

Ohio Department of Transportation

County Clermont Route CLE-275 Section 10.15 PID 76289 SJN 486706

Part II – Identification and Evaluation of Impacts of the Proposed Action

SECTION A – ECOLOGICAL RESOURCES:

	<u>Presence</u>		<u>Impacts</u>	
	<u>Y</u>	<u>N*</u>	<u>Y***</u>	<u>N**</u>
Streams, Rivers & Watercourses	X		X	
National Scenic River		X		X
State Wild, Scenic or Recreational River		X		X
Commercial		X		X
Non-Commercial		X		X

OEPA Aquatic Life Use Designation (e.g., WWH) Site #23, Hall Run (Official OEPA WWH)

Remarks: Surface stream studies were conducted by ENTRAN in May-July 2004, and consisted of a review of USGS maps, Clermont County Soil Survey maps, digital topographic mapping, aerial photographs, responses to agency information requests, and field surveys. USGS maps, Soil Survey maps, and responses to agency information requests are presented in Attachments C1, C3 and C4, on Pages 61, 63 and 65 to 78, respectively. Topographic mapping is shown on project plan sheets in Attachment B3, Pages 21 to 26, and aerial photographs and field survey results are presented in Attachment B14, Pages 54 to 59. Project area photographs are presented in Attachment J, Pages 315 to 320.

An Ecological Survey Report (ESR) Level 1 was completed by ENTRAN, approved by ODOT, and coordinated with the resource agencies in October 2004. The ESR Level 1 was cleared by the resource agencies in November/December 2004 (see Attachment C5, Pages 79 to 89). Additional surface stream studies were conducted in January 2007 due to minor design modifications to the Preferred Alternative.

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	<u>Presence</u>		<u>Impacts</u>	
	<u>Y</u>	<u>N*</u>	<u>Y***</u>	<u>N**</u>
Other Surface Waters	X			
Reservoirs		X		
Lakes		X		
Farm Ponds		X		
Detention Basins		X		
Storm Water Management Facilities		X		
Other: <u>3 ponds</u>	X		X	

Remarks: Other surface waters were evaluated by ENTRAN in May-July 2004, and consisted of a review of USGS maps, Clermont County Soil Survey maps, digital topographic mapping, aerial photographs, responses to agency information requests, and field surveys. USGS maps, Soil Survey maps, and responses to agency information requests are presented in Attachments C1, C3 and C4, on Pages 61, 63 and 65 to 78, respectively. Topographic mapping is shown on project plan sheets in Attachment B3, Pages 21 to 26, and aerial photographs and field survey results are presented in Attachment B14, Pages 54 to 59. Project area photographs are presented in Attachment J, Pages 315 to 320.

An ESR Level 1 was completed by ENTRAN, approved by ODOT, and coordinated with the resource agencies in October 2004. The ESR Level 1 was cleared by the resource agencies in November/December 2004 (see Attachment C5, Pages 79 to 89). Additional surface water studies were conducted in January 2007 due to minor design modifications to the Preferred Alternative.

(continued on Page 5c)

**If the resource is not present, the remainder of this subject section will not be completed*
***If the resource is present but no impacts are anticipated, the reason why is described under Remarks.*
****Any impacts, mitigation, and agency coordination are described under Remarks and coordination letters are attached.*

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SECTION A - ECOLOGICAL RESOURCES:

Streams, Rivers and Watercourses

(continued from page 5)

In total, 10 surface stream features encompassing 1,895 linear feet of stream channel were identified within the preliminary construction limits and are expected to be directly impacted by the project (see Attachment B14, Pages 54 to 59). These 10 streams were evaluated by the USACOE during a Jurisdictional Determination (JD) conducted with ODOT-OES in August 2007. The USACOE concluded in a letter dated February 21, 2008 that eight of the ten streams currently impacted by the project (Unnamed Tributaries 6, 7, 16, 18, 19, 20 and 24, and Hall Run) would be subject to USACOE jurisdiction (see USACOE JD in Attachment C5, Pages 87 to 89). All necessary permit applications and mitigation plans will be completed once final stream impacts are determined during final design, and all required permits for the project will be obtained prior to project award (see Permits, Page 14, and Environmental Commitments, Page 15b). Agency coordination comments regarding stream impacts and mitigation are summarized on Pages 7b and 7c, and included in Attachment C5, Pages 79 to 89.

Based on the results of the Qualitative Habitat Evaluation Index (QHEI), Headwater Habitat Evaluation Index (HHEI), and Headwater Macroinvertebrate Field Evaluation Index (HMFEI) analyses, the 10 stream sites evaluated for this study include the following provisional classifications: 1) Modified Class I-Primary Headwater Habitat (PHWH) (four streams), 2) Modified Class II-PHWH (one stream), 4) Class II-PHWH (four streams), and 5) Warmwater Habitat (WWH) (one stream).

In general, Class I-PHWH streams are of lower quality compared to Class II-PHWH and WWH streams. Class I-PHWH features are typically dry, with little or no aquatic life present. Class I-PHWH streams generally require protection of watershed hydrologic functions that include mitigation of water energy, sediment retention in floodplain areas, and protection of downstream uses. Class II-PHWH streams generally represent moderately diverse assemblages of vertebrate and benthic macroinvertebrates that are well adapted to a spectrum of warmwater flow hydrology, similar to that for WWH. Streams determined to be recovering from channel modifications were considered to be slightly lower quality and were classified as either Modified Class I-PHWH streams, or Modified Class II-PHWH streams.

The 10 streams expected to be impacted by the project are summarized in the table, below.

Summary of Preliminary Stream Impacts

Feature ^[1] (Site #)	Location	Drainage Area	USGS Designation (Suspected Flow Regime)	Hydrologic Pathway ^[1]	Attachment and Page Number	HHEI or QHEI Score ^[1]	OEPA ALU ^[1] Designation/ Provisional Designation	Preliminary Proposed Impact Activity	Preliminary Expected Impacts
U.T. 6 (Site #6)	I-275 STA 559+50	0.041 mi ²	USGS Intermittent (intermittent)	U.T. 6 to Hall Run to EFLMR to LMR	B14d Page 57	44 HHEI	None/ Modified Class II-PHWH	Replace existing culvert at Aicholtz Rd. with new, due to replacement of roadway. Extend existing culvert at I-275 ramp to eastbound SR 32 due to embankment fill for new ramp	136 linear feet
U.T. 7 (Site #8/8a)	SR 32 STA. 37+50 to STA. 42+50	0.003 mi ²	Non-USGS (ephemeral)	U.T. 7 to Hall Run to EFLMR to LMR	B14c Page 56	52 HHEI	None/ Modified Class I-PHWH (based on HMFEI = 2)	Extend existing culvert due to widening of existing SR 32, and possible channel re-location due to Old SR 74 Extension	543 linear feet
U.T. 16 (Site #18)	I-275 STA. 493+50	0.002 mi ²	Non-USGS (ephemeral)	U.T. 16 to U.T. 17 to U.T. 19 to Salt Run to EFLMR to LMR	B14a Page 54	22 HHEI	None/ Modified Class I-PHWH	Relocate channel due to new ramp configuration and tapering along I-275	163 linear feet

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SECTION A - ECOLOGICAL RESOURCES:

Summary of Preliminary Stream Impacts

Feature ^[1] (Site #)	Location	Drainage Area	USGS Designation (Suspected Flow Regime)	Hydrologic Pathway ^[1]	Attachment and Page Number	HHEI or QHEI Score ^[1]	OEPA ALU ^[1] Designation/ Provisional Designation	Preliminary Proposed Impact Activity	Preliminary Expected Impacts
U.T. 17 (Site #19)	I-275 STA. 493+00	0.012 mi ²	Non-USGS (ephemeral)	U.T. 17 to Salt Run to EFLMR to LMR	B14a Page 54	69 HHEI	None/ Class II-PHWH (based on HMFEL = 17)	Relocate channel due to new ramp configuration and tapering along I-275	56 linear feet
U.T. 18 (Site #20)	I-275 STA. 486+00	0.001 mi ²	Non-USGS (ephemeral)	U.T. 18 to U.T. 19 to Salt Run to EFLMR to LMR	B14a Page 54	29 HHEI	None/ Modified Class I-PHWH	Relocate channel due to new ramp configuration and tapering along I-275	130 linear feet
U.T. 19 (Site #21)	I-275 STA. 485+25	0.0001 mi ²	Non-USGS (intermittent)	U.T. 19 to Salt Run to EFLMR to LMR	B14a Page 54	71 HHEI	None/ Class II-PHWH (based on HMFEL = 7)	Extend existing culvert due to new ramp configuration and tapering along I-275	54 linear feet
U.T. 20 (Site #22)	I-275 STA. 482+25	0.002 mi ²	Non-USGS (ephemeral)	U.T. 20 to U.T. 19 to Salt Run to EFLMR to LMR	B14a Page 54	63 HHEI	None/ Class II-PHWH	Extend existing culvert due to new ramp configuration and tapering along I-275	26 linear feet
Hall Run (Site #23)	SR 32 STA 46+00	1.83 mi ²	USGS Intermittent (Perennial)	Hall Run to EFLMR to LMR	B14c Page 56	68 QHEI	WWH/ WWH (at reach area assessed)	New culvert placement	498 linear feet
U.T. 24 (Site #26)	I-275 STA. 514+50	0.009 mi ²	USGS Intermittent (intermittent)	U.T. 24 to U.T. of Salt Run to Salt Run to EFLMR to LMR	B14b Page 55	55 HHEI	None/ Class II-PHWH	Extend existing culvert due to new ramp configuration and tapering along I-275	90 linear feet
U.T. 27 (Site #33)	I-275 STA. 515+50	0.03 mi ²	Non-USGS (ephemeral)	U.T. 27 to U.T. 24 to U.T. of Salt Run to Salt Run to EFLMR to LMR	B14b Page 55	18 HHEI	None/ Modified Class I-PHWH	Relocate channel due to new ramp configuration and tapering along I-275	199 linear feet
TOTAL PRELIMINARY STREAM IMPACTS									1,895 linear feet

[1] = U.T. = Unnamed Tributary, EFLMR = East Fork Little Miami River, LMR = Little Miami River, HHEI = Headwater Habitat Evaluation Index, QHEI = Qualitative Habitat Evaluation Index, ALU = Aquatic Life Use, PHWH = Primary Headwater Habitat, HMFEL = Headwater Macroinvertebrate Field Evaluation Index, PHWH = Primary Headwater Habitat, HMFEL = Headwater Macroinvertebrate Field Evaluation Index, WWH = Warmwater Habitat.

[2] = Detailed design not yet finalized at stream crossing sites. Any adjustments to stream impacts due to detailed design work will be addressed in the 404/401 Permit/Certification process.

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SECTION A - ECOLOGICAL RESOURCES:

Other Surface Waters

(continued from page 5)

Three ponds were identified within the preliminary construction limits and are expected to be directly impacted by the project (see Attachments B14c and B14d, Pages 56 and 57), for a total expected impact of 0.35 acre. Pond 1 is located on residential property, and was formed when Unnamed Tributary 7 (Stream Site #8/8a) was diked at some time in the past. This pond's dike, however, is currently eroded and mostly breached, greatly reducing the pond's surface water retention capacity. The partial drainage of this pond has led to the formation of Wetland 57, which occurs immediately adjacent to the pond on the north side (see Page 6 for a discussion of wetlands in the project area). Pond 1 is considered to provide limited ecological habitat due to disturbance of the surrounding area.

Ponds 2 and 3 are located on the Adventure Golf commercial property. Pond 2 is a small retention basin bordered on three sides by emergent vegetation that comprises Wetland 17 (see Page 6 for a discussion of wetlands in the project area). Due to its small size, the impact to the retention capacity of Pond 2 is expected to be negligible. Pond 3 provides water for artificial waterfalls constructed into the scenery of the facility. Ponds 2 and 3 are both highly maintained and were determined to provide limited quality ecological habitat.

Ponds were evaluated by the USACOE during a JD conducted with ODOT-OES in August 2007. The USACOE concluded in a letter dated February 21, 2008 that the open-water area identified as Pond 1 was determined to be an impoundment of Unnamed Tributary 7, and therefore Pond 1 is subject to regulation under Section 404 of the Clean Water Act. The USACOE also determined that open water areas identified as Ponds 2 and 3 were artificial decorative features created by excavating and/or diking dry land as part of the Adventure Golf go-cart and miniature golf course, and that Ponds 2 and 3 are not waters of the United States (see USACOE JD in Attachment C5, Pages 87 to 89). The wetland area associated with Pond 2 (Wetland 17) was also determined to be isolated, and will be subject to OEPA jurisdiction and will require a General Isolated Wetland Permit (see Page 6 for a discussion of wetlands in the project area).

