#### **Federal Railroad Administration**

Ohio 3C Quick Start Passenger Rail Service

# DRAFT FINDING OF NO SIGNIFICANT IMPACT

Submitted pursuant to the Council on Environmental Quality Regulations implementing the National Environmental Policy Act of 1969, as amended

By the

U.S. Department of Transportation Federal Railroad Administration,

Ohio Department of Transportation, and Ohio Rail Development Commission

Date of Approval	for Federal Railroad Administration
Date of Approval	for Ohio Department of Transportation
 Date of Approval	for Ohio Rail Development Commission

The Ohio Department of Transportation (ODOT) and the Ohio Rail Development Commission (ORDC) are proposing a program of infrastructure and station improvements to re-establish passenger rail service on the 260-mile rail corridor between Cleveland, Columbus, and Cincinnati (3C Corridor). ODOT and ORDC have requested Federal funds from the Federal Railroad Administration's (FRA) High-Speed Intercity Passenger Rail Program to cover a substantial portion of the cost of the proposed program of passenger rail improvements. The proposed service would have up to four passenger daily round trips serving Cleveland, Southwest Cleveland, Columbus, Dayton, suburban Dayton, Springfield, North Cincinnati, and Cincinnati. The proposed infrastructure improvements would consist of track infrastructure capacity additions (through sidings, crossovers, and segments of second mainline), signals, track speed improvements, grade crossing safety improvements, stations, equipment, and service, inspection and layover facilities within or adjacent to existing railroad rights-of-way within the corridor to avoid and minimize impacts. Maximum operating speed related to the corridor program would be 79 mph. This finding of no significant impact is for the proposed infrastructure and service improvements and is being made at the Tier-1 level of review. The analysis presented in the Tier-1 environmental assessment discusses overall environmental issues and effects and supports a finding of no significant environmental impact for the proposed program of infrastructure improvements and the proposed service consistent with the requirements of the National Environmental Policy Act. It will be followed by additional environmental impact assessment and engineering studies as required prior to implementation of the infrastructure improvements. This finding of no significant impact is conditioned on subsequent Tier-2 sitespecific environmental documentation, to further demonstrate that no significant environmental impacts are associated with implementing the proposed infrastructure improvements or service.

# Introduction

The Ohio Department of Transportation (ODOT) and the Ohio Rail Development Commission (ORDC) are proposing to reestablish passenger rail service on the rail corridor between Cleveland, Columbus, and Cincinnati, known as the 3C Corridor. Passenger rail has not been available to the majority of Ohioans since the Penn Central Railroad terminated passenger operations in 1970.

ODOT and ORDC propose to reestablish passenger rail service through the Ohio 3C Quick Start Passenger Rail Service Project, which involves track infrastructure capacity additions (through sidings, crossovers, and segments of second mainline), signals, track speed improvements, grade crossing safety improvements, stations, equipment, and service, inspection and layover facilities (Project). All action proposed is within and immediately adjacent to existing railroad rights-of-way within the corridor. The 3C Quick Start Project will enable the reestablishment of passenger rail service at speeds up to 79 mph, with proposed service levels of up to four round trips per day between Cleveland and Cincinnati on the 3C Corridor.

The Project was selected by the Federal Railroad Administration (FRA) to receive \$400,000,000 in Federal funds from the American Recovery and Reinvestment Act.

FRA is following a tiered approach to the environmental assessment requirements of the National Environmental Policy Act (NEPA) for the 3C Quick Start Passenger Rail Project. ODOT and ORDC prepared the 3C Quick Start Passenger Rail Environmental Assessment (EA) for the 3C Quick Start Passenger Rail Project in July 2010 and it is available for review online at <a href="https://www.3CisMe.Ohio.gov">www.3CisMe.Ohio.gov</a>. The Draft EA was circulated for public and agency review and comment in September 2009.

The EA is a Service-Level Tier-1 document, which addresses corridor wide environmental issues, type of service proposed (including cities and stations served), route alternatives, service levels, type of operations, ridership projections, and major infrastructure components. Tiering is a process encouraged by the Council on Environmental Quality whereby environmental assessment documents are prepared so as to eliminate repetitive discussions of the same issues and to focus on the actual issues ripe for decision at each level of environmental review. Similarly, the Tier-1 EA in this instance focuses on corridor wide service level issues associated with implementing the 3C Quick Start Passenger Rail Service. As a result of the analysis presented in the Tier-1 EA and its summary provided herein, FRA has determined that the Ohio 3C Quick Start Passenger Rail Project is not anticipated to have a significant adverse impact on the environment.

ODOT and ORDC, in cooperation with FRA, will prepare Tier-2 level NEPA documents. The proposed time for completion of these documents is December 2011. Tier-2 documentation will consist of a series of individual environmental assessments and possible categorical exclusions with engineering studies addressing location-specific design details, and environmental impacts in the following smaller segments: Cleveland to Columbus, Columbus to North Cincinnati, and North Cincinnati to Cincinnati. Additionally, Tier-2 environmental documentation will be required to approve the train equipment fleet purchase necessary to support the Project. A Tier-2 NEPA document will need to be completed prior to any construction for any segment of the Project. Construction is currently proposed to begin in 2012.

# **Statement of Purpose and Need**

The purpose of reestablishing a conventional (up to 79 miles per hour [mph]) passenger rail service in the 3C Corridor is to provide a reliable train system that links Ohio's three largest cities (Cincinnati, Columbus, and Cleveland) and delivers predictable and consistent travel times. The service is intended to provide travel options now (Quick Start) and possibly develop the passenger rail market for further development in the future. This Quick Start service, once established, could allow for future improvements and expansion projects that will advance the 3C Corridor toward meeting the FRA's definition of "Emerging High-Speed Rail" with top speeds of 90 to 110 mph, as described in "Vision for High-Speed Rail in America," April 2009. These future possibilities are not a part of the current NEPA review and would be evaluated separately in the future in accordance with applicable requirements.

The purpose of the Project is to re-establish a passenger rail transportation system in the 3C Corridor and provide additional mobility options and a new transportation choice for travelers, with associated benefits. In order to successfully achieve this purpose, the Project must meet the following identified needs in the 3C Corridor:

- Expand travel options between Ohio's largest cities
- Provide an alternative mode of transportation to meet travel demands in the I-71 corridor and segments of the I-70 and I-75 corridors
- Respond to statewide air quality concerns, work to alleviate current and future regional congestion, and help foster environmental sustainability
- Create multi-model connections between the 3C rail and bus transit systems, existing interstate rail, and alternative transportation modes
- Improve travel reliability in the 3C Corridor
- Improve travel safety in the 3C Corridor
- Stimulate economic growth

While addressing the above discussed needs in the 3C Corridor, ODOT, and ORDC are committed to incorporating additional goals and objectives identified by interested stakeholders. These considerations include improving the intercity travel experience for all Ohioans; refocusing development opportunities along rail corridors; creating opportunities to strengthen downtown cores and reduce sprawl; maximizing intermodal transportation opportunities; enhancing the image of the 3C Corridor and Ohio to increase the region's and state's economic competitiveness; providing a desirable travel choice for those seeking a less car dependent lifestyle; connecting an aging population to health facilities located in the major cities; preserving environmental quality and protecting Ohio's sensitive environmental resources; maximizing the use of existing transportation corridors; attracting an entirely new passenger rail support economy to Ohio and creating local employment; enhancing freight rail efficiency and operations and supporting and expanding tourism opportunities.

