality* *Noise* *Indirect and Cumulative* *Utilities and Railroads* *Section 4(f) Properties* *Section 6(f) Properties* *Permits* *Public Inv. and Agency Coord.*	v. Permanent noise barriers: Consideration will be given to the feasibility of constructing permanent noise barriers that are needed for noise abatement of the project's final configuration earlier in the project to help mitigate temporary construction noise.	KYTC, ODOT	Design	I, II, and III	4.1.7, 4.1.8, 4.1.9, 4.1.10, 4.8.3, 4.11.7, 4.13, 4.14
		vi. Incentives: There are provisions to establish schedule-based incentives. These incentives could be used to help minimize the duration of overall construction noise.	KYTC, ODOT	Design	I, II, and III	4.1.7, 4.1.8, 4.1.9, 4.1.10, 4.8.3, 4.11.7, 4.13, 4.14
		vii. Temporary construction detours and haul routes will be evaluated in a way to limit the impact created by redirected traffic through community sensitive areas and near noise sensitive receptors to the extent practicable. In addition to official routes, alternate routes that may also be used will also be evaluated to minimize heavy truck traffic on residential streets.	KYTC, ODOT	Design	I, II, and III	4.1.7, 4.1.8, 4.1.9, 4.1.10, 4.8.3, 4.11.7, 4.13, 4.14
		viii. The availability of night-time and weekend work will be evaluated in conjunction with permitted lane closure maps during the development of the MOT plan.	KYTC, ODOT	Design	I, II, and III	4.1.7, 4.1.8, 4.1.9, 4.1.10, 4.8.3, 4.11.7, 4.13, 4.14
		f. The MOT plan and the project communications plan will include provisions for communicating with trucking companies and mapping services to notify them of detours and delay information related to the project.	KYTC, ODOT	Design	I, II, and III	4.11.7, 5.6
		g. The MOT plan will evaluate available travel lanes on the mainline interstate during construction to reduce the potential that the project will induce traffic diversion similar to that experienced during recent closures and restrictions on the existing Brent Spence Bridge.	KYTC, ODOT	Design	I, II, and III	4.1.7, 4.1.8, 4.1.9, 4.11.7
		h. A project incident management plan will be developed to minimize diversion resulting from incidents occurring within the project limits during construction to the extent practicable. The City of Cincinnati and the Northern Kentucky cities along the corridor, including Fort Mitchell, Fort Wright, Park Hills, and Covington, will be given the opportunity to participate actively in the development of the incident management plan.	KYTC, ODOT	Design	I, II, and III	4.1.7, 4.1.8, 4.1.9, 4.11.7, 4.14.3, 5.6

No.	Resource Area[1]	Commitment	Responsibility	Timing of Implementation	Project Phase(s)[2]	Section/ Figure Reference[3]
ES-Table II (cont.)						
32. (cont.)	**Construction** *Environmental Justice* *Socioeconomic Groups* *Disadvantaged Communities* *Children* *Ecological Resources* *Air Quality* *Noise* *Indirect and Cumulative* *Utilities and Railroads* *Section 4(f) Properties* *Section 6(f) Properties* *Permits* *Public Inv. and Agency Coord.*	i. The Northern Kentucky cities along the corridor, including Fort Mitchell, Fort Wright, Park Hills, and Covington will be provided an opportunity to review and comment on the MOT plan as it is developed. KYTC will work directly with the appropriate point person for each city to ensure that all relevant agencies and first responders, including police, fire, and emergency services, have an opportunity to review and provide input into all aspects of MOT planning, MOT and incident management plan development, and construction period operations affecting their respective cities.	KYTC	Design, Construction	III	4.1.7, 4.1.8, 4.1.9, 4.11.7, 5.6
		j. ODOT will provide the City of Cincinnati an opportunity to review and comment on the project MOT plan and incident management plan as they are developed. ODOT will work directly with the City of Cincinnati Department of Transportation and Engineering (DOTE) to ensure that all relevant agencies within the City have an opportunity to review and provide input into all aspects of MOT planning, MOT and incident management plan development, and construction period operations affecting the City.	ODOT	Design, Construction	I, II, and III	4.1.7, 4.1.8, 4.1.9, 4.11.7, 5.6
		k. The construction documents, in concert with the MOT plan, will include appropriate provisions for the design-build team/contractor to install and utilize variable electronic message boards at key locations within the City of Covington (e.g., Pike and Russell, Eighth and Russell, Seventeenth and Scott) and the City of Cincinnati, as needed, during construction.	KYTC, ODOT	Design	I, II, and III	4.11.7
		l. KYTC will work to ensure that the construction documents require the contractor, working through KYTC's project manager and the Covington project director, to coordinate with the City's traffic control officers regarding the location and placement of variable electronic message boards.	KYTC	Design	III	4.11.7, 5.6

No.	Resource Area[1]	Commitment	Responsibility	Timing of Implementation	Project Phase(s)[2]	Section/ Figure Reference[3]
ES-Table II (cont.)						
32. (cont.)	**Construction** *Environmental Justice* *Socioeconomic Groups* *Disadvantaged Communities* *Children* *Ecological Resources* *Air Quality* *Noise* *Indirect and Cumulative* *Utilities and Railroads* *Section 4(f) Properties* *Section 6(f) Properties* *Permits* *Public Inv. and Agency Coord.*	m. ODOT will work to ensure that the construction documents require the contractor, working through ODOT's project manager and the Cincinnati DOTE, to coordinate the location and placement of variable electronic message boards. The construction documents also may contain other means of informing and notifying the public of traffic changes, as appropriate.	ODOT	Design	I, II, and III	4.11.7, 5.6
		n. During construction, a project website will provide regular project updates regarding maintenance of traffic plans, current traffic patterns, upcoming changes, etc. The website will provide an email address and phone number for the public to contact the contractor's designated representative with questions, concerns, or complaints regarding ongoing or planned construction activities. Information about construction sequencing, project highlights, and construction schedules will also be shared with the public through social media, e-newsletters, local media, presentations to local groups, and virtual project updates. All complaints will be investigated by project personnel. KYTC and ODOT will develop reporting protocols to ensure that the contractor responds to the inquiries in a timely manner and keeps KYTC and ODOT informed of community questions and concerns.	KYTC, ODOT	Construction	I, II, and III	4.1.7, 4.1.8, 4.1.9, 4.8.3, 4.11.7, 5.6
		o. The project communications team, working through the KYTC project manager, will make best efforts to provide timely notice to the Covington project director prior to the public release of any information related to any portion of the project located in or likely to have a substantial effect on the City of Covington.	KYTC	Construction	III	4.11.7, 5.6
		p. The project plans shall contain requirements to ensure compliance with all applicable state noise standards and local noise ordinances. The contractor, working through the KYTC and ODOT project managers, shall be required to communicate and coordinate with the Covington project director regarding noise abatement measures within the City of Covington and the Cincinnati DOTE regarding noise abatement measures within the City of Cincinnati. Such measures may include limiting construction activities and crews and construction noise during specific times of day, days of the week, number of consecutive hours or days, and special events and limiting activities that create high levels of construction noise, such as pile driving and blasting, to certain times of day to the extent practicable.	KYTC, ODOT	Construction	I, II, and III	4.1.7, 4.1.8, 4.1.9, 4.1.10, 4.8.3, 4.11.7, 4.13, 4.14

