



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Craig W. Butler, Director

June 28, 2016

FINDING OF NO SIGNIFICANT IMPACT
TO ALL INTERESTED CITIZENS, ORGANIZATIONS,
AND GOVERNMENT AGENCIES

City of Toledo
Lucas County
International Park Storage Basin
Loan No. CS390915-0113

The purpose of this notice is to seek public input and comments on the Ohio EPA's preliminary decision that a Supplemental Environmental Study is not required to implement the recommendations discussed in the attached Environmental Assessment of the combined sewer overflow storage basin submitted by the municipality mentioned above.

How were environmental issues considered?

The Water Pollution Control Loan Fund program requires the inclusion of environmental factors in the decision-making process. Ohio EPA has done this by incorporating a detailed analysis of the environmental effects of the proposed alternatives in its review and approval process. Environmental information was developed as part of the facilities plan and associated documents, as well as through the facilities plan review process and during site inspections. The Agency's preliminary Environmental Assessment found that the project does not require the preparation of a Supplemental Environmental Study.

Why is a Supplemental Environmental Study not required?

Our environmental review concluded that significant environmental impacts will not result from the action. Any adverse impacts have either been eliminated by changes in the facilities plan or have been reduced by the implementation of the mitigative measures discussed in the attached Assessment.

How do I get more information?

The Environmental Assessment presents additional information on the project, alternatives that were considered, impacts of the action and the basis for our decision. Further information can be obtained by calling or writing the contact person listed in the back of the Environmental Assessment.

How do I submit comments?

Any comments supporting or disagreeing with this preliminary decision should be submitted to me at the letterhead address. We will not take any action on this facilities plan for 30 calendar days from the date of this notice in order to receive and consider any comments.

What happens next?

In the absence of substantive comments during this period, our preliminary decision will become final. The municipality will then be eligible to receive loan assistance from this agency.

Please bring any information that you feel should be considered to our attention. We appreciate your interest in the environmental review process.

Sincerely,



 Jerry Rouch, Assistant Chief
Division of Environmental &
Financial Assistance

JR/JB/jb

Attachment

**ENVIRONMENTAL ASSESSMENT
For
City of Toledo
International Park Storage Basin
WPCLF Loan Number CS390915-0113**

**Loan Applicant: The Honorable Paula Hicks-Hudson, Mayor
City of Toledo
Ohio Building
420 Madison Street, Suite 100
Toledo, OH 43604**

Project Summary

Combined sewers, which are designed to carry both storm water and sewage in the same pipe, form part of Toledo's sewer system. The combined sewers release excess wet-weather flows from discharge points known as combined sewer overflows (CSOs). CSOs are partly responsible for water quality degradation in Toledo's natural waterways, including the lower Maumee River, and pose a public health threat from exposure to raw sewage. In 2002, Toledo entered into a federal Consent Decree to abate the CSO discharges and, in 2005-2009, developed the Toledo Waterways Initiative Long-Term Control Plan (LTCP) for CSO abatement. The LTCP recommended implementing sewer separation, storage basins, etc., as appropriate, for each CSO on Toledo's waterways. In accordance with the LTCP and Consent Decree, these controls are being built at all CSO locations.

With the project under consideration, Toledo proposes to build a CSO storage basin in International Park, located along Front Street and Miami Street between Main Street and Nevada Avenue. The basin will abate wet-weather discharges from Regulators¹ 6 and 7, which empty to the lower Maumee River at Main Street and Nevada Avenue, respectively. The International Park basin is one of many control projects that will help reduce CSO contributions to water quality impairment in the Maumee River, notably excursions from the water quality standards for bacteria and dissolved oxygen.

Construction is scheduled to begin in summer, 2016 and be completed in approximately two years. The total estimated project cost is approximately \$27,000,000, most of which Toledo plans to borrow from the Ohio Water Pollution Control Loan Fund (WPCLF) at a below-market interest rate. The debt will be repaid from the city's sewer rates.

Existing Conditions

Regulators 6 and 7 are among 17 regulators that discharge to the Maumee River (Figure 1). Regulators 6 and 7 drain combined sewer areas of 153 acres (the Main CS area) and 581 acres (the Nevada CS area), respectively, on the south side of the Maumee River. The Main and Nevada CS areas are adjacent to each other; their total area is bounded by Morrison, Starr, Howland, Navarre, Varland, Farley, Girard, Main and Front (Figure 2). The Main CS area has a population of approximately 1,826 and the Nevada CS area, 10,497. Both are fully developed with a mix of residences, businesses and industries.

