



# OHIO DEPARTMENT OF TRANSPORTATION

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

## Supplemental Re-Evaluation

for

### CUY IR 077 11.41 Major Rehab PID 105743

Environmental Document Level: D1

**Approved: 4/17/2026**

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*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?**

Ecological impacts were identified later in the design process. A Level 1 ESR needs to be completed for the project.



## **Project Type**

**-(1)-(3) Reserved for future use.**

**Please check all of the following actions that apply (Must check at least one):**

(13) Actions described in 23 CFR 771.117 (c)(26), (c)(27), and (c)(28) that do not meet the constraints listed in 23 CFR 771.117(e).

(a) Project types that exceed thresholds in Appendix A

(b) Project types that exceed thresholds in Appendix B



## General Project Information

### Project, Cost Schedule and Work Limits

#### Environmental Document Level

PID 115275,105743  
Project Name CUY IR 077 11.41 Major Rehab  
Project Sponsor ODOT Sponsoring Agency  
ODOT District 12  
Funding Source Federal  
The next phase of the proposed project is listed on the STIP Yes

#### Ellis STIP Details

Phase	Current STIP Reference
ENV	105743: 26-29 STIP
RW	105743: 26-29 STIP
CO	105743: 26-29 STIP
DD	105743: 26-29 STIP

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

An Interchange Modification/Justification/Operations Study (IMS/IJS/IOS) was completed No

Project Description:



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Northern Section PID 105743: The CUY-77-11.21 (PID 105743) major rehabilitation project (northern section) is in the Village of Cuyahoga Heights, Village of Newburgh Heights, and the City of Cleveland, Cuyahoga County, Ohio. CUY-77-11.21 is one of two remaining projects along the I-77 corridor that will result in improvements that widen and reconstruct the original interstate infrastructure between I-490 and I-480. The northern section extends from the Grant Avenue bridge over I-77 to just north of the Broadway Avenue interchange. Overpass roadway structures at each interchange and rail structures will accommodate a wider interstate typical section along this section. The northern section will fully replace the pavement and a mainline structure, correct roadway deficiencies and gain shoulder width, increase capacity of the drainage system to alleviate flooding and accommodate future drainage of a widened corridor. New lighting will be installed and traffic controls, such as rumble strips, will be updated throughout this corridor. The design elements are interrelated and Maintenance of Traffic (MOT) schemes are dependent upon how the elements are designed. The MOT analysis will include phasing maintaining two or three lanes in each direction as well as the assessment of an alternate route to provide additional capacity during construction. Traffic at each interchange ramp will be detoured during the construction of the ramp improvements. Plans and northern section mapping can be found in the Project File under General>Project Information.

Southern Section PID 115275: The CUY-77-10.08 (PID 115275) major rehabilitation project (southern section) is in the Village of Cuyahoga Heights and the City of Cleveland, Cuyahoga County, Ohio. CUY-77-10.08 will fully replace the pavement and widen the shoulders on I-77 from the northern approach of the Canal Road bridge (north of the I-77 and I-480 interchange) to the Grant Avenue bridge. The profile of I-77 will be lowered where needed to meet vertical clearance requirements. The southern section will also replace the median barrier and the drainage system. New lighting will be installed and traffic controls, such as rumble strips, will be updated throughout this corridor. The MOT analysis will include phasing maintaining two or three lanes in each direction as well as the assessment of an alternate route to provide additional capacity during construction. Traffic at each interchange ramp will be detoured during the construction of the ramp improvements. Stage 1 plans and southern section mapping can be found in the Project File under General>Project Information.

### **Limits of Proposed Work**

<b>Start (SLM):</b>	10.08
<b>End (SLM):</b>	14.084
<b>Total Work Length (Miles):</b>	2.88
<b>Roadway Character</b>	
<b>Route Number: IR00077</b>	
<b>Functional Classification:</b>	Principal Arterial - Interstate (Urban)
<b>Current Average Daily Traffic:</b>	118000
<b>Current Average Daily Traffic Year:</b>	2023
<b>Design Year Average Daily Traffic:</b>	126000
<b>Design Average Daily Traffic Year:</b>	2043
<b>Daily Hourly Volume:</b>	6550
<b>Truck %:</b>	6
<b>Setting:</b>	Urban
<b>Topography:</b>	Rolling



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Design Speed (MPH):	65	65
Legal Speed (MPH):	60	60
Number of Lanes:	3	3
Type of Lanes:	Through	Through
Pavement Width (ft):	36	36
Shoulder Width (ft):	3	10
Median Width (ft):	3	3
Sidewalk Width (ft):	0	0

<b>Sufficiency Rating:</b>	083.8
<b>General Rating:</b>	8
<b>Date Built:</b>	05/20/2016
<b>Bridge Location:</b>	.34 MI. S. OF JCT. SR-14
<b>40. Bridge Type:</b>	302N
<b>Sufficiency Rating:</b>	078.2
<b>General Rating:</b>	7
<b>Date Built:</b>	07/01/2004
<b>Bridge Location:</b>	2 MI NORTH OF IR 480
<b>40. Bridge Type:</b>	402N
<b>Sufficiency Rating:</b>	N/A
<b>General Rating:</b>	7
<b>Date Built:</b>	07/01/2005
<b>Bridge Location:</b>	1ST BR N OF GRANT AVE
<b>40. Bridge Type:</b>	303N
<b>Sufficiency Rating:</b>	N/A
<b>General Rating:</b>	7
<b>Date Built:</b>	06/16/2006
<b>Bridge Location:</b>	FROM THE SOUTH 4TH OF 4
<b>40. Bridge Type:</b>	302N
<b>Sufficiency Rating:</b>	N/A
<b>General Rating:</b>	7
<b>Date Built:</b>	06/16/2006



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<b>Bridge Location:</b>	1.59 MI N. JCT SR 21
<b>40. Bridge Type:</b>	303N
<b>Sufficiency Rating:</b>	N/A
<b>General Rating:</b>	7
<b>Date Built:</b>	06/16/2006
<b>Bridge Location:</b>	FROM THE SOUTH 3RD OF 4
<b>40. Bridge Type:</b>	303N
<b>Sufficiency Rating:</b>	079.3
<b>General Rating:</b>	7
<b>Date Built:</b>	07/31/2006
<b>Bridge Location:</b>	2.56 MI. N. OF JCT. SR-21
<b>40. Bridge Type:</b>	302N
<b>Sufficiency Rating:</b>	N/A
<b>General Rating:</b>	6
<b>Date Built:</b>	07/01/1975
<b>Bridge Location:</b>	1.12 MI. S. OF JCT. SR-14
<b>40. Bridge Type:</b>	402N
<b>Sufficiency Rating:</b>	070.0
<b>General Rating:</b>	5
<b>Date Built:</b>	07/01/1950
<b>Bridge Location:</b>	.87 MI. S. OF JCT. SR-14
<b>40. Bridge Type:</b>	302N
<b>Design Criteria For Bridges</b>	
<b>SFN: 1806645</b>	
<b>Sufficiency Rating:</b>	083.8
<b>General Rating:</b>	8
<b>Date Built:</b>	05/20/2016
<b>Bridge Location:</b>	.34 MI. S. OF JCT. SR-14

**Existing:**

**Proposed:**

Bridge Type:	302N	
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Bridge Length (ft):	151.7	
Number of Main Spans:	1	
Max Span Length (ft):	148.5	
Load Restrictions (TON):	150	
Curb to Curb Width (ft):	40	
Shoulder Width(ft):		
Under Clearance (ft):		

**Bridge Type Description:**

**Load Restrictions Description:**

**Will the structure be rehabilitated or replaced as part of the project?**

**If this bridge is a historic bridge, what type is it?**

**Remarks:**

**SFN: 1806378**

**Sufficiency Rating:** 078.2

**General Rating:** 7

**Date Built:** 07/01/2004

**Bridge Location:** 2 MI NORTH OF IR 480

	<b>Existing:</b>	<b>Proposed:</b>
Bridge Type:	402N	402N
Bridge Length (ft):	205	205
Number of Main Spans:	3	3
Max Span Length (ft):	142	142
Load Restrictions (TON):	150	150
Curb to Curb Width (ft):	52	52
Shoulder Width(ft):	50	50
Under Clearance (ft):	17	17

**Bridge Type Description:** Grant Avenue over I-77

**Load Restrictions Description:** No load restrictions.

**Will the structure be rehabilitated or replaced as part of the project?** Yes

**If this bridge is a historic bridge, what type is it?** N/A

**Remarks:**

Bridge patching will be completed as part of the project.



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**SFN: 1806408**

**Sufficiency Rating:** N/A

**General Rating:** 7

**Date Built:** 07/01/2005

**Bridge Location:** 1ST BR N OF GRANT AVE

	<b>Existing:</b>	<b>Proposed:</b>
Bridge Type:	303N	303N
Bridge Length (ft):	134	134
Number of Main Spans:	1	1
Max Span Length (ft):	134	134
Load Restrictions (TON):	0	0
Curb to Curb Width (ft):	0	0
Shoulder Width(ft):	52	52
Under Clearance (ft):	15.8	15.8

**Bridge Type Description:** Norfolk & Southern RR Bridge over I-77

**Load Restrictions Description:** No load restrictions.

**Will the structure be rehabilitated or replaced as part of the project?** Yes

**If this bridge is a historic bridge, what type is it?** N/A

**Remarks:**

Bridge patching will be completed as part of the project.

**SFN: 1806432**

**Sufficiency Rating:** N/A

**General Rating:** 7

**Date Built:** 06/16/2006

**Bridge Location:** FROM THE SOUTH 4TH OF 4

	<b>Existing:</b>	<b>Proposed:</b>
Bridge Type:	302N	302N
Bridge Length (ft):	150.8	150.80
Number of Main Spans:	1	1
Max Span Length (ft):	148.5	148.50
Load Restrictions (TON):	0	0
Curb to Curb Width (ft):	24	24
Shoulder Width(ft):	50	50



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Under Clearance (ft):	16.1	16.1
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**Bridge Type Description:** Access Road over I-77

**Load Restrictions Description:** No load restrictions

**Will the structure be rehabilitated or replaced as part of the project?** Yes

**If this bridge is a historic bridge, what type is it?** N/A

**Remarks:**

Bridge patching will be completed as part of the project.

**SFN: 1806440**

**Sufficiency Rating:** N/A

**General Rating:** 7

**Date Built:** 06/16/2006

**Bridge Location:** 1.59 MI N. JCT SR 21

	Existing:	Proposed:
Bridge Type:	303N	303N
Bridge Length (ft):	151.8	151.80
Number of Main Spans:	1	1
Max Span Length (ft):	143.8	143.80
Load Restrictions (TON):	0	0
Curb to Curb Width (ft):	0	0
Shoulder Width(ft):	42.8	42.8
Under Clearance (ft):	16.0	16.0

**Bridge Type Description:** Norfolk & Southern RR Bridge over I-77

**Load Restrictions Description:** No load restrictions.

**Will the structure be rehabilitated or replaced as part of the project?** Yes

**If this bridge is a historic bridge, what type is it?** N/A

**Remarks:**

Bridge patching will be completed as part of the project.

