



# OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 12  
5500 TRANSPORTATION BLVD. • GARFIELD HGTS., OH 44125 • 216-581-2100

## **Supplemental Re-Evaluation** for **CUY Lake/Clifton Connector PID 117892** **Environmental Document Level: C2**

**Approved: 8/21/2024**

**Prepared By: Sumia Mohamed**

Lawhon AND Associates Inc.

E-mail: smohamed@lawhon-assoc.com

District Contact: Corey Czinger

Phone:

E-mail: Corey.Czinger@dot.ohio.gov

*The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by ODOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated December 14, 2020, and executed by FHWA and ODOT.*

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**Re-evaluation Level**

**Explain why a re-evaluation is needed?**

Re-evaluation - The Stage 2 Design Plans have identified the need for temporary and permanent right-of-way. This requires the RMR and Section 4(f) documents to be updated and revised to reflect the new impacts. The proposed project will require a temporary easement from Lakewood's Celeste Park. Celeste Park is a pocket park located at the corner of Clifton Blvd. and West Clifton Blvd.; it is a 0.53-acre scenic area. The total of the temporary easement area is 0.028 acre.

The C2 Re-evaluation approval is based on Stage 2 Plans. The plans are included in Project File/General/Project Information/Stage 2 Design.



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**C2**

**Project Information**

|                         |                          |
|-------------------------|--------------------------|
| <b>PID:</b>             | 117892                   |
| <b>Project Sponsor:</b> | CUYAHOGA COUNTY ENGINEER |
| <b>ODOT District:</b>   | 12                       |
| <b>Funding Source:</b>  | Non-Federal              |

**C2 Section**

|  |     |
|--|-----|
| <b>Does this project require a Federal permit or approval?</b> | Yes |
| <b>Project Description:</b>                                    |     |



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Re-evaluation - The Stage 2 Design Plans have identified the need for temporary and permanent right-of-way. This requires the RMR and Secti the new impacts. The proposed project will require a temporary easement from Lakewood's Celeste Park. Celeste Park is a pocket park located is a 0.53-acre scenic area. The total of the temporary easement area is 0.028 acre.

The C2 Re-evaluation approval is based on Stage 2 Plans. The plans are included in Project File/General/Project Information/Stage 2 Design.

The Cuyahoga County Department of Public Works (CCDPW) in coordination with the Ohio Department of Transportation (ODOT) is proposi Linda Street to Webb Road in the cities of Rocky River and Lakewood. The project includes reconstruction of Lake Road Clifton Boulevard, in compliant curb ramps, driveway apron replacement, new sidewalk and signage, new traffic markings and signal improvements.

The project construction is expected to need temporary or permanent right-of-way limits. Part width construction will be used to facilitate main phases. A minimum of one lane of traffic in each direction will be maintained at all times.

One stream (Rocky River); however, there will be no impacts or in stream work are anticipated. No wetlands will be impacted. Approximately within the study area. All SWH within 100 feet from the edge of pavement. There is no suitable habitat for any other federally or state listed sp USFWS and ODNR was completed on March 23, 2023. See the ecological documentation for the project in the Project File/Ecological/Reports

The project is not located within a regulated floodplain. Therefore, no further coordination is required.

The project is located adjacent to the City of Lakewood owned Celeste Park, a protected Section 4(f). The Park is recognized as Section 4(f) pr right-of-way that will be required form Celeste Park. Based upon review of the Determination Request Form for Recreational Properties (DRF) ODOT-OES Policy determined on August 2, 2024, that the proposed project can be proceeded as an exception to the requirement for Section 4( proposed project will preserve and/or enhance Celeste Park and will not adversely affect the protected recreational activities, features, or attribu proposed scope of work and concurrence received from the Official with Jurisdiction (OWJ). OWJ concurrence, DRF, and ODOT-OES Policy 4(f)/Coordination, Project Information, and Reports subsections.

A Regulated Materials Review (RMR) Screening was prepared for the project. Based on the Stage 2 Design Plans, the project will have perman Materials Review Screening was completed on March 27, 2024. OES reviewed and approved the RMR Screening Report on April 22, 2024. Ba RM-009, Nick's Auto Repair, 19765 Lake Rd. RMR documentation for the project in the RMR documentation for the project in the Project File

A Cultural Resources Records Check was performed by using the SHPO GIS online database. No Cultural Resources listed on or determined e Places were identified within and/or immediately adjacent to the proposed project area. The undertaking is a type which has minimal potential t with Minimal Potential to Cause Effect - Appendix A of the Section 106 Programmatic Agreement. No further coordination is required. The Re Cultural Resources/Project Information. District approval date February 29, 2024.