Combined sewage collected in the Main CS area is drained to Regulator 6 by 24-inch to 48-inch diameter combined sewers along Euclid, Main and Front Streets. Regulator 6 diverts normal flows and some wet weather flows to the East Side Interceptor, which conveys it to the Bay View Water Reclamation Facility (Bay View), Toledo's regional wastewater treatment plant, and diverts wet weather flows that exceed the East Side Interceptor capacity to an outfall at Main Street. Sewage collected in the Nevada CS area is drained to Regulator 7 by a 60-inch diameter combined sewer along Nevada Avenue.

¹ A regulator is an underground structure that directs dry-weather and wet-weather flows to downstream sewers and releases wet-weather flows that exceed downstream sewer capacity to surface water.

Regulator 7 diverts normal flows and some wet weather flows to the East Side Interceptor and diverts wet weather flows that exceed interceptor capacity to an outfall at Nevada and Miami Streets. Regulator 6 is one of the smaller dischargers in the Maumee River CSO system, activating an average of 14 times annually with an average overflow volume of 3.6 million gallons (MG) and an average duration of 66 hours. Regulator 7 is one of the larger overflows, discharging an average of 30 times per year with an average of 77 MG and an average duration of 554 hours.

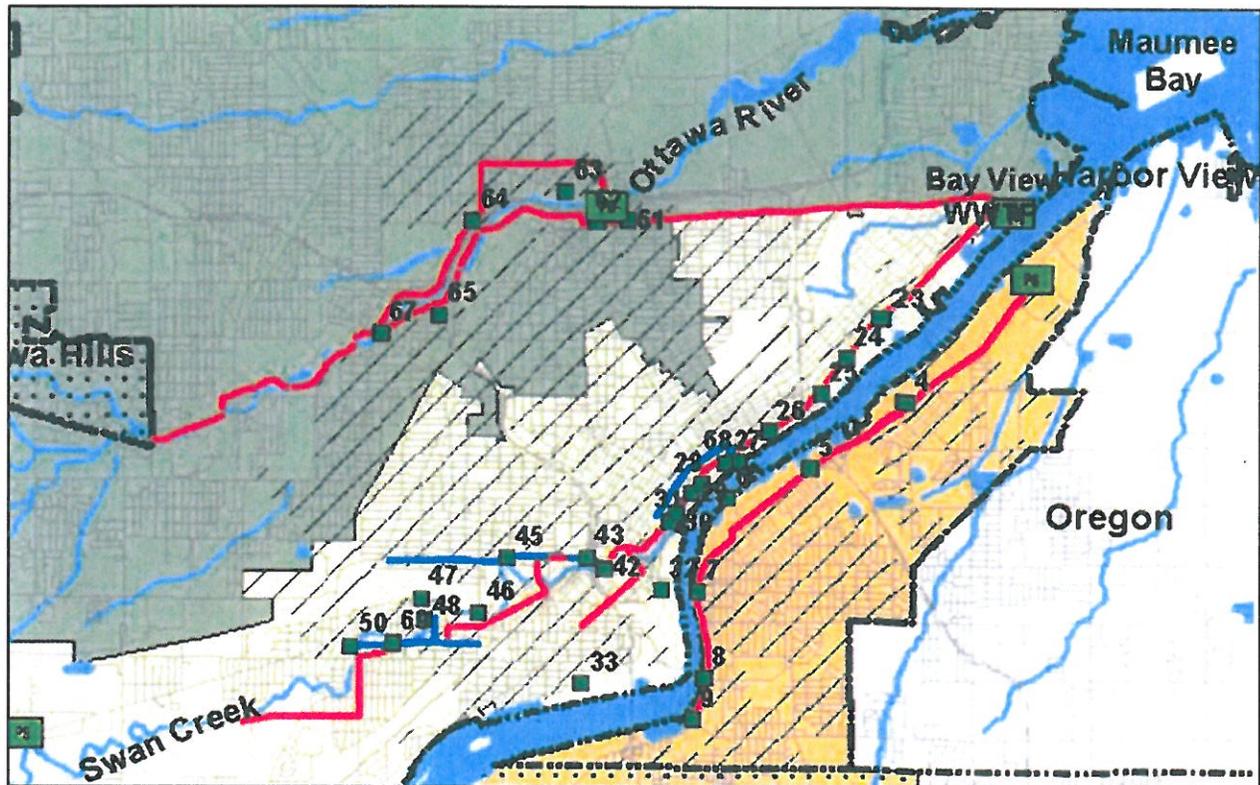


Figure 1: Toledo CSO Locations showing Regulators 6 and 7

Water Quality Impairments and Goals

The lower Maumee River is in the Huron/Erie Lake Plain ecological region (ecoregion). Within its Toledo CSO reach, the lower Maumee River carries beneficial use designations of warm water habitat (WWH), agricultural water supply, industrial water supply and primary contact recreation. Streams with a WWH aquatic life use designation have the potential to support a balanced, reproducing assemblage of warm water organisms typical of those found in index warm water streams in their ecoregions. The CSO reach of the Maumee fails to attain the WWH designation. Historical field data point to multiple causes of this impairment (toxic substances, pesticides, organics, metals, nutrients and siltation). CSOs and major municipal point sources are the single most significant end-of-pipe pollution sources in the Maumee, although most of the pollution in the CSO reach originates upstream in agricultural and developed areas from non-point sources.

In developing the LTCP, Toledo employed computer simulation studies to identify pollutants of concern specific to its CSOs, characterize CSO pollutant loads, and set goals for the reduction of loadings of pollutants of concern from CSOs. This data led to the identification of dissolved oxygen and bacterial loadings as the parameters in the city's discharge permit that have the greatest potential to exceed water quality standards in the Maumee River, specifically as a result of CSO contributions. Thus, dissolved oxygen and bacterial concentrations became the parameters on which development of the LTCP for the Maumee River was based.