# **Project Description**

The 3C Quick Start Passenger Rail Corridor is approximately 260 miles long and connects the four largest cities in Ohio. From north to south, these cities are Cleveland, Columbus, Dayton, and Cincinnati. The corridor is generally in the area east of I-75 between Cincinnati and Dayton, north of I-70 between Dayton and Columbus and parallel to I-71 between Columbus and Cleveland. The Project proposes passenger rail service consisting of up to four round trips per day that would serve stations in

Cleveland, Southwest Cleveland, Columbus, Dayton, East Dayton, Springfield, North Cincinnati, and Cincinnati. Multiple train sets for the service would be needed and may consist of one or two locomotives and six passenger rail cars or some combination thereof.

The proposed Project would be located within and immediately adjacent to existing railroad rights-of-way. Within the 246-mile corridor of the Preferred Alternative (as defined in the Alternatives Section herein) the existing rail rights-of-way are distinguished by the following segments:

- NS Chicago Line between Cleveland and Berea, which currently carries 69 freight trains per day.
- CSX Cleveland shortline Subdivision: Berea to CP 13, which currently carries 56 freight trains per day.
- CSX Greenwich Subdivision: CP13 (south of Berea) to CP 56 (Galion), which currently carries 78 freight trains per day.
- CSX Columbus Line Subdivision: CP 80 (Galion) to CP 136 (Columbus), which currently carries 12 freight trains per day.
- NS Dayton District: CP 138 (Columbus) to CP 248 (I&ORY Connection), which currently carries 25 freight trains per day.
- I&ORY Oasis Line: Mill to Sawyer Point/Boathouse (MP 16.4 to MP 0), which currently carries 10 freight trains per day.

Construction of passenger rail stations, service, inspection and layover facilities, track speed improvements and track infrastructure capacity additions (through sidings, crossovers, and segments of second mainline), as well as grade crossing safety improvements and equipment purchases to support the new service would be required as part of the Project. While engineering design and Tier-2 NEPA will be conducted to further refine the infrastructure improvements to support the Project, initial service development planning has identified proposed infrastructure improvements associated with the Preferred Alternative (as defined in the Alternatives Section herein.) The infrastructure capital costs are estimated at as much as \$388 million, including contingencies. Approximately half of the costs are expected to be for railroad infrastructure capacity additions, with the other half for track upgrades, layover and maintenance mechanical facilities, for passenger rail stations, and crossing safety warning device upgrades. These improvements, which are detailed below, were considered broadly for potential impacts in the Tier-1 EA.

Eleven infrastructure capacity improvements are proposed and detailed mapping of the yards and capacity improvement locations is provided in Appendix B of the EA. These proposed infrastructure capacity improvements include:

- Construct Berea Front Street Station Track between Norfolk Southern (NS)
   Chicago Line and CSX Cleveland shortline at Berea Interlocking, which will
   include new connecting track and crossovers.
- Construct 17 miles of second main track on CSX Greenwich Subdivision from CP 54 (Boyd) to CP 71 (south of Shelby)
- Rehabilitate and extend the existing 0.8 mile Edison siding to a total length of 3.2 miles on CSX Columbus Line Subdivision QE 90.8 to QE 93.9.
- Construct 2.1 mile Paget Siding on CSX Columbus Line Subdivision from QE110QE 110.8 to QE 112.9.

- Construct 2.0 mile Powell Road Siding on CSX Columbus Line Subdivision from QE 125.1 to QE 127.1.
- Construct universal crossovers between CSX Columbus Line Subdivision and NS Dayton District at Weber Road QE/CJ 134.4
- Construct Columbus Station Track at CP 138 on CSX Columbus Line Subdivisions/NS Dayton District, which will include new connecting track and crossovers.
- Construct 5.2 miles of second main track on NS Dayton District from CJ 172.5 (Plattsburg) to CJ 177.7 (near Brooks).
- Construct 6.0 miles of second main track on NS Dayton District from CJ 187.0 (near Cold Springs) to CJ 193.0 (near Enon).
- Construct 7.7 miles of second main track on NS Dayton District from CJ 202.1 (near Wrights) to CJ 208.5 (Miami River Bridge) and from CJ 208.6 to CJ 209.8 (near Moraine Yard).
- Construct 4.6 miles of second main connecting track on NS Dayton District from CJ 244.2 (CP 244) to Indiana and Ohio Railway (IORY) Connection at CJ 248.8 (south of Sharonville Yard) to allow train movement to and from the Oasis Line.

Initial stopping locations were determined based on the need to provide a service competitive to other modes of transportation in terms of time, proximity, and other technical issues. In addition, previous studies identified business travelers as a prime target audience for 3C passenger rail service. Providing an express style service with stops in downtown Cleveland, Southwest Cleveland, Columbus, Springfield, East Dayton, Dayton, North Cincinnati, and downtown Cincinnati would allow the project service to be a first step toward what may become a high-speed rail service that is simplified from an operational standpoint and reliable to potential riders. Additional stops can be phased in as passenger rail service in the 3C Corridor expands and grows. Phasing additional stations in at a later time would also allow time for complex local decisions to be made about specific station locations in those areas not served by the initial Quick Start service. These possibilities potential high-speed rail service and future station locations are not a part of the current NEPA review and would be evaluated separately in the future in accordance with applicable requirements.

The specific station sites for communities served for the initial/Quick Start service, which were evaluated in the EA, are proposed as the following:

## Initial Proposed Quick Start

- Cleveland, at the existing Lakefront Amtrak Station.
- Southwest Cleveland, at the existing West 150th Street/Puritas Avenue GCRTA transit station.
- Columbus, at the Convention Center, which was formerly Columbus Union Station. Modifications to the site will be required to accommodate a passenger rail station, which will be determined in Tier-2 studies.
- Dayton, at the Main Street site, which is west of the Main Street and Sixth Street intersection and adjacent to elevated railroad tracks. A new station structure would need to be constructed.
- North Cincinnati, at the Kemper Road site, which is the former site of a manufacturing plant and now occupied by the Park 42 business park. The site has adequate space for a station, parking, and future passenger amenities. A

station structure and pedestrian overpass would need to be constructed on the site.

• Cincinnati, with the station location to be determined in Tier-2 studies.

Additional Quick Start Services (these service areas are currently under review for use in or after the Initial 3C Quick Start Passenger Rail service, either in the initial or second phase of the service, pending Tier-2 studies):

- Springfield, at a Downtown site proposed by the City immediately adjacent to the
  existing mainline track near the transit center. A new station structure would
  need to be constructed on the site.
- East Dayton, at the Riverside site adjacent to mainline track. The City of Riverside has plans for compatible, mixed-use development on this site. Suitable parking and an entrance drive already exist on the site, but a station structure would need to be constructed.