No.	Resource Area[1]	Commitment	Responsibility	Timing of Implementation	Project Phase(s)[2]	Section/ Figure Reference[3]
ES-Table II (cont.)						
32. (cont.)	**Construction** *Environmental Justice* *Socioeconomic Groups* *Disadvantaged Communities* *Children* *Ecological Resources* *Air Quality* *Noise* *Indirect and Cumulative* *Utilities and Railroads* *Section 4(f) Properties* *Section 6(f) Properties* *Permits* *Public Inv. and Agency Coord.*	q. The project plans shall contain requirements that the contractor shall comply with all state and local requirements for maintaining air quality during construction.	KYTC, ODOT	Construction	III	4.1.7, 4.1.8, 4.1.9, 4.1.10, 4.6.6, 4.11.7, 4.13, 4.14
		r. ODOT will 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	Construction, Post-Construction	I, II, and III	4.1.7, 4.1.8, 4.1.9, 4.11.7, 5.6
		s. BMPs from ODOT's *Construction and Material Specifications*, including *Supplemental Specification 832 Temporary Sediment and Erosion Control* will be used during and after construction to control erosion and sediment and protect water quality.	ODOT	Construction, Post-Construction	I, II, and III	4.2.1, 4.2.2, 4.2.4, 4.2.7, 4.10.2, 4.11.7, 4.12.1, 4.14.3, 4.15
		t. Contractors shall comply with all applicable U.S. Environmental Protection Agency (USEPA) diesel emission requirements. Contractors will utilize construction equipment that meets USEPA Tier 4 diesel engine standards to the greatest extent practicable.	KYTC, ODOT	Construction	I, II, and III	4.1.7, 4.1.8, 4.1.9, 4.1.10, 4.6.6, 4.11.7, 4.13, 4.14
		u. All diesel-powered construction equipment will use ultra-low sulfur diesel fuel.	KYTC, ODOT	Construction	I, II, and III	4.1.7, 4.1.8, 4.1.9, 4.1.10, 4.6.6, 4.11.7, 4.13, 4.14
		v. Contractors will schedule and conduct activities and employ appropriate protection techniques to minimize impacts to air quality and prevent hazardous or objectionable air quality conditions, particularly for drilling, cutting, grinding, abrasive blasting, or similar activities to the extent practicable.	KYTC, ODOT	Construction	I, II, and III	4.1.7, 4.1.8, 4.1.9, 4.1.10, 4.6.6, 4.11.7, 4.13, 4.14
		w. The burning of any materials will not be permitted on the construction site.	KYTC, ODOT	Construction	I, II, and III	4.1.7, 4.1.8, 4.1.9, 4.1.10, 4.6.6, 4.11.7, 4.13, 4.14

No.	Resource Area[1]	Commitment	Responsibility	Timing of Implementation	Project Phase(s)[2]	Section/ Figure Reference[3]
ES-Table II (cont.)						
32. (cont.)	**Construction** *Environmental Justice* *Socioeconomic Groups* *Disadvantaged Communities* *Children* *Ecological Resources* *Air Quality* *Noise* *Indirect and Cumulative* *Utilities and Railroads* *Section 4(f) Properties* *Section 6(f) Properties* *Permits* *Public Inv. and Agency Coord.*	x. Contractors will develop and implement a dust control plan that includes proactive measures to prevent discharge of dust into the atmosphere. The plan will be approved by KYTC and ODOT and will define roles and responsibilities for implementation and monitoring for compliance. Expectations and timelines established in the dust control plan will be in accordance with KYTC's *Standard Specifications* and ODOT's *Construction and Material Specifications Item 616, Dust Control.*	KYTC, ODOT	Design, Construction	I, II, and III	4.1.7, 4.1.8, 4.1.9, 4.1.10, 4.2.4, 4.6.6, 4.11.7, 4.13, 4.14
		y. The following measures will be employed to protect sensitive receptors such as parks, hospitals, schools, day care facilities, building fresh air or ventilation intakes, older adult housing, and convalescent facilities from impacts of diesel exhaust fumes:				
		i. Diesel-powered engines will be located away from building air conditioners and windows to the greatest extent practicable.	KYTC, ODOT	Construction	I, II, and III	4.1.7, 4.1.8, 4.1.9, 4.1.10, 4.6.6, 4.11.7, 4.13.3, 4.13.6, 4.13.7, 4.13.8, 4.14
		ii. Exposure to diesel exhaust within 50 feet of sensitive receptors will be minimized in terms of concentration and time to the greatest extent practicable.	KYTC, ODOT	Construction	I, II, and III	4.1.7, 4.1.8, 4.1.9, 4.1.10, 4.6.6, 4.11.7, 4.13.3, 4.13.6, 4.14.7, 4.13.8, 4.14
		iii. Idling time for diesel-powered equipment will be minimized to the greatest extent practicable.	KYTC, ODOT	Construction	I, II, and III	4.1.7, 4.1.8, 4.1.9, 4.1.10, 4.6.6, 4.11.7, 4.13.3, 4.13.6, 4.13.7, 4.13.8, 4.14
		z. Digital signs such as arrow panels and variable electronic message boards will use solar power to the greatest extent practicable.	KYTC, ODOT	Construction	I, II, and III	4.1.7, 4.1.8, 4.1.9, 4.1.10, 4.6.6, 4.11.7, 4.13, 4.14

No.	Resource Area[1]	Commitment	Responsibility	Timing of Implementation	Project Phase(s)[2]	Section/ Figure Reference[3]
ES-Table II (cont.)						
32. (cont.)	**Construction** *Environmental Justice* *Socioeconomic Groups* *Disadvantaged Communities* *Children* *Ecological Resources* *Air Quality* *Noise* *Indirect and Cumulative* *Utilities and Railroads* *Section 4(f) Properties* *Section 6(f) Properties* *Permits* *Public Inv. and Agency Coord.*	aa. Contractors will develop and implement an outdoor ambient air quality monitoring program during construction for the following sensitive areas: i. In the vicinity of Beechwood Elementary and High School in Fort Mitchell, Kentucky. ii. In the vicinity of Notre Dame Academy in Fort Wright and Park Hills, Kentucky. iii. East and west of I-71/I-75 between Edgecliff Road and West 5th Street in Covington, Kentucky. iv. East and west of I-75 between 9th Street and Findlay Street in Cincinnati, Ohio. The program will be overseen by KYTC and ODOT. Contractors will develop and implement a plan to be approved by KYTC and ODOT that identifies locations, times, and durations of air quality monitoring and protocols to address any exceedances of the National Ambient Air Quality Standards (NAAQS) should they be observed, including procedures for determining whether any exceedances are caused by project-created emissions or other emission sources. Locations, times, and durations for air quality monitoring will be determined during final design; in consideration of land uses, non-project sources of emissions, and construction phasing; and in consultation with the city in which the monitoring will occur. The plan will define a program for background particulate monitoring to establish and routinely verify baseline levels prior to the commencement of active construction in the vicinity of any monitoring location. During active construction in the vicinity of any monitoring location, real-time particulate matter data will be collected at an interval to be established in the ambient air quality monitoring plan (for example, measures every 10 seconds and logged in 15-minute periods).	KYTC, ODOT	Design, Construction	II and III	4.1.7, 4.1.8, 4.1.9, 4.1.10, 4.6.6, 4.11.7, 4.13.3, 4.13.7, 4.13.8, 4.14.3, 5.1.2, 5.6