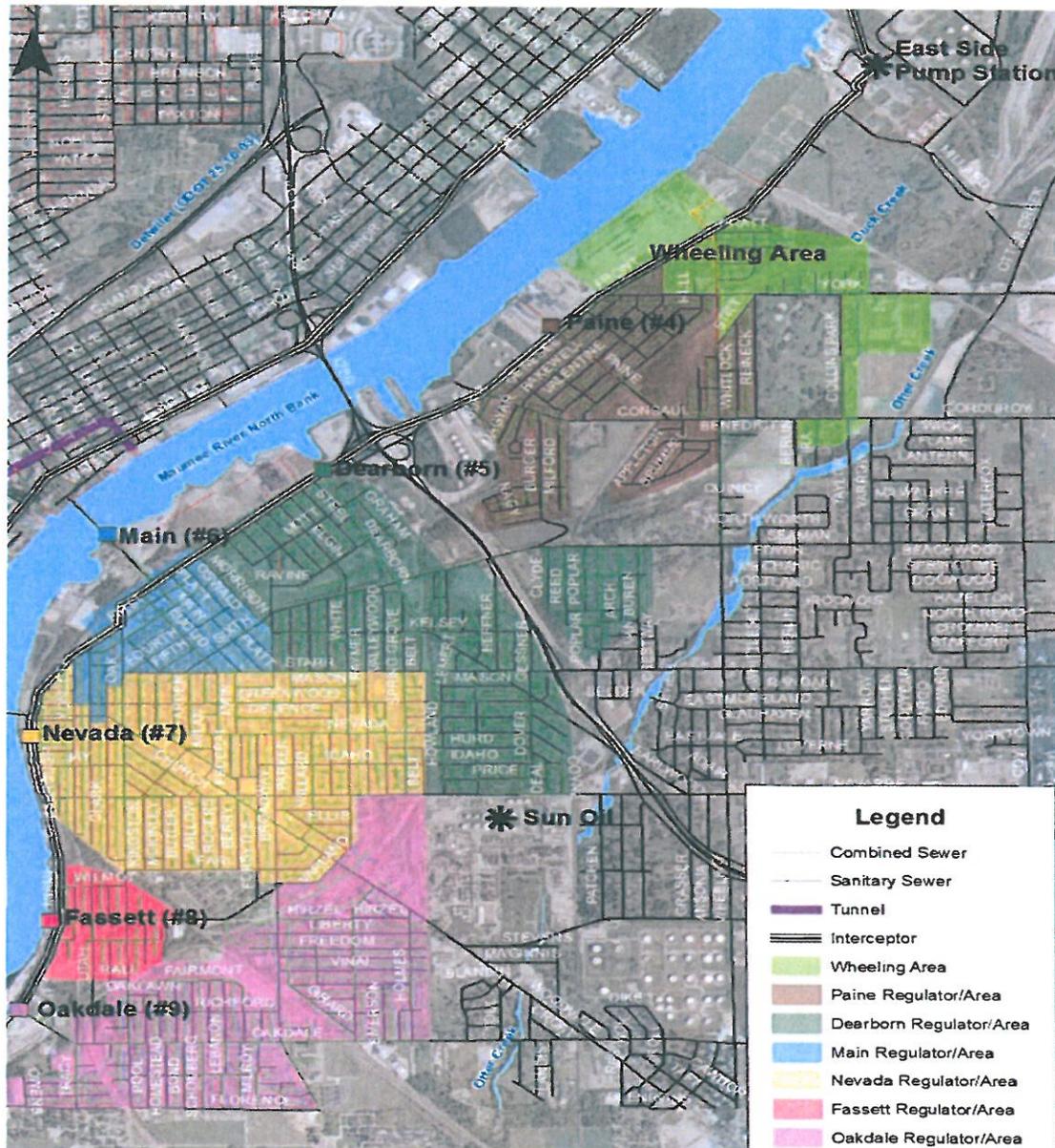


Figure 2: CSO drainage areas tributary to the East Side Interceptor

While the CSO reach of the Maumee River is not considered bacteria-impaired, model simulations showed that the in-stream bacterial concentrations can exceed their numeric criteria in some 30-day sampling periods. Based on this, the LTCP goal with respect to

bacterial standards is for the in-stream bacterial concentrations to meet criteria in all 30-day periods.

Low dissolved oxygen occurrences are caused by the removal of oxygen from the water by decaying organic materials (carbonaceous biochemical oxygen demand, or CBOD). Model simulation showed that dissolved oxygen concentrations dip below water quality standards in the CSO reach of the Maumee five times per year and that these excursions occur at low flow due to oxygen demand in the sediments. Based on this, the LTCP goal with respect to dissolved oxygen is to minimize CSO contribution of oxygen demand.

The LTCP determined the levels of control in achieving the reductions in frequency, volume and pollutant loadings at all regulators that would be required to achieve the water quality goals. The LTCP requires the reduction of the discharge frequency from Regulators 6 and 7 to a maximum of 3.0 per year per regulator, the screening of floatables (large debris) and the reduction or elimination of impacts associated with acute toxicity.

LTCP CSO Control Alternatives

The LTCP developed conceptual alternatives for all regulators, including no-action (little or no CSO control), sewer separation, storage basins, treatment basins and increased conveyance. The no-action alternative was screened from consideration for all regulators because its effectiveness would depend on achieving significant reductions in the upstream nonpoint source pollution. The time it would take to implement nonpoint source controls, combined with uncertainty regarding their effectiveness, makes them impractical for achieving near-term reductions. Toledo is therefore proceeding with controls at all regulators so that near-term benefit can be realized from CSO abatement, while nonpoint source controls are established over time.