As a result of the public hearings on the Tier-1 EA in September 2009, two additional station sites will be considered for Cincinnati at Bond Hill and Fairfax in the Tier-2 studies. Both site locations will be studied in addition to the Lunken Airport and Sawyer Point sites, which were included in the Tier-1 EA, to identify a preferred Cincinnati station location during Tier-2 NEPA studies. The Tier-2 studies will consider the associated routes and necessary track infrastructure improvements to support the Cincinnati station locations and ensure that no significant environmental impacts are associated with the Cincinnati Station.

Detailed information on communities served and individual station sites can be found in Appendix D of the EA.

Three train layover and maintenance facilities would also be required as part of the Project and are proposed for Cleveland, Columbus, and Cincinnati. The facility at Cleveland is proposed as a layover and maintenance facility for routine train servicing and minor repairs to locomotives and railcars. The facility would require property acquisition and site work, which would involve constructing a service and inspection building with three train storage tracks, a passing track for servicing, maintenance area, an office area, and a material control area. The proposed Cleveland facility location is the existing East Twenty-Sixth Street Yard.

The facilities in Columbus and Cincinnati are proposed as single-ended storage yards large enough to hold two trains each. Both facilities would require property acquisition and site work, which would consist of constructing two turnouts, adding 1,040 feet of new track, installing two concrete pads for refueling by tanker truck, construction of a small building for crew facilities and train cleaning supplies. In Columbus, several options exist for the layover and maintenance facility: the Grandview Yard, the Joyce Avenue Yard, the Pennor Yard, and the Grogan Yard. Further evaluation in Tier-2 studies will be conducted to finalize the Columbus layover and maintenance facility location. In Cincinnati, the existing, but underutilized, Undercliff Yard is proposed as the layover and maintenance facility location. The yard is owned by RailAmerica and serves primarily staging and sorting functions for freight service to area industries. Additional work required for this proposed facility would include converting the existing yard lead to the second main, constructing 2.1 mile by-pass track through the Sharonville Yard, installing three crossovers, and constructing a new bridge. For further detail on the alternatives analysis for storage yard facilities, refer to Section 2.5.2 of the EA.

In addition, crossing safety warning device upgrades would be required as part of the Project. The overall corridor Project anticipates upgrading public at-grade crossings to flashing lights and gates, a circuitry upgrade, or roadway closure, which will be determined in Tier-2 studies. In addition, the ORDC has an existing agreement with NS to progress grade crossing work on the corridor that incorporates funding of \$23 million, separate from this Project.

# **Alternatives**

#### Routes:

ODOT and ORDC used a two-stage approach to screen a wide variety of route alignment options for the Project down to a set of alternatives retained for further study. They developed thirty-three route options throughout the Project area, following different existing rail corridors and serving different populations and towns between the three major cities of Cleveland, Columbus and Cincinnati. They screened route options through a two-stage comparative analysis. The Level 1 screening considered the widest array of options under consideration and used a fatal flaw analysis of route characteristics and market size. The Level 2 screening evaluated fifteen route options that passed the fatal flaw analysis and used an expanded set of criteria, which included travel time, safety, reliability, costs, and other factors, such as modal connections.

As a result of the Level 2 screening, ODOT and ORDC eliminated eleven alternatives from further consideration and recommended four route alternatives for further study and evaluation, as well as the No-Build Alternative. These alternatives are as follows:

- The No-Build Alternative consists of the existing, planned, and programmed intercity highway and aviation services and facilities in the Cleveland-Columbus-Cincinnati (3C) corridor. The No-Build does not include establishment of an intercity passenger rail service.
- Alternative 2 consists of track and capacity improvements along existing freight rail lines from Cleveland through Columbus and Dayton to Cincinnati, through intermediate towns of Berea, Olmstead, Grafton, Shelby, Crestline, Galion, Delaware, Springfield, Fairborn, Middletown, and Sharonville. The operating plan consists of three round trips per day.
- Alternative 3 consists of track and capacity improvements along existing freight rail lines from Cleveland through Columbus and Dayton to Cincinnati, through intermediate towns of Bedford, Macedonia, Hudson, Cuyahoga Falls, Akron, Barberton, Wadsworth, Lodi, Shelby, Crestline, Galion, Delaware, Springfield, Fairborn, Middletown, and Sharonville. The operating plan consists of three round trips per day.
- Alternative 4 consists of track and capacity improvements along existing freight rail lines from Cleveland through Columbus and Dayton to Cincinnati, through intermediate towns of Berea, Olmstead, Grafton, Shelby, Crestline, Galion, Delaware, Springfield, Fairborn, Hamilton, and Sharonville. The operating plan consists of three round trips per day.
- Alternative 5 consists of track and capacity improvements along existing freight rail lines from Cleveland through Columbus and Dayton to Cincinnati, through intermediate towns of Berea, Olmstead, Grafton, Shelby, Crestline, Galion, Delaware, Springfield, Fairborn, Middletown, and Sharonville. The only

difference between this alternative and Alternative 2 is the entry into the city of Cincinnati. The operating plan consists of three round trips per day.

ODOT and ORDC evaluated these alternatives against the Measures of Effectiveness they established for the Project, based upon the Project's goals and objectives, as detailed in Section 1.7 of the EA. These include travel time, market potential, reliability, operations and maintenance costs, connectivity to other modes and health facilities, and refocused development. The route evaluation technical report, which provides a detailed description of the alternatives development and screening, is provided in Appendix A of the EA. Based on this analysis, ODOT and ORDC dismissed Alternatives 3, 4, and 5 due to longer travel time, smaller market potential, and extensive operational issues. Alternative 2 was determined to be reasonable and feasible, and was identified as the preferred alternative for route alignment ("Preferred Alternative for Route Alignment").

## Stations:

ODOT considered 12 communities with 32 possible station sites within those communities. The communities served and station sites are identified and discussed in the EA and detailed mapping of the 32 station sites is provided in Appendix C of the EA.

The following station sites are identified as the preferred alternative for station sites "Preferred Alternative for Communities Served and Station Sites".

Six communities, including Cleveland, Southwest Cleveland, Columbus, Dayton, North Cincinnati, and Cincinnati, are considered for Initial Proposed 3C Quick Start Passenger Rail service. A proposed station site for each of the initial communities to be served has been assumed for cost, environmental assessment, and ridership purposes.

Two additional communities, including Springfield and East Dayton, are considered for service either as part of or after the Initial 3C Quick Start Passenger Rail service. One station site is proposed for each of these communities; they have been assumed for cost, environmental assessment, and ridership purposes.

Three additional communities including North Central, North Columbus, and Middletown/Hamilton, are considered for Future Proposed 3C Quick Start Passenger Rail service. There is a proposed station site for each of the communities receiving future Quick Start service.

One community, Akron and its one station site, has been eliminated from Quick Start consideration. This community may be considered in future high speed rail studies.

Detailed descriptions of stations eliminated from consideration are in Appendix D of the EA.

This EA considers the potential impacts from the Preferred Alternative for Route Alignment and the Preferred Alternative for Communities Served and Station Sites collectively referred to as the "Preferred Alternative". The EA also considers potential impacts from the No-Build Alternative. While the No-Build Alternative will not meet the purpose and need of the Project, it was retained for analysis, and its consequences developed, to allow equal comparison to the Preferred Alternative in the EA, and to help decision-makers and the public understand the ramifications of taking no action.