All necessary permit applications and mitigation plans will be completed once final impacts are determined during final design, and all required permits for the project will be obtained prior to project award (see Permits, Page 14 and Environmental Commitments, Page 15b).

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	Presence		Impacts	
	Y	N****	Y***	N**
Wetlands	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Total wetland area impacted: 0.053 acre(s)

(If a determination has not been made for non-isolated/isolated wetlands, fill in the total wetland area impacted above.)

Non-isolated Wetland		Isolated Wetland	
OEPA Wetland Category:	<u>Category Modified 2 (1 wetland)</u>	OEPA Wetland Category:	<u>Category 1 (3 wetlands)</u>
Area Impacted:	<u>0.008</u> acre(s)	Area Impacted:	<u>0.045</u> acre(s)

	Documentation	
	Y	N
Wetland Determination	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Wetland Delineation Report	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Individual Wetland Finding	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Improvements that will not result in any wetland impacts are not practicable because such avoidance would result in (Mark all that apply and explain):		
Substantial adverse impacts to adjacent homes, business or other improved properties;	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Substantially increased project costs;	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Unique engineering, traffic, maintenance, or safety problems;	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Substantial adverse social, economic, or environmental impacts, or	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The project not meeting the identified needs.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
USACOE Isolated Waters Determination	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mitigation Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Measures to avoid, minimize and mitigate wetland impacts need to be discussed in the remarks section

Remarks: Wetland determinations were conducted by ENTRAN in May-August 2004, and consisted of a review of USGS maps, NWI maps, Clermont County Soil Survey maps, digital topographic mapping, aerial photographs, responses to agency information requests, and field surveys. USGS, NWI and Soil Survey maps, and responses to agency information requests are presented in Attachments C1 to C4, Pages 61 to 78. Topographic mapping is shown on project plan sheets in Attachment B3, Pages 21 to 26, and aerial photographs and field survey results are presented in Attachment B14, Pages 54 to 59. Project area photographs are presented in Attachment J, Pages 315 to 320.

(continued on Page 6a)

	Presence		Impacts	
	Y	N****	Y***	N**
Terrestrial Habitat	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Unique or High Quality	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Remarks: Terrestrial habitat studies were conducted by ENTRAN in May-July 2004, and consisted of a review of USGS maps, NWI maps, Clermont County Soil Survey maps, digital topographic mapping, aerial photographs, responses to agency information requests, and field surveys. USGS, NWI and Soil Survey maps, and responses to agency information requests are presented in Attachments C1 to C4, Pages 61 to 78. Topographic mapping is shown on project plan sheets in Attachment B3, Pages 21 to 26, and aerial photographs and field survey results are presented in Attachment B14, Pages 54 to 59. Project area photographs are presented in Attachment J, Pages 315 to 320.

An ESR Level 1 was completed by ENTRAN, approved by ODOT, and coordinated with the resource agencies in October 2004. The ESR Level 1 was cleared by the resource agencies in November/December 2004 (see Attachment C5, Pages 79 to 89). Additional terrestrial studies were conducted in January 2007 due to minor design modifications to the Preferred Alternative.

(continued on Page 6c)

** If the resource is present but no impacts are anticipated, describe the reason why in the Remarks section.
 ***Any impacts, mitigation and agency coordination are described under Remarks and coordination letters are attached.
 ****If "no", discuss in the Remarks details how this determination was made.

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County Clermont Route IR-275/SR32 Section 10.15 PID 76289 SJN 486706

SECTION A – ECOLOGICAL RESOURCES:

Wetlands

(continued from page 6)

An ESR Level 1 was completed by ENTRAN, approved by ODOT, and coordinated with the resource agencies in October 2004. The ESR Level 1 was cleared by the resource agencies in November/December 2004 (see Attachment C5, Pages 79 to 89). Additional wetland studies were conducted in January 2007 due to minor design modifications to the Preferred Alternative.

As summarized in the table on Page 6b, four wetlands (Wetlands 16, 17, 56 and 57) were identified within the preliminary construction limits and are expected to be directly impacted by the project (see Attachments B14c and B14d, Pages 56 and 57). Three of the four wetlands (Wetlands 16, 17 and 56) are small, isolated emergent features located in shallow drainage swales or retention/detention features. These wetlands are OEPA Category 1 features, based on ORAM v5.0 analysis. Wetland 57, which will also be directly impacted by the project, is a small, non-isolated emergent feature located in the backwater of a residential pond. This wetland is an OEPA Category Modified 2 feature, based on ORAM v5.0 analysis. In general, Category 1 and Category Modified 2 wetlands support minimal and altered wetland functions and have limited biological value due to small size, frequent disturbance, separation from other semi-natural areas, and limited habitat structure.

One additional wetland (Wetland 50) was identified immediately adjacent to the preliminary construction limits and may be indirectly affected by construction activities (see Attachment B14c, Page 56). This wetland is a small, non-isolated, emergent depression. Based on ORAM v5.0 analysis, Wetland 50 is an OEPA Category 2 wetland.

Wetlands 16, 17, 50, 56 and 57 were evaluated by the USACOE during a JD conducted with ODOT-OES in August 2007. The USACOE concluded in a letter dated February 21, 2008 that Wetlands 16, 17 and 56 were surrounded by upland and are not part of a surface water tributary system of a water of the United States, and based on the absence of a hydrological connection or adjacency to a water of the United States, these wetlands were determined to be isolated waters (see USACOE JD in Attachment C5, Pages 87 to 89). These features, however, are subject to OEPA jurisdiction and will require an OEPA General Isolated Wetland permit. The USCOE also concluded that Wetlands 50 and 57 abut the relatively permanent water (RPW) identified as Unnamed Tributary 7, and as such Wetlands 50 and 57 are subject to regulation under Section 404 of the CWA (see USACOE JD in Attachment C5, Pages 87 to 89).

All necessary permit applications and mitigation plans will be completed once final wetland impacts are determined during final design, and all required permits will be obtained prior to project award (see Permits, Page 14, and Environmental Commitments, Page 15b). Agency coordination comments regarding wetland impacts and mitigation are summarized on Pages 7b and 7c, and included in Attachment C5, Pages 79 to 89.

Consideration of Avoidance Alternatives for Wetland Impacts - The Preferred Alternative is expected to impact 0.053 acre of generally low quality wetland. There are no feasible or practicable alternatives that could be utilized to avoid this impact. The No Build alternative, which would not require any wetland impacts, does not address any of the components of the project Purpose and Need and is not a viable alternative (see Page 2g). With respect to possible Build alternatives, a number of conceptual and feasible alternatives were developed and considered for the I-275/SR 32 interchange area. As described on Page 2f, a Preferred Alternative was selected that was determined to best address the project Purpose and Need, and to minimize environmental impacts and cost. As shown on Attachment B14, Pages 54 to 59, the Preferred Alternative is located primarily on existing right-of-way, and extensive amounts of residential and commercial development are located immediately adjacent to the preliminary construction limits. Consequently, all alternatives which involve alignment shifts in an attempt to avoid wetland impacts could not be achieved without substantial increases in environmental impacts (mainly residential and commercial impacts), right-of-way costs, and construction costs, as well as substantial engineering/constructability issues resulting from major drainage adjustments and utility encroachment, interchange reconfiguration and bridge modifications.

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SECTION A – ECOLOGICAL RESOURCES:

Summary of Preliminary Wetland Impacts

Wetland	Location	Cowardin Classification	USACOE Jurisdictional Status Pathway ^[1]	ORAM v5.0 Score	Attachment and Page Number	OEPA Category	Total Size (acres)	Preliminary Proposed Impact Activity	Expected Impact (acres)
16	I-275 STA. 557+50	Palustrine Emergent swale	USACOE Isolated Determination overland flow to roadside ditch to U.T. 6 to Hall Run to EFLMR to LMR	18.5	B14d Page 57	Category 1	0.03	Embankment fill for northbound I-275 ramp to eastbound SR 32	0.03
17	SR 32 STA. 86+25	Palustrine Emergent retention pond	USACOE Isolated Determination overland flow to roadside ditch to U.T. 6 to Hall Run to EFLMR to LMR, associated with Pond 2	25.5	B14d Page 57	Category 1	0.01	Embankment fill for northbound I-275 ramp to eastbound SR 32	0.01
56	SR 32 STA. 35+25	Palustrine Emergent swale in detention basin	USACOE Isolated Determination overland flow to roadside ditch to U.T. 7 to Hall Run to EFLMR to LMR	16	B14c Page 56	Category 1	0.005	Detention basin reconstruction due to SR 32 roadway widening and extension of Old SR 74	0.005
57	SR 32 STA. 42+50	Palustrine Emergent pond backwater	Non-Isolated Wetland 57 to U.T. 7 to Hall Run to EFLMR to LMR, associated with Pond 1	43	B14c Page 56	Category Modified 2	0.06	Embankment fill due to extension of Old SR 74	0.008 (partial impact)
TOTAL PRELIMINARY WETLAND IMPACT =									0.053

[1] = U.T. = Unnamed Tributary, EFLMR = East Fork Little Miami River, LMR = Little Miami River.

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SECTION A – ECOLOGICAL RESOURCES:

Terrestrial Habitat

(continued from page 6)

Approximately 252 acres of total land area, consisting of 10 different terrestrial habitat types, are located within the preliminary construction limits of the proposed CLE-275-10.15 project (see Attachment B14, Pages 54 to 59, and project area photographs in Attachment J, Pages 315 to 320). Approximately 217 acres (about 86 percent) of this total is in existing right-of-way, and approximately 2 acres (about 0.8 percent) is in riparian woodland, wooded riparian corridor and wooded fence row habitats.

The remaining 33 acres (about 13 percent) of land area in the preliminary construction limits occurs as a combination of disturbed semi-natural habitats, and residential/commercial habitat.

Overall, the terrestrial habitats in the project area were determined to be young in age and of generally limited quality, due to past disturbances and close proximity to intensive human activities and adjacent land uses. No unique or high quality terrestrial features, wildlife refuges, wilderness areas or critical habitats were identified in the project area during field studies, or through agency information requests and coordination (see Attachments C4 and C5, Pages 65 to 78).

Approximately 40 trees, however, were observed in the footprint of the proposed project that possessed suitable summer roosting or brood rearing habitat for the Indiana bat (see also a discussion of Threatened and Endangered Species on Page 7a). For this project, however, potential summer habitat for this species is considered to be limited, because most stream corridors and woodlands located in the Preferred Alternative are disturbed/disrupted by existing right-of-way and are in close proximity to human activities. Consequently, impacts to potential Indiana bat habitat by this project are expected to be minor, and the USFWS concurred that the project **may affect, but not likely adversely affect** Indiana bat (see Attachment C5, Pages 79 and 80). Any unavoidable cutting of trees with suitable summer habitat will be performed only before April 15 or after September 15 when the species would not be using such habitats (see Environmental Commitments, Page 15a). Agency comments regarding impacts to potential Indiana bat summer habitat are summarized on Page 7b and included in Attachment C5, Pages 79 and 80.

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	<u>Presence</u>		<u>Impacts</u>	
	Y	N****	Y***	N
Threatened or Endangered Species				
Within the known range of any federal species?	X			X
Federal species found in project area?		X		
State species found in project area?		X		
Is the project in accordance with the Letter of Agreement on Endangered Species Coordination?	X			

Remarks: Early agency information requests were conducted with the Ohio Department of Natural Resources (ODNR) Natural Heritage Database Program and the U.S. Fish and Wildlife Service (USFWS) in August and September 2001, and again in June 2006 with ODNR, concerning the existence of federal or state-listed species in the project area (see Attachment C4, Pages 65 to 78). In response to these information requests, the USFWS reported that the project lies within the range of the Federal Endangered Indiana bat (*Myotis sodalis*) and running buffalo clover (*Trifolium stoloniferum*), and the Federal Candidate species, rayed bean mussel (*Villosa fabalis*) and sheepnose mussel (*Plethobasus cyphus*). Natural Heritage Program data from the ODNR was provided in GIS format and was digitally imported into the project GIS baseline files. This data revealed no known occurrences of any federal or state-listed species (including capture sites and hibernacula) in the project vicinity.

Threatened and endangered species habitat studies were conducted by ENTRAN in May-July 2004, and consisted of a review of responses to agency information requests and field surveys. Responses to agency information requests are presented in Attachment C4, Pages 65 to 78, and field survey results are presented in Attachment B14, Pages 54 to 59. Project area photographs are presented in Attachment J, Pages 315 to 320.

An ESR Level 1 was completed by ENTRAN, approved by ODOT, and coordinated with the resource agencies in October 2004. The ESR Level 1 was cleared by the resource agencies in November/December 2004 (see Attachment C5, Pages 79 to 89). Additional field reviews were conducted in January 2007 due to minor design modifications to the Preferred Alternative. A summary discussion of the effects of the project by species, based on agency coordination and field surveys, is provided on Page 7a. Agency comments concerning the listed species are summarized in the table on Pages 7b and 7c.