The LTCP evaluated the control alternatives for each regulator in terms of their cost-effectiveness, siting constraints, constructability, and operability. In developing control options for Regulators 6 and 7, Toledo considered sewer separation, pipeline and basin storage, and treatment basin.

Separation was screened from consideration because of high cost and of construction difficulties in the Regulator 6 and 7 CSO areas. The LTCP found that, over a range of sizes, a storage pipeline would achieve reductions in the frequency, volume, and pollutant loadings from Regulators 6 and 7 to levels that are comparable to those achievable by a treatment basin or a storage basin for lower capital costs. A 5.5 MG storage basin capable of reducing discharge occurrences from Regulators 6 and 7 to three per year per regulator was the preferred option.

Preliminary Design Report Recommendations

In 2015, Toledo published a Preliminary Design Report (PDR) for Regulator 6 and 7 storage which modified the LTCP recommendations. During development of the PDR, Toledo identified potential cost savings of \$1,000,000 to \$2,000,000 with a basin facility instead of a pipeline. Furthermore, Toledo found that there is an uncertainty of

approximately 25 percent in the collection of the flow and precipitation data on which the design volumes of CSO facilities are based. To account for this uncertainty and thus reduce the likelihood that the design volume that is based on flow and precipitation data will be exceeded, the PDR recommends the addition of approximately 25 percent of the design volume of 5.5 MG as a safety factor. Thus, the total design volume of the International Park basin will be 6.9 MG.