# **Benefits of the Preferred Alternative**

The Preferred Alternative will reintroduce passenger rail service between Columbus, Cincinnati, and Cleveland and intermediate stations. This will provide an additional travel option for travelers, which is currently unavailable. The Preferred Alternative follows existing rail corridor rights-of-way, avoiding impacts of construction of a new corridor, while still meeting the mobility, safety, air quality, and economic needs of Ohio. ODOT and ORDC have determined that passenger rail service has the potential to serve a vital role in keeping Ohio's economy competitive for the future by enhancing mobility and the quality of life for Ohio's employers, workers, residents and visitors. They have also concluded that investment in a new passenger rail system helps meet state and federal transportation policies. Further, improvements to the track infrastructure for the proposed Project would also benefit existing freight rail services, which use the same lines.

# **Agency Coordination and Public Involvement**

The public involvement effort for the 3C Quick Start Passenger Rail Project was led by ODOT and ORDC. Input was sought from all applicable state and federal agencies, railroads, local governments, transit agencies, local/regional/statewide interest groups and the general public. Involvement was proactively sought from all potentially affected stakeholders regardless of income, race, ethnicity, religion, sex, age, or disability.

Outreach efforts for this Project included stakeholder workshops, public meetings, community presentations, statewide radio and newspaper advertising, social media outreach, Project website, e-mail alerts, toll-free telephone hotline, on-line public meetings, press releases, media interviews, mailings and postcard distributions, among other efforts.

Interagency coordination on the 3C Quick Start Passenger Rail Project was conducted by correspondence, conference calls and meetings with the following state and federal entities: Amtrak; Federal Railroad Administration; Ohio Department of Natural Resources; Ohio Department of Transportation; Ohio Environmental Protection Agency; Ohio Rail Development Commission; Ohio State Historic Preservation Office; US Army Corps of Engineers, Huntington and Buffalo Offices; US Environmental Protection Agency; and US Fish and Wildlife Service.

The Draft EA was made available to state and federal agencies and the public on September 26, 2009. The public comment period closed on October 6, 2009. Copies of the Draft EA were available for review at four public libraries and seven Metropolitan Planning Organizations throughout the State of Ohio. The Draft EA was also available on the Project website <a href="https://www.3CisMe.Ohio.gov">www.3CisMe.Ohio.gov</a>.

A total of 7,500 comments were received throughout the EA process from the public. Comments were submitted via emails, letters, and telephone calls. Approximately, 4,800 comments expressed strong support for the introduction of 3C Quick Start passenger rail service. This support was based on concern over the future of gas prices, the environment, increased per household automobile travel and traffic and congestion.

About 700 respondents made suggestions on the location of the recommended route and proposed stations. Regarding proposed routing, most indicated preference for the

Akron route or a more direct route between Columbus and Cincinnati or direct, high speed routes to Chicago. Station comments were focused on which cities should have stations and where these stations should be located. A majority of Cincinnati-area citizens voiced support for the Cincinnati Riverside station (Boathouse, Sawyer Park, etc.) options and others preferred the Lunken Field site. The Lunken Field site provides a location for the development of a station that would be surrounded by compatible light industrial uses. This location is also consistent with the local community's goals as it preserves the ability of the Oasis Line to have access to potential light rail at points east and south of this location. This ensures a facility that is compatible with the local government's development goals for its community. Others wrote that they wanted Cincinnati Union Terminal to be the 3C station even though it was not determined to be a viable Quick Start route option during the screening process due to existing freight traffic on the line. Debate was strong over other potential station locations, too, such as Shelby, Galion, Hamilton, and Middletown. The comments appeared to be evenly split. Springfield, East Dayton/Riverside, and North Columbus questioned why their regions/communities were not included in the initial Quick Start phase of service.

There were approximately 675 comments related to service. Many challenged the estimated travel time of more than six hours between Cleveland and Cincinnati, indicating they wanted faster traveling speeds as soon as possible. Others stated the 3C Quick Start service proposal was a good starting point. Many comments supported the incremental approach of developing and improving services to high-speed, although there were differing opinions of what "high speed" actually meant. Others recognized that using the train was a more productive use of travel time. Many wanted to know if investments made in the Quick Start service would be transferrable to high speed rail. Respondents requested that the trains include food service, provide a place on-board for bikes and pets, and provide free Wi-Fi.

Respondents requested that more stations be provided or that the service schedules be designed with commuters in mind to increase weekday ridership. Weekend ridership was assumed to be stronger, attracting college students, families or vacationers. Some respondents indicated that fares should be affordable, and competitively priced compared to automobiles and other modes of travel, including bus and air.

There were about 650 comments indicating the Project was not a prudent use of money, would not generate the estimated ridership, or was not a good idea. They questioned the ridership estimates based on the proposed six-hour travel time between Cleveland and Cincinnati. They also questioned whether people would choose passenger rail over the use of automobiles, and whether Ohio had sufficient population to make train service a success. Some expressed concern that passenger rail service would drain resources away from maintaining highways and bridges, and would increase the state's current budget issues.

There were approximately 475 respondents who indicated that connecting transportation (airports, bus and connecting rail service, taxis, bike and pedestrian access) to local destinations was very important to the overall success of passenger rail. A southwest Cleveland station located at the Puritas/West 150th Rapid station, for example, was strongly favored based on its connectivity to Cleveland's rapid transit system and the airport. Similarly, convention center sites at Columbus and Dayton were strongly favored for reasons of access and connectivity. Other respondents indicated that the 3C

route should connect to other cities outside the state, such as Chicago, Pittsburgh and other destinations.

At least 250 respondents and meeting attendees offered suggestions on how to make the service more attractive to riders. They ranged from suggesting that the service be run by private companies rather than by government entities to others who said the service should be run by the government. Others suggested that multi-ride tickets or passes be offered, that the involvement of Ohio or U.S. companies for economic stimulus be demonstrated, that an educational/advertising campaign to inform Ohio travelers about the benefits of train travel be undertaken and that service to more Ohio cities be offered.

# **Environmental Consequences**

Based upon the Tier-1 EA, FRA has concluded that the Preferred Alternative, including mitigation measures, is not likely to incur significant environmental impacts. FRA concurs with the preferences of ODOT and ORDC and finds that the Preferred Alternative is best able to achieve the project purpose and need without significant environmental impacts. Although some mitigation measures are referenced herein, additional specific mitigation measures to be implemented for the Project will be developed and described in the Tier-2 NEPA documentation.

The potential for environmental impact is summarized for each resource category as follows:

# **Air Quality**

The Preferred Alternative is anticipated to slightly reduce regional mobile source Vehicle Miles Traveled (VMT) and increase diesel locomotive emissions from the increased train operation. The net effect is expected to benefit regional air quality levels, including Mobile Source Air Toxics (MSATs) and Greenhouse Gases (GHG). The decrease in regional mobile source emissions due to the Project's effect on regional mobile source VMT has not been calculated and has therefore not been included in this analysis. Therefore, the result of the preliminary analysis is conservative, since it includes the increase in diesel locomotive emissions from the increased train operation without considering the VMT reduction. The result of the preliminary analysis is that, although certain pollutants and precursors are located in nonattainment and/or maintenance areas, the Project is not anticipated to exceed the General Conformity *de minimis* levels for the Project area, which are 100 tons per year for  $PM_{2.5}$ ,  $O_3$  precursors (VOCs and NOx),  $SO_2$ , and CO. As a result, it is anticipated that a conformity determination will not be required pursuant to 40 CFR 93.153(c)(1).

