

Section 106 Coordination

<u>Brent Spence Bridge Section 106 Consulting Parties List - OHIO</u>					
12/21/2011					
Name	Organization	Address	Phone	Email Address	Identified By
<u>Local Agencies</u>					
Larry Harris	Cincinnati Historic Conservation Office	805 Central Avenue, Suite 700, Cincinnati, OH 45202	513-352-4843	larry.harris@cincinnati-oh.gov	G&P
Margo Warminski	Cincinnati Preservation Association	342 West Fourth Street, Cincinnati, OH 45202	513-721-4506	margo@cincinnati-preservation.org	G&P
Bill Dichtl	Historic Southwest Ohio, Inc. - Hauck House	P.O. Box 62475, Cincinnati OH 45262	513-563-9484	wdichtl@heritagevillagecincinnati.org	
Norman P. Kattelman	Dayton Street Historic District and West End Community Council	938 Dayton St. Cincinnati, OH 45214	513-381-5353	no e-mail	
Jack Degano	Lower Price Hill Community Council	656 Neave Road, Cincinnati, OH 45204		no e-mail	
Peter Witte	Price Hill Civic Club	P.O. Box 5096, Cincinnati, OH 45205	513-251-0880	pwitte@cinci.rr.com	
Norman P. Kattelman	Cincinnati Metropolitan Housing Authority	16 W. Central Parkway, Cincinnati, OH 45202	513-721-4580	no e-mail	
Jackie Robbins	Community Revitalization Agency	1832 Freeman Avenue, Cincinnati, OH 45214	513-241-0504		
Steve Schuckman	Cincinnati Park Board	950 Eden Park Drive, Cincinnati, OH 45202	513-475-9600	steven.schuckman@cincinnati-oh.gov	
<u>Local Community Groups</u>					
Douglass W. McDonald	Cincinnati Museum Center	1301 Western Avenue, Cincinnati, OH 45203	513-287-7006	doug@cincymuseum.org	ODOT
Michael Schweitzer	Longworth Hall	700 W. Pete Rose Way, Cincinnati, OH 45203	513-721-6000	mschweitzer@me.com	
<u>State Agencies</u>					
Erica Schneider	ODOT, Office of Environmental Services	1980 Broad Street, Columbus, OH 43223	614-387-0134	Erica.Schneider@dot.state.oh.us	ODOT
Larry Hoffman	ODOT, Office of Environmental Services	1980 Broad Street, Columbus, OH 43223	614-644-6439	Larry.Hoffman@dot.state.oh.us	ODOT
Tim Hill	ODOT, Office of Environmental Services	1980 Broad Street, Columbus, OH 43223	614-644-0377	Tim.Hill@dot.state.oh.us	ODOT
Noel Alcala	ODOT, Office of Environmental Services	1980 Broad Street, Columbus, OH 43223	614-466-5222	Noel.Alcala@dot.state.oh.us	ODOT
Susan Gasbarro	ODOT, Office of Environmental Services	1980 Broad Street, Columbus, OH 43223	614-728-0719	Susan.Gasbarro@dot.state.oh.us	ODOT
Monica Bruns	ODOT, Office of Environmental Services	1980 Broad Street, Columbus, OH 43223	614-752-2171	Monica.Kuhn@dot.state.oh.us	ODOT
Stefan Spinosa	ODOT, Technical Services Engineer	Dist 8, 505 South S.R. 741, Lebanon, OH 45036	513-933-6639	Stefan.Spinosa@dot.state.oh.us	ODOT
Keith Smith	ODOT, Environmental Engineer	Dist 8, 505 South S.R. 741, Lebanon, OH 45036	513-933-6590	Keith.Smith@dot.state.oh.us	ODOT
Nancy Campbell	Ohio Historic Preservation Office	567 East Hudson Street, Columbus, OH 43211	614-298-2000	ncampbell@ohiohistory.org	ODOT
Mark Epstein	Ohio Historic Preservation Office	567 East Hudson Street, Columbus, OH 43211	614-298-2000	mepstein@ohiohistory.org	
Thomas Grooms	Ohio Historic Preservation Office	567 East Hudson Street, Columbus, OH 43211	614-298-2000	tgrooms@ohiohistory.org	
Rob Hans	Kentucky Transportation Cabinet, District 6	421 Buttermilk Pk. P.O. Box 17130, Covington, KY 41017	859-341-2707	Robert.Hans@ky.gov	
Stacee Hans	Kentucky Transportation Cabinet, District 6	421 Buttermilk Pk. P.O. Box 17130, Covington, KY 41017	859-341-2700	Stacee.Hans@ky.gov	
Scott Schurman	KYTC, Division of Environmental Analysis	200 Mero Street, Frankfort, KY 40622	502-564-7250	Scott.Schurman@ky.gov	
<u>Ohio Federal Agencies</u>					
Mark VonderEmbse	FHWA , Urban Programs Engineer	200 N. High Street, Columbus, OH 43215	614-280-6854	mark.vonderembse@fhwa.dot.gov	ODOT
<u>Interested Parties</u>					
Jenny Edwards	Citizen	818 Dayton Street, Cincinnati, OH 45214	513-381-4056	zephyrwindrails@yahoo.com	
Joseph Trauth, Jr.	Keating Muething & Klelamp	One East Fourth Street, Suite 1400, Cincinnati, OH 45202	513-579-6515	jtrauth@kmklaw.com	

Brent Spence Bridge Section 106 Consulting Parties List - KENTUCKY

Updated: 11/3/11					
Name	Organization	Address	Phone	Email Address	Identified By
Local Agencies					
Charles Scheper	City of Covington - Mayor	638 Madison Avenue, Covington, KY 41011	859-292-2127	cscheper@covingtonky.gov	KYTC
Beth Johnson	City of Covington - Historic Preservation	638 Madison Avenue, Covington, KY 41011	859-292-2171	bjohnson@covingtonky.gov	G&P
Mike Yeager	City of Covington - Assistant City Engineer	638 Madison Avenue, Covington, KY 41011	859-292-2153	myeager@covingtonky.gov	Requested
Local Community Groups					
Marissa Tucker	Lewisburg Neighborhood Association	1213 Pike Street, Covington, KY 41011	859-803-0812	lewisburg.neighborhood@gmail.com	KYTC
Suzann Gettys	Covington Neighborhood Svcs. Coord.	638 Madison Ave. Suite 407, Covington, KY 41011	859-292-2141	sgettys@covingtonky.gov	PB
Joe Schamer	Kenton Hills	1209 Devou Woods Drive, Covington, KY 41011	859-491-2984	joes@secoelectric.net	Covington - Suzann Gettys
Ray Kingsbury	Botany Hills Neighborhood Association	939 Spring Street, Covington, KY 41016	859-261-4053	rkingsbury@fuse.net	Covington - Suzann Gettys
Kentucky State Agencies					
Stacee Hans	KYTC, District 6	421 Buttermilk Pike, Covington, KY 41017	859-341-2700	Stacee.Hans@ky.gov	KYTC
Scott Schurman	KYTC, Central Office, Division of Environmental Analysis	200 Mero Street, Frankfort, KY 40622	502-564-7250	Scott.Schurman@ky.gov	KYTC
Rebecca Turner	KYTC, Central Office, Division of Environmental Analysis	200 Mero Street, Frankfort, KY 40622	502-564-7250	Rebecca.Turner@ky.gov	KYTC
David Waldner	KYTC, Central Office, Division of Environmental Analysis	200 Mero Street, Frankfort, KY 40622	502-564-7250	David.Waldner@ky.gov	KYTC
Phillip Johnson	Kentucky Heritage Council, SHPO	300 Washington Street, Frankfort, KY 40601	502-564-7005	phillip.johnson@ky.gov	KYTC
Vicki Birenberg	Kentucky Heritage Council, SHPO	300 Washington Street, Frankfort, KY 40601	502-564-7005	vicki.birenberg@ky.gov	KYTC
Craig Potts	Kentucky Heritage Council, SHPO	300 Washington Street, Frankfort, KY 40601	502-564-7005	craig.potts@ky.gov	KYTC
Stefan Spinoso	ODOT, Technical Services Engineer	Dist 8, 505 South S.R. 741, Lebanon, OH 45036	513-933-6639	Stefan.Spinosa@dot.state.oh.us	ODOT
Kentucky Federal Agencies					
Bernadette Dupont	Federal Highway Administration - Kentucky Division	330 West Broadway, Frankfort, KY 40601-1981			



www.brentspencebridgecorridor.com

April 18, 2006

Public Meeting Notice
Brent Spence Bridge Replacement/Rehabilitation Project
HAM-71/75-0.00/0.22 (PID No. 75119)

Dear Property Owner:

The Ohio Department of Transportation and the Kentucky Transportation Cabinet will be holding two (2) public meetings for the Brent Spence Bridge Replacement/Rehabilitation Project. The purpose of the meetings is to inform the public of the alternatives being considered for improving the operational characteristics of I-71, I-75, US 50 and the Brent Spence Bridge in the Greater Cincinnati/Northern Kentucky region.

The first meeting will be held on **Tuesday, May 2, 2006** at the Cincinnati Museum Center, Losantiville Café at 1301 Western Avenue, Cincinnati Ohio from **3pm to 8pm**.

The second meeting will be held on **Thursday, May 4, 2006** at the Gardens of Park Hills, Vista Room, 1622 Dixie Highway, Park Hills, Kentucky from **3pm to 8pm**.

Meetings will be in an "open house" style and you may visit at any time. Detailed illustrations of alternatives still under consideration will be available and project team members can answer your questions. No formal presentations will be made. The same information will be provided at each meeting. Forms will be available for your written comments. Comments on the public meeting information will be accepted until May 18, 2005. They may be submitted to:

ODOT, District 8

Attn: Hans Jindal, PE, District Planning and Environmental Engineer
505 South SR 741, Lebanon, OH 45036
Phone: (513) 933-6594
Fax: (513) 932-9366

Hans.jindal@dot.state.oh.us

<http://www.dot.state.oh.us/dist8/planning/PI%20meetings.htm>

If you have questions or concerns prior to the meetings, please contact the project team at (513) 639-2172.

Sincerely,

Stefan Spinosa, P.E.
ODOT, Technical Services Engineer

Robert A. Hans, P.E.
KYTC, Branch Manager-Planning

ODOT requests information regarding the presence of any known cultural resources in the vicinity of the project to be brought forth at the meeting. This is in compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (codified as 36 CFR 800). Cultural resources include prehistoric and historic archaeological sites, historic bridges and historic buildings, sites and districts.



Ohio Dept. of Transportation
District 8
505 South SR 741
Lebanon, OH 45036
513-933-6639



Kentucky Transportation Cabinet
District 6
421 Buttermilk Pike
Covington, KY 41017
859-341-2700



**APPLICATION TO BE CONSIDERED A
SECTION 106 CONSULTING PARTY
FOR HISTORIC PROPERTY IMPACTS**

- Please Print -

Name:	
Title:	
Representing:	
Address:	
Phone:	
E-mail:	

Section 106 of the National Historic Preservation Act of 1966, as amended (codified as 36 CFR Part 800), requires Federal agencies to take into account the effects of their undertakings on historic properties.

The Section 106 process also encourages the incorporation of historic preservation values into project planning through consultation among parties with a demonstrated interest due to the nature of their legal or economic relation to the undertaking or affected properties, or their concern with the undertaking's effect on historic properties. Because consultation is a dynamic good-faith process of discussing options, considering multiple views, and seeking agreement among a variety of parties, your regular attendance, active participation, and constructive comments will be expected throughout the process.

Please summarize your interest in historic properties as related to this project:

Please mail or fax to:

ODOT District 8
Attn: Mr. Stefan Spinosa, P.E. - Project Manager
505 St. Rt. 741
Lebanon, Ohio 45036
Fax: (513) 933-8252

(fold here)

PLACE
STAMP
HERE

ODOT District 8
Attn: Mr. Stefan Spinosa, P.E. - Project Manager
505 St. Rt. 741
Lebanon, Ohio 45036

(fold here)



Ohio Department of Transportation

District Eight, 505 South S.R. 741, Lebanon, Ohio 45036-9518

(513) 932-3030 or 1-800-831-2142

Production Administration

October 12, 2006

Mr. William Forwood
Cincinnati Historic Conservation Office
805 Central Avenue
Suite 700
Cincinnati, OH 45202

Dear Consulting Partner:

We would like to invite you to become a Consulting Party for the Brent Spence Bridge Replacement/Rehabilitation project under Section 106 of the National Historic Preservation Act and the implementing regulations at 36 CFR Part 800.

The Ohio Department of Transportation (ODOT) and the Kentucky Transportation Cabinet (KYTC) are proposing to improve the 6.5-mile segment of Interstate 75 (I-75) between Covington, Kentucky and Cincinnati, Ohio, which includes the Brent Spence Bridge. The project study area is located along a 6.5-mile segment of I-75 within the Commonwealth of Kentucky and the State of Ohio. The southern limit of the project is 2,800 feet south of the midpoint of the Kyles Lane Interchange on I-75 in Covington, Kentucky. The northern limit of the project is 1,500 feet north of the midpoint of the Western Hills Viaduct Interchange on I-75 in Cincinnati, Ohio. The purpose of this project is to: improve traffic flow and level of service; improve safety, correct geometric deficiencies, and maintain links in key mobility, trade, and national defense transportation corridors.

As a Consulting Party, you will have the opportunity to offer input to ODOT regarding historic properties that may be affected by the interstate widening, bridge replacement/rehabilitation and interchange modifications. Section 106 Consulting Parties will include representatives from Cincinnati's and Northern Kentucky's neighborhoods, businesses and government institutions, as well as state agencies that have a demonstrated interest in historic resources that may be affected by the project.

Enclosed you will find a map containing the study area used during the background research and the historic buildings and districts previously recorded in this area. The map also contains the Area of Potential Effects (APE) used for the subsequent reconnaissance field survey. A Consulting Parties meeting will be held to discuss the APE, historic properties and their relationship to the project. This meeting will be held on November 15, 2006 at 10:00 a.m. at the office of Parsons Brinckerhoff (312 Elm St, Suite 2500, Cincinnati, OH, 45202).

If you are interested in joining the committee, please fill out the enclosed form and return it to Stefan Spinoso by U.S. mail (Stefan Spinoso, ODOT District 8, 505 St. Rt. 741, Lebanon, Ohio 45036) or by fax (513-933-8352) prior to the meeting. Please RSVP for the November 15 meeting to Stefan Spinoso at 513-933-6639. If you cannot attend, please feel free to send a representative.

Sincerely,

A handwritten signature in black ink, appearing to read "Stefan Spinoso", is written over a horizontal line.

Stefan Spinoso, P.E.
ODOT Project Manager



Ohio Department of Transportation

District Eight, 505 South S.R. 741, Lebanon, Ohio 45036-9518

(513) 932-3030 or 1-800-831-2142

Production Administration

October 12, 2006

Ms. Kendall Fisher
Cincinnati Preservation Association
342 West Fourth Street
Cincinnati, OH 45202

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Stefan Spinoso, P.E.
ODOT Project Manager



Ohio Department of Transportation

District Eight, 505 South S.R. 741, Lebanon, Ohio 45036-9518

(513) 932-3030 or 1-800-831-2142

Production Administration

October 12, 2006

Mr. Steve Schuckman
Cincinnati Park Board
950 Eden Park Drive
Cincinnati, OH 45202

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Stefan Spinoso, P.E.
ODOT Project Manager



Ohio Department of Transportation

District Eight, 505 South S.R. 741, Lebanon, Ohio 45036-9518

(513) 932-3030 or 1-800-831-2142

Production Administration

October 12, 2006

Mr. Douglass McDonald
Cincinnati Museum Center
1301 Western Avenue
Cincinnati, OH 45203

Dear Consulting Partner:

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Stefan Spinoso, P.E.
ODOT Project Manager



Ohio Department of Transportation

District Eight, 505 South S.R. 741, Lebanon, Ohio 45036-9518
(513) 932-3030 or 1-800-831-2142

Production Administration

October 12, 2006

Mr. Paul Graham
Ohio Department of Transportation
Office of Environmental Services
1980 Broad Street
Columbus, OH 43223

Dear Consulting Partner:

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ODOT Project Manager



Ohio Department of Transportation

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Production Administration

October 12, 2006

Mr. Tim Hill
Ohio Department of Transportation
Office of Environmental Services
1980 Broad Street
Columbus, OH 43223

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ODOT Project Manager



Ohio Department of Transportation

District Eight, 505 South S.R. 741, Lebanon, Ohio 45036-9518
(513) 932-3030 or 1-800-831-2142

Production Administration

October 12, 2006

Mr. Noel Alcala
Ohio Department of Transportation
Office of Environmental Services
1980 Broad Street
Columbus, OH 43223

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District Eight, 505 South S.R. 741, Lebanon, Ohio 45036-9518
(513) 932-3030 or 1-800-831-2142

Production Administration

October 12, 2006

Ms. Susan Gasbarro
Ohio Department of Transportation
Office of Environmental Services
1980 Broad Street
Columbus, OH 43223

Dear Consulting Partner:

We would like to invite you to become a Consulting Party for the Brent Spence Bridge Replacement/Rehabilitation project under Section 106 of the National Historic Preservation Act and the implementing regulations at 36 CFR Part 800.

The Ohio Department of Transportation (ODOT) and the Kentucky Transportation Cabinet (KYTC) are proposing to improve the 6.5-mile segment of Interstate 75 (I-75) between Covington, Kentucky and Cincinnati, Ohio, which includes the Brent Spence Bridge. The project study area is located along a 6.5-mile segment of I-75 within the Commonwealth of Kentucky and the State of Ohio. The southern limit of the project is 2,800 feet south of the midpoint of the Kyles Lane Interchange on I-75 in Covington, Kentucky. The northern limit of the project is 1,500 feet north of the midpoint of the Western Hills Viaduct Interchange on I-75 in Cincinnati, Ohio. The purpose of this project is to: improve traffic flow and level of service; improve safety, correct geometric deficiencies, and maintain links in key mobility, trade, and national defense transportation corridors.

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If you are interested in joining the committee, please fill out the enclosed form and return it to Stefan Spinoso by U.S. mail (Stefan Spinoso, ODOT District 8, 505 St. Rt. 741, Lebanon, Ohio 45036) or by fax (513-933-8352) prior to the meeting. Please RSVP for the November 15 meeting to Stefan Spinoso at 513-933-6639. If you cannot attend, please feel free to send a representative.

Sincerely,

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Stefan Spinoso, P.E.
ODOT Project Manager



Ohio Department of Transportation

District Eight, 505 South S.R. 741, Lebanon, Ohio 45036-9518
(513) 932-3030 or 1-800-831-2142

Production Administration

October 12, 2006

Ms. Joan Randall
Ohio Department of Transportation
Office of Environmental Services
1980 Broad Street
Columbus, OH 43223

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ODOT Project Manager



Ohio Department of Transportation

District Eight, 505 South S.R. 741, Lebanon, Ohio 45036-9518
(513) 932-3030 or 1-800-831-2142

Production Administration

October 12, 2006

Mr. Stefan Spinoso
Technical Services Engineer
Ohio Department of Transportation, Dist 8
505 South S.R. 741
Lebanon, OH 45036

Dear Consulting Partner:

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Stefan Spinoso, P.E.
ODOT Project Manager



Ohio Department of Transportation

District Eight, 505 South S.R. 741, Lebanon, Ohio 45036-9518

(513) 932-3030 or 1-800-831-2142

Production Administration

October 12, 2006

Mr. Hans Jindal
Planning & Environmental Engineer
Ohio Department of Transportation, Dist. 8
505 South S.R. 741
Lebanon, OH 45036

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Stefan Spinoso, P.E.
ODOT Project Manager



Ohio Department of Transportation

District Eight, 505 South S.R. 741, Lebanon, Ohio 45036-9518

(513) 932-3030 or 1-800-831-2142

Production Administration

October 12, 2006

Mr. Keith Smith
Environmental Engineer
Ohio Department of Transportation, Dist 8
505 South S.R. 741
Lebanon, OH 45036

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Stefan Spinoso, P.E.
ODOT Project Manager



Ohio Department of Transportation

District Eight, 505 South S.R. 741, Lebanon, Ohio 45036-9518

(513) 932-3030 or 1-800-831-2142

Production Administration

October 12, 2006

Ms. Nancy Campbell
Ohio Historic Preservation Office
567 East Hudson Street
Columbus, OH 43211

Dear Consulting Partner:

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Stefan Spinoso, P.E.
ODOT Project Manager



Ohio Department of Transportation

District Eight, 505 South S.R. 741, Lebanon, Ohio 45036-9518
(513) 932-3030 or 1-800-831-2142

Production Administration

October 12, 2006

Mr. Mark Vonder Embse
Urban Programs Engineer
Federal Highway Administration
200 N. High Street
Columbus, OH 43215

Dear Consulting Partner:

We would like to invite you to become a Consulting Party for the Brent Spence Bridge Replacement/Rehabilitation project under Section 106 of the National Historic Preservation Act and the implementing regulations at 36 CFR Part 800.

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Sincerely,

Stefan Spinoso, P.E.
ODOT Project Manager



**APPLICATION TO BE CONSIDERED A
SECTION 106 CONSULTING PARTY
FOR HISTORIC PROPERTY IMPACTS**

- Please Print -

Name:	
Title:	
Representing:	
Address:	
Phone:	
E-mail:	

Section 106 of the National Historic Preservation Act of 1966, as amended (codified as 36 CFR Part 800), requires Federal agencies to take into account the effects of their undertakings on historic properties.

The Section 106 process also encourages the incorporation of historic preservation values into project planning through consultation among parties with a demonstrated interest due to the nature of their legal or economic relation to the undertaking or affected properties, or their concern with the undertaking's effect on historic properties. Because consultation is a dynamic good-faith process of discussing options, considering multiple views, and seeking agreement among a variety of parties, your regular attendance, active participation, and constructive comments will be expected throughout the process.

Please summarize your interest in historic properties as related to this project:

Please mail or fax to:

Department of Highways, District Six
Attn: Mr. Robert A. Hans, P.E. - Project Manager
421 Buttermilk Pike, PO Box 17130
Covington, KY 41017
Fax: (859) 341-3661

(fold here)

PLACE
STAMP
HERE

Department of Highways, District Six
Attn: Mr. Robert A. Hans, P.E. - Project Manager
421 Buttermilk Pike, PO Box 17130
Covington, KY 41017

(fold here)



Ernie Fletcher
Governor

Transportation Cabinet
Department of Highways, District Six
421 Buttermilk Pike, P.O. Box 17130
Covington, Kentucky 41017
(859) 341-2700, Fax (859) 341-3661
Thomas J. Schomaker, P.E.
Executive Director

Bill Nighbert
Secretary

Marc Williams
Commissioner of Highways

December 26, 2006

Name
Organization
Address
Cincinnati, OH Zip Code

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Enclosed you will find maps containing the study area used during the background research and the historic buildings and districts previously recorded in this area. These maps also contain the Area of Potential Effects (APE) used for the subsequent reconnaissance field survey.

If you are interested in joining the committee, please fill out the enclosed form and return it to Rob Hans by U.S. mail (421 Buttermilk Pike, PO Box 17130, Covington, KY, 41017) or by fax 859-341-3661. We would appreciate a response from you concerning your intention to participate as a consulting party within 30 days of your receipt of this letter.

Sincerely,

Robert A. Hans, P.E.
KYTC Project Manager

**Meeting Minutes
Ohio SHPO Meeting
August 10, 2006**

Attendees:

Susan Gasbarro, ODOT
Nancy Campbell, Ohio SHPO
Paul Graham, ODOT – ES
Stefan Spinoso, ODOT, D8
Kelly Brooker Scocco – ODOT- Systems Plng.
Keith Smith, ODOT, D8
Rob Hans, KYTC
Stacey Hans, KYTC
Brandon McCuin, Gray & Pape
Jennifer Graf, PB
Fred Craig, PB

Meeting Purpose:

The meeting was convened by Stefan Spinoso with the Ohio State Historic Preservation Office. The purpose of the meeting was to solicit input on the Area of Potential Effect (APE) Map and to get concurrence on the Consulting Parties List for Ohio.

Minutes:

Stefan Spinoso opened the meeting with introductions of the attendees.

Stefan requested input from the attending parties for approval of the APE map and the Consulting Parties List. The meeting discussed progress towards the selection of 5 alternatives that are being taken forward into Step 5 of the Ohio PDP.

Fred Craig presented alternatives that are being carried forward into Step 5. Alternatives 1-5 were presented giving distinctions between the various alternatives as well as identifying significant cultural and historic resources within the alignment. The discussion included a presentation about the proposed APE limits and the location of existing right of way.

Brandon McCain described the various historic districts, properties, and significant resources. These were presented and identified in the APE Map and a key was provided (attached) that shows the locations of these items. There were several requests to modify the APE to identify significant resources to show that we are aware that they exist. It was also asked that a memo be prepared describing the rationale for the actual physical limits of the APE. A request was made to add every resource within the study area or near enough to be an affected property. There was also a request to add vertical components to the mapping and to convert the current engineering drawing into one that shows structure versus at grade construction and to put approximate elevations on the mapping. Gray & Pape will modify the map. Paul Graham requested that the APE go to Federal Highways after modification, as soon as possible.

Nancy Campbell brought up the point that there may be Cincinnati Preservation Association easements on Longworth Hall. Cincinnati Preservation Association is one of the Consulting Parties. PB will verify whether an easement exists on the property.

In the Level 1 survey, we don't have to survey every individual building, as the surveys just need to show sufficient background about what are feasible and prudent alternatives. However, the 4F and Section 106 discussions shall require analysis of any show stopper impacts that cannot be designed out of the proposed alternative. It was proposed that a relative comparison of impacts to Longworth Hall (for example impacts at the east or west end depending upon alternative) would be an appropriate way of determining whether an increase in impacts or a decrease in impacts could occur because of a particular alternative.

Stefan Spinosa led a discussion about whether we could narrow the footprint for the survey. Three of the alternatives stay largely within the existing footprint of the roadway, and therefore would not have an impact. The Queensgate alternatives would have a broader impact because of both the elevation of the alternatives, as well the fact that they are proceeding through new right of way.

Local parties were determined to help formulate the final APE and a request that a Consulting Parties list for Ohio and Kentucky (separate lists) be prepared.

There was a discussion about whether the APE should include the entire original study area and the survey area for critical historic and archeological products. We will attempt to address the viewshed issue with respect to the Queensgate alternatives because of their elevated nature. It was agreed that any changes to the APE or the rationale for the limitation of the APE would be done as an update in the field to the APE definition memo.

We were also requested to address the change in nature from the current frontage roads on Western and Winchell Avenues to a potential use as a collector distributor. It was discussed that the current fronted road nature of Western and Winchell would not largely change and the fact that they were acting as collector roads for existing interstate ramps would not change.

A copy of the meeting sign-in sheet, a Section 106 Consulting Parties List, Draft APE Map, and Updated APE Map with key are attached.

**Meeting Minutes
Kentucky SHPO Meeting
August 30, 2006**

Attendees:

Rob Hans, KYTC
Stacey Hans, KYTC
Rebecca Turner, KYTC - DEA
David Waldner, KYTC - DEA
Tim Foreman, KYTC - DEA
David Pollock, KHC
David Morgan, KHC
Janie-Rice Brother, KY Heritage Council
Stefan Spinosa, ODOT
Brandon McCuin, Gray & Pape
Patrick O'Bannon, Gray & Pape
Fred Craig, PB

Meeting Purpose:

The meeting with the Kentucky State Historic Preservation Office was convened by Rob Hans. The purpose of the meeting was to solicit input on the Area of Potential Effect (APE) Map and to get concurrence on the Consulting Parties List for Kentucky.

Minutes:

Fred Craig gave a presentation of the Alternatives.

Brandon McCuin gave a review of the Historic/APE Maps. Rob explained the difference between the Study Area and the APE Map.

There was a discussion about questions concerning grade elevation in the areas of Western Avenue and Crescent in Queensgate

Questions about width and Purpose and Need were discussed:

- Capacity – Enhance Economic Development
- Safety
- Connectivity

Safety issues on congestion and bridge crash rates were discussed.

A request to show corridor alignments and elevations/structures on APE/ROW was made. PB to put elevated and at grade sections on map.

K107 – Clay Wade Bailey
Roebing Suspension Bridge – Bridge type visual effects
Ft. Mitchell – Visual Effects

APE to discuss visual effect on cut from Queensgate alignments and Northern Kentucky (Covington)

APE discussion of bridge type – Roebing alignment. Should have an impact on bridge type.

What is proposed and preferred alignment? None determined – all are conceptual. Not evaluated yet as to which one will work.

Had a discussion on Queensgate alignments and connectivity to city.

Discussion was held regarding Step 8 PDP. Discussion centered on how to drop alternatives. Are historical and cultural resources considered? Phase I evaluation.

Phase II ESA (comes in Step 6) Why was ODOT PDP used? What is the ownership of bridges and approaches?

Kentucky – Approaches
- Brent Spence Bridge

Ohio - I-71/75/US50

How much was the Project Budget and Schedule? 2017 - \$2.3B

Concerns about Roebling Bridge APE should reflect bridge type and size. Visual effects on Roebling should be considered. How to evaluate them. Where is viewshed? A viewshed analyses should be included.

Survey APE with indirect area to show individual impacts.

Bridge type analysis not done until May, 2009.

Is the Historic District the resource or just the area?

Bridge tower heights should be considerations on the APE. Add Roebling into the indirect area of the APE.

If impact affects half of District, it affects all of it.

PB will need to assess impacts to the District caused by the improvement.

Why is the District saw-toothed?

We will need to include impacts to the District as if it is one parcel and evaluate individual and collective impacts.

Consulting Parties List:

- Should we use 12th Street?
- Add Roebling Suspension Bridge Preservation Association
- People can ask to be members of Consulting Parties listed at next round of meetings.
- Add note on Consulting Parties List to next newsletter. Use MCE newsletter and invitation to be Consulting Party
-

APE to be finished next week.

Consulting Parties Meeting – Ohio

November 15, 2006

Meeting held at Parsons Brinckerhoff

312 Elm St.

Cincinnati, OH 45202

Attachments:

Agenda

List of Ohio Consulting Parties

Sign-in Sheet

Area of Potential Effects Maps

Presentation

Purpose:

The purpose of the meeting was to discuss the Section 106 Process for Cultural Resources with Consulting Parties, ODOT/KYCT. The Kentucky Consulting Parties meeting is scheduled for 11/29/06. The Kentucky meeting will be held at KYTC's District 6 office.

Fred Craig described the five BSB Alternatives, sub-alternatives and ODOT's PDP to the OH Consulting Parties and ODOT OES staff, including an overview of significant cultural resources. PB will send Ohio Alternatives to Kentucky and Kentucky Alternatives to Ohio.

Stefan Spinosa elaborated on the PDP and Section 106 process for the Consulting Parties. He discussed the development of the Area of Potential Effects (APE) map. He indicated that the Application is posted on the website.

There will be a separate Section 106 process completed for each State's Consulting Parties (CP's) without cross State review. However, if Ohio CP's want to be in the KY process, they (Ohio SPO or interested parties) can file an application with KYTC to be Consulting Party as would also be the situation for KY CP's wanting to participate in the OH process.

Patrick O'Bannon and Jennifer Graf presented the Section 106 Process for the BSB. Patrick O'Bannon went through the listed properties in the Area of Potential Effects.

Discussion:

Discussion comments during the presentation are as follow:

ACHP must be included by notification for all National Register Listed Properties

If there is local funding for any of the improvements, OES recommended that they be signatories to the document.

Questions came up about the viewshed at the Roebling Suspension Bridge and the discussion of how obscured the view was through the adjacent bridges was discussed. Fred Craig noted that the Geospan video could help with the evaluation of this. PB is to send a copy of Geospan video to Central Office. (PB is making a copy of this)

Doug McDonald from the Museum Center noted that in the NB viewshed, the Center can be seen a little. The Museum Center would like to improve or maintain this existing visibility. Any improvements would be seen as an enhancement.

ODOT requested a copy of the Museum Center Planning Study to be submitted by Doug McDonald. (This was sent to Fred Craig via email the same day)

PB is to issue additional invitations to the following to be considered as Consulting Parties:
Dayton Street Historic District

West End Community Council
Price Hill & Lower Price Hill Community Council
Cincinnati Metropolitan Housing Authority
Miami Purchase Association
Cincinnati Preservation Association (Mark Lanear)
Southwest Historic Preservation Association (Contact received from Doug McDonald via email the same day)

If there are additional names or organizations, please contact Fred Craig or Stefan Spinosa.

The next newsletter will reference the Consulting Parties list.

Schedule and review process:

Jennifer Graf talked about schedule – Approximately May 2007 is when the reports will be available for reviews. The next steps will include Phase 1 reports.

Paul Graham will review reports and approves. SHPO will do a concurrent review. The reports and communication will be by PDF. The process of Submittal/Reviews/and Disposition of comments will be by electronic means. Final reports will be submitted in hard copy and CD.

Consulting Parties will review the Phase 1 report with SHPO, then it will go out to Consulting Parties. Consulting Parties will have 30 days to review and supply comments.

Next meeting will be scheduled for July 2007 in conjunction with the public meeting.

Consulting Parties Meeting – Kentucky

November 29, 2006

Meeting held at KYTC District 6

421 Buttermilk Pike

Ft Mitchell, KY 41017

Attachments:

Agenda

List of Ohio Consulting Parties

Sign-in Sheet

APE Maps

Presentation

Purpose:

The purpose of this meeting was to initiate and discuss the Section 106 Process for Cultural Resources with Ky Consulting Parties and ODOT/KyTC. The OH Consulting Parties meeting occurred on November 16, 2006 in Cincinnati, OH. Introductions were made.

Fred Craig described the five BSB Alternatives, sub-alternatives and ODOT's PDP Process to the KY Consulting Parties and KYTC staff.

Fred Craig and Rob Hans elaborated on the PDP and Section 106 process for the Consulting Parties. They discussed the development of the Area of Potential Effect (APE) map, based on suggestions made by the KY SHPO at the August 31, 2006 meeting.

Rob Hans stated that there would be a separate 106 process for each State's Consulting Parties (CP's). However if KY Consulting Parties wanted to be part of the OH process, they (KY SHPO or interested parties) can file an application with ODOT and KYTC to be Consulting Party. A similar offer was extended to OH CP's wanting to participate in the KY process. He indicated that the Application is posted on website.

Patrick O'Bannon and Jennifer Graf presented the Section 106 Process for the BSB. Patrick O'Bannon briefly discussed the listed properties in the Area of Potential Effect.

David Pollock with the Kentucky Heritage Council questioned whether to include the Roebling Suspension Bridge within the APE as opposed to the current approach of showing its viewshed as a shaded area outside the current APE. Janie Rice Brother asked about how the APE was developed with shaded area outside of the current proposed APE. A discussion ensued over the current APE resulting from the August 31, 2006 SHPO meeting. At that meeting, the use of the shaded area around the Roebling Suspension Bridge, but outside the current APE boundary itself, was agreed to until the Viewshed Analysis could be completed. The Viewshed Analysis will be complete December 15, 2006. At that time, the final decision on the inclusion of the Roebling Suspension Bridge in the APE can be determined. All agreed on this process.

David Pollock questioned why two separate SHPO and Consulting Parties meetings were being held, instead of one with all Consulting Parties present. He also inquired as to whether two separate MOA's would be developed under one EIS. He was not aware of any place that one EIS with multiple MOA's had been advanced. Michael Loyselle stated that ODOT, KYTC, and the two FHWA offices involved in review and approval of the EIS had decided that a separate environmental documentation process would be used for each State's part of the project. This was so that all Consulting Parties from an individual State could be assured that individual reports complied with each State's process. These would be conducted under one EIS with one Record of Decision (ROD).

David Pollock question whether is could be done as one MOA. He questioned whether we needed to bring Ohio and Kentucky Consulting Parties together for a final meeting before a selected alternative would be selected. FHWA has decided on two separate reports at this time. Rob Hans confirmed that the team is currently preparing separate reports. The discussion on whether one MOA would be produced would be tabled for this meeting and discussed at a later time.

Patrick O'Bannon presented the 106 Process.

Schedule:

Phase I Historical Surveys are under way and field work will be completed by December 15, 2006.

The review process for the reports due in January was discussed. Concurrent reviews were offered to and accepted by SHPO. Draft reports will be submitted in January with reviews due in 30 days. A combined KYTC and SHPO comment letter would be submitted to the consultant who would revise and resubmit with a Disposition of Comments table. After acceptance, the resubmittal will be sent to the Consulting Parties for 30 day review.

Some additional Consulting Parties may be added. Application to be a Consulting Party will be posted on the website and extended to several organizations identified at the meeting.

Next Meeting will be in July, 2007

Attendees:

David Pollock, Kentucky Heritage Council, SHPO
Janie Rice Brother, Kentucky Heritage Council, SHPO
Ashley Tongret, City of Covington, Historic Preservation
Patrick O'Bannon, Gray and Pape
Rebecca Turner, KYTC, DEA
Michael Loyselle, FHWA, KY
Keith Smith, ODOT, Dist 8
Brad Eldridge, KYTC, Central Ofc.
Rebecca Weber, Huff Realty representing Lewisburg Neighborhood Association
Suzann Getty, City of Covington, Neighborhood services Coordinator
Anthony Goodman, FHWA, KY
David Waldner, KYTC, DEA
Rob Hans, KYTC, Dist 6
Fred Craig, PB
Jennifer Graf, PB



Ohio Department of Transportation

District Eight, 505 South S.R. 741, Lebanon, Ohio 45036-9518
(513) 932-3030 or 1-800-831-2142

Production Administration

August 31, 2007

William L. (Skip) Forwood
Cincinnati Historic Conservation Office
805 Central Avenue, Suite 700
Cincinnati, Ohio 45202

Dear Consulting Partner:

Thank you for participating in the Consulting Party Process for the Brent Spence Bridge Replacement/Rehabilitation Project (HAM-71/75-0.00/0.22; KYTC Item No. 6-17) under Section 106 of the National Historic Preservation Act and the implementing regulations at 36 CFR Part 800. Again, this is a consultative process, the purpose of which is to allow you a chance to comment on the historic properties that may be affected by the proposed project.

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Please provide comments on the Ohio Phase I History/Architecture report and eligibility of the two noted properties by September 28, 2007, to Stefan Spinosa (Stefan Spinosa, ODOT District 8, 505 St. Rt. 741, Lebanon, Ohio 45036 or (Stefan.Spinosa@dot.state.oh.us)).

Again, I thank you for participating in the Section 106 consultation process for the Brent Spence Bridge Replacement/Rehabilitation Project (HAM-71/75-0.00/0.22; KYTC Item No. 6-17).

Respectfully,

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Stefan C. Spinosa
ODOT Project Manager, Technical Services Engineer

Enclosures

c: file, Rob Hans, KYTC



Ohio Department of Transportation

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Production Administration

August 31, 2007

Margo Warminski
Cincinnati Preservation Association
342 West Fourth Street
Cincinnati, Ohio 45202

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Production Administration

August 31, 2007

Jane McCone
Historic Southwest Ohio, Inc. - Hauch House
P.O. Box 62475
Cincinnati, Ohio 45262

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August 31, 2007

Dayton Street Historic District Association
833 Dayton Street
Cincinnati, Ohio 45214

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District Eight, 505 South S.R. 741, Lebanon, Ohio 45036-9518
(513) 932-3030 or 1-800-831-2142

Production Administration

August 31, 2007

Bob Rainey
Lower Price Hill Community Council
2175 St. Michael Street
Cincinnati, Ohio 45204

Dear Consulting Partner:

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Enclosures

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Production Administration

August 31, 2007

Peter Witte
Price Hill Civic Club
P.O. Box 5096
Cincinnati, Ohio 45205

Dear Consulting Partner:

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Production Administration

August 31, 2007

Robert Killins, Jr.
West End Community Council
P.O. Box 14424
Cincinnati, Ohio 45250

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Production Administration

August 31, 2007

Cincinnati Metropolitan Housing Authority
16 W. Central Parkway, Cincinnati, OH 45202
Cincinnati, Ohio 45202

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Production Administration

August 31, 2007

Jackie Robbins
Community Revitalization Agency
1832 Freeman Avenue
Cincinnati, Ohio 45214

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Enclosures

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Production Administration

August 31, 2007

Steve Schuckman
Cincinnati Park Board
950 Eden Park Drive
Cincinnati, Ohio 45202

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Production Administration

August 31, 2007

Douglass W. McDonald
Cincinnati Museum Center
1301 Western Avenue
Cincinnati, Ohio 45203

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Production Administration

August 31, 2007

Paul Graham
ODOT, Office of Environmental Services
1980 Broad Street
Columbus, Ohio 43223

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Respectfully,

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Stefan C. Spinosa
ODOT Project Manager, Technical Services Engineer

Enclosure (letter only)

c: file, Rob Hans, KYTC



Ohio Department of Transportation

District Eight, 505 South S.R. 741, Lebanon, Ohio 45036-9518
(513) 932-3030 or 1-800-831-2142

Production Administration

August 31, 2007

Tim Hill
ODOT, Office of Environmental Services
1980 Broad Street
Columbus, Ohio 43223

Dear Consulting Partner:

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ODOT Project Manager, Technical Services Engineer

Enclosure (letter only)

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Ohio Department of Transportation

District Eight, 505 South S.R. 741, Lebanon, Ohio 45036-9518
(513) 932-3030 or 1-800-831-2142

Production Administration

August 31, 2007

Noel Alcala
ODOT, Office of Environmental Services
1980 Broad Street
Columbus, Ohio 43223

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Stefan C. Spinosa
ODOT Project Manager, Technical Services Engineer

Enclosure (letter only)

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Ohio Department of Transportation

District Eight, 505 South S.R. 741, Lebanon, Ohio 45036-9518
(513) 932-3030 or 1-800-831-2142

Production Administration

August 31, 2007

Susan Gasbarro
ODOT, Office of Environmental Services
1980 Broad Street
Columbus, Ohio 43223

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ODOT Project Manager, Technical Services Engineer

Enclosure (letter only)

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Ohio Department of Transportation

District Eight, 505 South S.R. 741, Lebanon, Ohio 45036-9518
(513) 932-3030 or 1-800-831-2142

Production Administration

August 31, 2007

Monica Kuhn
ODOT, Office of Environmental Services
1980 Broad Street
Columbus, Ohio 43223

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Stefan C. Spinosa
ODOT Project Manager, Technical Services Engineer

Enclosure (letter only)

c: file, Rob Hans, KYTC



Ohio Department of Transportation

District Eight, 505 South S.R. 741, Lebanon, Ohio 45036-9518
(513) 932-3030 or 1-800-831-2142

Production Administration

August 31, 2007

Hans Jindal
ODOT, District Eight
505 South S.R. 741
Lebanon, Ohio 45036

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ODOT Project Manager, Technical Services Engineer

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Ohio Department of Transportation

District Eight, 505 South S.R. 741, Lebanon, Ohio 45036-9518
(513) 932-3030 or 1-800-831-2142

Production Administration

August 31, 2007

Keith Smith
ODOT, District Eight
505 South S.R. 741
Lebanon, Ohio 45036

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Ohio Department of Transportation

District Eight, 505 South S.R. 741, Lebanon, Ohio 45036-9518
(513) 932-3030 or 1-800-831-2142

Production Administration

August 31, 2007

Nancy Campbell
Ohio Historic Preservation Office
567 East Hudson Street
Columbus, Ohio 43211

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Ohio Department of Transportation

District Eight, 505 South S.R. 741, Lebanon, Ohio 45036-9518
(513) 932-3030 or 1-800-831-2142

Production Administration

August 31, 2007

Stacee Hans
Kentucky Transportation Cabinet, District 6
421 Buttermilk Pike
P.O. Box 17130
Covington, KY 41017

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ODOT Project Manager, Technical Services Engineer

Enclosure (letter only)

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Ohio Department of Transportation

District Eight, 505 South S.R. 741, Lebanon, Ohio 45036-9518
(513) 932-3030 or 1-800-831-2142

Production Administration

August 31, 2007

Tim Foreman
KYTC, Division of Environmental Analysis
200 Mero Street
Frankfort, KY 40622

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Enclosures

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Ohio Department of Transportation

District Eight, 505 South S.R. 741, Lebanon, Ohio 45036-9518
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Production Administration

August 31, 2007

Mark VonderEmbse
FHWA , Urban Programs Engineer
200 N. High Street
Columbus, Ohio 43215

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ODOT Project Manager, Technical Services Engineer

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Ohio Department of Transportation

District Eight, 505 South S.R. 741, Lebanon, Ohio 45036-9518
(513) 932-3030 or 1-800-831-2142

Production Administration

August 31, 2007

Name

Organization

Address

Cincinnati, Ohio Zip Code

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Stefan C. Spinosa

ODOT Project Manager, Technical Services Engineer

Enclosures

c: file, Rob Hans, KYTC



FILE COPY

**COMMERCE CABINET
KENTUCKY HERITAGE COUNCIL**

Ernie Fletcher
Governor

The State Historic Preservation Office
300 Washington Street
Frankfort, Kentucky 40601
Phone (502) 564-7005
Fax (502) 564-5820
www.kentucky.gov
September 10, 2007

George Ward
Secretary

Donna M. Neary
Executive Director and
State Historic Preservation Officer

Ms. Bernadette Dupont
Planning and Environmental Engineer
Federal Highway Administration
330 West Broadway
Frankfort, KY 40601

Re: Phase 1 History/Architecture Survey for the Brent Spence Bridge Replacement Project, Kenton County, Kentucky (Item No. 6-17.00)

Dear Ms. Dupont:

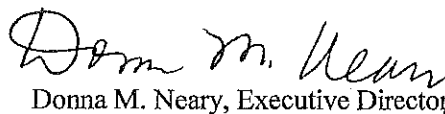
The State Historic Preservation Office has received for review and approval the above referenced report. Our review indicates that it does not meet the Kentucky Heritage Council's *Specifications for Conducting Fieldwork and Preparing Cultural Resource Assessment Reports*. As such, it is not possible for this office to make an independent evaluation of the National Register eligibility of the 54 resources documented during the course of this study.

In order for the Kentucky Heritage Council to complete its review the report needs to be revised to include the following:

- The report needs to contain a detailed description of each resource 50 years or older, which should be mapped and illustrated with at least one color photograph. The treatment of 54 resources within Appendix A, in the format of a table, is not conducive to an expedient or independent review. (*Specifications*, Chapter VI, H.2.a.1-2)
- Documentation for each site 50 years or older shall include a KHC inventory form with color or black and white photographs and negatives. Site inventory forms were not completed for this report. (*Specifications*, Chapter V, B.2.a-b)

We look forward to reviewing a revised report once these issues are addressed. Should you have any questions, feel free to contact Janie-Rice Brother of my staff at (502) 564-7005 extension 121.