**SFN: 1806491**

**Sufficiency Rating:** N/A

**General Rating:** 7

**Date Built:** 06/16/2006



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**Bridge Location:**

FROM THE SOUTH 3RD OF 4

	<b>Existing:</b>	<b>Proposed:</b>
Bridge Type:	303N	303N
Bridge Length (ft):	181.8	181.80
Number of Main Spans:	1	1
Max Span Length (ft):	170.5	170.50
Load Restrictions (TON):	0	0
Curb to Curb Width (ft):	0	0
Shoulder Width(ft):	50.5	50.5
Under Clearance (ft):	16.1	16.1

**Bridge Type Description:**

Norfolk & Southern Bridge over I-77

**Load Restrictions Description:**

No load restrictions.

**Will the structure be rehabilitated or replaced as part of the project?**

Yes

**If this bridge is a historic bridge, what type is it?**

N/A

**Remarks:**

Bridge patching will be completed as part of the project.

**SFN: 1806521**

**Sufficiency Rating:**

079.3

**General Rating:**

7

**Date Built:**

07/31/2006

**Bridge Location:**

2.56 MI. N. OF JCT. SR-21

	<b>Existing:</b>	<b>Proposed:</b>
Bridge Type:	302N	
Bridge Length (ft):	136.6	
Number of Main Spans:	1	
Max Span Length (ft):	132.1	
Load Restrictions (TON):	150	
Curb to Curb Width (ft):	51	
Shoulder Width(ft):		
Under Clearance (ft):		

**Bridge Type Description:**

**Load Restrictions Description:**



**Will the structure be rehabilitated or replaced as part of the project?**

**If this bridge is a historic bridge, what type is it?**

**Remarks:**

**SFN: 1806548**

**Sufficiency Rating:** N/A

**General Rating:** 6

**Date Built:** 07/01/1975

**Bridge Location:** 1.12 MI. S. OF JCT. SR-14

	<b>Existing:</b>	<b>Proposed:</b>
Bridge Type:	402N	N/A
Bridge Length (ft):	357	N/A
Number of Main Spans:	4	N/A
Max Span Length (ft):	116	N/A
Load Restrictions (TON):	0	N/A
Curb to Curb Width (ft):	0	N/A
Shoulder Width(ft):	10	N/A
Under Clearance (ft):	15.5	N/A

**Bridge Type Description:**

This is the Chard Avenue Pedestrian Bridge over I-77 which is proposed to be removed by the project.

**Load Restrictions Description:**

Pedestrian bridge only. No access for vehicles.

**Will the structure be rehabilitated or replaced as part of the project?** No

**If this bridge is a historic bridge, what type is it?** N/A

**Remarks:**

Due to the small width between the Chard Avenue Pedestrian bridge piers, the bridge is proposed to be removed as part of the project to allow for shoulder widening on I-77.

**SFN: 1806572**

**Sufficiency Rating:** 070.0

**General Rating:** 5

**Date Built:** 07/01/1950

**Bridge Location:** .87 MI. S. OF JCT. SR-14





42. Number of Main Spans:	1
43. Max Span Length (ft):	148.5
43. Max Span Length (ft):	142
43. Max Span Length (ft):	134
43. Max Span Length (ft):	148.5
43. Max Span Length (ft):	143.8
43. Max Span Length (ft):	170.5
43. Max Span Length (ft):	132.1
43. Max Span Length (ft):	116
43. Max Span Length (ft):	67
44. Load Restrictions (TON):	150
44. Load Restrictions (TON):	150
44. Load Restrictions (TON):	0
44. Load Restrictions (TON):	0
44. Load Restrictions (TON):	0
44. Load Restrictions (TON):	0
44. Load Restrictions (TON):	150
44. Load Restrictions (TON):	0
44. Load Restrictions (TON):	130
45. Curb to Curb Width (ft):	40
45. Curb to Curb Width (ft):	52
45. Curb to Curb Width (ft):	0
45. Curb to Curb Width (ft):	24
45. Curb to Curb Width (ft):	0
45. Curb to Curb Width (ft):	0
45. Curb to Curb Width (ft):	51
45. Curb to Curb Width (ft):	0
45. Curb to Curb Width (ft):	102.5

**Maintenance of Traffic During Construction**

A roadway, bridge or ramp closure is required Yes



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- |  |     |
|--|-----|
| <b>A temporary bridge or roadway is proposed</b>   | No  |
| <b>A detour is required for the proposed project</b>   | Yes |
| <b>Access for local through traffic will be provided with appropriate signage</b>  | Yes |
| <b>Provisions for through-traffic dependent businesses will be incorporated into project design</b>                                  | Yes |
| <b>Provisions to accommodate any local special events or festivals will be incorporated into project design</b>                      | Yes |
| <b>The proposed MOT substantially impacts sensitive environmental resources</b>  | No  |
| <b>Substantial controversy is associated with the proposed MOT</b>   | No  |
| <b>Coordination has been initiated and/or completed with local emergency services, schools, public institutions/facilities, etc.</b> | Yes |

**Remarks:**



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**Vehicular Traffic:**

Both Sections PIDs 105743 & 115275: During construction activities, at least one lane in each direction of mainline I-77 will be maintained at all times with the use of temporary detours, as needed in emergency situations. Off the mainline, existing traffic signal operation will be maintained when the intersections are open to traffic. Temporary ramp detours are expected during construction. No permanent detours will occur. The phased approach to maintenance of traffic (MOT) is planned and is being coordinated with local officials and emergency services. As details are worked out, coordination will continue with these entities.

**Pedestrian Traffic:**

Northern Section PID105743: Impacts to pedestrian traffic are limited to the Grant Avenue, Fleet Avenue, and Broadway Avenue interchanges that are being modified and pedestrian detours will be needed. The detours will direct pedestrians from the north sidewalk to the south sidewalk and visa versa. The detours will be Americans with Disabilities Act (ADA) compliant and use curb ramps. The Chard Avenue bridge (SFN 1806548) is planned to be removed and pedestrian traffic to be detoured south to Fleet Avenue or north to the new Morgana Run Trail under I-77. Harvard Avenue and Pershing Avenue pavement work will not require pedestrian detours.

Southern Section PID 115275: There will be no impact to pedestrian traffic during construction activities; therefore, pedestrian detours will not be required.

**Special Events or Festivals:**

Both Sections PIDs 105743 & 115275: No special events or festivals are known to occur within the northern or southern section vicinity and no events have been mentioned in public meetings or coordination with local officials.

**Coordination:**

Both Sections PIDs 105743 & 115275: Coordination with local emergency services and public facilities/services is included in the Project File and included review of the Stage 1 plans, invitation to the public meeting, and a pre-public meeting specifically with these entities. No MOT or access concerns have been received from local emergency or public services/facilities (including schools). On-going coordination, as needed, will continue during the project development process. Approximately 30 days prior to the start of construction activities, the Ohio Department of Transportation (ODOT) District 12 Public Information Officer (PIO) will notify and coordinate with local emergency and public services (including schools). Parts 642-8 and 642-58 of the Traffic Engineering Manual shall be placed in the plans by ODOT to ensure compliance with federal notification requirements.

<b>Are there any Environmental Commitments?</b>	No
<b>Right of Way and Utility Involvement</b>	
<b>The project requires Permanent Right-of-Way</b>	Yes
<b>The project requires Permanent Easement(s)</b>	No
<b>The project requires Temporary Right-of-Way</b>	Yes
<b>Number of parcels impacted by Permanent Right-of-Way:</b>	4
<b>Number of parcels impacted by Temporary Right-of-Way:</b>	6
<b>Approximate acreage of Permanent Right-of-Way needed:</b>	5.132



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<b>Approximate acreage of Temporary Right-of-Way needed:</b>	2.55
<b>Electrical lines, gas lines, water lines, sewer lines, phone lines or other utilities exist in the project area</b>	Yes
<b>Large scale transmission facilities are located within the project area</b>	Yes
<b>Private utility easements are located within the project area</b>	Yes
<b>The existing private utility easement will be impacted by the project</b>	No
<b>Coordination with identified utilities has been initiated and/or completed</b>	Yes
<b>Remarks:</b>	



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**Right of Way:**

Northern Section PID 105743: The proposed northern section will require approximately 4.962 acres of permanent right of way (ROW) from 4 parcels and 2.55 acres of temporary ROW from 6 parcels.

Southern Section PID 115275: The proposed southern section will require approximately 0.170 acres of permanent ROW from 1 parcel and no temporary ROW.

No residences, businesses, institutions, or farms will be relocated for either section.

**Utility Coordination:**

Northern Section 105743: Below are all utility owners with assets within northern section construction limits:

- Buckeye Partners, L.P.
- AT&T
- Village of Cuyahoga Heights
- Windstream
- CEI First Energy
- Sunoco Pipeline L.P.
- Cleveland Public Power
- City of Cleveland - Division of Water
- Northeast Ohio Regional Sewer District
- Chapter Communications
- City of Cleveland - Division of Water
- Everstream
- ODOT - D12 Traffic
- Village of Newburgh Heights
- Duck Creek Energy, Inc. Dominion Energy Ohio
- City of Cleveland

Locations of the underground utilities were obtained from utility owners as required by Section 153.64 Ohio Revised Code (ORC). Utility relocations will be required for the northern section. Initial coordination with the utilities was conducted and can be found in the Project File under General/Right-of-Way and Utility Involvement/Correspondence Related to Utility Coordination.

Southern Section 115275: Below are all utility owners with assets within southern section construction limits:

- AT&T Ohio
- CEI First Energy
- CenturyLink
- City of Cleveland - Division of Water
- Cuyahoga County Dept of Public Works
- Cuyahoga County Permits and inspection Dept
- Dominion Energy/Dominion Energy Trans
- Spectrum/Charter Communications
- Verizon/MCI
- Village of Cuyahoga Heights
- Zayo Fiber Solutions

Locations of the underground utilities were obtained from utility owners as required by ORC Section 153.64 . Initial coordination with the utilities was conducted and can be found in the Project File under General/Right-of-Way and Utility Involvement. Coordination with utilities will continue throughout design & construction for both sections.



## Purpose & Need

### Purpose & Need

#### Project History:

The Purpose and Need covers both the Northern Section PID 105743 (CUY-77-11.21) and the Southern Section PID 115275 (CUY-77-10.08) which are together referred to as the "Project" below and throughout the Purpose and Need portion of the D1.

This Project, located in the Village of Cuyahoga Heights, Village of Newburgh Heights, and the City of Cleveland, Cuyahoga County, Ohio, is split into 2 separate PIDs that will be constructed together under 2 separate phases as discussed below:

- PID 105743 CUY-77-11.21 extends from the Grant Avenue bridge over I-77 to just north of the Broadway Avenue interchange.
- PID 115275 CUY-77-10.08 extends from the northern approach of the Canal Road bridge (north of the I-77 and I-480 interchange) to the Grant Avenue bridge.
  - ODOT has conducted several studies on the Project area and the Project is identified in the *Northeast Ohio Areawide Coordinating Agency (NOACA) 2017 AIM FORWARD 2040 Long-Range transportation Plan*. The project is also documented in the *NOACA Transportation Improvement Plan 2021-2024*.
  - Based upon previous coordination and review, the Purpose and Need has been accepted by ODOT and will be considered Final upon approval of the environmental document.
    - Previous studies can be found in the Project File under General/PDF

Based on the analyses of data by ODOT and serviceable operation life of the facilities, a planned project to address facility deficiencies is scheduled for construction in 2025.

#### Purpose Statement:

The Project is primarily to improve the facility deficiencies including substandard design of roadway shoulders, the drainage system, and vertical clearances of bridges.

