BRIDGING THE GAP: HOW PARTNERING BUILT CONSENSUS AND STREAMLINED THE CULTURAL RESOURCE & SECTION 4(F) PROCESS ON THE WESTERN HILLS VIADUCT PROJECT

Authors:
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Jason Watkins - ODOT-Office of Environmental Services
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- Double Deck Structure spanning (4,000ft):
  - State Street
  - Mill Creek
  - Queensgate Rail Yard (CSX and NS)
  - Spring Grove Avenue
  - I-75

- 2.5mi north of Ohio River

- Important connection btw Downtown Cincinnati & western suburbs
History

1932: Originally Constructed

1961: East end reconstructed when I 75 was built

1973: Load Limited to 5 tons

1977: Major Rehabilitation

Since: Minor rehab as needed
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Project Purpose:
Preservation of the existing connection between The east and west sides of the Mill Creek river valley

Need Elements:
Primary Facility Deficiencies System Linkage
Secondary Community Accessibility
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More Than Just Historic Bridges--What's New in Cultural Resources - Session #30
Preferred Alternative
## BRIDGING THE GAP: HOW PARTNERING HELPED BUILD CONSENSUS AND STREAMLINE THE CULTURAL RESOURCE & SECTION 4(F) PROCESS ON WESTERN HILLS VIADUCT PID 85388

### Project Estimate:
- **Design**: $14M
- **Right of Way**: $22M
- **Construction**: $243M
- **Demolition**: $40M
- **Total**: $319M

<table>
<thead>
<tr>
<th>Years</th>
<th>Construction Phases</th>
<th>PID</th>
<th>Estimated Costs</th>
<th>Total</th>
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<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Design</td>
<td>Right-of-Way</td>
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<tr>
<td>2021 - 2022</td>
<td>Phase 1 - Western Approach</td>
<td>105314</td>
<td>$1M</td>
<td>$7M</td>
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<td>Phase 2 - Eastern Approach</td>
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<td>2022 - 2024</td>
<td>Phase 3 - Duke Substation Relocation</td>
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<td>$10M</td>
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<tr>
<td>2022 - 2023</td>
<td>Phase 4 - Mill Creek Bridge &amp; RR Track Relocation</td>
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<td>2024 - 2027</td>
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<td>2027 - 2029</td>
<td>Phase 6 - Demolition of Existing Viaduct</td>
<td>105350</td>
<td>$1M</td>
<td>$40M</td>
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<td></td>
<td><strong>TOTALS</strong></td>
<td></td>
<td>$14M</td>
<td>$22M</td>
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</table>
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2010: $5.4M in STP Funds from OKI for R/W Acquisition (SFY 2017)
2012: January first round of public involvement
2013: September second round of public involvement
2015: VE Session and identification of preferred alignment alternative
2016: NEPA effort began in earnest; December third round of PI
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<table>
<thead>
<tr>
<th>Parcel</th>
<th>Owner</th>
<th>Address</th>
<th>Deed No.</th>
</tr>
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<tbody>
<tr>
<td>1</td>
<td>Viaduct Ventures LLC</td>
<td>1501 Harrison Ave.</td>
<td>981618 &amp; 994061</td>
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<tr>
<td>2</td>
<td>Harmit &amp; Corcoran Properties LLC</td>
<td>14077 Harrison Ave.</td>
<td>278712</td>
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<td>3</td>
<td>Osman Zainab S</td>
<td>1445 Harrison Ave.</td>
<td>773064</td>
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<td>4</td>
<td>A1 Baron Storage LLC</td>
<td>1415 Harrison Ave.</td>
<td>120097</td>
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<td>21</td>
<td>MTK Inc.</td>
<td>1400 Harrison Ave.</td>
<td>774448, 778950, &amp; 774452</td>
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<td>22</td>
<td>E&amp;I Real Estate Holding</td>
<td>1220 Harrison Ave.</td>
<td>130872, Aerial Esmt.</td>
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<td>23-25</td>
<td>Railroad Properties (CSX, NS)</td>
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<td>Aerial Easement</td>
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<td>26-27</td>
<td>Differential Holding Co. LLC</td>
<td>2277 Spring Grove Ave.</td>
<td>54027</td>
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<tr>
<td>28</td>
<td>Duke Energy Ohio Inc.</td>
<td>2229 Spring Grove Ave., Substation Relocation</td>
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Section 106 & 4(f) was identified as critical path for NEPA when it became clear that 2 historic sites would be adversely effected by the project:

- Western Hills Viaduct
- Chem-Pack (2277 Spring Grove Ave.)
January 2017 - ODOT District 8 & OES began working together to identify ways to expedite “standard” processes for Section 106.
January/February 2017 - Results of Literature/Field Review

- OES confirmed majority of APE previously surveyed & disturbed by modern development.

Table 1. Cultural Resources Within and Adjacent to the Study Area.