(continued on Page 7a)

	<u>Coordination</u>		<u>Approval</u>	
	Y	N	Y	N
Agency Coordination ***				
Ohio Department of Natural Resources (ODNR)	X		X	
United States Fish and Wildlife Service (USFWS)	X		X	
Ohio Environmental Protection Agency (OEPA)	X		X	
United States Army Corps of Engineers (USACE)	X		X	
ODNR State Scenic River		X		
National Park Service (NPS) National Scenic River	X		No resp. received	

Remarks: Early agency information requests were conducted with the ODNR (Natural Heritage Database Program) and the USFWS in August and September 2001, and again in June 2006 with ODNR, concerning the existence of federal or state-listed species in the project area (see Attachment C4, Pages 65 to 78).

An ESR Level 1 was completed by ENTRAN, approved by ODOT, and coordinated with the resource agencies in October 2004. The ESR Level 1 was cleared by the resource agencies in November/December 2004, and a JD for the project was received from the USACOE in February 2008 (see Attachment C5, Pages 79 to 89). A summary of comments from the USFWS, OEPA, ODNR, and USACOE are presented on Pages 7b and 7c, and Environmental Commitments with respect to agency comments are presented on Page 15a.

(continued on Page 7b)

*If the resource is not present, the remainder of this section will not be completed.
 **If the resource is present but no impacts are anticipated, the reason why is described under Remarks.
 ***Any impacts, mitigation, and agency coordination are described under Remarks and coordination letters are attached.
 ****If "no", discuss in the Remarks details how this determination was made.

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SECTION A – ECOLOGICAL RESOURCES:

Threatened or Endangered Species

(continued from Page 7)

Indiana Bat (*Myotis sodalis*)

No occurrences of the Indiana bat or Indiana bat hibernacula were encountered during ecological field surveys conducted for this project. According to the USFWS, summer habitat requirements for Indiana bat are not well defined, but the following are considered important: 1) dead or live trees and snags with peeling or exfoliating bark, split tree trunks and/or branches, or cavities, which may be used as maternity roost areas, 2) live trees (such as shagbark hickory) which have exfoliating bark, and/or 3) stream corridors, riparian areas, and upland woodlots which provide forage sites.

In accordance with ODOT-OES guidance in 2004, the entire area within the preliminary construction limits for the proposed project was assessed by ENTRAN in May-June 2004, and in January 2007, for the occurrence of trees with suitable Indiana bat habitat. Approximately 40 trees were observed that possessed suitable summer roosting or brood rearing habitat for the Indiana bat. For this project, however, potential summer habitat for Indiana bat is considered to be limited, because most of the stream corridors and woodlands located within the preliminary construction limits of the Preferred Alternative are disturbed/disrupted by existing right-of-way and are in close proximity to areas of intense human activity (see Attachment B14, Pages 54 to 60). For these reasons, impacts to potential Indiana bat habitat as a result of this project are expected to be minor.

In response to coordination of the project ESR Level 1 (see Page 7b, and Attachment C5, Pages 79 and 80), the USFWS concurred that the project **may affect, but not likely adversely affect** Indiana bat, and recommended that trees exhibiting suitable Indiana Bat habitat characteristics (as well as surrounding trees) be saved wherever possible. Furthermore, USFWS recommended that any unavoidable cutting of trees with suitable roosting and brood-rearing habitat for the Indiana bat should be performed only before April 15 or after September 15 when the species would not be using such habitats. Environmental Commitments for the project pertaining to tree cutting are presented on Page 15a.

Running Buffalo Clover (*Trifolium stoloniferum*)

No running buffalo clover and only limited amounts of suitable running buffalo clover habitat were encountered during ecological field surveys conducted for this project by ENTRAN in May-June 2004 and January 2007. Suitable habitat for running buffalo clover includes disturbed yards or grasslands and wooded or semi-wooded openings that are partly shaded and occasionally mowed or grazed.

In response to coordination of the project ESR Level 1 (see Page 7b, and Attachment C5, Pages 79 and 80), the USFWS determined that the project would have **no effect** on running buffalo clover.

Rayed Bean Mussel (*Villosa fabalis*)

No occurrences of the rayed bean mussel and no suitable habitat (small, shallow rivers with riffles and sand/gravel substrates) were encountered during ecological field surveys conducted for this project by ENTRAN in May-June 2004 and January 2007.

In response to coordination of the project ESR Level 1 (see Page 7b, and Attachment C5, Pages 79 and 80), the USFWS determined that the project would have **no effect** on the rayed bean mussel.

Sheepnose Mussel (*Plethobasus cyphus*)

No occurrences of the sheepnose mussel and no suitable habitat (large rivers with riffles and either gravel/cobble or mud/sand/gravel substrates) were encountered during ecological field surveys conducted for this project by ENTRAN in May-June 2004 and January 2007.

In response to coordination of the project ESR Level 1 (see Page 7b, and Attachment C5, Pages 79 and 80), the USFWS determined that the project would have **no effect** on the sheepnose mussel.

Other State and Federal-Listed Species

None of the other state or federal-listed species identified in agency information requests as possibly occurring in the project area (see Attachment C4, Pages 65 to 78) were encountered and no suitable habitats for these species were identified during field surveys conducted for the project by ENTRAN in May-June 2004 and January 2007, and no impacts are expected.

This is page 7a of 15, which is part of: Categorical Exclusion, Level 4 Date: March 2008

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County Clermont Route IR 275/SR32 Section 10.15 PID 76289 SJN 486706

SECTION A – ECOLOGICAL RESOURCES:

Agency Coordination

(continued from page 7)

Preliminary impacts to streams and wetlands in the Little Miami River drainage were coordinated with the National Park Service (NPS) in a letter from ODOT to NPS dated August 15, 2008, as requested by NPS during the Eastern Corridor Tier 1 EIS work (see Pages 89a to 89i). No comments were received from NPS regarding this project information.

Summary of Agency Coordination Comments

Agency Comment Summary	Disposition
<u>U.S. Fish and Wildlife Service (December 14, 2004)</u>	
USFWS recommends avoiding impacts to Hall Run except where culvert extensions are needed to widen SR 32.	Comment acknowledged. Impacts to be minimized to the extent possible in detailed design and unavoidable impacts addressed during the 404/401 permit process (see Permits, Page 14 and Environmental Commitments, Page 15a).
Improvement to Old SR 74 and Rust Lane should be conducted in a manner to prevent further impacts to Hall Run.	Comments acknowledged. See above response
Any unavoidable impacts to streams and wetlands should be properly mitigated to replace all lost functions of the impacted resource.	Comments acknowledged. See above response
Agree with determinations that the project <i>may affect, but not likely adversely affect</i> Indiana bat and that the project will have <i>no effect</i> on running buffalo clover, rayed bean mussel and sheepsnose mussel, and that trees with potential suitable habitat for Indiana bat are not cut between April 15 and September 15 to avoid impacts to bats during the summer roosting period.	Comments acknowledged. Environmental Commitments pertaining to tree cutting are presented on Page 15a).
<u>Ohio Environmental Protection Agency (November 18, 2004)</u>	
No objections to the proposed project.	Comment acknowledged.
The project will require Individual 401 Water Quality Certification to authorize impacts to water quality.	All necessary permit applications and mitigation plans for the project will be completed once final impacts are determined during final design, and all required permit approvals will be obtained prior to project award (see Permits, Page 14 and Environmental Commitments, Page 15b).
Acknowledge that many streams in the project area are disturbed.	Comment acknowledged.
ODOT is encouraged to consider additional refinements to the proposed project to lower direct impacts to ecological resources especially wooded habitats, Class II-PHWH streams, and Hall Run.	Comment acknowledged. Impacts to be minimized to the extent possible in detailed design and unavoidable impacts addressed during the 404/401 permit process (see Permits, Page 14 and Environmental Commitments, Pages 15a and 15b).
Explain purpose of study area established east of Glen-Este Withamsville.	The project Ecological Survey Report was conducted for a broader study area than the current Preferred Alternative covers (it included other SR 32 improvements that are part of the broader Eastern Corridor Multi-modal Projects); see Part I, Pages 1, 2 and 3 of this Categorical Exclusion for discussion of project background, Purpose and Need, and Alternatives.
Consider the use of on-site restoration of streams conservation easements within Woodlots A and B for compensatory mitigation.	All necessary permit applications and mitigation plans for the project will be completed once final

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SECTION B – OTHER RESOURCES:

	<u>Presence</u>		<u>Impacts</u>	
	Y	N*	Y	N
Drinking Water Resources		X		
Sole Source Aquifer		X		
Source Water Protection Area(s)		X		
Public Water System(s)		X		
Groundwater Source		X		
Surface Water Source		X		
Residential Well(s)	NA	NA		

Remarks: Drinking water resources in the CLE-275-10.15 project area were assessed by ENTRAN in February 2008 through a review of the OEPA Drinking Water Resources Map presented in Attachment D1, Page 90, and field observations (see Attachment B14, Pages 54 to 59). The OEPA map depicts the potential occurrence of drinking water resources in the project vicinity including: 1) Class I and II Sole Source Aquifers, 2) Public Water System (PWS) Intakes, 3) PWS Wells, 4) Source Water Assessment Protection Program (SWAP) areas for groundwater, and 5) SWAP areas for surface water. As shown on Attachment D1, the CLE-275-10.15 project area is located in the vicinity of the Great Miami Sole Source Aquifer. However, no portion of the aquifer, or any other OEPA-mapped drinking water resources or features, are located within or immediately adjacent to the project area.

Based on field observation, one Clermont County Water and Sewer District water tower occurs immediately adjacent to the project, just north of the southbound I-275 ramp to westbound SR 32 (see Attachment B14d, Page 57). This water tower will not be impacted by the project. At this time, no determination has been made as to whether any private water wells will be abandoned as a result of the proposed project. This information will be included in the final design plans for the project. See Page 4 for discussion of utilities (including water lines) located in the project area.

	Y	N*	Y	N
Flood Plains		X		
Longitudinal Encroachment		X		
Transverse Encroachment		X		
Is the project located in a regulated floodplain?		X		
Will the proposed project result in an encroachment in the designated floodway?		X		
Will the proposed project result in an increase in the 100-year base flood elevation discharge?		X		
Does the project conform to the local flood plain standard?	X			

Remarks: Federal Emergency Management Agency (FEMA) Flood Insurance Rate mapping for the project area was reviewed by ENTRAN in February 2008. No Flood Insurance Rate Map (FIRM) has been printed for this area because no special flood hazard areas have been identified (see Attachment D2, Page 91). The closest FEMA-designated 100-year floodplain area occurs along Little Dry Run, approximately 2 miles west of the project, and along the East Fork of the Little Miami River, approximately 3.5 miles north of the project. As such, there are no 100-year floodplains located in the project area, no coordination is needed with the local floodplain coordinator, and no floodplain permit will be required for this project.

	Y	N*	Y	N
Farmland		X		
Active Agricultural Lands		X		
Agricultural District		X		
Project in compliance with ORC 929.05(a)	X			
FPPA Project Screening Sheet	X			
Farmland Conversion Impact Rating Sheet		X		

Remarks: A Farmland Protection Policy Act (FPPA) Project Screening Sheet was completed by ENTRAN in April 2006. The screening concluded that the entire project is located within an urbanized area on a U.S. Census Bureau map, and as such, completion of the Farmland Conversion Impact Rating form (USDA Form AD-1006) is not required. The screening sheet was signed by ODOT-District 8 Environmental Coordinator on April 18, 2006 (see Attachment D3, Page 92).

* If the resource is not present, the remaining boxes for this section will not be completed. State how and who made this determination.

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SECTION C – CULTURAL RESOURCES:
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	Results of Research		Project Effect		
	Eligible and/or Listed Resource Present		No Historic Properties Affected	No Adverse Effect	Adverse Effect
	Y	N			
Prehistoric Archaeology	<input type="checkbox"/>	X	X	<input type="checkbox"/>	<input type="checkbox"/>
Historic Archaeology	<input type="checkbox"/>	X	X	<input type="checkbox"/>	<input type="checkbox"/>
History/Architecture	<input type="checkbox"/>	X	X	<input type="checkbox"/>	<input type="checkbox"/>
NRHP Buildings/Sites	<input type="checkbox"/>	X	X	<input type="checkbox"/>	<input type="checkbox"/>
NRHP Districts	<input type="checkbox"/>	X	X	<input type="checkbox"/>	<input type="checkbox"/>
NRHP Bridges	<input type="checkbox"/>	X	X	<input type="checkbox"/>	<input type="checkbox"/>

Documentation

SHPO / OES / FHWA Approval Dates

Phase I Short Report	<input type="checkbox"/>	X	
Phase I Cultural Resources Survey Report	<input type="checkbox"/>	X	
Phase I History/Architecture Survey Report	X	<input type="checkbox"/>	SHPO 11-23-04, 05-08-07 / OES 10-12-04, 04-27-07
Phase I Archaeology Survey Report	X	<input type="checkbox"/>	SHPO 12-16-04, 05-08-07 / OES 12-03-04, 04-27-07
Phase II Cultural Resources Survey Report	<input type="checkbox"/>	X	
Phase II History/Architecture Survey Report	<input type="checkbox"/>	X	
Phase II Archaeology Survey Report	<input type="checkbox"/>	X	
Phase III Archaeology Data Recovery	<input type="checkbox"/>	X	
Documentation for Consultation / MOA	<input type="checkbox"/>	X	
HABS / HAER Documentation	<input type="checkbox"/>	X	

Remarks:

In September 2004, Gray and Pape, Inc. completed Phase I History/Architecture and Phase I Archaeological Investigations for the project area, and in April 2007, Gray and Pape, Inc. completed an Addendum to the Phase I History/Architecture and Archaeological Investigations, due to minor design modifications to the Preferred Alternative.

