



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
6950 Americana Parkway, Suite H
Reynoldsburg, Ohio 43068-4127

(614) 469-6923/Fax: (614) 469-6919

April 19, 2006

TAILS: 31420-2006-TA-0517

Mr. Tim Hill
ODOT, Office of Environmental Services
1980 West Broad Street
Columbus, OH 43223

RE: PID #76257

Dear Mr. Hill:

This is in response to your March 30, 2006 letter requesting comments we may have about ecological resources present within the vicinity of the proposed Mill Creek Expressway project located in Cincinnati, Hamilton County, Ohio. At this time, your agency is seeking comments on a Conceptual Alternatives Study for proposed improvements to I-75 which include adding lanes and modifying interchanges. The project length is approximately 7.8 miles, and may impact up to 850 feet of stream and 0.1 acres of wetland.

In general, the U.S. Fish and Wildlife Service recommends that proposed developments minimize water quality impacts and impacts to quality fish and wildlife habitat, such as forests, streams, and wetlands. Note that wetlands may exist on sites that are not designated wetland by the National Wetland Inventory. We recommend that the proposed development use best construction techniques to minimize erosion. As such, we recommend alternatives that exhibit no risk for landslides and minimize impacts to streams and wetlands (I75-NB and I75-A).

Prevention of non-native, invasive plant establishment is critical in maintaining quality habitats. All disturbed areas should be mulched and re-vegetated with native plants. Biologists from this office are available to assist with selection of native plant seed mixes.

ENDANGERED SPECIES COMMENTS:

The proposed project lies within the range of the **Indiana bat** (*Myotis sodalis*), **running buffalo clover** (*Trifolium stoloniferum*), and **sheepnose mussel** (*Plethobasus cyphus*). Due to the location of the project (occurring within a highly urbanized and developed corridor) no impacts to Federally-listed species are anticipated. Should, during the term of this action, additional information on listed or proposed species or their habitat become available, or if new information reveals effects of the action that were not previously considered, consultation with the Service should be initiated.

This technical assistance letter is submitted in accordance with provisions of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C.661 et seq.), the Endangered Species Act of 1973, as amended, and is consistent with the intent of the National Environmental Policy Act of 1969, and the U.S. Fish and Wildlife Service's Mitigation Policy. Please note that consultation under section 7 of the ESA may be warranted for this project if suitable habitat for

the Indiana bat or running buffalo clover may be impacted by this project. This letter provides technical assistance only and does not serve as a completed section 7 consultation document.

If you have any questions regarding our response or if you need additional information, please contact Sarena Selbo at extension 17.

Sincerely,

A handwritten signature in black ink that reads "Mary Knapp". The signature is written in a cursive style with a long horizontal flourish at the end.

Mary Knapp, Ph.D.
Field Supervisor

cc: ODNR, DOW, SCEA Unit, Columbus, OH



State of Ohio Environmental Protection Agency

STREET ADDRESS:

Lazarus Government Center
122 S. Front Street
Columbus, Ohio 43215

TELE: (614) 644-3020 FAX: (614) 644-3184

MAILING ADDRESS:

P.O. Box 1049
Columbus, OH 43216-1049

May 2, 2006

Timothy M. Hill, Administrator, OES
Ohio Department of Transportation
Office of Environmental Services
PO Box 899
Columbus, Ohio 43216-0899

**Re: Conceptual Alternatives Study Report (Mill Creek Expressway Study)
HAM-IR75-2.30, PID 76257**

Dear Mr. Hill:

We received the above report in our office on April 3, 2006. The report describes proposed improvements to an approximately 7.8 mile section of IR 75 beginning just south of the IR 75 Interchange (Western Hills Viaduct) and ending just north of the Paddock Road Interchange in Cincinnati, Ohio. According to the report, the improvements are needed to address future traffic demands, reduce accidents, and correct substandard physical conditions on IR 75. We understand the Conceptual Alternatives (mainline and interchange) described in the report were developed in Step 5 of the PDP and will be elaborated on in Step 6 of the process. The mainline alternatives recommended to be moved forward to Step 6 of the PDP include: I75-A-Lane Continuity Alternative and I75-D-Lane Alternative. Several interchange alternatives also were described. The locations targeted for interchange work include Hopple Street, I74, Colerain Avenue, Mitchell Avenue, Norwood, Towne Street, and Paddock Road.

At this stage in the development process we do not have any major concerns with the proposal. The report states that stream impacts are expected to occur in mainline alternatives I75-A and I75-D (38 linear feet) and interchange alternatives I74-A and I74-B (720 linear feet). The only wetland impacts (0.1 acres) are expected to occur with interchange alternatives COL-A and COL-B. We will determine the level of Ohio EPA's regulatory oversight upon receipt of further project details and impact information, or presentation of the Preferred Alternative.