Sincerely,


Donna M. Neary, Executive Director
Kentucky Heritage Council and
State Historic Preservation Officer

Cc: David Waldner, Rebecca Turner (KYTC-DEA)

Phase I History/Architectural Survey

Brent Spence Bridge Replacement Project

any final determinations or any assessment of various project alternatives' impacts until the fully-compliant study document becomes available for our review.

We concur with some of the determinations made by FHWA, however, the listing of the sites by number in the matrix presented in your correspondence of March 25, 2009 is somewhat perplexing. We agree that **Sites KE-4, KE-319, KEC-107, KEC-459, KEC-460, KEC-462, KECL-621, KECL-626, KECL-628, KECL-817, KECL-1018, and KECL-1046 are eligible** for listing in the National Register of Historic Places (NRHP). We are unaware as to what properties FHWA's listing of "Sites KECL 628-504, KECL-514, KECL-516, KECL-459-509, KEC-460-881, and KECL-1046-632" are referring. We would like to request a clarification regarding these numbers and the properties they represent.

According to the document under review, the identified National Register Districts do not have any sites numbers, rather the report labels them as single entities by their given National Register number. Therefore, **all properties within NRHP No. 83003650, NRHP No. 89001170, NRHP No. 93001165, and NRHP No. 96000281 are currently listed.**

In addition to the districts and sites aforementioned, this office finds that **Sites KEC-456, KEC-458, KECL-1053, KECL-are also eligible for listing.** Furthermore, we request additional information on Sites KECL-1016, KECL-1032, KECL-1038, KECL-1048, KEC-1055, KEC-1059, and KECL-1060 such as deed research in order to garnish more precise construction dates, the names of past property owners, and more accurate information on the construction methods and materials present.

We look forward to reviewing the full baseline document with survey forms and working with KYTC staff to minimize the direct and indirect impacts which this project may have on significant cultural historic resources.

Should you have questions regarding these comments, please contact Danae Peckler of my staff at (502) 564-7005, extension 127.

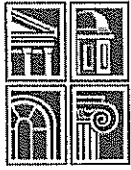
Sincerely,



Mark Dennen
Executive Director and
State Historic Preservation Officer

Cc: David Waldner and Rebecca Turner, KYTC-DEA
Anthony Goodman, FHWA

DAP:dap



CINCINNATI PRESERVATION ASSOCIATION

September 26, 2007

Mr. Stefan C. Spinoso
ODOT Project Manager, Technical Services Engineer
Ohio Department of Transportation
District Eight
505 South S.R. 741
Lebanon, Ohio 45036-9518

Re: Brent Spence Bridge Replacement/Rehabilitation Project

Dear Mr. Spinoso:

Thank you for sending us the Phase I History/Architecture report for the Brent Spence Bridge project. We have reviewed the report prepared by Gray & Pape, Inc., and are pleased to offer our opinions on historic properties in the Area of Potential Effect.

We agree with the report authors that the following historic resources do not appear to be eligible for National Register listing:

- 824 Mehring Way
- 690 West Third Street
- 605 West Third Street
- 444 West Third Street
- 726 Mehring Way
- 646 Mehring Way
- West End Power Plant, Front and Rose streets
- Young & Bertke Complex, 2108 Winchell Avenue
- 1101 Alfred Street
- 1130 Draper Street
- 1132 Draper Street
- 1100 Gest Street
- 220 West Third Street
- 218 West Third Street
- Police Patrol Station, 748 West Fifth Street
- 318 West Third Street
- Crown Overall Manufacturing Corporation, 302 West Third Street

OFFICERS

Edward E. Dohrmann
President

Susan L. Haas
Vice President

Glenn J. Wissemeier
Treasurer

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The State Historic Preservation Office
300 Washington Street
Frankfort, Kentucky 40601
Phone (502) 564-7005
Fax (502) 564-5820
www.kentucky.gov
October 3, 2007

George Ward
Secretary

Donna M. Neary
Executive Director and
State Historic Preservation Officer

Ms. Bernadette Dupont
Planning and Environmental Engineer
Federal Highway Administration
330 West Broadway
Frankfort, KY 40601

Re: Phase 1 History/Architecture Survey for the Brent Spence Bridge Replacement Project, Kenton County, Kentucky (Item No. 6-17.00)

Dear Ms. Dupont:

The State Historic Preservation Office has received for review and approval the above referenced report. In order, to facilitate this project we have attempted to evaluate the 54 properties illustrated in this report, even though the report does not meet the Kentucky Heritage Council's *Specifications for Conducting Fieldwork and Preparing Cultural Resource Assessment Reports*.

Below is a list of properties we consider potentially eligible for listing in the National Register of Historic Places (NRHP) and for which we need additional information in order to determine if they are eligible for listing in the NRHP, either individually or as part of a district. We also request that Kentucky Historic Resources Inventory forms be completed for each of the properties that do not already have a state site number and that these forms be submitted to this office, at your earliest convenience. Finally, we request that all future historic structures survey reports generated as part of this undertaking conform to the Kentucky Heritage Council's *Specifications for Conducting Fieldwork and Preparing Cultural Resource Assessment Reports*. The fieldwork and reporting standards outlined in this document were developed in consultation with federal and state agencies as well as the consulting community, and have been widely accepted by all parties.

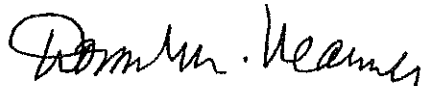
- KE-4, 50 Rivard Drive
- KEC-107, C & O Railroad Bridge
- KE-319, 3 Kyles Lane
- KEC-430, 407 Main Street
- KECL-621, 504 West 12th Street
- KECL-626, 514 West 12th Street
- KECL-628, 516 West 12th Street
- KECL-817, 533 Pike Street
- 1000 Emery Drive
- 611 Western Avenue
- 521 Western Avenue
- 609 Western Avenue
- 213 Western Avenue
- 45 Rivard Drive
- 205 Western Avenue

Ms. Dupont
Page 2
October 3, 2007

- 632 Western Avenue
- 511 Western Avenue
- 509 St. Josephs Lane
- 223 Western Avenue
- 881 Highway Avenue
- 207 Western Avenue
- 625 Crescent Avenue
- 617 Crescent Avenue
- 611 Crescent Avenue
- 527 Western Avenue
- 609 Western Avenue
- 537 Pike Street - 1060
- 533 Goetta Place

We look forward to working with FHWA on this project. Should you have any questions, feel free to contact Janie-Rice Brother of my staff at (502) 564-7005 extension 121.

Sincerely,



Donna M. Neary, Executive Director
Kentucky Heritage Council and
State Historic Preservation Officer

Cc: David Waldner, Rebecca Turner (KYTC-DEA)



Transportation Cabinet

Department of Highways, District 6 Office
421 Buttermilk Pike, P.O. Box 17130
Covington, Kentucky 41017
(859) 341-2700
www.kentucky.gov

Ernie Fletcher
Governor

Bill Nighbert
Secretary

Marc Williams
Commissioner of Highways

November 12, 2007

Ralph Drees
Kenton County Fiscal Court - Judge Executive
303 Court Street
Covington, Kentucky 41011

Dear Consulting Party:

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Again, I thank you for participating in the Section 106 consultation process for the Brent Spence Bridge Replacement/Rehabilitation Project (KYTC Item No. 6-17).

Respectfully,

A handwritten signature in black ink that reads "Robert A. Hans".

Robert A. Hans, P.E.
KYTC Project Manager, TEBM - Planning

Enclosures

c: file, Stefan Spinosa, ODOT



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Ernie Fletcher
Governor

Bill Nighbert
Secretary

Marc Williams
Commissioner of Highways

November 12, 2007

Butch Callery
Mayor, City of Covington
638 Madison Avenue
Covington, Kentucky 41011

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Ernie Fletcher
Governor

Bill Nighbert
Secretary

Marc Williams
Commissioner of Highways

November 12, 2007

Ashley Tongret
City of Covington, Historic Preservation
638 Madison Avenue
Covington, Kentucky 41011

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KYTC Project Manager, TEBM - Planning

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Ernie Fletcher
Governor

Bill Nighbert
Secretary

Marc Williams
Commissioner of Highways

November 12, 2007

Rebecca Weber
Lewisburg Neighborhood Association
730 Lewis Street
Covington, Kentucky 41011

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KYTC Project Manager, TEBM - Planning

Enclosures

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Ernie Fletcher
Governor

Bill Nighbert
Secretary

Marc Williams
Commissioner of Highways

November 12, 2007

Suzann Gettys
Covington Neighborhood Services
638 Madison Avenue, Suite 407
Covington, Kentucky 41011

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Robert A. Hans, P.E.
KYTC Project Manager, TEBM - Planning

Enclosures

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Ernie Fletcher
Governor

Bill Nighbert
Secretary

Marc Williams
Commissioner of Highways

November 12, 2007

Douglass McDonald
Cincinnati Museum Center
1301 Western Avenue
Cincinnati, Ohio 45203

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KYTC Project Manager, TEBM - Planning

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Ernie Fletcher
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Bill Nighbert
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Marc Williams
Commissioner of Highways

November 12, 2007

Joe Schamer
Kenton Hills
1209 Devou Woods Drive
Covington, Kentucky 41011

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KYTC Project Manager, TEBM - Planning

Enclosures

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Governor

Bill Nighbert
Secretary

Marc Williams
Commissioner of Highways

November 12, 2007

Wes Bittlinger
West Covington/Botany Hills
1417 Livingston Street
Covington, Kentucky 41016

Dear Consulting Party:

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KYTC Project Manager, TEBM - Planning

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Governor

Bill Nighbert
Secretary

Marc Williams
Commissioner of Highways

November 12, 2007

Ron Einhaus
Botany Hills Neighborhood
1253 Parkway
Covington, Kentucky 41011

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Enclosures

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Ernie Fletcher
Governor

Bill Nighbert
Secretary

Marc Williams
Commissioner of Highways

November 12, 2007

Bill Clark
Westside Action Coalition
422 Watkins Street
Covington, Kentucky 41011

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KYTC Project Manager, TEBM - Planning

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November 12, 2007

Jerry Bamberger
Mainstrasse Village Association
406 West Sixth Street #201
Covington, Kentucky 41011

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November 12, 2007

Mary Murray
Federal Highway Administration - Kentucky Division
330 West Broadway
Frankfort, Kentucky 40601

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November 12, 2007

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Federal Highway Administration - Kentucky Division
330 West Broadway
Frankfort, Kentucky 40601

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November 12, 2007

Scott Schurman
KYTC, Division of Environmental Analysis
200 Mero Street
Frankfort, Kentucky 40622

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Covington, Kentucky 41017
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www.kentucky.gov

Ernie Fletcher
Governor

Bill Nighbert
Secretary

Marc Williams
Commissioner of Highways

November 12, 2007

Stacee Hans
KYTC District 6
421 Buttermilk Pike
PO Box 17130
Covington, Kentucky 41017

Dear Consulting Party:

Thank you for participating in the Consulting Party Process for the Brent Spence Bridge Replacement/Rehabilitation Project (KYTC Item No. 6-17) under Section 106 of the National Historic Preservation Act and the implementing regulations at 36 CFR Part 800. Again, this is a consultative process, the purpose of which is to allow you a chance to comment on the historic properties that may be affected by the proposed project.

Enclosed for your review and comment is an electronic version of the Kentucky Phase I History/Architecture Survey report. A hard copy of the report can be provided at your request. The State Historic Preservation Office (KYSHPO) has reviewed this report and provided comments in a letter dated October 3, 2007. A copy of the KYSHPO response letter, a Kentucky Transportation Cabinet (KYTC) response letter dated October 31, 2007, and a KYSHPO email dated November 5, 2007 are enclosed for your reference.

Please provide comments on the Kentucky Phase I History/Architecture Survey report by December 13, 2007, to Robert Hans (Robert Hans, KYTC District 6, 421 Buttermilk Pike, PO Box 17130, Covington, KY, 41017 or Robert.Hans@ky.gov).

Again, I thank you for participating in the Section 106 consultation process for the Brent Spence Bridge Replacement/Rehabilitation Project (KYTC Item No. 6-17).

Respectfully,

A handwritten signature in black ink that reads "Robert A. Hans".

Robert A. Hans, P.E.
KYTC Project Manager, TEBM - Planning

Enclosures: Letters only

c: file, Stefan Spinoso, ODOT



Transportation Cabinet

Department of Highways, District 6 Office
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November 12, 2007

Rebecca Turner
KYTC, Division of Environmental Analysis
200 Mero Street
Frankfort, Kentucky 40622

Dear Consulting Party:

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Robert A. Hans, P.E.
KYTC Project Manager, TEBM - Planning

Enclosures: Letters only

c: file, Stefan Spinosa, ODOT



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November 12, 2007

David Waldner
KYTC, Division of Environmental Analysis
200 Mero Street
Frankfort, Kentucky 40622

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Robert A. Hans, P.E.
KYTC Project Manager, TEBM - Planning

Enclosures: Letters only

c: file, Stefan Spinosa, ODOT



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Ernie Fletcher
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Bill Nighbert
Secretary

Marc Williams
Commissioner of Highways

November 12, 2007

Brad Eldridge
KYTC, Division of Environmental Analysis
200 Mero Street
Frankfort, Kentucky 40622

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Robert A. Hans, P.E.
KYTC Project Manager, TEBM - Planning

Enclosures

c: file, Stefan Spinosa, ODOT



Transportation Cabinet

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Ernie Fletcher
Governor

Bill Nighbert
Secretary

Marc Williams
Commissioner of Highways

November 12, 2007

Janie Rice-Brother
Kentucky Heritage Council
300 Washington Street
Frankfort, Kentucky 40601

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Robert A. Hans, P.E.
KYTC Project Manager, TEBM - Planning

Enclosures: Letters only

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November 12, 2007

David Pollack
Kentucky Heritage Council
300 Washington Street
Frankfort, Kentucky 40622

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Robert A. Hans, P.E.
KYTC Project Manager, TEBM - Planning

Enclosures: Letters only

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Ernie Fletcher
Governor

Bill Nighbert
Secretary

Marc Williams
Commissioner of Highways

November 12, 2007

Noel Alcala
ODOT, Office of Environmental Services
1980 Broad Street
Columbus, Ohio 43223

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Respectfully,

A handwritten signature in black ink that reads "Robert A. Hans".

Robert A. Hans, P.E.
KYTC Project Manager, TEBM - Planning

Enclosures

c: file, Stefan Spinosa, ODOT

Subject: Brent Spence Bridge Phase 1 H/A Comments - Consulting Parties

From: Hans, Robert (KYTC-D06) [mailto:Robert.Hans@ky.gov]
Sent: Monday, December 17, 2007 9:53 AM
To: Turner, Rebecca (KYTC)
Cc: Waldner, David (KYTC); Schurman, Scott (KYTC); Hans, Stacey (KYTC-D06); Craig, Fred; Stefan.Spinosa@dot.state.oh.us; Graf, Jennifer; Eldridge, Brad (KYTC)
Subject: Brent Spence Bridge Phase 1 H/A Comments - Consulting Parties

Rebecca,

The review period of the Phase 1 H/A report by the Kentucky Consulting parties ended on 12/14/07. To date, I have received written comments back from only one member (Beth Johnson – City of Covington Historic Preservation Officer), and verbal comments back from only one member (Wes Bittlinger – West Covington/Botany Hill Neighborhood). Attached below are the comments for your files and coordination. By cc in this email, these comments are being forwarded to the consultant so they can be addressed in the revised report which will be submitted during the next step in the Project Development Process.

Please let me know if you need anything else.

Verbal Comments from Wes Bittlinger:

Wes contacted me on Monday, November 19th with a concern about two addresses for properties listed in the report. These properties, 841 Highway Avenue and 881 Highway Avenue appear to be listed in the report with incorrect addresses.

Wes believes the properties should be:

841 Highway Avenue should be: **821 Highway Avenue**
881 Highway Avenue should be: **829-831 Highway Avenue**

Stacey and I visited these two properties, but neither had a physical address listed on the home. I will ask the consultant to verify these addresses.

Written Comments from Beth Johnson:

From: Beth Johnson [mailto:bjohnson@covingtonky.gov]
Sent: Thursday, December 13, 2007 1:46 PM
To: Hans, Robert (KYTC-D06)
Cc: Brother, Janie-Rice (Heritage Council); Turner, Rebecca (KYTC); Waldner, David (KYTC); Neary, Donna M. (Heritage Council); Suzann Gettys
Subject: Brent Spence Bridge Phase 1 comments

Subject: Brent Spence Bridge Phase 1 H/A Comments - Consulting Parties

Robert Hans,

Here are the comments from the Historic Preservation Office of the City of Covington. Overall, we agree with the letter from the SHPO concerning the report and feel that there needs to be more research and consideration on the 28 properties that they listed. I have also made specific comments about the overall report and the individual properties that were discussed.

In general I found the findings inaccurate. Most of the buildings and resources that were found to be ineligible for the National Register, I feel warrant more research and more consideration. While many of these can not be listed individually, they could be considered contributing buildings for a district. Neighborhoods are created of a mix of styles and materials, but they show an evolution of an era and building styles. The mix of frame front gabled- side gabled, front gabled- ell, Italianate, bungalows, hipped roof frame. Most of the buildings were found to be ineligible because of alterations; however often these alterations included replacement windows. Just the replacement of windows does not render a building ineligible for the register. A building does not simply have to be associated with an event or individual to be considered for the national register, but they can be considered collectively as a district.

Following are comments regarding individual resources

KE 4: This has been listed as being in excellent condition. While some of the materials are not original, it has its original architectural style, setting and location. It is an excellent example of vernacular two story, side gabled home.

KEC 107: It is not clear in the description what the exact alterations were. Doesn't having the second largest continuous truss of its kind in the world warrant listing or consideration for the register?

KE 319: While there have been additions, they are on the rear. The addition is obvious where it is, but the main building is intact and in very good condition. The report even calls this addition being historic. This is a really good example of a side-gabled I-House and warrants more consideration as a contributing structure in a district.

KEC 430: While there have been alterations, it has original location, setting, materials and workmanship. This building could be a contributing structure in a district.

KECL 621, 626 and 628: The only alterations are replacement windows, but this does not in itself warrant ineligibility for the house to be listed as a contributing building in a district.

KECL 817: Because of its connection to the Bavaria Brewery, this building is historically eligible for the register. This could be added to the individual listing of the Bavarian Brewery.

Twenty-Four Vernacular Front-Gable houses and Nine Vernacular, Side-Gable houses in general could all be included in a district. These warrant more consideration and research. National Register Bulletin No. 14 says that "a district possesses a significant concentration, lineage, or continuity of sites, buildings, structures of objects united historically or aesthetically by plan of physical development." Further, it states that "a district derives its importance from being a unified entity." These front gabled and side-gabled houses create a unified entity of vernacular frame houses that show an evolution of development in a residential area.

1000 Emery Drive: Is in excellent condition and would be considered a contributing building in a district.

619, 611, 521, 517, 417, 407, 401, 321, 637, 609, 213 Western, 637, 601 Crescent: Are in excellent condition and would be considered a contributing building in a district. The only alterations if any on these homes would be siding or replacement windows, which do not warrant a building ineligible as being considered a contributing building in a district listing.

640, 622, 606 Western: Is an excellent example of a shotgun house. These homes are quickly disappearing from our landscape and should be retained when at all possible.

Subject: Brent Spence Bridge Phase 1 H/A Comments - Consulting Parties

607, 507, 411, 211, 633, 405 Western 635, 641, 605 Crescent, 801 Highway Ave: While altered, the original architecture and design are present and would be considered contributing. Many of the alterations that are present, such as modern porches, could easily be reversed or removed to make the building have more integrity.

45 Rivard Dr: This is an excellent example of vernacular Tudor cottage, and would easily be considered a contributing building in a district listing.

205 Western: This is a good example of vernacular Colonial Revival house, and would easily be considered a contributing building in a district listing.

632, 511 Western: I disagree with the statement that they are simply ubiquitous examples of craftsman bungalows. Just because styles can be prevalent in places does not warrant them any less important or eligible for listing. 511 Western, specifically, is an extremely good example of a one story craftsman bungalow. While the current colors are not of the style, that is a simple change.

509 St. Joseph: This is a good example of an art deco commercial building. While glass block was used, it is of the time period and could be considered an appropriate alteration.

Five Gabled-Ell houses at located at 223, 638, 636, and 616 Western Avenue, and 881 Highway Avenue in general could be included as contributing structures in a district. These warrant more consideration and research. National Register Bulletin No. 14 says that "a district possesses a significant concentration, linage, or continuity of sites, buildings, structures of objects united historically or aesthetically by plan of physical development." Further, it states that "a district derives its importance from being a unified entity." These front gabled ell houses create a unified entity of vernacular frame houses that show an evolution of development in a residential area. While there have been some alterations on many of these, these alterations do not detract from the overall composition of the neighborhood. 881 Highway specifically is in excellent condition and even have original windows. This building is definitely eligible for the National Register.

Five Italianate buildings Located at 207 Western Avenue, 625, 617, and 611 Crescent Avenue, and 841 Highway Avenue in general could be included as contributing structures in a district. These warrant more consideration and research. National Register Bulletin No. 14 says that "a district possesses a significant concentration, linage, or continuity of sites, buildings, structures of objects united historically or aesthetically by plan of physical development." Further, it states that "a district derives its importance from being a unified entity." These Italianate houses create a unified entity of vernacular frame houses that show an evolution of development in a residential area. While there have been some alterations on many of these, these alterations do not detract from the overall composition of the neighborhood.

Two Vernacular Hipped-Roof houses located at 333 Western Avenue and 619-621 Crescent Avenues in general could be included as contributing structures in a district. These warrant more consideration and research. National Register Bulletin No. 14 says that "a district possesses a significant concentration, linage, or continuity of sites, buildings, structures of objects united historically or aesthetically by plan of physical development." Further, it states that "a district derives its importance from being a unified entity." These hipped roof houses show an evolution of development in construction and design in a residential area. While there have been some alterations on of these, these alterations do not detract from the overall composition of the neighborhood.

Two Victorian houses located at 527 Western Avenue and 609 Crescent Avenue like the previous listings could be included as contributing structures in a district.

537 Pike St: Because of its connection to the Bavaria Brewery, this building is historically eligible for the register. This could be added to the individual listing of the Bavarian Brewery.

Subject: Brent Spence Bridge Phase 1 H/A Comments - Consulting Parties

533 Goetta Place: While this is a utilitarian building, it has intricate detailing and crenellations. It retains its original style and would be considered a contributing structure in a historic district. Because of its connection to the Bavaria Brewery, this building is historically eligible for the register. This could be added to the individual listing of the Bavarian Brewery.

If you have any questions regarding my comments please feel free to contact me.

Beth Johnson

Historic Preservation Officer
City of Covington Kentucky
638 Madison Avenue
Covington, Kentucky 21011

Phone 859.292.2171
Fax 859.292.2339

Thanks,

Rob Hans, TEBM - Planning
KY Department of Highways, District Six
(859) 341-2707, ext. 256

This transmission is sent on behalf of the Kentucky Transportation Cabinet and may be privileged, proprietary, or confidential. It is intended only for the intended recipient. If you are not the intended recipient or a person responsible for delivering this transmission to the intended recipient, you shall not disclose, copy, or distribute this transmission or take any action in reliance on it. If you have received this transmission in error, please notify us immediately by telephone at (859) 341-2700, by facsimile transmission at (859) 341-3661, or by e-mail at Robert.Hans@ky.gov. Please dispose of and delete this transmission. Thank you.

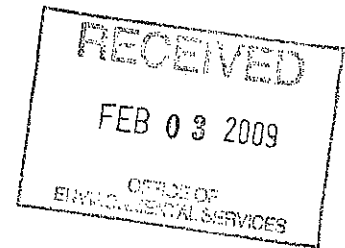


REC'D BY CHFO JAN 26 2009

OHIO DEPARTMENT OF TRANSPORTATION
Division of Planning, Office of Environmental Services
1980 West Broad Street, Columbus, Ohio 43223

January 21, 2009

Mr. Mark Epstein, Department Head
Resource Protection and Review
Ohio Historic Preservation Office
567 East Hudson Street
Columbus, Ohio 43211



Attn: Nancy Campbell, ODOT Review Manager, History/Architecture
Thomas Grooms, ODOT Review Manager, Archaeology

Subject: HAM-71/75-0.00/0.22, PID 75119

Re: *History/Architecture Coordination, Brent Spence Bridge Rehabilitation Project December 2008*

Dear Mr. Epstein:

In this letter we seek your concurrence on properties we believe are eligible for the National Register of Historic Places (NRHP) which are located within the area of potential effects (APE) of the subject undertaking. The proposed project is intended to improve the operational characteristics within a 6.5 mile segment of I-75 within the Commonwealth of Kentucky (straight line mile 188.0) and the State of Ohio (straight line mile 2.7).

Phase II Report

Enclosed for your review is a paper copy of the Phase II History/Architecture Investigations (Gray & Pape Inc., December 2008). It addresses the Hudepohl Brewery Building and the Harriet Beecher Stowe Elementary School (OHI #HAM-1342-43) only.

As a result of the Phase I History/Architecture Survey, ongoing project development and consultation with the Ohio Historic Preservation Office (OHPO) and consulting parties, ODOT determined that Phase II history/architecture investigations were needed for two properties:

- The Harriet Beecher Stowe Elementary School (also known as Stowe Adult Education Center, and currently Channel WXIX, 635 West 7th Street (HAM-1342-43). It may be eligible for the National Register under Criterion B for its association with Dr. Jennie D. Porter, who was the first African-American woman to earn a Ph.D. at the University of Cincinnati. Phase II research was conducted to assess the significance of this association and to confirm that the school retains integrity.
- The Hudepohl Brewery Building, 801 West Sixth Street (also known as 505 Gest Street). Phase II research was conducted to assess its significance of this complex under Criterion A, as a 19th Century Cincinnati brewery, and to assess its integrity and boundaries.

Additionally, OHPO, in their August 3, 2007 letter, recommended additional consideration of the Panhandle Railroad Freight Depot, located at 603 Pete Rose Way and the West Virginia Coke and Coal building located at 725 Front Street, due to consulting party concerns, field review of the property took place on November 6, 2008. In the field, ODOT and OHPO staff agreed that the Panhandle Railroad Freight Depot has lost integrity due to alterations, and is not eligible for the NRHP. The West Virginia Coke and Coal company building needs Phase II research completed to determine eligibility for the NRHP based on Criterion A.

ODOT's NRHP Eligibility Recommendations

Based on the results of the Revised Phase II investigation, site visits, consultation with consulting parties, historic boundary recommendations and the NR Criteria, and in accordance with 36 CFR Part 800, ODOT is requesting concurrence with the following findings:

- The Harriet Beecher Stowe Elementary School, 635 West 7th Street (HAM-1342-43) is eligible for the NRHP under Criterion B for its association with Dr. Jennie D. Porter. The boundaries for the historic property consist of the footprint of the existing building.
- The Hudepohl Brewery Building complex, 801 West Sixth Street (also known as 505 Gest Street) is not eligible for the NRHP, largely due to its loss of integrity as a result of the demolition of portions of the complex.
- The Panhandle Railroad Freight Depot, located at 603 Pete Rose Way, is not eligible for the NRHP. Although it may have been significant under Criterion A, for its association with railroad industry in Cincinnati, it has lost integrity due to insensitive alterations.
- The West Virginia Coal and Coke Building, located at 725 Front Street, is recommended for Phase II research to determine its eligibility under Criterion A.

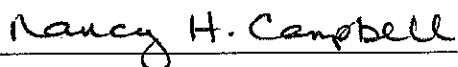
Conclusion

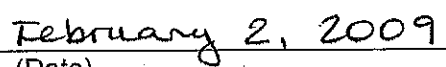
On behalf of the FHWA, and in accordance with 36 CFR Part 800.4(c), we request your response to the enclosed within 30 days after your receipt of this letter. If no objection is received within 30 days, in accordance with the Advisory Council On Historic Preservation's current regulations under 36 CFR Section 800.3(c)(4), FHWA and ODOT will proceed to the next step in the process based on these findings.

Respectfully,


Timothy M. Hill
Administrator
Office of Environmental Services

OHIO STATE HISTORIC PRESERVATION OFFICE CONCURRENCE:




(Date)

TMH:mlk
Enclosure

c: M. VonderEmbse, FHWA
Stefan Spinosa, D-8, ODOT
Keith Smith, District 8, DEC, ODOT
Noel Alcalá, Major New, OES, ODOT
Project File, w/att.
Reading File



STEVEN L. BESHEAR
GOVERNOR

**TOURISM, ARTS AND HERITAGE CABINET
KENTUCKY HERITAGE COUNCIL**

MARCHETA SPARROW
SECRETARY

THE STATE HISTORIC PRESERVATION OFFICE

300 WASHINGTON STREET
FRANKFORT, KENTUCKY 40601
PHONE (502) 564-7005
FAX (502) 564-5820
www.heritage.ky.gov

MARK DENNEN
ACTING EXECUTIVE DIRECTOR AND
STATE HISTORIC PRESERVATION OFFICER

May 1, 2009

Mr. Jose M. Sepulveda, Division Administrator
Kentucky Division Office
Federal Highway Administration, U.S. Department of Transportation
330 West Broadway
Frankfort, KY 40601

**Re: Phase I History/Architectural Survey for the
Brent Spence Bridge Replacement Project
Kenton County, Kentucky (KYTC Item No. 6-17.00)**

Dear Mr. Sepulveda:

Pursuant to Section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. Sec. 470f) and implementing regulations at 36 C.F.R. Part 800, the staff of the Kentucky State Historic Preservation Office received for review an application for the above referenced report on March 30, 2009. This report was prepared by Parson Brinkerhoff, but this work was largely conducted by staff of Gray & Pape with Brandon L. McCuin listed as Principal Investigator. Through communication with KYTC staff, we are of the understanding that this is a preliminary eligibility report and that a full baseline, including information from the entire construction APE will follow, detailing more precisely the project alternatives and any impacts the work will have upon the historic resources identified in this document.

The authors of this report identified 77 sites. It appears that KYTC-DEA disagreed with several of the authors' determinations, but this information is not clearly presented in the communication we received from FHWA. Furthermore, site numbers are listed in such a way that is confusing: National Register Districts are not identified in the report by KHRI survey numbers, but rather the National Register District number, making it difficult to determine which sites fall within which districts.

In letters dated September 10, 2007 and October 3, 2007, this office indicated that this survey report was not in conformance with the Kentucky Heritage Council's *Specifications for Conducting Fieldwork and Preparing Cultural Resource Assessment Reports*. Unfortunately, there are still a few deficiencies that need to be remedied in order to comply with these standards and therefore we would like to point out these discrepancies once more to ensure that the forthcoming final baseline report can be reviewed more quickly and efficiently.

- The maps reproduced in the report are at such a large scale and of poor quality as to be almost indecipherable in accurately identifying the boundaries of APE, locating identified sites, and assessing alternative's impacts. (*Specifications*, Chapter VI, F.2.a-c)
- Documentation for each site 50 years or older must include a KHC inventory form that includes a current topographic map identifying the location of each resource amongst other details. Site inventory forms were not completed for this report. (*Specifications*, Chapter V, B.2.a-b)

Despite these deficiencies, we have attempted to preliminarily assess the eligibility of some of the historic resources identified in this report with the understanding that a complete baseline will follow. However, we will withhold making

Phase I History/Architectural Survey

Brent Spence Bridge Replacement Project

any final determinations or any assessment of various project alternatives' impacts until the fully-compliant study document becomes available for our review.

We concur with some of the determinations made by FHWA, however, the listing of the sites by number in the matrix presented in your correspondence of March 25, 2009 is somewhat perplexing. We agree that **Sites KE-4, KE-319, KEC-107, KEC-459, KEC-460, KEC-462, KECL-621, KECL-626, KECL-628, KECL-817, KECL-1018, and KECL-1046 are eligible** for listing in the National Register of Historic Places (NRHP). We are unaware as to what properties FHWA's listing of "Sites KECL 628-504, KECL-514, KECL-516, KECL-459-509, KEC-460-881, and KECL-1046-632" are referring. We would like to request a clarification regarding these numbers and the properties they represent.

According to the document under review, the identified National Register Districts do not have any sites numbers, rather the report labels them as single entities by their given National Register number. Therefore, **all properties within NRHP No. 83003650, NRHP No. 89001170, NRHP No. 93001165, and NRHP No. 96000281 are currently listed.**

In addition to the districts and sites aforementioned, this office finds that **Sites KEC-456, KEC-458, KECL-1053, KECL-are also eligible for listing.** Furthermore, we request additional information on Sites KECL-1016, KECL-1032, KECL-1038, KECL-1048, KEC-1055, KEC-1059, and KECL-1060 such as deed research in order to garnish more precise construction dates, the names of past property owners, and more accurate information on the construction methods and materials present.

We look forward to reviewing the full baseline document with survey forms and working with KYTC staff to minimize the direct and indirect impacts which this project may have on significant cultural historic resources.

Should you have questions regarding these comments, please contact Danae Peckler of my staff at (502) 564-7005, extension 127.

Sincerely,



Mark Dennen
Executive Director and
State Historic Preservation Officer

Cc: David Waldner and Rebecca Turner, KYTC-DEA
Anthony Goodman, FHWA

DAP:dap

Public Meeting Notice
Brent Spence Bridge Replacement/Rehabilitation Project

The Ohio Department of Transportation and the Kentucky Transportation Cabinet will be holding two (2) public meetings on the Conceptual Alternatives Study (CAS) for the Brent Spence Bridge Replacement/Rehabilitation Project.



The first meeting will be held on **Wednesday, May 6, 2009** at the Gardens of Park Hills, Vista Room, 1622 Dixie Highway, Park Hills, Kentucky from **4pm to 8pm**.

The second meeting will be held on **Thursday, May 7, 2009** at the Cincinnati Recreation Commission, Lincoln Recreation Center, 1027 Linn Street, Cincinnati, Ohio from **4pm to 8pm**.

Meetings will be in an "open house" (informal format) style and you may visit at any time. Detailed illustrations of alternatives still under consideration will be available and project team members can answer your questions. No formal presentations will be made. The same information will be provided at each meeting.

The Brent Spence Bridge project is focused on improving the operational characteristics of I-71, I-75, US 50 and the Brent Spence Bridge in the Greater Cincinnati/Northern Kentucky region. The Ohio Department of Transportation and the Kentucky Transportation Cabinet have approved the Project's Conceptual Alternative Study, and seek public input.

In accordance with the National Environmental Policy Act (NEPA), the purpose of the meeting is to provide an opportunity for review and comment on the project's CAS, and for citizens to provide feedback through written or verbal comments. In addition, in accordance with the National Historic Preservation Act, public comments are requested on projected impacts to historic properties.

Comments received (by mail, email, or fax) by 5p.m. June 8, 2009 will be considered in the next phase of project development. They may be submitted to:

ODOT, District 8
Attn: Keith Smith, PE, Acting District Planning and Environmental Engineer
505 South SR 741, Lebanon, OH 45036
Phone: (513) 933-6590
Fax: (513) 932-9366
keith.smith@dot.state.oh.us
On the Web: www.brentspencebridgecorridor.com

In accordance with the Americans with Disabilities Act (ADA), if anyone has a disability and will require assistance to participate in this event, please notify Keith Smith with the necessary requirements no later than April 29, 2009. This request does not have to be in writing. Please call 1-800-831-2142 or mail request to the address listed above.

The CAS will be available after May 6, 2009 at www.brentspencebridgecorridor.com. Additionally, copies will be available for review at any of the following locations:

ODOT, District 8 Office; Cincinnati City Hall; Cincinnati Main Library; OKI Regional Council of Governments; Hamilton County Engineer's Office; KYTC District 6 Office; Covington City Hall; Mary Ann Mongan - Covington Library; Park Hills City Building; Fort Wright City Building.

Brent Spence Bridge Replacement/Rehabilitation Project



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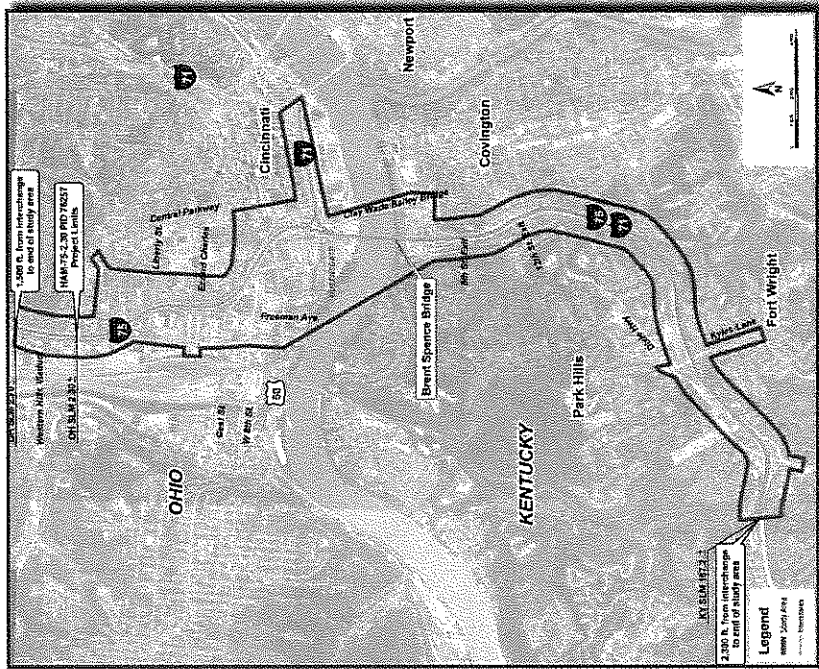
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Project Study Area

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OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 8 • 505 S. ST. RT. 741 • LEBANON, OH 45036 • (800) 831-2142

Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

June 2, 2009

William L. (Skip) Forwood
Cincinnati Historic Conservation Office
805 Central Avenue, Suite 700
Cincinnati, Ohio 45202

Dear Consulting Partner:

Thank you for participating in the Consulting Party Process for the Brent Spence Bridge Replacement/Rehabilitation Project (HAM-71/75-0.00/0.22; KYTC Item No. 6-17) under Section 106 of the National Historic Preservation Act and the implementing regulations at 36 CFR Part 800. Again, this is a consultative process, the purpose of which is to allow you a chance to comment on the historic properties that may be affected by the proposed project. Since our last communication with you in August of 2007, the project team has continued with project development and has completed additional evaluation of the potentially historic properties within the project's study area.

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Again, I thank you for participating in the Section 106 consultation process for the Brent Spence Bridge Replacement/Rehabilitation Project (HAM-71/75-0.00/0.22; KYTC Item No. 6-1).

Respectfully,

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Stefan C. Spinosa
ODOT Project Manager, Technical Services Engineer

Enclosures

c: file, Rob Hans, KYTC



OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 8 • 505 S. ST. RT. 741 • LEBANON, OH 45036 • (800) 831-2142

Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

June 2, 2009

Margo Warminski
Cincinnati Preservation Association
342 W. Fourth Street
Cincinnati, Ohio 45202

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ODOT Project Manager, Technical Services Engineer

Enclosures

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OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 8 • 505 S. ST. RT. 741 • LEBANON, OH 45036 • (800) 831-2142

Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

June 2, 2009

Jane McCone
Historic Southwest Ohio, Inc. - Hauch House
P.O. Box 62475
Cincinnati, Ohio 45262

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ODOT Project Manager, Technical Services Engineer

Enclosures

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OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 8 • 505 S. ST. RT. 741 • LEBANON, OH 45036 • (800) 831-2142

Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

June 2, 2009

Norman P. Kattelman
Dayton Street Historic District
938 Dayton Street
Cincinnati, Ohio 45214

Dear Consulting Partner:

Thank you for participating in the Consulting Party Process for the Brent Spence Bridge Replacement/Rehabilitation Project (HAM-71/75-0.00/0.22; KYTC Item No. 6-17) under Section 106 of the National Historic Preservation Act and the implementing regulations at 36 CFR Part 800. Again, this is a consultative process, the purpose of which is to allow you a chance to comment on the historic properties that may be affected by the proposed project. Since our last communication with you in August of 2007, the project team has continued with project development and has completed additional evaluation of the potentially historic properties within the project's study area.

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ODOT Project Manager, Technical Services Engineer

Enclosures

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OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 8 • 505 S. ST. RT. 741 • LEBANON, OH 45036 • (800) 831-2142

Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

June 2, 2009

Norman P. Kattelman
West End Community Council
938 Dayton Street
Cincinnati, Ohio 45214

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Enclosures

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OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 8 • 505 S. ST. RT. 741 • LEBANON, OH 45036 • (800) 831-2142

Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

June 2, 2009

Bob Rainey
Lower Price Hill Community Council
2175 St. Michael Street
Cincinnati, Ohio 45204

Dear Consulting Partner:

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OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 8 • 505 S. ST. RT. 741 • LEBANON, OH 45036 • (800) 831-2142

Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

June 2, 2009

Peter Witte
Price Hill Civic Club
P.O. Box 5096
Cincinnati, Ohio 45205

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Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

June 2, 2009

Cincinnati Metropolitan Housing Authority
16 W. Central Parkway
Cincinnati, Ohio 45202

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ODOT Project Manager, Technical Services Engineer

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OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 8 • 505 S. ST. RT. 741 • LEBANON, OH 45036 • (800) 831-2142

Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

June 2, 2009

Jackie Robbins
Community Revitalization Agency
1832 Freeman Avenue
Cincinnati, Ohio 45214

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Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

June 2, 2009

Steve Schuckman
Cincinnati Park Board
950 Eden Park Drive
Cincinnati, Ohio 45202

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Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

June 2, 2009

Douglass V. McDonald
Cincinnati Museum Center
1301 Western Avenue
Cincinnati, Ohio 45203

Dear Consulting Partner:

Thank you for participating in the Consulting Party Process for the Brent Spence Bridge Replacement/Rehabilitation Project (HAM-71/75-0.00/0.22; KYTC Item No. 6-17) under Section 106 of the National Historic Preservation Act and the implementing regulations at 36 CFR Part 800. Again, this is a consultative process, the purpose of which is to allow you a chance to comment on the historic properties that may be affected by the proposed project. Since our last communication with you in August of 2007, the project team has continued with project development and has completed additional evaluation of the potentially historic properties within the project's study area.

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Respectfully,

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Stefan C. Spinosa
ODOT Project Manager, Technical Services Engineer

Enclosures

c: file, Rob Hans, KYTC



OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 8 • 505 S. ST. RT. 741 • LEBANON, OH 45036 • (800) 831-2142

Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

June 2, 2009

Jenny Edwards
818 Dayton Street
Cincinnati, Ohio 45214

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ODOT Project Manager, Technical Services Engineer

Enclosures

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Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

June 2, 2009

Mark Vonder Embse
FHWA, Urban Programs Engineer
200 N. High Street
Columbus, Ohio 43215

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Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

June 2, 2009

Scott Schurman
KYTC, Division of Environmental Analysis
200 Mero Street
Frankfort, Kentucky 40622

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Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

June 2, 2009

Stacee Hans
Kentucky Transportation Cabinet, District 6
421 Buttermilk Pike
P.O. Box 17130
Covington, Kentucky 41017

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Enclosures
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Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

June 2, 2009

Keith Smith
ODOT, District 8 Planning and Environmental Engineer (Acting)
505 South SR 741
Lebanon, Ohio 45036

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Stefan C. Spinosa
ODOT Project Manager, Technical Services Engineer

Enclosures

c: file, Rob Hans, KYTC



"Margo"
<Margo@cincinnati
preservation.org>

06/24/2009 04:38 PM

To <stefan.spinosa@dot.state.oh.us>

cc

bcc

Subject comments, Brent Spence Bridge project Phase II

Thank you for giving Cincinnati Preservation Association (CPA) the opportunity to comment on the electronic version of the Ohio Phase II History/Architecture report for the Brent Spence Bridge project, and two properties located within the project area.

We concur with the report's finding that the **Hudepohl Brewery complex** does not appear to be eligible for National Register listing due to partial demolition of the complex.

Although the **Stowe School** may have been significant under Criterion B, it is CPA's opinion that it does not meet National Register criteria because of numerous unsympathetic alterations. The construction of a parking garage addition, covered walkways and solarium additions, and the installation of single-pane, reflective, fixed sash in the original openings are visually jarring, distract from the original design and have adversely affected the building's integrity of design and materials.

It is CPA's opinion that the **West Virginia Coal and Coke Company** at 725 Front Street is potentially eligible for National Register listing under Criterion A for its association with commercial and industrial development along the Cincinnati riverfront in the 19th and early 20th centuries. Served by river and rail transport, these enterprises included small factories, warehouses, foundries, wholesalers, coal, lumber and stone yards, gas works and an electric generating station. The building may also be significant for its association with West Virginia Coal and Coke, an example of a vertically integrated energy company with its own transportation system and regional distribution network.

The building has seen some alteration in the form of boarding of openings, but these changes appear to be reversible. Therefore, it still has the ability to convey its significance.

Again, thank you for giving us the chance to participate in this project. Please contact us if you need further information.

Margo Warminski
Preservation Director
Cincinnati Preservation Association
342 West Fourth Street
Cincinnati, OH 45202
phone 513-721-4506



OHIO DEPARTMENT OF TRANSPORTATION

CENTRAL OFFICE • 1980 WEST BROAD STREET • COLUMBUS, OH 43223

TED STRICKLAND, GOVERNOR • JOLENE M. MOLITORIS, DIRECTOR

September 29, 2009

Mr. Mark Epstein, Department Head
Resource Protection and Review
Ohio Historic Preservation Office
567 East Hudson Street
Columbus, Ohio 43211



Attn: Nancy Campbell, ODOT Review Manager, History/Architecture
Thomas Grooms, ODOT Review Manager, Archaeology

Subject: HAM-71/75-0.00/0.22, PID 75119

Re: *History/Architecture Coordination, Brent Spence Bridge Rehabilitation Project, Phase II addendum*

Dear Mr. Epstein:

In this letter we seek your concurrence on the eligibility of a property for the National Register of Historic Places (NRHP) which is located within the area of potential effects (APE) of the subject undertaking. The proposed project is intended to improve the operational characteristics within a 6.5 mile segment of I-75 within the Commonwealth of Kentucky (straight line mile 188.0) and the State of Ohio (straight line mile 2.7).

Phase II Report

Enclosed for your review is a paper copy of the Phase II History/Architecture Investigations (Gray & Pape Inc., September 2009). It addresses the West Virginia Coal and Coke Company building only.