Along the Rail Right-of-Way: The Preferred Alternative would increase diesel emissions (PM<sub>10</sub>, PM<sub>2.5</sub>) along the train tracks. Assuming that four roundtrips occur per day, an analysis was conducted, using the Environmental Protection Agency (EPA) NONROAD emission factors for diesel locomotives and EPA's AERMOD dispersion algorithm, to estimate the potential impacts of these emissions at potential sensitive land uses (residences, playgrounds, etc.) near the rail line. The result of this analysis is that the Project is not predicted to measurably increase PM concentrations and NO<sub>2</sub> impacts would be less than 0.1 percent of the applicable NAAQS at sensitive land uses that may abut the rail right-of-way, which is conservatively estimated to be a distance of 50 feet from the centerline of the track.

At Train Stations: The Preferred Alternative is anticipated to increase vehicular traffic near the proposed station locations. The Preferred Alternative will also increase train service. However, the increase is so limited that when combined with the vehicular traffic increase, these increases are not anticipated to measurably impact localized air quality levels. The Project is not anticipated to measurably increase roadway diesel traffic near stations and parking facilities. As such, the Project is not anticipated to meet or exceed emission rates.

<u>At-Grade Crossings</u>: The Preferred Alternative may increase vehicular delays at some at-grade crossings. Given the estimated service levels of up to four round trips of train service, however, it is not anticipated that these delays would result in measurable air quality impacts.

<u>Maintenance/Storage Yards</u>: The additional trains associated with this action will increase maintenance and storage requirements and possibly increase train operations at these yards. Given the small increase in the number of trains to be serviced and stored at these facilities, however, it is anticipated that these operations would not result in measurable air quality impacts at nearby sensitive land uses.

<u>Construction</u>: In general, construction-related effects of the Project would be limited to short-term increased fugitive dust, mobile-source emissions and GHG emissions during construction. Mitigation measures would include adherence to State and local regulations regarding dust control and other air quality emission reduction controls. GHG emissions will also be generated during the construction phase of the Project, though these emissions are likely to be relatively minor given the nature and size of the Project, and the limited duration of construction activities.

The operation of the 3C Quick Start Passenger Rail Project is not anticipated to measurably increase local criteria pollutant, MSAT levels, or GHG emission rates. Construction of the Project would be of limited duration and mitigation measures would include state and local regulations regarding construction activities and equipment.

#### Energy

The Project is expected to reduce roadway VMT and reduce congestion, resulting in a decrease in overall fuel usage. Diesel fuel however would be required to propel the trains and energy would be required for stations, maintenance yards, and storage facilities. It is unlikely that the Project will have significant impacts (positive or negative) on energy usage in the Project area.

The Project is unlikely to have a significant impact on direct energy use. The Project would cause a one-time indirect (construction) energy expenditure. Indirect energy expenditures will be mitigated with the application of energy conservation methods.

#### **Noise and Vibration**

No significant noise impacts are anticipated from the operation of the service or associated horn noise at grade crossings. Passenger rail noise level calculations and impact assessment were completed following the procedures described and outlined in the Federal Transit Administration (FTA) document entitled "Transit Noise and Vibration Assessment Manual (FTA report FTA-VA-90-1003-06, May 2006), which FRA relies upon for assessing impacts from conventional passenger rail line improvements and

associated horn noise. The noise analysis findings indicate that without horn noise whistle warnings, noise generated from the proposed passenger rail service will result in no impacts at any FTA Category 2 land uses (residential properties and other places where people normally sleep) which are located 25 feet or greater away from the centerline of the existing freight tracks. However, if horn noise whistle warnings are used, residential properties within 50 feet of the grade crossings will experience "moderate impacts" from horn noise whistle warnings. Beyond 50 feet, noise generated from horn noise would be below the FTA impact threshold and therefore no horn noise impacts from the 3C Quick Start Passenger Rail service are expected beyond this immediate 50 foot impact zone.

The projected noise levels associated with operation of the proposed 3C Quick Start Passenger Rail service even with the use of horn noise whistle warnings were found not to exceed the FTA criteria for a "moderate impact" or "severe impact". This is due in part to the existing volumes of freight traffic on the line and the resulting existing noise levels. Therefore, no noise mitigation measures associated with 3C Quick Start Passenger Rail service operations are necessary. However, FTA "moderate impacts" identified within a 50 feet impact zone as passenger trains approach at grade crossings, will be reviewed in greater detail in the Tier-2 environmental impact assessment process once train sets are identified and more detailed engineering information is available.

The Tier-2 assessment will include a review of land use maps along the entire length of the Project study area to determine if there are any noise sensitive properties adjacent to at-grade crossings within the identified 50-foot impact zone which would warrant further analysis. Impact reassessment will be accomplished by replacing the calculated existing day-night (Ldn) noise level determined from the rail freight service data with actual field data collected in 24 hour noise measurements recorded at the identified noise sensitive property. A second re-evaluation using the FTA transit noise impact criteria will then be completed. Any noise impacts identified under the Tier-2 evaluation will be addressed by specific mitigation measures applicable to the sensitivity of the land use in question and the magnitude of the impact identified.

Potential noise mitigation options, if determined necessary in Tier-2 studies, would include specifying trainset design to minimize noise levels, train wheel maintenance, installing continuous welded rail, reducing train speed and, noise abatement measures, and upgrading signals and crossings to allow for Quiet Zone designations. A Quiet Zone is a corridor of crossings that have necessary grade crossing safety measures that allow for the train horn to not be sounded as it travels through the zone... ODOT and ORDC will work with local communities to consider mitigation for noise impacts if the Tier-2 evaluations demonstrate mitigation would be necessary.

Estimated vibration levels and impacts for the proposed 3C Quick Start Passenger Rail service were determined by following the methodology described in Chapter 10 of the FTA Manual. The analysis findings indicate that at proposed peak operating speeds of 79 mph, the proposed 3C Quick Start Passenger Rail service in areas where the tracks are at grade will result in potential vibration impacts at distances of up to 125 feet away from the centerline of the rail freight tracks. Vibration impact zones for tracks on aerial structures from North Cincinnati to Cincinnati will be smaller extending only up to 40 feet away from the existing centerline of the rail freight tracks. These impact zones represent conservative estimates based on peak passenger rail operating speeds. Optimized transit designed operating speeds along many segments will be lower than the 79 mph

assumed along the majority of the corridor. Lower train traveling speeds will result in lower ground-borne vibration levels and thus smaller vibration impact zones. Part of the Tier-2 environmental impact assessment will include a vibration impact assessment using more precise travel speeds at various points along the corridor.

Potential long-term effects to vibration sensitive structures located within these impact zones include structural damage to buildings and annoyance to occupants. However, given that the vibration is expected to be less than 10 seconds in duration and because the vibration level from a passenger train will likely be much less than that generated by the existing two-or-more-locomotive-50-car freight trains that pass by every day, the impacts of this action will not rise to the level to constitute a significant adverse impact.