#### Need Element(s):



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The need for the Project is due to Facility Deficiencies including substandard design of:

- a. **Shoulders:** The existing pavement consists of three 12-foot lanes in each direction with 3-foot inside shoulders and outside shoulders ranging from 8 to 10-feet wide. ODOT Standard inside and outside shoulder widths for an interstate are 10 feet.
- b. **Drainage system:** The existing drainage system was constructed in the 1940s and upgraded in the 1970s when the third lane was added in each direction. Historical flooding has been documented north of Grant Avenue.
- c. **Vertical clearances of bridge:** The Chard Avenue pedestrian bridge has a 15.5-foot vertical clearance. Standard vertical clearance for pedestrian bridges is 17.5 feet.

**Goals and Objectives:**

Not applicable.

**Summary Statement:**

The Project (CUY-77-11.21 (PID 105743) and CUY-77-10.08 (PID 115275)) is primarily needed to address facility deficiencies including substandard designs of the shoulders, drainage system, and vertical clearances of bridges.

**Logical Termini and Independent Utility:**

The transportation improvement limits are defined by the need to integrate improvements with logical termini into the existing freeway system. The logical terminus is the northern approach of the Canal Road bridge north to the southern limits of the I-77 and I-490 interchange just north of the Broadway Avenue.

The proposed Project is not dependent on planned transportation improvements to meet the established purpose and need. The proposed Project will address existing transportation needs independent of planned roadway projects; therefore, independent utility is established for this proposed transportation improvement.



## Alternatives

### Alternatives

#### Discuss No Build Alternative:

The Alternatives portion covers both the Northern Section PID 105743 (CUY-77-11.21) and the Southern Section PID 115275 (CUY-77-10.08) which are together referred to as the "Project" below and throughout the Alternatives portion of the D1.

The No-Build alternative would include only the typical routine maintenance for the Project area. This entails minor, regular short-term safety and maintenance efforts. This alternative would not meet the primary purpose and need for this proposed Project, because it would not improve drainage conditions nor correct design deficiencies (shoulder width and vertical clearance of bridges).

Was a Feasibility Study completed? No

Was an Alternative Evaluation Report (AER) completed? Yes

Date AER was approved: 11/01/2020

#### Alternatives Considered

Name	Description	Reason Dismissed	Included in the AER	Preferred Alternative
Alternative 1	Reconstructing I-77 to provide three, 12-foot lanes in each direction separated by a median barrier with 10-foot paved inside and outside shoulders for a total width of 115 feet.	N/A	Yes	Yes



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Alternative 1A	Reconstructing I-77 to provide three, 12-foot lanes in each direction separated by a median barrier.	The shoulder widths for Alternative 1A would be reduced below design standards which requires 10 feet on the right and four feet on the left. Only five lanes of traffic would be open during construction which would reduce traffic flow to an untenable amount. Does not accommodate future Hard Shoulder Running.	Yes	No
Alternative 2	Reconstructing I-77 to provide three, 12-foot lanes in each direction separated by a median barrier with 10-foot paved outside shoulders and 6-foot inside shoulders for a total width of 107 feet.	The shoulder widths for Alternative 1A would be reduced below design standards which requires 10 feet on the right and four feet on the left. Only five lanes of traffic would be open during construction which would reduce traffic flow to an untenable amount.	Yes	No

**Discuss Reasons Alternative Identified as Preferred was selected:**

Both Sections PIDs 105743 & 115275: Alternative 1 allows for six lanes of traffic to be maintained during construction. This alternative also has future Hard Shoulder Running (HSR) options which allows for more flexibility than the other alternatives. It would include shoulder widths that would be consistent with current design standards and fulfills the purpose and need.



## Air

### Mobile Source Air Toxics (MSATs)

<b>Sensitive Areas are located within approximately 500' of the proposed project area</b>	Yes
<b>The proposed project is listed as a C1 in ODOT's CE Guidance and/or falls under 40 CFR 93.126</b>	Yes

#### Remarks:

Both Northern and Southern Sections PIDs 105743 & 115275 (Project): This Project does not add capacity, a new interchange, or a new road on new alignment. Hence, this Project will not result in any meaningful changes in traffic volumes, vehicle mix, location of the existing facility, or any other factor that would cause an increase in emissions impacts relative to the No-Build alternative. As such, FHWA has determined this Project will generate minimal air quality impacts for Clean Air Act criteria pollutants and has not been linked with any special MSAT concerns. Consequently, this effort is exempt from analysis for MSATs per 40CFR93.126 (Shoulder improvements and Widening narrow pavements or reconstructing bridges (no additional travel lanes).)

### Particulate Matter 2.5 (PM2.5)

<b>The proposed project is in an air quality non-attainment or maintenance area</b>	Yes
<b>The proposed project falls under 40 CFR 93.126</b>	No
<b>Design Year ADT &gt;125,000 and Design Year Diesel Truck Volume &gt;10,000</b>	No
<b>Significant increase in diesel trucks between Design Year No Build and Design Year Build</b>	No

#### Remarks:

Northern Section PID 105743: On August 10, 2022, a PM 2.5 Flowchart, PM 2.5 Nonattainment Area Map, and associated information was prepared by TRC and submitted to ODOT. On January 26, 2023, ODOT returned correspondence and determined that the northern section was exempt from air quality conformity per 40CFR93.126 under "Pavement resurfacing and/or rehabilitation" was not needed for the northern section. OES approval can be found in the Project File under Air/Coordination/District Determination - No Air Analysis Required.

Southern Section PID 115275: On October 5, 2023, a PM 2.5 Flowchart was prepared that determined that the southern section was exempt from air quality conformity per 40CFR93.126 under "Pavement resurfacing and/or rehabilitation" and air analysis was not needed for the southern section. The flow chart can be found in the Project File under Air/Coordination/District Determination - No Air Analysis Required.

### Carbon (CO)

**The State of Ohio is in attainment for CO at this time and no coordination or analysis is required**



## Ozone

The proposed project is in an Ozone non-attainment or maintenance area Yes

The proposed project is listed on the TIP Yes

### Remarks:

Both Sections PID 105743 & 115275: Cuyahoga County is listed on the Statewide Transportation Improvement Program (STIP) and is in a Non-Attainment or maintenance area, therefore ozone is addressed. No further analysis for Ozone is required.

## Greenhouse Gas

A Quantitative Greenhouse Gas (GHG) Analysis is required No

### Remarks:

Both Sections PID 105743 & 115275:

- The project will not result in any additional through lanes or substantially increase capacity.
- Construction greenhouse gas emissions will result primarily from fuel used in construction equipment.
- Because the project will not change traffic, operational greenhouse gas emissions are not expected to change.
- The project is expected to improve traffic flow, which should reduce operational greenhouse gas emissions.
- The project will reduce stop and go conditions
- Project will improve roadway speeds to a moderate level
- Project will Improve intersection traffic flow to reduce idling
- Project will create a more safe and efficient freight movement
- Project will expand transit and non-motorized options for travelers
- Project will increase vegetation density over pre-project conditions to sequester carbon

## Environmental Commitments



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**Are there any environmental commitments? No**



## Noise

### Noise

<b>Noise Sensitive Areas located within approximately 500' of the proposed project area</b>	Yes
<b>Noise Analysis conducted</b>	No
<b>The proposed project is a Type I project</b>	No
<b>The proposed project is a Type II project</b>	No

### Remarks:

Northern Section PID 105743: On August 11, 2022, a noise flowchart and associated information was prepared by TRC and submitted to ODOT. On January 25, 2023, ODOT returned correspondence and determined that a noise analysis was not needed for the northern section. OES Approval can be found in the Project File under Noise/Coordination/OES Approval - No Analysis Required.

Southern Section PID 115275: On October 5, 2023, a noise flowchart was prepared that determined that a noise analysis was not needed for the southern section and can be found in the Project File under Noise/Coordination.

### Environmental Commitments

**Are there any environmental commitments? No**



## RMR

### RMR

Does the project require any Permanent ROW or Easement? Yes

Does the project require any temporary ROW? Yes

RMR Screening was completed by District Staff: No

Are there any OEPA and/or USEPA regulated sites?

Date of RMR Screening IOC from OES: 08/16/2022

Do any sites require a RMR Assessment, RMR Investigation, or plan note according to the IOC from OES? Yes

### Sites that require RMR Assessment, RMR Investigation, or Plan Note

Site Name	Address	RMR Assessment Required?	RMR Investigation Required?	Plan Note Required?
ETC Commercial Property, LLC	4800 Ruffini Court, Cleveland, Ohio 44105	No	Yes	No
Duck Creek Energy, Inc.	7033 Mill Road, Brecksville, Ohio 44141	No	Yes	No
Cleveland, ISG Works	3060 Eggars Road, Cleveland, Ohio 44105	No	Yes	Yes
BP Gas	4910 Harvard Ave, Newburgh Heights, OH 44105	No	No	Yes

Date of RMR Investigation IOC from OES: 04/25/2023

Remarks:



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Northern Section PID 105743: A Regulated Materials Review (RMR) was prepared by TRC (May 2022) and submitted to ODOT. Based on the results of the screening, ODOT-OES ESA Staff in correspondence dated August 16, 2022, recommended a RMR Investigation be conducted on three sites listed in the table above. Additionally, a fourth site (BP Gas) required a plan note for monitoring wells that may be within the current right of way. A petroleum contaminated soils (PCS) plan note should also be included for BP Gas if there is deep excavation on or adjacent to this site.

An RMR Investigation was conducted by TRC (February 2023) and correspondence was provided by OES on April 25, 2023 noting that soils at Cleveland ISG Works Wheeling, are above the VAP Residential standards and warrant a plan note; however, any excavated materials from this property may be reused in the northern section. If these materials can't be reused on the northern section, they are to be disposed of as a solid waste. No further studies or plan notes are required. The RMR reports and coordination can be found in the Project File under ESA>Reports

Southern Section PID 115275: The RMR Screening conducted by TranSystems on 5/19/2023 indicated that no further RMR activities were required due to no deep excavation, no ROW takes on properties of concern and regulated materials were unlikely to be encountered during construction. The RMR screening can be found in the Project File under ESA>Reports

### **Landfills**

**Is a Rule 513 Authorization required?** **No**

#### **Remarks:**

Both Northern and Southern Sections PIDs 105743 & 115275 (Project): Based on the results of the RMR Screening, there are no current or former landfills that will be impacted by the proposed project. Therefore, an OEPA Rule 513 (former 2713) authorization will not need to be obtained prior to the start of construction activities.

**According to the IOC from OES does the project require any Environmental Commitments (plan notes and/or other coordination)?** **Yes**



## Cultural Resources

### Cultural Properties Present

**Please describe all of the efforts made to identify Historic Properties (including lit review, field investigation, etc.):**

Northern Section PID 105743: A Section 106 Scoping Request Form (SRF) was prepared by TRC and submitted to ODOT on August 10, 2021. ODOT-OES Cultural Resources Staff issued correspondence dated August 17, 2021, that determined there were no historic properties that would be affected by the proposed northern section. A Phase II H/A Survey was not recommended. The SRF and mapping can be found in the Project File under Cultural Resources/Project Information.

Based on expansion of the northern section study area, an updated SRF was submitted on September 26, 2023. ODOT-OES Cultural Resources Staff issued correspondence dated October 11, 2023, that determined though design changes were made, the original area of potential effects remains virtually the same. As currently designed, the overall project remains exempt from further consideration by the 6/29/2023 Cultural Resources PA (Agreement 38503).