As a result of the Phase I History/Architecture Survey, ongoing project development and consultation with the Ohio Historic Preservation Office (OHPO) and consulting parties, ODOT determined that Phase II history/architecture investigations were needed for two properties:

- The Harriet Beecher Stowe Elementary School (also known as Stowe Adult Education Center, and currently Channel WXIX, 635 West 7th Street (HAM-1342-43).
- The Hudepohl Brewery Building, 801 West Sixth Street (also known as 505 Gest Street).

Additionally, OHPO, in their August 3, 2007 letter, recommended additional consideration of the Panhandle Railroad Freight Depot, located at 603 Pete Rose Way and the West Virginia Coke and Coal building located at 725 Front Street, due to consulting party concerns, field review of the property took place on November 6, 2008. In the field, ODOT and OHPO staff agreed that the Panhandle Railroad Freight Depot has lost integrity due to alterations, and is not eligible for the NRHP. It was

also determined that the West Virginia Coke and Coal company building needs Phase II research completed to determine eligibility for the NRHP based on Criterion A.

ODOT's NRHP Eligibility Recommendations

Based on the results of the Revised Phase II investigation, site visits, consultation with consulting parties, historic boundary recommendations and the NR Criteria, and in accordance with 36 CFR Part 800, ODOT is requesting concurrence with the following findings:

- The West Virginia Coal and Coke Building, located at 725 Front Street, is not eligible for listing in the NRHP. It is not eligible because it is not associated with events that have made a significant contribution to the broad patterns of our history. It is also not associated with the lives of persons significant in our past, and is not significant for its architectural design.

Conclusion

On behalf of the FHWA, and in accordance with 36 CFR Part 800.4(c), we request your response to the enclosed within 30 days after your receipt of this letter. If no objection is received within 30 days, in accordance with the Advisory Council On Historic Preservation's current regulations under 36 CFR Section 800.3(c)(4), FHWA and ODOT will proceed to the next step in the process based on these findings.

Respectfully,


Timothy M. Hill
Administrator
Office of Environmental Services

OHIO STATE HISTORIC PRESERVATION OFFICE CONCURRENCE:

Nancy H. Campbell

October 5, 2009

(Date)

TMH:mlb
Enclosure

c: M. VonderEmbse, FHWA
Stefan Spinosa, D-8, ODOT
Keith Smith, District 8, DEC, ODOT
Larry Hoffman, Major New, OES, ODOT
Project File, w/att.
Reading File



OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 8 • 505 S. ST. RT. 741 • LEBANON, OH 45036 • (800) 831-2142

Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

October 22, 2009

William L. (Skip) Forwood
Cincinnati Historic Conservation Office
805 Central Avenue, Suite 700
Cincinnati, Ohio 45202

Dear Consulting Partner:

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Stefan C. Spinosa
ODOT Project Manager, Technical Services Engineer

Enclosures

cc: file, John Eckler, KYTC



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October 22, 2009

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Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

October 22, 2009

Jane McCone
Historic Southwest Ohio, Inc. - Hauch House
P.O. Box 62475
Cincinnati, Ohio 45262

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Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

October 22, 2009

Norman P. Kattelman
Dayton Street Historic District
938 Dayton Street
Cincinnati, Ohio 45214

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Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

October 22, 2009

Norman P. Kattelman
West End Community Council
938 Dayton Street
Cincinnati, Ohio 45214

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Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

October 22, 2009

Bob Rainey
Lower Price Hill Community Council
2175 St. Michael Street
Cincinnati, Ohio 45204

Dear Consulting Partner:

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Again, I thank you for participating in the Section 106 consultation process for the Brent Spence Bridge Replacement/Rehabilitation Project (HAM-71/75-0.00/0.22; KYTC Item No. 6-1).

Respectfully,

Stefan C. Spinosa
ODOT Project Manager, Technical Services Engineer

Enclosures

cc: file, John Eckler, KYTC



OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 8 • 505 S. ST. RT. 741 • LEBANON, OH 45036 • (800) 831-2142

Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

October 22, 2009

Peter Witte
Price Hill Civic Club
P.O. Box 5096
Cincinnati, Ohio 45205

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Stefan C. Spinosa
ODOT Project Manager, Technical Services Engineer

Enclosures

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OHIO DEPARTMENT OF TRANSPORTATION

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Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

October 22, 2009

Cincinnati Metropolitan Housing Authority
16 W. Central Parkway
Cincinnati, Ohio 45202

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Respectfully,

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ODOT Project Manager, Technical Services Engineer

Enclosures

cc: file, John Eckler, KYTC



OHIO DEPARTMENT OF TRANSPORTATION

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Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

October 22, 2009

Jackie Robbins
Community Revitalization Agency
1832 Freeman Avenue
Cincinnati, Ohio 45214

Dear Consulting Partner:

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Stefan C. Spinosa
ODOT Project Manager, Technical Services Engineer

Enclosures

cc: file, John Eckler, KYTC



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Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

October 22, 2009

Steve Schuckman
Cincinnati Park Board
950 Eden Park Drive
Cincinnati, Ohio 45202

Dear Consulting Partner:

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ODOT Project Manager, Technical Services Engineer

Enclosures

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Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

October 22, 2009

Douglass V. McDonald
Cincinnati Museum Center
1301 Western Avenue
Cincinnati, Ohio 45203

Dear Consulting Partner:

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Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

October 22, 2009

Jenny Edwards
818 Dayton Street
Cincinnati, Ohio 45214

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Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

October 22, 2009

Mark Vonder Embse
FHWA, Urban Programs Engineer
200 N. High Street
Columbus, Ohio 43215

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Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

October 22, 2009

Scott Schurman
KYTC, Division of Environmental Analysis
200 Mero Street
Frankfort, Kentucky 40622

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Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

October 22, 2009

Stacee Hans
Kentucky Transportation Cabinet, District 6
421 Buttermilk Pike
P.O. Box 17130
Covington, Kentucky 41017

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Stefan C. Spinosa
ODOT Project Manager, Technical Services Engineer

Enclosures
cc: file, John Eckler, KYTC

Thank you for sending the Phase II History/Architecture Addendum that addresses the West Virginia Coal and Coke Building. After reviewing the report, I concur with its author that the building has diminished site integrity due to the demolition of other resources that once occupied the property, and therefore does not appear to meet National Register criteria.

I am happy to participate in the Section 106 consultation process for the Brent Spence Bridge Replacement/Rehabilitation Project. Please contact me if you need more information.

Margo Warminski
Preservation Director
Cincinnati Preservation Association
Field Representative, National Trust for Historic Preservation
342 West Fourth Street
Cincinnati, OH 45202
Phone 513-721-4506
Fax 513-721-6832
www.cincinnati-preservation.org
margo@cincinnati-preservation.org

Preservation field services provided by Cincinnati Preservation Association are assisted by a Partners in the Field challenge grant from the National Trust for Historic Preservation.



Memorandum

**Parsons
Brinckerhoff**

312 Elm Street, Suite 2500
Cincinnati, OH 45202
513-639-2100
Fax: 513-421-1040

Date: April 1, 2010

Subject: Brent Spence Bridge EIS
PID No. 75119; HAM-71/75-0.00/0.22; KYTC Project Item No. 6-17
Section 4(f) and Section 6(f) Resources in Covington DRAFT Meeting Minutes

To: Attendees

From: Jennifer Graf, Parsons Brinckerhoff, Inc (PB)

A meeting for the subject project was held on April 1, 2010, from 2:30 PM to 4:00 PM at the City of Covington Building, 638 Madison Avenue; Covington, Kentucky. The following people were in attendance:

Kentucky Transportation Cabinet

John Eckler	District 6	(859) 341-2700	John.eckler@ky.gov
Stacee Hans	District 6	(859) 341-2700	Stacee.hans@ky.gov

City of Covington

Mike Yeager	City of Covington	(859) 292-2153	myeager@covingtonky.gov
Tom Logan	City of Covington	(859) 292-2112	tlogan@covingtonky.gov
Natalie Gardner	City of Covington	(859) 292-2151	ngardnerMyeager@covingtonky.gov
Beth Johnson	City of Covington	(859) 292-2171	bjohnson@covingtonky.gov
Larry Klein	City of Covington	(859) 292-2160	lklein@covingtonky.gov
Larisa Sims	City of Covington	(859) 292-2160	lsims@covingtonky.gov

Parsons Brinckerhoff

Duane Phelps	Design	(513) 639-2138	phelpsd@pbworld.com
Jennifer Graf	Planning	(513) 639-2145	graf@pbworld.com

HDR

Jim Guian	Design	(859) 223-3755	jim.guin@hdrinc.com
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MATERIALS DISTRIBUTED

- 11X17 exhibits showing the impacts of the two feasible alternatives to Goebel Park and the Lewisburg Historic District
- Aerial Plots showing the impacts of the two feasible alternatives to Goebel Park and the Lewisburg Historic District

PURPOSE OF THE MEETING

The purpose of the meeting was to initiate Section 4(f) and Section 6(f) coordination with the City of Covington regarding Goebel Park and the Lewisburg Historic District.

1. John Eckler opened the meeting by explaining the purpose of the meeting and giving an overview of the Brent Spence Bridge Project.

2. Section 4(f) Resources

Jennifer Graf explained Section 4(f) resources, the coordination process, and mitigation options. Goebel Park and the Lewisburg Historic District are two Section 4(f) resources in Kentucky that will be directly impacted by the two feasible alternatives currently under study.

3. Section 6(f) Resources

Stacey Hans explained Section 6(f) resources, the coordination process, and mitigation options. Goebel Park is the only Section 6(f) resource in the study area. Park impacts must be replaced by property of equal or greater value. The City of Covington must conduct the Section 6(f) coordination with the National Park Service. KYTC will guide and assist the City through this process. KYTC has already identified replacement land, which is adjacent to the park. The 5th Street exit ramp currently crosses this parcel. The ramp will be removed as a result of the proposed interstate improvements and the land will be available to the City. KYTC will have the three-acre parcel appraised in the next several months.

4. Feasible Alternatives and Impacts to Goebel Park

Duane Phelps presented the design features of the two feasible alternatives through the City of Covington. He explained the access features between the interstate and the City. Duane explained the impacts of both feasible alternatives to Goebel Park and how the impacts had been minimized from the previous conceptual alternatives.

Alternative C/D is a hybrid alternative of conceptual alternatives C and D. To minimize impacts to Goebel Park, a local collector-distributor (C-D) road is proposed along the east side of I-71/75. This C-D road will be located under I-71/75 and provide access to 12th Street and 5th Street. I-71/75 will be cantilevered over the C-D road. The proposed interstate right of way limits will be 15 feet from the edge of pavement. Alternative C/D will have a sliver impact of 1.9 acres along the west side of Goebel Park. The basketball court and stormwater overflow area of the park will be affected. The walking trail will not be impacted.

Alternative E impacts 3.1 acres along the west side of Goebel Park. The impact is caused by the northbound access ramp to 5th Street. The right of way for Alternative E is wider than Alternative C/D because of the three access points into Covington provided by Alternative E. The impacts to the park could fluctuate by 0.1 or 0.2 acres as this feasible alternative is refined. The basketball court, walking trail and stormwater overflow area of the park will be affected. Alternative E would also move closer to the swimming pool. Natalie Gardner noted that the current noise levels at the swimming pool make it difficult for lifeguards to communicate with individuals using the pool. She stated that Alternative E would increase the noise levels at the pool.

5. Stormwater Overflow

John Eckler explained that KYTC is working with Sanitation District 1 on the stormwater management plan for the project. Even though the stormwater overflow area of Goebel Park was designed to serve this function, stormwater runoff from the interstate will no longer contribute to the flooding of Goebel Park.



6. Mitigation

Jennifer Graf and Stacey Hans discussed possible mitigation options for Goebel Park. Suggestions included relocating the basketball court, walking trail, and swimming pool; new playground equipment and picnic shelters.

Larry Klein stated that the City would like the sewage overflow removed from Goebel Park. Removing the flooding would allow this area of the park to be used by the public. Larry also noted that there are plans for community gardens in the park.

Natalie Gardner stated that there are no specific plans for Goebel Park. The southeastern area of the park is envisioned by the City to be a unique gateway to the park and community. Currently the City does not have any design concepts developed for this area. The three-acre potential mitigation parcel would lend itself to a gateway design.

7. Lewisburg Historic District

The Lewisburg Historic District is listed on the National Register of Historic Places. The feasible alternatives will impact the eastern section of the district. Some homes within the district will be displaced. Beth Johnson and Stacey Hans discussed similar impacts resulting from the 12th Street project. Beth requested addresses of the residences within the district displaced by the alternatives. Stacey and Beth described mitigation that was used for the 12th Street project. Mitigation included relocating buildings, funds for building improvements, educational materials and videos.

8. Coordination

It was decided that correspondence between KYTC and the City of Covington would be addressed to and signed by John Eckler and Larry Klein.

9. The following action items were identified:

- PB will provide addresses of the residences within the Lewisburg Historic District displaced by the alternatives.
- PB will draft a Section 4(f) coordination letter which will be sent by KYTC to the City.
- The City will propose potential mitigation options for Goebel Parks and the historic district.
- KYTC will have the three-acre parcel appraised.

Prepared by
Jennifer Graf

Approved by
Duane Phelps, PE



U.S. Department
of Transportation
**Federal Highway
Administration**

Kentucky Division Office
José M. Sepúlveda, Division Administrator

330 West Broadway
Frankfort, KY 40601
PH. (502) 223-6720
FAX (502) 223-6735

June 8, 2010

Mr. Mark Dennen, Executive Director & SHPO
Kentucky Heritage Council
300 Washington Street
Frankfort, Kentucky 40601

Dear Mr. Dennen:

The Kentucky Division Office of the Federal Highway Administration (FHWA) has revised the table labeled, "Table 1. Listing of Eligibility and Effects for the Brent Spence Bridge Replacement Project". This table was submitted to your office with our "Determination of Eligibility and Effect" letter dated May 25th. The corrected table includes the following changes:

- ~~KEC~~^K 50 was removed from all listed historic districts with the exception of ~~KEC~~^K 50/NRHP No. 90000481 (Kenny's Crossing) which was listed correctly.
- KEC 221 was removed from the list of properties. The actual property number was KECL-221 and is already included on the list.
- KECL 456 was removed from the list of properties. The actual property number was KEC-459 and is already included on the list.
- KECL 1019 thru KECL 1035 was changed to KECL 1019 thru KECL 1034.
- KECL 1053 should have been listed as "Eligible" under the "SHPO NRHP Eligibility 5/1/2009" column not MIR.

We agree with the findings of the Principal Investigator (PI) on 127/129 properties. However, we disagree with the PI on two properties, and concur with the Kentucky Transportation Cabinet (KYTC) that

- KECL 1053 is listed in the PI's report as "Eligible". However, we have made the determination that KECL 1053 should be listed as "Not Eligible" for listing on the National Register of Historic Places. This property lacks sufficient integrity to be recommended as eligible. We agree with KYTC that "the house style is common for this section of northern Kentucky and although the house retains the original materials it clearly illustrates the loss of setting, feeling and association. There is the loss of the transom over the main entrance, the foundation stone wall has major cracks, the addition of a garage that appears to date to the 1920's, and the addition of a non-historic garage built adjacent to the property. "



- KEFM 317 is listed in the PI's report as "No Adverse Effect". However, we have made the determination that KEFM 317 should be listed as "No Effect" as neither alternative will require a property take.

We apologize for the inconvenience and once again seek your consultation and concurrence on this determination within 30 days. Thank you.

Sincerely yours,



Bernadette Dupont
Transportation Specialist

Enclosure: KYTC's 5/2/10 letter to FHWA-KY

cc: David Waldner, KYTC – DEA
Rebecca Turner, KYTC – DEA
Scott Schurman, KYTC – DEA

Table 1. Listing of Eligibility and Effects for the Brent Spence Bridge Replacement Project.

Property	SHPO NRHP Eligibility	PI NRHP Eligibility	PI Effects		FHWA & KYTC Eligibility & Effects Determination
	5/1/2009	5/7/2010	Alt C/D	Alt E	5/21/2010
KE 4	Eligible	Eligible	No Effect	No Effect	Concur w PI
KE 319	Eligible	Demolished	NA	NA	Concur w PI
KEC 50 /NRHP No. 90000481 (Kenney's Crossing)		Listed	No Effect	No Effect	Concur w PI
KEC 107	Eligible	Eligible	No Effect	No Effect	Concur w PI
KEC 430		Not Eligible	NA	NA	Concur w PI
KEC 456	Eligible	Eligible	No Effect	No Effect	Concur w PI
KEC 457		Not Eligible	NA	NA	Concur w PI
KEC 458	Eligible	Eligible	No Effect	No Effect	Concur w PI
KEC 459	Eligible	Eligible	No Effect	No Effect	Concur w PI
KEC 460	Eligible	Eligible	No Adverse Effect	No Effect	Concur w PI
KEC 461		Not Eligible	NA	NA	Concur w PI
KEC 462	Eligible	Eligible	No Effect	No Effect	Concur w PI
KECL 62-63		Demolished	NA	NA	Concur w PI
KECL 65-70		Demolished	NA	NA	Concur w PI
KECL 72-73		Demolished	NA	NA	Concur w PI
KECL 221		Demolished	NA	NA	Concur w PI
KECL 621	Eligible	Eligible	No Effect	No Effect	Concur w PI
KECL 626	Eligible	Eligible	No Effect	No Effect	Concur w PI
KECL 628	Eligible	Eligible	No Effect	No Effect	Concur w PI
KECL 817	Eligible	Eligible	No Effect	No Effect	Concur w PI
KECL 1014 thru KECL 1017	MIR for KECL 1016	Not Eligible	NA	NA	Concur w PI
KECL 1018	Eligible	Eligible	No Effect	No Effect	Concur w PI
KECL 1019 thru KECL 1034	MIR for KECL 1032	Not Eligible	NA	NA	Concur w PI
KECL 1035		Demolished	NA	NA	Concur w PI
KECL 1036 thru KECL 1044	MIR for KECL 1038	Not Eligible	NA	NA	Concur w PI
KECL 1045		Not Eligible	NA	NA	Concur w PI
KECL 1046	Eligible	Eligible	No Effect	No Effect	Concur w PI
KECL 1047 thru KECL-1052	MIR for KECL 1048	Not Eligible	NA	NA	Concur w PI
KECL 1053	Eligible	Eligible	Adverse Effect	No Effect	Do Not Concur-NOT ELIGIBLE
KECL 1054 thru KECL 1055	MIR for KECL 1055	Not Eligible	NA	NA	Concur w PI
KECL 1056 thru KECL 1059	MIR for KECL 1059	Not Eligible	NA	NA	Concur w PI
KECL 1060	MIR for KECL 1060	Demolished	NA	NA	Concur w PI
KEFM 287 thru KEFM 316		Not Eligible	NA	NA	Concur w PI
KEFM 317		Eligible	No Adverse Effect	No Adverse Effect	Do Not Concur-No EFFECT
KEFRM 318 thru KEFM 335		Not Eligible	NA	NA	Concur with PI
NRHP No. 83003650 (Westside/Main Strasse HD)	Listed	Listed	No Effect	No Effect	Concur w PI
NRHP No. 89001169 (Fort Mitchell Heights HD)		Listed	No Effect	No Effect	Concur w PI
NRHP No. 89001170 (Old Fort Mitchell HD)	Listed	Listed	No Effect	No Effect	Concur w PI
NRHP No. 89001585 (Highland Cemetery HD)		Listed	No Effect	No Effect	Concur w PI
NRHP No. 93001165 (Lewisburg HD)	Listed	Listed	Adverse Effect	Adverse Effect	Concur w PI
NRHP No. 96000281 (Bavarian Brewing Co. HD)	Listed	Listed	No Effect	No Effect	Concur w PI

MIR = More Information Required



STEVEN L. BESHEAR
GOVERNOR

**TOURISM, ARTS AND HERITAGE CABINET
KENTUCKY HERITAGE COUNCIL**

MARCHETA SPARROW
SECRETARY

THE STATE HISTORIC PRESERVATION OFFICE
300 WASHINGTON STREET
FRANKFORT, KENTUCKY 40601
PHONE (502) 564-7005
FAX (502) 564-5820
www.heritage.ky.gov

MARK DENNEN
EXECUTIVE DIRECTOR AND
STATE HISTORIC PRESERVATION OFFICER

July 22, 2010

Ms. Bernadette Dupont
Transportation Specialist
U. S. Department of Transportation
Federal Highway Administration
330 West Broadway
Frankfort, KY 40601

**Re: Cultural Historic Survey for the Brent Spence Bridge Replacement Project
Kenton Co., KY (Item No. 6-17.00)**

Dear Ms. Dupont:

Pursuant to Section 106 of the National Historic Preservation Act of 1966 (16 U. S. C. Sec. 470f) and implementing regulations at 36 C. F. R. Part 800, the Kentucky State Historic Preservation Office received for review and comment the above-referenced survey completed by Parsons Brinckerhoff in association with Gray & Pape. Brandon L. McCuin of Gray & Pape was the Principal Investigator. The project study area of the report is limited to the Kentucky side with a southern limit 5000 feet south of the midpoint of the Dixie Highway Interchange on I-71/I-75 in Fort Wright. Within the project APE 129 resources were identified.

We concur that the following identified sites **are listed** in the National Register of Historic Places: **NRHP Nos. 90000481 (KEC 50), 83003650, 89001169, 89001170, 89001585, 93001165, and 96000281.** We further concur that the following sites **are eligible** for the National Register of Historic Places: **KE 4, KEC107, KEC 456, KEC 458, KEC 459, KEC 460, KEC 462, KECL 621, KECL 626, KECL 628, KECL 817, KECL 1018, KECL 1046, and KEFM 317.**

This office had requested more information on some of the resources in response to a previously submitted report. We have reviewed the additional information provided, and **we concur that KECL 1016, KECL 1032, KECL 1038, KECL 1048, KECL 1055, KECL 1059, and KECL 1060 do not meet the criteria to be eligible for The National Register of Historic Places. We also do not concur with the finding of eligibility for resource KECL 1053.** We concur with FHWA and KYTC that the property lacks the integrity to be included in The National Register of Historic Places.

In regards to effects of the project alternatives under consideration, we concur with the findings in the report **with the exception of KEFM 317.** Neither alternative will impact the property, so there will be **No Effect** to the historic resource. We look forward to working with FHWA and KYTC to minimize the effects to other historic resources identified in the report.

Page 2

Cultural Historic Survey for the Brent Spence Bridge Replacement Project
Kenton Co., KY (Item No. 6-17.00)

If you have any questions or concerns in regards to this review, please contact Vicki Birenberg of my staff at (502) 564-7005, ext. 127.

Sincerely,



Mark Dennen
Executive Director and
State Historic Preservation Officer

cc: David Waldner – KYTC – DEA; Rebecca Turner –KYTC - DEA

MD:vmb



OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 8 • 505 S. ST. RT. 741 • LEBANON, OH 45036 • (800) 831-2142

Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

July 28, 2010

William L. (Skip) Forwood
Cincinnati Historic Conservation Office
805 Central Avenue, Suite 700
Cincinnati, Ohio 45202

Dear Consulting Partner:

Thank you for participating in the Consulting Party Process for the Brent Spence Bridge Replacement/Rehabilitation Project (HAM-71/75-0.00/0.22; KYTC Item No. 6-17) under Section 106 of the National Historic Preservation Act and the implementing regulations at 36 CFR Part 800. Again, this is a consultative process, the purpose of which is to allow you a chance to comment on the historic properties that may be affected by the proposed project. Since our last communication with you in June of 2009, the project team has continued with project development and has completed additional evaluation of the potentially historic properties within the project's study area.

Though we have not completed our evaluation of all the historic properties in the Ohio and Kentucky portions of the study area, we have reached a stage where input on two specific properties is needed. The project team has made a preliminary determination of effect to the Harriet Beecher Stowe School and Longworth Hall properties. Our analysis determined that there is no adverse effect to the Harriet Beecher Stowe School; however, there is an adverse effect to Longworth Hall. Enclosed for your review and comment is information on the alternative impacts to both of these properties. The Ohio State Historic Preservation Office (OSHPO) has reviewed this information as well. ODOT is specifically interested on any measures you believe may be warranted to mitigate the impacts to Longworth Hall.

Please provide any comments on the enclosed information or potential mitigation measures by August 31, 2010, to Stefan Spinosa (Stefan Spinosa, ODOT District 8, 505 St. Rt. 741, Lebanon, Ohio 45036 or Stefan.Spinosa@dot.state.oh.us).

Again, I thank you for participating in the Section 106 consultation process for the Brent Spence Bridge Replacement/Rehabilitation Project (HAM-71/75-0.00/0.22; KYTC Item No. 6-17).

Respectfully,

A handwritten signature in black ink, appearing to read 'Stefan Spinosa'.

Stefan C. Spinosa
ODOT Project Manager, Technical Services Engineer

enclosures

c: Smith, Hoffman, John Eckler (KYTC), file



OHIO DEPARTMENT OF TRANSPORTATION

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Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

July 28, 2010

Margo Warminski
Cincinnati Preservation Association
342 W. Fourth Street
Cincinnati, Ohio 45202

Dear Consulting Partner:

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Stefan C. Spinosa
ODOT Project Manager, Technical Services Engineer

enclosures

c: Smith, Hoffman, John Eckler (KYTC), file



OHIO DEPARTMENT OF TRANSPORTATION

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Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

July 28, 2010

Jane McCone
Historic Southwest Ohio, Inc. - Hauch House
P.O. Box 62475
Cincinnati, Ohio 45262

Dear Consulting Partner:

Thank you for participating in the Consulting Party Process for the Brent Spence Bridge Replacement/Rehabilitation Project (HAM-71/75-0.00/0.22; KYTC Item No. 6-17) under Section 106 of the National Historic Preservation Act and the implementing regulations at 36 CFR Part 800. Again, this is a consultative process, the purpose of which is to allow you a chance to comment on the historic properties that may be affected by the proposed project. Since our last communication with you in June of 2009, the project team has continued with project development and has completed additional evaluation of the potentially historic properties within the project's study area.

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Stefan C. Spinosa
ODOT Project Manager, Technical Services Engineer

enclosures

c: Smith, Hoffman, John Eckler (KYTC), file



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Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

July 28, 2010

Norman P. Kattelman
Dayton Street Historic District
West End Community Council
938 Dayton Street
Cincinnati, Ohio 45214

Dear Consulting Partner:

Thank you for participating in the Consulting Party Process for the Brent Spence Bridge Replacement/Rehabilitation Project (HAM-71/75-0.00/0.22; KYTC Item No. 6-17) under Section 106 of the National Historic Preservation Act and the implementing regulations at 36 CFR Part 800. Again, this is a consultative process, the purpose of which is to allow you a chance to comment on the historic properties that may be affected by the proposed project. Since our last communication with you in June of 2009, the project team has continued with project development and has completed additional evaluation of the potentially historic properties within the project's study area.

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Stefan C. Spinosa
ODOT Project Manager, Technical Services Engineer

enclosures

c: Smith, Hoffman, John Eckler (KYTC), file



OHIO DEPARTMENT OF TRANSPORTATION

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Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

July 28, 2010

Bob Rainey
Lower Price Hill Community Council
2175 St. Michael Street
Cincinnati, Ohio 45204

Dear Consulting Partner:

Thank you for participating in the Consulting Party Process for the Brent Spence Bridge Replacement/Rehabilitation Project (HAM-71/75-0.00/0.22; KYTC Item No. 6-17) under Section 106 of the National Historic Preservation Act and the implementing regulations at 36 CFR Part 800. Again, this is a consultative process, the purpose of which is to allow you a chance to comment on the historic properties that may be affected by the proposed project. Since our last communication with you in June of 2009, the project team has continued with project development and has completed additional evaluation of the potentially historic properties within the project's study area.

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Respectfully,

Stefan C. Spinosa
ODOT Project Manager, Technical Services Engineer

enclosures

c: Smith, Hoffman, John Eckler (KYTC), file



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Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

July 28, 2010

Peter Witte
Price Hill Civic Club
P.O. Box 5096
Cincinnati, Ohio 45205

Dear Consulting Partner:

Thank you for participating in the Consulting Party Process for the Brent Spence Bridge Replacement/Rehabilitation Project (HAM-71/75-0.00/0.22; KYTC Item No. 6-17) under Section 106 of the National Historic Preservation Act and the implementing regulations at 36 CFR Part 800. Again, this is a consultative process, the purpose of which is to allow you a chance to comment on the historic properties that may be affected by the proposed project. Since our last communication with you in June of 2009, the project team has continued with project development and has completed additional evaluation of the potentially historic properties within the project's study area.

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Stefan C. Spinosa
ODOT Project Manager, Technical Services Engineer

enclosures

c: Smith, Hoffman, John Eckler (KYTC), file



OHIO DEPARTMENT OF TRANSPORTATION

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Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

July 28, 2010

Cincinnati Metropolitan Housing Authority
16 W. Central Parkway
Cincinnati, Ohio 45202

Dear Consulting Partner:

Thank you for participating in the Consulting Party Process for the Brent Spence Bridge Replacement/Rehabilitation Project (HAM-71/75-0.00/0.22; KYTC Item No. 6-17) under Section 106 of the National Historic Preservation Act and the implementing regulations at 36 CFR Part 800. Again, this is a consultative process, the purpose of which is to allow you a chance to comment on the historic properties that may be affected by the proposed project. Since our last communication with you in June of 2009, the project team has continued with project development and has completed additional evaluation of the potentially historic properties within the project's study area.

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Stefan C. Spinosa
ODOT Project Manager, Technical Services Engineer

enclosures

c: Smith, Hoffman, John Eckler (KYTC), file



OHIO DEPARTMENT OF TRANSPORTATION

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Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

July 28, 2010

Jackie Robbins
Community Revitalization Agency
1832 Freeman Avenue
Cincinnati, Ohio 45214

Dear Consulting Partner:

Thank you for participating in the Consulting Party Process for the Brent Spence Bridge Replacement/Rehabilitation Project (HAM-71/75-0.00/0.22; KYTC Item No. 6-17) under Section 106 of the National Historic Preservation Act and the implementing regulations at 36 CFR Part 800. Again, this is a consultative process, the purpose of which is to allow you a chance to comment on the historic properties that may be affected by the proposed project. Since our last communication with you in June of 2009, the project team has continued with project development and has completed additional evaluation of the potentially historic properties within the project's study area.

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Respectfully,

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Stefan C. Spinoso
ODOT Project Manager, Technical Services Engineer

enclosures

c: Smith, Hoffman, John Eckler (KYTC), file



OHIO DEPARTMENT OF TRANSPORTATION

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Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

July 28, 2010

Steve Schuckman
Cincinnati Park Board
950 Eden Park Drive
Cincinnati, Ohio 45202

Dear Consulting Partner:

Thank you for participating in the Consulting Party Process for the Brent Spence Bridge Replacement/Rehabilitation Project (HAM-71/75-0.00/0.22; KYTC Item No. 6-17) under Section 106 of the National Historic Preservation Act and the implementing regulations at 36 CFR Part 800. Again, this is a consultative process, the purpose of which is to allow you a chance to comment on the historic properties that may be affected by the proposed project. Since our last communication with you in June of 2009, the project team has continued with project development and has completed additional evaluation of the potentially historic properties within the project's study area.

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Stefan C. Spinosa
ODOT Project Manager, Technical Services Engineer

enclosures

c: Smith, Hoffman, John Eckler (KYTC), file



OHIO DEPARTMENT OF TRANSPORTATION

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Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

July 28, 2010

Douglass V. McDonald
Cincinnati Museum Center
1301 Western Avenue
Cincinnati, Ohio 45203

Dear Consulting Partner:

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Please provide any comments on the enclosed information or potential mitigation measures by August 31, 2010, to Stefan Spinosa (Stefan Spinosa, ODOT District 8, 505 St. Rt. 741, Lebanon, Ohio 45036 or Stefan.Spinosa@dot.state.oh.us).

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Respectfully,

A handwritten signature in black ink, appearing to read 'Stefan Spinosa', written over a horizontal line.

Stefan C. Spinosa
ODOT Project Manager, Technical Services Engineer

enclosures

c: Smith, Hoffman, John Eckler (KYTC), file



OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 8 • 505 S. ST. RT. 741 • LEBANON, OH 45036 • (800) 831-2142

Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

July 28, 2010

Jenny Edwards
818 Dayton Street
Cincinnati, Ohio 45214

Dear Consulting Partner:

Thank you for participating in the Consulting Party Process for the Brent Spence Bridge Replacement/Rehabilitation Project (HAM-71/75-0.00/0.22; KYTC Item No. 6-17) under Section 106 of the National Historic Preservation Act and the implementing regulations at 36 CFR Part 800. Again, this is a consultative process, the purpose of which is to allow you a chance to comment on the historic properties that may be affected by the proposed project. Since our last communication with you in June of 2009, the project team has continued with project development and has completed additional evaluation of the potentially historic properties within the project's study area.

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Stefan C. Spinosa
ODOT Project Manager, Technical Services Engineer

enclosures

c: Smith, Hoffman, John Eckler (KYTC), file



OHIO DEPARTMENT OF TRANSPORTATION

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Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

July 28, 2010

Mark Vonder Embse
FHWA, Urban Programs Engineer
200 N. High Street
Columbus, Ohio 43215

Dear Consulting Partner:

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Stefan C. Spinosa
ODOT Project Manager, Technical Services Engineer

enclosures

c: Smith, Hoffman, John Eckler (KYTC), file



OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 8 • 505 S. ST. RT. 741 • LEBANON, OH 45036 • (800) 831-2142

Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

July 28, 2010

Scott Schurman
KYTC, Division of Environmental Analysis
200 Mero Street
Frankfort, Kentucky 40622

Dear Consulting Partner:

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ODOT Project Manager, Technical Services Engineer

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Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

July 28, 2010

Stacee Hans
Kentucky Transportation Cabinet, District 6
421 Buttermilk Pike
P.O. Box 17130
Covington, Kentucky 41017

Dear Consulting Partner:

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c: Smith, Hoffman, John Eckler (KYTC), file



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Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

July 28, 2010

Keith Smith
ODOT, District 8 Planning and Environmental Engineer (Acting)
505 South SR 741
Lebanon, Ohio 45036

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ODOT Project Manager, Technical Services Engineer

enclosures

c: Smith, Hoffman, John Eckler (KYTC), file



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Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

July 28, 2010

Larry Hoffman
ODOT, Office of Environmental Services
1980 Broad Street
Columbus, Ohio 43223

Dear Consulting Partner:

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DESCRIPTION OF IMPACTS TO LONGWORTH HALL AND HARRIET BEECHER STOWE ELEMENTARY SCHOOL

Feasible Alternatives I and E will impact the Longworth Hall and Harriet Beecher Stowe Elementary School properties. The preliminary determination of effect for each resource is shown in the table below.

Cultural Resources/Section 4(f) Resources Impacts

Resource Number	Name	National Register Status	Alternative Impacts	Preliminary Determination of Effect
HAM-1342-43	Harriet Beecher Stowe Elementary School (Fox 19 Television Station)	Eligible 2008	No impacts to the historic building Alternative E – Construction limits include 1,330 square feet of floor area from the parking garage Alternative I – 2,400 square feet of floor area from the parking garage	No Adverse Effect
HAM-1656-43 NRHP No. 86003521	Longworth Hall (Baltimore Ohio RR – Freight)	NRHP 1986	Alternative E – 20,500 square feet of floor area and 198 feet of the eastern end of the building Alternative I – 20,000 square feet of floor area and 198 feet of the eastern end of the building	Adverse Effect

Longworth Hall

Feasible Alternatives E and I would directly impact the eastern section of Longworth Hall. Both alternatives would pass through 198 feet of the eastern end of the building, requiring that three, 15-foot, two 13-foot, and six 12-foot bays of the building be demolished. Feasible Alternatives E and I would eliminate a total of 20,500 and 20,000 square feet of floor space, respectively. This affected section of the building is that portion, which was previously altered by reducing its length and adding a five-story 30,000 square foot brick addition.

Harriet Beecher Stowe Elementary School

Feasible Alternatives E and I would not directly impact the former Harriet Beecher Stowe Elementary School or land within the historic boundary of the property. The parking garage located to the east of the school building would be directly impacted by Alternative I. The Ninth Street ramp will impact a 700 square foot portion of the northeast corner of the parking garage. This impact could require demolition or reconstruction of 2,400 square feet of the parking garage. Alternative E would not directly impact the former Harriet Beecher Stowe Elementary School or land within the historic boundary of the property. The parking garage located to the east of the school building would be located within the construction limits of Alternative E. The shoulder of the elevated southbound collector-distributor road to Seventh Street would pass within 10 feet of the northeast corner of the parking garage.

ALTERNATIVE E HARRIET BEECHER STOWE



LEGEND



AREA OF IMPACT



BRIDGE LIMITS



CONSTRUCTION LIMITS

ALTERNATIVE I HARRIET BEECHER STOWE



RETAINING WALL

LEGEND



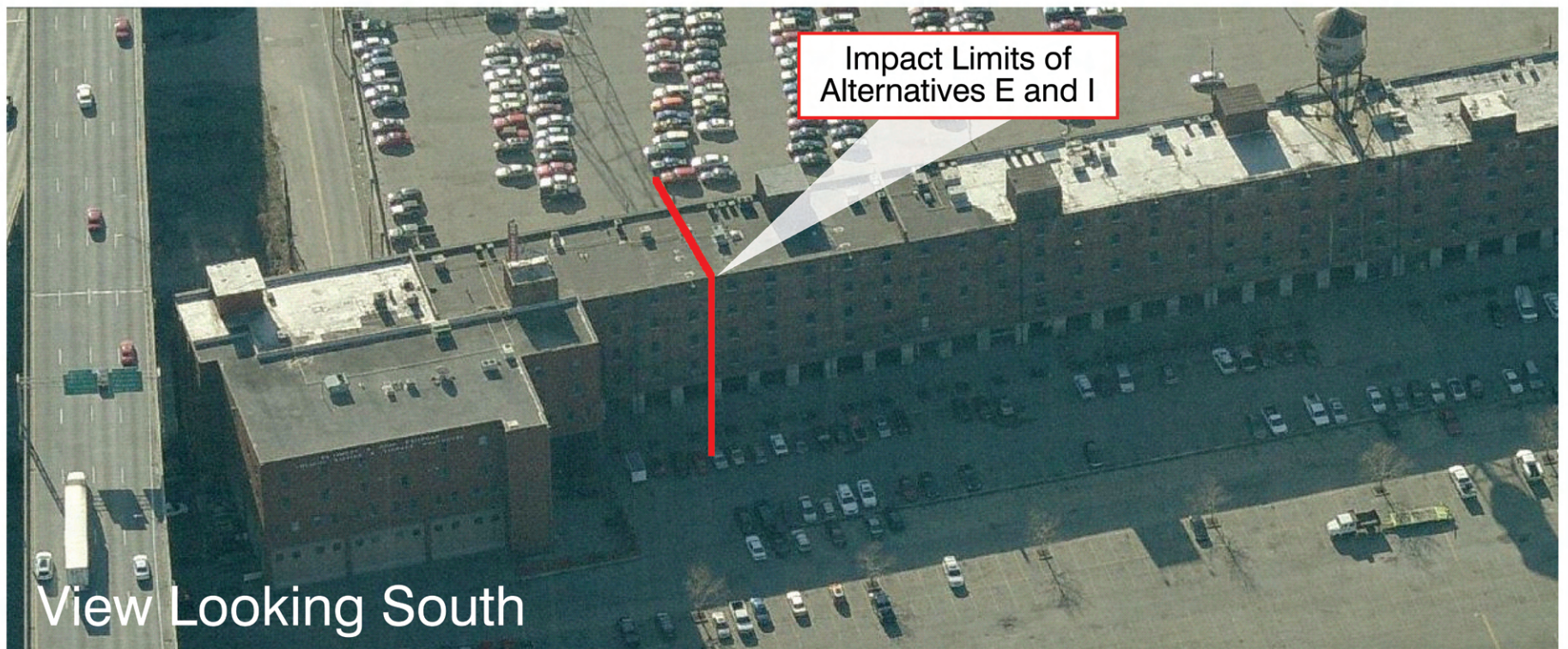
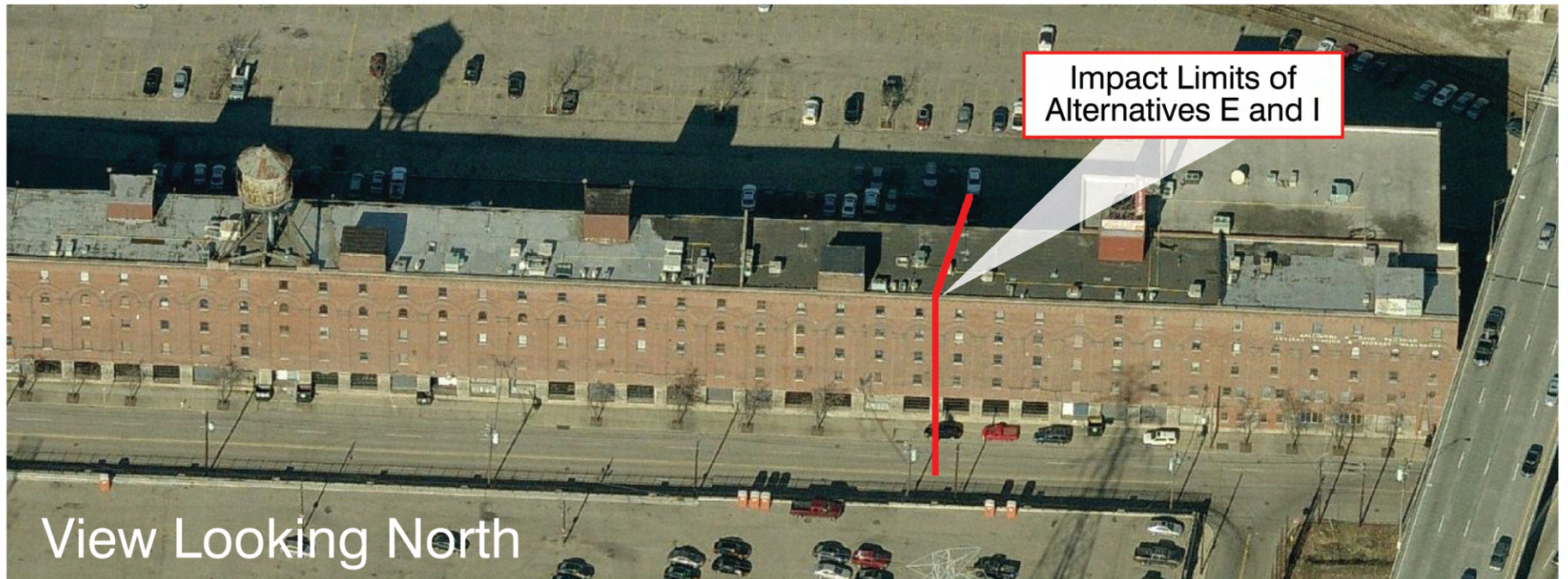
AREA OF IMPACT



BRIDGE LIMITS



CONSTRUCTION LIMITS



ALTERNATIVE E LONGWORTH HALL

REMOVAL OF:
3 - 15' BAYS
2 - 13' BAYS
6 - 12' BAYS

LENGTH: 198'

LEGEND



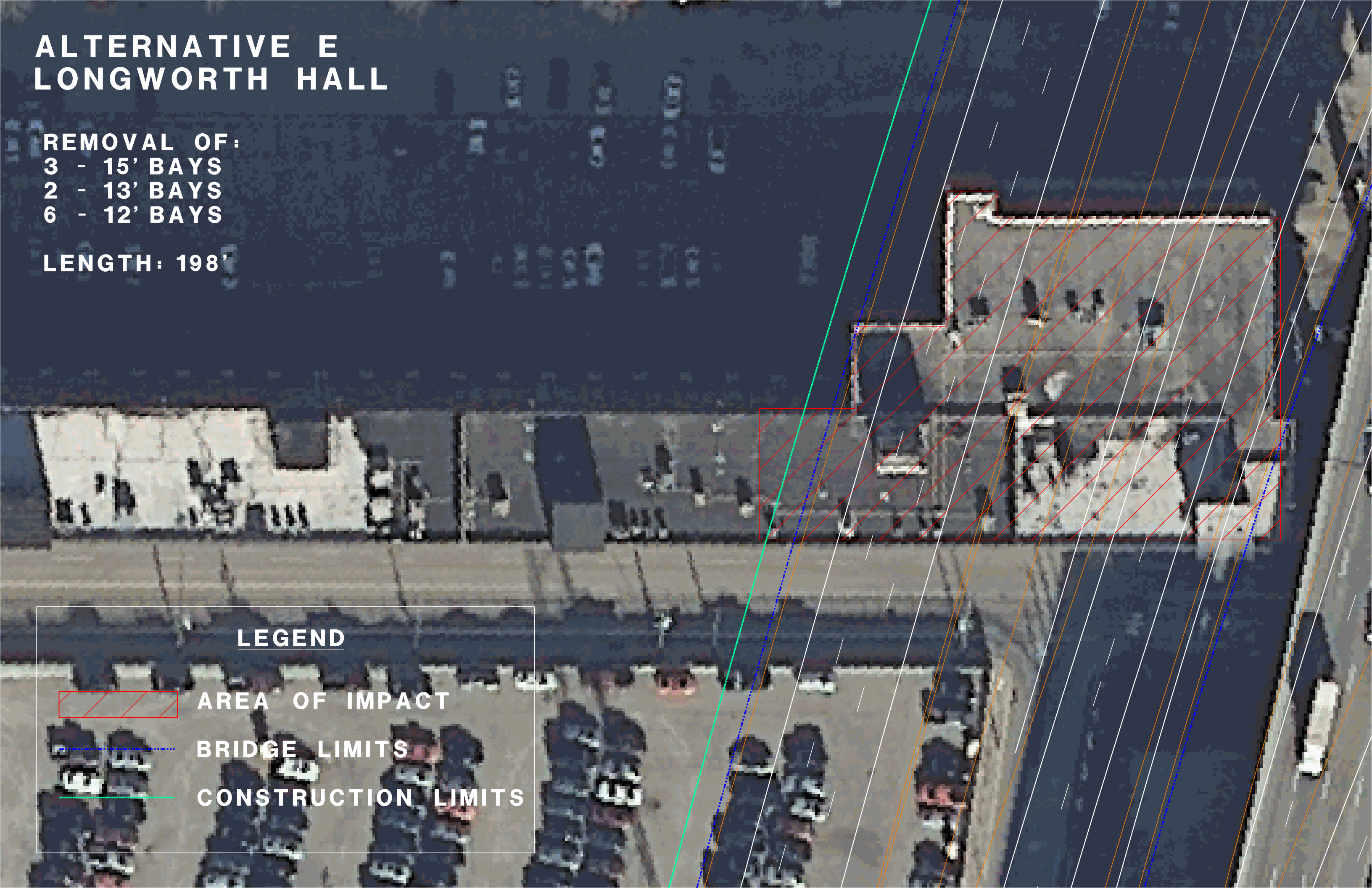
AREA OF IMPACT



BRIDGE LIMITS



CONSTRUCTION LIMITS



ALTERNATIVE I LONGWORTH HALL

REMOVAL OF:
3 - 15' BAYS
2 - 13' BAYS
6 - 12' BAYS

LENGTH: 198'

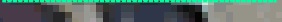
LEGEND



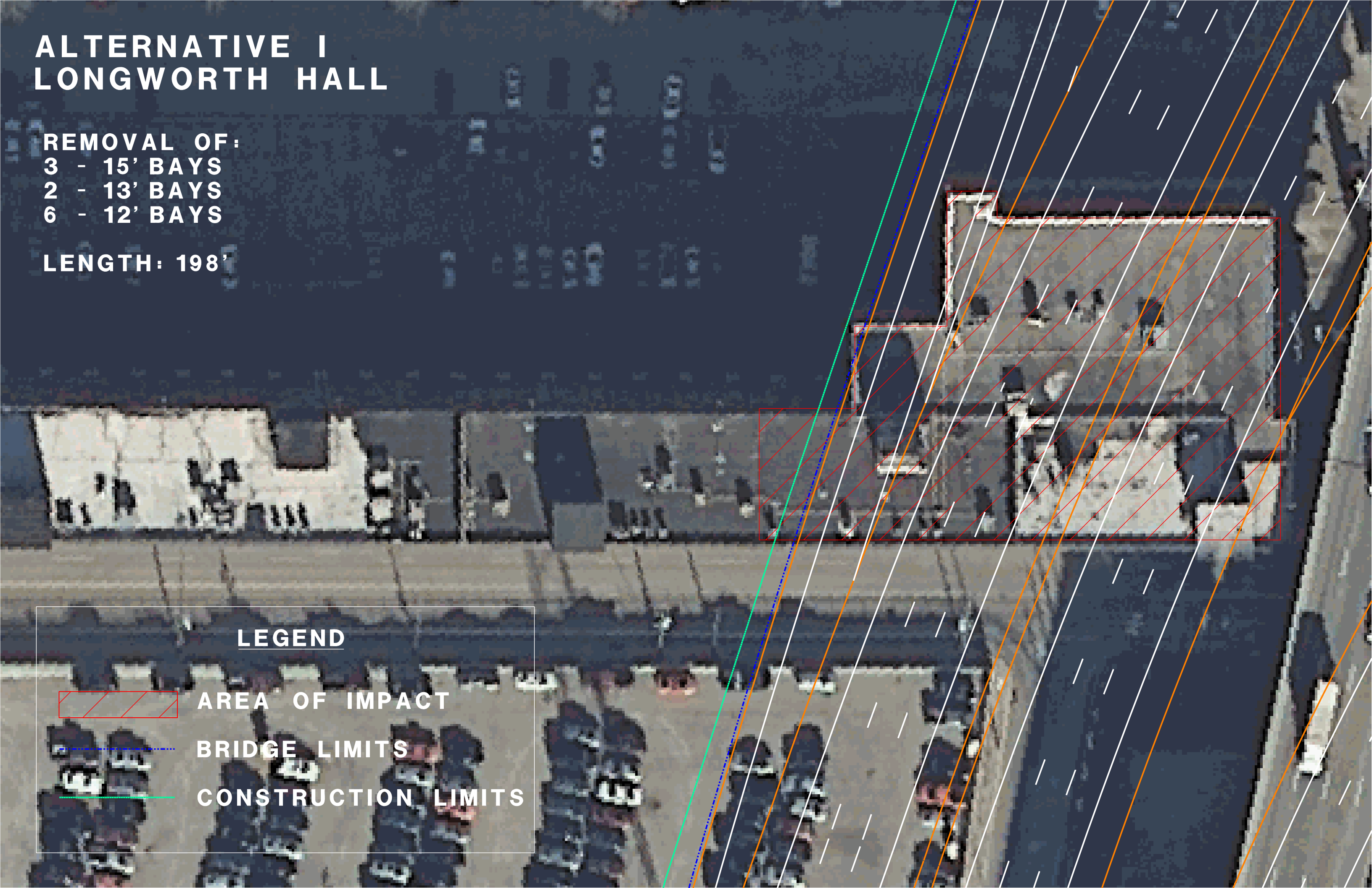
AREA OF IMPACT



BRIDGE LIMITS



CONSTRUCTION LIMITS



Graf, Jennifer

From: Stefan.Spinosa@dot.state.oh.us
Sent: Wednesday, September 01, 2010 9:08 AM
To: Larry.Hoffman@dot.state.oh.us
Cc: Paul.Graham@dot.state.oh.us; Monica.Kuhn@dot.state.oh.us;
Susan.Gasbarro@dot.state.oh.us; Tim.Hill@dot.state.oh.us;
mark.vonderembse@fhwa.dot.gov; Graf, Jennifer; Keith.Smith@dot.state.oh.us
Subject: Fw: Brent Spence Bridge, Section 106; HAM-71/75-0.00/0.22; KYTC Item No. 6-17
Attachments: OH Final Letter Consulting Party 7-28-10_all letters.pdf

Larry,

On July 28, 2010, the project team distributed the attached letter to the Ohio Consulting parties requesting comments on the preliminary determination of effects for Longworth Hall and the Harriet Beecher Stowe school. We asked that all comments be returned by August 31, 2010. We also asked for any potential mitigative measures that the consulting parties believe may be warranted.