No other environmental, hazardous materials, or environmental justice impacts will result from this project.

Two in-person public involvement meetings were conducted for the project. The first meeting was held on May 9, 2023, in the City of Lakewood 2023, in Rocky River, Ohio to introduce and discuss the Lake Road Clifton Boulevard Corridor Improvement project to the public. Public com feedback form and public written comments on the displayed exhibit boards. Public comments during this meeting were in favor of the project. to pedestrian safety, cyclist concerns, and general comments on the project design. The public meetings have been announced by posting a flyer including the meetings information were distributed in the proposed notification areas. Public Involvement documentations are available in the subsection.

Construction: \$11,794,535.00: 100% local.

The project has been designed by OHM Advisors.

The environmental document and associated studies are being approved using Stage 3 Design Plans.

**The next phase of the proposed project is listed on the STIP:**

Yes

**Ellis STIP Details**

| Phase | Current STIP Reference |
|-------|------------------------|
| ENV   |                        |
| RW    |                        |
| CO    | 117892: 24-27 STIP     |
| DD    |                        |

**The current cost estimate is in line with existing federal procedures for Ohio STIP Amendments and Administration Modifications:**

Yes

**Select the appropriate project type:**

(26) Modernization of a highway by resurfacing, restoration, rehabilitation, reconstruction, adding shoulders,



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or adding auxiliary lanes (including parking, weaving, turning, and climbing lanes), if the action meets the constraints in paragraph I of this section. **Examples include: Joint or limited use of right-of-way where the proposed use would have minimal or no adverse social (including highway safety), economic or environmental impacts; Installation of new noise walls and other new noise mitigation projects; Construction of highway safety and truck escape ramps; Construction of bicycle lanes and pedestrian walkways, sidewalks, shared-use paths, or facilities and trailhead parking that do not otherwise qualify for a C1 designation; Beautification or facility improvement projects (i.e. landscaping, curb and gutter installation and replacement, ADA ramps/curb ramps, installation of park benches, decorative lighting, etc.); Construction of alternative energy facilities (fuel tank farms, wind turbines, etc.)**

**In accordance with 23 CFR 771.117(e), the proposed project cannot be processed as a C2 CE, if it involves -**

1. **a.** Acquisition of more than a minor amount of ROW (exceeds strip takes)
2. **b.** Residential or non-residential displacements
3. **c.** A U.S. Coast Guard permit or an Individual Section 404 permit under the Clean Water Act
4. **d.** A Section 106 finding of *Adverse Effect*
5. **e.** Section 4(f) impacts greater than de minimis
6. **f.** A finding of *May Affect, Likely to Adversely Affect* to Threatened and Endangered Species
7. **g.** Construction of temporary access, or the closure of existing road, bridge, or ramps, that would result in major traffic disruptions
8. **h.** Changes in access control
9. **i.** Floodplain encroachment other than functionally dependent uses (e.g., bridges, wetlands) or actions that facilitate open space use (e.g., recreational trails, bicycle and pedestrian paths)
10. **j.** Construction activities in, across or adjacent to a river component designated or proposed for inclusion in the National System of Wild and Scenic Rivers
11. **k.** No minor public or agency controversy on environmental grounds (no opposition from any organized groups or agencies and no unresolved environmental coordination)
12. **l.** A full Environmental Justice Analysis Report (EJAR) is required (the project must be processed as a D-level CE or higher-level document). If a memo-to-file/letter/IOC-format EJAR Short Report is determined to be the appropriate level of documentation, contact OES regarding NEPA document level.

**For certification purposes, documentation is required to illustrate no significant impacts will occur to the following environmental resources and that no unusual circumstances exist that would warrant a higher level of NEPA document. Upload all supporting documentation to the project file.**

### Ecological

Waterways:

Not Present

Will any wetlands be impacted?