No.	Resource Area[1]	Commitment	Responsibility	Timing of Implementation	Project Phase(s)[2]	Section/ Figure Reference[3]
ES-Table II (cont.)						
32. (cont.)	**Construction** *Environmental Justice* *Socioeconomic Groups* *Disadvantaged Communities* *Children* *Ecological Resources* *Air Quality* *Noise* *Indirect and Cumulative* *Utilities and Railroads* *Section 4(f) Properties* *Section 6(f) Properties* *Permits* *Public Inv. and Agency Coord.*	aa. (cont.) Particulate matter data will be time-weighted over 24 hours for comparison to the NAAQS. If the data show that air quality levels are approaching a concern level (to be established in the monitoring plan) that may result in an exceedance of the 24-hour NAAQS for PM2.5, the 1-hour NAAQS for nitrogen dioxide, or the 8-hour NAAQS for carbon monoxide, then project-related operational and/or mechanical deficiencies will be identified and corrected, as required, if they are determined to be contributing factors. If the data result in any air quality levels that exceed the above-stated NAAQS for PM2.5, nitrogen dioxide, or carbon monoxide that are caused by project-related emissions, then the applicable construction activities will be suspended until the deficiencies are identified and corrected. The plan will define and implement a program for making project air monitoring and enforcement data available to the public. At a minimum, information will be shared with the public through project website updates, social media, e-newsletters, and the Project Advisory Committee.				
		bb. The project staff will be educated on the noise sensitive receptors. This will include not only their location, but also the type (resident, school, business, etc.), hours of operation, and any prior concerns communicated.	KYTC, ODOT	Design, Construction	I, II, and III	4.1.7, 4.1.8, 4.1.9, 4.1.10, 4.8.3, 4.11.7, 4.13, 4.14
		cc. Motorized construction equipment will be equipped with an appropriate, well-maintained muffler and will include silencers on both air intakes and air exhaust when reasonable. Contractors will have an established maintenance program for their equipment fleet and will ensure that necessary maintenance/repairs are performed before putting equipment into service. Equipment will also be pulled out of service to address deficiencies identified during operation. When noise sensitive receptors are present, specific attention will be given to the muffler systems on all combustion engines, as that is often a primary source of construction noise.	KYTC, ODOT	Construction	I, II, and III	4.1.7, 4.1.8, 4.1.9, 4.1.10, 4.8.3, 4.11.7, 4.13, 4.14

No.	Resource Area[1]	Commitment	Responsibility	Timing of Implementation	Project Phase(s)[2]	Section/ Figure Reference[3]
ES-Table II (cont.)						
32. (cont.)	**Construction** *Env. Justice* *Socio. Groups* *Disadvantaged Communities* *Children* *Eco. Resources* *Air Quality* *Noise* *Indirect and Cumulative* *Utilities and RRs* *Section 4(f) Prop.* *Section 6(f) Prop.* *Permits* *Public Inv. and Agency Coord.*	dd. To the greatest extent practicable, construction equipment and vehicles carrying rock, concrete, or other materials will utilize designated routes that will cause the least disturbance to noise sensitive receptors.	KYTC, ODOT	Construction	I, II, and III	4.1.7, 4.1.8, 4.1.9, 4.1.10, 4.8.3, 4.11.7, 4.13, 4.14
		ee. Where practicable, existing features will be utilized to minimize the impacts of construction noise on noise sensitive receptors. Such features will include bridges, berms, retaining walls, and buildings. Temporary features already necessary for performing the work, such as stockpiles and tool trailers, may also be strategically utilized to assist in this effort. Where necessary, temporary features, such as hay bales, will be constructed specifically to minimize construction noise where noise sensitive receptors are present.	KYTC, ODOT	Construction	I, II, and III	4.1.7, 4.1.8, 4.1.9, 4.1.10, 4.8.3, 4.11.7, 4.13, 4.14
		ff. Where noise sensitive receptors are present, specific consideration will be given to the selection of equipment to be utilized. This may include the age of the equipment as newer equipment typically employs new technology with respect to emissions and noise, if shielding or engine enclosures are standard, size appropriateness, and power source (gas/diesel, electric/solar, pneumatic, hydraulic).	KYTC, ODOT	Construction	I, II, and III	4.1.7, 4.1.8, 4.1.9, 4.1.10, 4.8.3, 4.11.7, 4.13, 4.14
33.	**Utilities** *Construction* *Public Inv. and Agency Coord.*	Coordination with utilities will continue through the design and construction phases to minimize project-related impacts to their infrastructure.	KYTC, ODOT	Design, Construction	I, II, and III	4.11.2, 4.12.1, 5.6

No.	Resource Area[1]	Commitment	Responsibility	Timing of Implementation	Project Phase(s)[2]	Section/ Figure Reference[3]
ES-Table II (cont.)						
34.	**Utilities** *Neighborhood and Com. Cohesion* *Env. Justice* *Socio. Groups* *Disadvantaged Communities* *Ecological Res.* *Greenhouse Gases and Climate Change* *Indirect & Cumulative* *Section 4(f) Prop.* *Section 6(f) Prop.* *Public Inv. and Agency Coord.*	KYTC, the City of Covington, and Kentucky Sanitation District 1 (SD1) will act cooperatively on water quality issues within the Ohio River and Willow Run watersheds. KYTC will participate with City and SD1 efforts to bring applicable agencies together to discuss, investigate, and evaluate mutually beneficial arrangements. KYTC will separate all interstate runoff from the Brent Spence Bridge corridor from the existing combined sewer system. In addition, KYTC will work with the City of Covington and SD1 to address surcharging in the Peaselburg neighborhood based on the local design criteria for a 25-year storm.	KYTC	Design, Construction	III	4.1.2, 4.1.7, 4.1.8, 4.1.9, 4.2.2, 4.7, 4.10.2, 4.12.1, 4.13.3, 4.14.3, 5.2, 5.6
35.	**Utilities** *Neighborhood and Com. Cohesion* *Env. Justice* *Socio Groups* *Disadvantaged Communities* *Ecological Res.* *Greenhouse Gases & Climate Change* *Public Inv. and Agency Coord.*	The project will separate highway drainage from the existing combined sewer system in Ohio, and ODOT will partner with the Metropolitan Sewer District of Greater Cincinnati to build infrastructure to drain directly to Mill Creek and/or the Ohio River. Vegetated options for stormwater best management practices (BMPs) will be utilized to the maximum extent practicable. Given the dense urban land use in the project area, the majority of the stormwater BMP treatment requirements will be addressed via off-site mitigation. ODOT will continue to coordinate off-site mitigation measures with the Ohio Environmental Protection Agency (OEPA) as each project phase progresses through detailed design.	ODOT	Design, Construction	I, II, and III	4.1.2, 4.1.7, 4.1.8, 4.1.9, 4.2.2, 4.2.7, 4.7, 4.12.1, 5.6

No.	Resource Area[1]	Commitment	Responsibility	Timing of Implementation	Project Phase(s)[2]	Section/ Figure Reference[3]
ES-Table II (cont.)						
36.	**Section 4(f) Properties** *Community Facilities* *Environmental Justice* *Socioeconomic Groups* *Disadvantaged Communities* *Section 6(f) Properties* *Public Inv. and Agency Coord.*	The following mitigation measures for the Section 4(f) use of the Goebel Park Complex will be implemented:				
		a. 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 must be completed within one year of initiation of the planning process.	KYTC	Right-of-Way Acquisition, Post-Construction	III	4.1.3, 4.1.7, 4.1.8, 4.1.9, 4.13.3, 4.14.3, 5.2, 5.6
		b. 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.	KYTC	Right-of-Way Acquisition, Post-Construction	III	4.1.3, 4.1.7, 4.1.8, 4.1.9, 4.13.3, 4.14.6, 5.2, 5.6
		c. 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.	KYTC	Design, Construction	III	4.1.3, 4.1.7, 4.1.8, 4.1.9, 4.13.3, 4.14.3, 5.2, 5.6

No.	Resource Area[1]	Commitment	Responsibility	Timing of Implementation	Project Phase(s)[2]	Section/ Figure Reference[3]
ES-Table II (cont.)						
36. (cont.)	**Section 4(f) Properties** *Com. Facilities* *Env. Justice* *Socio. Groups* *Disadvantaged Communities* *Section 6(f) Prop.* *Public Inv. and Agency Coord.*	d. 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.	KYTC	Design	III	4.1.3, 4.1.7, 4.1.8, 4.1.9, 4.13.3, 4.14.3, 5.2, 5.6
		e. 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 within the Goebel Park Complex to be established during the new master planning process facilitated by the City of Covington.	KYTC	Design	III	4.1.3, 4.1.7, 4.1.8, 4.1.9, 4.13.3, 4.14.3, 5.2, 5.6
		f. 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.	KYTC	Construction	III	4.1.3, 4.1.7, 4.1.8, 4.1.9, 4.13.3, 4.14.3, 5.2, 5.6
37.	**Section 4(f) Properties** *Community Facilities* *Environmental Justice* *Socioeconomic Groups* *Disadvantaged Communities* *Public Inv. and Agency Coord.*	The following measures will be implemented to minimize harm during construction activities affecting the Firefighters Memorial:				
		a. Access to the resource 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.	ODOT	Construction	III	4.1.3, 4.1.7, 4.1.8, 4.1.9, 4.13.6, 5.2, 5.6
		b. Temporary construction fencing shall be installed along proposed construction limits prior to the start of construction activities to protect the resource and the public.	ODOT	Construction	III	4.1.3, 4.1.7, 4.1.8, 4.1.9, 4.13.6, 5.2, 5.6
		c. Appropriate signage shall be installed to alert users of the resource of construction activities, access restrictions or closures, and to direct users to secondary access points.	ODOT	Construction	III	4.1.3, 4.1.7, 4.1.8, 4.1.9, 4.13.6, 5.2, 5.6