To date, the only comment we have received is the following email from the Cincinnati Preservation Association. If I receive any additional comments, I will forward them on to you.

Let me know if you need any additional information.

Stefan C. Spinosa, P.E., Technical Services Engineer
Ohio Department of Transportation, District 8
505 South SR 741, Lebanon, OH 45036
Phone: 513-933-6639 FAX: 513-933-8252
stefan.spinosa@dot.state.oh.us

----- Forwarded by Stefan Spinosa/Production/D08/ODOT on 09/01/2010 09:02 AM -----

Margo Warminski <mmw10@fuse.net>

To stefan.spinosa@dot.state.oh.us

cc

08/24/2010 05:21 PM

Subject Brent Spence Bridge, Section 106; HAM-71/75-0.00/0.22; KYTC Item No. 6-17

I am working at home today.

Thank you for the opportunity to participate in the Section 106 consultation process for the Brent Spence Bridge Project (HAM-71/75-0.00/0.22; KYTC Item No. 6-17). Cincinnati Preservation Association would like to comment on potential 4(f) impacts to the Harriet Beecher Stowe School and Longworth Hall. After reviewing your letter of July 28, we have concluded that Alternate I would have slightly less impact to Longworth Hall because the building would lose less floor area.

Because of the nature of the impact to Longworth Hall, robust mitigation measures will be needed. Part of the top floor of the historic portion of the building was destroyed by fire in the past and has not been rebuilt. We suggest rebuilding this missing portion of the building to improve the building's integrity and replace some of the floor area that will be lost by the bridge construction. We also suggest that appropriate storm windows be installed throughout the building to reduce

traffic and ambient noise, protect the historic windows, and keep out dust.

Again, thank you for this opportunity. Please contact me if you would like further information.

Margo Warminski
Preservation Director
Cincinnati Preservation Association
Field Representative
National Trust for Historic Preservation

342 West Fourth Street
Cincinnati, Ohio 45202
513-721-4506
margo@cincinnati-preservation.org
www.cincinnati-preservation.org



OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 8 • 505 S. ST. RT. 741 • LEBANON, OH 45036 • (800) 831-2142

Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

September 2, 2010

William L. (Skip) Forwood
Cincinnati Historic Conservation Office
805 Central Avenue, Suite 700
Cincinnati, Ohio 45202

Dear Consulting Partner:

Thank you for participating in the Consulting Party Process for the Brent Spence Bridge Replacement/Rehabilitation Project (HAM-71/75-0.00/0.22; ODOT PID 75119; KYTC Item No. 6-17) under Section 106 of the National Historic Preservation Act and the implementing regulations at 36 CFR Part 800. Again, this is a consultative process, the purpose of which is to allow you a chance to comment on the historic properties that may be affected by the proposed project.

The Ohio Phase I History/Architecture addendum that addresses the Western Hills Viaduct Interchange area is provided for review and comments in electronic format. The Ohio State Historic Preservation Office (OSHPO) has reviewed this report with the findings of the Ohio Phase I History/Architecture addendum report that previously recorded resources 1110 Harrison Avenue (HAM-2164-28), 1120 Harrison Avenue (HAM-7633-28), the proposed West McMicken Avenue Historic District, the Western Hills Viaduct (SFN 3105458), and the Brighton Bridge (SFN 3101533) are eligible for listing on the National Register of Historic Places. Please provide comments on the eligibility of the resources. A hard copy of the Phase I report can be provided upon request.

Please provide comments on the Ohio Phase I History/Architecture report and eligibility of the noted resources by October 1, 2010, to Stefan Spinosa (Stefan Spinosa, ODOT District 8, 505 St. Rt. 741, Lebanon, Ohio 45036 or Stefan.Spinosa@dot.state.oh.us).

A Consulting Parties meeting will be held on October 7, 2010 at 1:30 PM at the office of Parsons Brinckerhoff (312 Elm Street, Suite 2500, Cincinnati, OH, 45202). Comments on the Ohio Phase I report can also be provided during this meeting. The meeting will also include discussion of mitigation measures for historic properties that may be affected by the proposed project. Please RSVP for the meeting to Stefan Spinosa at 513-933-6639 or Stefan.Spinosa@dot.state.oh.us. If you cannot attend the meeting, please feel free to send a representative.

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Respectfully,

A handwritten signature in black ink, appearing to read 'Stefan Spinosa', written over a white background.

Stefan C. Spinosa
ODOT Project Manager, Technical Services Engineer

Enclosures

cc: file, John Eckler, KYTC



OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 8 • 505 S. ST. RT. 741 • LEBANON, OH 45036 • (800) 831-2142

Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

September 2, 2010

Margo Warminski
Cincinnati Preservation Association
342 W. Fourth Street
Cincinnati, Ohio 45202

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Stefan C. Spinosa
ODOT Project Manager, Technical Services Engineer

Enclosures

cc: file, John Eckler, KYTC



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Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

September 2, 2010

Nadine Friedman
Historic Southwest Ohio, Inc. - Hauch House
P.O. Box 62475
Cincinnati, Ohio 45262

Dear Consulting Partner:

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Respectfully,

Stefan C. Spinosa
ODOT Project Manager, Technical Services Engineer

Enclosures

cc: file, John Eckler, KYTC



OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 8 • 505 S. ST. RT. 741 • LEBANON, OH 45036 • (800) 831-2142

Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

September 2, 2010

Norman P. Kattelman
Dayton Street Historic District
938 Dayton Street
Cincinnati, Ohio 45214

Dear Consulting Partner:

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Stefan C. Spinosa
ODOT Project Manager, Technical Services Engineer

Enclosures

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OHIO DEPARTMENT OF TRANSPORTATION

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Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

September 2, 2010

Norman P. Kattelman
West End Community Council
938 Dayton Street
Cincinnati, Ohio 45214

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Stefan C. Spinosa
ODOT Project Manager, Technical Services Engineer

Enclosures

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OHIO DEPARTMENT OF TRANSPORTATION

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Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

September 2, 2010

Jack Degano
Lower Price Hill Community Council
2104 St. Michael Street
Cincinnati, Ohio 45204

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ODOT Project Manager, Technical Services Engineer

Enclosures

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DISTRICT 8 • 505 S. ST. RT. 741 • LEBANON, OH 45036 • (800) 831-2142

Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

September 2, 2010

Peter Witte
Price Hill Civic Club
P.O. Box 5096
Cincinnati, Ohio 45205

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Stefan C. Spinosa
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OHIO DEPARTMENT OF TRANSPORTATION

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Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

September 2, 2010

Cincinnati Metropolitan Housing Authority
16 W. Central Parkway
Cincinnati, Ohio 45202

Dear Consulting Partner:

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Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

September 2, 2010

Jackie Robbins
Community Revitalization Agency
1832 Freeman Avenue
Cincinnati, Ohio 45214

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Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

September 2, 2010

Steve Schuckman
Cincinnati Park Board
950 Eden Park Drive
Cincinnati, Ohio 45202

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Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

September 2, 2010

Douglass V. McDonald
Cincinnati Museum Center
1301 Western Avenue
Cincinnati, Ohio 45203

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Jolene M. Molitoris
Director

Ted Strickland
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District 8 Deputy Director

September 2, 2010

Jenny Edwards
818 Dayton Street
Cincinnati, Ohio 45214

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Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

September 2, 2010

Mark Vonder Embse
FHWA, Urban Programs Engineer
200 N. High Street
Columbus, Ohio 43215

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Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

September 2, 2010

Scott Schurman
KYTC, Division of Environmental Analysis
200 Mero Street
Frankfort, Kentucky 40622

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Again, I thank you for participating in the Section 106 consultation process for the Brent Spence Bridge Replacement/Rehabilitation Project (HAM-71/75-0.00/0.22; ODOT PID 75119; KYTC Item No. 6-17).

Respectfully,

Stefan C. Spinosa
ODOT Project Manager, Technical Services Engineer

Enclosures

cc: file, John Eckler, KYTC



OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 8 • 505 S. ST. RT. 741 • LEBANON, OH 45036 • (800) 831-2142

Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

September 2, 2010

Keith Smith
ODOT, District 8 Planning and Environmental Engineer (Acting)
505 South SR 741
Lebanon, Ohio 45036

Dear Consulting Partner:

Thank you for participating in the Consulting Party Process for the Brent Spence Bridge Replacement/Rehabilitation Project (HAM-71/75-0.00/0.22; ODOT PID 75119; KYTC Item No. 6-17) under Section 106 of the National Historic Preservation Act and the implementing regulations at 36 CFR Part 800. Again, this is a consultative process, the purpose of which is to allow you a chance to comment on the historic properties that may be affected by the proposed project.

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Respectfully,

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Stefan C. Spinosa
ODOT Project Manager, Technical Services Engineer

Enclosures

cc: file, John Eckler, KYTC



OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 8 • 505 S. ST. RT. 741 • LEBANON, OH 45036 • (800) 831-2142

Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

September 2, 2010

Larry Hoffman
ODOT, Office of Environmental Services
1980 Broad Street
Columbus, Ohio 43223

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Stefan C. Spinosa
ODOT Project Manager, Technical Services Engineer

Enclosures

cc: file, John Eckler, KYTC



OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 8 • 505 S. ST. RT. 741 • LEBANON, OH 45036 • (800) 831-2142

Jolene M. Molitoris
Director

Ted Strickland
Governor

Hans R. Jindal, P.E.
District 8 Deputy Director

September 2, 2010

Michael Schweitzer
Longworth Hall
700 W. Pete Rose Way
Cincinnati, Ohio 45203

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Respectfully,

Stefan C. Spinosa
ODOT Project Manager, Technical Services Engineer

Enclosures

cc: file, John Eckler, KYTC



TRANSPORTATION CABINET

Frankfort, Kentucky 40622
www.kentucky.gov

Steven L. Beshear
Governor

Michael W. Hancock, P.E.
Secretary

September 27, 2010

Denny Bowman
Mayor, City of Covington
638 Madison Avenue
Covington, Kentucky 41011

Dear Consulting Party:

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Respectfully,

John Eckler, P.E.
KYTC, District 6 Project Manager

Enclosures
cc: file, Stefan Spinosa, ODOT



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Steven L. Beshear
Governor

Michael W. Hancock, P.E.
Secretary

September 27, 2010

Beth Johnson
City of Covington, Historic Preservation
638 Madison Avenue
Covington, Kentucky 41011

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Respectfully,

John Eckler, P.E.
KYTC, District 6 Project Manager

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Steven L. Beshear
Governor

Michael W. Hancock, P.E.
Secretary

September 27, 2010

Rebecca Weber
Lewisburg Neighborhood Association
730 Lewis Street
Covington, Kentucky 41011

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Governor

Michael W. Hancock, P.E.
Secretary

September 27, 2010

Suzann Gettys
Covington Neighborhood Services
638 Madison Avenue, Suite 407
Covington, Kentucky 41011

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Steven L. Beshear
Governor

Michael W. Hancock, P.E.
Secretary

September 27, 2010

Joe Schamer
Kenton Hills
1209 Devou Woods Drive
Covington, Kentucky 41011

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Steven L. Beshear
Governor

Michael W. Hancock, P.E.
Secretary

September 27, 2010

Wes Bittlinger
West Covington/Botany Hills
1417 Livingston Street
Covington, Kentucky 41016

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Steven L. Beshear
Governor

Michael W. Hancock, P.E.
Secretary

September 27, 2010

Ron Einhaus
Botany Hills Neighborhood
1253 Parkway
Covington, Kentucky 41011

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KYTC, District 6 Project Manager

Enclosures
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TRANSPORTATION CABINET

Frankfort, Kentucky 40622
www.kentucky.gov

Steven L. Beshear
Governor

Michael W. Hancock, P.E.
Secretary

September 27, 2010

Bernadette Dupont
Federal Highway Administration - Kentucky Division
330 West Broadway
Frankfort, Kentucky 40601

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KYTC, District 6 Project Manager

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TRANSPORTATION CABINET

Frankfort, Kentucky 40622
www.kentucky.gov

Steven L. Beshear
Governor

Michael W. Hancock, P.E.
Secretary

September 27, 2010

Scott Schurman
KYTC, Division of Environmental Analysis
200 Mero Street
Frankfort, Kentucky 40622

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TRANSPORTATION CABINET

Frankfort, Kentucky 40622
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Steven L. Beshear
Governor

Michael W. Hancock, P.E.
Secretary

September 27, 2010

Rebecca Turner
KYTC, Division of Environmental Analysis
200 Mero Street
Frankfort, Kentucky 40622

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John Eckler, P.E.
KYTC, District 6 Project Manager

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TRANSPORTATION CABINET

Frankfort, Kentucky 40622
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Steven L. Beshear
Governor

Michael W. Hancock, P.E.
Secretary

September 27, 2010

David Waldner
KYTC, Division of Environmental Analysis
200 Mero Street
Frankfort, Kentucky 40622

Dear Consulting Party:

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Enclosed for your review and comment is an electronic version of the revised Kentucky Phase I History/Architecture Survey report (April 2010). A hard copy of the report can be provided at your request. The Kentucky State Historic Preservation Office/Kentucky Heritage Council has reviewed this report and provided comments in a letter dated July 22, 2010. Comments on the Kentucky Phase I History/Architecture Survey report may be provided by October 25, 2010 to Stacey Hans, District 6 Environmental Coordinator (Stacey Hans, KYTC District 6, 421 Buttermilk Pike, Covington, KY, 41017 or Stacey.Hans@ky.gov).

A Consulting Parties meeting will be held on October 15, 2010 at 10:00 AM at the Artisans Enterprise Center (25 West Seventh Street, 1st Floor, Covington, KY 41011). Comments can be provided during this meeting on the report. The meeting will also include discussion of mitigation measures for historic properties that may be affected by the proposed project. Please RSVP for the meeting to Stacey Hans at 859-341-2700, ext. 274 or Stacey.Hans@ky.gov. If you cannot attend the meeting, please feel free to send a representative.

Again, I thank you for participating in the Section 106 consultation process for the Brent Spence Bridge Replacement/Rehabilitation Project (KYTC Item No. 6-17).

Respectfully,

John Eckler, P.E.
KYTC, District 6 Project Manager

Enclosures
cc: file, Stefan Spinosa, ODOT



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TRANSPORTATION CABINET

Frankfort, Kentucky 40622
www.kentucky.gov

Steven L. Beshear
Governor

Michael W. Hancock, P.E.
Secretary

September 27, 2010

Mark Dennan
Kentucky Heritage Council, SHPO
300 Washington Street
Frankfort, Kentucky 40622

Dear Consulting Party:

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CITY OF COVINGTON

638 MADISON AVENUE • COVINGTON, KENTUCKY 41011-2298

September 27, 2010

Mr. Rob Hans
421 Buttermilk Pike
Covington, KY 41017

Re: Section 106 Review and Process for Brent Spence Bridge Realignment

Dear Mr. Hans:

As the Brent Spence Bridge realignment project has been progressing, the City of Covington would like to stress the importance of the Section 106 process.

The City of Covington has some concerns and suggestions about this process. Our first concern is that there has not been communication to the entire Consulting Party Committee since the last meeting in November of 2006. As we understand it a meeting is currently being scheduled for this committee. At this meeting, it is necessary to identify where we are in the process. As your office has already encouraged the City to think about mitigation measures for the adverse effects that will happen to historic properties within the Lewisburg National Register Historic District, we want to make sure that all the steps that are outlined in 36 CFR Section 800 Protection of Historic Properties for the Section 106 Review process including, identifying historic properties, assessing the adverse effects and resolving the adverse effects are given proper discussion and input from all of the consulting parties.

While the Lewisburg Neighborhood is being directly affected by the realignment, the entire City of Covington will be affected by this project as well. It is extremely important to the City of Covington that a plan to involve the public is created as is required by 36 CFR Section 800.3 (e). In this plan, the appropriate points for seeking public input and notification in each step of the Section 106 process should be outlined.

From the minutes of the meeting on November 29, 2006, it was suggested that some additional consulting parties would be added to the process. As there are other surrounding neighborhoods that are going to have historic resources highly affected by this project, we would like to encourage a representative from the following groups to be invited to the upcoming Consulting Parties Committee meeting: Botany Hills, Kenton Hills, and the Devou Park Board. We would be happy to provide contact information for these neighborhoods and organizations. Further as OKI has final authority over all federal dollars spent on transportation in the region, we think it is important the OKI have a representative on the consulting parties committee as well.

We look forward to participating in the Consulting Parties Committee in the Section 106 process and are happy to assist to make the process go smoothly.

Sincerely,

A handwritten signature in cursive script, appearing to read "Larry Klein".

Larry Klein
City Manager

Cc: John Eckler, KYTC
Stacey Hans, KYTC
Mark Dennen, Kentucky Heritage Council

Graf, Jennifer

From: Stefan.Spinosa@dot.state.oh.us
Sent: Wednesday, September 29, 2010 1:34 PM
To: Graf, Jennifer
Subject: Fw: Section 106 Consulting Party comments: Western Hills Viaduct Interchange Area

fyi

Stefan C. Spinosa, P.E., Technical Services Engineer
Ohio Department of Transportation, District 8
505 South SR 741, Lebanon, OH 45036
Phone: 513-933-6639 FAX: 513-933-8252
stefan.spinosa@dot.state.oh.us

----- Forwarded by Stefan Spinosa/Production/D08/ODOT on 09/29/2010 01:33 PM -----

Margo Warminski <margo@cincinnatiipreservation.org>

To Stefan.Spinosa@dot.state.oh.us

cc

09/23/2010 04:03 PM

Subject Section 106 Consulting Party comments: Western Hills Viaduct Interchange Area

Thank you for the opportunity to comment on the Ohio Phase 1 History/Architecture report for the Western Hills Viaduct Interchange Area in Cincinnati (HAM-71/75-0.00/0.22; ODOT PID 75119). After reviewing the materials provided, I agree with the consultants that previously recorded resources 1110 Harrison Avenue (HAM-2164-28), 1120 Harrison Avenue (HAM-7633-28), the proposed West McMicken Avenue Historic District, the Western Hills Viaduct (SFN 3105458) and the Brighton Bridge (SFN 3101533) are potentially eligible for listing in the National Register of Historic Places.

In addition, I believe that two additional previously surveyed resources—the Rummane Building, 635 Kress Alley (HAM-1462-06) and 650 West McMicken Avenue (HAM-0484-06)—also have potential for National Register listing under Criterion C for architectural significance.

The Rummane Building, 635 Kress Alley (HAM-1462-06), is a well-detailed example of the Italianate style applied to a center-passage dwelling: an uncommon building type in the city. It is distinguished by a central entrance framed by sidelights; paired, segmentally arched windows; and a symmetrical cross gable. Because of the large lots required by center-hall houses, relatively few were built in the center city. While the house has seen some minor alterations, the primary street façade remains largely unaltered.

In addition, the imposing scale and presence of 635 Kress Alley suggests it was constructed as the residence of a prominent local resident. Preliminary research suggests this may have been the case, although more research would be needed to evaluate the building's eligibility under Criterion B. The Hamilton County Auditor Web reveals that the house was owned by the Gerst Brewing Company in 1900. This Nashville, Tennessee-based company was founded in 1890 by Christian Moerlein and William Gerst as the Moerlein-Gerst Brewing Company. Christian Moerlein was the proprietor of Cincinnati's largest 19th-century brewery, the Christian Moerlein Brewing Company, which eventually became one of the five largest breweries in the United States.

The building at 650 West McMicken Avenue is an ornate, stylish and well-preserved example of the Italianate style applied to a party-wall duplex and has a strong presence on the streetscape. While the Italianate style is well represented in the city, this building is distinguished for its wealth of robust ornamentation, high degree of

integrity and relatively uncommon building type. Its high level of finish is atypical for investment properties of the period.

Please contact me if you need more information.

--

Margo Warminski
Preservation Director
Cincinnati Preservation Association
Field Representative, National Trust for Historic Preservation
342 West Fourth Street
Cincinnati, OH 45202
Phone 513-721-4506
Fax 513-721-6832
www.cincinnati-preservation.org
margo@cincinnati-preservation.org

Preservation field services provided by Cincinnati Preservation Association are assisted by a Partners in the Field challenge grant from the National Trust for Historic Preservation.



**Brent Spence Bridge Replacement/Rehabilitation Project
Ohio Consulting Party Meeting Summary
October 7, 2010**

Attendees:

Jennifer Graf	PB
Duane Phelps	PB
Patrick O'Bannon	Gray & Pape
Valerie Robbins	PB
Margo Warminski	Cincinnati Preservation Association
Susan Gasbarro	ODOT – OES
Larry Hoffman	ODOT – OES
Stefan Spinosa	ODOT – District 8
Mark VonderEmbse	FHWA
Nancy Campbell	OHPO
Michael Schweitzer	Longworth Hall
Joseph Trauth	KMK

An overview of the Brent Spence Bridge Replacement/Rehabilitation (BSB) project was given by the project team. The major activities completed to date were listed. A description of the current alternatives was also provided. During the discussion of alternatives a question was asked as to whether the building next to the Duke substation near the Western Hills Viaduct (WHV) would be removed. The building will not be removed but the utilities will be impacted.

The project team gave an overview of the Ohio historic resources in the study area. The number of resources listed and eligible in the area of potential effect (APE) was identified. Four of the resources within the APE would be impacted in Ohio by the BSB project. The resources are Western Hills Viaduct (WHV), West McMicken Historic District, Harriet Beecher Stowe building, and Longworth Hall.

The whole east end of the WHV had been reconstructed before its National Register of Historic Places (NRHP) listing. The WHV is listed for its association with an overall city plan.

The West McMicken historic district would be impacted by the single point urban interchange design for the Western Hills Viaduct but would not be affected by the tight diamond interchange design. It was noted that there is an active community in this neighborhood.

The Harriet Beecher Stowe building is associated with people of the African-American community. A parking garage was added to the building at a later time. Only the building is the eligible piece for the NRHP, excluding the parking garage. Neither Build Alternative affects the building but both do affect the parking garage.

Longworth Hall is listed on the NRHP. However, the addition to the eastern end of the building is not part of the historic portion of the structure. The eastern end would be impacted by the project. The eastern end of Longworth Hall had been cut off once before for the original construction of I-75.



Some potential mitigation measures for impacted resources were identified by the project team. These measures are only potential ideas. It was noted that mitigation measures are not all or nothing. Different mitigation measures can be used together.

Michael Schweitzer noted that the impact on five floors to Longworth Hall is more like 100,000 square feet instead of just the 20,000 square feet footprint impact. Original construction photos of Longworth Hall are available.

Ideas were discussed for additional potential mitigation measures including:

- Clean and tuck windows
- Reconstructing parts torn down (added floor now missing)
- Reconstruction of the portion of the building that was burned
- Reconstruction of eastern wall
- Marker of exactly where the original building stood

It was noted that the Longworth Hall building loses its historical nature of a long building every time it is altered. About 25 percent of the original building would be lost after the impacts of this project. It was stated that anything that preserves the historical nature of the building would be helpful.

A question was asked if any tracks are near the building. A track spur is on the north side of the parking lot. An idea for mitigation was to donate a historic freight car. Another idea was to tie in to a bicycle or pedestrian path. The City has a plan for a bicycle path but it was not known what the final location will be. The parking lot at Longworth Hall is used during football games for tailgating. There currently is a lack of sidewalks on city streets. There could be an opportunity to connect Longworth Hall parking to the city/county lot and the football stadium through an interpretive trail.

The Section 106 process was described. The next steps in the process were discussed with the consulting parties. The next steps of the Brent Spence Bridge project were also discussed. The Environmental Assessment will be turned in to FHWA in November 2010. The public hearings are scheduled to be held in January 2011. Construction is estimated to start in 2014/2015.

Additional items pertaining to the project and cultural resources were discussed. Right now a final determination of effects is not ready to be made. The Ohio Department of Transportation (ODOT) still needs to consult with the State Historic Preservation Office. Memorandum of Agreement consultation will start after details of mitigation are known.

Federal Highway Administration would like to see costs for some of the mitigation measures for Longworth Hall. There was a discussion about who would do the estimates. ODOT would look at an architectural design firm for conceptual design. ODOT would do some preliminary estimates. The Cincinnati Preservation Association Board can also help with estimates.

Right of way plans would be done as soon as possible on the Longworth Hall parcel in 2011. The acquisition phase for Longworth Hall is estimated for Spring 2012. Reconstruction would



be completed before construction of the bridge and roadway. The roadway construction phase near Longworth Hall is to occur in 2018.

The historic interiors are different than the interior remodel. The cost of reconstruction can be very high. Mostly, the need is to meet the historic features of the exterior of the building. The interior would be interpretive pieces or a historical "look" in the interior.

Discussion of the WHV report occurred. The boundaries for the West McMicken historic district would exclude the street and only go to the curb. Michael Schweitzer stated that Alternative I seems to be the best at WHV since it has the least impact.

The value of doing a Historic American Buildings Survey/Historic American Engineering Record (HABS/HAER) on Longworth Hall was discussed. It is significant for documentation of a unique building. Only two buildings of this type were built in the country. Historic photographs from CSX can be used for the documentation. The old end of the eastern portion of the building was discussed. Depending on what is out there, there could be a type of marker or footprint outline put in the original place of the building.



**Brent Spence Bridge Replacement/Rehabilitation Project
Kentucky Consulting Party Meeting Summary
October 15, 2010**

Attendees:

Jennifer Graf	PB
Duane Phelps	PB
Patrick O'Bannon	Gray & Pape
Valerie Robbins	PB
Wes Bittlinger	Botany Hills HOA
Beth Johnson	City of Covington
Mike Yeager	City of Covington
Phillip Johnson	Kentucky Heritage Council
Vicki Birenberg	Kentucky Heritage Council
Rebecca Turner	KYTC – DEA
Suzann Gettys	City of Covington
Stacey Hans	KYTC – District 6
John Eckler	KYTC – District 6
Jackson Kinney	City of Covington

An overview of the Brent Spence Bridge Replacement/Rehabilitation (BSB) project was given by the project team. The major activities completed to date were listed. A description of the current alternatives was also provided.

The last BSB History/Architecture Survey (April 2010) report received by the Kentucky Heritage Council (KHC) identifies Alternative C/D as a current alternative. That alternative is now Alternative I and is a change in naming only. The name change occurred between Project Development Process Step 5 and Steps 6/7.

It was explained that southbound access to Covington from Ohio on I-75 would be by way of local access (collector-distributor road) to access KY 5th Street or KY 9th Street. Otherwise, the next chance is at Kyles Lane.

An inquiry was made about any studies that have been done for economic impact of the access change in Kentucky. The city of Covington is currently conducting a study. It was noted that the Clay Wade Bailey bridge will only be accessible by a collector-distributor road in Alternative I.

The project team reviewed cultural resources present in the study area, including the Area of Potential Effect (APE), National Register of Historic Places (NRHP) listed resources, and eligibility listing of resources. The study area has been extended and revised accordingly in the Phase I Historic Survey report. The project would likely have an adverse effect on the NRHP listed Lewisburg Historic District.

The impacts shown in provided handouts were without retaining walls. Studies are currently in progress to determine needs for retaining walls. While the retaining walls would minimize impacts, it was noted that sometimes a noise wall has more of an impact than the roadway project.



It was noted that in Kentucky, all alternatives are usually analyzed at the same time. There was some confusion as to what the impacts really were due to the impacts being updated since the history/architecture survey report was submitted. It is known that there will be an adverse effect on the historic district but since the design changes, the actual properties impacted within the district could change. Either way, there will be properties taken within the Lewisburg Historic District. A question was asked whether or not there could be a “no adverse effect” with mitigation. Another question was asked about how much of the historic district is within the APE. All survey forms for properties should be updated for resources within the APE, which has been done according to the project team.

An overview of the next steps in the Section 106 was given. A Memorandum of Agreement is a legally binding document about what is going to be done in the future for cultural resources. Right now, mitigation has only been discussed as ideas. Dollar amounts have not been applied to potential mitigation measures.

Questions were asked about the level of public involvement that has occurred for this project. Public involvement meetings have been held at the end of Concurrence Points. The concern was raised that certain neighborhoods were not represented at the meeting, most notably Lewisburg. The project team was informed that the representative for the Lewisburg neighborhood has since moved. The city of Covington would like to see more public involvement. Usually in Kentucky, consulting parties meetings are separate from NEPA public meetings. It was noted that in Kentucky, the process usually involves agreeing on eligibility before going through the project impacts.

An explanation of the process for inviting consulting parties was given. Invitations to be a consulting party were sent out in 2005. Those who responded are on the consulting party list. Meetings have not been held during the evening for Section 106 purposes but have been held in the evening for overall public meetings. A suggestion was made to have this meeting again at night to maybe get more participants. If additional people want to be a consulting party, they can be invited but only through the correct invitation process.

An inquiry was made about whether the design of the bridge considered as part of mitigation. It depends on the context. The Bridge Type Study that was completed for the project outlines the process for design of the new bridge.

Impacts of access to Devou Park were discussed. The access in question was by way of Lewis Road. The impacts have not been looked at from a cultural resources point of view. The city of Covington mentioned that they were looking at changing access to Devou Park already. There could be a greenspace opportunity here.

The aesthetics of the project were discussed. There is a concern with the design of the bridge. The representative from Botany Hills said the viewshed of bridge Alternative 6 is not desirable due to the height of the single tower. The viewshed impact could be the same for Devou Park of Alternative 6. The cable-stayed bridge alternatives are less intrusive to existing views. A comment was provided that the bridge alternatives presented are much different than the



existing bridges on the Ohio River. This could be an impact to the view of the historic John A. Roebling bridge.

The city of Covington provided some mitigation ideas for impacts to Lewisburg neighborhood and historic district. The neighborhood lacks investment and has a low-income population. Grants could be used to invest in the historic buildings to do building improvements. A possibility is to cover this in a conservation plan.

After a new representative for Lewisburg neighborhood is identified, another consulting party meeting will be scheduled.



TRANSPORTATION CABINET

Frankfort, Kentucky 40622
www.kentucky.gov

Steven L. Beshear
Governor

Michael W. Hancock, P.E.
Secretary

November 17, 2010

Denny Bowman
Mayor, City of Covington
638 Madison Avenue
Covington, Kentucky 41011

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Respectfully,

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John Eckler, P.E.
KYTC, District 6 Project Manager

cc: file, Stefan Spinoso, ODOT



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Steven L. Beshear
Governor

Michael W. Hancock, P.E.
Secretary

November 17, 2010

Beth Johnson
City of Covington, Historic Preservation
638 Madison Avenue
Covington, Kentucky 41011

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KYTC, District 6 Project Manager

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Frankfort, Kentucky 40622
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Steven L. Beshear
Governor

Michael W. Hancock, P.E.
Secretary

November 17, 2010

Marissa Tucker
Lewisburg Neighborhood Association
1213 Pike Street
Covington, Kentucky 41011

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Steven L. Beshear
Governor

Michael W. Hancock, P.E.
Secretary

November 17, 2010

Suzann Gettys
Covington Neighborhood Services
638 Madison Avenue, Suite 407
Covington, Kentucky 41011

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KYTC, District 6 Project Manager

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Steven L. Beshear
Governor

Michael W. Hancock, P.E.
Secretary

November 17, 2010

Joe Schamer
Kenton Hills
1209 Devou Woods Drive
Covington, Kentucky 41011

Dear Consulting Party:

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Steven L. Beshear
Governor

Michael W. Hancock, P.E.
Secretary

November 17, 2010

Wes Bittlinger
West Covington/Botany Hills
1417 Livingston Street
Covington, Kentucky 41016

Dear Consulting Party:

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Steven L. Beshear
Governor

Michael W. Hancock, P.E.
Secretary

November 17, 2010

Ron Einhaus
Botany Hills Neighborhood
1253 Parkway
Covington, Kentucky 41011

Dear Consulting Party:

Thank you for participating in the Consulting Party Process for the Brent Spence Bridge Replacement/Rehabilitation Project (KYTC Item No. 6-17.00) under Section 106 of the National Historic Preservation Act and the implementing regulations at 36 CFR Part 800. Again, this is a consultative process, the purpose of which is to allow you a chance to comment on the historic properties that may be affected by the proposed project.

A Consulting Parties meeting will be held on Thursday December 9, 2010 at 7:00 PM at the Prince of Peace School (625 Pike Street, Covington, KY 41011). Comments can be provided during this meeting on the Kentucky Phase I History/Architecture Survey report (April 2010) that was sent in a letter dated September 27, 2010. The meeting will also include discussion of mitigation measures for historic properties that may be affected by the proposed project. Please RSVP for the meeting to Stacey Hans at 859-341-2700, ext. 274 or Stacey.Hans@ky.gov. If you cannot attend the meeting, please feel free to send a representative.

Again, I thank you for participating in the Section 106 consultation process for the Brent Spence Bridge Replacement/Rehabilitation Project (KYTC Item No. 6-17).

Respectfully,

A handwritten signature in black ink, appearing to read "J. Eckler".

John Eckler, P.E.
KYTC, District 6 Project Manager

cc: file, Stefan Spinoso, ODOT



An Equal Opportunity Employer M/F/D



TRANSPORTATION CABINET

Frankfort, Kentucky 40622
www.kentucky.gov

Steven L. Beshear
Governor

Michael W. Hancock, P.E.
Secretary

November 17, 2010

Bernadette Dupont
Federal Highway Administration - Kentucky Division
330 West Broadway
Frankfort, Kentucky 40601

Dear Consulting Party:

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Frankfort, Kentucky 40622
www.kentucky.gov

Steven L. Beshear
Governor

Michael W. Hancock, P.E.
Secretary

November 17, 2010

Scott Schurman
KYTC, Division of Environmental Analysis
200 Mero Street
Frankfort, Kentucky 40622

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John Eckler, P.E.
KYTC, District 6 Project Manager

cc: file, Stefan Spinoso, ODOT



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TRANSPORTATION CABINET

Frankfort, Kentucky 40622
www.kentucky.gov

Steven L. Beshear
Governor

Michael W. Hancock, P.E.
Secretary

November 17, 2010

Rebecca Turner
KYTC, Division of Environmental Analysis
200 Mero Street
Frankfort, Kentucky 40622

Dear Consulting Party:

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John Eckler, P.E.
KYTC, District 6 Project Manager

cc: file, Stefan Spinoso, ODOT



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TRANSPORTATION CABINET

Frankfort, Kentucky 40622
www.kentucky.gov

Steven L. Beshear
Governor

Michael W. Hancock, P.E.
Secretary

November 17, 2010

David Waldner
KYTC, Division of Environmental Analysis
200 Mero Street
Frankfort, Kentucky 40622

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KYTC, District 6 Project Manager

cc: file, Stefan Spinoso, ODOT



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TRANSPORTATION CABINET

Frankfort, Kentucky 40622
www.kentucky.gov

Steven L. Beshear
Governor

Michael W. Hancock, P.E.
Secretary

November 17, 2010

Phillip Johnson
Kentucky Heritage Council, SHPO
300 Washington Street
Frankfort, Kentucky 40601

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John Eckler, P.E.
KYTC, District 6 Project Manager

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TRANSPORTATION CABINET

Frankfort, Kentucky 40622
www.kentucky.gov

Steven L. Beshear
Governor

Michael W. Hancock, P.E.
Secretary

November 17, 2010

Vicki Birenberg
Kentucky Heritage Council, SHPO
300 Washington Street
Frankfort, Kentucky 40601

Dear Consulting Party:

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John Eckler, P.E.
KYTC, District 6 Project Manager

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TRANSPORTATION CABINET

Frankfort, Kentucky 40622
www.kentucky.gov

Steven L. Beshear
Governor

Michael W. Hancock, P.E.
Secretary

November 17, 2010

Mark Dennan
Kentucky Heritage Council, SHPO
300 Washington Street
Frankfort, Kentucky 40601

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John Eckler, P.E.
KYTC, District 6 Project Manager

cc: file, Stefan Spinoso, ODOT



An Equal Opportunity Employer M/F/D



OHIO DEPARTMENT OF TRANSPORTATION

CENTRAL OFFICE • 1980 WEST BROAD STREET • COLUMBUS, OH 43223
JOHN R. KASICH, GOVERNOR • JERRY WRAY, DIRECTOR

OFFICE OF ENVIRONMENTAL SERVICES

January 27, 2011

Mr. Mark Epstein, Department Head
Resource Protection and Review
Ohio Historic Preservation Office
567 East Hudson Street
Columbus, Ohio 43211



Attn: ODOT Transportation Review Managers

Subject: HAM-71/75-0.00/0.22 (PID 75119)

Re: *Phase I History/Architecture Survey Addendum Report for the western Hills Viaduct Interchange (Hamilton County, Ohio), PID: 75119*

Dear Mr. Epstein:

Enclosed is one copy of the *Phase I History/Architecture Survey Addendum Report for the western Hills Viaduct Interchange (Hamilton County, Ohio), PID: 75119*, dated November 2010. Based on the results of the enclosed survey and Section 106 consultation conducted to date, ODOT/FHWA has determined the following properties, located within the area of potential effects (APE) of the addendum area, are eligible for inclusion on the National Register of Historic Places (NRHP):

Rummane Building (HAM-1462-06) 635 Kress Alley

The building is recommended eligible for listing in the NRHP and the appropriate historic boundaries would include the legal parcel boundary of the property.

650 West McMicken Avenue (HAM-0484-06)

The building is recommended eligible for listing in the NRHP and the appropriate historic boundaries would include the legal parcel boundary.

Western Hills Viaduct (SFN 3105458)

The Western Hills Viaduct (SFN 310548) is eligible for listing in the NRHP. The appropriate historic boundaries, as described by the enclosed report, encompass: the footprint of the bridge, including its piers, super and sub-structures, and roadway from Central Parkway on the east to just east of Beekman Street on the west.

Brighton Bridge (SFN 3101533)

The Brighton Bridge (SFN 3101533) is eligible for listing in the NRHP. The appropriate historic boundaries, as described by the enclosed report, encompass the footprint of the bridge from the retaining wall on the east side of Central Parkway to the bridge approach beginning near the intersection of Colerain Avenue and Harrison Avenue on the southwest.

West McMicken Avenue Historic District

The West McMicken Avenue Historic District, as proposed by Cincinnati Preservation, is eligible for the NRHP. The appropriate historic boundaries, as described by the enclosed report, encompass:

Recommended boundaries begin at the western curb line of West McMicken Avenue south of the Warner Street steps and proceed east to the rear of the parcel boundary of 2364 West McMicken Avenue. The boundary proceeds south following the rear line of the parcels fronting West McMicken Avenue to a point at the southeast corner of the parcel boundary of 2342 West McMicken Avenue. The boundary then continues west to the western curb line of West McMicken Avenue and turns south along the road to a point on the southern parcel boundary of 2321 West McMicken Avenue. Turning west, the boundary proceeds to the eastern curb line of Central Parkway, where it turns north, follow West McMillan Street to the northern parcel boundary of 2411 West McMicken Avenue. The boundary then turns east along said parcel to the western curb line of West McMicken Avenue, thence continuing south to the point of beginning. The proposed district includes one non-contributing building located at 2351 West McMicken Avenue and one non-contributing structure, a billboard, at 2329 West McMicken Avenue.

Central Trust – Brighton Office (HAM-2164-28 revised to HAM-6332-40), 1110 Harrison Avenue

The Central Trust – Brighton Office (HAM-6332-40) is eligible for listing in the NRHP. The appropriate NRHP boundaries include the legal parcel boundary of the property.

High-Craft Printing (HAM-7366-28), 1120 Harrison Avenue

The High-Craft Printing building (HAM-7366-28), historically known as the "Post Office Station B", is eligible for listing in the NRHP. The appropriate NRHP boundaries include footprint of the building itself.

Western Hills Viaduct Subway Portal

The Western Hills Viaduct Subway Portals are eligible for inclusion on the NRHP. The appropriate historic boundaries encompass the portal openings as described by the enclosed report. In regard to the Phase I addendum report, although, a Phase II is recommended to investigate the location of the extant remnants of the Cincinnati Subway Tunnels, ODOT/FHWA has committed to the following: Additional documentation and consultation will be conducted if it is determined the preferred alternative has the potential to effect the Western Hills Viaduct Subway Portals, eligible for listing on the NRHP, or any of the contributing features of the portal, including the tunnel itself.

proceeds
nkc
2-25-11

Section 106 Determinations of Eligibility

Pursuant to 36 CFR § 800.4 and in accordance with the Advisory Council on Historic Preservation's (ACHP) current regulations, FHWA, with ODOT as their agent, request concurrence the following resources are eligible for listing on the NRHP:

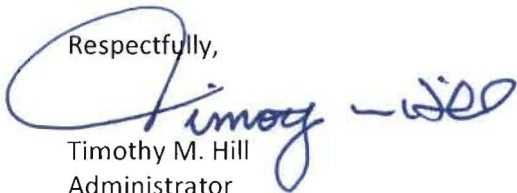
- 635 Kress Alley (Rummane Building/HAM-1462-06)
- 650 West McMicken Avenue (HAM-0484-06)
- Western Hills Viaduct (SFN 3105458)
- Brighton Bridge (SFN 3101533)
- West McMicken Avenue Historic District
- 1110 Harrison Avenue, Central Trust – Brighton Office (HAM-2164-28 revised to HAM-6332-40)
- 1120 Harrison Avenue, High-Craft Printing (HAM-7366-28)
- Western Hills Viaduct Subway Portal

Pursuant to 36 CFR § 800.4 and in accordance with the Advisory Council on Historic Preservation's (ACHP) current regulations, FHWA, with ODOT as their agent, request concurrence the following:

- Additional investigations and consultation will be conducted; if it is determined the preferred alternative has the potential to effect the Western Hills Viaduct Subway Portals, eligible for listing on the NRHP, or any of the contributing features of the portal, including the tunnel itself.
- Additional consultation will be forthcoming to determine the effect of the undertaking to properties listed on or eligible for listing on the NRHP and to resolve adverse effects in accordance with 36 CFR § 800.6.