However, vibration impacts will be further investigated during final design and Tier-2 studies. If impacts do exceed FTA criteria, mitigation measures would include track improvements to avoid or minimize vibration impacts, such as resilient tie pads and resilient fasteners. ODOT and ORDC, in consultation with FRA, will be responsible for completing noise and vibration analysis and finalizing mitigation commitments, if necessary, with local communities.

#### **Visual Resources**

The track infrastructure improvements and passenger train service are proposed to run within existing railroad rights-of-way with freight traffic. As a result, no visual impacts are anticipated as a result of the train operation or track infrastructure improvements.

The station sites were analyzed for visual resource conditions to assess the potential impacts from station development and use on visual resources. Five have no potential for visual impacts. These sites are the Lakefront Amtrak Station in Cleveland, West 150<sup>th</sup> St./Puritas Avenue/GCRTA in Southwest Cleveland, Convention Center Site in Columbus, Main Street Site in Dayton, and Kemper Road Site in North Cincinnati. The Lakefront Amtrak Station in Cleveland and the West 150<sup>th</sup> St./Puritas Avenue/GCRTA Station in Southwest Cleveland would use existing facilities and no new construction would be required, so there are no potential for visual resource impacts. The Convention Center Site in Columbus, Main Street Site in Dayton, and Kemper Road Site in North Cincinnati would have no potential for visual resource impacts because there are no residences or other uses having relatively long duration views of the sites.

The remaining three have minimal potential for visual impacts because the station sites are located in areas with existing conditions of low visual quality, and the addition of a station site would not further degrade the visual quality. These include the Downtown Station site in Springfield, the Riverside Site in East Dayton, and the Lunken Airport Site.

### **Floodplains**

Floodplain features are located within the capacity improvement areas in three locations where a second main track would be constructed on Norfolk Southern Dayton District. It is not anticipated that the development of any area will fill the floodplain or require either a Conditional Letter of Map Revision or a Letter of Map Revision from the Federal Emergency Management Agency (FEMA). No impacts to the floodplains capacity are anticipated nor is it anticipated that modifications will occur to the floodplain. If fill of the floodplain needs to occur for the development of the rail line, compensatory flood storage will be created to mitigate for any such impacts. If during the final design phase, it is determined that permits need to be obtained, they will be secured in compliance with

the National Flood Insurance Program which is administered through FEMA and the Ohio Department of Natural Resources (ODNR) Division of Water's Floodplain Management Program.

No floodplain features were found within the station sites. No new construction will occur at rail yards on areas not otherwise already developed as rail yards; therefore no impacts will occur to floodplains located near these locations.

## Wetlands, Waterbodies, and Waterways

Wetlands impacts were derived utilizing field verification of watersheds within areas affected by the Project. When access to an area was not attainable, aerial photographs, soils maps with hydric soil verifications, Ohio Wetland Inventory, and National Wetland Inventory maps were utilized to determine wetland boundaries.

Minor wetlands impacts are anticipated at infrastructure capacity improvement sites along the corridor. It is anticipated that there may be a reduction in wetland impact area once site access is granted and a full delineation of the wetlands can occur. Of the 90,651.29 acres of wetlands located within the watersheds assessed, it is anticipated that a total of 13.66 acres of wetlands could be impacted by the development of the proposed capacity improvement locations.

Minor waterbody and waterway impacts are anticipated at capacity improvement locations immediately adjacent to the 3C Corridor. Of the 894.6 miles of streams located within the watersheds assessed, it is anticipated that a total of 18,258 linear feet (or 3.45 miles) of channel could be impacted by the development of the proposed capacity improvements. The overall waterbody and waterway impacts are a small percentage of the resources contained within the study area and any anticipated impacts are to lower quality resources. As a result, these impacts are not anticipated to be significant.

No water features were found within the station sites, so there will be no impacts to any waterways associated with the stations. Summary tables and maps identifying the location of wetlands, water bodies, and waterways are provided in the EA.

During Tier-2 environmental studies and Project final design, ODOT and ORDC will continue coordination with ODNR and the U.S. Army Corps of Engineers (USACE) to determine how the Project can reduce its potential impacts to wetlands and waterbodies and to determine appropriate mitigation measures for remaining unavoidable impacts. Prior to the commencement of any construction, all required permits will be obtained and mitigating measures will be outlined and agreed upon with the appropriate regulatory authority. Compensatory mitigation for impacts to wetlands and waterbodies will be conducted in accordance with 33 CFR § 332.2 and Ohio's anti-degradation rule OAC 3745-1-54. Compensatory mitigation for wetlands may include creation, restoration, enhancement and/or a combination of all three so that there is no net loss to wetlands within the same watershed. Mitigation for streams may include restoration or rehabilitation of existing streams within the same watershed.

# **Threatened and Endangered Species**

Ohio has 22 federally listed endangered, threatened and candidate species, as well as numerous other species listed as "species of concern," such as the Bald Eagle. To assess potential impacts, the ODNR species list and Natural Heritage Database were reviewed to determine the species known to traditionally exist within a one-mile radius of

the project area and those that are known to inhabit the project area, which consists of the rail corridor and immediately adjacent proposed station sites.

Records of State and/or Federally-listed species were discovered within a one-mile proximity of proposed new stations and capacity improvements. Given this information, seven federally listed endangered, threatened and candidate species and four Federal species of concern were evaluated in the Tier-1 EA. However, no occurrences or records of State or Federally-listed species were identified directly within any of the proposed station areas or capacity improvement areas of the Preferred Alternative. Given that there are no recorded instances of State or Federally-listed species within the Project area, no significant impacts are anticipated to threatened and endangered species.

Even though no significant impacts to threatened, endangered species or candidate species are anticipated, additional surveying will be conducted during Tier-2 environmental work for the station sites and capacity improvement areas where new construction/reconstruction is proposed. If it is discovered during the Tier-2 environmental work that any threatened, endangered, or candidate species of concern or suitable habitat for these species would be affected, ODT and ORDC will coordinate with U.S. Fish and Wildlife Service (USFWS) and ODNR to develop appropriate avoidance and mitigation strategies. For example, if trees possessing suitable Indiana bat habitat will be impacted, the level of impact will be determined and the appropriate avoidance and minimization techniques will be used to minimize impacts to the species. Prior to construction of any project affecting the Indiana Bat, consultation will be required with the USFWS in accordance with the Biological Opinion on ODOT's Statewide Transportation Program for the federally-listed Indiana Bat (June 2007). Similarly, any project affecting a federally listed mussel species will undergo consultation with the USFWS prior to construction, Lastly, in the case of the Bald Eagle, coordination is anticipated with ODNR and the USFWS to develop a plan to ensure that the species will not be harmed or harassed during construction of, or as a result of, the proposed Project.

## **Transportation**

The Preferred Alternative would not have adverse impacts on transportation. The Preferred Alternative would have a positive impact on access and mobility in Ohio by offering a safe and convenient choice for commuters, residents and tourists who would otherwise rely primarily on vehicular travel.