ODOT-OES reviewed the Phase I reports on October 12, 2004 (historic/architecture), December 3, 2004 (archaeology), and April 27, 2007 (addendum report), and in accordance with 36 CFR 800.4(d)(I), determined that a finding of "**No Historic Properties Affected**" was appropriate for the proposed project (see Attachments E1-E3, Pages 93 to 99). This finding was based on the following: 1) one newly identified prehistoric site in the project area (Site 33 Ct 652) did not contain sufficient information to be considered eligible for the National Register of Historic Places (NRHP), and no other archaeological sites were identified during the archaeological survey work, 2) additional right-of-way areas added after submission of the initial Phase I work, were noted to be disturbed by erosion, slope, embankments and fence placement, and require no archaeological investigation, 3) no NRHP listed or eligible buildings/structures are located within or adjacent to the proposed project area, and will not be affected by construction for the proposed project, and 4) no land from within any NRHP boundaries will be incorporated into a transportation facility.

The Ohio State Historic Preservation Office (SHPO) concurred with ODOT-OES findings of "**No Historic Properties Affected**" on November 23, 2004 (historic/architecture), December 16, 2004 (archaeology) and May 8, 2007 (addendum report) (see Attachments E1-E3, Pages 93 to 99).

According to ODOT-OES and SHPO, this finding completes the Section 106 review for the project and no further cultural resource investigations are required (see Attachment E1-E3, Pages 93 to 99).

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SECTION D – SECTION 4(F) RESOURCES:
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	<u>Presence</u>		<u>Impacts</u>		<u>FHWA / OES</u> <u>approval dates</u>
	Y	N****	Y***	N**	
Parks & Other Recreational Land		X			
Publicly owned park		X			
Publicly owned recreation area		X			
National Wild & Scenic River		X			
Section 4(f) Determination of No-Use		X			
Programmatic Section 4(f) Evaluation		X			
Individual Section 4(f)		X			
Section 6(f) involvement		X			
Other (school, state/national forest, bikeway, etc.)	none in the immediate project area				

	<u>Presence</u>		<u>Impacts</u>		<u>FHWA / OES</u> <u>approval dates</u>
	Y	N****	Y***	N**	
Natural & Wildlife & Waterfowl Refuges		X			
Federal		X			
National Wildlife Refuge		X			
National Natural Landmark		X			
State		X			
State Wildlife Area		X			
State Natural Preserve		X			
Section 4(f) Determination of No-Use		X			
Programmatic Section 4(f)		X			
Individual Section 4(f) Evaluation		X			
Section 6(f) involvement		X			

	Y	N**	Y***	N**	<u>FHWA / OES</u> <u>approval dates</u>
	Cultural Resources Areas		X		
Sites eligible and/or listed for the NRHP		X			
Section 4(f) Determination of No-Use					
Programmatic Section 4(f)					
Individual Section 4(f) Evaluation					

Remarks: Based on the results of field studies and property research conducted by ENTRAN in 2004 and 2007 (see Attachment B14, Pages 54 to 60), an information request to the ODNR (see Attachment C4, Page 67), and public involvement (see Page 13), ENTRAN has concluded that no Section 4(f) resources, such as public parks, recreational areas or wildlife refuges/preserves exist in the immediate project area and none will be impacted by the proposed project.

Additionally, based on the results of the Phase I cultural resources studies, and SHPO concurrence with the ODOT-OES finding of ***“No Historic Properties Affected”*** for the project on November 23, 2004 (historic/architecture), December 16, 2004 (archaeology) and May 8, 2007 (addendum report) (see Cultural Resources, Page 9, and Attachments E1-E3, Pages 93 to 99), it was determined that no Section 4(f) cultural resources exist in the project area.

No Section 6(f) properties are located in the project area based on a review of the U.S. Department of Interior/National Park Service county listings of Land and Water Conservation Fund (LWCF) grant properties by ENTRAN in February 2008 (see Attachment E4, Page 100).

** If the resource is present but no impacts are anticipated, the reason why is described under Remarks.
 *** Any impacts, mitigation and agency coordination are described under Remarks and coordination letters are attached.
 ****If “No”, discuss in the remarks section details about how this determination was made.

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SECTION E – AIR QUALITY & NOISE :

	Y	N
Will the project move the travel lanes closer to sensitive areas?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Air Quality <input checked="" type="checkbox"/> Noise <input checked="" type="checkbox"/>		

Air Quality

Conformity Status of the Project

	Y	N
Is the project in an air quality non-attainment or maintenance area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Criteria pollutant in non-attainment or maintenance		
PM 2.5 <input checked="" type="checkbox"/> Ozone <input checked="" type="checkbox"/>		
Is this project in the STIP?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Is this project in the most current MPO air quality conforming TIP?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If NO, is this project exempt from conformity analysis?	N/A	N/A
Is a project level PM 2.5 conformity determination required for this project?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If YES, has FHWA issued a conformity determination?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project-Level Analysis and Impacts

	Y	N
Has the project scope changed substantially since the conformity analysis?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If YES, will this change require a reevaluation of the MPO TIP conformity?	N/A	N/A
Is a PM 2.5 analysis required for this project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is an air toxics (MSAT) analysis required for this project?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Type of Analysis: Qualitative <input type="checkbox"/> Quantitative <input checked="" type="checkbox"/>		

Remarks: The CLE-275-10.15 project is located within the jurisdiction of the Ohio-Kentucky-Indiana Regional Council of Governments (OKI) Metropolitan Planning Organization (MPO), and Clermont County is in a non-attainment area for eight-hour ozone and PM_{2.5} (OKI, October 2006).

The CLE-275-10.15 project is listed in OKI's *FY 2008-2011 Transportation Improvement Plan (TIP)*, adopted on April 12, 2007 and last amended on January 10, 2008 (see Attachment B5, Page 29). The proposed project is also included in OKI's long range *2030 Regional Transportation Plan* (see Attachment B5, Page 30).

(continued on Page 11a)

Noise

	Y	N
Is a noise analysis required in accordance with FHWA regulations and ODOT's statewide noise abatement policy?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If YES, is a design year noise impact predicted?	X*	<input type="checkbox"/>
If YES, have all noise attenuation measures been considered, consistent with the policy?	NA*	NA*
If NO, explain why not: <u>See Remarks*</u>		
Is noise attenuation found to be reasonable and feasible?	NA*	NA*

Remarks: A Preliminary Noise Analysis was completed by ENTRAN in November 2007, and was approved by ODOT-OES on January 11, 2008 (see Attachment F4, Page 138). The complete Preliminary Noise Analysis Report is presented in Attachment F5, Pages 139 to 150.

Field sound level measurements were taken on October 15 and 30, and November 1 and 5, 2007 during afternoon peak hour traffic at eight receptors representing the following noise-sensitive land uses in the project area: 1) ground-level, roadway-facing apartment units at Bells Lake Apartments, the Christian Life Center, and adjacent single-family residences located along the north side of SR 32, just west of Bells Lane, 2) ground-level, roadway-facing apartment units at Magnolia Pointe Apartments and Eastgate Garden Apartments along the south side of SR 32, just west of Mt. Carmel-Tobasco Road, 3) single-family residences located on Rust Lane and Aicholtz Road along the south side of SR 32, between I-275 and Mt. Carmel-Tobasco Road, 4) single-family residences located on Aicholtz Road along the west side of I-275, near the I-275/SR 32 interchange, 5) single-family residences located on Aicholtz Road along the east side of I-275, near the I-275/SR 32 interchange,

(continued on Page 11b)

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SECTION E – AIR QUALITY & NOISE:

Air Quality

(continued from page 11)

Particulate Matter (PM_{2.5})

Particulate matter is a general term used for a mixture of solid particles and liquid droplets in the air, and can include such things as smoke, dust, pollen, and vehicle emissions. Fine particulate matter that is 2.5 microns in diameter and less is known as PM_{2.5}. USEPA rules require hot-spot analyses for PM_{2.5} on "projects of air quality concern". 40 CFR 93.123(b)(1) states that "projects of air quality concern" include new or expanded highway projects that have a significant number or increase in diesel vehicles (facilities with greater than 125,000 annual average daily traffic, 8 percent or more of which is diesel traffic). 40 CFR 93.123(b)(1) also states that new or expanded highway projects that primarily serve gasoline vehicle traffic are projects that are not an air quality concern with regard to PM_{2.5}.

Though 2030 traffic volumes on I-275 and SR 32 are together expected to exceed 125,000 vehicles per day, heavy (diesel) truck volumes on I-275 and SR 32 are expected to be below the 8 percent threshold for a project of air quality concern with regard to PM_{2.5}. Consequently, both USEPA and OEPA concluded that CLE-275-10.15 is not a project of air quality concern under a 40 CFR 93.123(b)(1), and a PM_{2.5} hot-spot analysis is not required (see Attachment F1, Pages 101 to 119).

Mobile Source Air Toxics (MSAT) Analysis

Mobile Source Air Toxics (MSAT's) are any of the 21 air toxics identified as "mobile source" by USEPA. USEPA has also extracted six of these 21 MSAT's and labeled them "priority" MSAT's; these are: benzene, formaldehyde, acetaldehyde, diesel particulate matter / diesel exhaust organic gases, acrolein, and 1,3-butadiene. FHWA guidance (*Interim Guidance on Air Toxic Analysis in NEPA Documents*, February 2006) divides transportation projects into three MSAT effect/analysis categories: 1) exempt projects or those that have no potential for meaningful MSAT effects, 2) those with low potential for MSAT effects, and 3) those with higher potential for MSAT effects. Projects with a low potential for MSAT effects require a qualitative analysis, and projects with a higher potential for MSAT effects require a quantitative analysis.

This project meets FHWA's criteria for "higher potential for MSAT effects" since it adds significant capacity to highways, has predicted design year (2030) traffic volumes exceeding 140,000 vehicles per day, and has adjacent land uses that are sensitive to MSAT effects (residential development, schools, nursing homes, day care facilities, etc).

In September 2007, ENTRAN completed a quantitative MSAT analysis for the CLE-275-10.15 project in accordance with ODOT, FHWA and USEPA guidelines. OEPA concurred with the findings of this analysis on March 4, 2008 (see Attachment F2, Pages 120 and 121). USEPA offered no comments. This study included: 1) a quantitative MSAT effects analysis, 2) prototype MSAT language for compliance with 40 CFR 1502.22, including the health effects of MSAT's (Appendix C of FHWA's February 2006 *Interim Guidance on Air Toxic Analysis in NEPA Documents*), 3) background information for FHWA's MSAT policy (Appendix D of FHWA's February 2006 *Interim Guidance on Air Toxic Analysis in NEPA Documents*), and 4) a discussion of MSAT mitigation strategies (Appendix E of FHWA's February 2006 *Interim Guidance on Air Toxic Analysis in NEPA Documents*). The complete quantitative MSAT analysis report is presented in Attachment F3, Pages 122 to 137.

For the MSAT effects analysis, emissions modeling was performed by the ODOT-Office of Technical Services using MOBILE 6.2 software. Regional modeling included a project base year (2000) scenario, opening day (2010) Build and No Build scenarios, and design year (2030) No Build and Build scenarios. Model results (divided into regional contribution for each of the six priority MSAT's) are included in the MSAT analysis report presented in Attachment F3, Pages 122 to 137.

In summary, both the opening day (2010) and design year (2030) Build scenarios show a reduction in MSAT emissions over the base year (2000) levels. The total contribution from the five toxins known to be affected by vehicle speed was combined, and particulate matter under 2.5 microns (PM_{2.5}) was reported separately. The results for the 2030 No Build scenario show a 2.709-ton decrease in PM_{2.5}-related MSAT contributions from the base year (2000) scenario, while results for the 2030 Build scenario show a 2.710-ton decrease in PM_{2.5}-related MSAT's from base year contributions. The difference in PM_{2.5}-related MSAT contributions between the 2030 No Build and Build scenarios is 0.001 tons. Given the decrease in overall contribution between the base year (2000) scenario and the design year (2030) Build scenario, and the slight decrease in MSAT contribution of the design year (2030) Build alternative compared to the design year (2030) No Build alternative, the analysis concluded that the construction of the CLE-275-10.15 project will result in an overall improvement in MSAT effects.