Southern Section PID 115275:

A Section 106 Scoping Request Form (SRF) was prepared by TranSystems and submitted to ODOT on August 10, 2021. ODOT-OES Cultural Resources Staff issued correspondence dated August 17, 2021, that determined there were no historic properties that would be affected by the proposed northern section. A Phase II H/A Survey was not recommended. The SRF and mapping can be found in the Project File under Cultural Resources/Project Information.

Based on expansion of the northern section study area, an updated SRF was submitted on October 16, 2023. ODOT-OES Cultural Resources Staff issued correspondence dated January 18, 2024, that determined, the project remains exempt from further consideration by the 6/29/2023 Cultural Resources PA (Agreement 38503).

**Is there an eligible or listed NRHP Historic Property in the Area of Potential Effects Pursuant to 36 CFR part 800?** **No**

**OES Approval/OSHPD Concurrence Date:** **08/17/2021**

**Remarks:**



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Northern Section PID 105743: From Cultural Resources Coordination:

The undertaking involves the widening and reconstruction of a five-mile section of I-77 located two and seven miles southeast of downtown Cleveland, Cuyahoga County, Ohio. The work is confined to an area between I-490 (north) and I-480 (south). Work efforts will focus on replacing the median barriers, widening shoulders, upgrading drainage, and replacing pavement. The Chard Avenue pedestrian bridge will be removed without replacement. Other overpass bridges along the alignment will not be involved, have already been upgraded, or are in the process of being upgraded. Construction efforts will focus on the existing operational right-of-way (ROW) and reconstruction would not result in ROW acquisition. It was previously determined that no buildings will be involved in construction and no relocations will be required. The existing Chard Avenue pedestrian bridge (SFN 1806548) is a relatively modern Type 402N continuous Steel Multi-Beam structure. The existing Type 302N Steel Multi-beam interstate bridge over the old W & LE Railroad line (SFN 1806572) built in 1950 will also be replaced. These bridges are not considered eligible for the National Register based on the ODOT Historic Bridge Inventory (accepted April 28, 2010). The northern section was previously determined to be exempt from further cultural resource consideration by the 11/8/17 Cultural Resource PA (Agreement 19319) on 8/17/2021 unless the scope of the undertaking changes.

In May 2022, the Stage 1 plans were received. Upon review, it was found that minor temporary ROW was needed to remove the Chard Avenue pedestrian bridge (SFN 1086548). In addition, permanent ROW was needed to construct a half mile long multi-use trail on the west side of I-77 between Ruffner Court and Pershing Avenue. The path will be built across a disturbed brown field area that was once used industrially. In conclusion, it was found that no cultural resources are recorded within the newly expanded area of potential effects (APE), no permanent ROW from a historic property will be acquired, and no contributing element of a historic district will be removed or altered by highway construction as currently proposed. Non-historic bridge removals and general roadway modernization, and divided highway improvement projects 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. As currently designed, the overall northern section remains exempt from further consideration by the 11/8/17 Cultural Resources PA (Agreement 19319).

Southern Section PID 115275: From Cultural Resources Coordination:

On January 11, 2024, OES was notified the project's APE was expanded to include a southern construction section (CUR-77-10.05 -- PID 115275). This new segment was found to measure one mile long extending between the Grant Avenue overpass and the Canal Road (Cuyahoga River) bridge. Proposed activities in this area are limited to lowering the roadway profile, replacement of the median barrier, and improvements to the drainage system. Additionally, new lighting, enhanced traffic controls, and rubble strips will be added throughout the area. All added work activities will be limited to the existing disturbed right-of-way. Though the overall plan to modernize I-77 has been considerably expanded one mile to the south, such activities fall under divided highway improvements and the project's APE is not within the boundaries of any historic property or N. R. district. As currently designed, the overall project (PID 105743 and PID 115275) remained exempt from further consideration by the 6/29/2023 Cultural Resources PA (Agreement 38503).

**What is the Section 106 effect determination in the OES Minimal Potential to Cause Effect Transmittal? Appendix B**

**Documentation Date**

**Participating**

**Archaeological Resource Adverse Effect**

**History/Architecture Adverse Effect**

**Tribal Consultation**

**Since no Tribe was interested in this project based on their customized preferences, no further Tribal consultation was conducted**

**Environmental Commitments**



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**Are there any Environmental Commitments? No**



## Ecological

### ESR

ESR Name:	ESR Type:	Coordination Complete Date:
CUY-77-11.41	Level 1	11/28/2025
CUY-IR77-10.08 Part 2	Level 1	10/6/2025
CUY-IR77-Pavement Only	Ecologically Exempt	2/9/2024

### Wetlands

ESR Name:	Wetland ID:	Hydrologic connection:	Wetland category:	Estimated total size (ac.):	Total estimated impact area by alternative (ac.):
CUY-77-11.41	W-MRR-2	Adjacent	Category 1	0.04	0.039
	W-MRR-3	Adjacent	Category 1	0.99	0.271
	W-MRR-4	Adjacent	Category 1	0.25	0.194
	W-MRR-5	Adjacent	Modified Category 2	0.65	0
	W-MRR-6	Isolated	Category 1	0.16	0
	W-EVN-1	Adjacent	Category 1	0.378	0.006
	W-EVN-2	Adjacent	Category 1	0.30	0
CUY-IR77-10.08 Part 2	W-MRR-1	Adjacent	Modified Category 2	0.605	0.605
	W-MRR-7	Adjacent	Category 1	0.133	0.133
	Wetland A	Adjacent	Category 1	0.68	0.38
	Wetland E	Adjacent	Category 1	0.78	0
	Wetland B	Adjacent	Category 1	0.10	0.08

Has an Approved and/or Preliminary Jurisdictional Determination been made by the USACE? No

Total impact to all wetlands (ac.): 2.238

Total acres of non-isolated wetlands impacted: 2.238

Total acres of isolated wetlands impacted: 0

In accordance with Executive Order 11990 - USDOT Order 5660.1A, this Wetland Finding has been prepared to document that wetlands have been avoided to the extent possible to minimize the long and short term adverse impacts associated with the destruction or modification of wetlands, and to document that there are no practicable alternatives to avoid construction in wetlands.

An analysis of the 'Do Nothing' alternative indicates that it is not practicable because (check all that



apply):

It Would Not Correct Existing Condition and Maintenance Problems.

**An analysis of improvements that avoid all wetland impacts indicates that they are not practicable because (check all that apply):**

They Will Substantially Increase Project Costs.

They Will Result in Unique Engineering, Traffic, Maintenance, or Safety Problems.

They Will Not Meet the Identified Needs of the Project.

**Include justification supporting the decisions noted above:**

Northern Section PID 105743: Wetland impacts are proposed as part of the northern section roadway to bring the shoulders to the standard width. Wetland impacts are due to shoulder widening and grading and have been minimized as much as possible. Unique engineering to avoid the wetlands would substantially increase the construction cost.

Southern Section PID 115275: There are no wetland impacts for the southern section.

**All practicable measures have been considered and incorporated into the project design to avoid, minimize, wetland impacts. The wetland impact minimization measures that will be followed for the project are documented in the environmental commitments for the project. Wetland mitigation for unavoidable impacts will be provided if required by the Clean Water Act or Ohio isolated wetland law, as regulated by the US Army Corps of Engineers and Ohio EPA regulations (33 CFR parts 325 and 332 and 40 CFR part 230, and OAC 3745-01-54), and (ORC 6111.027). No practicable alternatives exist for the proposed construction in wetlands, and the proposed action includes all practicable measures to minimize harm to the wetlands that may result from such use.**

**Remarks:**

The overall Project footprint (both northern and southern sections together) has been reduced to the maximum extent practicable. Implementation of additional measures to further reduce the impact footprint is not feasible or warranted based on: the purpose and need of the Project; the limited available space within and beyond the existing right-of-way; the location of the aquatic resource relative to the Project location; and the overall minor impacts of the Project as currently designed.

**Streams & Rivers**

ESR Name:	Stream Name:	National or Scenic Rivers or NRI Streams:	Ohio EPA Aquatic Life Use Designation:	Antidegradation Designation:	Total Impact Length(ft.):
CUY-77-11.41	S-MRR-2 (Burke Brook/Burk Branch)	No	LRW	Limited Quality Water	0
	S-MRR-3	No	Class I	General High Quality Water	152



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CUY-IR77-10.08 Part 2	Stream A - Concrete Channel	No	LRW	Limited Quality Water	221
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**Total impact length (ft.) to perennial streams: 0**

**Total impact length (ft.) to intermittent streams: 221**

**Total impact length (ft.) to ephemeral streams: 152**

**Remarks:**

The overall Project (both northern and southern sections together) footprint has been reduced to the maximum extent practicable. Implementation of additional measures to further reduce the impact footprint is not feasible or warranted based on: the purpose and need of the Project; the limited available space within and beyond the existing right-of-way; the location of the aquatic resource relative to the Project location; and the overall minor impacts of the Project as currently designed.

**Other Surface Waters / Ditches**

ESR Name:	Ditch Id:	Total Impact Area(ac.):
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**Total impact to all ditches (ac): 0**

**Other Surface Waters / Other Water Bodies**

ESR Name:	Water Body Id:	Hydrologic Connection:	Type:	Designated Function:	Total Impact
CUY-77-11.41	WB-MRR-1	Adjacent	Constructed	Storm Water Retention/Detention	0

**Remarks:**

N/A

**Terrestrial Habitats**

ESR Name:	Vegetative Communities and Land Cover found within the project study area:	Degree of man induced ecological disturbance:	Unique, rare, or high quality:	Within Project Study Area(s) (ac.):	Alternative Impacts (ac.):
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CUY-77-11.41	Developed, High Intensity (DH) - Includes Highly Developed Areas Where People Reside or Work in High Numbers. Examples Include Apartment Complexes, Row Houses and Commercial/Industrial. Impervious Surfaces Account for 80 to100% of the Total Cover.	High Disturbance (Dominated by Widespread Taxa Not Typical of a Particular Community)	No	56.52	45.67
	Developed Open Space - DS - (Mown Right-of-Way, Large-Lot Single-Family Housing Units, Parks, Golf Courses, and Vegetation Planted in Developed Settings for Recreation, Erosion control, or Aesthetic Purposes)	High Disturbance (Dominated by Widespread Taxa Not Typical of a Particular Community)	No	53.78	29.19
	Upland Forest - UF - (Uplands Dominated by Trees)	High Disturbance (Dominated by Widespread Taxa Not Typical of a Particular Community)	No	12.43	3.15
	Forested Swamp - FS - (Wetland Dominated by Trees)	High Disturbance (Dominated by Widespread Taxa Not Typical of a Particular Community)	No	0.05	0.02
	Marsh - MA - (Wetland Dominated by Submergent, Floating, and/or Emergent Vegetation)	High Disturbance (Dominated by Widespread Taxa Not Typical of a Particular Community)	No	2.56	0.98
	Open Water - All Areas of Open Water, Generally with Less Than 25% Cover of Vegetation or Soil.	High Disturbance (Dominated by Widespread Taxa Not Typical of a Particular Community)	No	0.17	0.01
CUY-IR77-10.0 8 Part 2	Developed, High Intensity (DH) - Includes Highly Developed Areas Where People Reside or Work in High Numbers. Examples Include Apartment Complexes, Row Houses and Commercial/Industrial. Impervious Surfaces Account for 80 to100% of the Total Cover.	High Disturbance (Dominated by Widespread Taxa Not Typical of a Particular Community)	No	21.45	20.73



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	Developed Open Space - DS - (Mown Right-of-Way, Large-Lot Single-Family Housing Units, Parks, Golf Courses, and Vegetation Planted in Developed Settings for Recreation, Erosion control, or Aesthetic Purposes)	High Disturbance (Dominated by Widespread Taxa Not Typical of a Particular Community)	No	17.53	15.39
	Upland Forest - UF - (Uplands Dominated by Trees)	Intermediate Disturbance (Dominated by Plants that Typify a Stable Phase of a Native Community that Persists Under Some Disturbance)	No	7.14	6.80

**Remarks:**

The overall Project (both northern and southern sections together) footprint has been reduced to the maximum extent practicable. Implementation of additional measures to further reduce the impact footprint is not feasible or warranted based on: the purpose and need of the Project; the limited available space within and beyond the existing right-of-way; the location of the terrestrial resource relative to the Project location; and the overall minor impacts of the Project as currently designed.