Potential impacts such as increased traffic and demand for parking at identified station locations would be minimal. Proposed station locations in Cleveland, Southwest Cleveland, Columbus, East Dayton, Dayton and North Cincinnati already have ample parking available on-site. Springfield and Cincinnati station locations have ample space to develop necessary parking to serve those facilities. The station sites are located in urban and sub-urban neighborhoods and the local communities are working to accommodate any additional traffic as a result of passenger rail service coming to the 3C Corridor. Additional analysis will be conducted at the Tier-2 level as the station designs are advanced and as the station sites are chosen to determine whether any traffic impact mitigation measures, such as traffic signals or turning lanes, will be required. ODOT and ORDC will work with the local communities to develop and implement mitigation measures, as appropriate.

The Preferred Alternative would require some coordination with freight rail operators within the corridor. A number of logistical issues would need to be addressed, particularly in the urban areas of Cleveland, Columbus, and Cincinnati. However, passenger rail planning efforts have been in various stages of development over the last 30 years. Those issues are well-defined and there has been coordination between government officials on the state and local levels and freight operators in Ohio. Existing transit/freight operators have indicated they are willing to work on connections and use of their existing and future network lines and the realization of mutual benefits are anticipated.

#### Land Use

The existing 3C Corridor traverses the entire state of Ohio passing through urban, suburban, exurban, and rural areas. Land uses along the corridor, in turn, are just as varied. The land use mix in rural and suburban areas tends to be consistent; the land use mix for urban station areas changes from site to site.

The proposed 3C Quick Start Project would be located within and immediately adjacent to existing rail corridors. It is anticipated that property to be acquired for improvements needed to support 3C rail service will be limited to minor strip takes in areas recommended for capacity improvements. Proposed stations would be located on sites that are now used for transportation purposes or are vacant and surrounded mostly by industrial development, with the exception of the Convention Center Site in Columbus. The Convention Center was originally designed to accommodate high speed rail, so construction of a station at this location will help achieve local economic development goals. The provision of rail service and the development of stations in these areas would be compatible with current land use.

The proposed action would result in very minor changes in existing land uses patterns, at station locations. The effect of the proposed stations would be minimal because stations would be located within and immediately adjacent to existing railroad right-of-way. Also, because the proposed improvements would utilize existing active railroad lines along the entire 260-mile corridor, the Project would not result in changes in land use that would otherwise occur with the construction of a new intrastate transportation corridor.

#### **Environmental Justice**

The Preferred Alternative is situated within or immediately adjacent to an active railroad corridor and impacts to adjacent communities would be minimal and limited to areas where new stations, yards, and sidings are proposed. While most of the proposed station sites are located within urbanized areas where the percentage of minorities exceeds county-wide levels and the percentage of people living below the poverty level is high, these Environmental Justice (EJ) neighborhoods would not experience disproportionate impacts as a result of the Project. The proposed action would increase rail service in the corridor with no residential, business or community facility displacements or impacts anticipated and there would be no changes in access to neighborhoods, businesses or community facilities and services. The action is not anticipated to result in the degradation of air quality and there would be no substantial changes in ambient noise levels in these neighborhoods.

In fact, the placement of stations in EJ communities could present overall benefits to the affected communities. These benefits include improved regional access to major metropolitan areas within the State of Ohio and the provision of an alternative form of transportation to highway travel. Another key benefit of the 3C Quick Start Passenger Rail Project would be employment opportunities created within the affected communities. Job creation would include those related to construction and service of the 3C passenger rail service. Other employment opportunities would be created through spinoff development in the areas surrounding the rail stations.

# **Public Health and Safety**

There are 324 at-grade crossings identified along the Preferred Alternative for Route Alignment for the 3C Corridor, which include public and private crossings that have warning devices ranging from passive warning signs, to flashing lights only, to flashing lights with roadway gates. A total of 268 of these crossings will be affected by the Preferred Alternative in that speeds will be increased and/or additional track(s) added in the corridor. ORDC and the freight railroad companies have been working over the last 10 years to upgrade and or grade-separate these crossings within the corridor to prevent collisions with this Project. Railroad crossing upgrades would further minimize the potential for collisions. In addition, crossing safety warning device upgrades would be required as part of the Project. Grade crossing improvements will be assessed in Tier-2. With the introduction of passenger trains to the corridor, ORDC intends to pursue a "sealed corridor" approach to enhance safety for both roadway and railway travelers. This approach entails the installation of lights and gates at crossings that currently only have passive warning signs or flashing light systems, creating a "sealed" corridor, and the installation of railroad preemption at crossings with proximity to roadway traffic signals, where necessary. Railroad preemption would transfer the operation of the traffic signals near highway-rail intersections into a control mode, which is activated by a train's approach to the crossing that would preempt the operation of the highway traffic signal. thereby increasing safety at the crossing location. With these improvements, the Preferred Alternative would not have a significant negative impact on public health and safety by adding up to four round trips on an existing, active rail line.

Operators of stations located along rail lines used for railroad freight operations will need to take precautions to protect the safety of the passengers waiting for passenger trains. Standard safety precautions such as textured warning strips along platform edges, security cameras, public address systems designed to articulate announcements in a noisy environment, properly designed lighting and adequate platform depth to allow passengers to stand away from active tracks will all be considered for inclusion with this Project. Attention will be given to avoiding dark shadows or isolated and hidden areas in or around the station site. In some stations where freight trains operate next to the boarding platform, consideration will be given to keeping the platform closed to the public until the passenger train approaches.

All measures will be taken during the engineering design phases to meet or exceed all rail operation safety standards in the project area as well as the remainder of the corridor. By diverting traffic from the interstate system and local roads between Ohio's major cities, the Preferred Alternative is anticipated to help reduce the rate of congestion growth and improve safety on the roads and highway.

#### **Hazardous Materials**

The Preferred Alternative is not anticipated to have adverse impacts related to hazardous materials. The Preferred Alternative would include adding passenger rail service with no structural changes at existing railroad stations, and developing passenger serving structures and adding passenger service at sites that have no existing station.

A screening level hazardous material survey was completed for the existing and potential station areas within the Project area. The Preferred Alternative for Station Sites adds passenger rail service with no physical changes at existing railroad stations (Lakefront Amtrak Station in Cleveland and West 150<sup>th</sup> Street/Puritas Avenue/GCRTA Site in Southwest Cleveland), and will add passenger rail service and stations at sites that have no existing station. At existing stations, the Project has no potential for hazardous material impacts because no physical changes are proposed to the existing facilities. At the sites where passenger serving structures are proposed, Phase I Environmental Site Assessments will be completed prior to any construction. ODOT and ORDC will ensure compliance with all applicable federal, state, and local regulations governing hazardous materials during construction.

#### **Cultural Resources**

The Preferred Alternative would not have an adverse effect on cultural resources. As a result of identification and evaluation and in accordance with 36 CFR § 800.4(d)(1), ODOT and ORDC concluded that no significant historic resources would be affected by the undertaking. No land from within the National Register boundaries of the significant historic resources identified as the Harshman Weiffenbach House (MOT-239-10), the Cleveland Mall, Glen Echo Historic District, Dayton Power and Light Building Group, Dayton Motor Car Company Historic District, Oregon Historic District, Independent Order of Oddfellows, or the Dayton Terra-Cotta Historic District will be incorporated into the proposed improvements. No contributing features or components will be altered or removed by the proposed improvements at these locations.