No

**The following Federally Listed Species received an effect determination of May Affect, Not Likely to Adversely Affect:**



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| Species Common Name     | Species Scientific Name       | Listing Status      | Most Recent Coordination Date |
|-------------------------|-------------------------------|---------------------|-------------------------------|
| Indiana Bat             | <i>Myotis sodalis</i>         | Endangered          | 03/23/2023                    |
| Northern Long-eared Bat | <i>Myotis septentrionalis</i> | Threatened          | 03/23/2023                    |
| Tricolored Bat          | <i>Perimyotis subflavus</i>   | Proposed Endangered | 03/23/2023                    |

The following Federally Listed Species received an effect determination of No Effect:

| Species Common Name | Species Scientific Name         | Listing Status     | Most Recent Coordination Date |
|---------------------|---------------------------------|--------------------|-------------------------------|
| Bald Eagle          | <i>Haliaeetus leucocephalus</i> | Species of Concern | 03/23/2023                    |
| Piping Plover       | <i>Charadrius melodus</i>       | Endangered         | 03/23/2023                    |
| Rufa Red Knot       | <i>Calidris canutus rufa</i>    | Threatened         | 03/23/2023                    |

**Endangered Species Remarks:**

No effect towards endangered species.

Re-evaluation: Remarks are the same.

**Scenic Rivers**

No National Wild and Scenic River  
Within 1000 Feet of the Proposed  
Project Area

**Scenic Rivers Remarks**

The project will not impact any Scenic River.

Re-evaluation: Remarks are the same.

**Floodplains**

**100-Year Floodplain:**

No Encroachment Within a Special  
Flood Hazard Area (SFHA)

**Floodplain Remarks**

The project is not located within a regulated floodplain; therefore, no coordination is required. See the floodplains documentation for the project in the Project File/Permits/Floodplains subsection.

Re-evaluation: Remarks are the same.

**Section 4(f)**

**Section 4(f):**

Present; No Programmatic  
Evaluation or Individual Evaluation  
Required

**Section 4(f) Determination:**

Transportation Enhancement Exception - 774.13(g)



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**Section 4(f) Determination Date - 774.13(g)**

08/02/2024

**Section 4(f) Remarks**

The project is located adjacent to the City owned Celeste Park, a protected Section 4(f). There will be no right-of-way from the park. No impact is expected.

Re-evaluation: The project is located adjacent to the City of Lakewood owned Celeste Park, a protected Section 4(f). There will be a temporary right-of-way required from the park. Based upon review of the Determination Request Form for Recreational Properties (DRF) submitted to ODOT-OES Policy Staff on July 8, 2024, ODOT-OES Policy determined on August 2, 2024, that the proposed project can be proceeded as an exception to the requirement for Section 4(f) approval. In accordance with 23 CFR 774.13(g), the proposed project will preserve and/or enhance Celeste Park and will not adversely affect the protected recreational activities, features, or attributes. This determination was made based on the proposed scope of work and concurrence received from the Official with Jurisdiction (OWJ). The following measures to minimize harm will be incorporated into the plans as plan notes and as environmental commitments in the environmental document:

- Access to Celeste Park shall be maintained at all times during construction activities.
- Temporary construction fencing shall be installed along proposed construction limits prior to the start of the construction activities where needed to protect the Section 4(f) property and the public.
- Appropriate signage shall be installed to alert users of Celeste Park of Construction activities, if in proximity to recreational facilities or features.
- The Contactor shall be required to closely coordinate the construction schedule with CCDPW and the City of Lakewood prior to the start of construction activities.

OWJ concurrence, DRF, and ODOT-OES Policy coordination documents are available in the Project File/Section 4(f), Coordination, Project Information, and Reports subsection.

**Section 6(f)**

**Section 6(f):** Not present

**Cultural Resources**

**Cultural Resources:** Present; No Finding of Adverse Effect

**Cultural Resources Coordination:** Minimum Potential to Cause Effect Appendix A

**Cultural Resources Coordination - ODOT Approval/SHPO Concurrence Date** 02/29/2024

**Cultural Resources Remarks**

A Cultural Resources Records Check was performed by using the SHPO GIS online database. No Cultural Resources listed on or determined eligible for listing on the National Register of Historic Places were identified within and/or immediately adjacent to the proposed project area. The undertaking is a type which has minimal potential to cause effects to historic properties in accordance with Minimal Potential to Cause Effect - Appendix A of the Section 106 Programmatic Agreement. No further coordination is required. The Records Check can be found in the Project File Under Cultural Resources/Project Information. District approval date February 29, 2024.