The proposed project will be constructed within the Mill Creek Watershed in Hamilton County which is experiencing significant degradation, including Mill Creek and West Fork Mill Creek. The watershed was identified as a priority impaired water on Ohio's 1998 303(d) list. The primary sources of impairment include excessive nutrients (phosphorus and nitrogen), rapidly developing urbanized/industrial upper watershed, high bacteria count, stream channel modification, and discharges from combined sewage overflow facilities.

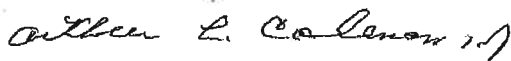
Bob Taft, Governor
Jennette Bradley, Lieutenant Governor
Christopher Jones, Director

Timothy M. Hill, Administrator, OES
Ohio Department of Transportation
Conceptual Alternatives Study Report
HAM-IR75-2.30, PID 76257
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Several watershed-based groups have targeted the Mill Creek Watershed for restoration, including, the Mill Creek Watershed Council, Mill Creek Conservancy District, and Mill Creek Restoration Project. ODOT may wish to contact these groups to discuss problem issues and potential mitigation opportunities.

This concludes our remarks on the project alternatives. Please contact me at (614) 644-2138 if you have any questions.

Sincerely,



Arthur L. Coleman, Jr.
Environmental Specialist
Division of Surface Water

cc: Debbie Wegmann, Team Leader, Huntington ACOE
Ohio Regulatory Transportation Office
Bldg. 10 Sec. 10
3990 East Broad Street
Columbus, Ohio 43218-3990
Megan Seymour, US Fish & Wildlife
Diana Zimmerman, SWDO
William Cody, Asst. Administrator, OES/ODOT
Mike Pettegrew, Supervisor, Waterway Permits, OES/ODOT
Larry Hoffman, OES/ODOT
Noel Alcala, OES/ODOT
Randy Sanders, ODNR



DEPARTMENT OF THE ARMY
HUNTINGTON DISTRICT, CORPS OF ENGINEERS
502 EIGHTH STREET
HUNTINGTON, WEST VIRGINIA 25701-2070

April 28, 2006

REPLY TO
ATTENTION OF:

Operations and Readiness Division
Regulatory Branch
200300300

Timothy Hill
Office of Environmental Services
Ohio Department of Transportation
1980 West Broad Street
Columbus, Ohio 43223

RECEIVED

MAY 01 2006

**OFFICE OF
ENVIRONMENTAL SERVICES**

Dear Mr. Hill:

This letter is in reference to the Conceptual Alternatives Study Report dated March 24, 2006 and received in this office on March 30, 2006 concerning your proposal to improve approximately 7.8 miles of Interstate Route 75 in Hamilton County, Ohio. You have requested our comments in regard to ecological resources in the project area and recommendations regarding further study. Your project designation for this proposal is ODOT Project HAM-IR75-2.30, PID 76257 (Mill Creek Expressway Study).

The purpose and need for this project has been explained in Appendix 7 of the Conceptual Alternatives Study Report. This documentation indicates that the section of I-75 from the Western Hills Viaduct Interchange on the south to the Paddock Road Interchange on the north is congested freeway with a high accident frequency history. This road corridor was identified as most important by the public and stakeholders involved in the North South Transportation Initiative organized by the Ohio-Kentucky-Indiana Regional Council of Governments and the Miami Valley Regional Planning Commission in 2000. Problematic corridor features include low speed curves, left-hand exit ramps, poor lane continuity, and undesirable service ramp locations. The purpose and need documentation includes a description of known deficiencies along the corridor in Section 5.0 - Existing Physical Conditions. Stated project goals include increased efficiency regarding traffic volumes, reduction in number and severity of collisions, and correction of contributing substandard roadway conditions.

You have identified two adjacent projects and one adjacent study area to the proposed project. These are the Thru the Valley Project, the Brent Spence Bridge Project and the Uptown Transportation Study. The I-75 Mill Creek Expressway project begins at the northern terminus of the Brent Spence Bridge Corridor project and ends just north of the Paddock Road Interchange, for a total project length of 7.8 miles.

Conceptual alternatives were developed for the I-75 mainline and for each of six interchanges. The mainline alternatives have been evaluated independently from the interchange alternatives since each are planned to be self contained construction projects. You have indicated in the Conceptual Alternatives Study that the following alternatives will be carried forward to the next study phase:

- I-75 Mainline - alternatives include the no build, four-lane continuity with auxiliary lanes, and the 5/4 lane.
- I-74 Interchange - alternatives include the no build, fully directional interchange with local access maintained and the fully directional interchange with no local access.
- Hopple Interchange - alternatives include the no build, tight urban diamond interchange, and the offset diamond interchange.
- Colerain Interchange - alternatives include the no build, the low impact improvement with full movements interchange and the double round-a-bout diamond interchange alternative.
- Mitchell Interchange - alternatives include the no build and the tight urban diamond interchange.
- Norwood Lateral Interchange - alternatives include the no build and the modified interchange with additional ramp lanes.
- Towne Street Interchange - alternatives include the no build and the ramp closure.
- Paddock Interchange - alternatives include the no build and the low impact/spot improvements interchange.