Pursuant to 36 CFR § 800.4 and in accordance with the Advisory Council on Historic Preservation's (ACHP) current regulations, FHWA, with ODOT as their agent, request concurrence with these findings. We would appreciate the return of this letter, signed to indicate that you do not object to the finding. If no response is received within 30 days, in accordance with the ACHP current regulations, it will be presumed that the OSHPO agrees with the determinations made in the above coordination. Comments may be addressed to Susan Gasbarro, Office of Environmental Services, at susan.gasbarro@dot.state.oh.us.

Respectfully,



Timothy M. Hill
Administrator
Office of Environmental Services

OHIO STATE HISTORIC PRESERVATION OFFICE CONCURRENCE:

Nancy H. Campbell

February 25, 2011

(Date)

Mr. Epstein
HAM-71/75-0.00/0.22, PID 75119

-4-

January 27, 2011

TMH:sg
Enclosure

c: ODOT-District 8
FHWA, w/attachment
Section 106 Consulting Parties, w/attachment
Project file



OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 8 • 505 SOUTH STATE ROUTE 741 • LEBANON, OH 45036

JOHN KASICH, GOVERNOR • JERRY WRAY, DIRECTOR • STEVE MARY, P.E., DISTRICT 8 DEPUTY DIRECTOR

March 10, 2011

«AddressBlock»

Dear Consulting Partner:

Thank you for participating in the Consulting Party Process for the Brent Spence Bridge Replacement/Rehabilitation Project (HAM-71/75-0.00/0.22; ODOT PID 75119; KYTC Item No. 6-17) under Section 106 of the National Historic Preservation Act and the implementing regulations at 36 CFR Part 800. Again, this is a consultative process, the purpose of which is to allow you a chance to comment on the historic properties that may be affected by the proposed project.

Enclosed is the Ohio State Historic Preservation Office (OSHPO) concurrence letter dated January 27, 2011 for the Ohio Phase I History/Architecture Addendum Report for the Western Hills Viaduct Interchange. This report was distributed to Consulting Parties on September 2, 2010.

If you have any questions relating to the enclosed letter, please direct them to me at ODOT District 8, 505 St. Rt. 741, Lebanon, Ohio 45036 or (Stefan.Spinosa@dot.state.oh.us).

Again, I thank you for participating in the Section 106 consultation process for the Brent Spence Bridge Replacement/Rehabilitation Project (HAM-71/75-0.00/0.22; ODOT PID 75119; KYTC Item No. 6-17).

Respectfully,

A handwritten signature in black ink, appearing to read "Stefan C. Spinosa", is positioned below the "Respectfully," text.

Stefan C. Spinosa
ODOT Project Manager, Technical Services Engineer

enclosure

cc: file, Stacey Hans, KYTC



OHIO DEPARTMENT OF TRANSPORTATION

CENTRAL OFFICE • 1980 WEST BROAD STREET • COLUMBUS, OH 43223

JOHN R. KASICH, GOVERNOR • JERRY WRAY, DIRECTOR

August 10, 2011

Ms. Najah Duvall-Gabriel
FHWA Liaison
Advisory Council on Historic Preservation
The Old Post Office Building
1100 Pennsylvania Avenue NW, Suite 809
Washington, DC 20004

SUBJECT: HAM-71/75-0.00/0.22, PID 75119
Brent Spence Bridge Replacement/Rehabilitation

RE: Notification of Adverse Effect

Dear Ms. Duvall-Gabriel

In accordance with 36 CFR § 800.6, the Ohio Department of Transportation (ODOT), on behalf of the Federal Highway Administration (FHWA), is notifying the Council of the "adverse effect" of the subject undertaking on the following historic properties to determine participation in resolving the adverse effects: the B & O Freight and Storage Building/Longworth Hall, listed on the National Register of Historic Places (NRHP) (860003521), 700 Pete Rose Way (Second Street), Cincinnati, Ohio; and the Lewisburg Historic District (NRHP) (93001165), a 70 acre historic district bounded by the existing Interstate 71/75 corridor and the city limits of Covington, Kentucky. Enclosed are the following for your review and consideration:

- *Draft Memorandum of Agreement Between the Federal Highway Administration, the Ohio Department of Transportation, the Ohio State Historic Preservation Office, Regarding the HAM-71/75-0.00/0.22, PID 75119, Brent Spence Bridge Replacement/Rehabilitation Project, Hamilton County, Ohio and Kenton County, Kentucky, Adverse Effect to the B & O Freight and Storage Building/Longworth Hall, Listed on the National Register of Historic Places (86003521), 700 Pete Rose Way (Second Avenue), Cincinnati, Ohio (ODOT Agreement Number 16829).*
- *Brent Spence Bridge Replacement/Rehabilitation Project, Determination of Effects Report, ODOT PID No. 75119, HAM-71/75-0.00/0.22, KYTC Project Item No. 6-17 (June 2011).*
- *Brent Spence Bridge Replacement/Rehabilitation Project, Longworth Hall Impact Analysis Report, Part Three: Potential Mitigation Measures, ODOT PID No. 75119, HAM-71/75-0.00/0.22, KYTC Project Item No. 6-17 (June 2011).*

The intent of the enclosed draft Memorandum of Agreement is to build upon the Section 106 identification and consultation efforts conducted thus far and to formalize measures to resolve the adverse effect to the B & O Freight and Storage Building/Longworth Hall, listed on the NRHP, Cincinnati, Ohio. FHWA and Kentucky Transportation Cabinet (KYTC) will address the adverse effects of the undertaking to the Lewisburg Historic District, listed on the NRHP, located in the Commonwealth of Kentucky, in a separate agreement.

Ms. Duvall-Gabriel
HAM-71/75-0.00/0.22
Brent Spence Bridge Replacement/Rehabilitation
PID 75119

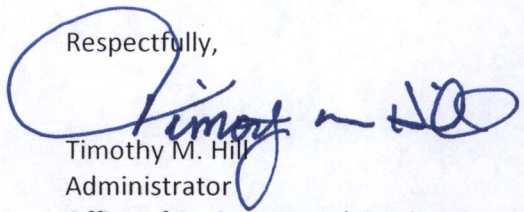
-2-

August 8, 2011

As a result of Section 106 consultation, potential measures to resolve the adverse effect to the B & O Freight and Storage Building/Longworth Hall, listed on the National Register of Historic Places (NRHP), were considered. Analysis of potential measures was conducted and documented by the enclosed Impact Analysis Report. The enclosed draft Memorandum of Agreement reflects the results of these investigations and ODOT's recommended approach to addressing this adverse effect.

FHWA, with ODOT as their agent, request review and comment within 15 days of receipt in accordance with the Advisory Council on Historic Preservation's current regulations under 36 CFR 800.6. If a response is not received, FHWA, with ODOT as their agent, will proceed to the next step in the Section 106 process. Questions or concerns may be directed to Susan Gasbarro, Office of Environmental Services, at 614-728-0719.

Respectfully,

A handwritten signature in blue ink, appearing to read "Timothy M. Hill", is written over the typed name and title.

Timothy M. Hill
Administrator
Office of Environmental Services

TMH:sg
Enclosure

C: M. Vonder Embse - FHWA, w/att., M. Epstein - OSHPO, w/att., S. Spinosa - ODOT District, file

**MEMORANDUM OF AGREEMENT BETWEEN THE
FEDERAL HIGHWAY ADMINISTRATION,
THE OHIO DEPARTMENT OF TRANSPORTATION, AND
THE OHIO STATE HISTORIC PRESERVATION OFFICE,
REGARDING THE HAM-71/75-0.00/0.22, PID 75119,
BRENT SPENCE BRIDGE REPLACEMENT/REHABILITATION PROJECT
HAMILTON COUNTY, OHIO AND KENTON COUNTY, KENTUCKY
ADVERSE EFFECT TO THE
B&O FREIGHT AND STORAGE BUILDING/LONGWORTH HALL,
LISTED ON THE NATIONAL REGISTER OF HISTORIC PLACES (86003521)
700 PETE ROSE WAY (SECOND STREET), CINCINNATI, OHIO
(ODOT AGREEMENT NUMBER 16829)**

WHEREAS, the Federal Highway Administration (FHWA), the Kentucky Transportation Cabinet (KYTC), and the Ohio Department of Transportation (ODOT) propose to reconstruct a 7.8-mile segment of Interstate 71 (I-71) and Interstate (I- 75) and construct a new bridge over the Ohio River in Kenton County, Kentucky and Hamilton County, Ohio, known as the Brent Spence Bridge Replacement/Rehabilitation Project, and hereby known as the undertaking (UNDERTAKING); and

WHEREAS, FHWA, with ODOT and KYTC as their agents, plan to fund the UNDERTAKING, thereby making the UNDERTAKING subject to review under Section 106 of the National Historic Preservation Act (NHPA), 16 U.S.C. § 470f, and its implementing regulations, 36 C.F.R. Part 800; and

WHEREAS, FHWA, with ODOT and KYTC as their agents, have consulted with Ohio State Historic Preservation Office (SHPO) and Kentucky Heritage Council (KHC); and

WHEREAS, FHWA, with ODOT and KYTC as their agents, will consult with federally recognized Native American Indian Tribes that may attach religious and cultural significance to historic properties; and

WHEREAS, FHWA, with ODOT and KYTC as their agents, have identified and consulted with consulting parties through public meetings, direct notification, project website, and Section 106 consultation; and, have not denied any of the identified consulting parties such status for this UNDERTAKING; and

WHEREAS, FHWA, with ODOT and KYTC as their agents, in consultation with the SHPO, KYTC and other consulting parties, have identified the UNDERTAKING's area of potential effect (APE), as defined in 36 C.F.R. § 800.16(d); and

WHEREAS, FHWA with ODOT and KYTC as their agents, have incorporated avoidance and minimization measures into the project development process by incorporating noise walls, retaining walls, pedestrian facilities, and aesthetic treatments into the design where warranted; and

WHEREAS, FHWA, with ODOT and KYTC as their agents, will continue to incorporate avoidance and minimization measures into the UNDERTAKING; and

WHEREAS, FHWA, with ODOT as their agent, in consultation with the SHPO, and other consulting parties, determined the UNDERTAKING will have an adverse effect upon the B&O Freight and Storage Building/Longworth Hall, listed on the NRHP (86003521), located at 700 Pete Rose Way (Second Street), Cincinnati, Ohio, pursuant to Section 106 of the NHPA, 16 U.S.C. § 470f, and its implementing regulations, 36 C.F.R. § 800; and

WHEREAS, FHWA, with KYTC as their agent, in consultation with the KHC, and other consulting parties, determined the UNDERTAKING will have an adverse effect upon the Lewisburg Historic District, listed on the NRHP (93001165), bounded by I-71/75 and the city limits of Covington, Kentucky, pursuant to Section 106 of the NHPA, 16 U.S.C. § 470f, and its implementing regulations, 36 C.F.R. § 800; and

WHEREAS, FHWA, with ODOT and KYTC as their agents, have determined the agreed upon measures to resolve the adverse effects of the UNDERTAKING to historic properties, located in the State of Ohio and the Commonwealth of Kentucky, will be formalized by two separate Memorandum of Agreements; and

WHEREAS, FHWA, with ODOT as their agent, has initiated this Memorandum of Agreement (AGREEMENT) to build upon the identification and consultation efforts conducted thus far in the State of Ohio; and, to formalize measures to resolve the adverse effect to the B&O Freight and Storage Building/Longworth Hall, listed on the NRHP (86003521), 700 Pete Rose Way (Second Street), Cincinnati, Ohio; and

WHEREAS, FHWA, with ODOT as their agent, have invited the identified consulting parties to concur with this AGREEMENT and will continue to consult with the consulting parties as the UNDERTAKING progresses; and

WHEREAS, FHWA, with ODOT as their agent, in accordance with 36 C.F.R § 800.6(a)(1), has notified the Advisory Council on Historic Preservation (COUNCIL) of the adverse effect determination with specified documentation and the COUNCIL has chosen not to participate in the consultation pursuant to 36 C.F.R 800.6(a)(1)(iii); and

NOW THEREFORE, FHWA, with ODOT as their agent, agree that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the adverse effect of the undertaking on the B&O Freight and Storage Building/Longworth Hall, listed on the NRHP (86003521), located at 700 Pete Rose Way (Second Street), Cincinnati, Ohio.

STIPULATIONS

FHWA shall ensure that the following mitigation measures are carried out:

I. ARCHITECTURAL PROPERTIES

A. In consultation with FHWA, SHPO, and other consulting parties, ODOT has identified architectural historic properties in the APE, as documented by the *Brent Spence Bridge Replacement/Rehabilitation Project Determination of Effects Report* ODOT PID No. 75119, HAM-71/75-0.00/0.22, KYTC Project item No. 6-17; and, has identified the effects to historic properties located within the APE.

B. ODOT will propose treatment plans commensurate with the level of impact. The cost of treatment plans will be a reasonable public expenditure in light of the severity of the

impact. ODOT will propose treatment plans to mitigate the adverse effect to B&O Freight and Storage Building/Longworth Hall, listed on the NRHP (860003521), 700 Pete Rose Way (Second Street), Cincinnati, Ohio, using, but not limited to, one or more of the treatments on the following list:

1. Demolition or alteration of a property or contributing element of a historic property, listed in the NRHP, or eligible for inclusion the NRHP, will require Level II documentation as specified by the Historic American Building Survey (HABS) in accordance with 36 CFR Part 68 *The Secretary of the Interior's Standards for the Treatment of Historic Properties* (STANDARDS). Archival HABS documentation will be provided to the State Library of Ohio and others as identified. The HABS report will provide the historic context of the historic resource and will document the architect, significant events, patterns in history, and people associated with the resource during the period of significance. ODOT will provide copies to the consulting parties, local historical societies, public libraries, and other institutions as warranted. .

i. Schedule: Immediately upon approval of this Memorandum of Agreement and prior to construction of the UNDERTAKING, the APPLICANT shall retain a qualified historic preservation consultant to begin completion of the documentation required by Stipulation B1.

ii. The Preservation Professional shall submit a draft of the documentation package to ODOT for review and comment. ODOT will forward a copy of the draft to the SHPO for concurrent review and comment.

iii. After making revisions to the draft document, that take into account comments provided by ODOT and SHPO, the Preservation Professional shall submit ten, high quality, bound copies and one archival unbound copy of the final documentation, which shall include one set of photographic negatives. ODOT will distribute the approved documentation as follows: one high quality bound copy will be made available to all identified consulting parties, local historical societies, local public libraries, and other institutions as warranted; and, ODOT will forward the archival unbound copy with the photographic negatives and one high quality bound copy to the State Library of Ohio, the regional state archive, at the following address:

Ms. Audrey L. Hall
Government Information Services
The State Library of Ohio
274 E. First Avenue
Columbus, OH 43201

iv. The date of the report and the phrase "Submitted to the Ohio Historic Preservation Office" must appear on the title page of the documentation package to allow library staff to identify SHPO as the state agency from which the document originated and process it for entry into the collection. If the authors desire, they may include their byline on the title page.

v. The State Library will catalog the documentation package on the Online Computer Library Center (OCLC) system. This will make the documentation package available to anyone using WorldCat, FirstSearch, or the State Library's catalog. One copy of the documentation package may be circulated through OhioLink or according to the

State Library's policy. The second copy will be non-circulating. The copy containing the photographic negatives will be placed in the State Library's rare book room.

2. A plaque or plaques commemorating the significance of the historic property will be considered in association with commemorative displays or as stand-alone treatments.
3. The application of aesthetic treatments as mitigation for the UNDERTAKING will be in accordance with the STANDARDS.

II. DURATION

This Memorandum of Agreement (MOA) will be null and void if its stipulations are not carried out within five (5) from the date of its execution. At such time, and prior to work continuing on the undertaking, FHWA shall either (a) execute a MOA pursuant to 36 C.F.R. § 800.6, or (b) request, take into account, and respond to the comments of the COUNCIL under 36 C.F.R. § 800.7. Prior to such time, FHWA may consult with the other signatories to reconsider the terms of the MOA and amend it in accordance with Stipulation VIII below. FHWA shall notify the signatories as to the course of action it will pursue.

III. POST-REVIEW DISCOVERIES AND UNANTICIPATED DISCOVERY OF HUMAN REMAINS, OHIO

- A. If previously unidentified archaeological or historic properties, or unanticipated effects, are discovered after completion of Section 106 review, that portion of the project will stop immediately, pursuant to Section 203.04 of ODOT's *Construction and Material Specifications*. The ODOT project engineer will immediately contact ODOT-OES and/or the appropriate ODOT District Environmental Coordinator. No further construction in the area of discovery will proceed until the requirements of 36 C.F.R. § 800.13 have been satisfied, including consultation with federally recognized Native American Indian tribes that may attach traditional cultural and religious significance to the discovered property. ODOT will consult with SHPO and Indian tribes, as appropriate, to record, document and evaluate NRHP eligibility of the property and the projects effect on the property, and to design a plan for avoiding, minimizing, or mitigating adverse effects on the eligible property. If neither the OSHPO nor a federally recognized Native American Indian Tribe files a timely objection to ODOT's Office of Environmental Services (ODOT-OES) plan for addressing the discovery, ODOT-OES may carry out the requirements of 36 C.F.R. § 800.13 on behalf of FHWA and the COUNCIL need not be notified. FHWA and ODOT-OES will conduct all review and consultation in accordance with *Programmatic Agreement Among the Federal Highway Administration, the Advisory Council on Historic Preservation, the Ohio Historical Society, State Historic Preservation Office, and the State of Ohio, Department of Transportation Regarding Implementation of the Federal-Aid Highway Program in Ohio (Agreement No. 12642) (executed 7/17/06 and extended 7/12/2011)*.

- B. Historic and prehistoric human remains are subject to protection under Ohio Revised Code Sections 2909.05 and 2927.11. As such, if previously unidentified human remains are discovered during construction, work in that portion of the project will stop immediately. The remains will be covered and/or protected in place in such

a way that minimizes further exposure of and damage to the remains. The ODOT project engineer will immediately consult with ODOT-OES and the ODOT District Environmental Coordinator, and immediately notify local law enforcement and/or the County Coroner. If the project has a US Army Corps of Engineers (USACOE) permit issued, the ODOT District Environmental Coordinator must notify ODOT-OES and the USACOE. If the remains are found to be Native American Indian, a treatment plan will be developed by ODOT-OES and SHPO in consultation with FHWA and appropriate federally recognized Native American Indian tribes.

FHWA and ODOT-OES will ensure that any treatment and reburial plan is fully implemented. If the remains are not Native American Indian, the appropriate local authority will be consulted to determine final disposition of the remains. Avoidance and preservation in place is the preferred option for treating human remains. FHWA and ODOT-OES will conduct all review and consultation in accordance with *Programmatic Agreement Among the Federal Highway Administration, the Advisory Council on Historic Preservation, the Ohio Historical Society, State Historic Preservation Office, and the State of Ohio, Department of Transportation Regarding Implementation of the Federal-Aid Highway Program in Ohio (Agreement No. 12642) (executed 7/17/06 and extended 7/12/2011)*.

C. For Native American Indian human remains discovered on federal lands, the Federal land managing agency will be responsible for consultation under the *Native American Graves Protection and Repatriation Act of 1990 (PL 101-601)*. For skeletal remains discovered on property owned by the State of Ohio, ODOT will comply with Section 149.53 of the Ohio Revised Code. Under this section, the Director of the Ohio Historical Society shall determine final disposition of any discovered skeletal remains. FHWA and ODOT-OES will also follow the guidance issued by the COUNCIL, *Policy Statement Regarding Treatment of Burial Sites, Human Remains, and Funerary Objects* (issued 2/23/07).

IV. MONITORING AND REPORTING

Each five (5) years following the execution of this AGREEMENT until it expires or is terminated, FHWA shall provide all parties to this AGREEMENT and the COUNCIL if desired, a summary report detailing work carried out pursuant to its terms. Such report shall include any scheduling changes proposed, any problems encountered, and any disputes and objections received in FHWA's efforts to carry out the terms of this AGREEMENT.

V. DISPUTE RESOLUTION

Should any signatory or concurring party to this AGREEMENT object at any time to any actions proposed or the manner in which the terms of this AGREEMENT are implemented, FHWA shall consult with such party to resolve the objection. If FHWA determines that such objection cannot be resolved, FHWA will:

A. Forward all documentation relevant to the dispute, including the FHWA's proposed resolution, to the COUNCIL. The COUNCIL shall provide FHWA with its advice on the resolution of the objection within thirty (30) days of receiving adequate documentation. Prior to reaching a final decision on the dispute, FHWA shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the COUNCIL, signatories and concurring parties, and provide them with a copy of this written response. FHWA will then proceed according to its final decision.

B. If the COUNCIL does not provide its advice regarding the dispute within the thirty (30) day time period; FHWA may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, FHWA shall prepare a written response that takes into account any timely comments regarding the dispute from the signatories and concurring parties to the MOA, and provide them and the COUNCIL with a copy of such written response.

C. FHWA's responsibilities to carry out all other actions subject to the terms of this Agreement that are not the subject of the dispute remain unchanged.

VI. AMENDMENTS

This AGREEMENT may be amended when such an amendment is agreed to in writing by all signatories. The amendment will be effective on the date a copy signed by all of the signatories is filed with the COUNCIL.

VII. TERMINATION

If any signatory to this AGREEMENT determines that its terms will not or cannot be carried out, that party shall immediately consult with the other parties to attempt to develop an amendment pursuant to Stipulation VI above. If within thirty (30) days (or another time period agreed to by all signatories) an amendment cannot be reached, any signatory may terminate the AGREEMENT upon written notification to the other signatories.

Once the AGREEMENT is terminated, and prior to work continuing on the undertaking, FHWA must either (a) execute an AGREEMENT pursuant to 36 C.F.R. § 800.6, or (b) request, take into account, and respond to the comments of the COUNCIL under 36 C.F.R. § 800.7. FHWA shall notify the signatories as to the course of action it will pursue.

EXECUTION of this AGREEMENT by the FHWA, ODOT, and OSHPO, and implementation of its terms, is evidence the FHWA has taken into account the effects of this undertaking on the B&O Freight and Storage Building/Longworth Hall, listed on the NRHP (86003521), 700 Pete Rose Way (Second Street) and has afforded the COUNCIL an opportunity to comment.

SIGNATORIES:

_____ Date _____

Laura S. Leffler, Division Administrator
Federal Highway Administration, Ohio Division,

_____ Date _____

Mark J. Epstein, Department Head, Resource Protection and Reviews
Ohio State Historic Preservation Officer

Concurring:

_____ Date _____

Jerry Wray, Director
Ohio Department of Transportation

_____ Date _____

Michael W. Hancock, Secretary
Kentucky Transportation Cabinet

_____ Date _____

Mark Dennen
Kentucky State Historic Preservation Office

_____ Date _____

Margo Warminski
Cincinnati Preservation Association

____ Date _____
William L. (Skip) Forwood
Cincinnati Historic Conservation Office

____ Date _____
Nadine Friedman
Historic Southwest Ohio, Inc. – Hauck House

____ Date _____
Norman P. Kattelman
Dayton Street Historic District
West End Community Council
Cincinnati Metropolitan Housing Authority

____ Date _____
Jack Degano
Lower Price Hill Community Council

____ Date _____
Peter Witte
Price Hill Civic Club

____ Date _____
Jackie Robbins
Community Revitalization Agency

____ Date _____
Steve Schuckman
Cincinnati Park Board

____ Date _____
Douglass W. McDonald
Cincinnati Museum Center

____ Date _____
Michael Schweitzer
Longworth Hall

____ Date _____
Jenny Edwards
Citizen



STEVEN L. BESHEAR
GOVERNOR

**TOURISM, ARTS AND HERITAGE CABINET
KENTUCKY HERITAGE COUNCIL**

MARCHETA SPARROW
SECRETARY

THE STATE HISTORIC PRESERVATION OFFICE
300 WASHINGTON STREET
FRANKFORT, KENTUCKY 40601
PHONE (502) 564-7005
FAX (502) 564-5820
www.heritage.ky.gov

MARK DENNEN
EXECUTIVE DIRECTOR AND
STATE HISTORIC PRESERVATION OFFICER

August 12, 2011

Mr. David Waldner, P. E., Director
Division of Environmental Analysis
Kentucky Transportation Cabinet
200 Mero Street
Frankfort, KY 40622

**Re: Determination of Effects for the Brent Spence Bridge Project, Kenton Co., Kentucky
Item No. 6-17.00**

Dear Mr. Waldner:

Pursuant to Section 106 of the National Historic Preservation Act of 1966 (16 U. S. C. Sec. 470f) and implementing regulations at 36 C. F. R. Part 800, the Kentucky State Historic Preservation Office received for review and comment the above-referenced report completed by Parsons Brinkerhoff in association with Gray & Pape, Inc. The report includes information on the various bridge designs under consideration, as well the results of a retaining wall study for the project. The preferred alternate, Alternative I, was reviewed for its effects on historic properties that were identified in a previously completed History/Architecture Survey. Of the 21 historic properties that were identified within the defined APE, we concur that there will be either **No Effect or No Adverse Effect** to KEC 107 (C&O Railroad Bridge), KEC 50 (Kenny's Crossing), KEC 460 (881 Highway Avenue), NRHP 83003650 (West Side/Main Strasse Historic District), KECL 1018 (521 Western Avenue), KECL 1046 (632 Western Avenue), KEC 462, (Glier's Goetta), NRHP 96000281 (Bavarian Brewing Company), KECL 621(504 West KY 1120/12th Street), KECL 626(514 West KY 1120/12th Street), KECL 628 (516 West KY 1120/12th Street), KEC 456 (1000 Emery Drive), KEC 459 (509 St. Joseph Lane), KEC 458 (45 Rivard Drive), KE 4 (Kennedy-Rivard Homestead), NRHP 89001169, (Fort Mitchell Heights Historic District), NRHP 89001170 (Old Fort Mitchell Historic District), KEFM 317 (2 East Orchard Road), and NRHP 89001585 (Highland Cemetery Historic District).

We cannot concur with the No Effect or No Adverse Effect finding for KECL 817 (Boehmer Decorating Company) at this time. The reason for this is that there is a reference made to an Access Point Study (which has not been reviewed by this office) determination for additional work on Pike Street to accommodate the increase in traffic volume in conjunction with this project. According to this Determination of Effects report, the additional work was initially designed with impacts to both KECL 817 and KECL 864 (C&C Mortuary Service) and is now being redesigned to avoid those impacts. Since the improvements to Pike Street are ostensibly tied to the larger project and are referenced in this report, the work proposed and potential impacts need to be reviewed in greater detail by our office. The Determination of Effects report states that KECL 864 is eligible for the National Register of Historic Places. The property was not included in the APE for the Brent Spence Bridge Project, thus it was not included in the eligibility determinations made in conjunction with that project. We would like clarification on the eligibility determination for KECL 864 as well as the Area of Potential Effect (APE) for the Pike Street improvements and the opportunity to comment on the plans when they are completed.

It appears that most of the discrepancies found in the February 2011 Effects Report in regards to the Lewisburg Historic District, which were pointed out in our May 9, 2011 letter, have been addressed. However, there are still inaccuracies in some of the exhibits of this report. KY66, which has been identified in the report as a vacant lot, is still identified on Exhibits 7D, 7E, and 7F as a contributing structure. In addition, three contributing properties, KY78, KY79, and KY96, are not identified on Exhibit 7D.

Alternative I will have an **Adverse Effect** on the **Lewisburg Historic District, NRHP 93001165**. Alternative I will require the acquisition of 2.1 acres of land within the district, affecting 28 of the 430 contributing properties in the district. Twenty-one of these structures will be demolished. Seven additional parcels will be affected through partial land acquisition. In addition, there will be indirect effects as a result of the closure of Lewis Street at Pike Street and the construction of a noise barrier 521 feet in length and 12 feet in height between the residences and the collector-distributor roadway that provides access to KY 4th Street. There are no plans or maps included with this report to show the location of the noise barrier or a rendering to show what it will look like. Without additional information, we cannot make a determination on whether the visual effect of such a barrier is offset by the accompanying reduction in noise such a barrier would provide. That discussion should be initiated with the consulting parties on this project, especially the Lewisburg Neighborhood Association. Mitigation measures for these walls, which may include vegetative screening, should be developed in cooperation with the consulting parties as part of the overall mitigation package for the Lewisburg Historic District.

The Effects report also included discussion and photo-simulations of the final three bridge alternatives. The final design will be chosen after additional public hearings. If Bridge Alternative 6 is chosen, the tower of the bridge will be one of the tallest structures in the existing skyline. As mentioned in the report, the selection of Alternative 6 will require a more thorough viewshed analysis to assess the impacts to historic structures. If you have any questions in regards to these comments, please contact Vicki Birenberg of my staff at (502) 564-7005, ext. 127.

Sincerely,



Lindy Casebier
Acting Executive Director and
State Historic Preservation Officer

cc: Rebecca Turner – KYTC – DEA
Phil Logsdon – KYTC – DEA
Scott Schurman – KYTC
Stacey Hans – KYTC Dist. 6
Anthony Goodman – FHWA
Bernadette Dupont - FHWA

LC:ymb



OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 8 • 505 SOUTH STATE ROUTE 741 • LEBANON, OH 45036

JOHN KASICH, GOVERNOR • JERRY WRAY, DIRECTOR • STEVE MARY, P.E., DISTRICT 8 DEPUTY DIRECTOR

August 24, 2011

William L. (Skip) Forwood
Cincinnati Historic Conservation Office
805 Central Avenue, Suite 700
Cincinnati, Ohio 45202

Dear Consulting Partner:

Thank you for participating in the Consulting Party Process for the Brent Spence Bridge Replacement/Rehabilitation Project (HAM-71/75-0.00/0.22; KYTC Item No. 6-17) under Section 106 of the National Historic Preservation Act and the implementing regulations at 36 CFR Part 800. Again, this is a consultative process, the purpose of which is to allow you a chance to comment on the historic properties that may be affected by the proposed project. Since our last communication with you in March of 2011, the project team has continued with project development and has completed additional evaluation of historic properties within the project's study area.

We have reached a stage where we have made initial contact with the Advisory Council on Historic Preservation (ACHP) via letter. A copy of which is on the enclosed CD. The letter to the ACHP references three different documents. The first is a draft Memorandum of Agreement concerning the adverse effects to Longworth Hall. Next is a reference to the Determination of Effects document for the project, and lastly, is a report titled *Longworth Hall Impact Analysis Report, Part Three: Potential Mitigation Measures*. This last document evaluated potential mitigation measures discussed at our October 7, 2010 Consulting Party meeting.

All of these documents are also contained on the enclosed CD for your information. Should you have any questions or comments please send them to Stefan Spinosa (Stefan Spinosa, ODOT District 8, 505 St. Rt. 741, Lebanon, Ohio 45036 or Stefan.Spinosa@dot.state.oh.us).

Again, I thank you for participating in the Section 106 consultation process for the Brent Spence Bridge Replacement/Rehabilitation Project (HAM-71/75-0.00/0.22; KYTC Item No. 6-1).

Respectfully,

A handwritten signature in black ink, appearing to read "Stefan C. Spinosa", is written over a light gray rectangular background.

Stefan C. Spinosa
ODOT Project Manager, District 8 Design Engineer

enclosures

c: Smith, Hoffman, S. Hans (KYTC), file



OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 8 • 505 SOUTH STATE ROUTE 741 • LEBANON, OH 45036

JOHN KASICH, GOVERNOR • JERRY WRAY, DIRECTOR • STEVE MARY, P.E., DISTRICT 8 DEPUTY DIRECTOR

August 24, 2011

Norman P. Kattelman
Dayton Street Historic District
West End Community Council
938 Dayton Street
Cincinnati, Ohio 45214

Dear Consulting Partner:

Thank you for participating in the Consulting Party Process for the Brent Spence Bridge Replacement/Rehabilitation Project (HAM-71/75-0.00/0.22; KYTC Item No. 6-17) under Section 106 of the National Historic Preservation Act and the implementing regulations at 36 CFR Part 800. Again, this is a consultative process, the purpose of which is to allow you a chance to comment on the historic properties that may be affected by the proposed project. Since our last communication with you in March of 2011, the project team has continued with project development and has completed additional evaluation of historic properties within the project's study area.

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Stefan C. Spinosa
ODOT Project Manager, District 8 Design Engineer

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OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 8 • 505 SOUTH STATE ROUTE 741 • LEBANON, OH 45036

JOHN KASICH, GOVERNOR • JERRY WRAY, DIRECTOR • STEVE MARY, P.E., DISTRICT 8 DEPUTY DIRECTOR

August 24, 2011

Cincinnati Metropolitan Housing Authority
16 W. Central Parkway
Cincinnati, Ohio 45202

Dear Consulting Partner:

Thank you for participating in the Consulting Party Process for the Brent Spence Bridge Replacement/Rehabilitation Project (HAM-71/75-0.00/0.22; KYTC Item No. 6-17) under Section 106 of the National Historic Preservation Act and the implementing regulations at 36 CFR Part 800. Again, this is a consultative process, the purpose of which is to allow you a chance to comment on the historic properties that may be affected by the proposed project. Since our last communication with you in March of 2011, the project team has continued with project development and has completed additional evaluation of historic properties within the project's study area.

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Stefan C. Spinosa
ODOT Project Manager, District 8 Design Engineer

enclosures

c: Smith, Hoffman, S. Hans (KYTC), file



OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 8 • 505 SOUTH STATE ROUTE 741 • LEBANON, OH 45036

JOHN KASICH, GOVERNOR • JERRY WRAY, DIRECTOR • STEVE MARY, P.E., DISTRICT 8 DEPUTY DIRECTOR

August 24, 2011

Douglass V. McDonald
Cincinnati Museum Center
1301 Western Avenue
Cincinnati, Ohio 45203

Dear Consulting Partner:

Thank you for participating in the Consulting Party Process for the Brent Spence Bridge Replacement/Rehabilitation Project (HAM-71/75-0.00/0.22; KYTC Item No. 6-17) under Section 106 of the National Historic Preservation Act and the implementing regulations at 36 CFR Part 800. Again, this is a consultative process, the purpose of which is to allow you a chance to comment on the historic properties that may be affected by the proposed project. Since our last communication with you in March of 2011, the project team has continued with project development and has completed additional evaluation of historic properties within the project's study area.

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Respectfully,

Stefan C. Spinosa
ODOT Project Manager, District 8 Design Engineer

enclosures

c: Smith, Hoffman, S. Hans (KYTC), file



OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 8 • 505 SOUTH STATE ROUTE 741 • LEBANON, OH 45036

JOHN KASICH, GOVERNOR • JERRY WRAY, DIRECTOR • STEVE MARY, P.E., DISTRICT 8 DEPUTY DIRECTOR

August 24, 2011

Margo Warminski
Cincinnati Preservation Association
342 W. Fourth Street
Cincinnati, Ohio 45202

Dear Consulting Partner:

Thank you for participating in the Consulting Party Process for the Brent Spence Bridge Replacement/Rehabilitation Project (HAM-71/75-0.00/0.22; KYTC Item No. 6-17) under Section 106 of the National Historic Preservation Act and the implementing regulations at 36 CFR Part 800. Again, this is a consultative process, the purpose of which is to allow you a chance to comment on the historic properties that may be affected by the proposed project. Since our last communication with you in March of 2011, the project team has continued with project development and has completed additional evaluation of historic properties within the project's study area.

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Stefan C. Spinosa
ODOT Project Manager, District 8 Design Engineer

enclosures

c: Smith, Hoffman, S. Hans (KYTC), file



OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 8 • 505 SOUTH STATE ROUTE 741 • LEBANON, OH 45036

JOHN KASICH, GOVERNOR • JERRY WRAY, DIRECTOR • STEVE MARY, P.E., DISTRICT 8 DEPUTY DIRECTOR

August 24, 2011

Jack Degano
Lower Price Hill Community Council
2104 St. Michael Street
Cincinnati, Ohio 45204

Dear Consulting Partner:

Thank you for participating in the Consulting Party Process for the Brent Spence Bridge Replacement/Rehabilitation Project (HAM-71/75-0.00/0.22; KYTC Item No. 6-17) under Section 106 of the National Historic Preservation Act and the implementing regulations at 36 CFR Part 800. Again, this is a consultative process, the purpose of which is to allow you a chance to comment on the historic properties that may be affected by the proposed project. Since our last communication with you in March of 2011, the project team has continued with project development and has completed additional evaluation of historic properties within the project's study area.

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Stefan C. Spinosa
ODOT Project Manager, District 8 Design Engineer

enclosures

c: Smith, Hoffman, S. Hans (KYTC), file



OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 8 • 505 SOUTH STATE ROUTE 741 • LEBANON, OH 45036

JOHN KASICH, GOVERNOR • JERRY WRAY, DIRECTOR • STEVE MARY, P.E., DISTRICT 8 DEPUTY DIRECTOR

August 24, 2011

Jackie Robbins
Community Revitalization Agency
1832 Freeman Avenue
Cincinnati, Ohio 45214

Dear Consulting Partner:

Thank you for participating in the Consulting Party Process for the Brent Spence Bridge Replacement/Rehabilitation Project (HAM-71/75-0.00/0.22; KYTC Item No. 6-17) under Section 106 of the National Historic Preservation Act and the implementing regulations at 36 CFR Part 800. Again, this is a consultative process, the purpose of which is to allow you a chance to comment on the historic properties that may be affected by the proposed project. Since our last communication with you in March of 2011, the project team has continued with project development and has completed additional evaluation of historic properties within the project's study area.

We have reached a stage where we have made initial contact with the Advisory Council on Historic Preservation (ACHP) via letter. A copy of which is on the enclosed CD. The letter to the ACHP references three different documents. The first is a draft Memorandum of Agreement concerning the adverse effects to Longworth Hall. Next is a reference to the Determination of Effects document for the project, and lastly, is a report titled *Longworth Hall Impact Analysis Report, Part Three: Potential Mitigation Measures*. This last document evaluated potential mitigation measures discussed at our October 7, 2010 Consulting Party meeting.

All of these documents are also contained on the enclosed CD for your information. Should you have any questions or comments please send them to Stefan Spinosa (Stefan Spinosa, ODOT District 8, 505 St. Rt. 741, Lebanon, Ohio 45036 or (Stefan.Spinosa@dot.state.oh.us)).

Again, I thank you for participating in the Section 106 consultation process for the Brent Spence Bridge Replacement/Rehabilitation Project (HAM-71/75-0.00/0.22; KYTC Item No. 6-1).

Respectfully,

A handwritten signature in black ink, appearing to read "Stefan Spinosa", is written over a light gray rectangular background.

Stefan C. Spinosa
ODOT Project Manager, District 8 Design Engineer

enclosures

c: Smith, Hoffman, S. Hans (KYTC), file



OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 8 • 505 SOUTH STATE ROUTE 741 • LEBANON, OH 45036

JOHN KASICH, GOVERNOR • JERRY WRAY, DIRECTOR • STEVE MARY, P.E., DISTRICT 8 DEPUTY DIRECTOR

August 24, 2011

Jenny Edwards
818 Dayton Street
Cincinnati, Ohio 45214

Dear Consulting Partner:

Thank you for participating in the Consulting Party Process for the Brent Spence Bridge Replacement/Rehabilitation Project (HAM-71/75-0.00/0.22; KYTC Item No. 6-17) under Section 106 of the National Historic Preservation Act and the implementing regulations at 36 CFR Part 800. Again, this is a consultative process, the purpose of which is to allow you a chance to comment on the historic properties that may be affected by the proposed project. Since our last communication with you in March of 2011, the project team has continued with project development and has completed additional evaluation of historic properties within the project's study area.

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Stefan C. Spinosa
ODOT Project Manager, District 8 Design Engineer

enclosures

c: Smith, Hoffman, S. Hans (KYTC), file



OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 8 • 505 SOUTH STATE ROUTE 741 • LEBANON, OH 45036

JOHN KASICH, GOVERNOR • JERRY WRAY, DIRECTOR • STEVE MARY, P.E., DISTRICT 8 DEPUTY DIRECTOR

August 24, 2011

Michael Schweitzer
Longworth Hall
700 W. Pete Rose Way
Cincinnati, Ohio 45203

Dear Consulting Partner:

Thank you for participating in the Consulting Party Process for the Brent Spence Bridge Replacement/Rehabilitation Project (HAM-71/75-0.00/0.22; KYTC Item No. 6-17) under Section 106 of the National Historic Preservation Act and the implementing regulations at 36 CFR Part 800. Again, this is a consultative process, the purpose of which is to allow you a chance to comment on the historic properties that may be affected by the proposed project. Since our last communication with you in March of 2011, the project team has continued with project development and has completed additional evaluation of historic properties within the project's study area.

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Again, I thank you for participating in the Section 106 consultation process for the Brent Spence Bridge Replacement/Rehabilitation Project (HAM-71/75-0.00/0.22; KYTC Item No. 6-1).

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Stefan C. Spinosa
ODOT Project Manager, District 8 Design Engineer

enclosures

c: Smith, Hoffman, S. Hans (KYTC), file



OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 8 • 505 SOUTH STATE ROUTE 741 • LEBANON, OH 45036

JOHN KASICH, GOVERNOR • JERRY WRAY, DIRECTOR • STEVE MARY, P.E., DISTRICT 8 DEPUTY DIRECTOR

August 24, 2011

Nadine Friedman
Historic Southwest Ohio, Inc. - Hauch House
P.O. Box 62475
Cincinnati, Ohio 45262

Dear Consulting Partner:

Thank you for participating in the Consulting Party Process for the Brent Spence Bridge Replacement/Rehabilitation Project (HAM-71/75-0.00/0.22; KYTC Item No. 6-17) under Section 106 of the National Historic Preservation Act and the implementing regulations at 36 CFR Part 800. Again, this is a consultative process, the purpose of which is to allow you a chance to comment on the historic properties that may be affected by the proposed project. Since our last communication with you in March of 2011, the project team has continued with project development and has completed additional evaluation of historic properties within the project's study area.

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Stefan C. Spinosa
ODOT Project Manager, District 8 Design Engineer

enclosures

c: Smith, Hoffman, S. Hans (KYTC), file



OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 8 • 505 SOUTH STATE ROUTE 741 • LEBANON, OH 45036

JOHN KASICH, GOVERNOR • JERRY WRAY, DIRECTOR • STEVE MARY, P.E., DISTRICT 8 DEPUTY DIRECTOR

August 24, 2011

Peter Witte
Price Hill Civic Club
P.O. Box 5096
Cincinnati, Ohio 45205

Dear Consulting Partner:

Thank you for participating in the Consulting Party Process for the Brent Spence Bridge Replacement/Rehabilitation Project (HAM-71/75-0.00/0.22; KYTC Item No. 6-17) under Section 106 of the National Historic Preservation Act and the implementing regulations at 36 CFR Part 800. Again, this is a consultative process, the purpose of which is to allow you a chance to comment on the historic properties that may be affected by the proposed project. Since our last communication with you in March of 2011, the project team has continued with project development and has completed additional evaluation of historic properties within the project's study area.

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Stefan C. Spinosa
ODOT Project Manager, District 8 Design Engineer

enclosures

c: Smith, Hoffman, S. Hans (KYTC), file



OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 8 • 505 SOUTH STATE ROUTE 741 • LEBANON, OH 45036

JOHN KASICH, GOVERNOR • JERRY WRAY, DIRECTOR • STEVE MARY, P.E., DISTRICT 8 DEPUTY DIRECTOR

August 24, 2011

Steve Schuckman
Cincinnati Park Board
950 Eden Park Drive
Cincinnati, Ohio 45202

Dear Consulting Partner:

Thank you for participating in the Consulting Party Process for the Brent Spence Bridge Replacement/Rehabilitation Project (HAM-71/75-0.00/0.22; KYTC Item No. 6-17) under Section 106 of the National Historic Preservation Act and the implementing regulations at 36 CFR Part 800. Again, this is a consultative process, the purpose of which is to allow you a chance to comment on the historic properties that may be affected by the proposed project. Since our last communication with you in March of 2011, the project team has continued with project development and has completed additional evaluation of historic properties within the project's study area.

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Again, I thank you for participating in the Section 106 consultation process for the Brent Spence Bridge Replacement/Rehabilitation Project (HAM-71/75-0.00/0.22; KYTC Item No. 6-1).

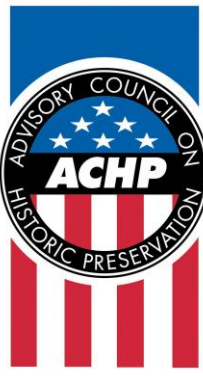
Respectfully,

A handwritten signature in black ink, appearing to read "Stefan C. Spinosa", is written over a light gray rectangular background.

Stefan C. Spinosa
ODOT Project Manager, District 8 Design Engineer

enclosures

c: Smith, Hoffman, S. Hans (KYTC), file



Preserving America's Heritage

August 31, 2011

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

Ref: *Proposed Brent Spence Bridge Replacement/Rehabilitation Project*
Hamilton County, Ohio and Kenton County, Kentucky

Dear Mr. Hill:

On August 15, 2011, the Advisory Council on Historic Preservation (ACHP) received your notification and supporting documentation regarding the adverse effects of the referenced undertaking on a property or properties listed or eligible for listing in the National Register of Historic Places. Based upon the information provided, we have concluded that Appendix A, *Criteria for Council Involvement in Reviewing Individual Section 106 Cases*, of our regulations, "Protection of Historic Properties" (36 CFR Part 800), does not apply to this undertaking. Accordingly, we do not believe that our participation in the consultation to resolve adverse effects is needed. However, if we receive a request for participation from the State Historic Preservation Officer (SHPO), Tribal Historic Preservation Officer, affected Indian tribe, a consulting party, or other party, we may reconsider this decision. Additionally, should circumstances change, and it is determined that our participation is needed to conclude the consultation process, please notify us.

Pursuant to 36 CFR §800.6(b)(1)(iv), you will need to file the final Memorandum of Agreement (MOA), developed in consultation with the Ohio State Historic Preservation Office (SHPO), and any other consulting parties, and related documentation with the ACHP at the conclusion of the consultation process. The filing of the MOA, and supporting documentation with the ACHP is required in order to complete the requirements of Section 106 of the National Historic Preservation Act.