**Threatened or Endangered Species / Federally Listed Species**

Species Common Name:	Species Scientific Name:	Listing Status:
Indiana Bat	Myotis sodalis	Endangered

**ESR Name:** CUY-77-11.41

**Effect Determination:** May Affect, Not Likely to Adversely Affect

**Discussion Including impacts to Suitable Habitat:**

During the on-site visit there was SWH identified within the Project Study Area that meets the definition of SWH outlined in the 2016 PBO, described above. In addition, all trees observed within the construction limits are located within 100 feet of the Edge of Pavement (EOP). From information reported in the Bat Buffer Request response, this Project is not located within a bat buffer. Photos of the SWH (See photos 47-54) can be found in Appendix 2. A total of 3.17 acres of SWH is located within the proposed construction limits and under the worst case scenario may be impacted as part of this Project as shown on Figure 8 in Appendix 1. Tree removal will only occur between October 1 and March 31 to avoid impacts to these species during the summer roosting period.

**ESR Name:** CUY-IR77-10.08 Part 2

**Effect Determination:** May Affect, Not Likely to Adversely Affect

**Discussion Including impacts to Suitable Habitat:**

Due to roadway widening and grading activities along the entire length of the project area, approximately 6.80 acres of suitable wooded habitat will be impacted by the project construction. All of the suitable wooded habitat is within 100-feet of the existing edge of pavement. Additionally, the habitat is best



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described as primarily early growth trees. To reduce impacts to federally listed bat species, all tree clearing will occur from Oct 1 - March 31.

**ESR Name:** CUY-IR77-Pavement Only

**Effect Determination:** No Effect

**Discussion Including impacts to Suitable Habitat:**  
 Ecologically Exempt

Species Common Name:	Species Scientific Name:	Listing Status:
Northern Long-eared Bat	Myotis septentrionalis	Endangered

**ESR Name:** CUY-77-11.41

**Effect Determination:** May Affect, Not Likely to Adversely Affect

**Discussion Including impacts to Suitable Habitat:**

During the on-site visit there was SWH identified within the Project Study Area that meets the definition of SWH outlined in the 2016 PBO, described above. In addition, all trees observed within the construction limits are located within 100 feet of the Edge of Pavement (EOP). From information reported in the Bat Buffer Request response, this Project is not located within a bat buffer. Photos of the SWH (See photos 47-54) can be found in Appendix 2. A total of 3.17 acres of SWH is located within the proposed construction limits and under the worst case scenario may be impacted as part of this Project as shown on Figure 8 in Appendix 1. Tree removal will only occur between October 1 and March 31 to avoid impacts to these species during the summer roosting period.

**ESR Name:** CUY-IR77-10.08 Part 2

**Effect Determination:** May Affect, Not Likely to Adversely Affect

**Discussion Including impacts to Suitable Habitat:**

Due to roadway widening and grading activities along the entire length of the project area, approximately 6.80 acres of suitable wooded habitat will be impacted by the project construction. All of the suitable wooded habitat is within 100-feet of the existing edge of pavement. Additionally, the habitat is best described as primarily early growth trees. To reduce impacts to federally listed bat species, all tree clearing will occur from Oct 1 - March 31.

**ESR Name:** CUY-IR77-Pavement Only

**Effect Determination:** No Effect

**Discussion Including impacts to Suitable Habitat:**  
 Ecologically Exempt

Species Common Name:	Species Scientific Name:	Listing Status:
Bald Eagle	Haliaeetus leucocephalus	Species of Concern

**ESR Name:** CUY-77-11.41



**Effect Determination:** No Effect

**Discussion Including impacts to Suitable Habitat:**

From a search of the Ohio Natural Heritage Database, ODNR has no records for bald eagle within a one mile radius of the Project Study Area. During the ecological survey performed by TRC environmental personnel, no bald eagle or nests were noted during the field survey. The Project Study Area is composed primarily of developed, high intensity and developed, open space with some scrub/shrub and upland forest habitat. This type of habitat is unlikely to support bald eagle populations. As a result, no impacts to this species are anticipated to result from this Project.

**ESR Name:** CUY-IR77-10.08 Part 2

**Effect Determination:** No Effect

**Discussion Including impacts to Suitable Habitat:**

Within the study area, suitable habitat for the Bald Eagle was not observed. There is open water from the Cuyahoga River at the southern most portion of the study area; however, mature forested areas with trees large enough to support a nest were not observed.

**ESR Name:** CUY-IR77-Pavement Only

**Effect Determination:** No Effect

**Discussion Including impacts to Suitable Habitat:**  
Ecologically Exempt

Species Common Name:	Species Scientific Name:	Listing Status:
Piping Plover	Charadrius melodus	Endangered

**ESR Name:** CUY-77-11.41

**Effect Determination:** No Effect

**Discussion Including impacts to Suitable Habitat:**

From a search of the Ohio Natural Heritage Database, ODNR has no records for piping plover within a one mile radius of the Project Study Area. The Project Study Area is composed primarily of developed, high intensity and developed, open space with some scrub/shrub and upland forest habitat. This type of habitat is unlikely to support piping plover populations. This project will not impact open sandy beaches or rocky shores along Lake Erie. As a result, no impacts to this species are anticipated to result from this Project.

**ESR Name:** CUY-IR77-10.08 Part 2

**Effect Determination:** No Effect

**Discussion Including impacts to Suitable Habitat:**

Within the project area, there is no suitable habitat for the Piping Plover. The study area is composed of grass medians and right of way, with no sandy beaches or rocky shores. Due to the lack of suitable habitat, the project will not impact the Piping Plover.



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**ESR Name:** CUY-IR77-Pavement Only

**Effect Determination:** No Effect

**Discussion Including impacts to Suitable Habitat:**  
Ecologically Exempt

Species Common Name:	Species Scientific Name:	Listing Status:
Rufa Red Knot	Calidris canutus rufa	Threatened

**ESR Name:** CUY-77-11.41

**Effect Determination:** No Effect

**Discussion Including impacts to Suitable Habitat:**  
From a search of the Ohio Natural Heritage Database, ODNR has no records for rufa red knot within a one mile radius of the Project Study Area. The Project Study Area is composed primarily of developed, high intensity and developed, open space with some scrub/shrub and upland forest habitat. This type of habitat is unlikely to support rufa red knot populations. This project will not impact beachers or shores of Lake Erie. As a result, no impacts to this species are anticipated to result from this Project.

**ESR Name:** CUY-IR77-10.08 Part 2

**Effect Determination:** No Effect

**Discussion Including impacts to Suitable Habitat:**  
The project area does not have habitat consisting of sand, gravel, and/or cobble beaches and/or mudflats along the shores of Lake Erie; therefore, the project construction will not impact the Rufa Red Knot.

**ESR Name:** CUY-IR77-Pavement Only

**Effect Determination:** No Effect

**Discussion Including impacts to Suitable Habitat:**  
Ecologically Exempt

Species Common Name:	Species Scientific Name:	Listing Status:
Tricolored Bat	Perimyotis subflavus	Proposed Endangered

**ESR Name:** CUY-77-11.41

**Effect Determination:** May Affect, Not Likely to Adversely Affect

**Discussion Including impacts to Suitable Habitat:**  
The entire state of Ohio is within range of the tricolored bat ( *Perimyotis subflavus* ), a state endangered species . During the winter months these species inhabit hibernacula (typically caves, or abandoned mines that provide cool, humid, stable conditions for hibernation). During the spring and summer (April 1 through September 30), the tricolored bat predominately roosts in deciduous hardwood trees in clusters of leaves. This species is also dependent on the forest structure surrounding the roost trees. No records of



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Tri-color bat were found within 1 mile of the project area. 3.17 ac of wooded habitat could be removed for this project. Tree removal will only occur between October 1 and March 31 when this species would not be present. All of the pertinent AMMs listed in the OHPBO for Indiana bat and Northern long-eared bat will be followed, which will also protect this species from take. This project May Affect this species but is not going to jeopardize the continued existence of the species. Per the 11/15/2022 letter from USFWS outlining conferencing requirements for this species, this project does not need to be submitted for individual conferencing.

**ESR Name:** CUY-IR77-10.08 Part 2

**Effect Determination:** May Affect, Not Likely to Adversely Affect

**Discussion Including impacts to Suitable Habitat:**

Due to roadway widening and grading activities along the entire length of the project area, approximately 6.80 acres of suitable wooded habitat will be impacted by the project construction. All of the suitable wooded habitat is within 100-feet of the existing edge of pavement. Additionally, the habitat is best described as primarily early growth trees. Tree removal will only occur between October 1 and March 31 when this species would not be present. All of the pertinent AMMs listed in the OHPBO for Indiana bat and Northern long-eared bat will be followed, which will also protect this species from take. This project May Affect this species but is not going to jeopardize the continued existence of the species. Per the 11/15/2022 letter from USFWS outlining conferencing requirements for this species, this project does not need to be submitted for individual conferencing.

**ESR Name:** CUY-IR77-Pavement Only

**Effect Determination:** No Effect

**Discussion Including impacts to Suitable Habitat:**  
Ecologically Exempt

**Threatened or Endangered Species / State Listed Species:**

No state listed species or suitable habitats are impacted by this project location.

**ESR Name:** CUY-77-11.41

**Species Common Name:**

**Species Scientific Name:** *Clemmys guttata*

**Listing Status:** Not Provided - No impact to this species

**The species or its suitable habitat will be impacted by this project:** No

**Effect Determination:** No Impact

**Species Common Name:** Blanding's turtle

**Species Scientific Name:** *Emydoidea blandingii*

**Listing Status:** Threatened



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**The species or its suitable habitat will be impacted by this project: Yes**

**Effect Determination: Yes**

**Discussion Including impacts to Suitable Habitat:**

Blanding's turtle habitat includes wetlands, which are anticipated to be impacted by the project. The boundary of the closest Blanding's turtle 1-mile polygon is located approximately 300 feet south of Wetland W-MRR-2 which is 0.04 acres in size with 0.039 acres of impact anticipated to that wetland. Wetland W-MRR-4 is 0.25 acre in size with 0.194 acre impacts proposed by the project and 2,261 feet north of the Blanding's turtle 1-mile polygon, being the next closest project wetland. Blanding's turtles are essentially aquatic; however, the wetlands within the project area are not documented as being connected to ground water, therefore, are expected to be dry at different times throughout the year. The lack of water makes the wetland unusable for foraging Blanding's turtles. The wetlands proposed to be impacted by the project are also low quality (Category 1 wetlands) along an urban roadway. Based on the items discussed and that the work is expected to occur while the turtles are mobile (not hibernating), impacts are not likely to the Blanding's turtle. A note shall be added to the plans notifying the contractor to stop work and not harm any turtle found during construction.