No.	Resource Area[1]	Commitment	Responsibility	Timing of Implementation	Project Phase(s)[2]	Section/ Figure Reference[3]
ES-Table II (cont.)						
37. (cont.)	**Section 4(f) Properties** *Com. Facilities* *Env. Justice* *Socio. Groups* *Disadvantaged Communities* *Public Inv. and Agency Coord.*	d. 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 affecting the resource.	ODOT	Construction	III	4.1.3, 4.1.7, 4.1.8, 4.1.9, 4.13.6, 5.2, 5.6
		e. The area will be returned to the same use as exists today.	ODOT	Post-Construction	III	4.1.3, 4.1.7, 4.1.8, 4.1.9, 4.13.6, 5.2, 5.6
38.	**Section 4(f) Properties** *Community Facilities* *Environmental Justice* *Socioeconomic Groups* *Disadvantaged Communities* *Public Inv. and Agency Coord.*	In accordance with 23 CFR part 774 (Section 4(f)), measures to mitigate *de minimis* Section 4(f) impacts to the Queensgate Playground and Ball Field will comply with the *Memorandum of Agreement (ODOT Agreement Number 16588)*, executed May 5, 2011:				
		a. 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.	ODOT	Completed in 2014	II	4.1.3, 4.1.7, 4.1.8, 4.1.9, 4.13.7, 5.2, 5.6
		b. 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).	ODOT	Completed in 2012	II	4.1.3, 4.1.7, 4.1.8, 4.1.9, 4.13.7, 5.2, 5.6
		c. 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. Based on updated noise analyses, a 10-foot noise barrier is proposed along the park and highway boundary in lieu of the limited access right-of-way fencing. If the noise public involvement concludes that a noise barrier will not be built, then the limited access right-of-way fencing will be installed as noted above.	ODOT	Construction	II	4.1.3, 4.1.7, 4.1.8, 4.1.9, 4.13.7, 5.2, 5.6

No.	Resource Area[1]	Commitment	Responsibility	Timing of Implementation	Project Phase(s)[2]	Section/ Figure Reference[3]
ES-Table II (cont.)						
39.	**Section 4(f) Properties** *Community Facilities* *Environmental Justice* *Socioeconomic Groups* *Disadvantaged Communities* *Public Inv. and Agency Coord.*	The following measures will be implemented to minimize harm during construction activities affecting Ezzard Charles Park (formerly Laurel Park):				
		a. Access to the resource 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.	ODOT	Construction	II	4.1.3, 4.1.7, 4.1.8, 4.1.9, 4.13.8, 5.2, 5.6
		b. Temporary construction fencing shall be installed along proposed construction limits prior to the start of construction activities to protect the resource and the public.	ODOT	Construction	II	4.1.3, 4.1.7, 4.1.8, 4.1.9, 4.13.8, 5.2, 5.6
		c. Appropriate signage shall be installed to alert users of the resource of construction activities, access restrictions or closures, and to direct users to secondary access points.	ODOT	Construction	II	4.1.3, 4.1.7, 4.1.8, 4.1.9, 4.13.8, 5.2, 5.6
		d. 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.	ODOT	Construction	II	4.1.3, 4.1.7, 4.1.8, 4.1.9, 4.13.8, 5.2, 5.6
		e. The area will be returned to the same use as exists today.	ODOT	Post-Construction	II	4.1.3, 4.1.7, 4.1.8, 4.1.9, 4.13.8, 5.2, 5.6
		f. 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 affecting the resource.	ODOT	Construction	II	4.1.3, 4.1.7, 4.1.8, 4.1.9, 4.13.8, 5.2, 5.6
		g. 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.	ODOT	Construction	II	4.1.3, 4.1.7, 4.1.8, 4.1.9, 4.13.8, 5.2, 5.6
40.	**Section 4(f) Properties**	During design and construction, KYTC and ODOT will notify the National Park Service 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.	KYTC, ODOT	Design, Construction	III	4.13.11

No.	Resource Area[1]	Commitment	Responsibility	Timing of Implementation	Project Phase(s)[2]	Section/ Figure Reference[3]
ES-Table II (cont.)						
41.	**Section 6(f) Properties** *Section 4(f) Properties* *Public Inv. and Agency Coord.*	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 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 the Kentucky Department for Local Government (DLG) will complete the Section 6(f) conversion in accordance with National Park Service (NPS) requirements within two years after KYTC acceptance of the completed work in the vicinity of the Goebel Park Complex.	FHWA, KYTC	Design, Construction, Right-of-Way Acquisition, Post-Construction	III	4.14.6, 5.6
42.	**Permits** *Ecological Resources*	Project-related activities affecting jurisdictional wetlands or streams or United States Army Corps of Engineers (USACE) Civil Works facilities will not commence until the applicable permits and/or permissions have been issued – Section 401 Water Quality Certification through the Ohio Environmental Protection Agency (OEPA) and the Kentucky Division of Water (KDOW), USACE Section 404 (and any applicable Section 10), United States Coast Guard (USCG) Section 9, and/or USACE Section 408 permission – for any project-related activities or construction subsections impacting these resources to ensure compliance with the Clean Water Act of 1972, the Rivers and Harbors Act of 1899, and 33 United States Code (USC) Section 408.	KYTC, ODOT	Design, Construction	III	4.2.1, 4.2.2, 4.15
43.	**Permits** *Ecological Resources*	All project-related activities planned to occur in waterways or that may affect United States Army Corps of Engineers (USACE) Civil Works facilities (i.e., geotechnical investigations, temporary dewatering, construction access, etc.) will be coordinated with KYTC and ODOT to determine permitting and/or permission requirements prior to conducting such activities.	KYTC, ODOT	Design, Construction	III	4.2.2, 4.15

No.	Resource Area[1]	Commitment	Responsibility	Timing of Implementation	Project Phase(s)[2]	Section/ Figure Reference[3]
ES-Table II (cont.)						
44.	**Permits**	All applicable permit conditions will be included in the project's construction documents, and all permit conditions will be followed during construction.	KYTC, ODOT	Design, Construction	III	4.15
45.	**Permits** *Eco. Resources*	Jurisdictional wetland and stream mitigation will be provided in accordance with the approved Section 404 permit and Section 401 Water Quality Certification.	KYTC, ODOT	Construction	III	4.2.1, 4.2.2, 4.15
46.	**Permits** *Ecological Resources*	Floodplain/floodway permits will be obtained before construction activities impacting floodplains/floodways occur – floodplain permits from the City of Cincinnati and the City of Covington and a Conditional Letter of Map Revision (CLOMR)/Letter of Map Revision (LOMR) from the Federal Emergency Management Agency (FEMA) for regulated floodways.	KYTC, ODOT	Design, Post-Construction	III	4.2.5, 4.15
47.	**Permits** *Construction*	A National Pollutant Discharge Elimination System (NPDES) Permit will be obtained from the Ohio Environmental Protection Agency (OEPA) before construction activities begin.	ODOT	Construction	I, II, and III	4.11.7, 4.15
48.	**Permits** *Construction*	A Kentucky Pollutant Discharge Elimination System (KPDES) Permit will be obtained from the Kentucky Division of Water (KDOW) before construction activities begin.	KYTC	Construction	III	4.11.7, 4.15
49.	**Public and Stakeholder Involvement** *Travel Patterns and Access*	ODOT will build a wider bridge on Ezzard Charles Drive over I-75. The widened bridge will 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. ODOT will fund the cost of the bridge design and will share the construction cost with the City. ODOT and the City will develop cost sharing and maintenance agreements prior to construction. ODOT will design and construct the non-deck components for the new Ezzard Charles Drive bridge over I-75 to not preclude potential future streetcar route expansion.	ODOT	Design, Construction	II	4.1.4, 5.1.1, 5.1.2