Thank you for providing us with the notification of adverse effect. If you have any questions or require further assistance, please contact Ms. Najah Duvall-Gabriel at 202 606-8585 or at ngabriel@achp.gov.

Sincerely,

LaShavio Johnson
Historic Preservation Technician
Office of Federal Agency Programs

ADVISORY COUNCIL ON HISTORIC PRESERVATION

1100 Pennsylvania Avenue NW, Suite 803 • Washington, DC 20004
Phone: 202-606-8503 • Fax: 202-606-8647 • achp@achp.gov • www.achp.gov



STEVEN L. BESHEAR
GOVERNOR

TOURISM, ARTS AND HERITAGE CABINET
KENTUCKY HERITAGE COUNCIL

MARCHETA SPARROW
SECRETARY

THE STATE HISTORIC PRESERVATION OFFICE
300 WASHINGTON STREET
FRANKFORT, KENTUCKY 40601
PHONE (502) 564-7005
FAX (502) 564-5820
www.heritage.ky.gov

LINDY CASEBIER
ACTING EXECUTIVE DIRECTOR AND
STATE HISTORIC PRESERVATION OFFICER

September 22, 2011

Mr. David Waldner, P. E., Director
Division of Environmental Analysis
Kentucky Transportation Cabinet
200 Mero Street
Frankfort, KY 40622

Re: **Revised: Brent Spence Bridge Replacement / Rehabilitation Project, Phase I Intensive Survey, Kenton County, Kentucky, Item Number 6-17.00.** By Karen Neimel et al., Gray and Pape, Inc., Cincinnati, Ohio.

Mr. Waldner,

This office has received the above mentioned revised report for review. The report documented thirteen previously unrecorded archaeological sites (15KE147, 15KE148, 15KE149, 15KE150, 15KE151, 15KE152, 15KE153, 15KE154, 15KE156, 15KE157, 15KE158, 15KE159, and 15KE160) and three non-site localities (BS-1, BS-7, and BS-12). It is important to note the authors state that twenty-two parcels within the APE were not surveyed due to lack of landowner permission, and other portions of the APE were not investigated due to impediments such as pavement, etc. The authors did not recommend further work at sites 15KE147, 15KE148, 15KE149, 15KE150, 15KE151, 15KE152, 15KE153, 15KE154, 15KE156, 15KE157, 15KE158, 15KE159 nor at the three non-site localities. The authors recommended geoarchaeological deep testing at Site 15KE160, as well as the completion of archeological investigations at the aforementioned inaccessible parcels. I concur with the authors' recommendations, and accept the revised report as submitted. As stipulated in our letter to the FHWA, dated July 28, 2011, we look forward to finalizing the Memorandum of Agreement, which will detail all remaining archaeological requirements of Section 106 consultation for this undertaking.

If you have any questions, please do not hesitate to contact Phillip Johnson of my staff at (502) 564-7005 ext 122.

Sincerely,

Lindy Casebier, Acting Executive Director
Kentucky Heritage Council and
State Historic Preservation Officer

LC:prj

cc. Micheal Striker (Gray & Pape)
Phil Logsdon (KYTC-DEA)
James Lee Hixon (KYTC-DEA)
Dr. George Crothers (UK-OSA)



OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 8 • 505 SOUTH STATE ROUTE 741 • LEBANON, OH 45036

JOHN KASICH, GOVERNOR • JERRY WRAY, DIRECTOR • STEVE MARY, P.E., DISTRICT 8 DEPUTY DIRECTOR

September 28, 2011

Dear Consulting Partner:

Thank you for participating in the Consulting Party Process for the Brent Spence Bridge Replacement/Rehabilitation Project (HAM-71/75-0.00/0.22; KYTC Item No. 6-17) under Section 106 of the National Historic Preservation Act and the implementing regulations at 36 CFR Part 800. Again, this is a consultative process, the purpose of which is to allow you a chance to comment on the historic properties that may be affected by the proposed project.

A Consulting Parties meeting will be held on October 20, 2011 at 11:00 AM the office of Parsons Brinckerhoff, 312 Elm Street Suite 2500, Cincinnati, OH 45202. The purpose of this meeting is to discuss the draft Memorandum of Agreement concerning the adverse effects to Longworth Hall and proposed mitigation. The draft Memorandum of Agreement along with a report titled *Longworth Hall Impact Analysis Report, Part Three: Potential Mitigation Measures* were sent to you in August, 2011 for review. Comments regarding the Memorandum of Agreement and proposed mitigation can be provided at this meeting.

ODOT sent a letter and the draft Memorandum of Agreement to the Advisory Council on Historic Preservation (ACHP) on August 10, 2011 regarding the adverse effects to Longworth Hall and whether their participation was warranted. The ACHP responded on August 31, 2011 determining that their participation to resolve adverse effects was not warranted at this time.

Please RSVP for the meeting to Stefan Spinoso at 513-933-6639 or Stefan.Spinosa@dot.state.oh.us. If you cannot attend the meeting, please feel free to send a representative.

Again, I thank you for participating in the Section 106 consultation process for the Brent Spence Bridge Replacement/Rehabilitation Project (HAM-71/75-0.00/0.22; KYTC Item No. 6-1).

Respectfully,

A handwritten signature in black ink, appearing to read "Stefan C. Spinoso", is written over a light gray rectangular background.

Stefan C. Spinoso
ODOT Project Manager, District 8 Design Engineer

enclosures

c: Smith, Hoffman, S. Hans (KYTC), file



October 14, 2011

Mr. Jerry Wray
Director
Ohio Department of Transportation
1980 West Broad Street
Columbus, Ohio 43223

Re: HAM-71/75-0.00/0.22, PID 75/19 Brent Spence Bridge
Replacement/Rehabilitation Project: B&O Freight & Storage Building/Longworth Hall

Dear Mr. Wray:

Cincinnati Preservation Association (CPA) would like to comment on the mitigation measures proposed for Longworth Hall in connection with the Brent Spence Bridge project.

In the draft Memorandum of Agreement, the following mitigations are detailed: HABS recordation, a plaque and aesthetic treatments. Given the severity of the adverse impacts to Longworth Hall, which will result in removal of a portion of the building and subsequent loss of potential income to the owner, we believe much additional, much stronger measures are needed. We would like to propose the following mitigation work, to be carried out in accordance with the Secretary of the Interior's Standards for the Rehabilitation of Historic Buildings:

Replacement of missing portion of top floor. A portion of the top floor of Longworth Hall was removed following a fire. We propose that this missing portion be rebuilt to compensate for the square footage to be removed for the new bridge.

Window repair/storm windows. Longworth Hall has original 6/6, double-hung, single-pane wood windows, which are a character-defining feature of the building. Noise and dust are an issue for building tenants because of the building's proximity to the highway and to industrial facilities: problems that will worsen after the new bridge is built. The addition of appropriate weatherstripping and storm windows as a mitigation measure would benefit the building in many ways. These improvements would help preserve the windows, reduce outside noise and dust infiltration, and reduce the building's energy consumption and carbon footprint, thereby improving its profitability.

Masonry repair. Historic brick buildings are in need of periodic repair and repointing, and Longworth Hall is no exception. While sections of the walls have been repointed by

Mr. Jerry Wray
October 14, 2011
Page Two

the owners, large areas are still in need of this costly and time-consuming restoration work. Repointing mortar joints and repairing or replacing bricks as necessary would help preserve the building, improve its appearance, and prevent costly future repairs.

CPA maintains lists of restoration contractors in Greater Cincinnati who could carry out this specialized work and would be happy to assist in any way possible. We are pleased to be a Consulting Party for this important transportation project.

Thank you for your consideration. Please contact us if you need more information.

Sincerely,

Margo Warminski
Preservation Director

Cc: Mark Epstein, Department Head, Resource Protection and Reviews, Ohio
Historic Preservation Office
Paul J. Muller, AIA, Executive Director, Cincinnati Preservation Association



OHIO DEPARTMENT OF TRANSPORTATION

CENTRAL OFFICE • 1980 WEST BROAD STREET • COLUMBUS, OH 43223

JOHN R. KASICH, GOVERNOR • JERRY WRAY, DIRECTOR

OFFICE OF ENVIRONMENTAL SERVICES

October 28, 2011

Mr. Mark Epstein, Department Head
Resource Protection and Review
Ohio Historic Preservation Office
800 East 17th Avenue
Columbus, Ohio 43211

Attn: ODOT Transportation Review Managers

Subject: HAM-71/75-0.00/0.22 (PID 75119)

Re: *Notification of Adverse Effect*

Dear Mr. Epstein:

The intent of the subject submission is to consult with the Ohio State Historic Preservation Office (OSHPO) concerning the Section 106 effect of the subject undertaking, HAM-71/75-0.00/0.22 (PID 75119), on historic properties within the State of Ohio. The subject undertaking is to provide for operational improvements within the Interstate (IR) 71 and 75 corridors in the Greater Cincinnati/Northern Kentucky region. The corridor currently suffers from congestion and safety-related issues as a result of inadequate capacity to accommodate current traffic demand.

Project Description

The proposed undertaking will rehabilitate the existing Brent Spence Bridge; as well as, construct a double-deck bridge over the Ohio River. The existing Brent Spence Bridge will continue to carry northbound and southbound local traffic with two lanes in the southbound direction and three lanes in the northbound direction. The new double-deck bridge will carry northbound and southbound IR-71 and IR-75 traffic. The upper deck will carry IR-71 south via three southbound lanes and north via two northbound lanes. The lower deck will carry IR-75 south via three southbound lanes and north via three northbound lanes.

Notification of Adverse Effect – B & O Freight Building/Longworth Hall (NRHP)

In accordance with 36 CFR § 800.5(a), FHWA has determined the subject undertaking will adversely affect the B & O Freight and Storage Building/Longworth Hall, listed on the National Register of Historic Places (NRHP) (860003521), 700 Pete Rose Way (Second Street), Cincinnati, Ohio. The report *the Brent Spence Bridge Replacement/Rehabilitation Project, Determination of Effects Report, ODOT PID No. 75119, HAM-71/75-0.00/0.22, KYTC Project Item No. 6-17 (June 2011)*, forwarded to the OSHPO on June 14, 2011, provides documentation of the adverse effect finding as specified by 36 CFR § 800.11(e) (**Figure 1**).



The undertaking, as proposed, will result in the removal of a portion of the B & O Freight and Storage Building/Longworth Hall, listed on the NRHP, to facilitate the construction of the new double-deck bridge. The undertaking will require the removal of a portion of the eastern end of the building which includes: three, 15-foot, two 13-foot, and six 12 foot bays for a total of 20,000 square feet of floor space. It is to be noted the eastern end of the building was previously altered by the removal of a portion of the building to allow for the construction of the Brent Spence Bridge. The Scale House, located within the National Register boundaries as a contributing building, will not be removed or altered by the undertaking. Enclosed is an electronic copy of the report, *Brent Spence Bridge Replacement/Rehabilitation Project, Longworth Hall Impact Analysis Report, Part Three: Potential Mitigation Measures*, ODOT PID No. 75119, HAM-71/75-0.00/0.22, KYTC Project Item No. 6-17 (June 2011), which provides additional details as to the effect of the undertaking on the historic property (**Figure 1**).

The implementing regulations of Section 106, codified at 36 CFR § 800.5(a)(2), provide examples of adverse effects: (i) *Physical destruction of or damage to, all or part of the property . . .* (ii) *Alteration of a property, including restoration, repair, maintenance.* Therefore, based on the proposed removal of a portion of the B & O Freight and Storage Building/Longworth Hall, listed on the NRHP, FHWA, with ODOT as their agent, have determined a finding of "adverse effect" is applicable. In regard to the applicability of the remaining aspects of the adverse effect criteria as specified by 36 CFR § 800.5(a)(2), the following is offered:

(iii) *Removal of the property from its historic location:* The building will not be removed from its original location;

(iv) *Change of the character of the property's use or of physical features within the property's setting that contribute to its historic significance:* The property will continue to be used in a manner consistent with its current use upon the completion of the undertaking. The property is eligible for inclusion on the NRHP under Criterion A for its association with significant period of Cincinnati's rail transportation history; and, under Criterion C as an outstanding representation of an architectural type and method of construction applied to a rail depot. These characteristics will not be compromised. The introduction of a new double-deck bridge, to the east of the property would not alter the historic significance of the property in regard to Criterion A and its association with Cincinnati's rail transportation history. Concerning architectural significance, the remaining portion of the building will retain its current architectural features. Alterations to the building will be limited to the eastern end of the building.

(v) *Introduction of visual, atmospheric or audible elements that diminish the integrity of the properties significant historic features:* During the property's period of significance, its setting and use as a rail depot was likely associated with relatively high ambient noise levels. The current setting features multiple transportation modes and facilities including: rail lines, bus transit, adjacent elevated interstate routes, and local ground level traffic featuring the movement of freight, services, local travelers and visitors. Noise analyses were conducted in conjunction with the project development process and noise barriers were determined to be unwarranted at this location. As an integral part of ODOT's project development process, measures to avoid or minimize harm to adjacent buildings and structures due to construction related vibration impacts are monitored before, during and after construction. No long term vibration impacts are anticipated. During construction, any anticipated short-term vibration impacts will be minimized or avoided by alternative construction methods. The property is eligible for inclusion on the NRHP under: Criterion A for its association with significant period of Cincinnati's rail transportation history; and, under Criterion C as an outstanding representation of an architectural type and method of construction applied to a rail depot. These characteristics will not be compromised.

In regard to the visual context, baseline conditions include the existing setting, including the natural and built environment. Visual intensity refers to the significance of an anticipated visual impact, either beneficial or adverse. The existing project area is highly urbanized and includes freeways, bridges, highway lighting, traffic control devices, guardrail, and local roadways. Short term visual impacts may include: earthwork, material and equipment storage, and construction activities. However, permanent negative visual impacts are not anticipated. The characteristics which qualify the B & O Freight Building/Longworth Hall for inclusion on the NRHP will not be diminished by the proposed undertaking.

(vi) *Neglect of a property which causes its deterioration:* The property will remain under current ownership. FHWA, with ODOT as their agent, will restore the building to a condition as agreed upon in consultation with the property owner and as a result of the Section 106 consultation process.

(vii) *Transfer, lease, or sale of property:* The property will remain under current ownership. The property owner will be compensated for any loss or damages as specified by Ohio Revised Code and in accordance with all applicable federal regulations.

Notification of Adverse Effect to the ACHP

On August 11, 2011, FHWA, with ODOT as their agent, notified the Advisory Council on Historic Preservation (ACHP) of the adverse effect of the undertaking to determine their participation in resolving the adverse effects (Figure 2). The enclosed documents were forwarded to the ACHP for review and consideration:

- *Brent Spence Bridge Replacement/Rehabilitation Project, Determination of Effects Report, ODOT PID No. 75119, HAM-71/75-0.00/0.22, KYTC Project Item No. 6-17 (June 2011).*
- *Brent Spence Bridge Replacement/Rehabilitation Project, Longworth Hall Impact Analysis Report, Part Three: Potential Mitigation Measures, ODOT PID No. 75119, HAM-71/75-0.00/0.22, KYTC Project Item No. 6-17 (June 2011).*
- *Draft Memorandum of Agreement Between the Federal Highway Administration, the Ohio Department of Transportation, the Ohio State Historic Preservation Office, Regarding the HAM-71/75-0.00/0.22, PID 75119, Brent Spence Bridge Replacement/Rehabilitation Project, Hamilton County, Ohio and Kenton County, Kentucky, Adverse Effect to the B & O Freight and Storage Building/Longworth Hall, Listed on the National Register of Historic Places (86003521), 700 Pete Rose Way (Second Avenue), Cincinnati, Ohio (ODOT Agreement Number 16829).*

On August 31, 2011 the ACHP responded to the request, "we do not believe that our participation in the consultation to resolve adverse effects is needed . . ." (Johnson 2011) (Figure 2)

Resolution of Adverse Effect to B & O Freight Building/Longworth Hall

As documented by the enclosed agreement, *Draft Memorandum of Agreement Between the Federal Highway Administration, the Ohio Department of Transportation, the Ohio State Historic Preservation Office, Regarding the HAM-71/75-0.00/0.22, PID 75119, Brent Spence Bridge Replacement/Rehabilitation Project, Hamilton County, Ohio and Kenton County, Kentucky, Adverse Effect to the B & O Freight and Storage Building/Longworth Hall, Listed on the National Register of Historic Places (86003521), 700 Pete Rose Way (Second Avenue), Cincinnati, Ohio (ODOT Agreement Number 16829)*, FHWA intends to formalize the resolution of the adverse effects of the

undertaking in two separate Memorandum of Agreements, one applicable to the adverse effects in Ohio and one applicable to the adverse effects in Kentucky, due to the complexity of the adverse effects of the undertaking.

The Section 106 consultation meetings, for the resolution of the adverse effect to the B & O Freight Building/Longworth Hall, will provide an opportunity for the agency officials and Section 106 consulting parties to discuss the results of the report, *Brent Spence Bridge Replacement/Rehabilitation Project, Longworth Hall Impact Analysis Report, Part Three: Potential Mitigation Measures, ODOT PID No. 75119, HAM-71/75-0.00/0.22, KYTC Project Item No. 6-17 (June 2011)*, and in the identification of measures to resolve the adverse effect.

Section 106 Effect on Historic Properties

In addition to the B & O Freight Building/Longworth Hall, listed on the NRHP, the following historic properties were identified as a result of Section 106 consultation and Phase I and Phase II history/architecture investigations, within the area of potential effects in Ohio. Documentation of the Section 106 consultation conducted to date, between the OSHPO and ODOT, is provided by **Figure 3**.

Resource	Section 106 Effect
Western Hills Viaduct Subway Tunnel Portals	No effect
West McMicken Avenue HD (as proposed by Cincinnati Preservation)	No effect
HAM-1709-40 (Chem-Pak, Inc. Building), 2261 Spring Grove Avenue	No effect
Western Hills Viaduct (SFN 3105458)	No Adverse Effect
Brighton Bridge (SFN 3101533)	No effect
HAM-7366-28 (High-Craft Printing Company), 1120 Harrison Avenue	No effect
HAM-2164-28 revised to HAM-6332-40 (Central Trust/Brighton Office), 1110 Harrison Avenue	No effect
HAM-1462-06 (Rumman Building), 635 Kress Alley	No effect
HAM-0484-06, 650 West McKicken Avenue	No effect
Dayton Street HD (NRHP 73001457)	No effect
Our Lady of Mercy/Cincinnati Jobs Corp (NRHP 80003070), 1409 Western Avenue	No effect
Cincinnati Union Terminal (NHL & NRHP 72001018)	No effect
HAM-1342-43 (Harriet Beecher Elementary School/Stowe Adult Education Center 635 West 7 th Avenue	No effect
West Fourth Street HD and Amendment (NRHP 766001443 & 79001861)	No effect
John M. Mueller, Sr. House, 724 Mehring Way	No effect
Ohio National Guard Armory (Demolished) (NRHP 80003069), 1437-1439 Western Avenue	No effect

Section 106 Effect – Archaeology – Ohio

On October 15, 2010, FHWA, with ODOT as their agent determined the undertaking contained no potential for intact archaeological resources due to extensive highway construction and/or sequential urban development and redevelopment (**Figure 3**) pursuant to the *Programmatic Agreement Among the Federal Highway Administration, The Advisory Council on Historic Preservation, The Ohio Historical Society, State Historic Preservation Office, And The State*

of Ohio, Department of Transportation Regarding The Implementation Of The Federal-Aid Highway Program In Ohio (Agreement No. 12642) executed July 17, 2006 with the following exceptions:

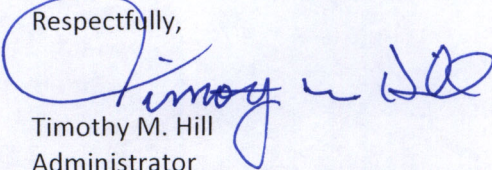
- The residential lots associated with the West McMicken Street Historic District would merit archaeological testing for stratified late 19th century deposits if one of the interchange reconfiguration alternatives were chosen (see Figure 3). That particular interchange reconfiguration alternative was not chosen and the West McMicken Street Historic District will not be affected by the undertaking.
- The 1920s Cincinnati subway tunnel would require evaluation for listing on the NRHP if a particular interchange reconfiguration alternative were chosen. An environmental commitment to avoid the Cincinnati subway tunnels and portals will be included in the environmental document and in the construction plans for the project. Therefore, these resources will not be affected by the undertaking.
- It was recommended that soil and geotechnical borings conducted during the design phase in the river bottom area be monitored and/or reviewed by an archaeologist or geoarchaeologist for evidence of buried archaeological deposits and/or undisturbed original landforms. If either are determined to be present, an archaeological testing strategy would need to be designed and implemented for the horizontal and vertical footprint of the bridge supports and construction work limits. An environmental commitment to conduct this work during the design phase will be included in the environmental document.

No further archaeological investigations are warranted at this time. The OSHPO and the ODOT-OES will be provided an opportunity to review the final design. An environmental commitment to allow OSHPO an opportunity to comment on the final design plans will be included in the environmental document.

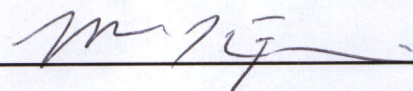
Conclusion

Based on the Section 106 consultation to date, FHWA, with ODOT as their agent, request the OSHPO's concurrence a finding of "adverse effect" is applicable to the subject undertaking's effect on the B & O Freight Building/Longworth Hall, listed on the NRHP. In accordance with 36 CFR § 800, FHWA will continue to consult with the agency officials and consulting parties in regard to the Section 106 effect of the undertaking on historic resources and in the resolution of Section 106 adverse effects. Measures to minimize harm to historic properties will continue to be incorporated into the project development process. In addition, the OSHPO and consulting parties will be provided an opportunity to review and comment on the refined design as the process progresses. Questions or comments should be directed to Timothy Hill, Administrator, ODOT Office of Environmental Services, at 614-644-0377.

Respectfully,


Timothy M. Hill
Administrator
Office of Environmental Services

OHIO STATE HISTORIC PRESERVATION OFFICE CONCURRENCE:



DATE

10.31.11

Enclosures

TMH:sg

Mark Vonder Embse, FHWA, w/att.

Najah Duvall-Gabriel, ACHP, w/att.

Stefan Spinosa, ODOT-District 8, w/att.

Project file



**Brent Spence Bridge Replacement/Rehabilitation Project
Ohio Consulting Party Meeting Summary
November 2, 2011**

Attendees:

Jennifer Graf	PB
Valerie Robbins	PB
Fred Craig	PB
Patrick O'Bannon	Gray & Pape
Tim Hill	ODOT OES
Susan Gasbarro	ODOT – OES
Larry Hoffman	ODOT – OES
Erica Schneider	ODOT – OES
Stefan Spinosa	ODOT – District 8
Keith Smith	ODOT – District 8
Stacey Hans	KYTC – District 6
Nancy Campbell	OHPO
Mark Epstein	OHPO
Thomas Grooms	OHPO
Michael Schweitzer	Longworth Hall
Joseph Trauth	KMK
Margo Warminski	Cincinnati Preservation Association
Steve Schuckman	Cincinnati Parks
Norman Kattelman	Dayton Street Historic District

Jennifer Graf opened the meeting, which began with introductions of the meeting attendees. J. Graf presented an overview of the meeting agenda and then proceeded with an update of the Brent Spence Bridge Replacement/Rehabilitation project activities and status since the October 7, 2010 consulting parties meeting.

The preliminary engineering activities completed in 2011 were reviewed. These included identification of a preferred alternative (Alternative I); and completion of the Preferred Alternative Verification Report, Interchange Modification Study, and Main River Bridge Type Selection Study. The three finalist bridge types were presented and it was explained that these three alternatives would be presented to the public for review and comment at the public hearings. The preferred bridge type would be selected after the public hearings and comment period.

The outstanding environmental activities and their schedules were discussed. These included the noise analysis, environmental assessment, Section 6(f) documentation and coordination for Goebel Park, determination of final mitigation measures for Goebel Park, Lewisburg Historic District and Longworth Hall, and Section 106 memorandums of agreement for Ohio and Kentucky resources.

J. Graf described the design of Alternative I and discussed the rationale for recommending Alternative I as the preferred alternative. This recommendation is based on the design features, local access features, traffic operations, estimated costs, and environmental impacts of



Alternative I. Alternative I has a smaller footprint in Kentucky compared to Alternative E. Stacey Hans noted that Alternative E would close Crescent Avenue in the Lewisburg Historic District and Alternative I would not. Alternative I minimizes impacts to the Lewisburg Historic District. J. Graf explained that the tight urban diamond interchange (TUDI) shown with Alternative I also minimizes impacts to the West McMicken Avenue Historic District in Ohio. The TUDI does not encroach upon the district but the single-point urban interchange, shown with Alternative E would displace eight residences within the district. Stefan Spinosa clarified that the TUDI can be used with Alternative E, and that there are currently two alternatives for the Western Hills Viaduct interchange. Each interchange option can be used with either Alternative I or E.

J. Graf discussed the Section 106 activities that had occurred in 2011. The archaeological investigations and documentation were completed in Kentucky. The Phase I surveys and documentation of effects for historic resources were completed and mitigation measures recommended. The Ohio Department of Transportation (ODOT) notified the Advisory Council on Historic Preservation (ACHP) of the adverse effects of the project on Longworth Hall and the Lewisburg Historic District. The Advisory Council responded that their participation in the Brent Spence Bridge Replacement/Rehabilitation Project was not warranted at this time.

ODOT distributed the ACHP correspondence, draft Section 106 Memorandum of Agreement (MOA) for Longworth Hall, *Determination of Effects Report* (June 2011), and *Longworth Hall Impact Analysis Report – Part Three: Potential Mitigation Measures* (June 2011) to Ohio Consulting Parties in August 2011. ODOT distributed the ACHP response letter to Consulting Parties in September 2011 along with an invitation to the next meeting. ODOT coordinated with the Ohio Historic Preservation Office (OHPO) regarding the adverse effects finding for Longworth Hall on October 28, 2011.

Tim Hill led the next portion of the meeting which focused on the recommended mitigation measures for Longworth Hall. He explained that Alternatives E and I would result in the removal of 204 feet of the east end of Longworth Hall. Parsons Brinckerhoff and Gray and Pape prepared a report entitled: *Longworth Hall Impact Analysis Report, Part Three: Potential Mitigation Measures* (June 2011). This report evaluated the following six mitigation measures:

- Preparation of Historic American Building Survey (HABS) Documentation on Longworth Hall
- Reconstruction of portion of the fourth floor of the building that was demolished by fire, which would allow the building to regain historic integrity and floor space that will otherwise be lost during construction of the bridge.
- Installation of appropriate storm window throughout the building to reduce traffic and ambient noise, reduce dust and debris from the roadway, and to protect historic windows.
- Rehabilitation of the associated scale house, located on the property north of Longworth Hall for interpretative use.
- Completion of a contextual study of extant large scale railroad freight house in Ohio.
- Minimal removal and reconstruction of the upper floors of Longworth Hall to allow for the bridge construction and whether any of the lower floors could remain in service.



These mitigation options were developed to a conceptual level of detail and evaluated for feasibility. Preliminary cost estimates were also prepped for each measure. The positive and negative aspects of each mitigation measures were identified. The report presents the results of the analyses completed for each of the six mitigation measures.

T. Hill discussed each of the six mitigation measures for Longworth Hall. He explained the details of the measures, their advantages and disadvantages, and estimated costs. T. Hill also discussed the purpose and content of the Draft Ohio MOA. He stated that a Section 106 MOA will also be prepared for the Lewisburg Historic District.

During the mitigation discussion the following questions were asked:

- How close will the new bridge be to the reconstructed end of Longworth Hall?
- Was a parapet wall considered for the fifth floor?
- Has a contemporary look been considered for the new east wall?
- What would be the future use of the boiler house if it was reconstructed? The cost of mitigation depends on the proposed use of this building.
- Could repainting the water tower be considered for mitigation?
- Can a cornerstone with original building date and date of reconstruction be included as part of the reconstruction of new east wall?

Michael Schweitzer inquired about the role the property owner has in deciding on the mitigation measures for Longworth Hall. T. Hill replied that the owner must be in agreement with the mitigation decisions. M. Schweitzer stated that he did not think the costs were very high for the proposed mitigation and asked if all the proposed mitigation measures could be implemented. T. Hill replied that implementing all the mitigation measure for Longworth Hall would likely not occur. T. Hill stated that consulting parties should focus on the priorities for preservation.

The consulting parties discussed the removal and reconstruction of the upper floors of Longworth Hall. Fred Craig explained that the demolition and utilities work would have to be done manually and would be very costly.

Noise impacts to Longworth Hall and the West McMicken Historic District were discussed. J. Graf explained that the noise analysis for the entire project was being re-evaluated due to changes in the Federal Highway Administration's noise analysis procedures. Existing and future noise levels will be determined for both resources. Noise mitigation will be difficult for Longworth Hall due to the setting of the building. Storm windows and insulation on the rebuilt east end of the building would minimize noise levels from the interstate. OHPO representatives agreed that storm windows and masonry repairs would be very beneficial to Longworth Hall. Margo Warminski commented that custom "invisible" storm windows could be installed on the exterior of the building.

Larry Hoffman questioned the future use of the boiler house if it was reconstructed. The cost of mitigation depends on the proposed use of this building. The shell of the boiler house could be constructed and the owner could then decide how he wants to improve the building for future



use. Steve Schuckman suggested mitigation which would reflect the footprint of the former roundhouse and provide information about similar buildings nationwide.

Following the discussion of Longworth Hall mitigation measures, Stefan Spinosa presented the following project schedule:

- Noise Study Re-analysis: November 2011
- Complete Kentucky Section 106 MOA
- Complete Section 6(f) Coordination (Goebel Park): April 2012
- Approval of Environmental Assessment by FHWA: December 2011
- Public Hearing: January 2012
- FONSI: May 2012
- Detailed Design Start: Fall 2012
- Right-of-Way Acquisition Start: Summer 2013
- Construction Start: 2015
- Construction End: 2023

Mitigation for Longworth Hall would occur prior to highway construction. Right of way plans would be done as soon as possible on the Longworth Hall parcel pending funding approval as part of ODOT's Major New funding process. S. Spinosa stated that he would request right of way funding in the spring of 2012 to advance certain activities. ODOT's appraisal process for Longworth Hall would take six months to complete.

It was decided that ODOT will hold another consulting party meeting in December 2011 to continue the discussion of the mitigation for Longworth Hall. PB provided the consulting parties CDs with the *Longworth Hall Impact Analysis Report, Part Three: Potential Mitigation Measures* (June 2011) and draft Section 106 memorandum of agreement. PB will also provide paper copies of this report to consulting parties. Consulting parties can provide comments within two weeks based on the report and today's discussion. Comments can be sent to Stefan Spinosa at ODOT District 8.



TRANSPORTATION CABINET

Frankfort, Kentucky 40622
www.kentucky.gov

Steven L. Beshear
Governor

Michael W. Hancock, P.E.
Secretary

November 3, 2011

Dear Consulting Party:

Thank you for participating in the Consulting Party Process for the Brent Spence Bridge Replacement/Rehabilitation Project (KYTC Item No. 6-17.00) under Section 106 of the National Historic Preservation Act and the implementing regulations at 36 CFR Part 800. Again, this is a consultative process, the purpose of which is to allow you a chance to comment on the historic properties that may be affected by the proposed project.

A Consulting Parties meeting will be held on Wednesday November 16, 2011 at 6:30 PM, at the City of Covington Commission Chambers (638 Madison Avenue, Covington, KY). The purpose of this meeting is to discuss the impacts to the Lewisburg Historic District and mitigation measures for these impacts. Please RSVP for the meeting to Stacey Hans at 859-341-2707, ext. 274 or Stacey.Hans@ky.gov. If you cannot attend the meeting, please feel free to send a representative.

Since the last Consulting Parties meeting held on December 9, 2010, the Section 106 process has continued to move forward. The following Section 106 activities have occurred throughout 2011 in Kentucky for the Brent Spence Bridge Rehabilitation/Replacement Project:

- The *Determination of Effects Report* (February 2011) was submitted to the Kentucky Heritage Council (KHC) for review in April 2011. This report was revised in accordance with KHC comments and resubmitted to KHC in June 2011. The *Determination of Effects Report* (June 2011) was also submitted to the Ohio Historic Preservation Office (OHPO) and Federal Highway Administration (FHWA) for review and concurrence in June 2011 and July 2011, respectively.
- The Ohio Department of Transportation (ODOT) notified the Advisory Council on Historic Preservation (ACHP) of the adverse effects of the project on Longworth hall and the Lewisburg Historic District in August 2011. ACHP notified ODOT that their participation in the consultation to resolve adverse effects of the project was not warranted.

Enclosed for your information is a CD which contains a copy of the *Determination of Effects Report* (June 2011) and correspondence from the Federal Highway Administration and the Kentucky Heritage Council regarding this report.

Again, I thank you for participating in the Section 106 consultation process for the Brent Spence Bridge Replacement/Rehabilitation Project (KYTC Item No. 6-17).

Respectfully,



An Equal Opportunity Employer M/F/D



TRANSPORTATION CABINET

Frankfort, Kentucky 40622
www.kentucky.gov

Steven L. Beshear
Governor

Michael W. Hancock, P.E.
Secretary

A handwritten signature in blue ink that reads "Stacey Hans".

Stacey Hans
Project Manager
KYTC, District 6 Environmental Coordinator

enclosure

cc: file, Stefan Spinoso, ODOT



An Equal Opportunity Employer M/F/D



**Brent Spence Bridge Replacement/Rehabilitation Project
Kentucky Section 106 Consulting Party Meeting Summary
November 16, 2011
City of Covington Commission Chambers**

Attendees:

Jennifer Graf	PB
Valerie Robbins	PB
Duane Phelps	PB
Patrick O'Bannon	Gray & Pape
Stacey Hans	KYTC – District 6
Phil Logsdon	KYTC – Division of Environmental Analysis
David Waldner	KYTC – Division of Environmental Analysis
Beth Johnson	City of Covington
Mike Yeager	City of Covington
Marissa Tucker	Lewisburg Neighborhood Association
Jackson Kinney	City of Covington
Scott Schurman	KYTC – Division of Environmental Analysis
Larissa Sims	City of Covington
Rebecca Turner	KYTC – Division of Environmental Analysis
Vicki Birenberg	Kentucky Heritage Council
Craig Potts	Kentucky Heritage Council
John Ballantyme	FHWA – KY
Anthony Goodman	FHWA – KY
Bernadette Dupont	FHWA – KY
Larry Klein	City of Covington

Jennifer Graf opened by outlining the meeting agenda. An overview was given of the Brent Spence Bridge project. The Area of Potential Effects for the Kentucky portion of the project was also discussed.

The preliminary engineering activities completed through 2011 were reviewed by Duane Phelps. These included identification of Alternative I as the recommended preferred alternative; and completion of the Preferred Alternative Verification Report, Interchange Modification Study, and Main River Bridge Type Selection Study. The three finalist bridge types were presented and it was explained that these three bridge alternatives would be presented to the public for review and comment at the public hearings. A question was asked as to whether Alternative I was still considered Alternative C/D in October 2010 at the last consulting party meeting. At that time, it was no longer C/D and was already named Alternative I.

The outstanding environmental activities and their schedules were discussed by J. Graf. These included the noise analysis, environmental assessment, Section 6(f) documentation and coordination for Goebel Park, determination of final mitigation measures for Goebel Park, Lewisburg Historic District and Longworth Hall, and Section 106 memorandums of agreement for Ohio and Kentucky resources.



The reasons for recommending Alternative I as the preferred alternative were discussed. In Kentucky, the mainline of Alternatives E and I were discussed. Alternative E would result in closing Crescent Avenue in Lewisburg Historic District while Alternative I would not close the street. Alternative I also has a smaller footprint than Alternative E from KY 12th Street to the Ohio River.

Three final bridge types are currently considered and will all be shown at the public hearing. The preferred bridge type would be selected after the public hearings and comment period. The arch bridge type has a lower cost than the two cable stayed bridge types.

J. Graf presented an overview of Section 106 activities. Items completed in 2011 and tasks yet to be completed were discussed. The archaeological investigations and documentation were completed in Kentucky. The Phase I surveys and documentation of effects for historic resources were completed and mitigation measures recommended. The Ohio Department of Transportation notified the Advisory Council on Historic Preservation (ACHP) of the adverse effects of the project on Longworth Hall and the Lewisburg Historic District. The ACHP responded that their participation in the Brent Spence Bridge Replacement/Rehabilitation Project was not warranted at this time. Mitigation measures and memorandum of agreements will need to be finalized for Longworth Hall and Lewisburg Historic District. Coordination with consulting parties will continue throughout the Section 106 process.

J. graf presented impacts of the alternatives on the Lewisburg Historic District. Both Alternatives E and I will have an impact on the Lewisburg Historic District. However, Alternative I would acquire three less acres and fewer properties that are contributing elements than Alternative E from within the historic district boundary. Ways to minimize impacts through design included making connections to 9th Street; widening Pike Street to the north to avoid historic structures on the south side of the street; and closing Lewis Street at Pike Street.

A discussion occurred about proposed closure of Lewis Street at Pike Street. D. Phelps explained that access to the interstate from Crescent Avenue would be through 9th Street. Currently, Lewis Street provides access to Lewisburg and Devou Park but does not provide access from these locations since it is a one-way street. In Alternative E, 9th Street would be wider because more traffic is anticipated with the configuration. In Alternative I, Pike Street is wider than existing. It was noted that Lewis Street is often used as a thoroughfare when there are incidents on the interstate. If Lewis Street is closed, this traffic will go elsewhere within the neighborhood. If this is a usual traffic pattern then it was accounted for in the traffic analysis. It is anticipated that the new design for the interstate will result in less people getting off the interstate and using local roads. A suggestion was made to make Montague Road a two-way to help with this traffic pattern.

D. Phelps discussed the various traffic patterns for both alternatives. A question was asked pertaining to Alternative I and the access control on the southbound two-lane boulevard down to 12th Street and whether or not new driveways would be allowed for new development. The access control has not been reviewed yet for this area. With Alternative E, there would be a ramp off the collector-distributor road to 5th Street. This also locates the intersection with 5th Street closer to the interstate and away from Philadelphia Street. The southbound direction could not feasibly have a ramp to 5th Street. The southbound connection would be at 9th Street.



Stacee Hans led the discussion of mitigation of effects to the Lewisburg Historic District. The discussion pertained to Alternative I since it is the recommended preferred alternative. The potential mitigation measures that were presented included the following:

- 1) Photo documentation
- 2) Survey forms for the 430 contributing resources to the historic district
- 3) Revise the National Register of Historic Places (NRHP) nomination form to include building that were not yet 50 years old
- 4) Preservation plan to preserve the history of the district
- 5) Vegetative plan to replace screening removed by the project

The following suggestions for mitigation measures were provided by the consulting parties:

- Façade grant pool
- Mitigation of access to Devou Park to implement a gateway plan
- Pedestrian and bicycle connections to Pike Street, Mainstrasse, and Goebel Park
- Enhanced vibration standards during construction

Beth Johnson asked how many of the 430 contributing resources have completed surveys. Rebecca Turner explained that all survey forms would be updated for the properties and additional properties surveyed. R. Turner noted that the Kentucky Heritage Council (KHC) has numerous survey forms dated 1990 for the Lewisburg Historic District. B. Johnson commented that the City of Covington also has numerous survey forms for the district.

B. Johnson stated that she would like a mitigation fund established for rehabilitating buildings in the Lewisburg Historic District.

Craig Potts recommended a façade grant pool, which is dedicated to repairing only the exterior of historic buildings. The funds are dedicated to repairs to the front of buildings facing the street. In the case of corner lots, the two street facing sides can be repair with the funds. The funds can also be applied to roof repairs and items such as stonewalls. C. Potts explained that it is a competitive grant program that could be set up based on agreed upon criteria. The program typically requires that a homeowner demonstrate a need for the funding and also provide matching funds. The grant would be open to everyone and funds would be distributed until depleted.

Larry Klein noted that closing Lewis Street would cut off a major access route to Devou Park. Currently, Lewis Street to Montague Road is considered the main entrance by locals. The City has adopted a gateway plan for Devou Park that converts Montague Road into a two-way street by removing on-street parking or by widening the road. Additional parking could be created by removing dilapidated structures and creating parking lots. A connection to Lewis Street in Alternative I could be studied, but it would likely displace more homes within the historic district. The KHC and KYTC noted that the Lewis Street impact is more of a project issue rather than a cultural resource issue. The question was asked as to whether changing the traffic pattern through the historic district is an impact on the historic district, which could be mitigated.



L. Klein also discussed pedestrian and bicycle connections that could reconnect Lewisburg with the rest of Covington across the interstate. Pedestrian and bicycle connects could be provided on 9th Street or maybe reconstruct the existing sidewalks to improve safety. It was noted that this option may not be mitigation as a result of impacts to the historic district. This option would need to be investigated to determine if it would cause an adverse effect on the Lewisburg Historic District.

B. Johnson asked if economic impacts are considered when determining adverse effects because expanding the interstate could lead to disinvestment in the Lewisburg neighborhood. J. Graf and Patrick O'Bannon explained that economic impacts are not addressed in the Section 106 regulations. Adverse effects are determined by impacts to elements that make a resource eligible for the NRHP. The City of Covington representatives stated that residents are already leaving the neighborhood because of the perception of future project impacts.

R. Turner suggested a potential mitigation measure, which created a preservation plan for the Lewisburg Historic District. This plan would show how the neighborhood could be in the future and layout means to achieve this vision. It could provide architectural guidelines, enhancement grants, and tax breaks. The plan implementation would be carried out by the City of Covington.

There could be a cumulative of mitigation measures that would be reinvestment into the historic district and neighborhood. It is important to complete the necessary steps for this project so that if money becomes available, mitigation can begin without delays.

The Lewisburg Neighborhood Association representative, Marissa Tucker, summarized the neighborhood concerns. There are concerns that more traffic will be coming through the neighborhood and that Pike Street will become a thoroughfare. Enduring construction will be difficult, especially with rattling/vibration effects to fragile historic buildings. There is a lot of pedestrian activity, so access is needed for those without vehicles. Reviewing how other projects are addressing these issues could help to see how it could apply to Lewisburg.

C. Potts stated that from the perspective of the KHC, the first three mitigation options presented are standard. A vegetative plan is a good option, but not necessarily historic mitigation. The preservation plan is the only real mitigation measure, but there would need to be an implementation plan.

From the perspective of the City of Covington Historic Preservation, the façade pool would be the most important mitigation measure followed by access improvements into the neighborhood for future investment. The City would be comfortable with facilitating a program of this nature.

R. Turner explained how grants and preservation plans are implemented through the State and City. Standard procedures are already established. A preservation plan could be used to make the Lewisburg neighborhood a “place.” It was noted that a façade plan is not a revolving fund and does have specifics built in to the program.

Following the discussion of mitigation measures for the Lewisburg Historic District, the following project schedule was presented:



- Noise Study Re-analysis: November 2011
- Complete Kentucky Section 106 MOA
- Complete Section 6(f) Coordination (Goebel Park): April 2012
- Approval of Environmental Assessment by FHWA: December 2011
- Public Hearing: January 2012
- FONSI: May 2012
- Detailed Design Start: Fall 2012
- Right-of-Way Acquisition Start: Summer 2013
- Construction Start: 2015
- Construction End: 2023

Stacee Hans adjourned the meeting and requested that consulting parties provide comments on mitigation measures within 30 days based on project reports and today's discussion.



Ohio Department of Transportation

District 8 • 505 South State route 741 • Lebanon, OH 45036

John Kasich, Governor • Jerry Wray, Director • Steve Mary, P.E., district 8 deputy director

November 14, 2011

Mr. William L. (Skip) Forwood
Cincinnati Historic Conservation Office
805 Central Avenue, Suite 700
Cincinnati, OH 45202

Dear Consulting Partner:

Thank you for participating in the Consulting Party Process for the Brent Spence Bridge Replacement/Rehabilitation Project (HAM-71/75-0.00/0.22; KYTC Item No. 6-17) under Section 106 of the National Historic Preservation Act and the implementing regulations at 36 CFR Part 800. Again, this is a consultative process, the purpose of which is to allow you a chance to comment on the historic properties that may be affected by the proposed project.

A Consulting Parties meeting will be held on December 8, 2011 at 10:00 AM in the office of Parsons Brinckerhoff, 312 Elm Street Suite 2500, Cincinnati, OH 45202. The purpose of this meeting is to discuss the draft Memorandum of Agreement concerning the adverse effects to Longworth Hall and proposed mitigation measures presented at the November 2, 2011 Consulting Parties meeting. Enclosed is a summary of the November 2, 2011 Consulting Parties meeting.

Please RSVP for the meeting to Stefan Spinoso at 513-933-6639 or Stefan.Spinosa@dot.state.oh.us. If you cannot attend the meeting, please feel free to send a representative.

Again, I thank you for participating in the Section 106 consultation process for the Brent Spence Bridge Replacement/Rehabilitation Project (HAM-71/75-0.00/0.22; KYTC Item No. 6-1).

Respectfully,

A handwritten signature in black ink, appearing to read "Stefan C. Spinoso", is written over a horizontal line.

Stefan C. Spinoso
ODOT Project Manager, District 8 Design Engineer

enclosure

cc: Smith, Hoffman, S. Hans (KYTC), file



Ohio Department of Transportation

District 8 • 505 South State route 741 • Lebanon, OH 45036

John Kasich, Governor • Jerry Wray, Director • Steve Mary, P.E., district 8 deputy director

November 14, 2011

Ms. Margo Warminski
Cincinnati Preservation Association
342 West Fourth Street
Cincinnati, OH 45202

Dear Consulting Partner:

Thank you for participating in the Consulting Party Process for the Brent Spence Bridge Replacement/Rehabilitation Project (HAM-71/75-0.00/0.22; KYTC Item No. 6-17) under Section 106 of the National Historic Preservation Act and the implementing regulations at 36 CFR Part 800. Again, this is a consultative process, the purpose of which is to allow you a chance to comment on the historic properties that may be affected by the proposed project.

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Please RSVP for the meeting to Stefan Spinosa at 513-933-6639 or Stefan.Spinosa@dot.state.oh.us. If you cannot attend the meeting, please feel free to send a representative.

Again, I thank you for participating in the Section 106 consultation process for the Brent Spence Bridge Replacement/Rehabilitation Project (HAM-71/75-0.00/0.22; KYTC Item No. 6-1).

Respectfully,

A handwritten signature in black ink, appearing to read "Stefan C. Spinosa", is written over a horizontal line.