In your March 30, 2006 letter, you indicated that based on preliminary analysis the environmental impacts expected to occur would include a total of 848 linear feet of stream habitat and less than 0.1 acres of wetlands. Alternative impacts include:

- I-75 Mainline - 38 linear feet of stream impacts for each alternative other than no build.
- I-74 Interchange - 720 linear feet of stream impacts for each alternative other than no build.
- Hopple Interchange - No impacts to streams or wetlands.

- Colerain Interchange - Less than 0.1 acre wetland impacts for each alternative other than no build.
- Mitchell Interchange - 90 linear feet of stream impacts for each alternative other than no build.
- Norwood Interchange - No impacts to streams or wetlands.
- Towne Street Interchange - No impacts to streams or wetlands.
- Paddock Interchange - No impacts to streams or wetlands

In the next project phase, please provide a table summarizing the proposed impacts to waters of the U.S. This table should include the linear feet of proposed stream impact, the acreage of wetland impact and total acreage of impacts to waters of the U.S. Upon field verification of the jurisdictional limits of waters of the U.S. and a summary of associated impacts, our office will be able to determine the requirements for the proposed project. In addition, please state whether any aspect of this project is water dependent and what measures will be instituted to avoid and/or minimize impacts to aquatic resources.

Thank you for the opportunity to comment in the early planning stage of your proposed project. Please direct any questions regarding this letter to Ms. Sheila Newman of the Ohio Regulatory Transportation Office at (614) 692-4660.

Sincerely,



Deborah L. Wegmann
Regional Transportation Program Manager
Ohio Regional Transportation Office

5/5/2006

ODNR COMMENTS TO ODOT Project HAM-IR75-2.30, PID 76257 (Mill Creek Expressway Study)

Location: The project is located along Interstate Route 75 in Cincinnati, Ohio. The project begins just south of the IR75 interchange with Western Hills Viaduct and ends just north of the Paddock Road interchange.

Project: The proposed project involves improving the capacity on IR75 and modifying the existing interchanges.

The Ohio Department of Natural Resources (ODNR) has completed a review of the above referenced project. These comments were generated by an inter-disciplinary review within the Department. These comments have been prepared under the authority of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.), the National Environmental Policy Act, the Coastal Zone Management Act, Ohio Revised Code and other applicable laws and regulations. These comments are also based on ODNR's experience as the state natural resource management agency and do not supersede or replace the regulatory authority of any local, state or federal agency nor relieve the applicant of the obligation to comply with any local, state or federal laws or regulations.

Rare and Endangered Species: The ODNR Natural Heritage Database contains the following data along the project route, as shown on the attached maps:

Cincinnati West Quad

1. *Clonophis kirtlandii* - Kirtland's Snake, threatened, 1985
 - A. Mt. Airy Forest - City of Cincinnati
 - B. Mill Creek Conservancy
 - C. Mt. Storm Park - City of Cincinnati

Fish and Wildlife: The project is in the historical range of the Indiana bat (*Myotis sodalis*), a state and federally endangered species. If it is necessary to remove any trees to complete the project, it is recommended ODOT first contact the U.S. Fish and Wildlife Service for guidance.

The project is also within the historical range of the Lark sparrow (*Chondestes grammacus*), a state endangered bird species, and the Loggerhead shrike (*Lanius ludovicianus*), a state endangered bird species. Due to the habitat used by these species and the location of this project, the DOW believes the project is not likely to have an impact on these species.

The project is within the historical range of the Peregrine falcon (*Falco peregrinus*), a state endangered bird species, and the Eastern hellbender (*Cryptobranchus alleganiensis alleganiensis*), a state endangered amphibian. If either any of these species is encountered during construction of the project, work should immediately be stopped, and the DOW should be contacted.

The project is within the historical range of the Sheepnose (*Plethobasus cyphus*), a state endangered and federal candidate mussel species. If it is necessary to do in-water work to complete the project, it is recommended ODOT first contact the U.S. Fish and Wildlife Service for guidance.

Special Flood Hazard Area: The proposed project may or may not be located in a Special Flood Hazard Area. To assist you in this determination, please contact the community's floodplain administrator. A list of community floodplain administrators can be found on the ODNR - Division of Water website at <http://www.dnr.state.oh.us/water/floodpln/>. To view a copy of a Flood Insurance Rate Map for your project area, you can either contact the community floodplain administrator, or obtain a copy online from the FEMA Flood Map Store at <http://store.msc.fema.gov/>.

ODNR appreciates the opportunity to provide these comments. Please contact Randy Sanders at 614.265.6344 if you have questions about these comments or need additional information.

Randall E. Sanders

Environmental Administrator

Division of Real Estate & Land Management

Ohio Department of Natural Resources

2045 Morse Rd, C4

Columbus, Ohio 43229-6693

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