



OHIO DEPARTMENT OF TRANSPORTATION

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

Supplemental Re-Evaluation for **CUY York Rd/Bennett Road PID 101741** Environmental Document Level: C2

Approved: 4/6/2023

Prepared By: Libby Rushley

Lawhon AND Associates

E-mail: lrushley@lawhon-assoc.com

District Contact: Mark Carpenter

Phone: 216-584-2089

E-mail: Mark.Carpenter@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.

Table of Contents

Re-evaluation Level.....	3
C2.....	4
Environmental Commitments.....	8
Preparers and Approvals.....	9
Appendix.....	10



Supplemental Re-evaluation Level C2
PID 101741 CUY York Rd/Bennett Road

Approved: 4/6/2023

Re-evaluation Level

Explain why a re-evaluation is needed?

Upon additional evaluation, the hydrology type for Stream S-1 was determined to be perennial rather than intermittent, the drainage area was determined to be 0.25 square miles. In addition, the ESR was updated to include a "no effect" determination for the proposed endangered tricolored bat. The ESR has been amended to reflect these changes. These changes to the ESR do not require additional coordination efforts with the USFWS or ODNR for the project. The project remains non-notifying per the ecological MOA. The updates are necessary for the accuracy of the NEPA documentation and for use during the waterway permitting process.



Supplemental Re-evaluation Level C2

PID 101741 CUY York Rd/Bennett Road

Approved: 4/6/2023

C2

PID: 101741
Project Sponsor: North Royalton, City of
ODOT District: 12
Funding Source: Non-Federal
Does this project require a Federal permit or approval? Yes

Project Description:

The City of North Royalton in cooperation with the Ohio Department of Transportation (ODOT) proposes a drainage improvement on York Road (approximately 700 feet south of Royalton Road) in the city, Cuyahoga County. Construction activities will include the stabilization of the existing drainage way embankments and repairs to the existing RCP culvert under the access driveway. Permanent right-of-way will be required for this project. No utility impacts are anticipated. Construction will not impact York Road. Access to the York Road Recreation Fields will be maintained throughout construction. Cultural Resources was coordinated as Minimal Potential to Cause Effect - Appendix B. The project is limited to a drainage improvement associated with I-80 in the City of North Royalton, Cuyahoga County, Ohio. Construction activities will focus near the I-80 overpass at York Road where culvert and ditch maintenance will occur. The work will extend beyond the existing interstate right-of-way for 236 feet or between the I-80 embankment to the northeast and the York Road right-of-way to the southwest. The work will focus on a poorly functioning, existing drainage ditch where a new grade-line will be established and the stream banks will be armored with rock channel protection. Construction limits will average about 50 feet wide. Minor maintenance will also impact a modern culvert associated with an access drive to York Road. No buildings will be removed by the project and no relocations will occur.

All work activities are limited to previously disturbed land so impacts to undisturbed archaeological resources is unlikely. The literature search also determined there are no inventoried buildings (OHI), no identified archaeological sites (OAI), and no listed or eligible historic properties found in the proposed construction area or the area of potential effects (APE). Minor highway maintenance activities and construction activities only impacting culverts composed of modern materials, like steel and concrete, are exempt from further cultural resource consideration by the 11/8/17 Cultural Resource PA (Agreement 19319), if the project is not within the boundaries of any historic property or N. R. district.

One stream will have approximately 220 linear feet of impact due to the stabilization of the existing drainage way embankments and repairs to the existing RCP culvert under the access driveway and will require a USACE permit. No wetlands will be impacted. No suitable wooded habitat for the federally protected Indiana bat and northern long-eared bat, and state protected tricolored bat and little brown bat will be impacted by the project. The project is however located within a USFWS Gold bat buffer zone. The project will have no effect on these species. There is no suitable habitat for any other federally or state listed species within the project area. The project is not located in a regulated floodplain, therefore no coordination is required.

The York Road Ballfield Complex is located within the project area. Due to the lack of federal funds being used for this project, Section 4(f) recreational property protections do not apply to this project.

No other environmental, cultural resources, hazardous materials, Section 4(f)/6(f), or underserved population impacts will result from this project.

Letters were sent to adjacent property owners on July 14, 2022 to provide project information and an opportunity to comment on the project. No comments were received. The city has made the determination to proceed with the project as currently designed. The environmental document and associated studies are being approved using Stage 3 design. A copy of the plans is included in the project file.