Ohio Department of Transportation

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SECTION E – AIR QUALITY & NOISE:

Noise

(continued from page 11)

6) single-family residences on Marjorie Lane, located just north of SR 32 and east of Bells Lane, 7) the Summerside Methodist Church, located on Old SR 74 northwest of the I-275/SR 32 interchange, and 8) the Eastgate Baptist Church, located on Barg Salt Run Road along the west side of I-275, approximately one mile north of the I-275/SR 32 interchange (see Attachment B14, Pages 54 to 59).

Noise modeling was completed for these eight representative receptors using the FHWA TNM 2.5 Lookup Table program, which predicts noise levels at selected receptors based on distance from the roadway, traffic vehicle mix, speed of traffic, and intervening ground type (assuming free-flow traffic). The Preliminary Noise Analysis concluded that the following four locations are predicted to experience design year (2030) sound levels that exceed FHWA Noise Abatement Criteria (see Attachment F5, Page 145):

- Bells Lake Apartments, Christian Life Center, and adjacent single-family residences located along the north side of SR 32, just west of Bells Lane (see Attachment B14c, Page 56),
- Magnolia Pointe Apartments and Eastgate Garden Apartments located along the south side of SR 32, just west of Mt. Carmel-Tobasco Road (see Attachment B14c, Page 56) ,
- single-family residences located on Rust Lane and Aicholtz Road along the south side of SR 32, between Mt. Carmel-Tobasco Road and I-275 (see Attachment B14d, Page 57), and
- single-family residences located on Aicholtz Road along the east side of I-275, near the I-275/SR 32 interchange (see Attachment B14d, Page 57).

In accordance with ODOT Noise Policy guidelines for a Preliminary Noise Analysis (August 2006), a cost reasonableness evaluation was conducted to determine if noise abatement barriers (measuring a uniform 8 feet in height) could be constructed within the maximum reasonable cost criterion of \$35,000 per benefitted receptor for the four locations predicted to experience design year sound-level impacts (see Attachment F5, Page 144). As a result of the evaluation, it was determined that noise abatement barriers could be constructed at each of the four areas identified above for less than the maximum reasonable cost criterion of \$35,000 per benefitted receptor.

Three existing noise abatement barriers located along I-275 in the project area, identified as Existing Noise Barriers A, B and C (see Attachments B14a, B14b and B14f, Pages 54, 55, and 59), were also discussed in the Preliminary Noise Analysis report. Currently, it is expected that the CLE-275-10.15 project will directly impact approximately 1,050 feet of Existing Noise Barrier B (see Attachment B14b, Page 55). However, the preliminary-level noise analysis could not determine if the three existing noise barriers will provide adequate noise abatement under design year (2030) Build conditions.

Consequently, the Preliminary Noise Analysis concluded that further analysis of the four potential noise mitigation sites (i.e. the four locations predicted to experience design year sound-level impacts), as well as Existing Noise Barriers A, B and C, will be necessary during final design of the Preferred Alternative to: 1) verify existing and design year sound-levels using FHWA TNM 2.5, updated ODOT-Certified existing and design year traffic volumes, detailed project design plans, and updated existing and future site conditions, 2) confirm any existing or design year noise impacts at the four potential noise mitigation sites, 3) confirm the feasibility of noise barrier construction at the four potential noise mitigation sites (if necessary), the modification of the three existing noise barriers (if necessary), or the implementation of other noise mitigation strategies for receptors with confirmed noise impacts (if necessary), and 4) finalize design details for all feasible and warranted noise mitigation strategies. An Environmental Commitment concerning the completion of a detailed noise analysis during detailed design, and the development of appropriate noise abatement measures is presented on Page 15a.

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SECTION F – COMMUNITY IMPACTS:

Regional, Community & Neighborhood Factors

Will the proposed action comply with the local/regional development patterns for the area?
 Will the proposed action result in substantial impacts to community cohesion?
 Will the proposed action result in substantial impacts to local tax base or property values?

Y	N
X	
	X
	X

Remarks: An assessment of community resources and community impacts for the CLE-275-10.15 project was completed by ENTRAN in January 2008. This included identification of existing community resources through field observation and secondary source review (see Community Impact Assessment Checklist in Attachment G1, Pages 151 to 153), review of Title VI information (see Attachments G2 to G5, Pages 154 to 157), review of land use and zoning maps (see Attachments G6 and G7, Pages 158 and 159), review of an *Eastgate Market Study* (Property Advisors, LLC, December 2007) and an *Eastgate Area Market Analysis* (Economics Research Associates, March 2007), and consideration of public input (see Public Involvement, Page 13, and Attachment H, Pages 164 to 287).

(continued on Page 12a)

Will the proposed action result in reasonably foreseeable secondary or cumulative impacts?

Y	N
	X

Remarks: The purpose of the CLE-275-10.15 project is to improve roadway capacity, travel efficiency, access and safety in the Eastgate area, as described on Pages 2 through 2f (Purpose and Need) of this Categorical Exclusion. The majority of this project will be constructed within existing right-of-way, and most impacts outside of existing right-of-way involve only strip right-of-way takes along SR 32, I-275 and Eastgate Boulevard (see Attachment B14, Pages 54 to 59). The project will not substantially alter the overall configuration and characteristics of the Eastgate area roadway network, as I-275 and SR 32 will remain high volume, multi-lane, divided highways. No additional access points on I-275 or SR 32 will be created. Access to I-275 will continue to be limited (interchange access only), while access to SR 32 will be more restricted (controlled access west of the I-275/SR 32 interchange limited to public roads, and limited-access between the I-275/SR 32 interchange and the east project terminus).

(continued on Page 12d)

Public Facilities & Services

Will the proposed action result in substantial impacts on health and educational facilities, public utilities, fire, police, emergency services, religious institutions, public transportation or pedestrian and bicycle facilities?

Y	N
	X

Remarks: Due to the commercial nature of the Eastgate area, public service facilities (such as parks, churches, schools, community centers, libraries, emergency service centers, health care facilities) are infrequent in the immediate CLE-275-10.15 project area (see Attachment B14, Pages 54 to 59). However, public facilities and services such as these do occur in the general vicinity of the project.

(continued on Page 12e)

Environmental Justice (Presidential Executive Order 12898)

During public involvement activities, were Environmental Justice issues raised?
 Are any Environmental Justice populations located within the project area?
 Will the project result in adversely high or disproportionate impacts to the population?

Y	N
	X
X	
	X

Remarks: No adversely high or disproportionate impacts to any low income or minority population groups are expected to occur as a result of the CLE-275-10.15 project. Environmental Justice data collected by ENTRAN in February 2008 show that minority and low income population percentages in the project area are equal to or below county and state percentages (see Attachments G8 and G9, Pages 160 and 161). No Environmental Justice issues have been raised during public involvement activities for the project (see Public Involvement, Page 13, and the Public Meeting Summary Report presented in Attachment H3, Pages 172 to 256). The majority of this project will be constructed within existing right-of-way, and most impacts outside existing right-of-way will involve only strip right-of-way takes along SR 32, I-275 and Eastgate Boulevard, and are consistent throughout the project area (see Attachment B14, Pages 54 to 60). New strip right-of-way acquired for the project will be the minimum necessary to construct the project and every effort will be made to keep construction activities within existing right-of-way.

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SECTION F – COMMUNITY IMPACTS:

Regional, Community & Neighborhood Factors

(continued from Page 12)

In general, the CLE-275-10.15 project area centers on a major interchange for a six-lane urban interstate (I-275) and a four-lane urban arterial (SR 32), which is surrounded by a dense commercial core of retail establishments, including the Eastgate Mall, Biggs Place, Meijer, Wal-Mart, and Sam's Club, as well as numerous restaurants and retail shopping facilities, including Eastgate Station, Eastgate Square, Eastgate Pavilion, and Eastgate Crossing. Surrounding this commercial core are areas of medium and high density residential development (see Attachment B9, Page 36, and project area photographs in Attachment J, Pages 315 to 320).

Development Patterns and Tax Base

The Eastern Corridor Tier 1 study was conducted in coordination with the 2002 Eastern Corridor Land Use Vision Plan, which was developed through an extensive public involvement program and established a coordinated future land use plan for the Eastern Corridor area, including the Eastgate area. This Land Use Vision Plan, as shown in Attachment G6, Page 158, was adopted by local Eastern Corridor jurisdictions, including Union Township. The current (2007) Union Township zoning map (see Attachment G7, Page 159) is generally consistent with the Land Use Vision Plan, and in the CLE-275-10.15 project area, shows a core business/commercial area surrounded by extensive amounts of designated residential land and planned development areas – particularly in the vicinity of the Ivy Pointe Commerce Park, which is currently under development southeast of the I-275/SR 32 interchange (see Attachment B9, Page 36).

The CLE-275-10.15 project will not result in major changes to the overall characteristics of I-275 or SR 32, since both are currently high-volume, multi-lane, divided highways with limited or controlled access. However, CLE-275-10.15 and coordinated local road network projects (by the Clermont County TID), are expected to improve roadway capacity, travel efficiency, access and safety throughout the Eastgate area. These transportation improvements, in combination with the current development of the Ivy Pointe Commerce Park, and an anticipated future need for new housing and upscale retail establishments in the Eastgate area, are expected to play an integral role in shaping future development patterns in the Eastgate area, within the framework of Union Township zoning regulations. As such, the CLE-275-10.15 project, in combination with local road network projects, is expected to support, and possibly improve, local property values and the local tax base.

This conclusion is based on information presented in a March 2007 *Eastgate Area Market Analysis*, which was completed for Clermont County by Economics Research Associates (ERA), and a December 2007 *Eastgate Market Study*, which was completed for Clermont County by Property Advisors, LLC. These studies, which can be viewed at <http://tid.clermontcountyohio.gov/EconomicDevelopment.aspx>, concluded that the Eastgate area is a prime candidate for development and redevelopment, supported by proposed transportation improvements, employment growth, a strong consumer base, and healthy housing activity. The following is a summary of key findings presented in the two studies with regard to future Eastgate area development patterns and tax base and the CLE-275-10.15 project.

Retail Demand and Opportunities

The March 2007 ERA study stated that Eastgate area shopping centers (specifically the Eastgate Mall, Biggs Place, Eastgate Crossing, Eastgate Pavilion, Eastgate Square and Eastgate Station) comprise approximately 42 percent of Clermont County's total retail space. However, the study stated that as of 2006, these facilities had vacancy rates ranging from 5 percent (Eastgate Square) to 12 percent (Eastgate Mall), and some retail concentrations in the Eastgate area appear sub-optimal. Furthermore, the December 2007 Property Advisors study concluded that there is currently more than \$500 million of unmet regional retail demand that could be captured by the Eastgate area, and that the Eastgate area could absorb the 100,000 to 300,000 square feet of retail space needed to address that unmet demand.

Office Demand and Opportunities

The March 2007 ERA study stated that Clermont County currently does not have the interstate-accessible office campuses that are in the best position to capture corporate or regional headquarters. However, Ivy Pointe is an ideal location for such campuses, and in response to recent commercial development at that site and proposed transportation improvements (such as CLE-275-10.15), more commercial development would be expected within the Ivy Pointe Commerce Park, and potentially on other developable lands adjacent to Ivy Pointe. The December 2007 Property Advisors study added that the Eastgate/Anderson Township area had approximately 1.9 million square feet of office space, which represents only about 2.5 percent of the total office space in the region (i.e., the greater Cincinnati area). The study also stated that the Eastgate/Anderson Township area had an office vacancy rate of 10.5 percent, which was below the regional average of 14.2

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SECTION F – COMMUNITY IMPACTS:

percent. The December 2007 Property Advisors study concluded that the Eastgate/Anderson Township area could support 70,000 to 80,000 square feet of new office space per year over the next five years, an amount which could be fully absorbed by the currently developing Ivy Pointe Commerce Park.

Housing Demand and Opportunities

The December 2007 Property Advisors study stated that Union Township has recently experienced greater housing activity compared to other areas in Clermont County, and that the population of Union Township is expected to grow by 10 percent over the next five years, part of which will be due to the expansion of the Ivy Pointe Commerce Park and an anticipated influx of young, professional workers. As a result, the study concluded that there will be demand for housing options that are diverse in style and price, and there will be a specific demand for higher-priced attached homes (condos and apartments).