International Park is situated on the Maumee River directly across from Downtown. As shown in Figure 3, it is bounded by Main, Nevada, and Front Streets. It was chosen as a location for a CSO storage facility because of its proximity to the CSO pipes on Main and Nevada Streets. Along the river are restaurants, volleyball courts and walking and bicycle paths. Along Front Street are an overflow parking lot and thickly wooded areas that support wetlands. Access from Main Street is provided by Boers-Boyer Way, which traverses the park north to south. The topography is generally flat with the exception of a steep slope along Front Street. The park has an extensive development and demolition history. It was formerly a rail yard and shipping facility, office and construction yard for the city and for other industrial operations. The results of a 2003 Phase I Environmental Survey and a more recent geotechnical surveys indicates that industrial materials were handled on the site; however, this does not eliminate the site from consideration as a CSO facility. To avoid impacts to the restaurants and other park facilities, which are vital to the Downtown economy, it was decided to place a basin and conveyance piping along the eastern side of the park and replace or mitigate the wetlands thus removed.

Project Description

The storage basin and its dewatering station will be constructed south of the overflow parking lot and east of Boers-Boyer Way (Figure 4). The basin will receive flow from an 84-inch diameter pipe from Main Street, and a 108-inch diameter pipe from Nevada Street. The conveyance pipes will be located on the east side of the park along the walking and biking path. Across Front Street are densely-developed residential areas. In operation, the basin will fill by gravity. When the downstream wastewater system has the capacity to accept flows from the basin, the basin will be dewatered by pump assistance.

Implementation

The total estimated project cost is \$27,000,000. Approximately \$850,000 will come from the Ohio Public Work Commission and Toledo anticipates borrowing the balance from the WPCLF. Toledo qualifies for the standard WPCLF long-term construction rate, which in July, 2016, the anticipated month of loan award, will be 1.47 percent over 20 years. Borrowing on those terms will save Toledo significant expenditures on interest over the life of the loan compared to the current market rate.

Debt for this project will be repaid from Toledo's sewer rates, which have been raised 9.5 percent per year to cover TWI costs. In 2016, Toledo residential sewer customers pay a quarterly fixed charge of \$43.01 and a volume charge of \$3.568 per 100 cubic

feet of water usage. Assuming the statewide quarterly usage of 3,111 cubic feet applies to Toledo, the average quarterly residential sewage bill is \$154, or \$616 per year.