**Species Common Name: Upland sandpiper**

**Species Scientific Name: Bartramia longicauda**

**Listing Status: Not Provided - No impact to this species**

**The species or its suitable habitat will be impacted by this project: No**

**Effect Determination: No Impact**

**Species Common Name: Little brown bat**

**Species Scientific Name: Myotis lucifugus**

**Listing Status: Endangered**

**The species or its suitable habitat will be impacted by this project: Yes**

**Effect Determination: Yes**

**Discussion Including impacts to Suitable Habitat:**

The Preferred Alternative Construction Limits includes a total of 3.17 acres of wooded habitat. Tree removal will only occur between October 1 and March 31 when the species would not be present.

**Species Common Name: Smooth greensnake**

**Species Scientific Name: Opheodrys vernalis**

**Listing Status: Endangered**

**The species or its suitable habitat will be impacted by this project: Yes**

**Effect Determination: Yes**

**Discussion Including impacts to Suitable Habitat:**

Smooth greensnake habitat includes wetlands and roadsides, which are anticipated to be impacted by the project. Smooth greensnakes are typically found near water; however, the roadside ditches and wetlands within the project area are not documented as being connected to ground water, therefore, are expected to be dry at different times throughout the year. The lack of water makes these areas unattractive habitat for smooth greensnake. The wetlands proposed to be impacted by the project are also low quality (Category 1 wetlands) along an urban roadway. Based on



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the items discussed and that the work is expected to occur while the snakes are mobile (not hibernating), impacts are not likely to the smooth greensnake. A note shall be added to the plans notifying the contractor to stop work and not harm any snake found during construction.

**Species Common Name:** Trumpeter swan

**Species Scientific Name:** *Cygnus buccinator*

**Listing Status:** Not Provided - No impact to this species

**The species or its suitable habitat will be impacted by this project:** No

**Effect Determination:** No Impact

**Species Common Name:** American bittern

**Species Scientific Name:** *Botaurus lentiginosus*

**Listing Status:** Not Provided - No impact to this species

**The species or its suitable habitat will be impacted by this project:** No

**Effect Determination:** No Impact

**Species Common Name:** Sandhill crane

**Species Scientific Name:** *Grus canadensis*

**Listing Status:** Not Provided - No impact to this species

**The species or its suitable habitat will be impacted by this project:** No

**Effect Determination:** No Impact

**Species Common Name:** Least bittern

**Species Scientific Name:** *Ixobrychus exilis*

**Listing Status:** Not Provided - No impact to this species

**The species or its suitable habitat will be impacted by this project:** No

**Effect Determination:** No Impact

**Species Common Name:** Black-crowned night-heron

**Species Scientific Name:** *Nycticorax nycticorax*

**Listing Status:** Not Provided - No impact to this species

**The species or its suitable habitat will be impacted by this project:** No

**Effect Determination:** No Impact



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**Species Common Name:** Bigmouth Shiner

**Species Scientific Name:** *Notropis dorsalis*

**Listing Status:** Threatened

**The species or its suitable habitat will be impacted by this project:** No

**Effect Determination:** No

**Species Common Name:** Blanding's Turtle

**Species Scientific Name:** *Emydoidea blandingii*

**Listing Status:** Threatened

**The species or its suitable habitat will be impacted by this project:** No

**Effect Determination:** No

**Species Common Name:** Little Brown Bat

**Species Scientific Name:** *Myotis lucifugus*

**Listing Status:** Endangered

**The species or its suitable habitat will be impacted by this project:** Yes

**Effect Determination:** Yes

**Discussion Including impacts to Suitable Habitat:**

This project will remove 6.8 acre of wooded habitats. There are no impacts to bridges. No hibernacula habitats were noted within the project area. All tree removal will occur between Oct 1 and March 31 when bats are not present roosting in trees. Therefore this project will have no impact on the little brown bat.

**Species Common Name:** Spotted Turtle

**Species Scientific Name:** *Clemmys guttata*

**Listing Status:** Not Provided - No impact to this species

**The species or its suitable habitat will be impacted by this project:** No

**Effect Determination:** No Impact

**Species Common Name:** Smooth Greensnake

**Species Scientific Name:** *Opheodrys vernalis*

**Listing Status:** Not Provided - No impact to this species

**The species or its suitable habitat will be impacted by this project:** No



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**Effect Determination:** No Impact

**Species Common Name:** Upland Sandpiper

**Species Scientific Name:** *Bartramia longicauda*

**Listing Status:** Not Provided - No impact to this species

**The species or its suitable habitat will be impacted by this project:** No

**Effect Determination:** No Impact

**Species Common Name:** American Bittern

**Species Scientific Name:** *Botaurus lentiginosus*

**Listing Status:** Not Provided - No impact to this species

**The species or its suitable habitat will be impacted by this project:** No

**Effect Determination:** No Impact

**Species Common Name:** Sandhill Crane

**Species Scientific Name:** *Grus canadensis*

**Listing Status:** Threatened

**The species or its suitable habitat will be impacted by this project:** Yes

**Effect Determination:** Yes

**Discussion Including impacts to Suitable Habitat:**

Suitable habitat in the form of wetlands is present within the project area and will be impacted. Due to the high mobility of the sandhill crane, it is not expected that the species will be impacted by the project construction. No breeding habitat is in the project area. There is no breeding grounds within the project area. The wetlands within the project area are small, contain a high percentage of invasives and don't offer the large tract needed for breeding.

**Species Common Name:** Least Bittern

**Species Scientific Name:** *Ixobrychus exilis*

**Listing Status:** Not Provided - No impact to this species

**The species or its suitable habitat will be impacted by this project:** No

**Effect Determination:** No Impact

**Species Common Name:** Black-Crowned Night-Heron

**Species Scientific Name:** *Nycticorax nycticorax*

**Listing Status:** Threatened



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**The species or its suitable habitat will be impacted by this project: Yes**

**Effect Determination: Yes**

**Discussion Including impacts to Suitable Habitat:**

Wetlands within the project area, which serve as foraging habitat for the heron, will be impacted by the project.

**Species Common Name: Trumpeter swan**

**Species Scientific Name: Cygnus buccinator**

**Listing Status: Not Provided - No impact to this species**

**The species or its suitable habitat will be impacted by this project: No**

**Effect Determination: No Impact**

**ESR Name: CUY-IR77-Pavement Only**

No state listed species or suitable habitats are impacted by this project location.

**Remarks:**

## Agency Coordination

### Project Coordination:

Project locations for which no agencies are listed are considered ecologically exempt or non-notifying.

The ODNR and USFWS conditions outlined in the Ecological MOA apply to all projects that are not considered ecologically exempt. These conditions have been evaluated for the project locations listed below.

<b>ESR Name:</b>	<b>Agency:</b>	<b>Submitted for Coordination Date:</b>	<b>Coordination Complete Date:</b>	<b>Were project specific comments received?</b>
CUY-77-11.41	USFWS	8/31/2023	10/11/2023	No
CUY-IR77-10.08 Part 2	USACE	7/25/2025	08/12/2025	No
	USFWS	7/25/2025	08/08/2025	No
CUY-IR77-Pavement Only	No agency coordination required			

### Additional Coordination Considerations:

**Are other ecological coordination requirements applicable? No**



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**Remarks:**

No additional ecological coordination requirements.

**Are there any environmental commitments? Yes**



### Other Resources

#### Farmlands

The proposed project is located within an Urbanized Area Yes

The proposed project is located in an area that is in or committed to urban development or water storage and is therefore not subject to the Farmland Policy Protection Act (FPPA) in accordance with 7 CFR 658. No further coordination is required.

FCIR Required Completion of the Farmland Conversion Impact Form is required and coordination with USDA & NRCS is required.

#### Remarks:

Both Sections PIDs 105743 & 115275 (Project): Based upon review of appropriate mapping, the proposed Project is located in an urbanized area zoned for non-agricultural purposes and is not in an agricultural district. Therefore, the proposed Project meets the terms and conditions of the *Memorandum of Understanding between the Natural Resource Conservation Service and the Ohio Department of Transportation for Projects Involving Farmlands (Agreement No. 19552)*, executed on March 15, 2016. No further coordination is required. Mapping can be found in the Project File under Other Resources/Farmlands.

Are there any environmental commitments? No

#### Drinking Water

The proposed project is wholly or partially located within the USEPA designated boundaries of a Sole Source Aquifer No

	Present:	Impacted:
The proposed project is wholly or partially located within the OEPA designated boundaries of a Source Water Protection Area	No	

Coordination with the Local Public Water Administrator is required No

	Present:	Impacted:
Residential Wells are present	No	

#### Remarks:



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Both Northern and Southern Sections PIDs 105743 & 115275 (Project): The Ohio EPA Division of Drinking and Ground Waters mapping was reviewed. No sole source aquifers, water wells, or drinking water source protection areas for community, non-community were identified within the proposed Project area. Mapping and ODNR well logs for wells adjacent to the project area can be found in the Project File under Other Resources/Drinking Water.

**Are there any environmental commitments? No**



### Section 4(f)

#### Section 4(f) Determination

Section 4(f) properties are within and/or adjacent to the proposed project area Yes

Concurrence received from the OWJ Yes

Were there multiple OWJs? No

Date concurrence received:

	Present:	Impacted:
Publicly owned Park(s):	Yes	No
Publicly owned recreation facility(ies) and/or area(s):	Yes	Yes
Wildlife and Waterfowl refuge(s):	No	
Historic Site(s):	No	

#### Identified Section 4(f) Properties

#### Identified 4(f) Properties

Property Name	Type	Permanent ROW/Easement Acres	Temporary ROW/Easement Acres	4(f) finding	Date
Morgana Run Trail	Publicly owned Recreational Facility and/or Area	0	0.019	Temporary No Use Exception - 774.13(d)	01/11/2024

Remarks:



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Northern Section PID 105743: As proposed, the northern section will temporarily impact 0.019 acre of the Morgana Run Trail, a Section 4(f) property, to connect an extension to the existing Morgana Run Trail under IR-77 to the west and also extend the path north and south along the west side of IR-77. The work is expected to be only on the western side of the existing path, which allows the eastern side of the path to remain open at all times, and not require a path detour.

*A Section 4(f)/6(f) Determination Request Form for Recreational Properties (DRF)* was submitted to ODOT-OES Policy Staff on December 21, 2023 and re-submitted on January 11, 2024. Based upon review of the DRF it was determined the proposed project can be processed as an exception to the requirement for Section 4(f) approval. In accordance with 23 CFR 774.13(d), the temporary occupancy of land and/or access will not constitute a use upon the protected recreational activities, features, or attributes associated with the Morgana Run Trail. The determination was made based on the proposed scope of work and concurrence received from the Official with Jurisdiction (OWJ) regarding the assessment of impacts that are included in the DRF. The DRF, including the OWJ coordination, can be found in the Project File>Section 4(f)>Project Information.

Southern Section PID 115275: As proposed, the southern section will not impact Section 4(f) properties.