Opportunities for Future Destination/Lifestyle Development

The December 2007 Property Advisors study also concluded that the Eastgate area was well-suited for the establishment of a unique, "village" style development concept that could utilize its existing position as a destination shopping location, as well as the strong wealth of Clermont County's residents and communities. According to the study, there are opportunities in the southeast quadrant of the I-275/SR 32 interchange, adjacent to the Ivy Pointe Commerce Park to: 1) offer neighborhood retail options within walking distance of Ivy Pointe, 2) offer a mix of single family condos and up-scale apartments near Ivy Pointe, 3) incorporate neighborhood design strategies that include restaurants, neighborhood retail stores, small businesses, parks and entertainment, and 4) allow people to walk, bike and ride safely and create a community atmosphere.

Opportunities for Increased Revenue

According to the March 2007 ERA study, the Eastgate area generates and estimated 25 percent of Clermont County's general fund revenues. Additionally, sales tax revenue makes up 45 percent of Clermont County's general fund and the Eastgate area is the county's largest retail concentration. The study concluded that an infusion of daytime workers in the Eastgate area (in response to additional development at Ivy Pointe, for example) will result in increased retail/restaurant spending in the Eastgate area, less spending in competing markets, and would create opportunities for local business re-investment and re-orientation.

Effects of Transportation Improvements on Customers, Businesses and Development Patterns

The March 2007 ERA study stated that motorists (i.e. business customers) have two primary transportation concerns: traffic flow and safety, and that the attractiveness of the Eastgate area strongly depends on the ability to move traffic in and around the I-275/SR 32 interchange, the SR 32 corridor, and the immediate local road network. While access management projects (such as CLE-275-10.15) can reduce congestion and improve access and safety, businesses often perceive such projects as having a negative impact, particularly when there is a reduction in the number of nearby access points (private driveways and at-grade intersections). However, the study states that such projects actually have long-term commercial benefits because: 1) motorists tend to avoid congested and unsafe roadways, 2) motorists measure distance in terms of time, not miles, and 3) while access management may reduce access points, projects can be designed in a manner that increases drive-by traffic and visibility, but also provides access that is understood by motorists.

The March 2007 ERA study also presented a list of benefits and costs of the CLE-275-10.15 project (and accompanying local road network projects) with regard to transportation and Eastgate area commerce. In summary, the benefits of the proposed transportation project(s) include: 1) better travel times and safety, 2) better interstate access, 3) possible impetus for redevelopment of older shopping centers into new uses, 4) better access for employees and prospective businesses at the Ivy Pointe Commerce Park, 5) a larger customer base, and 6) reduced uncertainty and confusion regarding long-term transportation plans in the Eastgate area. Identified costs associated with the proposed transportation project(s) include: 1) short-term disruption of business and traffic during construction, 2) customers must re-learn access patterns, 3) the local expectation of easy access (i.e. numerous driveways/at-grade intersections) is restricted, 4) businesses must change and adapt to new traffic and customer patterns (with some business relocations possible), and 5) customers may need to plan shopping trips in advance.

Regarding potential short-term, access-related impacts or restrictions during construction of the CLE-275-10.15 project, a Maintenance of Traffic (MOT) plan will be developed during detailed design, and will be implemented to ensure no interruption of emergency services and minimal local traffic delays (see Page 4 and Page 15 for further MOT discussion and commitments).

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SECTION F – COMMUNITY IMPACTS:

Community Cohesion

Due to the dense commercial nature of the Eastgate area, community resources such as parks, churches, schools, community centers, libraries, emergency service centers and health care facilities are infrequent in the immediate CLE-275-10.15 project area (see Attachment B14, Pages 54 to 59). There are also no sidewalks, bicycle paths or crosswalks in the immediate project area, leaving automobile travel as the primary option for mobility within the area. Consequently, from a community and neighborhood perspective, the project area is best characterized as an intensely and primarily commercial locale, with high- volume, congested roads that: 1) physically isolate large sections of the project area from one another, 2) create both physical and psychological barriers that hinder development of community resources, and 3) do not encourage or support neighborhood or community structure or cohesion. This general lack of community cohesion in the Eastgate area was recognized in the recent market analysis studies completed for Clermont County by ERA (March 2007) and Property Advisors, LLC (December 2007), as discussed on Pages 12a and 12b. The proposed CLE-275-10.15 improvements are not expected to alter these existing community conditions.

There are, however, some access-related impacts that are expected to have a minor, short-term effect on some residential areas, churches and businesses located in the northwest and southwest quadrant of the I-275/SR 32 interchange. In this area, the existing SR 32/Old SR 74 intersection will be closed and replaced by a superstreet intersection located approximately 0.4 mile to the west (at the existing SR 32/Mt. Carmel-Tobasco Road/Bells Lane intersection), resulting in a closure (cul-de-sac) of Bells Lane at SR 32 (see Attachment B4a, Page 27). This configuration is needed to provide adequate access point spacing on SR 32 to reduce merge/weave problems. A graphical depiction of the superstreet intersection design and a brief discussion of how the intersection functions are presented on Attachment B10, Page 37. On the north side of SR 32, access to residential properties on Bells Lane and two churches in this area (see Attachments B14c and B14d, Pages 56 and 57) will be available from SR 32 via Roney Lane, or via the superstreet intersection and the extension of Tina Drive (the Tina Drive Extension is a Clermont County TID project which is being coordinated with the CLE-275-10.15 improvements; see Attachment B11, Page 38). On the south side of SR 32, residential properties and businesses along Aicholtz Road that currently use the existing Old SR 74/SR 32 intersection to access SR 32 will have to travel approximately 0.4 mile farther west to access SR 32 via Mt. Carmel-Tobasco Road and the new superstreet intersection (see Attachment B10, Page 37). These minor changes in routing and the new superstreet configuration may cause some initial confusion as drivers re-learn local routes and how the superstreet intersection operates. However, after a short time, this design is expected to provide improved traffic flow and reduced delays, and no substantial long-term, access-related impacts are anticipated for the residences, churches, and businesses located in this area.

A similar short-term impact is anticipated east of the I-275/SR 32 interchange, between Eastgate Boulevard and Glen Este-Withamsville Road, where the existing right-turn only intersection at SR 32/Jackson Square Drive/Eastgate Square Drive will be fully eliminated (see Attachment B4b, Page 28). As a result of this action, motorists wishing to access businesses along the Eastgate North and Eastgate South Frontage Roads in the immediate vicinity of this intersection will be required to use Glen Este-Withamsville Road (located about 0.25-mile to the east) or Eastgate Boulevard (located about 0.25-mile to the west). While this minor change in routing and access may cause some initial confusion, this design is expected to provide improved traffic flow and safety over the long term. Additionally, this design is consistent with how access points are configured on SR 32 and how most local businesses and shopping areas are currently accessed from SR 32 in the immediate project area (i.e. via the Eastgate Boulevard interchange or Glen Este-Withamsville Road signalized intersection). Consequently, over the long term, no substantial access-related impacts are anticipated for the businesses located around the existing SR 32/Jackson Square Drive/Eastgate Square Drive intersection.

Title VI Communities

The project is not expected to have any disproportionate impacts on Title VI communities, including elderly populations, disabled populations, populations that do not speak English (or speak English less than well), and zero-car households. As shown on Attachment G2 and Attachment G9, Pages 154 and 161, the percentages of people in project area census block groups that do not speak English or speak English less than well (approximately 0.9 percent) is generally in line with, or slightly higher than averages for Clermont County (0.4 percent) and all of Ohio (0.9 percent). As shown on the maps in Attachments G3 to G5, Pages 155 to 157, the percentages of the elderly population, disabled population and zero-car households in the project area are generally above the OKI regional averages of 15.4 percent, 17.4 percent, and 9.8 percent, respectively. However, most of the properties immediately abutting the CLE-275-10.15 project corridor are commercial, and since most of the project work will be confined within existing right-of-way, few residential displacements and limited residential property impacts are expected as a result of the project. Furthermore, an MOT Plan will be developed, and will address the needs of these individuals during project construction to assure access to the area (see Page 4 and Page 15 for further MOT discussion and commitments). Once construction of the project is complete, residents and motorists in the Eastgate area will experience improved travel efficiency, access and safety. Consequently, the proposed project is expected to improve overall mobility for Title VI population groups within and through the project area.

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SECTION F – COMMUNITY IMPACTS:

Will the proposed action result in reasonably foreseeable secondary or cumulative impacts?

(continued from Page 12)

As described in the previous section (Regional, Community & Neighborhood Factors; see Pages 12 to 12c), the Eastgate area has been intensely developed into predominantly commercial land uses over the past 50 years, and has consistently experienced (and is currently experiencing) development and redevelopment without the benefits of an improved I-275/SR 32 interchange and adjacent roadway network. However, as discussed on Page 12a and 12b, construction of the CLE-275-10.15 project, in combination with proposed local roadway network improvements (by Clermont County), the current and continuing development of the Ivy Pointe Commerce Park, and an expected future need for new housing and upscale retail establishments in the Eastgate area, are expected to play an integral role in the future development of the Eastgate area.

As discussed on Page 12b, the December 2007 Property Advisors market study concluded that the Eastgate/Anderson Township area could support 70,000 to 80,000 square feet of new office space per year over the next five years, and that the Ivy Pointe Commerce Park may be large enough to fully absorb that potential office space demand. However, if the Ivy Pointe site can not meet future demand for Eastgate area office space, one or more of the following scenarios could take place: 1) greater utilization of existing vacant office space, 2) redevelopment of existing sub-optimal retail or other commercial space, or 3) construction of new commercial office space on undeveloped land. In the Eastgate area, undeveloped land is not abundant, though there are several tracts of agricultural land located immediately east of Ivy Pointe, and along the east side of I-275, north of Old SR 74 and the Eastgate Mall (see Attachment B2, Page 20).

The December 2007 Property Advisors market study also stated that the Eastgate area could absorb the 100,000 to 300,000 square feet of retail space necessary to address the existing \$500 million of unmet regional retail demand. As with future office space demand, this demand for retail space could be alleviated through: 1) utilization of existing vacant retail space, 2) redevelopment of existing sub-optimal retail or other commercial space, or 3) construction of new retail space on undeveloped land. As described above, undeveloped land is not abundant in the Eastgate area, though there are several tracts of agricultural land located immediately east of Ivy Pointe, and along the east side of I-275, north of Old SR 74 and the Eastgate Mall (see Attachment B2, Page 20).

With regard to secondary and cumulative impacts, early agricultural activity and rural development in the project area, followed by intensive suburban and commercial development, and construction and expansion of the local, regional and interstate road network (including the I-275 and SR 32 corridors) has essentially eliminated or greatly disturbed the natural and semi-natural land uses and conditions that originally existed in the project area. Consequently, future development activities that utilize existing vacant commercial space, or redevelop existing residential or commercial areas into new (or different) retail, office, or residential space, would be expected to provide economic benefits and potentially some social/community benefits to the Eastgate area (see Pages 12a and 12b), with minimal additional impact to the natural and semi-natural environment. If the future demand for new retail space, office space, or housing results in construction on the limited amount of remaining undeveloped land in the Eastgate area, the economic benefits and the potential social/community benefits would still be realized, but a small amount of agricultural land and possibly some small, fragmented woodlands would likely be lost, along with additional degradation of local water quality, air quality, noise and aesthetics, since semi-natural land uses (agricultural land, small woodlands) would be replaced by paved driveways, parking lots, residential/commercial buildings, and new access roads.

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SECTION F – COMMUNITY IMPACTS:

Public Facilities & Services

(continued from Page 12)

According to the Southwest Ohio Regional Transit Authority (SORTA) (<http://www.go-metro.com/maps/broadbandmap.pdf>), one public bus route serves the Eastgate area. This public bus route (Route 82x) is an express route from downtown Cincinnati that uses I-275, the I-275/SR 32 interchange, SR 32, Eastgate Boulevard and Aicholtz Road to reach a park-and-ride lot located at the Union Township Civic Center. The park-and-ride lot and the Union Township Civic Center are located well outside of the CLE-275-10.15 project area at 4350 Aicholtz Road (see Attachment B9, Page 36), and will not be impacted. This bus route does not serve the Eastgate Mall or other commercial or retail shopping centers in the Eastgate area. There are also no pedestrian/bicycle facilities or sidewalks in the immediate project area. Any existing local bikeway and sidewalk master plans for the area will be reviewed and incorporated into detailed design for the project where possible (see Environmental Commitments, Page 15).

The CLE-275-10.15 project is located within the West Clermont Local School District and is served by the Union Township Police and Fire Departments. As shown on Attachment B14b, Page 55, a Union Township fire station is located immediately west of the Old SR 74 bridge over I-275, and just outside of the preliminary construction limits for CLE-275-10.15. This station will not be impacted by the project. Regarding emergency services and access-related impacts or restrictions during construction of the CLE-275-10.15 project, a Maintenance of Traffic (MOT) plan will be developed during detailed design, and will be implemented to ensure no interruption of emergency services and minimal local traffic delays (see Page 4 and Page 15 for further MOT discussion and commitments).