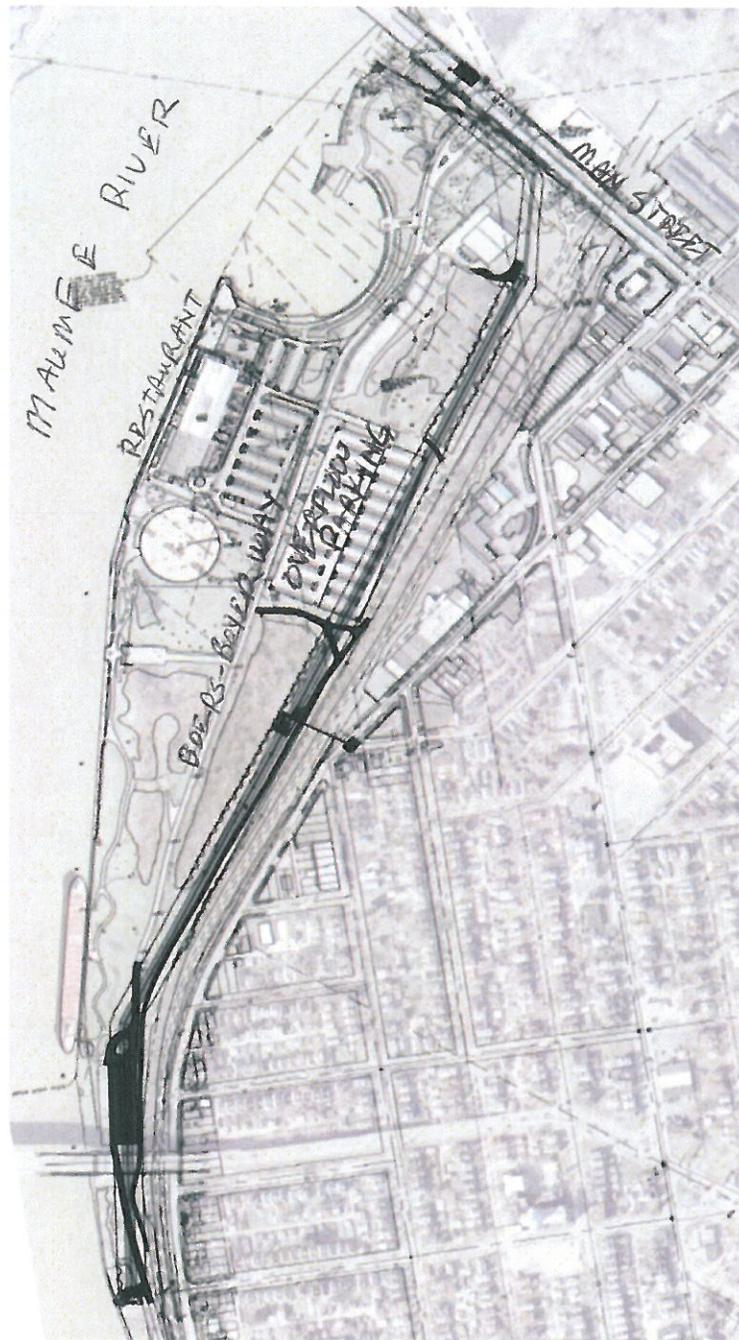


Figure 3: International Park General Layout

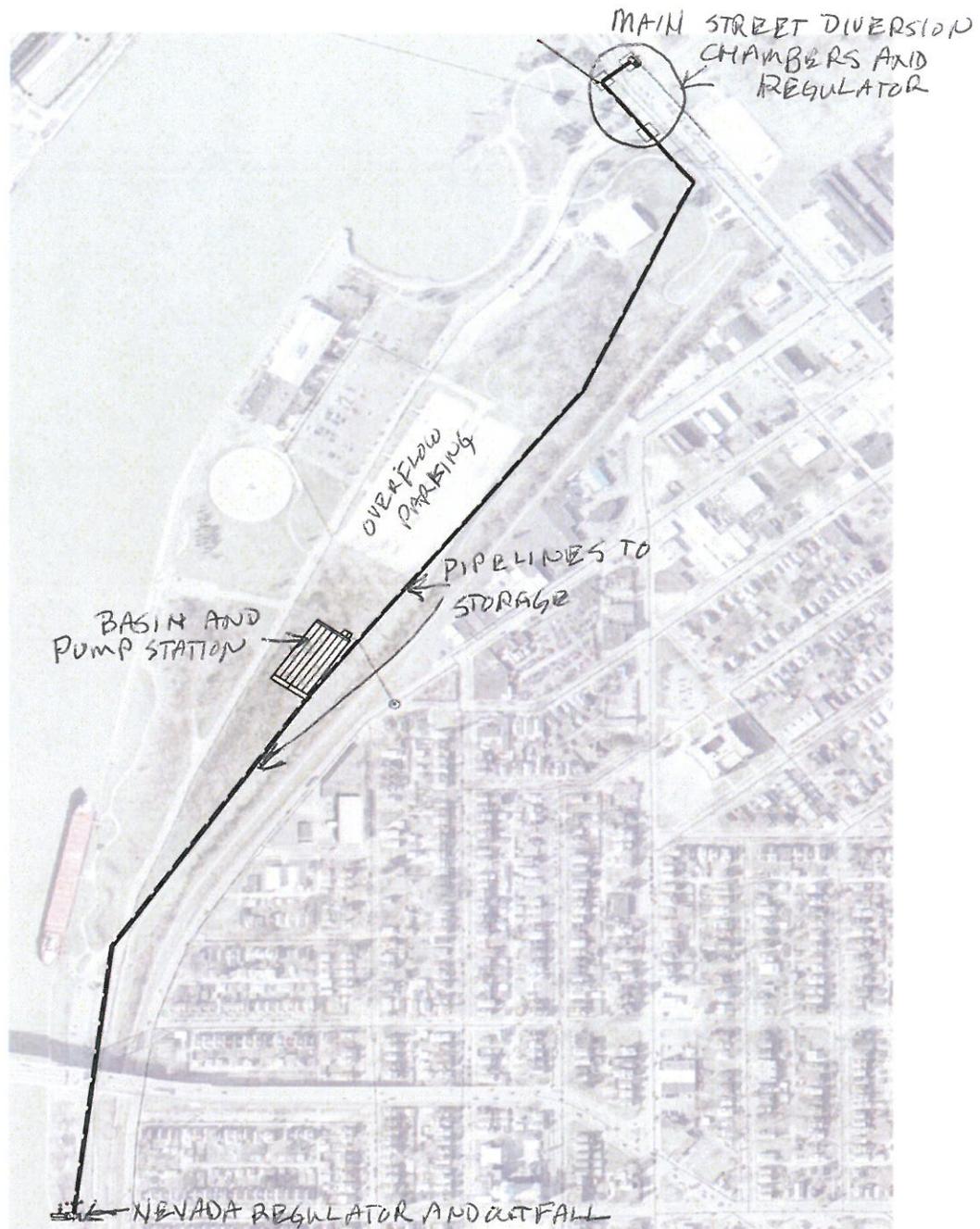


Figure 4: General Project Layout, International Park Pipeline and Basin

Environmental Impacts

Unaffected Environmental Features: The project will have no secondary development impacts, since it is not intended to serve growth in undeveloped and/or actively farmed areas. The CSO reach of the Maumee River is not a state-designated scenic or recreational river. No state- or federally-designated wildlife areas are present. Toledo obtains its drinking water from Lake Erie, so there are no local drinking water supplies in the project area to be affected. The project will not affect the water elevations in the

Maumee floodway, because the floodway is limited to the Maumee River channel. The project site is not in the Lake Erie coastal zone.

Hazardous Waste, Ground Water and Surface Water: Phase I and Phase II Environmental Site Assessments (ESA, the field testing of soil and ground water for the presence of hazardous substances) were conducted. While the Phase I ESA noted the historical presence of a pond of unknown usage on part of the proposed work site and the past use of the work areas as a coal depot and rail-yard, the Phase II ESA assessment sampling data indicated that hazardous wastes were not found in ground water or soil in concentrations that would require it to be removed from pumped ground water or from surface water runoff under an individual NPDES discharge permit. This means that the city can discharge the surface runoff and ground water pumpage directly to the Maumee River under the conditions of its Storm Water Pollution Prevention Plan without reducing water quality.

Based on the foregoing, the project as designed will have no long-term adverse effect on surface water.