No.	Resource Area[1]	Commitment	Responsibility	Timing of Implementation	Project Phase(s)[2]	Section/ Figure Reference[3]
ES-Table II (cont.)						
50.	**Public and Stakeholder Involvement** *Env. Justice* *Socio. Groups* *Disadvantaged Communities*	In accordance with current policies, ODOT will transfer approximately 10 acres of excess land opened up by refinements to the 3rd Street, 4th Street, 5th Street, and 6th Street ramps to the City of Cincinnati for potential redevelopment and/or public use.	ODOT	Post-Construction	III	4.1.7, 4.1.8, 4.1.9, 5.1.2
51.	**Public and Stakeholder Involvement** *Travel Patterns and Access*	The following refinements suggested during public involvement activities will be further evaluated during the innovation process for the Phase III progressive design-build contract: a. Eliminate the 3rd Street ramp to the northbound collector-distributor system in Cincinnati and redirect traffic to the proposed connection at the end of the Clay Wade Bailey Bridge; b. Reconfigure the lanes on the Clay Wade Bailey Bridge to add bicycle lanes; c. Reconfigure 6th Street in Cincinnati to accommodate two-way traffic; and d. Design concepts submitted by the Bridge Forward Coalition.	ODOT, KYTC	Design	III	4.1.4, 5.1.2
52.	**Local Agency Coordination**	KYTC will implement the commitments and good faith cooperation measures outlined in the *Memorandum of Understanding between the City of Covington, Kentucky and the Kentucky Transportation Cabinet Regarding Brent Spence Bridge Project and NEPA Reevaluation Process* executed June 15, 2022 and the *Memorandum of Agreement Between the Kentucky Transportation Cabinet and the City of Covington, Kentucky* executed June 15, 2022.	KYTC	Design, Construction	III	5.2
53.	**Local Agency Coordination** *Public Inv. and Agency Coord.*	KYTC and ODOT will continue to coordinate with the Project Advisory Committee to provide project updates and gather feedback during the design and construction of the project. At a minimum, the Project Advisory Committee will be engaged at the following critical milestones: during the consideration of innovation concepts in the "proof-of-concept" phase of the Phase III progressive design-build contract, at the end of the "project development" phase of the Phase III progressive design-build contract, and prior to the construction of each project phase.	KYTC, ODOT	Design, Construction	I, II, and III	5.2, 5.6

No.	Resource Area[1]	Commitment	Responsibility	Timing of Implementation	Project Phase(s)[2]	Section/ Figure Reference[3]
ES-Table II (cont.)						
54.	**Ongoing Public & Stakeholder Involvement**	The project *Public Engagement Plan* will be updated to guide public and stakeholder engagement (including environmental justice populations, identified socioeconomic populations and groups, and disadvantaged communities) during detailed design and construction.	KYTC, ODOT	Design, Construction	I, II, and III	5.6
55.	**Ongoing Public & Stakeholder Involvement**	Information about design decisions, construction sequencing, project highlights, and construction schedules will be shared with the public through project website updates, social media, e-newsletters, local media, presentations to local groups, and virtual project updates. Information about ongoing project activities will be shared on a regular basis, and information about milestones (such as the start of a construction phase) will be shared as appropriate. Specific to the Phase III progressive design-build contract, the public will be informed of major decisions, as appropriate.	KYTC, ODOT	Design, Construction	I, II, and III	5.6
56.	**Ongoing Public & Stakeholder Involvement**	KYTC and ODOT will establish multiple methods for the public to make inquiries about the project during detailed design and construction (including via the project website, email, direct mailings, and phone) and will provide timely responses to inquiries that are received.	KYTC, ODOT	Design, Construction	I, II, and III	5.6
57.	**Section 4(f) Properties** *Com. Facilities* *Socio. Groups* *Public Inv. and Agency Coord.*	The contractor will be required to coordinate construction activities with KYTC and the City of Covington to maintain trail operations and to install protective measures to provide safe passage for pedestrians and bicyclists utilizing the Riverfront Commons Trail through the project work zone prior to beginning any construction activities over the trail.	KYTC	Design, Construction	III	4.1.3, 4.1.8, 4.13.12, 5.2, 5.6
58.	**Section 4(f) Properties** *Com. Facilities* *Socio. Groups* *Public Inv. and Agency Coord.*	Any temporary closures, occupancy, or detours of the Riverfront Commons Trail will require additional coordination with the City of Covington and approvals by KYTC and FHWA to ensure that no adverse effects or interference will occur to the trail or its use.	KYTC	Design, Construction	III	4.1.3, 4.1.8, 4.13.12, 5.2, 5.6

No.	Resource Area[1]	Commitment	Responsibility	Timing of Implementation	Project Phase(s)[2]	Section/ Figure Reference[3]
ES-Table II (cont.)						
59.	**Section 4(f) Properties** *Land Use* *Com. Facilities* *Socio. Groups* *Public Inv. and Agency Coord.*	KYTC will grant a permanent easement to the City of Covington to allow for the continued operation and maintenance of the Riverfront Commons Trail.	KYTC	Right-of-Way Acquisition	III	4.1.1, 4.1.3, 4.1.8, 4.13.12, 5.2, 5.6
60.	**Permits** *Floodplains* *Section 4(f) Prop.* *Section 6(f) Prop.*	KYTC will evaluate impacts to and potential mitigation measures for flood storage capacity in Kentucky portions of the project area as the project moves through detailed design and the United States Army Corps of Engineers (USACE) Section 408 permission process.	KYTC	Design	III	4.2.5, 4.13.3, 4.14.3, 4.15
61.	**Ongoing Public & Stakeholder Involvement**	Information regarding compliance with the project's environmental commitments will be made publicly available at appropriate milestones during the design and construction of the Phase I, Phase II, and Phase III contracts. At a minimum, information will be shared with the public through project website updates, social media, e-newsletters, and the Project Advisory Committee.	ODOT, KYTC	Design, Construction	I, II, and III	5.6
62.	**Public Involvement and Agency Coordination** *Utilities*	ODOT will work with Hamilton County to establish appropriate timeframes to schedule meetings to further discuss stormwater measures that are being developed in conjunction with the Metropolitan Sewer District of Greater Cincinnati (MSD). ODOT anticipates these meetings will occur during the plan development for Phases I and II and during the proof-of-concept and project development portions of the Phase III progressive design-build project.	ODOT	Design	I, II, and III	4.12.1, 5.1.2, 5.2, 5.6

1. *The primary resource area addressed by the environmental commitment is listed first in bold print. Additional resource areas with ancillary benefits associated with the commitment are indicated in italicized print.*

2. *Phase I (ODOT PID 11461) is a design-bid-build contract for 0.8 miles of I-75 from Findlay Street to just south of Marshall Avenue at the northern end of the Brent Spence Bridge corridor in Ohio. Phase II (ODOT PID 113361) is a design-bid-build contract for 0.9 miles of I-75 from north of the Linn Street overpass to the northern limits of the bridge over Findlay Street in Ohio. Phase III (ODOT PID 116649 | KYTC Project Item No. 6-17) is a progressive design-build contract for 6 miles of I-71/I-75 from south of the Dixie Highway (US-25) interchange in Kentucky to Linn Street in Ohio). For the Phase III progressive design-build contract, the design phase may also be referred to as the preconstruction phase.*

The Council on Environmental Quality's applicable regulations require consideration of a project's context and intensity in determining whether the project will have a significant impact (40 CFR §1508.27).