Re-evaluation: Remarks are the same.

**Environmental Resources Considered**

**The following environmental resources are present and have been studied for potential impacts:**



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**Regulated Materials**

**Air Remarks**

The project type of 'construction of a shared-used path and reduction of travel lanes, also including new roadway alignment, bridge enhancements, signal installation/upgrades, curb, median installation, and lighting upgrades' is considered insignificant from an air quality conformity perspective, as per 40 CFR 93.126. Therefore, the project is exempt from air quality coordination.

Re-evaluation: Remarks are the same.

**Noise Remarks**

The project is a construction of a shared-used path and reduction of travel lanes project. Project also includes new roadway alignment, bridge enhancements, signal installation/upgrades, curb, median installation, and lighting upgrades. The project will not increase the traffic or traffic noise. Therefore, no noise analysis is required.

Re-evaluation: Remarks are the same.

**The project involves ROW acquisition, Deep Excavation, or OEPA 513 Landfill Authorization:**

Yes - Screening

**Regulated Materials Review Screening:**

Plan Note Required

**Regulated Materials Review Screening - DEC/OES Approval Date:**

04/22/2024

**Regulated Materials Review Remarks:**

A Regulated Materials Review (RMR) Screening was prepared. The project will have no permanent right-of-way, no deep excavation, and is not within 300 feet of a landfill buffer. Regulated Materials Review Screening was completed on 02/28/24. Based on findings, no further Regulated Materials Review is required. Corey Czinger, Environmental Specialist, approved Regulated Materials Review on 02/28/2024.

Re-evaluation: Based on the findings of the regulated Materials Review Screening completed on March 27, 2024, and approved by OES on April 22, 2024, a PCS plan note is warranted for RM-009, Nick's Auto Repair, 19765 Lake Rd. An environmental commitment will be made to include a PCS plan note for RM-009 and Nick's Auto Repair, located at 19765 Lake Rd.

**Environmental Justice**

Projects that meet C2 criteria must be in accordance with ODOT's EJ Guidance and activities conducted for Public Involvement are commensurate to the project's type and scope of work.

**Environmental Justice Populations**

Present; No EJAR Required, Does Not Exceed EJ Guidance Criteria, and No Issues Raised During Public Involvement

**Identified Environmental Justice Populations**

| Census Block Group # | % Minority | % Low Income |
|----------------------|------------|--------------|
| 390351601001         | 14         | 4            |
| 390351811001         | 6          | 8            |



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|              |    |    |
|--------------|----|----|
| 390351601002 | 6  | 10 |
| 390351602002 | 18 | 35 |
| 390351607001 | 5  | 24 |
| 390351811002 | 0  | 24 |

### Environmental Justice Remarks

Based on mapping from TIMS, the minority populations are between 5% and 18% for the US Census Block Groups located within the project area and 4% and 35% of the population is designated as low income.

The proposed project will have no disproportionately high and adverse effects to minority or low-income populations based upon the table above, the attached mapping, and the answers to the questions above. No concerns related to impacts on Environmental Justice were raised as a result of public involvement activities conducted as part of the proposed project. Therefore, in accordance with the protections of Executive Order 12898, DOT Order 5610.2(a), and FHWA Order 6640.23A, no further analysis is required.

Based on the above findings an Environmental Justice Analysis Report is not required.

The Census mapping will be found in the project file under Environmental Justice.

Re-evaluation: Remarks are the same.

### Public Involvement

#### Public Involvement:

Minimum PI Requirements Met; No  
Minor Public or Agency Controversy  
on Environmental Grounds

### Public Involvement Remarks

Two in-person public involvement meetings were conducted for the project. The first meeting was held on May 9, 2023, in the City of Lakewood, Ohio and the second meeting was held on June 27, 2023, in Rocky River, Ohio to introduce and discuss the Lake Road Clifton Boulevard Corridor Improvement project to the public. Public comments were collected during the meeting using a public feedback form and public written comments on the displayed exhibit boards. Public comments during this meeting were in favor of the project. The public shared their comments and thoughts related to pedestrian safety, cyclist concerns, and general comments on the project design. The public meetings have been announced by posting a flyer on Cuyahoga County website and yard signs including the meetings information were distributed in the proposed notification areas.

See the public involvement documentation for the project in the Project File/Public Involvement/Project Information subsection.

Re-evaluation: Remarks are the same.