None of the resources located adjacent to the area of potential effects of the six stations would be altered by the construction of the proposed temporary depots. No land within the National Register of Historic Places boundaries would be incorporated into the proposed facilities and no new facilities would be incorporated into the historic boundaries.

Impacts to significant archeological resources are not anticipated because of widespread disturbance and the negative effect modern land use has had on the landscape. Proposed rail elements including stations, sidings, and maintenance facilities will be constructed in areas previously disturbed by modern development. At these locations, no further archaeological investigations are recommended. However, further archaeological investigations are recommended if new right-of-way is needed for capacity additions in more rural upland areas including: Greenwich/Boyd Connection; and/or the Edison, Paget, Powell, or Plattsburg sidings. These siding/double track areas will be addressed further at the Tier-2 level if final design plans show the need for additional right-of-way.

On September 9, 2009, the Ohio State Historic Preservation Office (OSHPO) concurred in accordance with the Advisory Council on Historic Preservation's regulations at 36 CFR

§ 800.4(d)(1), and issued a finding of "no historic properties affected" for the Preferred Alternative. See Appendix K of the EA.

However, if the scope of the undertaking changes as the Project design advances, and it is determined that the Project modifications have the potential to effect cultural resources, additional consultation will be initiated in Tier-2 and ODOT and ORDC will complete updated determination of effects for historic properties. Project effects will be assessed to all properties listed in or determined eligible for listing in the NRHP. This assessment will include application of Criteria of Adverse Effect, pursuant to 36 CFR § 800.5, and documentation according to the location of the historic property and standards and guidelines as described in ODOT's *Cultural Resources Manual*. ODOT and ORDC will work with FRA to ensure compliance with Section 106 of the National Historic Preservation Act of 1966.

# Section 4(f) and Section 6(f) Resources

In general, section 4(f) resources include parks and recreation areas, refuges and historic sites. The 3C Quick Start Passenger Rail Project would not require the acquisition of land from any Section 4(f) resources. The Project will have no effect on the visual environment for any of the Section 4(f) resources because the rail corridor is an existing feature in the viewsheds.

Significant noise impacts on Section 4(f) resources are not anticipated because the rail line is currently active. The number of trains per day varies greatly between the major cities within the 3C corridor, and is significantly more frequent between Galion and Cleveland (69 to 78 trains per day) as compared to the section between Cincinnati and Galion (12 to 25 trains per day). Existing service consists of freight service with the typical train configuration consisting of three locomotives and 100 rail cars with the exception of the Oasis Line, where the configuration is two locomotives and 30 cars. With the small number of trips proposed for the 3C Project, the incremental increase in noise levels will be negligible and will not result in significant noise impacts on Section 4(f) resources.

No significant impacts to or use of a 4(f) resource are anticipated from the Preferred Alternative. However, as the 3C Quick Start Rail Project proceeds into the next phase of analysis and Project design advances, additional studies will be completed as appropriate to reevaluate potential use of and impacts to Section 4(f) resources in close proximity to rail corridors. This will include verification of property boundaries and relevant features of the resource relative to the rail corridor and coordination with property owners and/or agencies with jurisdiction authority over the resources. ODOT and ORDC will work with FRA to ensure compliance with Section 4(f).

Section 6(f) resources are recreational resources that have been developed with funding authorized under the Land and Water Conservation Fund Act (LWCF) of 1965, as amended; Public Law 88-578; 16 U.S.C.4601-4 et seq. Six recreational resources in the Project area are 6(f) resources: Edgewater Park (Cleveland), Rocky River Reservation (Berea), New London Reservoir (New London), McBride Park (Shelby), New Reid Memorial Park (Springfield), and Miamisburg Community Park (Miamisburg), however none of these resources will be affected by the Preferred Alternative.

# **Construction Impacts**

Impacts from construction will vary depending on the type of activity performed and potential resources impacted; most construction impacts will cease immediately after the construction activity in an area is completed. While potential construction impacts and mitigation measures have been identified, specific construction impacts cannot be determined at this time because they depend on several factors that are determined during Tier-2 analysis, which will aid in the development of the final design and direct the efforts of the contractor before and during construction.

The Preferred Alternative would create temporary impacts to traffic, air quality, noise, and vibration during construction from the operation of equipment and the potential temporary short-term closure of streets crossing the rail line during upgrades of crossing surfaces or localized track rehabilitation. Installation and rehabilitation of station facilities would create temporary construction impacts typical of urban low-rise building construction. Implementation and maintenance of industry-standard control measures (e.g., traffic control, dust/erosion and sedimentation controls, properly fitted emission control devices and mufflers, etc.) would be used to minimize the temporary impacts. Project construction activities would comply with local noise control ordinances where applicable, and may be controlled in a practicable manner by applying ODOT's Special Provisions for Noise Control to the construction contract to minimize construction noise. These minor temporary impacts would cease upon completion of construction.

Track improvements required for the Preferred Alternative require the replacement of some rail, crossties, and track ballast, plus other improvements to trackside equipment and facilities. These improvements are restricted to the current right-of-way and are generally considered maintenance procedures. A limited degree of new track construction is also required. Where a new second track is added, extension of culvert or bridge structures may be required with temporary construction impacts to the stream or bank. New track installation will also require subgrade preparation earthwork. Temporary impacts from those operations will be controlled through generally accepted industry abatement procedures. If potentially significant impacts are to occur during the construction of the Preferred Alternative's improvements they will be mitigated in accordance with required State and Federal regulations with such measures to be identified during the Tier-2 analysis. Based on the EA investigation, the Preferred Alternative construction activities would not result in any significant impacts to the environment.

Temporary impacts would be minimized by using best management practices, would cease immediately after the activity is completed and would not result in any long-term adverse impacts. Construction activities would comply with all applicable federal, state, and local statutes, regulations, and ordinances. Proper permits would be obtained where required. Following construction, temporarily impacted floodplains, wetlands, streams, and surrounding stream banks would be restored to their natural condition.

## **Secondary and Cumulative Impacts**

No adverse secondary or cumulative effects from the Preferred Alternative are expected.

The direct construction impacts associated with the Ohio 3C Quick Start Passenger Rail Project are expected to be low because the Project generally will be confined to an existing railroad right-of-way, except for stations, and will involve operations of up to four

passenger trains on heavily used freight corridors. Thus, it is unlikely that the impact of the Project to a sensitive environmental resource when considered with other past, present and reasonably foreseeable future actions would result in an additional cumulative impact. In terms of direct operational impacts, which would potentially affect noise and traffic, the direct impact assessment accounts for cumulative conditions by considering existing levels, and no substantial impacts are anticipated. In addition, planned development and redevelopment projects, as well as induced development, would not cause a substantial secondary impact to station areas with sensitive resources.

#### Conclusion

At the Tier-1 level of review, the FRA finds that the 3C Quick Start Passenger Rail Project as presented and evaluated in the July 2010 Tier-1 EA, satisfies the requirements of FRA's "Procedures for Considering Environmental Impacts" and will not have a significant impact on the quality of the human or natural environment, following the implementation of the mitigation measures identified in this document and those which will be developed during the site-specific environmental documentation process for specific improvements.

Joseph C. Szabo, Administrator Federal Railroad Administration	Date

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