Context is defined as: "Context means that the significance of an action must be analyzed in several contexts such as society as a whole (human, national), the affected region, the affected interests, and the locality. Significance varies with the setting of the proposed action. For instance, in the case of a site-specific action, significance would usually depend upon the effects in the locale rather than in the world as a whole. Both short- and long-term effects are relevant."

Intensity refers to the severity of the impact. The regulations identify the following issues that should be considered in determining if the intensity of a project's impacts is substantial enough to warrant the preparation of an Environmental Impact Statement, or whether there is a significant impact [40 CFR § 1508.27(b)(1-10)]:

1. **Impacts that may be both beneficial and adverse. A significant effect may exist even if the federal agency believes that on balance the effect will be beneficial.**

   A supplemental EA has been prepared consistent with 23 CFR §§ 771.129 and 771.130 and assesses updated regulatory requirements, changed site conditions, design refinements to the previously selected alternative, impact changes (mostly reductions), further environmental commitments (enhancements and mitigation), and additional NEPA reevaluation and coordination efforts that have occurred since the 2012 EA/FONSI. The supplemental EA provides an analysis of potential impacts of refined project activities that were not expressly included in the approved 2012 EA/FONSI. All of the environmental studies prepared for the 2012 EA have been re-examined and updated to meet current state and federal requirements. The analysis documented in the supplemental EA has not identified any significant effects resulting from Refined Alternative I (Concept I-W).

   Since the publication of the supplemental EA, both project refinements and updated information have been developed in response to public comments received during the public comment period. In addition, detailed design activities have led to minor project refinements. The refinements and updated information are described above in section 3 and in the appended revised supplemental EA (Appendix A) and FONSI Request (Appendix B). These revisions do not yield any significant environmental impacts.

   Impacts to the human and natural environment related to the project have been evaluated through several resource areas (refer to Table 1 above). Impacts are anticipated in the following areas; however, none of the impacts are considered significant: Minor impacts to land use; minor impacts to community cohesion; minor impacts to community facilities; minor impacts to vehicular access and travel patterns; minor impacts due residential and commercial relocations; minimal effects on economy; no disproportionately high and adverse relocation, noise, or temporary construction effects and no adverse effects in several resource areas for environmental justice populations; no or minimal impacts in several resource areas for socioeconomic groups (including older adults, individuals with limited English proficiency, adults with disabilities, and zero-car households); no

additional contribution to burdens for disadvantaged communities; no permanent impacts and temporary impacts to children minimized to the greatest extent practicable; permanent wetland impacts; permanent and temporary access impacts to streams and rivers; forested habitat impacts; no impact or not likely to impact federally listed and state listed threatened and endangered species, however, likely to adversely affect but not to jeopardize one federally listed species in Kentucky; potential impact to migratory birds; floodplain impacts and potential impacts to flood control structures; regulated materials sites impacts; adverse effect for two historic properties; no appreciable impact on mobile source air toxics based on quantitative analysis; no significant emissions increases; minimal effects on greenhouse gases and climate change; noise impacts; minor visual impacts; minor indirect effects to businesses, stormwater runoff, and cultural resources; short-term impact to economy and employment; minor contribution to cumulative business displacements, stormwater runoff, and loss of parkland, wetlands, streams, and species habitat; temporary construction impacts; impacts to utilities and increased stormwater runoff; railroad access and property impacts; individual impacts to two Section 4(f) properties and *de minimis* and temporary occupancy impacts to additional properties; Section 6(f) property impacts.

Benefits are also anticipated in the following areas relative to the no-action alternative; however, none of the benefits are considered significant: Benefits to neighbourhood and community cohesion; benefits to pedestrian, bicycle, and transit access and mobility; benefits to workforce development and employment; indirect short-term benefits to economy and employment; benefits for environmental justice populations due to mitigation and enhancements; benefits for socioeconomic groups due to mitigation and enhancements; features that will help address existing burdens for disadvantaged communities; reduced overall greenhouse gas emissions and improved climate resilience; aesthetic features; beneficial indirect effects and community benefits; mitigation and enhancements for parks and historic properties provide fewer cumulative effects, benefits for Section 4(f) and Section 6(f) properties.

2. The degree to which the proposed action affects public health or safety.

Refined Alternative I (Concept I-W) meets the project purpose and need, which is to improve traffic flow and level of service; improve safety; correct geometric deficiencies; and maintain connections to key regional and national transportation corridors.

Refined Alternative I (Concept I-W) will improve vehicular safety by including measures to reduce congestion-related crashes. In addition, the collector-distributor 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. The *Interchange Modification Study Addendum (December 2023)* documents a detailed safety analysis that was conducted for the BSB Corridor Project using FHWA's *Interactive Highway Safety Design Model*.

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.

An evaluation of the effects of Refined Alternative I (Concept I-W) on health burdens in disadvantaged communities concluded that Refined Alternative I (Concept I-W) will not further contribute to health burdens and may result in potential better health outcomes for those with asthma, diabetes, heart disease, or low life expectancy.

3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

The project includes an area of potential effect that contains cultural resources, including 37 historic properties either listed on, or eligible for listing on, the National Register for Historic Places (NRHP), including the Brent Spence Bridge. A Section 106 Programmatic Agreement (PA) has been developed that stipulates measures to avoid, minimize, or mitigate adverse effects on historic properties.

Impacts to public parks will occur; however, these impacts are minimized and mitigated through environmental commitments, and the officials with jurisdiction over these properties have agreed that the project will not harm the parks. Refined Alternative I (Concept I-W) will not remove any parks. Two public parks will be permanently impacted by Refined Alternative I (Concept I-W): the Goebel Park Complex in Kentucky and the Queensgate Playground and Ball Field in Ohio. As documented in the revised supplemental EA, Refined Alternative I (Concept I-W) has avoided and minimized impacts to publicly owned parks. Proposed mitigation measures for unavoidable impacts to public parks are compensatory to the impact to the properties and comply with Section 4(f).

The project is considered to provide benefits to environmental justice communities based on mitigation and enhancements for parks and historic properties. During construction, KYTC and ODOT will develop and implement an ambient air quality monitoring program for sensitive areas in the corridor, including areas utilized by children and other sensitive land uses such as schools, parks and recreation areas, and hospitals.

4. The degree to which the effects on the quality of the human environment are expected to be highly controversial.

Controversy, according to CEQ guidelines, refers to a case where there is substantial dispute as to the size, nature, or effect of the major federal action, rather than the amount of public opposition. As discussed in the Public Involvement Summary of the revised supplemental EA, and as seen in the summary of public and agency comments received during public availability, comments have been

regularly submitted to KYTC and ODOT since 2022 when the supplemental EA effort began. KYTC and ODOT have provided individual responses to all comments received via the project website or email on a weekly basis. The public comment period for the supplemental EA began on January 26, 2024 and concluded on March 8, 2024.

General themes of comments received are listed in no particular order below:

- Project support, including for job creation and opportunities to work on the project.
- Alternatives: Rail, public transit, tolling, congestion pricing, reduced number of lanes, freeway caps, reroute trucks and/or other traffic to I-275, and do nothing.
- Environmental: Greenhouse gas emissions and climate change, air quality, stormwater management, water quality, watershed protection, threatened and endangered species impacts, and environmental commitment monitoring and public availability of data.
- Community: Environmental justice, righting past wrongs from historic interstate construction, noise and noise barriers, increased multimodal infrastructure, traffic calming, footprint reduction, reconnecting communities, creating additional developable land, creating new connections to Queensgate in Ohio, provisions for future streetcar routes, and park impacts.
- Construction: Increased traffic during construction (including in Covington), opportunities for disadvantaged business enterprises and other businesses, controlling costs and schedule, monitoring and enforcement of air quality commitments, and greenhouse gas emissions.
- Right-of-way: Property impacts (the majority of inquiries were from individuals not impacted by the project) and right-of-way status.
- Traffic: Concerns about existing traffic data, the accuracy of traffic projections, and induced traffic.
- NEPA documentation: Requests to prepare an environmental impact statement or mitigated FONSI.