Floodplains: Toledo has verified through the review of FEMA maps that the project is not located in the flood plain and a permit is not required. However, the replacement of the existing Nevada outfall and installation of the new basin flushing water intake pipe at the outfall requires a Nationwide permit through the USACOE. A Nationwide Permit No. 7 for outfall structures and associated intake structures was issued to the City of Toledo by the USACOE April 2016 and the FEMA maps are on file with the City of Toledo. Based on this, the project as designed will have no adverse effect on the Maumee floodplain.

Threatened/Endangered Species, Terrestrial Habitat and Aquatic Habitat: The US Fish and Wildlife Service has noted that the project area is within the range of the following federally-endangered species, federal candidate species and species of concern: the Indiana bat, the eastern prairie fringed orchid, the bald eagle, the Karner blue butterfly, the piping plover, the eastern massasauga, and the rayed bean mussel. The Ohio Department of Natural Resources (ODNR) notes also that the project area is within the ranges of the Kirtland's warbler and the Hine's emerald, both state- and federally-endangered, and of the state-endangered Persius dusky wing, frosted elfin, purplish copper, Canada darner, bobcat, black tern, golden-winged warbler, lark sparrow, loggerhead shrike, and blue-spotted salamander.

Most of these species will be unaffected by the project because their required habitat is absent or because of their ability to move out of the area. However, the wooded and shrubby vegetation provide forage for the Kirtland's warbler, a migratory bird that utilizes the Lake Erie shore counties for seasonal forage, and provides forage and maternal roosting habitat for the Indiana bat and the northern long eared bat. These species are on the federal threatened and endangered species list. Unless the absence of the bats or their critical habitat can be demonstrated through field surveys, no site clearing can occur between April 1 and September 30. Seasonal restrictions also apply to protection of the Kirtland's warbler. Tree and shrub habitat cannot be removed between April 22

and June 1 and between August 15 and October 15. No in-water work is proposed, so the project is not anticipated to adversely affect the mussel species.