**Are there any environmental commitments? Yes**



## Section 6(f)

### Section 6(f) Determination

### Section 6(f) Determination

	Present:	Impacted:
6(f) Properties:	No	

### Remarks:

Both North and South Sections PIDs 105743 & 115275 (Project): Based on a review of the Land and Water Conservation Fund (LWCF) state grant listing maintained by the National Park Service, no 6(f) properties were identified within or adjacent to the proposed Project area. Mapping can be found in Project Files under Section 6(f)/Project Information/LWCF Grant Listing.

Are there any environmental commitments? No



## Community Impacts

### Community Impacts

**Will the proposed action comply with the local/regional development patterns for the area?** Yes

#### Remarks:

Northern Section PID 105743: The proposed northern section will comply with local/regional development patterns for the area established in planning studies or transportation plans developed by Cuyahoga County through Northeast Ohio Areawide Coordinating Agency (NOACA), the City of Cleveland, and the Villages of Newburgh Heights, Industrial Valley, North Broadway, Slavic Village, Cuyahoga Heights, and Broadway-Slavic Village.

- NOACA Planning and Programming Packet - January 2020 was reviewed and several projects in Cuyahoga County were found. These projects are not near or adjacent to the proposed northern section and will not be included further.
- The City of Cleveland's current and proposed project list was reviewed and no projects in the area were found.
- No transportation plans were found for the listed villages.
- No concerns were voiced during coordination with local agencies nor during public involvement.

Southern Section PID 115275: The proposed southern section will comply with local/regional development patterns for the area established in planning studies or transportation plans developed by Cuyahoga County through NOACA, the City of Cleveland, and Cuyahoga Heights.

- NOACA Planning and Programming Packet - January 2020 was reviewed and several projects in Cuyahoga County were found. These projects are not near or adjacent to the proposed southern section and will not be included further.
- The City of Cleveland's current and proposed project list was reviewed and no projects in the area were found.
- No transportation plans were found for the listed villages.
- No concerns were voiced during coordination with local agencies nor during public involvement.

**Will the proposed action result in substantial negative impacts to community cohesion?** No

#### Remarks:



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Northern Section PID 105743: The proposed northern section is not anticipated to result in substantial negative impacts to community cohesiveness and no issues were raised during public involvement activities. Potential impacts to environmental justice populations and to the surrounding communities were avoided, minimized, or mitigated through implementation of the following strategies:

- Increased community cohesion by extending the bike path and adding connections to schools and parks.
- No residential or business total takes are needed. Various strip property acquisitions are necessary as these impacts can not be avoided or minimized.
- Enhance Pedestrian Access - The upgrade of pedestrian facilities at the I-77 and Fleet Avenue interchange, will greatly enhance pedestrian access in and around these streets.
- Accommodate Local Area Transit - The team would work closely with RTA during the design process to avoid, minimize, and mitigate impacts from the northern section on RTA's routes and ridership, both during and following construction.

A copy of the Environmental Justice Analysis Report is included in Project File/Environmental Justice/Reports/EJ Analysis.pdf. The ODOT-OES Policy Section determined in correspondence dated December 14, 2023, that the report is in compliance with ODOT-OES' current EJ Guidance. This correspondence can be found in the Project File under Environmental Justice/Coordination/OES Approval.docx.

Southern Section PID 115275: The proposed southern section is not anticipated to result in substantial negative impacts to community cohesiveness and no issues were raised during public involvement activities, which were combined with the Northern Section mentioned above.

**Will the proposed action result in indirect or cumulative impacts?**

No

**Remarks:**

Northern Section PID 105743: Indirect and cumulative impacts of the northern section are expected to be minimal, because the northern section mostly involves improvements to existing facilities. The construction of the extension of the Morgana Run trail under I-77 and north and south along the west side of I-77. The trail extensions and upgrades to the pedestrian facilities at the I-77 and Fleet Avenue interchange is expected to counteract the impacts to the community from the removal of the Chard Avenue pedestrian bridge over I-77. It is not anticipated these changes would create a disproportionately high and adverse impact to minority and/or low-income populations. Additionally, the addition of pedestrian facilities could be viewed as a positive impact on the community, especially with adding connections to schools, parks, residential, and commercial areas.

A copy of the Environmental Justice Analysis Report is included in Project File/Environmental Justice/Reports/EJ Analysis.pdf. The ODOT-OES Policy Section determined in correspondence dated December 14, 2023, that the report is in compliance with ODOT-OES' current EJ Guidance. This correspondence can be found in the Project File under Environmental Justice/Coordination/OES Approval.docx.

Southern Section PID 115275: Indirect and cumulative impacts of the southern section are expected to be minimal, because the southern section mostly involves improvements to existing facilities and will mostly consist of repaving and shoulder widening.

**Will the proposed action result in substantial impacts on health and educational facilities, public utilities, fire, police, emergency services, religious institutions, public transportation, pedestrian and bicycle facilities?**

No

**Remarks:**



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Northern Section PID 105743: The proposed northern section is not anticipated to have substantial negative impacts to health & education facilities, public utilities, fire, police, emergency services, religious institutions, public transportation, pedestrian, & bicycle facilities. The upgrade of existing design elements will benefit vehicular traffic along the corridor & pedestrian access will be improved at the I-77 & Fleet Avenue interchange, as well as upgrades from the Morgana Run trail.

The northern section is expected to increase public transportation, pedestrian, & bicycle facilities by extending the Morgana Run Trail under I-77 & extending the trail north & south along the west side of I-77. These upgrades will better connect Mound STEM School, St. John Nepomucene School, Washington Reservation Park, local residential area, & commercial areas.

During construction of the proposed northern section, the potential exists for negative impacts on health & education facilities, fire, police, emergency services, religious institutions, public transportation. However, this is temporary during construction & can be minimized with early & ongoing communication & coordination with northern section facilities, services, institutions, & the Greater Cleveland Regional Transit Authority (RTA) concerning start & end dates of construction, partial closures, & detours. This has been made an environmental commitment.

According to the RTA, the following bus stops are within the vicinity of the Morgana Run Trail:

- Broadway & E 55th St 02381
- Broadway & E 55th St 02382
- Broadway & Barkwill Av 09789
- Broadway & Barkwill Av 02357
- Broadway & Cable Av 02362
- E 55th St & Broadway 09681
- E 55th St & Broadway 08888
- Broadway & Engel Av 02363
- Broadway & MC Bride Av 02426
- Broadway & MC Bride Av 02149
- Broadway & Morton Av - 02416

According to the RTA, the following bus stops are near the northern section:

- Fleet Ave & E 49TH Street - 09427
- Fleet Ave & E 49TH Street - 11143
- Washington Park Boulevard & Fleet Ave - 10878
- Washington Park Boulevard & Fleet Ave - 09428
- Washington Park Boulevard & Pearse Ave - 09434
- Harvard Ave & E 49TH Street - 05058
- Harvard Ave & E 49TH Street - 09705
- Harvard Ave & E 52ND Street - 05022
- Harvard Ave & E 53RD Street - 0144

Southern Section PID 115275: The proposed southern section is not anticipated to have substantial negative impacts to any of the items mentioned above.

**Will the proposed action displace residents, businesses, institutions or farms?**

No

**Remarks:**



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Northern Section PID 105743: The proposed northern section will require approximately 2.55 acres of permanent right of way (ROW) from 3 parcels and 3.03 acres of temporary ROW from 6 parcels No residences, businesses, institutions, or farms will be relocated.

Southern Section PID 115275: The proposed southern section will require approximately 0.167 acres of permanent ROW from 1 parcel and no temporary ROW. No residences, businesses, institutions, or farms will be relocated.

**Will the proposed project result in impacts to Underrepresented Populations (Limited English Proficiency, Older Adults, or Adults with Disabilities) raised during Public Involvement?** No

**Remarks:**

Both Northern and Southern Sections PIDs 105473 & 115275: As part of public involvement activities, outreach was conducted to engage Underrepresented Populations and obtain feedback/concerns associated with the proposed Project. No comments were received from Underrepresented Populations nor were concerns on any impacts to Underrepresented Populations brought up.

**Are there any Environmental Commitments? Yes**



## Public Involvement

### Public Involvement

**Please provide a summary of the Public Involvement activities that have been conducted for this project. (For example press releases, letters to affected property owners and residents, meetings, special purpose meetings, newspaper articles, etc)**

Both Sections PIDs 105743 & 115275 (Project): Prior to the public meeting, efforts were initiated to engage EJ populations within the proposed Project area in order to ensure input was obtained regarding the Project and associated impacts. Local community groups were contacted in order to engage EJ populations and information was provided to them to get the greatest potential to interact with EJ populations to increase Project awareness and to make them aware of upcoming public involvement activities (e.g. public meeting). A Public Engagement Plan was approved February 24, 2023 detailing the PI activities, materials, and Project team rolls.

From July 24 to August 24, 2023 a public involvement meeting was hosted virtually to present information and obtain comments regarding the preferred alternative. A meeting invitation letter was sent out to all 4140 addresses on July 23, 2023. A press release was issued by ODOT on July 24, 2023.

Items prepared to announce the public involvement meeting or used during the meeting are in the Project File under Public Involvement>Project Information and include:

- Public Engagement Plan
- Public Meeting Website
- Public Meeting Presentation
- Public Meeting Handouts
- Press Release
- Public Meeting Notification (that includes mapping on where mailers were sent)
- Public Comments Received.

On December 16, 2025, ODOT updated the public involvement due to changes in the maintenance of traffic and the projects would not be sold together. ODOT requested public comments from December 16, 2025 to January 16, 2025.

**Is there any substantial environmental controversy on environmental grounds?**

No

**Please summarize the Public Involvement responses received.**



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Both Sections PIDs 105743 & 115275 (Project): Out of the 588 website views, 5 people participated, there were 25 responses, 4 comments, and 2 subscribers. Two other comments were received by email. The following is a general overview of comments received:

- Support for the Project from multiple people.
- Concerns on overlapping projects between this Project and I-490 project.
- Several comments discussed support for the updates to the multi-use trail and updated pedestrian facilities.
- One comment was concerned about tree removal and replacement.
- Questions were asked about the height of the median barrier.

Comments and responses to comments are in the Project File>Public Involvement>Project Information>Public Comments Received.

During the December 16, 2025 comment period ODOT received the following general comments listed below:

- Residents requested to shut IR-77 down during construction
- Requested a fourth lane on IR-77.
- Inquired about stakeholder involvement.
- Concerns about local traffic during construction.

Comments and responses to comments are in the Project File>Public Involvement>Project Information>Updated Public Comments Received.

Public Involvement Conclusion: No revisions to the project design have been made due to public comments. ODOT has decided to proceed with the project as currently designed.

**Are there any Environmental Commitments? No**



## Permits

### Waterway Permits

There is potential to impact waterways and/or work will take place above/below/within a Section 9 or Section 10 waterway.

ODNR

Shore Structure Permit : No

#### Remarks:

Both Sections PIDs 105743 & 115275 (Project): TRC performed field reviews on August 25-30, 202, January 28, 2021, and April 26, 2023 in which eight wetlands and two streams were delineated. Overall impacts include 0.535 acres of wetlands and 152 linear feet of ephemeral streams.

Due to the amount and magnitude of waterway impacts, it is expected that an RGP B Maintenance permit would be necessary; however, an OES Waterway Permits Unit (WPU) Permit Determination will be completed which will confirm waterway permitting requirements after Stage 2 design has been completed. All waterway permits must be obtained prior to the start of construction activities within waters of the U.S.