Stefan C. Spinosa
ODOT Project Manager, District 8 Design Engineer

enclosure

cc: Smith, Hoffman, S. Hans (KYTC), file



Ohio Department of Transportation

District 8 • 505 South State route 741 • Lebanon, OH 45036

John Kasich, Governor • Jerry Wray, Director • Steve Mary, P.E., district 8 deputy director

November 14, 2011

Mr. Bill Dichtl
Historic Southwest Ohio, Inc. - Hauck House
P.O. Box 62475
Cincinnati OH 45262

Dear Consulting Partner:

Thank you for participating in the Consulting Party Process for the Brent Spence Bridge Replacement/Rehabilitation Project (HAM-71/75-0.00/0.22; KYTC Item No. 6-17) under Section 106 of the National Historic Preservation Act and the implementing regulations at 36 CFR Part 800. Again, this is a consultative process, the purpose of which is to allow you a chance to comment on the historic properties that may be affected by the proposed project.

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Stefan C. Spinoso
ODOT Project Manager, District 8 Design Engineer

enclosure

cc: Smith, Hoffman, S. Hans (KYTC), file



Ohio Department of Transportation

District 8 • 505 South State route 741 • Lebanon, OH 45036
John Kasich, Governor • Jerry Wray, Director • Steve Mary, P.E., district 8 deputy director

November 14, 2011

Mr. Norman P. Kattelman
Dayton Street Historic District and West End Community Council
938 Dayton St.
Cincinnati, OH 45214

Dear Consulting Partner:

Thank you for participating in the Consulting Party Process for the Brent Spence Bridge Replacement/Rehabilitation Project (HAM-71/75-0.00/0.22; KYTC Item No. 6-17) under Section 106 of the National Historic Preservation Act and the implementing regulations at 36 CFR Part 800. Again, this is a consultative process, the purpose of which is to allow you a chance to comment on the historic properties that may be affected by the proposed project.

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Ohio Department of Transportation

District 8 • 505 South State route 741 • Lebanon, OH 45036

John Kasich, Governor • Jerry Wray, Director • Steve Mary, P.E., district 8 deputy director

November 14, 2011

Mr. Jack Degano
Lower Price Hill Community Council
2104 St. Michael St.
Cincinnati, OH 45204

Dear Consulting Partner:

Thank you for participating in the Consulting Party Process for the Brent Spence Bridge Replacement/Rehabilitation Project (HAM-71/75-0.00/0.22; KYTC Item No. 6-17) under Section 106 of the National Historic Preservation Act and the implementing regulations at 36 CFR Part 800. Again, this is a consultative process, the purpose of which is to allow you a chance to comment on the historic properties that may be affected by the proposed project.

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ODOT Project Manager, District 8 Design Engineer

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Ohio Department of Transportation

District 8 • 505 South State route 741 • Lebanon, OH 45036
John Kasich, Governor • Jerry Wray, Director • Steve Mary, P.E., district 8 deputy director

November 14, 2011

Mr. Peter Witte
Price Hill Civic Club
P.O. Box 5096
Cincinnati, OH 45205

Dear Consulting Partner:

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Ohio Department of Transportation

District 8 • 505 South State route 741 • Lebanon, OH 45036

John Kasich, Governor • Jerry Wray, Director • Steve Mary, P.E., district 8 deputy director

November 14, 2011

Mr. Norman P. Kattelman
Cincinnati Metropolitan Housing Authority
16 W. Central Parkway
Cincinnati, OH 45202

Dear Consulting Partner:

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Stefan C. Spinosa
ODOT Project Manager, District 8 Design Engineer

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Ohio Department of Transportation

District 8 • 505 South State route 741 • Lebanon, OH 45036

John Kasich, Governor • Jerry Wray, Director • Steve Mary, P.E., district 8 deputy director

November 14, 2011

Jackie Robbins
Community Revitalization Agency
1832 Freeman Avenue
Cincinnati, OH 45214

Dear Consulting Partner:

Thank you for participating in the Consulting Party Process for the Brent Spence Bridge Replacement/Rehabilitation Project (HAM-71/75-0.00/0.22; KYTC Item No. 6-17) under Section 106 of the National Historic Preservation Act and the implementing regulations at 36 CFR Part 800. Again, this is a consultative process, the purpose of which is to allow you a chance to comment on the historic properties that may be affected by the proposed project.

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Ohio Department of Transportation

District 8 • 505 South State route 741 • Lebanon, OH 45036

John Kasich, Governor • Jerry Wray, Director • Steve Mary, P.E., district 8 deputy director

November 14, 2011

Mr. Steve Schuckman
Cincinnati Park Board
950 Eden Park Drive
Cincinnati, OH 45202

Dear Consulting Partner:

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Ohio Department of Transportation

District 8 • 505 South State route 741 • Lebanon, OH 45036

John Kasich, Governor • Jerry Wray, Director • Steve Mary, P.E., district 8 deputy director

November 14, 2011

Mr. Douglass W. McDonald
Cincinnati Museum Center
1301 Western Avenue
Cincinnati, OH 45203

Dear Consulting Partner:

Thank you for participating in the Consulting Party Process for the Brent Spence Bridge Replacement/Rehabilitation Project (HAM-71/75-0.00/0.22; KYTC Item No. 6-17) under Section 106 of the National Historic Preservation Act and the implementing regulations at 36 CFR Part 800. Again, this is a consultative process, the purpose of which is to allow you a chance to comment on the historic properties that may be affected by the proposed project.

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Ohio Department of Transportation

District 8 • 505 South State route 741 • Lebanon, OH 45036

John Kasich, Governor • Jerry Wray, Director • Steve Mary, P.E., district 8 deputy director

November 14, 2011

Mr. Michael Schweitzer
Longworth Hall
700 W. Pete Rose Way
Cincinnati, OH 45203

Dear Consulting Partner:

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Ohio Department of Transportation

District 8 • 505 South State route 741 • Lebanon, OH 45036

John Kasich, Governor • Jerry Wray, Director • Steve Mary, P.E., district 8 deputy director

November 14, 2011

Ms. Erica Schneider
ODOT, Office of Environmental Services
1980 Broad Street
Columbus, OH 43223

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Ohio Department of Transportation

District 8 • 505 South State route 741 • Lebanon, OH 45036

John Kasich, Governor • Jerry Wray, Director • Steve Mary, P.E., district 8 deputy director

November 14, 2011

Mr. Larry Hoffman
ODOT, Office of Environmental Services
1980 Broad Street
Columbus, OH 43223

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Ohio Department of Transportation

District 8 • 505 South State route 741 • Lebanon, OH 45036

John Kasich, Governor • Jerry Wray, Director • Steve Mary, P.E., district 8 deputy director

November 14, 2011

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

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Ohio Department of Transportation

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John Kasich, Governor • Jerry Wray, Director • Steve Mary, P.E., district 8 deputy director

November 14, 2011

Ms. Susan Gasbarro
ODOT, Office of Environmental Services
1980 Broad Street
Columbus, OH 43223

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Ohio Department of Transportation

District 8 • 505 South State route 741 • Lebanon, OH 45036

John Kasich, Governor • Jerry Wray, Director • Steve Mary, P.E., district 8 deputy director

November 14, 2011

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Ohio Department of Transportation

District 8 • 505 South State route 741 • Lebanon, OH 45036
John Kasich, Governor • Jerry Wray, Director • Steve Mary, P.E., district 8 deputy director

November 14, 2011

Mr. Keith Smith
ODOT, Environmental Engineer
Dist 8, 505 South S.R. 741
Lebanon, OH 45036

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Ohio Department of Transportation

District 8 • 505 South State route 741 • Lebanon, OH 45036
John Kasich, Governor • Jerry Wray, Director • Steve Mary, P.E., district 8 deputy director

November 14, 2011

Ms. Nancy Campbell
Ohio Historic Preservation Office
567 East Hudson Street
Columbus, OH 43211

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Ohio Department of Transportation

District 8 • 505 South State route 741 • Lebanon, OH 45036
John Kasich, Governor • Jerry Wray, Director • Steve Mary, P.E., district 8 deputy director

November 14, 2011

Mr. Mark Epstein
Ohio Historic Preservation Office
567 East Hudson Street
Columbus, OH 43211

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Ohio Department of Transportation

District 8 • 505 South State route 741 • Lebanon, OH 45036
John Kasich, Governor • Jerry Wray, Director • Steve Mary, P.E., district 8 deputy director

November 14, 2011

Mr. Thomas Grooms
Ohio Historic Preservation Office
567 East Hudson Street
Columbus, OH 43211

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Again, I thank you for participating in the Section 106 consultation process for the Brent Spence Bridge Replacement/Rehabilitation Project (HAM-71/75-0.00/0.22; KYTC Item No. 6-1).

Respectfully,

A handwritten signature in black ink, appearing to read "Stefan C. Spinoso", is written over a horizontal line.

Stefan C. Spinoso
ODOT Project Manager, District 8 Design Engineer

enclosure

cc: Smith, Hoffman, S. Hans (KYTC), file



Ohio Department of Transportation

District 8 • 505 South State route 741 • Lebanon, OH 45036

John Kasich, Governor • Jerry Wray, Director • Steve Mary, P.E., district 8 deputy director

November 14, 2011

Mr. Rob Hans
Kentucky Transportation Cabinet, District 6
421 Buttermilk Pk.
P.O. Box 17130
Covington, KY 41017

Dear Consulting Partner:

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Ohio Department of Transportation

District 8 • 505 South State route 741 • Lebanon, OH 45036
John Kasich, Governor • Jerry Wray, Director • Steve Mary, P.E., district 8 deputy director

November 14, 2011

Mr. Scott Schurman
KYTC, Division of Environmental Analysis
200 Mero Street
Frankfort, KY 40622

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Ohio Department of Transportation

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John Kasich, Governor • Jerry Wray, Director • Steve Mary, P.E., district 8 deputy director

November 14, 2011

Mr. Mark VonderEmbse
FHWA , Urban Programs Engineer
200 N. High Street
Columbus, OH 43215

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Ohio Department of Transportation

District 8 • 505 South State route 741 • Lebanon, OH 45036
John Kasich, Governor • Jerry Wray, Director • Steve Mary, P.E., district 8 deputy director

November 14, 2011

Ms. Jenny Edwards
818 Dayton Street
Cincinnati, OH 45214

Dear Consulting Partner:

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Ohio Department of Transportation

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John Kasich, Governor • Jerry Wray, Director • Steve Mary, P.E., district 8 deputy director

November 14, 2011

Mr. Joseph Trauth, Jr.
Keating Muething & Klelamp
One East Fourth Street, Suite 1400
Cincinnati, OH 45202

Dear Consulting Partner:

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Stefan C. Spinoso
ODOT Project Manager, District 8 Design Engineer

enclosure

cc: Smith, Hoffman, S. Hans (KYTC), file



November 17, 2011

Mr. Stefan C. Spinosa
ODOT Project Manager, District 8 Design Engineer
505 South State Route 741
Lebanon, Ohio 45036

Re: HAM-71/75-0.00/0.22, PID 75/19 Brent Spence Bridge
Replacement/Rehabilitation Project: B&O Freight & Storage Building/Longworth Hall

Dear Mr. Spinosa:

Cincinnati Preservation Association (CPA) would like to comment on the mitigation measures proposed for Longworth Hall as discussed at the Consulting Parties meeting on November 2, 2011. As a Consulting Party, and as the holder of a historic preservation easement on the building, we support mitigation options that will not only help mitigate the adverse effects of the bridge construction, but confer practical benefits, helping to preserve the building and extend the life of its materials. Therefore, we support the following options as outlined in the draft Memorandum of Agreement, following the Secretary of the Interior's Standards for the Rehabilitation of Historic Buildings:

Replacement of missing portion of top floor. A portion of the top floor of Longworth Hall was removed following a fire. We propose that this missing portion be rebuilt to compensate for the square footage to be removed for the new bridge, as was done in the 1960s following construction of the original bridge.

Window repair/storm windows. Longworth Hall has original 6/6, double-hung, single-pane wood windows, which are a character-defining feature of the building. Noise and dust are an issue for building tenants because of the building's proximity to the highway and to industrial facilities: problems that will worsen after the new bridge is built. The addition of appropriate weatherstripping and storm windows as a mitigation measure would benefit the building in many ways. These improvements would help preserve the windows, reduce outside noise and dust infiltration, and reduce the building's energy consumption and carbon footprint, thereby improving its profitability.

Masonry repair. Historic brick buildings are in need of periodic repair and repointing, and Longworth Hall is no exception. While sections of the walls have been repointed by

the owners, large areas are still in need of this costly and time-consuming restoration work. Repointing mortar joints and repairing or replacing bricks as necessary would help preserve the building, improve its appearance, and prevent costly future repairs.

Stabilization of the former boiler house. Better known as the scale building, this is a freestanding, one-story, brick building located at the northwest corner of the property that originally housed boilers for the no-longer-extant railroad roundhouse. It is presently in a ruinous state with collapsed roof. Stabilization of the building would help preserve an important contributing feature of the property with potential for adaptive reuse and eventual fit-out by a future tenant.

Finally, we would like to clarify our status as an easement holder, not only regarding the mitigation options, but future issues such as the design of the end wall, and possible compensation for partial loss of the building as a result of the undertaking.

Thank you for your consideration. Please contact us if you need more information.

Sincerely,

Margo Warminski
Preservation Director

Cc: Mark Epstein, Department Head, Resource Protection and Reviews, Ohio
Historic Preservation Office
Paul J. Muller, AIA, Executive Director, Cincinnati Preservation Association



November 21, 2011

Stefan Spinosa
ODOT District 8
505 South SR 741
Lebanon, OH 45036

Dear Mr. Spinosa:

After attending the Consulting Parties meeting in Cincinnati on November 2, 2011, regarding mitigation measures for the HAM-71/75-0.00/0.22 project's adverse effect on Longworth Hall, Mark Epstein, Thomas Grooms, and I have discussed and prioritized the list of measures that have been suggested. Our list reflects our preference for "bricks and mortar" repairs to the building, much of which will remain standing, rather than documentation of it. We are completely open, however, to discussion, re-prioritizing, and additional measures that might be suggested. Further consultation with the consulting parties will ultimately provide the final and appropriate mitigation measures.

ODOT and the Consulting Parties have created an excellent list of mitigation possibilities. This is our prioritized list of the proposed mitigation measures:

Higher Priority

1. Masonry Repair and Tuck-Pointing
2. Installation of Storm Windows
3. Stabilization of associated Scale/Boiler House
4. Aesthetic treatments on new east wall (to Secretary of the Interior's Standards)
5. Plaque/Interpretive Signage
6. Commemorative dates on a cornerstone for new east wall (1904 on one side, 2015 on other)

Medium Priority

7. Building parapet wall on missing 4th floor
8. Reconstruction of 4th floor that was demolished by fire

Lower Priority

9. Preparation of HABS documentation on Longworth Hall
10. Re-painting rooftop water tower
11. Marking the footprint of the former RR roundhouse
12. Removal of upper floors and retention of lower floors under new bridge.
13. Preparation of a contextual study of similar RR freight buildings in Ohio
14. Rehabilitation of associated Scale/Boiler House

I will see you at the next meeting on December 8, 2011.

Sincerely,

Nancy H. Campbell

Nancy H. Campbell
Architecture Transportation Reviews Manager

1041620
2006-HAM-1640

OHIO HISTORICAL SOCIETY

Ohio Historic Preservation Office

1982 Velma Avenue, Columbus, Ohio 43211-2497 ph: 614.298.2000 fx: 614.298.2037
www.ohiohistory.org

JOSEPH L. TRAUTH, JR.
DIRECT DIAL: (513) 579-6515
FACSIMILE: (513) 579-6457
E-MAIL: JTRAUTH@KMKLAW.COM

November 28, 2011

Dear Consulting Parties:

This firm represents the owners of Longworth Hall. We appreciate the concern ODOT and others have shown regarding Longworth Hall. We have been waiting to understand the full desires of the public officials involved in the Brent Spence Bridge Replacement project before openly making comments.

This letter explains our concerns on the Brent Spence Bridge Replacement as it relates to Longworth Hall and also covers our requests on Historic Mitigation.

We have two concerns that have not been addressed to our satisfaction:

- We have not been convinced that the Bridge Replacement needs to go through Longworth Hall as opposed to being built just East of the current bridge where it could be placed over the Bengals practice field and the City/County parking lot. How can anyone justify going through a historic building as opposed to placing a bridge over a parking lot?
- We also are unconvinced that Longworth Hall can survive a partial "take". The multi-year bridge construction, the demolition, the bad press, the loss of quiet enjoyment of space, the reduced square footage without significantly reduced operating expenses and other serious concerns makes it unclear whether a partial take is a realistic course of action. Prior to and during construction, our lease levels may drop 80%. Who will mitigate that damage?

Historic Mitigation

My clients have preserved 300,000 square feet of historic property with Bedford limestone piers over three inches of maple-top wood flooring, 14-inch poplar wood joists, and century old kiln-fired bricks. Even the solid wood weight and pulley windows, built over a century ago, are original and working.

The proposed mitigation grossly underestimates the actual negative historic impact and in no way is sufficient. Suggesting that tuck-pointing and storm windows will mitigate the permanent removal of 204 feet of historic building is woefully inadequate. We now have a chance here to preserve and restore a historic property that will be the pride of this area for many generations. Having the government previously take 150 feet and now another 204 feet is an

November 28, 2011

Page 2

enormous impact on the building. Its very appeal is its historic nature, and that is literally being destroyed by this project.

There will never be another time when we can restore the building with original bricks, floors, and joists. This would not be a re-creation -- it would be a literal restoration with the actual original materials. Once this opportunity is gone, it is gone forever.

These are the steps we require if an alternate route for the bridge is impossible:

1. Restoration of Fifth floor E. Again, this will be the only chance to use original materials to do so.
2. Restore the East face end to the original construction with original materials. We believe Section 106 requirements are met if a paving change (cobblestone, brick pavers) continues from the East end to the original end, or length, of the building, with a short wall and plaque at that end describing the original length and history. In this way, there would be no confusion that the restored end is the original. How can anyone justify not using original material to restore to original condition? This is **not** a "copy" of the old -- something Section 106 might frown upon -- but a literal restoration from original materials.
3. Masonry repair and tuck-pointing **and cleaning**. We also want the brick cleaned. The cleaning would help to match the new 4E reconstruction to the rest of the building and possibly preserve existing brick.
4. Storm window installation. This would preserve the original windows. However, it does not seem logical to install storm windows without restoring the actual windows themselves.
5. Window restoration. We believe the windows need to be removed, have working mechanisms repaired, windows re-glazed and repainted, and sash repair as needed.
6. All materials removed during demolition will become the property of Longworth Hall (for repair, restoration, and other purposes).
7. Roof replacement. Just as storm windows and tuck-pointing preserve what is original, roof replacement is needed to preserve the integrity of the building structure. We would like the remaining portion of the building to have a new roof system installed (est. \$120,000).
8. Water tower. I believe the water tower is original to the building's first construction. Although no longer in use, it is in need of repair. We would like the water tower repainted (est. \$50,000).

November 28, 2011

Page 3

9. Refurbish the original lettering across the top of the building (Baltimore and Ohio Service [Station?]).
10. Stabilize the walls and replace the roof of the boiler house.

Construction control:

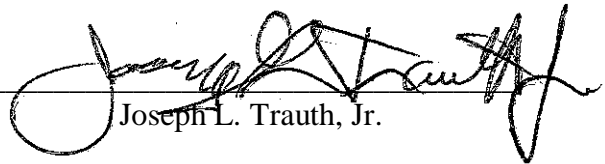
My clients have had poor experience with contractors working on a tight schedule and having their primary concern with budget and not building needs. Our concern is with retaining current tenants and gaining new tenants. My clients would like to either perform the construction themselves to preservation standards or have project management control, or have us write specifications as to how and when work will occur. We would perform work in a manner non disruptive to tenants (after hours, weekends, etc.).

Since this is a once-in-a-lifetime opportunity to preserve and restore a historic treasure, we ask that the consulting parties work hard to either find an alternative location for the bridge or do everything possible to fully mitigate the damages. We will be happy to discuss these very important issues with you at our upcoming meeting on December 8th.

Sincerely,

KEATING MUETHING & KLEKAMP PLL

By: _____

A handwritten signature in black ink, appearing to read "Joseph L. Trauth, Jr.", written over a horizontal line.

Joseph L. Trauth, Jr.

ksl



**Brent Spence Bridge Replacement/Rehabilitation Project
Ohio Consulting Party Meeting Summary
December 8, 2011**

Attendees:

Jennifer Graf	PB
Valerie Robbins	PB
Duane Phelps	PB
Patrick O'Bannon	Gray & Pape
Tim Hill	ODOT – OES
Susan Gasbarro	ODOT – OES
Larry Hoffman	ODOT – OES
Erica Schneider	ODOT – OES
Stefan Spinosa	ODOT – District 8
Mark Vonderembse	FHWA
Thomas Grooms	OHPO
Nancy Campbell	OHPO
Steve Schweitzer	Longworth Hall
Michael Schweitzer	Longworth Hall
Joseph Trauth	KMK
Margo Warminski	Cincinnati Preservation Association
Steve Schuckman	Cincinnati Parks

Stefan Spinosa opened the meeting, which began with introductions of the meeting attendees. S. Spinosa reviewed the comments submitted by consulting parties. He addressed the question raised in a letter by Joseph Trauth and Michael Schweitzer regarding the location of the preferred alternative. They inquired if the replacement bridge could be built just east of the current bridge where it could be placed over the Bengals' practice field and the City/County parking lot.

Duane Phelps discussed the development of conceptual alternatives and engineering design constraints that had to be considered in this process. Conceptual alternatives were proposed to the east and west of the existing Brent Spence Bridge. The conceptual alternatives to the west of Longworth Hall (Queensgate Alignment) would result in numerous business displacements and were opposed by the City of Cincinnati. The conceptual alternatives to the east were constrained by connections to Fort Washington Way and US 50 in Ohio and Goebel Park in Kentucky. D. Phelps explained that an alternative that would be built east of the existing bridge would not pass over the Bengals' practice field as the practice fields are located east of the Clay Wade Bailey Bridge. If a new bridge is to be constructed east of the existing Brent Spence Bridge, it would be located between the Clay Wade Bailey Bridge and the existing Brent Spence Bridge. Conceptual alternatives on the east side of the existing Brent Spence Bridge would not be geometrically feasible and would not meet federal design requirements. This alternative would also increase impacts in Covington, Kentucky.

Jennifer Graf explained that the development of the conceptual alternatives and the analyses that determined which alternatives would be eliminated from further consideration and those



that would be retained for further study are presented in the *Brent Spence Bridge Replacement/ Rehabilitation Project Conceptual Alternatives Study (April 2009)*. This document is available on the project website.

S. Spinosa stated the preferred alternative also impacts Duke Energy's property on the north bank of the Ohio River. Relocation of the substation will cost ODOT approximately \$30 million. Impacts to the substation cannot be avoided and neither can impacts to Longworth Hall.

Tim Hill initiated the discussion of the Section 106 process and role of consulting parties. Susan Gasbarro gave a presentation about the Section 106 process and role of consulting parties. Section 106 is a consultative process, which requires the agency to take into account the effects of federal actions on properties listed in or eligible for listing in the National Register of Historic Places (NRHP). Consulting parties may include agency officials, local historical societies, or individuals that have expressed an interest in the affect of the federal action on historic properties and have a demonstrated legal or economic relationship to the affected resources. They are provided the opportunity to review minutes, reports, documentation and provide comments. They may participate in the development of the Memorandum of Agreement (MOA) to resolve adverse effects. Consulting parties are provided an opportunity to sign the final MOA as a concurring party; however, their signature is not required to move forward with the process. Consulting parties are provided an opportunity to review and comment on subsequent documentation resulting from the fulfillment of the commitments outlined by the executed MOA.

S. Gasbarro explained the Federal Highway Administration's (FHWA) responsibilities regarding Section 106. FHWA is responsible for the law and is the decision maker, but they may delegate work and some decisions to a State agency. FHWA officially designates consulting parties; provides documentation of the Section 106 process; conducts Section 106 consultation meetings; and works with consulting parties to seek ways to mitigate adverse effects. They also resolve disputes and consults with the Advisory Council on Historic Preservation (ACHP). FHWA is the ultimate responsible party and in the event of legal action, provides defense.

S. Gasbarro explained the roles of ODOT, the Ohio Historic Preservation Officer (OHPO), and ACHP. In Ohio, ODOT acts on behalf of FHWA in the Section 106 process. The SHPO (State Historic Preservation Officer) is the technical "expert" on *eligibility* within their state; stewards and advocates for the state's historic resources. ACHP is concerned with the resolution of adverse effects and mediates major disputes. The ACHP is involved in Section 106 cases when there are important questions of policy, interpretation, or when there is a potential for procedural problems.

S. Gasbarro discussed the preparation of a MOA, which formalizes mitigation measures for adverse effects. For ODOT projects, ODOT prepares the agreement with FHWA oversight and in consultation with OHPO. FHWA and OHPO are typically signatories of the MOA. ODOT and consulting parties can also sign the MOA. The executed agreement is filed with the ACHP and copies are forwarded to the consulting parties. Section 106 consultation, as stipulated by the MOA continues with the consulting parties until the stipulations are fulfilled. FHWA is required to ensure the provisions of the MOA are carried out.



Following the November 2, 2011 consulting party meeting, comments and recommendations on mitigation measures were received from KMK (representing the owners of Longworth Hall), the Cincinnati Preservation Association (CPA), and the SHPO.

Tim Hill presented the following mitigation measures proposed by ODOT and FHWA for Longworth Hall. These measures are based on recommendations provided by consulting parties. Each mitigation measure was discussed individually.

- Masonry Repair, Tuck-pointing of West, North and South walls. For this item, “Brick-Cleaning” will be added as well.
- Installation of Exterior Storm Windows.
- Restore the East face end to the original construction with original materials using Secretary of Interior’s Standards.
 - Plans will be developed for review and comment by the owner, CPA and SHPO.
 - Windows removed by construction will be restored and used in the East Wall.
- Building structural parapet wall on 5th floor to provide a complete façade.
 - Will be built using materials from east end impacted by the project using original materials
 - Will be built as a structural wall, so any future desire by the owner to totally rebuild the 5th floor will not require this facade to be changed/ impacted.
- Plaque/Interpretive Signage.
 - ODOT/FHWA recommends using bricks/stone work to outline the footprint of the original building impacted by the previous Brent Spence bridge construction.
 - Use signage to explain original building footprint, various impacts and educate of building/property use.
 - Combine with refurbish the original letter across the top of the building and replace this lettering either with interpretive signage or with the façade being built on the 5th floor.
 - Include cornerstone commemorative dates on new east wall. (1904 on one side, 2015 on the other.)
- All materials removed that retain a historic integrity and nature will be returned to the building owner to be reused in future repairs or future expansion.
- ODOT will have follow up discussions with the owner regarding contracting methods and their request to either perform the construction themselves or provide project management control. If ODOT concurs in this approach, details will be outlined in a separate agreement.

Masonry Repair, Tuck-pointing of West, North and South walls:

The consulting parties approve of this mitigation measure.

Installation of Exterior Storm Windows:



J. Trauth asked if all the windows could be painted and repaired to working order before storm windows are installed. T. Hill stated that the painting and repair of the windows are maintenance issues for the building owners to address and not preservation needs. Windows that are removed on the east side of the building will be restored and used in the reconstruction of the building. There will be extra windows that could be used to replace other windows in the building.

Restore the East face end to the original construction with original materials using Secretary of Interior's Standards:

ODOT will work with the owners and OHPO to develop an acceptable design for reconstruction of the east façade. Original materials that can be salvaged will be reused for the reconstruction of the east end.

Building structural parapet wall on 5th floor to provide a complete façade:

ODOT proposes to construct one parapet wall on the south side of the building to represent the original 5th floor of the building, which was destroyed by fire. The wall would be anchored to the building so that it could withstand wind damage. From a preservation perspective, the wall would show what the building looked like historically. The parapet would be constructed to accommodate future use of the space. The owners of Longworth Hall and the Cincinnati Preservation Association requested walls on both sides of the building with a roof to represent the original 5th floor. M. Schweitzer noted that without a roof, water and snow would fill in the space. M. Warminski commented that the single wall would only look good from the south view. She asked if the money allocated for the parapet could instead be used to stabilize the boiler house. M. Schweitzer commented that most people view the building from the north side instead of the south side.

Larry Hoffman commented that it is important to keep the Section 106 mitigation measures and the right of way acquisition process separate. T. Hill stated that the owners could use the right of way settlement money to make the 5th floor usable space. Loss of square footage from removal of the east end would be compensated through the right of way acquisition process.

This mitigation measure is not favored by the owners of Longworth Hall and the Cincinnati Preservation Association.

Plaque/Interpretive Signage:

This mitigation measure could be through any type of feature, such as landscaping or outline of the building, to showcase the original Longworth Hall. Steve Schuckman stated that he would like the footprint of the roundhouse included in an outline. M. Warminski agreed with this mitigation option. The roundhouse was attached to the boiler house. T. Hill commented that the project will not impact the boiler house. The owners have not maintained the boiler house on their own and immediate plans to use the structure are not apparent. ODOT will invest



money in the main structure of Longworth Hall. M. Schweitzer noted that the boiler house is a historic feature of the property. T. Hill stated that restoration of the boiler house could be swapped with another mitigation measure. Steve Schweitzer stated that he wants the boiler house reconstructed but not in lieu of another mitigation option.

Putting original lettering across the top of the building was discussed as a viable measure. Nancy Campbell stated that interpretive signage should be educational and include photos and text, rather than a plaque. Interpretive signage means something that is either exact or close to the original but it is flexible.

M. Schweitzer asked what the process is if he disagrees with the proposed mitigation measures. T. Hill replied that ODOT will try to work through the concerns and try to reach a solution that is agreeable to all. ODOT will not proceed with a proposed mitigation measure that is not agreed upon by owners of Longworth Hall. Consulting parties can ask ACHP to participate in the consultation process and resolve conflicts. FHWA has final approval authority of which mitigation measures will be completed.

T. Hill noted that costs have not been developed for all the mitigation measures. A final list of costs would be completed following identification of final mitigation measures. ODOT will send M. Schweitzer a copy of the Environmental Assessment once it is approved by FHWA.

S. Schuckman asked if preparation of Historic American Building Survey (HABS) Documentation on Longworth Hall was still considered as a mitigation option. T. Hill commented that ODOT thinks that this is a low priority item and is no longer under consideration as a mitigation measure. M. Warminski commented that the Cincinnati Preservation Association would like HABS Documentation on Longworth Hall but agree that other mitigation measures are better for the building.

J. Trauth and M. Schweitzer asked additional questions about the location of the preferred alternative and how many of the conceptual alternatives missed Longworth Hall. The new bridge and highway alignment will be located approximately 22 feet from Longworth Hall.

M. Warminski expressed concern about cutting the building in the middle of a bay. D. Phelps stated that the building will be cut on a column line based on the location of utilities. The building would be cut between two window arches.

M. Warminski noted that she is researching the façade easement on the building that is owned by the CPA and will send a copy of the easement to ODOT and the owners of Longworth Hall.



T. Hill closed the meeting and requested that consulting parties provide comments by December 22nd. Comments can be sent to Stefan Spinosa at ODOT District 8. The Powerpoint presentation from the meeting and a meeting summary will be posted on the project website.



CITY OF COVINGTON

638 MADISON AVENUE • COVINGTON, KENTUCKY 41011-2298

December 12, 2011

Ms. Stacey Hans
Environmental Coordinator
KYTC District 6
421 Buttermilk Pike
Covington, Kentucky 41017

RE: Brent Spence Bridge- Section 106 Mitigation and Concerns to the Lewisburg National Register District

Dear Ms. Hans:

Please accept this letter as the City of Covington's formal response to the Section 106 Mitigation meeting held on November 16, 2011 in Covington City Commission Chambers the purpose of which was to solicit public input on adverse effects to the Lewisburg National Register District from the Brent Spence Bridge replacement project. The City is presenting additional information herein about the façade grant program that was proposed at the public meeting, as well as other mitigation measures, including a purchase rehab program; demolition of non-contributing buildings; and the Charles Zimmer Memorial Path as a re-connection from Lewisburg to commercial and recreational areas of the City. The City also wants to present its concerns about additional project impacts which include decreased access to the Lewisburg neighborhood by its residents, and access to Devou Park by residents and visitors from the region, and proposed mitigation measures to offset that loss of access.

Lewisburg is an important historic neighborhood of Covington. It was an industrial center because of Willow Run Creek and has always been an important gateway that hosted the Covington-Lexington Turnpike. The first I/75 project severed Lewisburg from the rest of the City and contributed heavily to disinvestment in the neighborhood. The current project will expand the interstate highway and right-of-way which exacerbates this separation, contributing to further disinvestment in Lewisburg. The expansion places a larger, more daunting physical barrier between the Lewisburg neighborhood and the rest of Covington. In addition, the expansion will increase noise and air pollution for this neighborhood. The City believes that the measures proposed below will help to offset the disinvestment in this historic neighborhood by causing reinvestment in the physical assets of the neighborhood and creating connections that will strengthen the historic resources of the Lewisburg National Register District.

1. Façade Grant Program: The City of Covington has coordinated and administered three different façade grant programs. Through Covington's Renaissance on Main Program, the City of Covington has administered over \$300,000 worth of matching commercial façade grant funds. The City also had a matching awning and façade grant program in which

over \$60,000 funds were administered to commercial storefronts. Currently the City is administering a homeowner façade grant program in two areas of the City with \$80,000 of CDBG and HOME funds. While all three of these programs had slightly different requirements, all were required to be compliant with the Covington Historic Design Guidelines and/or the Secretary of the Interior's Standards for the treatment of Historic Properties. Attached are the guidelines for the three programs that the City has administered.

In reviewing past and present programs the City believes that the amount of \$5,000 per property with a local match of 20% would have a significant positive impact on the neighborhood. Upon conducting an inventory of the neighborhood, the City proposes that 50 buildings be funded through this program. We also suggest that priority areas be designated through the program guidelines for these grants, such as the major corridors in the neighborhood, including Pike Street and 12th Street, which also function as gateways to Covington and Lewisburg and are high visibility areas.

2. Purchase Rehab Program: The City has evaluated the major gateways into the Lewisburg Neighborhood, specifically the Pike Street/Dixie Highway Corridor as it is a major entrance and gateway into both Lewisburg and the City of Covington. The City identified 9 buildings in this area that are currently vacant or for sale that would be eligible for purchase-rehab projects. Attached is a spreadsheet with that list of properties and the Property Valuation Administration or real estate Multiple Listing Service value with an estimated rehab cost for each.
3. Demolition of Non-Contributing Buildings: There are currently 41 buildings standing that are listed as non-contributing on either the Lewisburg National Register District Nomination Form or the Brent Spence Bridge Historic/Architectural Survey. Upon preliminary site visits to these properties there are approximately 15 properties that could be razed either for non-compliance with City property maintenance and building codes, or to provide easier access for parking or traffic circulation. The average demolition cost to the City for similar properties has been in the range of \$8,000 to \$14,000 depending on the size of the structure and the ease of access for equipment. A map is attached with the noncontributing buildings highlighted.
4. Charles Zimmer Memorial Path: As stated, the original I/75 highway project severed major access points from Lewisburg to the rest of the City. While the current physical pedestrian connections at 9th Street, Pike Street, and 12th Street, will remain with the new bridge, the pedestrian and multi-modal nature of that access needs to be improved for safety reasons and to encourage movement between the neighborhood and the rest of the City. Having good pedestrian and multi-modal connections will enhance the neighborhood by providing greater access for Lewisburg residents to commercial and recreational areas of the City in a safer and more attractive manner. Further, an important figure in Covington's history, Charles Zimmer, is from Lewisburg. He has been affectionately referred to as "Mr. Lewisburg", and providing an enhanced multi-modal connection at 9th Street, Pike Street, and 12th Street that is named after him will highlight his importance to Covington and Lewisburg History. Charles Zimmer lived and worked

in Lewisburg and owned and operated a hardware store in the 500 Block of Pike Street. A renewed connection along 9th Street, Pike Street, and 12th Street would once again connect the historic homes of the Zimmer Family in Lewisburg to the building that still retains their name, Zimmer Hardware. The paths should be multi-modal with sufficient distance from the road to allow for both pedestrian and bicycle traffic that is safely separated from automobile traffic, and it should also include improved and attractive lighting, landscaping, and other amenities to make the connection between Lewisburg and the rest of Covington more inviting. A short biography of Charles Zimmer, provided by the Kenton County Library, is attached.

5. Gateway at the 1200 Block of Pike Street on the east side of the road: The highway project has created disinvestment in Lewisburg and has created a lack of place and significance as one enters Covington on Pike Street/Dixie Highway. Providing a landscaped entrance with an attractive Covington and Lewisburg identification would improve the experience of entering Covington and enhance the Lewisburg National Register Historic District.

An extremely important asset to Covington and the greater Cincinnati Region is Devou Park. Devou Park is an important 700 acre recreational, historic, and cultural asset in the region. In 1910 the area was donated to the City of Covington by the Devou family for public park use. The park hosts a golf course that dates back to 1922, with a WPA era band shell; a museum that hosts historic displays of Northern Kentucky; and a tennis court that from the 1920's to the 1940's hosted the Ohio Valley Tennis Tournament, precursor of the Western Open and ATP Tournament now held in Mason, Ohio. The current design of the highway will cut off a major access point into Devou Park for Lewisburg historic district residents and visitors from the Greater Cincinnati region. It will also compromise residents' ability to easily access their homes and their use of the park. In order to mitigate these adverse effects to an important historic neighborhood and recreational resource for Covington and the Greater Cincinnati region, but especially for Lewisburg residents, the City is proposing the following measures:

1. Demolish non-contributing buildings along the one-way Montague Road as well as take current vacant parcels and convert them into off street parking in order to allow Montague to facilitate two-way access into Lewisburg and the Devou Park, consistent with the Devou Park Master Plan, adopted by the City in 2008. Providing additional off street parking in Lewisburg will be a necessity in order to provide continued access to the neighborhood and to Devou Park for residents and visitors.
2. Enhance the gateways and access to Devou Park by making improvements at Quarry and Lewis Street for off street parking, making it safer and easier for traffic circulation and access for residents to their homes and to Devou Park.
3. Provide wayfinding signage at Montague Road and Pike Street directing residents and visitors to the Lewisburg neighborhood and Devou Park. Since the current and most prominent access point at Pike Street and Lewis Street will be eliminated by the bridge

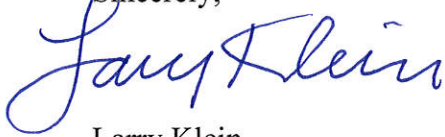
project, Lewisburg residents and visitors to Devou Park will need signs directing them along the new access points into the neighborhood and the park.

The City of Covington requests that these mitigation measures be given serious consideration and implemented for the Section 106 mitigation of adverse impact to the Lewisburg National Register Historic District caused by the bridge project. The disinvestment, separation, and limited access that the original I/75 highway project has caused to the Lewisburg neighborhood will cause further deterioration without this mitigation.

Please let me know if you have any questions or need any additional information.

As always, your time and attention is greatly appreciated.

Sincerely,



Larry Klein
City Manager
City of Covington, Kentucky

c: Bernadette Dupont Federal Highway Administration-Kentucky Division



COVINGTON BUSINESS COUNCIL FOUNDATION

FACADE GRANT PROGRAM

APPLICATION FORM

DUE: NOVEMBER 15, 2008

All applicants must be submitted to:

Renaissance Covington, Inc.

Attn: Kathie Hickey, Manager

City of Covington

638 Madison Avenue

Room 413

Covington, KY 41011

Phone: 859-292-2166

SECTION 1: Property & Applicant Information

Property Address: _____

Business Current Occupying Building:

Applicant Name: _____

Applicant Address: _____

Applicant Work Phone: _____ Home Phone: _____

Fax: _____ Email: _____

Is the applicant the owner, tenant, or both? _____

Name on the Deed: _____

Other (explain): _____

Estimated Age of Building: _____

SECTION 2: Property Information

Estimated Work Start & Completion Dates: From _____ To _____

Estimated Cost of Improvements: \$ _____

Requested Amount \$ _____

Below is a list of eligible activities. Please provide cost estimates for area to which funding would, if awarded, be applied. YOU MUST ATTACH A DESCRIPTION OF PROPOSED WORK. PHOTO OF THE BUILDING'S CURRENT CONDITION ARE ALSO REQUIRED. If you feel additional materials would assist you in describing your work, please provide those items (i.e. material samples, drawings, plans, etc.). In your proposal, be sure to state the following: current condition of the property; historic significance of the building; how you plan to match any possible funding; and the scope of the work.

Costs:

\$ _____	Awning
\$ _____	Cornice Repair
\$ _____	Design Costs
\$ _____	Exterior Lighting
\$ _____	Masonry Repair/Tuck pointing
\$ _____	Painting (Specify colors & what will be painted)

\$ _____ Storefront Improvements

\$ _____ Window & Door Repair

\$ _____ TOTAL FACADE AWNING IMPROVEMENTS
COST ESTIMATE

DO NOT FORGET TO ATTACH WORK PROPOSAL & PHOTOS

I hereby certify that the aforementioned work is accurate and complete to the best of my knowledge. If I am not the owner, I certify that I have been duly authorized by the owner to make this application as his/her agent.

Signature of Applicant

Date

This is not a contract. Signing the above document in no way insinuates an agreement to apply any funding to the applicant. This form merely serves as a pre-application to apply for Covington Business Council Foundation Facade Grant Program funding.

(CONTINUED)

For Office Use Only

Date & Time Received by Renaissance Covington Manager: _____

Application Recommended/Reviewed by:

Renaissance Covington Manager and
the Renaissance Façade Committee

Date _____

Historic Preservation Officer
City of Covington

Date _____

CBCF Board Member

Date _____

Date Presented City History Preservation Officer: _____

Date Presented to CBCF Board: _____

Date Applicant Notified: _____

Application is: _____ Accepted

_____ Rejected

Reasons for decision: _____



Covington Business Council Foundation, Inc.
Facade Grant Program 2008



Facade Grant Guidelines

1. All grants will be on a 50/50 cash match basis. The recipient must provide a minimum cash match of 50% of the grant award.
2. Applicants must be current on all city taxes and fees.
3. Building receiving the grants must be within the boundaries of the Covington Business Council Foundation designated program area.
4. All work must be in compliance with The City of Covington's Design Guidelines.
5. Property owners and tenants are encouraged to communicate with each other to determine the facade needs of the building. Each item listed on the application form will be reviewed independently for eligibility.
6. All applications must be reviewed and approved by the Renaissance Covington Design Committee and the City of Covington Historic Preservation Officer and/or the Covington Urban Review Board. Final award decisions must be approved by a vote of the Covington Business Council Foundation Board Members.
7. A Certificate of Appropriateness (COA) and all applicable permits must be issued prior to the commencement of work.
8. **This is a reimbursement grant.** Facade grant funds will be disbursed upon completion and execution of the Certification of Completed Work Form. All invoices and paid receipts must accompany the request for payment, including proof of match requirement.
9. Only work applied for an approved will be eligible for funding.
10. Any change to the original scope of work must be approved by the Renaissance Covington Design Committee and the Covington Business Council Foundation Grants Committee.
11. All funds must be expended within the following time. Projects must be completed by October 15, 2010.
12. **The property owner (facade grant recipient) agrees to follow these guidelines.**
If the guidelines are not followed, the facade grant funding will not be disbursed and is subject to be paid back in full to Covington Business Council Foundation immediately.

I (we), _____, am (are) the property owner(s)
of _____ (address). I (we) have read
and understand these guidelines as presented by the Covington Business Council Foundation. I (we)
agree to the above guidelines as written. If these guidelines are not followed, I (we) understand that I
(we) will have to repay the amount of the facade grant in full to Covington Business Council
Foundation.

Signature

Date

Signature

Date

COVINGTON BUSINESS COUNCIL FOUNDATION, INC. FACADE GRANT PROGRAM

FACADE GRANT CERTIFICATION APPLICATION DESCRIPTION OF REHABILITATION

Project No: _____

Instructions: Follow the checklist carefully in completing this application. No certifications will be made unless a completed application form has been received. Type or print clearly in black ink. If additional space is needed, use continuation sheets or attach blank sheets. A copy of this form will be provided to the Covington Historic Preservation Office. The decision by the Covington Historic Preservation Office with respect to certification is made on the basis of the descriptions in this application form. In the event of any discrepancy between the application form and other, supplementary material submitted with it (such as architectural plans, drawings, and specifications), the application form shall take precedence.

1. **Name of Property:** _____

Address of Property: Street _____

City _____ County _____ State _____ Zip _____

☐ Listed Individually in the National Register of historic Places: given date of listing: _____

☐ Located in the Registered Historic District, specify: _____

☐ Located in the Designated Downtown Renaissance area: _____

2. **Data on building and rehabilitation project:**

Date building constructed: _____ Proposed use(s) after rehabilitation: _____

Type of construction: _____ Estimated cost of façade rehabilitation: _____

Use(s) before rehabilitation: _____ Estimated cost of total rehabilitation: _____

Grant Amount Requested: _____ Source of Matching Share: _____

This application covers phase number _____ of _____ phases (attach documentation)

Project/phase start date (est.): _____ Completion date (est.): _____

3. **Local Renaissance Covington Contact:**

Name _____

Street _____ City _____

State _____ Zip _____ Daytime Telephone Number _____

Recommended funding: \$ _____ SIGNATURE _____ Date: _____

4. **Owner:**

I hereby attest that the information I have provided is, to the best of my knowledge, correct, and that I own the property described above.

Name _____ Signature _____ Date _____

Organization _____ Tax ID/SS#: _____

Street _____ City _____

State _____ Zip _____ Daytime Telephone Number _____

HISTORIC PRESERVATION
CERTIFICATION APPLICATION

Property Name _____

Project No: _____

Property Address _____

5. DETAILED DESCRIPTION OF REHABILITATION/PRESERVATION WORK: Includes sites work, new construction, alternations, etc. Complete blocks below.

Number	Architectural features: <u>Storefront/Store Front Cornice</u>	Describe work and Impact on existing features:
1	Approximate date of feature: _____	
Describe existing features and its condition:		
Photo#	Drawing #	Estimated cost:
Number	Architectural features: <u>Masonry</u>	Describe work and Impact on existing features:
2	Approximate date of feature: _____	
Describe existing features and its condition:		
Photo#	Drawing #	Estimated cost:
Number	Architectural features: <u>Windows/Doors</u>	Describe work and Impact on existing features:
3	Approximate date of feature: _____	
Describe existing features and its condition:		
Photo#	Drawing #	Estimated cost:
Number	Architectural features: <u>Cast Iron</u>	Describe work and Impact on existing features:
4	Approximate date of feature: _____	
Describe existing features and its condition:		
Photo#	Drawing #	Estimated cost:

HISTORIC PRESERVATION CERTIFICATION APPLICATION

Property Name _____

Project No: _____

Property Address _____

5. DETAILED DESCRIPTION OF REHABILITATION/PRESERVATION WORK: Includes sites work, new construction, alternations, etc. Complete blocks below.