An active bald eagle nest is present approximately 1,600 feet downstream from the construction site, but will not be adversely affected because of the project type and size, the fact that the Craig Street Bridge forms a visual buffer between the nest and the construction site, and because the distance between the nest and the construction site is more than the minimum 330 feet buffer required under the Bald and Golden Eagle Protection Act.

Wetlands: Two forested wetlands approximately 0.51 acres and 1.7 acres in extent are present within the forested areas on-site. Along with removal of the trees, the 0.51 acre wetlands area will be filled to accommodate the basin. A portion of the 1.7 acre wetland area that will be disturbed by the connecting pipes will be restored. The city has obtained a permit to fill and restore these wetlands under Section 404/401 of the Clean Water Act from the US Army Corps of Engineers (USACOE). Wetlands will be purchased from the wetland mitigation bank to offset the on-site loss. Based on the mitigation, on the fact that there are no sites with the same locational advantages as this one that do not have wetlands, and on the need for the project, we find that the project will have no significant adverse long-term effects on wetland quality and quantity in the general area.

Cultural Properties: Given the extensive ground disturbance and fill at International Park, the potential presence of intact archaeological properties at the proposed depth of excavation is low. The basin and connecting pipes will be below grade and the dewatering pump station control building will be very small, so there will be no indirect visual impact. Based on this, the project has a very low likelihood of adversely affecting cultural properties that are listed on or eligible for listing on the National Register of Historic Places.

Air Quality: Lucas County attains the national ambient air quality standards for all regulated pollutants. During construction, mechanized equipment will emit volatile organic compounds and oxides of nitrogen, which are ozone precursors. Emission controls on construction equipment will lessen this impact. The project will not last long enough to place the county out of attainment of the air quality standards. Based on this, the project will have no significant long-lasting adverse impacts to air quality.

Noise, Dust, Odors: Construction will unavoidably produce noise associated with sheet pile driving and mobile construction equipment, odors such as diesel fumes, and dust. These effects will be temporary, and will be dampened by the site's isolation distance from homes. Dust will be suppressed with water, while noise and diesel odors will be controlled with silencers and emission controls on motorized equipment.

In operation, the facility will be dustless and noiseless. Odors may vent from the screening chamber, the dilute nature of the CSO flows and brief holding periods in the pipeline will reduce odors. Because of this, the city did not include active odor controls in design. If

odors prove to be a problem, the facility will be retrofitted with an odor control system. Based on this, noise, dust and odors will have no long-term adverse impacts.

Traffic: A traffic management plan will be in place for Front Street, Nevada Avenue and Main Street. The project will not affect traffic in residential areas. Based on this, the project will have no long-term adverse impacts to local traffic patterns.

Local Economy: The average annual sewer bill under 2014 rates is approximately 1.9 percent of the annual median household income in Toledo of \$34,170 (American Community Survey 2007-2011 estimate). This is considered affordable.

Public and Governmental Oversight

Toledo has held public meetings with the local businesses and residents. At least one more meeting will be held after the contract is awarded.

The following agencies have commented on the project as designed: Ohio Department of Natural Resources, The US Army Corps of Engineers, Toledo Metropolitan Area Council of Governments and Ohio EPA. None of these agencies oppose, or have serious concerns about, the proposed project. Given the extent of prior disturbance at the site, Ohio EPA made its finding of no significant impact to cultural resources without consultation with the State Historic Preservation Office.

Conclusion

Based on the planning information provided in the Long-Term Control Plan (2009), the Preliminary Design Report (2015), associated studies, and comments by interested agencies and the public, we find that the construction and operation of the International Park CSO storage pipeline and basin as described herein will have no significant adverse short-term or long-term impact on surface waters, wetlands, floodplains, ground water, aquatic habitat, terrestrial habitat, coastal zones, endangered species, cultural properties, air quality, or the local economy; it will have no adverse secondary (development-related) effects such as prime farmland loss; and it will have no long-term adverse effects with respect to noise, dust or odors.

The resulting reduction in overflow frequency will, in conjunction with the LTCP at other locations, eliminate public health risks and water quality degradation that are attributable to Toledo's CSOs.

For further information, please contact:

Judy Buckinger, Project Reviewer
Ohio EPA
Division of Environmental and Financial Assistance
50 West Town Street
Suite 700
Columbus, OH 43215

Telephone: (614)-644-3662

Email: Judith.buckinger@epa.ohio.gov