<table>
<thead>
<tr>
<th>CULTURAL RESOURCE NUMBER OR NAME</th>
<th>ADDRESS</th>
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<tbody>
<tr>
<td>HAM-1832-20</td>
<td>1347 Harrison Ave</td>
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<tr>
<td>HAM-1837-20</td>
<td>1362 Ernst St</td>
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<tr>
<td>HAM-2094-20</td>
<td>1497-1499 Enzi St</td>
</tr>
<tr>
<td>HAM-3109-23</td>
<td>1110 Queen City Ave</td>
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<td>HAM-1700-40, Chun-Pack, Inc.</td>
<td>2261 Spring Grove Ave</td>
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<td>HAM-1710-40</td>
<td>2277 Spring Grove Ave</td>
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<tr>
<td>HAM-6312-40</td>
<td>1190 Harrison Ave</td>
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<td>HAM-7506-40</td>
<td>1120 Harrison Ave</td>
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<tr>
<td>HAM-7511-40</td>
<td>Central Parkway between Sycamore St &amp; Ladow</td>
</tr>
<tr>
<td>SFN 3101531</td>
<td>Frighton Bridge over Central Parkway</td>
</tr>
<tr>
<td>SFN 3105458</td>
<td>Western Hills Viaduct</td>
</tr>
<tr>
<td>NRHP Reference Number 650048827</td>
<td>Former Brighton Car Barn</td>
</tr>
<tr>
<td></td>
<td>Roughly bounded by Patterson, Bank St, &amp; Winchell</td>
</tr>
<tr>
<td>Subway Tunnels</td>
<td>Between I-75 and Central Parkway north of Western Hills Viaduct</td>
</tr>
<tr>
<td>Saint Peters Catholic Cemetery – Former location</td>
<td>Queen City Ave</td>
</tr>
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</table>
February 23, 2017 - D8 & OES consulted with SHPO in the field.

- Agreed on what resources would be potentially impacted & what resources were clearly outside of project area.
2012- Present - City’s Public Involvement Efforts

- Public informed of project, design constraints & impacts.

- City posted Consulting Party (CP) application on project website.

- Early PI facilitates the Section 106 process.

- When public not provided opportunity to learn about project & share views, Section 106 process maybe be delayed.

- Feb/March 2017 - CP applicants acknowledged.
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- March/April 2017 - OES combined CR survey, effects report, & draft MOA.
- Minimized submissions & 30-day review periods.
- May 3 & 4, 2017 - Report & Adverse Effect to SHPO & CP.
June 2, 2017 - ODOT notified ACHP of Adverse Effect via e106.
July 6, 2017 - MOA meeting conducted with CPs to identify mitigation & minimization measures related to historic significance of the affected resources.
Western Hills Viaduct eligible for NRHP - association with Cincinnati’s Union Terminal Project & transportation planning. Construction began 1930 & completed 1932 part of the Union Terminal Project.
Western Hills Viaduct

- ½ Mile Long - Double-Deck
- 49-Span Reinforced Concrete
- 2 Open Spandrel Arches with Art Deco Pylons
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Western Hills Viaduct
4 lanes upper deck
3 lanes lower deck
Chem-Pack, Inc.
Constructed in 1898
Determined eligible for NRHP for architectural design.
Measures to mitigate & minimize effects:

- Commemorative Display - History of WHV
- Permanent Record - Chem-Pack Bldg
- Draft NRHP Nomination - W. McMicken HD & Vibration Monitoring

MOA executed October 19, 2017 - Approximately 4 ½ months after “adverse effect” finding.
Streamlining the Section 106 Consultation Process
In Summary - why it worked . . .

- ODOT D8 consulted ODOT-OES CR team early in scoping.
- ODOT & SHPO consulted early in process.
- City initiated PI early & included efforts to identify CPs.
- ODOT combined reports - streamlined submission & review process.
- Utilized ACHPs e106 form.
Streamlining the Section 4(f) Process for Historic Resources

Three Levels of Section 4(f) Evaluations for Historic Resources:

- **Section 4(f) De Minimis** - W. McMicken HD - October 2017
- **Section 4(f) Programmatic Evaluation Use of a Historic Bridge** - Western Hills Viaduct - December 2017
- **Individual Section 4(f) Evaluation: Use of Chem-Pack, Inc.** - March 2018
Streamlining the Section 4(f) Process for Historic Resources

In Summary - Why it worked . . .

- Review and Approval of Programmatic Evaluation in approximately 4 months from time initial submittal received to OES approval.

- Individual Evaluation (IE) completed in 6 months from the time initial Draft IE submitted to acceptance of Final IE.
  - DOI completed review of Draft IE & provided comments in 35 days.
  - Final Legal Sufficiency review conducted by OES took 1 ½ weeks.
  - Everyone pulled together to compress review times.
Lessons Learned/Takeaways

- Communication is key
  - Obtain input from key stakeholders early, identify needs, determine deadlines, establish a strategy

- Think outside the box/manual/flowchart
  - Identify creative ways to expedite the “standard” process
  - Involve consulting parties & stakeholders in-person and early in the process

- Be diligent & provide updates

- ODOT’s authority under NEPA Assignment has streamlined review and approval times, especially for higher level Section 4(f) determinations
QUESTIONS

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