KYTC and ODOT have also received correspondence addressing design concepts from the Bridge Forward Coalition (Bridge Forward); letters from the City of Cincinnati and Regional Chamber of Commerce focused on furthering the goals of getting the project done, reclaiming land, improving green space, pedestrian safety, bike facilities, and keeping a “city feel”; letters from the Devou Good Foundation expressing opposition to highway expansion projects and support for shifting funding to expanding transit options and multimodal transportation projects; and a letter from the Coalition for Transit and Sustainable Development expressing concerns about the project’s compliance with civil rights and EJ requirements. Federal, state, and local participating and cooperating agencies have also provided comments and those comments have been addressed with individual responses (Refer to Appendix B). All comments have been addressed in detail and considered, and several refinements have been incorporated into the project.

The analysis documented in the supplemental EA has not identified any significant effects resulting from Refined Alternative I (Concept I-W). The minor project refinements and updated information

presented in the revised supplemental EA and FONSI Request were developed in response to public comments received during the public comment period and based on continuing detailed design activities. These revisions do not yield any significant environmental impacts. Therefore, while public support and opposition to the Proposed Action have been documented, there is no significant controversy associated with environmental issues which have been evaluated as part of the supplemental EA efforts.

Refined Alternative I (Concept I-W) represents the base design for the Proposed Action and it is anticipated that the design-build team for the Phase III progressive design-build contract will develop innovation concepts (design refinements) that will be evaluated by KYTC and ODOT. Innovations that improve project quality, reduce costs, shorten schedule, support the design-build contract objectives, and have support at the local level may be incorporated into the project.

5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

The evaluation of impacts in the revised supplemental EA supports a conclusion that the Proposed Action will not have significant impacts on unique natural or cultural resources. In addition, provisions are in place in commitments and agreements, so that 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.

The Proposed Action is also not believed to have significant negative impacts on public health or safety. In evaluation and during public engagement, the project team did not identify any concerns unique to environmental justice (EJ) populations. The comments received did not express any concerns unique to EJ communities. To the extent the project team was able to ascertain, questions, comments and feedback were consistent across all population groups. The project team did not identify any concerns unique to minorities, low-income individuals, older adults, individuals with LEP, individuals with disabilities, or zero-car households. The Proposed Action also addressed the potential effects on children (18 years or under), who may be at greater risk from environmental contaminants due to unique activity patterns, behaviour, and biology; however, Refined Alternative I (Concept I-W) is not expected to result in permanent impacts on children; temporary impacts that may be experienced by children during construction will be minimized to the greatest extent practicable. Incomplete or unavailable information for project-specific Mobile Source Air Toxics (MSAT) health impacts analysis is discussed in the Quantitative MSAT technical report, and it is acknowledged that the understanding of mobile source air toxics is an area of continued study; however, based on projected reductions, MSAT emissions in the BSB Corridor Project area will be substantially lower in the future than they are today.

While avoidance and minimization measures incorporated into Refined Alternative I (Concept I-W) have reduced residential and commercial relocations to the greatest extent practicable, minor impacts are expected due to commercial and residential relocations; in addition, none of the commercial relocations is expected to result in substantial job loss or economic impact, nor are they

known to be substantial employers or serve unique needs within the surrounding communities. The acquisition of property for right-of-way (including residential and business relocations) has been, and will continue to be, in accordance with the Uniform Act. Housing of last resort will be available to ensure that decent, safe, and sanitary comparable replacement housing is within the financial means of the displaced person. Housing of last resort, described in 49 CFR § 24.404, is a tool to provide agencies with the flexibility necessary to respond to difficult or unique relocation conditions when there is an insufficient supply of comparable housing.

Lastly, while temporary construction impacts are anticipated, the Proposed Action includes measures to minimize and mitigate such impacts. While these measures include monitoring and coordination, with the details of situations encountered being uncertain, and commitments including establishment of plans outstanding, these situations are commonly encountered in typical bridge and road projects and do not represent a unique risk. KYTC and ODOT have policies and procedures in place that govern their efforts to design safe, efficient, and effective work zones. In addition, the use of a progressive design-build process for Phase III will allow the project team to streamline the project's schedule and expedite construction to minimize the duration of temporary impacts. Standard specifications will be implemented and best management practices followed to control situations and to proactively and reactively prevent impacts to human health and safety.

6. The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

Several comments received during the Public Hearings raised the concern that the Proposed Action's focus on highway expansion and companion bridge construction would create induced demand for travel through the corridor. Comments also questioned the traffic projections used in development of the Proposed Action and its evaluation of impacts.

As is noted in the supplemental EA, KYTC and ODOT developed design-level no-build and build certified traffic for the years 2029 and 2049, which reflected the anticipated opening day and design years for the entire Brent Spence Bridge (BSB) Corridor Project based on the most current project development. The certified traffic projections were based on existing 2019 traffic counts in the BSB corridor, the Ohio *Traffic Forecasting Manual*, and the OKI regional travel demand model of record. The 2029 and 2049 certified traffic projections were used to prepare an *Interchange Modification Study Addendum (December 2023)*, and the methodology for developing the certified traffic projections is detailed in Appendix E of that report.

When developing the traffic projections, OKI's regional travel demand model was used to assign routes used by travelers based on detailed information for individuals, households, number of lanes, projected trips, and calculated travel times. Projected traffic increases between 2019 and 2049 are due to several factors, including population and employment growth incorporated into OKI's regional travel demand model. Traffic projections prepared for the Refined Alternative I (Concept I-W) also show that adding lanes will increase traffic volumes in the BSB corridor. Some of that increase is due to travelers shifting trips they were already making from other congested routes. In addition, some travelers will make new trips they would not have made without the highway

improvements (induced trips). The *Interchange Modification Study Addendum* concluded that Refined Alternative I (Concept I-W) will provide acceptable traffic operations for all projected trips in the project area (including induced trips) through the year 2049, with a few minor exceptions during peak travel periods.

Refined Alternative I (Concept I-W) meets the project purpose and need, which is to improve traffic flow and level of service; improve safety; correct geometric deficiencies; and maintain connections to key regional and national transportation corridors. In 2004, OKI and the Miami Valley Regional Planning Commission (MVRPC) 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. The Initiative concluded that transit improvements alone would not address capacity issues on I-71/I-75. Therefore, expanding transit routes would not meet the project purpose and need and is not considered to be a feasible and prudent alternative for the BSB Corridor Project. The BSB Corridor Project addresses the highway component of the Initiative. The transit component included in the Initiative must be developed and championed regionally, and ODOT and KYTC are ready to support this when it is advanced at a regional level.

The Southwest Ohio Regional Transit Authority (SORTA) and the Transit Authority of Northern Kentucky (TANK) have been involved in the development of the project and encouraged to provide feedback as members of the Project Advisory Committee. TANK has also accepted an invitation to be a participating agency during the preparation of the supplemental Environmental Assessment. Refined Alternative I (Concept I-W) is compatible with local transit services, does not preclude future transit plans and will not result in permanent or detrimental effects on transit access.

7. **Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.**

The project's logical termini and independent utility were established in the *Purpose and Need Statement*. The logical termini and independent utility were carried forward into the 2012 EA/FONSI and are unchanged for this supplemental EA. The BSB Corridor Project stretches for about 7.8 miles between Kentucky and Ohio, beginning south of the Dixie Highway (US-25) interchange in Kentucky and ending just north of the Western Hills Viaduct interchange in Ohio.