As shown on Attachment B14, Page 54 to 59, there are seven other public facilities located in the immediate CLE-275-10.15 project area: Mount Carmel Park, Christian Life Center, St. Veronica Elementary School, Summerside Methodist Church/Day Care Facility, Brantner Elementary School, Summerside Elementary School, and Eastgate Baptist Church. Of these facilities, the project is only expected to impact 0.4 acre of frontage on the Summerside Methodist Church/Day Care (see Attachment B14d, Page 57) and 0.04 acre of frontage from the Christian Life Center (see Attachment B14c, Page 56), and following construction, the CLE-275-10.15 project (and coordinated local projects) are expected to improve overall access to and from these facilities.

Other public facilities and services located in the general project vicinity, but outside of the immediate project area include: Glen Este High School/Middle School campus, located at 4342 Glen Este-Withamsville Road, Union Township Police Department, located at 4312 Glen Este-Withamsville Road, and two other Union Township Fire Department Stations, including the District 30 Station located at 1141 Cincinnati-Batavia Pike in the Willowville area, and the Water Tower Station located at the corner of Clough Pike and Glen Este-Withamsville Road. As mentioned above, the Union Township Civic Center is also located in the project vicinity at 4350 Aicholtz Road. This facility is home to the Union Township Trustees and Administrative offices, as well as the West Clermont School District Administrative offices, a U.S. Post Office, a branch of the Clermont Senior Services, six public meeting rooms, a gymnasium and amphitheatre. All of these facilities are located well outside of the preliminary construction limits for CLE-275-10.15 (none will be directly impacted by the project), and, overall, the proposed project is expected to improve access to and from these facilities, as well as travel times and mobility in and through the Eastgate area.

As discussed on Page 4 of this Categorical Exclusion, major utilities in the project area include telephone, cable, electric, water, gas lines and a cellular phone tower. No major transmission lines occur in the area. It is expected that private gas, water, and electric lines, as well as one cell phone tower (see Attachment B14d, Page 57) will need to be relocated. The Hall Run Sanitary Flow Facility (see Attachment B14c, Page 56) and a Clermont County water tower (see Attachment B14d, Page 57) are also located immediately adjacent to the CLE-275-10.15 project, though neither of these two features are expected to be impacted during construction.

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Displacement of People, Businesses or Farms:

Y N

Will the proposed action displace people, businesses or farms?

X

Number of displacements: Residences: 5 Businesses: 10 Farms: 0 Institutions: 0

Remarks: Based on preliminary right-of-way estimates conducted by ENTRAN in December 2007, the CLE-275-10.15 project is expected to displace five single-family residences and 10 businesses (see Attachment B14, Pages 54 to 60). Further description of the 5 residential and 10 commercial displacements are provided on Page 13a. (continued on Page 13a)

SECTION G – PUBLIC INVOLVEMENT:

Per ORC 5511.01 and 23 CFR 771.111 (h)(2)(i) and (ii), every Federal action requires some level of public involvement, providing for early and continuous opportunities throughout the project development process. The level of public involvement should be commensurate with the proposed action.

Discuss what public involvement activities (letters to affected property owners and residents, meetings, special purpose meetings, newspaper articles, etc.) have occurred for this project.

Were you inclusive of minority and low income people in your public involvement activities? Yes* X No

* If YES, explain below.

Eastern Corridor Public Involvement Involving CLE-275-10.15

The CLE-275-10.15 project was included in public involvement efforts conducted for the Eastern Corridor Tier 1 EIS, which built upon public involvement efforts conducted during the Eastern Corridor Major Investment Study and Land Use Vision Plan work (see Project Description, Page 1a). Key efforts used during the Tier 1 work included: a project information center, an Eastern Corridor website (containing information specific to the CLE-275-10.15 project), community workshops, and speakers' bureaus, as well as several stakeholder/advisory committee meetings and public workshops. The following is a list of the key stakeholder/advisory committee meetings and public workshops held during the Eastern Corridor Tier 1 EIS process that included planning and project development for the CLE-275-10.15 project:

- Eastern Corridor Tier 1 EIS Public Workshops (series of three meetings), May 2003: This public workshop presented conceptual multi-modal alternatives for six focus areas in the Eastern Corridor, including the Eastgate focus area; four conceptual highway alternatives for the Eastgate area were displayed (Alternatives I, J, K and N; see also Alternatives, Page 2);
Eastern Corridor Tier 1 EIS Stakeholder Review Meeting – Eastgate Area Improvements, November 25, 2003: This stakeholder meeting reviewed purpose and need components of the Eastern Corridor that were specific to the Eastgate area, and discussed additional conceptual alternatives for this area (see also Alternatives, Page 2f);
Eastern Corridor Tier 1 EIS Public Workshops (series of three meetings), January/February 2004: This public workshop presented refined multi-modal alternatives for six focus areas in the Eastern Corridor; three highway alternatives for the Eastgate area were displayed (Alternatives I, P and Q-3). These three alternatives were considered representative of the array of conceptual alternatives that had been previously developed for the area (see also Alternatives, Page 2f, and Attachment B12, Pages 39 to 44);
I-275/SR 32 Interchange Stakeholder Review Meeting, June 30, 2004: This stakeholder meeting presented a review of alternatives in the Eastgate area that had been discussed and evaluated in detail during a May 24, 2004 IMS work session (see also Alternatives, Page 2f, and Attachment B13, Pages 45 to 53), and presented Feasible Alternative Q1 as the preliminary Preferred Alternative;

(continued on Page 13b)

Public Controversy on Environmental Grounds

Y N

Will the project involve substantial controversy concerning community and/or natural resource impacts?

X

Remarks: This project does not involve any substantial controversy concerning community and/or natural resource impacts. No substantial controversy was brought up during public involvement activities (see Public Involvement discussion above, and on Page 13b).

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SECTION F – COMMUNITY IMPACTS:

Displacement of People, Businesses or Farms:

(continued from page 13)

- Three residences on Aicholtz Road immediately east of I-275 (see Attachment B14d, Page 57),
- Two residences west of I-275, including one along Old SR 74 north of SR 32, and one immediately south of SR 32 just west of Bells Lane (see Attachment B14c, Page 56),
- Three restaurants: two along Eastgate North Drive - Cheeseburger in Paradise and Max and Erma's, and one near the SR 32/Eastgate Boulevard interchange - Perkin's (see Attachments B14d and B14e, Pages 57 and 58),
- Three businesses located on Omni Drive, immediately southeast of the I-275/SR 32 interchange (Marketing Support Services, Circle Storage, and Eastgate Adventure Golf (see Attachment B14d, Page 57), and
- Four businesses located in a small shopping center near the intersection of SR 32 and Old SR 74 (Little Miami Signs, Smokin' Treasures, Cash Express, Gramma's Pizza (see Attachment B14c, Page 56).

The acquisition of right-of-way and the relocation of residences and businesses will be conducted in accordance with ODOT-Office of Real Estate procedures (<http://www.dot.state.oh.us/real/>), Titles II and III of the Federal Uniform Relocation and Real Property Acquisition Policies Act of 1970 (as amended), the Surface Transportation and Uniform Relocation Assistance Act of 1987, and 49 CFR Part 24 (see Environmental Commitments, Page 15a).

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SECTION G – PUBLIC INVOLVEMENT:

(continued from page 13)

- ***I-275/SR 32 Interchange Update - Presentation to the Clermont County Board of Commissioners, August 17, 2004:*** This meeting with Clermont County presented an update on the status of alternatives development in the Eastgate area, including a general description of the preliminary Preferred Alternative and next steps in the study; and
- ***I-275/SR 32 Interchange Update - Presentation to Union Township Officials, August 25, 2004:*** This meeting with Union Township presented an update on the status of alternatives development in the Eastgate area, including a general description of the preliminary Preferred Alternative and next steps in the study.

As noted on Page 13, the Eastern Corridor public workshop meetings in May 2003 and January/February 2004 were held as a series of three meetings, at least one of which occurred in an identified environmental justice area and on a bus route to enable participation. All meeting facilities were handicap accessible.

CLE-275-10.15 Public Information Meeting

A Public Information Meeting was held on Thursday, December 13, 2007 to provide opportunity for interested persons to review and comment on project development and alternatives for the CLE-275-10.15 project. A copy of the meeting notification letter sent to landowner/business owners in the project area and newspaper advertisements regarding the public meeting are presented in Attachment H1, Pages 164 to 167. The meeting handout and comment sheet are included in Attachment H2, Pages 168 to 171. A Public Meeting Summary Report, including meeting sign-in sheets and comments received, are included in Attachment H3, Pages 172 to 256. ODOT response letters to public comments are included in Attachment H4, Pages 257 to 287. A summary of the public information meeting format, attendance and comments received are presented below:

Meeting Format

Notification of the meeting was provided by a letter mailed to adjacent property owners and stakeholders, newspaper legal notices in the Cincinnati Enquirer on November 29 and December 6, 2007, and legal notice in the Clermont Community Press on December 5, 2007, including the Clermont Journal, Bethel Journal, Milford Miami Advertiser and the Community Journal North Clermont (see Attachment H1, Pages 165 to 167). Announcement of the meeting was also posted on the following local websites: Ohio Department of Transportation District 8 (<http://www.dot.state.oh.us/dist8/planning/PI%20meetings.htm>), Clermont County Transportation Improvements District (<http://tid.clermontcountyohio.gov/>), Clermont County Engineer (<http://www.cceo-oh.org/PressRelease.htm>), Union Township (<http://www.union-township.oh.us/index.php?id=uth>), and Clermont County Government Web Portal (<http://clermontcountyohio.gov/>).

The meeting was held in the Union Township Civic Center, 4350 Aicholtz Road, Union Township, Ohio, from 4:00 to 7:00 PM. This meeting location was handicap-accessible and held on a Southwest Ohio Regional Transit Authority (SORTA) public bus route to enable participation. The meeting was conducted in an informal, open house style format to facilitate public review, allow for individual discussion between the public and project representatives, and to solicit individual input on the project. Four stations presented project information and graphics, including: Project Background, Project Purpose and Need, the Preferred Alternative, and Project Phasing. Handouts provided at the meeting included a Project Fact Sheet and a Comment Form (see Attachment H2, Pages 168 to 171). A receptacle for placement of hand-written comments was provided at the meeting. Comments could also be mailed to the Ohio Department of Transportation District 8 following the meeting. The Project Fact Sheet and key exhibits presented at the meeting were posted December 10, 2007 on the Ohio Department of Transportation District 8 website for public viewing, and remain posted. The ODOT website allows public comments to be submitted electronically.

Attendance and Summary of Comments Received

Attendance at the public meeting was approximately 243 persons based on the sign-in list. The Public Information Meeting comment period ended December 27, 2007. A total of 32 written comments were submitted at the meeting, or by mail, fax and email after the meeting through the end of the December 27, 2007 comment period. A summary report for the Public Information Meeting is presented in Attachment H3, Pages 172 to 256. Overall, comments received consisted of the following general themes:

- Concerns about proposals negatively impacting nearby residential homes – 5 total (see comment sheets 1, 2, 3, 30 and 31 in Attachment H3, Pages 200 to 203, and 242 to 247);

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SECTION G – PUBLIC INVOLVEMENT:

- Comments wanting shorter/sooner project phasing – 4 total (see comment sheets 4, 5, 6 and 7 in Attachment H3, Pages 204 to 207);
- Comments on design components – 7 total (see comment sheets 8, 9, 10, 11, 25, 27, and 29 in Attachment H3, Pages 208 to 211, 234, 237 and 241);
- General support of the proposed plan – 1 total (see comment sheet 22 in Attachment H3, Page 223); and
- Comments from public agencies (Clermont County and Clermont County Transportation Improvement District) – 2 total (see comment sheets 28 and 32 in Attachment H3, Pages 238 to 240, and 248 to 256).

ODOT responded by letter to each of the 32 comments received. A copy of each ODOT response letter is included in Attachment H4, Pages 257 to 287.

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SECTION H – HAZARDOUS MATERIALS & REGULATED SUBSTANCES:

	<u>Documentation</u>	
	Y	N
Environmental Site Assessment Screening / Checklist	X	
Phase I Environmental Site Assessment	X	
Phase II Environmental Site Assessment	X	
Design for Remediation	(pending)	

Remarks: An Environmental Site Assessment (ESA) Screening and a Phase I ESA were conducted for the CLE-275-10.15 project by H.C. Nutting Company in June and October 2004, respectively, and were approved by ODOT-OES on July 28, 2004, and November 27, 2004, respectively (see Attachments I1 and I2, Pages 288 to 302). As a result of these studies, 13 properties were initially recommended to be advanced to Phase II ESA (see Attachment I2, Pages 289 to 302). Due to minor design modifications to the Preferred Alternative, an ESA Screening Addendum was completed by ENTRAN in February 2007 and approved by ODOT-OES on March 21, 2007 (see Attachment I3, Page 303). In the March 21, 2007 IOC, ODOT-OES recommended that one additional site (Mechanics Plus Auto Repair at 539 Old SR 74) be advanced to Phase I ESA (see Attachment I3, Page 303).