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

Ellis STIP Details



Supplemental Re-evaluation Level C2

PID 101741 CUY York Rd/Bennett Road

Approved: 4/6/2023

Phase	Current STIP Reference
PE Environmental	
Right of Way	101741: 21-24 STIP
Construction	
PE Detailed Design	101741: 21-24 STIP

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, or adding auxiliary lanes (including parking, weaving, turning, and climbing lanes), if the action meets the constraints in paragraph (e) 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 right-of-way
2. b. Residential or non-residential displacements
3. c. A Coast Guard, Individual Section 404 and/or a Section 10 permit
4. d. A Section 106 finding of *Adverse Effect*
5. e. A Section 4(f) Programmatic or Individual Evaluation
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. If an EJ Analysis Report is required, the project must be processed as a D-level CE or higher level document

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.



Supplemental Re-evaluation Level C2

PID 101741 CUY York Rd/Bennett Road

Approved: 4/6/2023

Waterways:	Present; No Coast Guard, Individual 404, and/or Section 10 Permit required
Waterways Permit Type:	Permit Determination and/or Permit Application Approval Pending
Isolated Wetland Permit	No
Will any wetlands be impacted?	No
Endangered Species:	No Impacts to Protected Species and Critical Habitat
100-Year Floodplain:	No Encroachment Within a Special Flood Hazard Area (SFHA)
Section 4(f):	Not present
Section 6(f):	Not present
Cultural Resources:	Present; No Finding of Adverse Effect
Cultural Resources Coordination:	Minimum Potential to Cause Effect Appendix B
Cultural Resources Coordination - ODOT Approval/SHPO Concurrence Date	07/15/2022
Since no Tribe was interested in this project based on their customized preferences, no further Tribal consultation was conducted.	
Projects that meet C2 criteria are not anticipated to have impacts to the following environmental resources. If resources are present, documentation is only required if there is a potential for impacts.	
Air Quality:	Studies Not Required
Air Quality - Coordination with OES:	No
Noise:	Studies Not Required
Noise Coordination - OES Approval Date:	07/25/2022
Hazardous Materials - ESA Screening Conducted	Yes
Hazardous Materials - OES Approval Date:	07/05/2022
Phase I ESA Warranted Based on Coordination with OES:	No Further Studies Warranted
Farmland:	Urbanized Area; No Impacts in Accordance With the Farmland MOU and 7 CFR 658
Scenic Rivers	No National Wild and Scenic River Within 1000 Feet of the Proposed Project Area

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.



Supplemental Re-evaluation Level C2

PID 101741 CUY York Rd/Bennett Road

Approved: 4/6/2023

Environmental Justice Populations

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

Public Involvement:

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

Environmental Commitments

Yes



Supplemental Re-evaluation Level C2

PID 101741 CUY York Rd/Bennett Road

Approved: 4/6/2023

Environmental Commitments

C2

1) The city of North Royalton will obtain all appropriate waterway permits prior to any work within the jurisdictional boundary of any waterway, including wetlands, and all applicable waterway permits will be included in the plans and adhered to during construction.



Supplemental Re-evaluation Level C2

PID 101741 CUY York Rd/Bennett Road

Approved: 4/6/2023

Preparers and Approvals

Form Preparer:

Libby Rushley
Lawhon AND Associates
1441 King Avenue, Columbus OH 43212
lrushley@lawhon-assoc.com

Supporting Form Preparer(s):

Andrew Fluegemann
Jaclyn Bruns

Approvals & Electronic Signatures

Approved & Electronically Signed By:	Approval Date:
Mark Carpenter (TRANS ENGR 3)	4/6/2023



Appendix

Underserved Populations

Census Mapping - updated 2022.pdf

Census Mapping.pdf

General

Aerial Map.pdf

County Map.pdf

USGS Quadrangle Topographical Map.pdf

ESA

OES Recommendations - Screening.pdf

RMR Screening Summary - CUY York-Bennett Road PID 101741 .pdf

Cultural Resources

Minimal Potential to Cause Effect - Appendix B

Ecological

ODNR Scenic River MOA Conditions

USFWS/ODNR Ecological MOA Conditions

Other Resources

Urbanized Area Map.pdf

Water Source Protection Area Map.pdf

Well Log Data.pdf

Public Involvement

PONL.pdf

Public Notification Mailing List.pdf

Permits

FEMA FIRM.pdf