### Environmental Commitments

#### Environmental Commitments

Yes



## Environmental Commitments

### C2

- 1) The Project Designer shall incorporate the following note into the plans: NO TREES SHALL BE REMOVED UNDER THIS PROJECT FROM APRIL 1 THROUGH SEPTEMBER 30. ALL NECESSARY TREE REMOVAL SHALL OCCUR FROM OCTOBER 1 THROUGH MARCH 31. THIS REQUIREMENT IS NECESSARY TO AVOID AND MINIMIZE IMPACTS TO FEDERALLY AND STATE LISTED BAT SPECIES AS REQUIRED BY THE ENDANGERED SPECIES ACT. FOR THE PURPOSE OF THIS NOTE, A TREE IS DEFINED AS A LIVE, DYING, OR DEAD WOODY PLANT WITH A TRUNK THREE INCHES OR GREATER IN DIAMETER AT A HEIGHT OF 4.5 FEET ABOVE THE GROUND SURFACE, AND WITH A MINIMUM HEIGHT OF 13 FEET.
- 2) Tree Removal AMM 1: Modify all phases/aspects of the project (e.g., temporary work areas, alignments) to avoid tree removal in excess of what is required to implement the project safely.
- 3) Tree Removal AMM 3. Ensure tree removal is limited to that specified in project plans by clearly marking clearing limits. Ensure that contractors understand clearing limits and how they are marked in the field.
- 4) The Project Designer shall place a PCS Plan Note in the final plans to properly manage PCS that may be encountered during excavation or construction activities for RM-009 (also known as ROW Parcel 12) - Nick's Auto Repair located at 19765 Lake Rd.
- 5) The project designer shall incorporate the following note into the plans: Access to Celeste Park shall be maintained at all times during construction activities.
- 6) The project designer shall incorporate the following note into the plans: Temporary construction fencing shall be installed along proposed construction limits prior to the start of construction activities where needed to protect the Section 4(f) property and the public.
- 7) The project designer shall incorporate the following note into the plans: Appropriate signage shall be installed to alert users of Celeste Park of construction activities, if in proximity to recreational facilities or features.
- 8) The contractor shall be required to closely coordinate the construction schedule with Cuyahoga County Department of Public Works (CCDPW) and the City of Lakewood prior to the start of construction activities.



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**Preparers and Approvals**

**Form Preparer:** Sumia Mohamed  
Lawhon AND Associates Inc.  
smohamed@lawhon-assoc.com

**Supporting Form Preparer(s):** Corey Czinger  
John Ballas  
Jason Earley  
Matthew Pastorelle  
Nicholas Viau  
Ruth Klee  
Susan Daniels

**Approvals & Electronic Signatures**

| <b>Approved &amp; Electronically Signed By:</b> | <b>Approval Date:</b> |
|---|-----------------------|
| Thomas Sorge (PROGRAM ADMIN 3)                  | 8/21/2024             |



## Appendix

### General

Aerial Map.pdf

County Map.pdf

USGS Quadrangle Topographical Map.pdf

### RMR

OES Review - Screening.pdf

Regulated Materials Review Form-updated.pdf

### Cultural Resources

Records Check.pdf

### Ecological

ODNR Scenic River MOA Conditions

USFWS/ODNR Ecological MOA Conditions

### Other Resources

Census Bureau Urbanized Map.pdf

Water Source Protection Area Map.pdf

Well Log Data.pdf

### Section 4(f)

Determination Request Form for Recreational Properties.pdf

OES Recreational 4(f) Determination.pdf

### Environmental Justice

Census Mapping.pdf

### Public Involvement

Project Newsletter.pdf

Property Owner Notification Letter-ROE.pdf

Public Comments Received summary - Attacment 6.pdf

Public Comments Received-2.pdf

Public Comments Received-3.pdf

Public Comments Received.pdf

Public Comments summary.pdf



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Public Meeting Exhibits-2.pdf

Public Meeting Exhibits.pdf

Public Meeting Notification 2.pdf

Public Meeting Notification-2.pdf

Public Meeting Notification.pdf

Public Meeting Presentation-2.pdf

Public Meeting Presentation.pdf

Public Meeting Sign In Sheet-2.pdf

Public Meeting Sign In Sheet.pdf

Public Meeting Summary.pdf

**Permits**

FEMA FIRM.pdf