Are there any environmental commitments? Yes

### Storm Water Permits

NPDES Construction General Permit for Stormwater (NOI): Yes

Watershed Specific NPDES Construction General Permit for Stormwater (NOI): No

#### Remarks:

Both Northern and Southern Sections PIDs 105743 & 115275 (Project): The proposed project will require soil excavation and earth disturbance activities in excess of one acre. The specifications set forth in the most current version of ODOT's Construction and Material Specifications, Location and Design Manual and Standard Drawings will be used to ensure adequate erosion and sediment controls are implemented during construction. Any disturbed areas will be reseeded by the contractor. A Storm Water Pollution Prevention Plan (SWPPP) will be prepared, and a Notice of Intent (NOI) will be submitted by the contractor to the OEPA.

Are there any environmental commitments? No

### Floodplains

The proposed project involves encroachment within a Special Flood Hazard Area (SFHA) Yes

EO 11988/NFIP Coordination and Documentation Completed Yes



**Supplemental Re-evaluation Level D1**  
PID 105743 CUY IR 077 11.41 Major Rehab  
Submitted for Approval Printed 4/17/2026

**FIP Local Floodplain Coordinator Notification Date**

**06/19/2023**

**Remarks:**

Northern Section PID 105743: The proposed northern section encroaches upon Special Flood Hazard Area (SFHA) Zone A or AE associated with the Cuyahoga River within the City of Cleveland and Village of Cuyahoga Heights. The minimal amount of grading work included as part of the proposed northern section is not significant enough to cause a negative impact to the floodplain. The documents cited above can be found in the Project File under Permits>Floodplain.

Southern Section PID 115275: The proposed southern section does not encroaches or impact a SFHA Zone A or AE according to the FEMA FIRM reviewed. The FEMA FIRM can be found in the Project File under Permits>Floodplain.

**Are there any environmental commitments? No**



## Environmental Commitments

### RMR

1) Per ODOT-OES, RM-045 BP Gas on 4910 Harvard Ave, Newburgh Heights, OH 44105, may have monitoring wells within the current right of way. If there will be any work near the property, avoid said monitoring wells. Additionally, if there will be any deep excavation on or adjacent to this site, a Pre-CERCLA Screening should be planned.

2) A CERTIFIED ASBESTOS HAZARD EVALUATION SPECIALIST SURVEYED THE FOLLOWING STRUCTURES.

1. CHARD PEDESTRIAN BRIDGE OVER I-77 (SFN 1806548) WHICH IS SCHEDULED FOR DEMOLITION
  2. MORGANA RUN BRIDGE CARRYING I-77 OVER MORGANA RUN (SFN 1806572) WHICH IS SCHEDULED FOR REPLACEMENT
  3. RUFFINI COURT BRIDGE CARRYING I-77 OVER RUFFINI COURT (SFN 1806610) WHICH IS SCHEDULED FOR REHABILITATION
  4. RETAINING WALLS BETWEEN STA 99+00 THROUGH STA 174+00 (SEE REPORT FOR EXACT LOCATIONS) WHICH ARE SCHEDULED FOR DEMOLITION OR REHABILITATION;
- THE SURVEY DETERMINED THAT NO ASBESTOS IS PRESENT ON THE BRIDGE STRUCTURE.

ODOT SHALL PROVIDE A COPY OF THE OHIO ENVIRONMENTAL PROTECTION AGENCY (OEPA) NOTIFICATION OF DEMOLITION AND RENOVATION FORM, PARTIALLY COMPLETED AND SIGNED BY THE BRIDGE OWNER, TO THE SUCCESSFUL BIDDER. THE CONTRACTOR SHALL COMPLETE THE FORM AND SUBMIT IT TO ONE OF THE ADDRESSES BELOW AT LEAST TEN (10) WORKING DAYS PRIOR TO THE START OF ANY DEMOLITION AND/OR RENOVATION.

ASBESTOS PROGRAM OHIO EPA, DAPC  
P.O. BOX 1049  
COLUMBUS, OH 43216-1049

OR

ASBESTOS PROGRAM OHIO EPA, DAPC  
50 W. TOWN ST., SUITE 700  
COLUMBUS, OH 43215

THE CONTRACTOR SHALL PROVIDE A COPY OF THE COMPLETED FORM TO THE ENGINEER AT LEAST TEN (10) WORKING DAYS PRIOR TO THE START OF ANY DEMOLITION AND/OR RENOVATION. THE FORM SHALL INCLUDE: 1) THE CONTRACTORS NAME AND ADDRESS, 2) THE SCHEDULED DATES FOR THE START AND COMPLETION OF THE BRIDGE REMOVAL AND 3) A DESCRIPTION OF THE PLANNED DEMOLITION WORK AND THE METHOD(S) TO BE USED. COPIES OF THE OEPA FORM AND BRIDGE INSPECTION REPORT ARE AVAILABLE FOR REVIEW AT [THE ODOT DISTRICT 11 OFFICE, 2201 REISER AVENUE, NEW PHILADELPHIA, OHIO 44663].

BASIS FOR PAYMENT THE CONTRACTOR SHALL FURNISH ALL FEES, LABOR, AND MATERIAL NECESSARY TO COMPLETE AND SUBMIT THE OEPA NOTIFICATION FORM. PAYMENT FOR THIS WORK SHALL BE INCLUDED IN ITEM 202 PORTIONS OF STRUCTURE REMOVED, AS PER PLAN

3) Per ODOT-OES, soils at Cleveland ISG Works Wheeling, are above the VAP Residential standards and warrant a plan note. Any excavated materials from this property may be reused in the project. If these materials can't be reused on the project, they are to be disposed of as a solid waste.

### Ecological



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- 1) Ensure impacts to the federally listed and protected Indiana bat and northern long-eared bat and the State listed and protected little brown bat and tricolored bat are avoided and minimized. Do not remove trees from April 1 through September 30. Perform all necessary tree removal from October 1 through March 31. Demarcate clearing limits in the field to avoid any unauthorized tree clearing. For the purposes 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) ODOT will investigate revegetating disturbed areas with native grasses and wildflowers (CMS Item 659.09) or similar seed mixes composed of native herbs and grasses, where appropriate.
- 3) ODOT will 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.
- 4) ODOT will ensure tree removal is limited to that specified in project plans by clearly marking clearing limits. ODOT will ensure that contractors understand clearing limits and how they are marked in the field.

#### **Section 4(f)**

- 1) Access to the Morgana Run Trail shall be maintained at all times during construction activities via flagging operations and/or single lane closure.
- 2) Temporary construction fencing shall be installed along proposed construction limits prior to the start of construction activities to protect the existing 4(f) property and the public
- 3) Appropriate signage shall be installed to alert users of the Morgana Run Trail of construction activities, access restrictions or closures, and to direct users to secondary access points, as necessary.
- 4) The contractor shall be required to closely coordinate the construction schedule with ODOT and the OWJ prior to the start of construction activities.

#### **Community Impacts**

- 1) The Designer will ensure appropriate ramp detour routes, local detour routes, and accommodations are included in the plans for Greater Cleveland Regional Transit Authority (RTA). The plan note must include detour routes and required signage.

#### **Environmental Justice**

- 1) The rebuilt underpass will be lighted to promote safety and security for pedestrians and bicyclists. In addition, the project will build the portions of the planned Downtown Connector Trail from E. 48th Street to Pershing Avenue. In the south, the trail will connect to E. 48th Street. The portions of the planned Slavic Village Downtown Connector trail south of E. 48th Street will be built by others as part of separate efforts.
- 2) The sequence of construction will allow the Morgana Run Trail Extension and the Slavic Village Downtown Connector Trail to be constructed prior to or shortly following the removal of the existing pedestrian bridge.

#### **Permits - Waterway Permits**

- 1) ODOT will obtain all appropriate waterway permits prior to any work within the jurisdictional boundary of any waterway, including wetlands, and all Waterway Permit Special Provisions will be noted under Special Provisions in the plans and adhered to during construction.
- 2) Do not perform any work within the jurisdictional boundaries of any waterway, including wetlands, until ODOT obtains the necessary waterway permit(s). Work includes the placement of any temporary or permanent fills.
- 3) ODOT will adhere to all appropriate Waterway Permit Special Provisions throughout construction.



### **Preparers and Approvals**

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Erin VanNort  
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Justin Pitts  
Stacy Schimmoeller

### **Approvals & Electronic Signatures**

<b>Approved &amp; Electronically Signed By:</b>	<b>Approval Date:</b>
Thomas Sorge (PROGRAM ADMIN 3)	4/17/2026



## **Appendix**

### **ESA**

Asbestos Notification Plan Note.docx

### **Underserved Populations**

Census Mapping.pdf

### **ESA**

OES Recommendations - Phase II.pdf

OES Recommendations - Screening.pdf

Project Related OES Decision - Asbestos.pdf

### **General**

Aerial Map.pdf

Both 105743 & 115275-NOACA 2040 Planning Study.pdf

North 105743-Correspondence Emrgny & Public Srvcs.pdf

North 105743-TIP Listing.pdf

North 105743-Utility Coordination.pdf

South 115275 - Utility Coordination.pdf

South 115275 Aerial.pdf

### **Purpose and Need**

OES Acceptance - Purpose and Need.pdf

### **Air**

North 105743-OES Approval - No Air Anlys Reqrd.pdf

South 115275-No air analysis required.pdf

### **Noise**

North 105743-OES Approval - No Analysis Required.pdf

South 115275 -No Noise analysis required.pdf

### **RMR**

OES Review - 513 Detrmination.pdf

### **Cultural Resources**

Minimal Potential to Cause Effect - Appendix B

Project Study Area Map.pdf



**Ecological**

North 105743--77-11.71Apdx 6 Cleveland Water Quality Asmnt.pdf

North 105743-Burke Brook Directors Authorization Application.pdf

ODNR Scenic River MOA Conditions

Stream Stats Map 2.pdf

Stream Stats Map 3.pdf

Stream Stats Map.pdf

USFWS/ODNR Ecological MOA Conditions

**Other Resources**

North 105743 - Census Bureau Urban Areas Map.pdf

North 105743-Sole Source Aquifer Mapping.pdf

North 105743-Source Water Protection Area Map.pdf

North 105743-Well Log Data.pdf

South 115275 - Census Bureau Urban Areas Map.pdf

South 115275 - Water resources.pdf

South 115275-Well Log Data.pdf

**Section 4(f)**

North 105743-OWJ Letter Attachments.pdf

OES Recreational 4(f) Determination.pdf

Official with Jurisdiction Concurrence Email.pdf

**Environmental Justice**

OES Approval - Environmental Justice Analysis Report.pdf

South 115275 - Census Mapping.pdf

**Public Involvement**

105743 Updated Press Release.pdf

Both 105743, 115275 Public Meeting Website.pdf

Both 105743, 115275-Press Release.pdf

Both 105743, 115275-Public Comments Received.pdf

Both 105743, 115275-Public Engagement Plan.docx

Both 105743, 115275-Public Meeting Comment Responses.pdf

Both 105743, 115275-Public Meeting Handouts.pdf

Both 105743, 115275-Public Meeting Notification.pdf



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Public Involvement Plan Approval.pdf

Public Involvement Plan.docx

**Permits**

FEMA FIRM 1.pdf

FEMA FIRM 2.pdf

FEMA FIRM 3.pdf

FEMA FIRM 4.pdf

North 105743-Correspondence Local Floodplain Admin.pdf

South 115275 - FEMA FIRM.pdf