Since the time of the November 2004 and March 2007 ODOT-OES Phase II ESA recommendations, additional refinements to the project Preferred Alternative resulted in changes to the preliminary project construction limits, and a number of properties originally recommended for Phase II ESA in 2004 and 2007 are no longer being impacted. As a result, ODOT-OES issued an IOC on January 3, 2008 that recommended eight sites be advanced for further hazardous materials investigations (see Attachment I4, Pages 304 to 312 and Attachment B14, Pages 54 to 59). On February 12, 2008, ODOT-OES issued an IOC stating that no further work was needed on the Mechanics Plus Auto Repair site (recommended for Phase I work in the March 21, 2007 IOC) since this site is not expected to be impacted by the CLE-275-10.15 project (see Attachment I5, Page 313). Note: This site is not one of the eight sites recommended for Phase II work in the January 3, 2008 ODOT IOC.

(continued on Pages 14a)

SECTION I – PERMITS CHECKLIST:

	<u>Required</u>	<u>Not Required</u>	<u>Complete</u>	
			Y	N
OES Permit Determination (PD)	X			X
Army Corps of Engineers (404/Section10 Permit)				
Individual (IP)	X			
Nationwide (NWP)		X		
Pre-Construction Notification (PCN)		X		
OEPA				
Level 1 Review – General Isolated Wetland Permit	X			
Level 2 Review – Individual Isolated Wetland Permit		X		
Level 3 Review – Individual Isolated Wetland Permit		X		
401 Water Quality Certification (WQC)	X			
NPDES Construction Storm Water Permit	X			
US Coast Guard Section 9 Bridge Permit		X		
Wetland and/or Stream Mitigation	X			
Flood Plain Permit		X		

Remarks: The project will not impact any floodplains; therefore a floodplain permit will not be required for this project (see Attachment D2, Page 91). An estimated 1,869 linear feet of stream, 0.045 acre of isolated wetland and 0.008 acre of non-isolated wetland are expected to be impacted by the project. A General Isolated Wetland Permit - Level 1 Review, and USACOE 404 Permit and OEPA 401 Water Quality Certification are expected to be required for the project. An ODOT-OES Permit Determination, and all necessary permit applications and mitigation plans will be completed during detailed design once final stream and wetland impacts are determined. The project will also require a Stormwater Pollution Prevention Plan (SWPPP) and an NPDES Storm Water Permit, and all regulations and conditions associated with the required NPDES permit shall require the Contractor's full compliance (see Environmental Commitments, Page 15b).

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SECTION H - HAZARDOUS MATERIALS & REGULATED SUBSTANCES:

(continued from page 14)

Burgess and Niple performed Phase II ESA investigations in November 2008 on the eight sites identified in the ODOT-OES IOC dated January 3, 2008 and found evidence of petroleum contaminated soils (PCS) at three sites:

- 1) Former Ashland Station, 618 Old SR 74 (see Attachment B14c on Page 56)
- 2) Eastgate Storage, 715 Old SR 74 (see Attachment B14b and B14d on Pages 55 and 57)
- 3) Sunoco Gas Station, 4514 Mount Carmel-Tobasco Road (see Attachment B14c on Page 56)

ODOT-OES issued an IOC on November 17, 2008 concurring with the findings of the Phase II investigations, and stated that a plan note for petroleum contaminated soils be developed and incorporated into the project plans for these three sites (see Attachment I6, Page 314). As such, in the event that petroleum contaminated soils are encountered during construction activities, a plan note concerning the handling of petroleum contaminated soils has been developed for incorporation into the project plans (see Environmental Commitments, Page 15a).

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SECTION J – ENVIRONMENTAL COMMITMENTS MADE & RESOURCES TO BE AVOIDED:

Maintenance of Traffic and Public Access During Construction

- 1) A Maintenance of Traffic (MOT) plan will be developed during detailed design and will be implemented to ensure no interruption of emergency services, and to ensure minimal impact on interstate and local traffic, and to ensure access to the area in accordance with Ohio Revised Code and the Ohio Department of Transportation Standard Specifications Manual for all Title VI populations in the project vicinity during project construction. Project plan notes will be developed to ensure that the contractor assumes the responsibility of appropriate advance notification for any lane closures and/or detours (see Page 4). To ensure the public is notified of construction activities, the following note will be added to the project plans:

“The Contractor will advise the Project Engineer a minimum of 14 days prior to the following: the start of construction activities, lane closures, and/or road closures. The Project Engineer will forward this information to the District Public Information Officer (PIO) by FAX at 513-943-7651 or at the District 8 PIO notification website, <http://www.dot.state.oh.us/districts/D08/Pages/PlanningPIOWebform.aspx>. The PIO, in turn, notify the public, the local emergency services, affected schools and businesses, and any other impacted local public agency of any of the above mentioned items, via media sources.”

Utilities

- 1) Utility coordination will be conducted by ENTRAN in coordination with ODOT-District 8, and will be ongoing through completion of final design (see Page 4). If utility relocations are required, the following plan note will be added to the final project plans:

“All utility relocations shall be coordinated between the contractor and the utility owners in such a way to avoid and/or minimize any inconvenience to potentially affected customers. All utility relocations not included in this contract shall be performed by the affected utility or its contractor and shall be compliant with ODOT roadway design standards. Utility work will be ongoing during the construction period. Upon the contract award, the coordination of all necessary relocations with the utilities will become the responsibility of the Contractor”

Pedestrian and Bikeways

- 1) Existing local bikeway and sidewalk master plans for the area (as available) will be reviewed and incorporated into detailed design for the project where possible

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SECTION K – CONCURRENCE:

It is hereby determined that the subject project meets the criteria for CE in accordance with the *Programmatic Categorical Exclusion Agreement* between ODOT and FHWA. This action does not: induce significant impacts to planned growth or land use for the area; require relocation of significant numbers of people; have significant impact on any natural, cultural, recreational, historic, or other resource; involve significant air, noise, or water quality impacts; have significant impacts on travel patterns; or otherwise, either individually or cumulatively, have any significant impacts and do not require the preparation of an Environmental Assessment or an Environmental Impact Statement.

As supported by information contained in this Categorical Exclusion Document, this project qualifies for a CE Level 4, Item Number _____, in accordance with the *Programmatic Categorical Exclusion Agreement* between ODOT and FHWA dated

Deborah Osborne, Jesse Binau and W. Christopher Young, ENTRAN	March 13, 2008
Name of Preparer and Organization	Date
District Environmental Coordinator	Date
District Planning & Programs Administrator	Date
Office of Env. Services Administrator	Date
If CE-4: Date Submitted to FHWA	Date

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SECTION J – ENVIRONMENTAL COMMITMENTS MADE & RESOURCES TO BE AVOIDED:

(continued from page 15)

Ecological Resources

- 1) In accordance with USFWS, OEPA, USACE and ODNR recommendations (see Pages 7a to 7c and Attachment C5, Pages 79 to 89), sufficient mitigation will be provided for wetland and stream impacts. Wetland and stream mitigation plans will be developed during final design as part of the 404/401 permit application process.
- 2) Natural stream design techniques and opportunities for on-site stream restoration will be evaluated during detailed design for stream impact mitigation, where practicable, in accordance with OEPA recommendations (see Page 7b and Attachment C5, Pages 81 and 82).
- 3) Trees exhibiting suitable Indiana Bat (*Myotis sodalis*) habitat characteristics (as well as surrounding trees) will be avoided wherever possible. For unavoidable impacts to potential habitat for this species, the following note will be included project plans (see USFWS letter dated December 14, 2004 in Attachment C5, Pages 79 and 80):

“PROTECTION OF THE FEDERALLY ENDANGERED INDIANA BAT HABITAT

Any unavoidable cutting of trees with suitable roosting and brood-rearing habitat for the federally endangered Indiana Bat (living or standing dead trees or snags with exfoliating, peeling or loose bark, split trunks and/or branches, or cavities), will be performed only before April 15 or after September 15 when the species would not be using such habitat. If these potential roost trees cannot be removed within this time period, then they shall remain protected and undisturbed for a period between April 15 and September 15, as per the following requirements: If the trees described above are not removed prior to the next bat roosting season (April 15), they shall be protected by installing work limit fencing around each tree or tree group at a radius of not less than 50 feet from the nearest point of each roost tree trunk. If such protection is required due to the timing of construction, it shall not be cause for time delay or extra compensation claims by the Contractor.”

Noise

- 1) In accordance with the findings of the Preliminary Noise Analysis (see Pages 11 and 11b, and Attachment F4, Page 138, and Attachment F5, Pages 139 to 150), a detailed noise analysis will be conducted during final design for the four potential noise mitigation sites (i.e. the four locations predicted to experience design year sound-level impacts), as well as Existing Noise Barriers A, B and C. This analysis will follow Title 23 Code of Federal Regulations Part 772, FHWA’s *Highway Traffic Noise Analysis and Abatement – Policy and Guidance* (June 12, 1995), and the ODOT’s *Standard Procedures for Analysis and Abatement of Highway Traffic Noise* (August 1, 2006). All necessary highway noise abatement measures will be developed during detailed design and included in the final project plans.

Community Impacts: Displacement of People, Businesses or Farms

- 1) The acquisition of right-of-way and the relocation of residences and businesses will be conducted in accordance with ODOT-Office of Real Estate procedures (<http://www.dot.state.oh.us/real/>), Titles II and III of the Federal Uniform Relocation and Real Property Acquisition Policies Act of 1970 (as amended), the Surface Transportation and Uniform Relocation Assistance Act of 1987, and 49 CFR Part 24 (see Pages 13 and 13a).

Hazardous Materials and Regulated Substances

- 1) Based on findings of the Phase II ESA investigations (see Section H, Page 14a), the following note concerning petroleum contaminated soils will be included in the project plans:

“PETROLEUM CONTAMINATED SOILS

All excavated material encountered and noted within the project limits, which is determined either through smell, color, and/or texture to be potentially contaminated with petroleum substances, shall be stockpiled in an area approved by the engineer. The contractor shall stockpile the material in a leak proof container provided by the contractor or the suspect soils shall be temporarily stockpiled at a location determined by the engineer and completely covered with an impermeable membrane, as directed by the engineer. This operation shall be completed in such a manner as to prevent contamination to the human population or the environment, and shall meet Ohio EPA standards. The suspect soils shall be inspected and tested by a qualified hazardous waste inspector and properly disposed of, in accordance with Ohio EPA standards, as directed by the engineer. Potential petroleum contaminated soils occur at the following locations: Former Ashland Station (618 Old SR 74), Eastgate Storage (715 Old SR 74) and Sunoco Gas Station (4514 Mt. Carmel-Tobasco Road). A quantity of ## tons has been placed under item SPECIAL WORK INVOLVING PETROLEUM CONTAMINATED SOILS.”

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SECTION J – ENVIRONMENTAL COMMITMENTS MADE & RESOURCES TO BE AVOIDED:

Permits

- 1) A General Isolated Wetland Permit - Level 1 Review, and USACOE 404 Permit and OEPA 401 Water Quality Certification are expected to be required for the project. An ODOT-OES Permit Determination, and all necessary permit applications and mitigation plans will be completed during detailed design once final stream and wetland impacts are determined. The project will also require a Stormwater Pollution Prevention Plan (SWPPP) and an NPDES Storm Water Permit, and all regulations and conditions associated with the required NPDES permit shall require the Contractor's full compliance (see Page 14 and Page 15b).

Best Management Practices

The following note will be included in the project plans:

"The Contractor shall follow best management practices for sediment and erosion control during construction and post-construction in accordance with ODOT 2005 Construction and Material Specifications (CMS) Section 107.19 and Supplemental Specification 832. Plan notes and estimated quantities in accordance with Supplemental Specification 832 must be included in the plans to handle erosion control. In accordance with ODOT Supplemental Specification 832, the contractor shall be responsible for development of the Storm Water Pollution Prevention Plan (SWPPP). The plan notes, and the Contractor's Storm Water Pollution Prevention Plan (SWPPP), will further detail the project specific soil erosion prevention measures. In addition to the current CMS, Supplemental Specifications, plan notes, and the SWPPP stipulations, all of the regulations and conditions associated with the required Ohio EPA National Pollutant Discharge Elimination System (NPDES) permit shall require the Contractor's full compliance. An ODOT approved SWPPP and Ohio EPA approved NPDES permit will be required before any earth disturbing construction activities can take place."