Number	Architectural features: <u>Comice</u>	Describe work and Impact on existing features:
5	Approximate date of feature: _____	
Describe existing features and its condition:		
Photo#	Drawing #	Estimated cost:
Number	Architectural features: <u>Awning</u>	Describe work and Impact on existing features:
6	Approximate date of feature: _____	
Describe existing features and its condition:		
Photo#	Drawing #	Estimated cost:
Number	Architectural features: <u>Painting</u>	Describe work and Impact on existing features:
7	Approximate date of feature: _____	
Describe existing features and its condition:		
Photo#	Drawing #	Estimated cost:
Number	Architectural features: <u>Roof</u>	Describe work and Impact on existing features:
8	Approximate date of feature: _____	
Describe existing features and its condition:		
Photo#	Drawing #	Estimated cost:

HISTORIC PRESERVATION CERTIFICATION APPLICATION

Property Name _____

Project No: _____

Property Address _____

5. DETAILED DESCRIPTION OF REHABILITATION/PRESERVATION WORK: Includes sites work, new construction, alternations, etc. Complete blocks below.

Number	Architectural features: _____	Describe work and impact on existing features:
9	Approximate date of feature: _____	
Describe existing features and its condition:		Estimated cost:
Photo#	Drawing #	
Number	Architectural features: _____	Describe work and impact on existing features:
10	Approximate date of feature: _____	
Describe existing features and its condition:		Estimated cost:
Photo#	Drawing #	
Number	Architectural features: _____	Describe work and impact on existing features:
11	Approximate date of feature: _____	
Describe existing features and its condition:		Estimated cost:
Photo#	Drawing #	
Number	Architectural features: _____	Describe work and impact on existing features:
12	Approximate date of feature: _____	
Describe existing features and its condition:		Estimated cost:
Photo#	Drawing #	

Awning Facade Program

Adding new life to your commercial property has never been easier. Through Covington's Awning and Facade Program, grants and loans pay for up to half the costs associated with buying new awnings, light fixtures, and other improvements.



Main St.

How it Works

Commercial property owners or tenants can receive up to 50% or a maximum of \$1,500 for the cost of a new awning and other eligible building facade improvements. Money is initially awarded as a three-year loan with a fixed rate of 6%. As long as the business or owner stays at the same location the City will forgive one-third of its loan each year for three years.

Applying

Proposed work must meet Historic Covington Design Guidelines and the City zoning code. Awnings may contain graphics, although any existing signs must be taken into account. The applicant must obtain all necessary permits including a Certificate of Appropriateness and a Zoning Permit. After approval, contact your contractor or awning company, obtain permits and order the awning and other improvements. When the improvements are complete, submit a copy of the paid statement to City staff. You will be reimbursed for up to 50 percent of the cost of the improvement or a maximum amount of \$1,500.



Ritte's Corner

Awning & Facade Program Application

Please submit drawings to show planned improvements, colors, materials and any other information, such as manufacturer's brochures, that will help explain your project. For more information, call the Economic Development Department at 859-292-2163. To receive application, return completed form to: City of Covington; Economic Development Department; 638 Madison Avenue; Covington, KY 41011.

Name _____

Mailing Address _____

Phone _____

Project Address _____

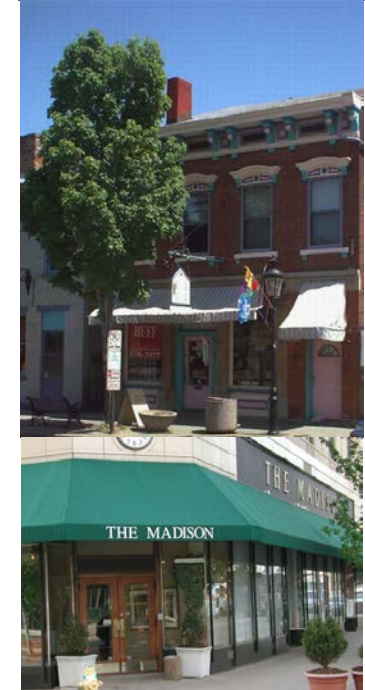
Approximate Cost of Project _____

(See back for eligible properties listing and map)

Commercial properties with storefronts on the following streets are eligible:

- MAYOR**
Irvin "Butch" Callery

Rob Sanders
Jerry Bamberger
Alex Edmondson
Jerry Stricker





Homebuyer Assistance/Exterior Façade Program

CITY OF COVINGTON TARGETED REDEVELOPMENT AREAS 2011-2012 PROGRAM GUIDELINES

I. PROGRAM SUMMARY

The Homebuyer Assistance/Exterior Façade Program is administered by the City of Covington's Community Development Department. The purpose of the program is to increase the number of homeowners in the two City of Covington targeted redevelopment areas: the Central Core and Latonia. Under this program, households which meet income, credit, and other requirements may obtain deferred payment, zero interest loans to assist with purchasing an owner occupied home. The loans can be used to cover the lender required down payment and usual, reasonable and customary closing costs. Borrowers may also be eligible for additional principal reduction to make the purchase affordable. The loan will become a grant if the owner occupies the home as their principal residence for 15 years from the date of purchase.

A façade grant will be made available to address exterior code violations. The facade grant may be used to repair or replace exterior components visible from the public right of way. Examples of eligible repairs include: roof repair/replacement, gutter repair/replacement, repair/painting of exterior walls and trim, porch posts and railings, handrails, steps and walkways.

II. PROCEDURES

All applicants must present a fully executed purchase contract, a City Homebuyer Assistance Program loan application, income information to determine eligibility, and required supporting documentation. Applications will be processed on a first come, first served basis as funding permits.

III. REQUIREMENTS

1. Borrower Qualifications:

- a. **Income:** To qualify for the Homebuyer Assistance Program, the borrower must verify to the Housing Department that he/she meets the following income qualifications. The borrower's annual family income must not exceed income limits as determined by the U.S. Department of Housing and Urban Development.

The City uses the Part 5 Income Definition. Income inclusions and exclusions and asset inclusions and exclusions are attached as Attachments 1, 2 and 3.

U.S. Department of Housing and Urban Development (HUD) income limits for Covington, adjusted for household size, effective 5/31/2011, are listed below. These limits are effective until revised by HUD.

2011 HUD Income Guidelines	
Persons in Household	Maximum Income
1	\$39,450
2	\$45,050
3	\$50,700
4	\$56,300
5	\$60,850
6	\$65,350
7	\$69,850
8	\$74,350

- b. **Credit:** Credit history and documentation which indicates substantial evidence of borrower's willingness to pay will be reviewed. Reports from a Credit Bureau will be obtained for all borrowers. A minimum credit score of **620** will be required. For borrowers with credit scores below 620, additional factors may be taken into consideration on a case-by-case basis. For borrowers with no credit score, a non-traditional credit history may be considered.
- c. **Education:** All applicants must participate in a City-approved homebuyer education course and must present a certificate of completion before program benefits are paid.
- d. **Loan Underwriting:** The City will use debt ratios of 31% and 43% to ensure that the borrower's income is sufficient to cover their mortgage and other monthly obligations. These are the current standard FHA ratios. Exceptions to these ratios will only be considered on a case-by-case basis. The interest rate on the first mortgage cannot be higher than 2.5% above the average 30 year conventional loan rate as published by Freddie Mac in the Weekly Primary Mortgage Market Survey. To be eligible for the City funding, borrowers may not use mortgage financing involving balloon payment loans, adjustable rate mortgages, or other loans that are determined to be subprime.
- e. **Good Standing:** Pursuant to Commissioners' Ordinance O-11-06, applicants and affiliated persons and/or entities for this program must not have made or filed pending adverse claims against the City in the form of settlement demands and/or lawsuits; nor shall they be delinquent in their obligations to pay loans, fines, liens, or other obligations owed to the City of Covington ("the City"). No person or entity will be denied federal public or assisted housing agency benefits or programs administered by the City as a result of this policy.

2. Property Qualifications:

- a. **Only owner-occupied** or vacant dwellings having one to two units are eligible. Two unit buildings must have been originally constructed for two units to be eligible. Homes currently occupied by tenants must be evaluated on a case-by-case basis to determine if the property is eligible for City assistance.
- b. **Targeted Redevelopment Areas:** All properties must be located in one of the City of Covington targeted redevelopment areas. The targeted areas are: 1) the Central Core and 2) all of the area known as Latonia. See attached maps.
- c. **Principal Residence:** Participants must occupy the property as their permanent principal place of residence within 60 days from the date of purchase (except in the case of units currently under construction). The home must be, and remain for the term of the loan agreement, the principal residence of the borrower.
- d. **Ownership Status:** The borrower must have fee simple title to the property. Homes purchased on private contracts usually do not meet this requirement.
- e. **Appraisal:** The appraised value after repairs must not exceed 95% of the Single Family Mortgage Limits under 203(b) of the National Housing Act, as adjusted periodically. This is to be verified by a certified appraisal. For 2011, appraised value after rehabilitation is \$243,675.
- f. **Property Standards:** All properties must meet the minimum housing standards of the International Property Maintenance Code prior to purchase. All properties will be inspected by the City to ensure compliance with these standards. If exterior code violations are present the City may provide a façade grant to address the exterior code violations. Properties with code violations that cannot be addressed by the façade grant may be eligible for the City's Purchase/Rehab Program.
- g. **Homes built prior to 1978** will be inspected in order to detect the presence of defective or deteriorated paint surfaces. This inspection and any required paint stabilization will be governed by The Department of Housing and Urban Development's Lead Safe Housing Rule.
- h. **Zoning:** The home must be in compliance with applicable zoning regulations.
- i. **Manufactured Housing:** In order to qualify for assistance, manufactured housing must be situated on a permanent foundation and be connected to permanent utility hookups. If produced after June 15, 1976, the home must meet property standards established under 24 CFR 3280. If produced before June 15, 1976, the home must comply with applicable City of Covington Codes.
- j. **Federal Regulations:** For activities funded through the Federal HOME Program Funds, loans are subject to requirements outlined in 24 CFR Part 92.

IV. LOAN TERMS/FAÇADE GRANT

a. Standard Loan Terms:

Loan Amount:

Latonia: up to \$5,000 to cover the lender required down payment and closing costs; and principal reduction as needed to bring the borrower's front-end ratio to 25%.

Central Core: up to \$10,000 to cover the lender required down payment and closing costs; and principal reduction as needed to bring the borrower's front-end ratio to 20%.

Interest Rate/Loan Term: 0%, 15 years

Monthly Payment Amount: No monthly payments. Two-thirds (2/3) of the loan amount will be forgiven if the owner(s) occupy the home as their principal residence for 10 years from the date of purchase. The final one-third (1/3) will be forgiven pro-rata over the final five years of the loan. Any remaining loan principal will be due in full upon the sale, transfer, refinance or vacating of the property by the property owner.

Sales Price: Cannot exceed 95% of the area median as determined by the 203(b) mortgage limits for the Cincinnati-Middletown OH-KY-IN MSA as calculated periodically. For 2011, this amount is \$243,675.

b. Façade Grant:

Up to \$2,500 (minimum \$1,000) forgivable grant to address exterior code violations visible from the public right of way. All façade work must be approved by the City of Covington regarding historic standards. All work must be performed in accordance with the Department of Housing and Urban Development's Lead Safe Housing Rule. This includes the use of RRP certified contractors and clearance testing performed by certified lead risk assessors at the completion of the façade work.

V. Conflict of Interest:

A conflict of interest exists if an applicant is an employee, agent, consultant, officer elected or appointed official to the City of Covington, and if the applicant:

- Exercises or has exercised any functions or responsibilities with respect to funds for this program, or
- Participates in the decision making process related to funds for this program, or
- Is in a position to gain inside information with regard to program activities.

If a conflict of interest exists, the applicant may not obtain assistance under this program. If there is any doubt of the conflict of interest, a written waiver may be obtained from the City of Covington.

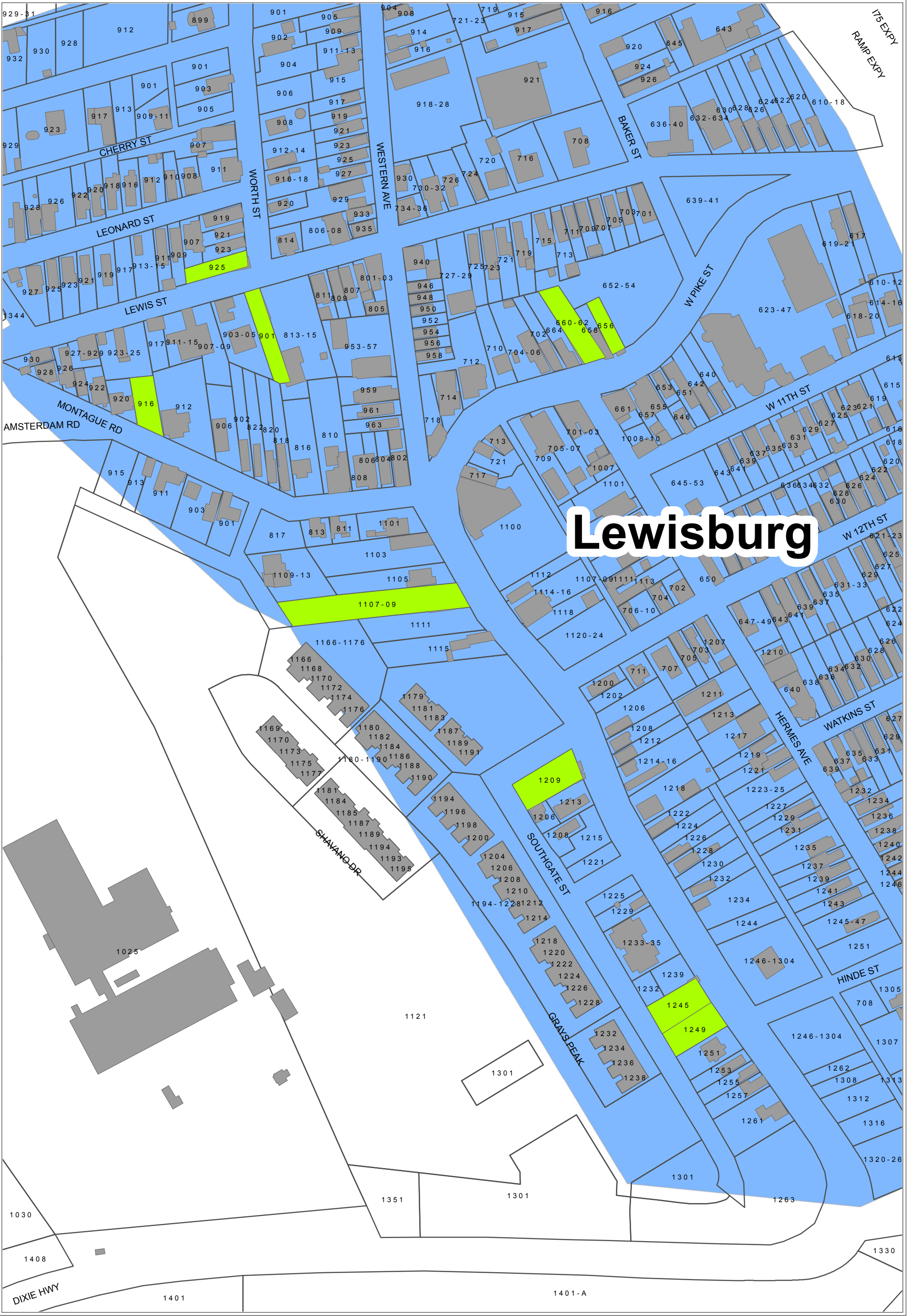
V. SPECIAL HOUSING NEEDS

The City Commission reserves the right to waive any local program requirement for applicants who demonstrate a special housing need because of physical or mental disability or large family size. Additionally, the City Commission reserves the right to waive any local program requirements in conjunction with an activity undertaken by a Community Housing Development Organization (CHDO) or other non-profit entity.

For further information on the Homebuyer Assistance Program, call or write:

**City of Covington
Community Development Department
638 Madison Avenue
Covington, KY 41011
(859) 292-2147
TDD (800) 545-1833, ext. 931**

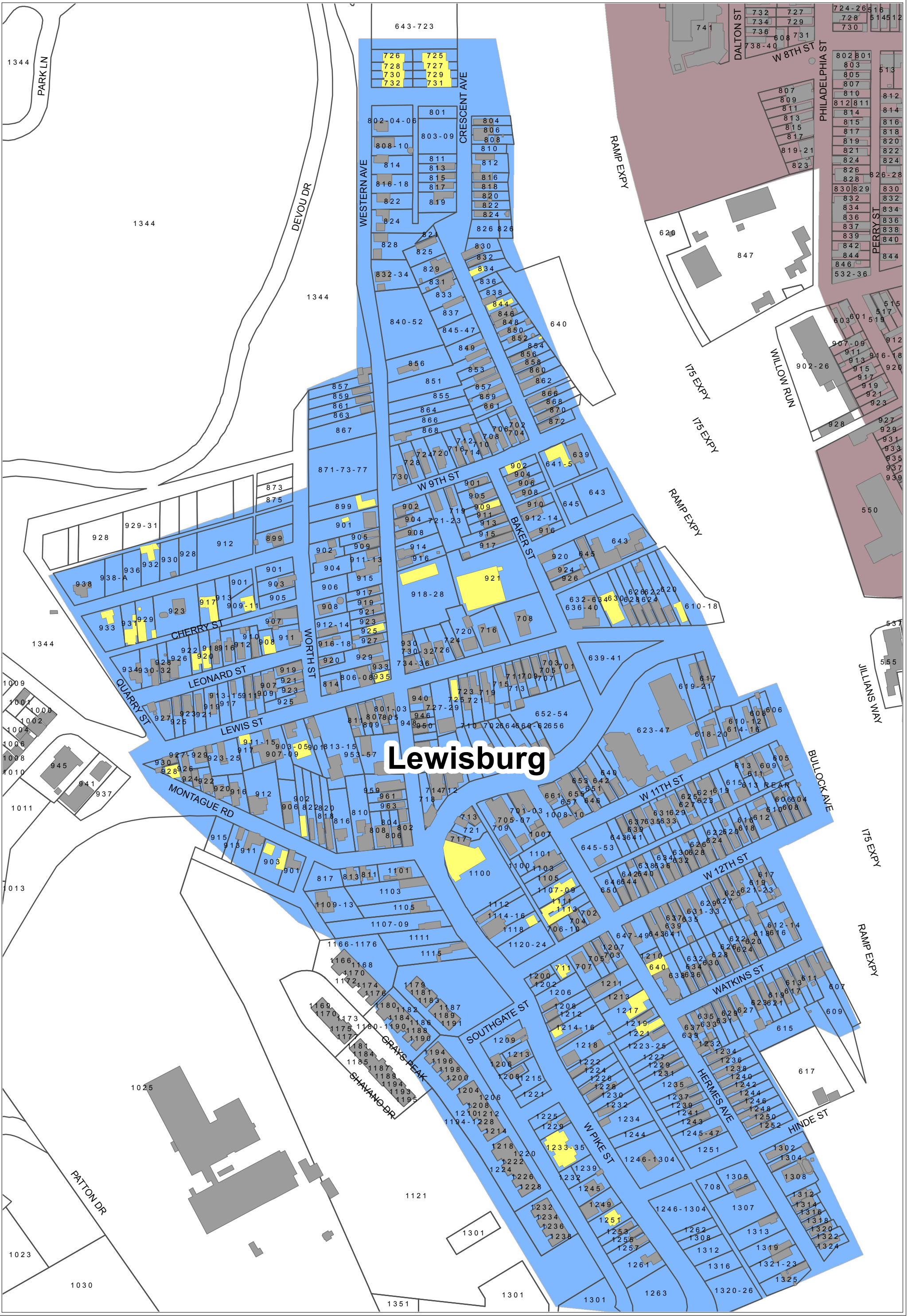
Adopted: 06/28/2011 (O/R-163-11)



Purchase and Rehab Options in Lewisburg

	PVA Value	MLS Value	Square Foot	\$75/sf	15% Developer Fee	10% contingency	Total
656 Pike Street	\$50,000		1888	\$141,600	\$162,840	\$179,124	\$229,124
660-662 Pike Street	\$72,000	\$24,900	1282	\$96,150	\$110,573	\$121,630	\$146,530
1107-09 Pike Street	\$10,000		2306	\$172,950	\$198,893	\$218,782	\$228,782
1209 Pike Street	\$55,000		1400	\$105,000	\$120,750	\$132,825	\$187,825
1245 Pike Street	\$50,000		1200	\$90,000	\$103,500	\$113,850	\$163,850
1249 Pike Street	\$60,000		1944	\$145,800	\$167,670	\$184,437	\$244,437
916 Montague Street	\$65,000	\$10,000	1440	\$108,000	\$124,200	\$136,620	\$146,620
901 Lewis Street	\$45,000		1584	\$118,800	\$136,620	\$150,282	\$195,282
925 Worth Street	\$60,000	\$19,000	1866	\$139,950	\$160,943	\$177,037	\$196,037

* All properties are currently for sale or vacant and are in priority/high impact areas



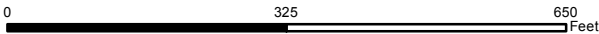
Lewisburg



Map Created By:
City of Covington, Kentucky
Historic Preservation Office
638 Madison Avenue
Covington, KY 41011
Created On: 03/03/2008

Noncontributing Buildings

Lewisburg National Register Historic District



Zimmer, Charles Sr.

A Lewisburg merchant and politician. Charles Zimmer Sr. was born on April 5, 1868 in Cincinnati, Ohio to John Zimmer and Barbara Metz Zimmer. Five brothers and sisters were quickly added to the family: Rose, Joseph, Susan, Ann and William. The young family soon moved to the Lewisburg neighborhood of Covington. The first residence in Lewisburg was on Worth Street near the old St. John Church. On May 17, 1892, Charles Zimmer married Frances Bockweg (1869-1950) at St. John Church. The couple rented an apartment on Baker Street. At about this time, Charles began working in the grocery store of his brother-in-law, Henry Bockweg. A few years later, Charles Zimmer struck out on his own and opened a small grocery on Hermes Avenue. He and Frances lived in a small apartment located above the grocery. In time, a second grocery was established at the corner of Lewis Street and Western Avenue. The living quarters above this store were larger, and thus became the family home. In 1904, Charles Zimmer opened a third store in Lewisburg. This store, located at 704 Pike Street, sold hardware. The business became known as the Charles Zimmer Hardware Store. The hardware store grew very quickly. Within a few years, the store moved to larger quarters at 600 Pike Street. In addition to his grocery stores and hardware establishment, Charles Zimmer also found time to help establish the Western German Savings Bank in 1908. Eventually the bank built a permanent structure at the corner of Pike and 9th Streets. The name of the bank was changed to Security Savings Bank during the anti-German hysteria of the First World War. Charles Zimmer was a director at the bank until 1934. By 1910, Charles and Frances were the parents of nine children: Lauretta, Olivia, Charles Jr., Clara, Edgar, Gertrude, Barbara, Humbert, and Paul. Paul, the last child, was born in the Zimmer's new home at 712 Pike Street (the site of the former Seiler Brewery). The Zimmer Hardware Store did a good business in the early years of the 1900s. Charles decided to sell the two groceries and devote his entire attention to the hardware business. Zimmer also added automobile supplies and a repair shop to the facilities. On April 2, 1925, the Zimmer Hardware Store was partially destroyed by fire. A new store, however, was quickly constructed at 537-539 Pike street. The new brick building measured 135 x 50' and was officially opened in November 1925. The closing of the Bavarian Brewery in 1919 offered Charles Zimmer another business opportunity. In 1926, he purchased a parcel of this property and began planning for the construction of a new residential street. He named the street Riedlin Avenue after William Riedlin, the long-time owner of the brewery. Ten homes were eventually built on this street. Charles Zimmer entered the political realm in 1929. He ran on a ticket for a seat on the Covington City Commission. The ticket included: Louis Meyer, M. Swindler and Joseph Pieper. The four candidates promoted a city manager form of government for Covington. The ticket was successful and a city manager form of government became a reality. Charles Zimmer was officially sworn in on January 1, 1930 as the safety commissioner (he was in charge of the police and fire departments). His political career, however, was a short one. Zimmer resigned his commission set on December 18, 1930. The year 1930 was also marked by the transfer of the hardware store from Charles Zimmer Sr. to his two sons: Bert and Charles Jr. (Carl). At this time Charles Zimmer Sr. retired. Charles Zimmer Sr. died on March 8, 1942. His wife, Frances Zimmer, followed him on August 6, 1950. The couple is laid to rest at St. John's Cemetery in Fort Mitchell, Kentucky. Bert and Charles Jr. sold Zimmer Hardware in 1964 to Bob and Emily Von Holle. Zimmer, Charles Jr., Mr. Lewisburg: Charles Zimmer Sr., 1868-1942, (Published by the family) Available in the collection of the KCPL; Kentucky Post, April 11, 1930, p. 17.

JOSEPH L. TRAUTH, JR.
DIRECT DIAL: (513) 579-6515
FACSIMILE: (513) 579-6457
E-MAIL: JTRAUTH@KMKLAW.COM

December 21, 2011

Dear Consulting Parties:

As you know, this firm represents the owners of Longworth Hall. In follow up to our meeting of December 8, 2011 we have the following concerns: After initial consultation with our appraisers, we are now more convinced more than ever that Longworth Hall, following a take process, will not be an economically feasible nor viable entity. This is due to the length of the construction project, the demolition of one-third of the building, the addition of a second bridge making our site more difficult to find, the relocation of a major Duke Energy substation from a relatively distant location to immediately adjacent to the south of the building, the influence of negative press, noise from pile driving and general construction, a multi-year construction zone, reduced square footage which significantly impacts the operating efficiency of the current building as well as the effects of 200,000 – 220,000 vehicles per day within 40 feet of the building.

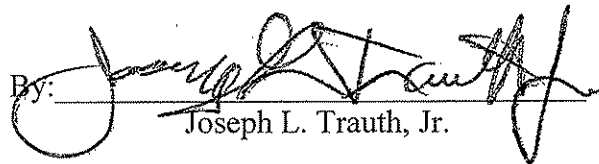
We seem to have the cart before the horse with the 106 process taking place in advance of the eminent domain process. As to our mitigation, in my letter dated November 28, 2011 (attached) we addressed approximately 11 points. On point one, the restoration of the fifth floor, was responded to with a front parapet wall only, which we believe is totally inadequate for true historic mitigation and would demand that the parapet wall be placed not only in the south but also on the north with a roof to preserve it. Item 2 was agreed to. Items 3 and 4 were agreed to. Number 5, window restoration, was met with a negative, however, we believe that is also important to preserve the historical integrity and significance of the building. Number 6 was agreed to. Number 7 was not agreed to, but we believe that the roof replacement is as important as the storm windows -- and maybe more important -- to preserve this historic structure. Number 8, painting the water tower, was turned down. We could potentially agree to that being done by the owner. Number 9, refurbishing the original lettering across the top of the building, was agreed to. Number 10 was not agreed to, however, we believe that the boiler house is a significant portion of the historical value of the complex. Number 11 was also agreed to.

December 21, 2011
Page 2

We can further discuss these matters at your convenience and are more than willing to do so.

Yours very truly,

KEATING MUETHING & KLEKAMP PLL

By: 
Joseph L. Trauth, Jr.

JLT:ksl

4186423.1

December 22, 2011

KYTC Item # 6-17

Brent Spence Bridge Replacement/Rehabilitation Project

Summary of Meeting Regarding Potential Mitigation for Impacts to Lewisburg Historic District

Attendees:

Anthony Goodman	FHWA
John Ballantyne	FHWA
Ian Childster	FHWA
Phil Johnston	KHC
Craig Potts	KHC
Vicki Birenberg	KHC
Nick Laracuenta	KHC
Stacee Hans	KYTC
Phil Logsdon	KYTC
Scott Schurman	KYTC
Rebecca Turner	KYTC
David Waldner	KYTC

A meeting was held at KYTC-CO on December 19, 2011 to discuss potential mitigation measures for impacts to the Lewisburg Historic District as a result of the Brent Spence Bridge Project. KHC stated that they were favorable to the mitigation items that were presented at the November 16, 2011 Consulting Party meeting. Mitigation items presented at that meeting included:

- Completion of photographic documentation of buildings to be demolished,
- Completion of Kentucky Individual Buildings Survey Forms for contributing resources within the Lewisburg Historic District (430 contributing buildings are listed in the National Register of Historic Places (NRHP) nomination),
- Revision of the 1993 NRHP nomination form to include contributing buildings that were not yet 50 years old at the date of nomination and to note which buildings are no longer extant due to recent residential development in the area,
- Creation of a Historic Preservation Plan for Lewisburg to preserve the history of the district,
- Development of a vegetative screening plan.

In addition to these mitigation items, the following mitigation items for Lewisburg Historic District were discussed:

- A Façade Grant program – this program would be implemented to improve façades of homes and businesses within the Lewisburg Historic District. The program would be funded by FHWA and administered by the City of Covington. The fund would require matching funds by the owner and a deadline date to complete improvements by would apply. Details such as the total

amount of the fund, the amount that would be available for each property, matching fund requirements, and the naming of the fund would have to be worked out in the future and specified in a Memorandum of Agreement (MOA). Additionally, there was further discussion regarding making the program affordable to low-income households that reside in the District.

- Barvarian Brewing Company – The Bavarian Brewing Company building is a listed resource (NRHP 96000281) located on 12th Street in Covington. The building is currently on sale for approximately 6 million dollars. KHC inquired about the possibility of whether the building could be purchased, refurbished, and ultimately turned over to the City Of Covington as a possible mitigation measure.
- Multi-modal; multi-use path – KHC inquired about the possibility of the construction of a multi-modal path that would connect Lewisburg Historic District with the City of Covington. KHC would like to implement a program similar to Legacy Trail in Lexington. This approach would connect the trail to be constructed to already existing bike and pedestrian trails. Also, KHC presented the idea of placing historic trail markers along the multi-use path. These markers would contain historic photographs of areas along the path and would give users of the path a perspective of how a specific area once was viewed historically.
- Vibration Testing – KHC requests that vibration testing for Lewisburg Historic District be performed during construction activities. Seismographs would be located at positions within Lewisburg Historic District to help avoid adverse impacts to the District during construction.

Further discussion ensued between KHC, FHWA, and KYTC on which of these mitigation measures should move forward. FHWA and KYTC were in favor of moving forward with the Façade Grant Program and the implementation of vibration testing during construction activities. It was agreed that these items best mitigated actual impacts to Lewisburg Historic District itself. Implementation of the Façade Grant Program would occur at the time of right-of-way authorization. Details of the Façade Grant Program and vibration testing will be worked out and specified in the MOA.

FHWA was not in favor with moving forward with mitigation regarding the Bavarian Brewing Company. FHWA indicated that the purchase of the building would be extremely difficult with FHWA funding due to legal and logistical implementation issues. In addition, it was agreed between all parties that the purchase and rehabilitation of the Bavarian Brewery would not directly mitigate impacts to Lewisburg Historic District.

Finally, FHWA and KYTC indicated that the implementation of a multi-modal trail should be looked at from a project wide perspective and will be considered a project commitment, not as mitigation to Lewisburg Historic District. Connectivity between Lewisburg Historic District and the City of Covington was severed when I-75 was originally constructed. Current project impacts will not significantly affect that connectivity. However, FHWA recognizes the sensitivity of the connectivity issue with local residents and will address the issue on a project commitment basis. FHWA also requested information from KHC regarding the cost of the historical markers that were presented as a possible mitigation item.

**MEMORANDUM OF AGREEMENT BETWEEN THE
FEDERAL HIGHWAY ADMINISTRATION,
THE OHIO DEPARTMENT OF TRANSPORTATION, AND
THE OHIO STATE HISTORIC PRESERVATION OFFICE,
REGARDING THE
BRENT SPENCE BRIDGE REPLACEMENT/REHABILITATION PROJECT,
HAM-71/75-0.00/0.22, PID 75119,
HAMILTON COUNTY, OHIO AND KENTON COUNTY, KENTUCKY
ADVERSE EFFECT TO THE
B&O FREIGHT AND STORAGE BUILDING/LONGWORTH HALL,
LISTED ON THE NATIONAL REGISTER OF HISTORIC PLACES (86003521)
700 PETE ROSE WAY (SECOND STREET), CINCINNATI, OHIO
(ODOT AGREEMENT NUMBER 16829)**

WHEREAS, the Federal Highway Administration (FHWA), the Kentucky Transportation Cabinet (KYTC), and the Ohio Department of Transportation (ODOT) propose to reconstruct a 7.8-mile segment of Interstate 71 (I-71) and Interstate (I-75) and construct a new bridge over the Ohio River in Kenton County, Kentucky and Hamilton County, Ohio, known as the Brent Spence Bridge Replacement/Rehabilitation Project, and hereby known as the undertaking (UNDERTAKING); and

WHEREAS, FHWA, with ODOT and KYTC as their agents, plan to fund the UNDERTAKING, thereby making the UNDERTAKING subject to review under Section 106 of the National Historic Preservation Act (NHPA), 16 U.S.C. § 470f, and its implementing regulations, 36 C.F.R. Part 800; and

WHEREAS, FHWA, with ODOT and KYTC as their agents, have consulted with the Ohio State Historic Preservation Office (SHPO) and the Kentucky Heritage Council (KHC); and

WHEREAS, FHWA, with ODOT and KYTC as their agents, will consult with federally recognized Native American Indian Tribes that may attach religious and cultural significance to historic properties; and

WHEREAS, FHWA, with ODOT and KYTC as their agents, have identified and consulted with consulting parties through public meetings, direct notification, project website, and Section 106 consultation; and, have not denied any of the identified consulting parties such status for this UNDERTAKING; and

WHEREAS, FHWA, with ODOT and KYTC as their agents, in consultation with the SHPO, KYTC and other consulting parties, have identified the UNDERTAKING's area of potential effect (APE), as defined in 36 C.F.R. § 800.16(d); and

WHEREAS, FHWA with ODOT and KYTC as their agents, have incorporated avoidance and minimization measures into the project development process by incorporating noise walls, retaining walls, pedestrian facilities, and aesthetic treatments into the design where warranted; and

WHEREAS, FHWA, with ODOT and KYTC as their agents, will continue to incorporate avoidance and minimization measures into the UNDERTAKING; and

WHEREAS, FHWA, with ODOT as their agent, in consultation with the SHPO, and other consulting parties, determined the UNDERTAKING will have an adverse effect upon the B&O Freight and Storage Building/Longworth Hall, listed on the NRHP (86003521), located at 700 Pete Rose Way (Second Street), Cincinnati, Ohio, pursuant to Section 106 of the NHPA, 16 U.S.C. § 470f, and its implementing regulations, 36 C.F.R. § 800; and

WHEREAS, FHWA, with KYTC as their agent, in consultation with the KHC, and other consulting parties, determined the UNDERTAKING will have an adverse effect upon the Lewisburg Historic District, listed on the NRHP (93001165), bounded by I-71/75 and the city limits of Covington, Kentucky, pursuant to Section 106 of the NHPA, 16 U.S.C. § 470f, and its implementing regulations, 36 C.F.R. § 800; and

WHEREAS, FHWA, with ODOT and KYTC as their agents, have determined the agreed upon measures to resolve the adverse effects of the UNDERTAKING to historic properties, located in the State of Ohio and the Commonwealth of Kentucky, will be formalized by two separate Memoranda of Agreements; and

WHEREAS, FHWA, with ODOT as their agent, has initiated this Memorandum of Agreement (AGREEMENT) to build upon the identification and consultation efforts conducted thus far in the State of Ohio; and, to formalize measures to resolve the adverse effect to the B&O Freight and Storage Building/Longworth Hall, listed on the NRHP (86003521), located at 700 Pete Rose Way (Second Street), Cincinnati, Ohio; and

WHEREAS, FHWA, with ODOT as their agent, have invited the identified consulting parties to concur with this AGREEMENT and will continue to consult with the consulting parties as the UNDERTAKING progresses; and

WHEREAS, FHWA, with ODOT as their agent, in accordance with 36 C.F.R § 800.6(a)(1), has notified the Advisory Council on Historic Preservation (COUNCIL) of the adverse effect determination with specified documentation and the COUNCIL has chosen not to participate in the consultation pursuant to 36 C.F.R 800.6(a)(1)(iii); and

NOW THEREFORE, FHWA, with ODOT as their agent, agree that the UNDERTAKING shall be implemented in accordance with the following stipulations in order to take into account the adverse effect of the UNDERTAKING on the B&O Freight and Storage Building/Longworth Hall, listed on the NRHP (86003521), located at 700 Pete Rose Way (Second Street), Cincinnati, Ohio.

STIPULATIONS

FHWA shall ensure that the following mitigation measures are carried out:

I. ARCHITECTURAL PROPERTIES

A. In consultation with FHWA, SHPO, and other consulting parties, ODOT has identified architectural historic properties in the APE, as documented by the *Brent Spence Bridge Replacement/Rehabilitation Project Determination of Effects Report* ODOT PID No. 75119, HAM-71/75-0.00/0.22, KYTC Project item No. 6-17; and, has identified the effects to historic properties located within the APE.

B. ODOT proposes treatments commensurate with the level of impact and that are a reasonable public expenditure in light of the severity of the impact. ODOT will mitigate

the adverse effect to B&O Freight and Storage Building/Longworth Hall, listed on the NRHP (860003521), located at 700 Pete Rose Way (Second Street), Cincinnati, Ohio, using, but not limited to, one or more of the treatments on the following list:

1. Installation of exterior storm windows.
2. Restoration of the east wall, to an approximation of its original appearance, will include materials salvaged during demolition in accordance with the Secretary of Interior's Standards.
 - a. Plans will be developed for review and comment by the building owner, Cincinnati Preservation Association, and SHPO.
 - b. Windows, removed to accommodate the new roadway construction, will be restored and used in the east wall reconstruction.
 - c. Windows, removed and not used in the east wall reconstruction, will be restored and returned to the owner.
 - d. A cornerstone, commemorating the date of construction (1904) on one side, and the date of the renovation on the other side, will be included in the east wall reconstruction design.
3. Masonry repair will include: repair or replacement of bricks as warranted; tuck-pointing; and, brick cleaning of the west, north, and south walls.
4. Plaque/Interpretive signage will be constructed:
 - a. The original location of the east wall, prior to the construction of the Brent Spence Bridge, will be outlined by bricks and stone work.
 - b. An interpretive plaque, describing changes to the property that have occurred over time, will be placed near the original location of the east end wall.
5. The original lettering across the top of the building will be refurbished.
6. All materials removed, that retain historic integrity and nature, will be returned to the building owner to be used in future repairs or expansion.
7. ODOT will have follow up discussions with the owner regarding contracting methods and their request to either perform the construction themselves or provide project management control. If ODOT concurs in this approach, details will be outlined in a separate agreement.

Prior to commencement of the proposed treatment plans, ODOT will ensure right-of-way acquisition has been completed.

II. DURATION

This AGREEMENT will be null and void if the UNDERTAKING is not implemented within five (5) years from the date of its execution. At such time, and prior to work continuing on the UNDERTAKING, FHWA shall either (a) execute a new agreement pursuant to 36 C.F.R. § 800.6; or (b) request, take into account, and respond to the comments of the COUNCIL under 36 C.F.R. § 800.7. Prior to such time, FHWA may consult with the other signatories to reconsider the terms of this AGREEMENT and amend it in accordance with Stipulation VIII below. FHWA shall notify the signatories as to the course of action it will pursue.

III. POST-REVIEW DISCOVERIES AND UNANTICIPATED DISCOVERY OF HUMAN REMAINS, OHIO

A. If previously unidentified archaeological or historic properties, or unanticipated effects, are discovered after completion of Section 106 review, that portion of the project will stop immediately, pursuant to Section 203.04 of ODOT's *Construction and Material Specifications*. The ODOT project engineer will immediately contact ODOT-OES and/or the appropriate ODOT District Environmental Coordinator. No further construction in the area of discovery will proceed until the requirements of 36 C.F.R. § 800.13 have been satisfied, including consultation with federally recognized Native American Indian tribes that may attach traditional cultural and religious significance to the discovered property. ODOT will consult with SHPO and Indian tribes, as appropriate, to record, document and evaluate NRHP eligibility of the property and the project's effect on the property, and to design a plan for avoiding, minimizing, or mitigating adverse effects on the eligible property. If neither the SHPO nor a federally recognized Native American Indian Tribe file a timely objection to ODOT's Office of Environmental Services (ODOT-OES) plan for addressing the discovery, ODOT-OES may carry out the requirements of 36 C.F.R. § 800.13 on behalf of FHWA and the COUNCIL need not be notified. FHWA and ODOT-OES will conduct all review and consultation in accordance with *Programmatic Agreement Among the Federal Highway Administration, the Advisory Council on Historic Preservation, the Ohio Historical Society, State Historic Preservation Office, and the State of Ohio, Department of Transportation Regarding Implementation of the Federal-Aid Highway Program in Ohio (Agreement No. 16734)* (executed 11/30/2011).

B. Historic and prehistoric human remains are subject to protection under Ohio Revised Code Sections 2909.05 and 2927.11. As such, if previously unidentified human remains are discovered during construction, work in that portion of the project will stop immediately. The remains will be covered and/or protected in place in such a way that minimizes further exposure of and damage to the remains. The ODOT project engineer will immediately consult with ODOT-OES and the ODOT District Environmental Coordinator, and immediately notify local law enforcement and/or the County Coroner. If the project has a US Army Corps of Engineers (USACOE) permit issued, the ODOT District Environmental Coordinator must notify ODOT-OES and the USACOE. If the remains are found to be Native American Indian, a treatment plan will be developed by ODOT-OES and SHPO in consultation with FHWA and appropriate federally recognized Native American Indian Tribes.

FHWA and ODOT-OES will ensure that any treatment and reburial plan is fully implemented. If the remains are not Native American Indian, the appropriate local authority will be consulted to determine final disposition of the remains. Avoidance and preservation in place is the preferred option for treating human remains. FHWA and ODOT-OES will conduct all review and consultation in accordance with *Programmatic Agreement Among the Federal Highway Administration, the Advisory Council on Historic Preservation, the Ohio Historical Society, State Historic Preservation Office and the State of Ohio, Department of Transportation Regarding Implementation of the Federal-Aid Highway Program in Ohio (Agreement No. 16734)* (executed 11/30/2011).

C. For Native American Indian human remains discovered on federal lands, the Federal land managing agency will be responsible for consultation under the *Native American Graves Protection and Repatriation Act of 1990* (PL 101-601). For skeletal remains discovered on property owned by the State of Ohio, ODOT will comply with Section 149.53 of the Ohio Revised Code. Under this section, the Director of the Ohio Historical Society shall determine final disposition of any discovered skeletal remains. FHWA and ODOT-OES will also follow the guidance issued by the COUNCIL, *Policy Statement Regarding Treatment of Burial Sites, Human Remains, and Funerary Objects* (issued 2/23/07).

IV. MONITORING AND REPORTING

Each five (5) years following the execution of this AGREEMENT until it expires or is terminated, FHWA shall provide all parties to this AGREEMENT and the COUNCIL if desired, a summary report detailing work carried out pursuant to its terms. Such report shall include any scheduling changes proposed, any problems encountered, and any disputes and objections received in FHWA's efforts to carry out the terms of this AGREEMENT.

V. DISPUTE RESOLUTION

Should any signatory or concurring party to this AGREEMENT object at any time to any actions proposed or the manner in which the terms of this AGREEMENT are implemented, FHWA shall consult with such party to resolve the objection. If FHWA determines that such objection cannot be resolved, FHWA will:

A. Forward all documentation relevant to the dispute, including the FHWA's proposed resolution, to the COUNCIL. The COUNCIL shall provide FHWA with its advice on the resolution of the objection within thirty (30) days of receiving adequate documentation. Prior to reaching a final decision on the dispute, FHWA shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the COUNCIL, signatories and concurring parties, and provide them with a copy of this written response. FHWA will then proceed according to its final decision.

B. If the COUNCIL does not provide its advice regarding the dispute within the thirty (30) day time period; FHWA may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, FHWA shall prepare a written response that takes into account any timely comments regarding the dispute from the signatories and concurring parties to this AGREEMENT, and provide them and the COUNCIL with a copy of such written response.

C. FHWA's responsibilities to carry out all other actions subject to the terms of this AGREEMENT that are not the subject of the dispute remain unchanged.

VI. AMENDMENTS

This AGREEMENT may be amended when such an amendment is agreed to in writing by all signatories. The amendment will be effective on the date a copy signed by all of the signatories is filed with the COUNCIL.

VII. TERMINATION

If any signatory to this AGREEMENT determines that its terms will not or cannot be carried out, that party shall immediately consult with the other parties to attempt to develop an amendment pursuant to Stipulation VI above. If within thirty (30) days (or another time period agreed to by all signatories) an amendment cannot be reached, any signatory may terminate this AGREEMENT upon written notification to the other signatories.

Once the AGREEMENT is terminated, and prior to work continuing on the UNDERTAKING, FHWA must either (a) execute a new agreement pursuant to 36 C.F.R. § 800.6, or (b) request, take into account, and respond to the comments of the COUNCIL under 36 C.F.R. § 800.7. FHWA shall notify the signatories as to the course of action it will pursue.

EXECUTION of this AGREEMENT by the FHWA, ODOT, and SHPO, and implementation of its terms, is evidence the FHWA has taken into account the effects of this UNDERTAKING on the B&O Freight and Storage Building/Longworth Hall, listed on the NRHP (86003521), located at 700 Pete Rose Way (Second Street), and has afforded the COUNCIL an opportunity to comment.

SIGNATORIES:

_____ Date _____

Laura S. Leffler, Division Administrator
Federal Highway Administration, Ohio Division,

_____ Date _____

Mark J. Epstein, Department Head, Resource Protection and Reviews
Ohio State Historic Preservation Officer

_____ Date _____

Jerry Wray, Director
Ohio Department of Transportation

Concurring:

_____ Date _____

Michael W. Hancock, Secretary
Kentucky Transportation Cabinet

_____ Date _____

Mark Dennen
Kentucky State Historic Preservation Office

_____ Date _____

Margo Warminski
Cincinnati Preservation Association

_____ Date _____

Michael Schweitzer
Longworth Hall

_____ Date _____

Steve Schuckman
Cincinnati Parks

_____ Date _____

Norman Kattelman
Dayton Street Historic District