KYTC completed improvements to the Buttermilk Pike interchange that terminated just south of Dixie Highway in 2014 and is currently developing a separate project to improve the I-75/I-275 interchange south of the BSB corridor. ODOT is currently constructing separate projects to improve I-75 from the Western Hills Viaduct north to I-275. I-71/I-75 between Dixie Highway and the Western Hills Viaduct is the remaining portion of I-71/I-75 within the I-275 beltway to be evaluated for improvements. Also, the Western Hills Viaduct project, a separate project with independent utility and completed environmental review, is being developed by the City of Cincinnati. ODOT is coordinating design and construction of the Western Hills Viaduct project with the design and

construction of the BSB Corridor Project. These and other projects in the area are and have been undergoing their own requisite analyses and permitting.

As such, this project connects logical termini and is of sufficient length to address the project needs on a broad scope. In addition, the project area was large enough that it did not restrict the consideration of a full range of reasonably foreseeable transportation improvement alternatives during the development of the 2012 EA/FONSI. The size of the project area allowed for the development of a complete project that does not require other transportation improvements for the project to be useful to the public. Finally, the logical termini do not preclude a reasonable range of alternatives for other projects in the area or region.

To assess cumulative effects, the 2012 EA/FONSI documented other reasonably foreseeable actions within the greater Covington and Cincinnati metropolitan areas that had the potential to be built between 2012 and 2030. For the revised supplemental EA, the horizon year for the cumulative effects assessment has been extended to 2050, which corresponds to the regional planning horizon for OKI's long-range transportation plan. The planned, programmed, and committed actions included in the cumulative effects assessment were updated based on a review of OKI's *2050 Metropolitan Transportation Plan* documents and are listed in the revised supplemental EA. The direct impacts associated with these actions have been updated based on the most current project development for each action, providing more refined impact determinations.

In terms of impacts, Refined Alternative I (Concept I-W) is expected to have a minor contribution to cumulative residential and business displacements, stormwater runoff, as well as loss of parkland, cultural resources, wetlands, streams, and threatened and endangered species habitat; however, the Proposed Action is also expected to have fewer cumulative effects due to reduced residential and historic properties impacts and mitigation and enhancements provided for parks and historic properties.

Based on the evaluation of direct impacts contained in the revised supplemental EA, Refined Alternative I (Concept I-W) will improve community cohesion, improve traffic flow and safety for all modes of travel, provide additional economic opportunities, improve air quality, abate noise, improve aesthetics, and reduce flooding and storm sewer overflows, which will offset any negative cumulative effects resulting from Refined Alternative I (Concept I-W). When considered with other past, present, and reasonably foreseeable projects, Refined Alternative I (Concept I-W) is expected to result in a minor contribution to cumulative impacts.

8. The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.

Refined Alternative I (Concept I-W) will have an adverse effect on the Lewisburg Historic District. Refined Alternative I (Concept I-W) will remove three houses along Bullock Street between West 12th Street and Pike Street in the Lewisburg Historic District. Impacts will be mitigated through the recordation of removed structures; the establishment of a $1.2 million grant program to improve and rehabilitate the façades of residential and commercial properties in the Lewisburg Historic District;

and the protection, monitoring, and repair of historic structures from vibration during construction. Noise barriers are also proposed to mitigate noise impacts.

Refined Alternative I (Concept I-W) will also have an adverse effect on Longworth Hall, which is listed in the National Register of Historic Places. Refined Alternative I (Concept I-W) will remove 204 feet of the Longworth Hall building. Impacts will be mitigated by the completion of repair, upgrade, restoration, enhancement, and refurbishment on the portions of the building impacted by construction and the portions of the building to remain. ODOT is in the process of purchasing the full Longworth Hall property from a willing seller. ODOT's potential use of the interior and exterior of the building will not cause additional adverse effects to the building or affect its continued use or access.

The mitigation measures for the Lewisburg Historic District were coordinated with consulting parties in Kentucky. The mitigation measures for Longworth Hall were coordinated with consulting parties in Ohio. A Section 106 PA stipulates measures to avoid, minimize, or mitigate any adverse effects to historic properties that are currently identified or that become apparent in a later phase of the project. The PA includes appropriate measures to minimize harm and specifies the mitigation measures for the Lewisburg Historic District and Longworth Hall, which are incorporated into the project's environmental commitments. No other adverse effects on NRHP listed or eligible properties within the project area are anticipated; however, the PA includes measures to minimize or mitigate any adverse effects to any historic properties that may become apparent in a later phase of the project.

9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.

Pursuant to Section 7(c) of The Endangered Species Act of 1973, the project area was evaluated for the potential occurrence of threatened and endangered species. KYTC and ODOT prepared a *Biological Assessment (October 2022)* outlining the anticipated impacts and proposed avoidance, minimization, and mitigation measures for Refined Alternative I (Concept I-W). The U.S. Fish and Wildlife Service (USFWS) concurred with the findings of the *Biological Assessment* and determined that the requirements of Section 7 of the Endangered Species Act have been fulfilled.

The measures incorporated into the project's environmental commitments to minimize and mitigate the effects on the federally listed Indiana bat, gray bat, the northern long-eared bat; the proposed for federal listing and Ohio listed tricolored bat; and the Ohio listed little brown bat are described in the revised supplemental EA and are incorporated into the project's environmental commitments. Ohio and Kentucky follow separate policies, programmatic agreements, and regulations concerning these species; therefore, each state will incorporate separate minimization and mitigation measures.

10. Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

The proposed action does not knowingly threaten a violation of any Federal, State, or local law for protection of the environment. All applicable permits will be acquired prior to construction;

anticipated permits are discussed in the revised supplemental EA and incorporated into the environmental commitments.

6. CONCLUSION

Based upon the revised supplemental EA (Appendix A), additional information included in the FONSI Request and this document, the disposition of public and agency comments from the project's period of public availability [Refer to Appendix B – FONSI Request appendices (A and B)], the Final Individual Section 4(f) Evaluation (Appendix C), and in accordance with 23 CFR § 771.121, FHWA concludes that the Proposed Action (Brent Spence Bridge Corridor Project - Refined Alternative I [Concept I-W]) will have no significant impact on the human or natural environment. FHWA has independently evaluated the revised supplemental EA and FONSI Request and determined these documents adequately and accurately discuss the environmental issues and impacts of the Proposed Action. The revised supplemental EA and FONSI Request provide sufficient evidence and analysis for determining than an environmental impact statement is not required. FHWA takes full responsibility for the accuracy, scope, and content of the revised supplemental EA and FONSI Request.

The Kentucky Transportation Cabinet (KYTC) and the Ohio Department of Transportation (ODOT) have completed the assessment of the proposed project and FHWA based on its independent review issues a FONSI for the Brent Spence Bridge Corridor Project – Refined Alternative I (Concept I-W). This FONSI is based on the revised supplemental EA and FONSI Request including appropriate mitigation measures. No additional NEPA documentation is required for this project. If, during design or construction, any of the circumstances described in 23 CFR § 771.129 occur, a reevaluation will be performed.

Approved By:

5/8/24

Boday Borres
Acting Division Administrator
Kentucky Division, Federal Highway Administration

5/8/2024

David Snyder
Division Administrator
Ohio Division, Federal Highway Administration

Appendix A: Revised Supplemental EA

Click **HERE** to access the Revised Supplemental Environmental Assessment (May 2024)

Click **HERE** to access the Revised Supplemental Environmental Assessment Appendices (May 2024)

Note: Information contained in the boxed area was added by the project team for project website navigation purposes.

Appendix B: FONSI Request

Click **HERE** to access the Request for Finding of No Significant Impact (May 2024)

Note: Information contained in the boxed area was added by the project team for project website navigation purposes.

Appendix C: Final Individual Section 4(f) Evaluation

Click **HERE** to access the Final Individual Section 4(f) Evaluation (April 2024)

Note: Information contained in the boxed area was added by the project team for project website navigation purposes.