



# OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 04  
2088 SOUTH ARLINGTON RD. • AKRON, OH 44306 • 330-786-3100

## **Environmental Document**

for

## **SUM CVNP Ped Bridge and Trail PID 107797**

**Environmental Document Level: C2**

**Approved: 10/27/2021**

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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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**C2**

**PID:** 107797  
**Project Sponsor:** SUMMIT COUNTY ENGINEER  
**ODOT District:** 4  
**Funding Source:** Federal  
**Private Funding:** No

**Project Description:**

The Summit County Engineer (SCE), in partnership with the Cuyahoga Valley National Park (CVNP), proposes to construct a new 337.4-foot pedestrian connector from the CVNP Boston Visitor Center, Visitor Center parking facility and kayak/canoe launch area, across the Cuyahoga River, to an existing parking facility at the Ohio & Erie Towpath Trailhead in Boston Township, Summit County. The proposed pedestrian connector will comply with the Americans with Disabilities Act (ADA) standards, be constructed south of the Visitor Center located on Boston Mills Road east of the Riverview Road/Boston Mills Road intersection and include a proposed pedestrian bridge spanning the Cuyahoga River. The proposed pedestrian bridge will be a 201.17-foot long, 15-foot wide (12-foot wide face-to-face of interior rub rails) prefabricated painted single span steel truss with reinforced concrete deck and substructure. The proposed connector will be a 12-foot wide paved trail. Additional improvements proposed by this project include approach slab construction, wooden fence installation at the proposed pedestrian bridge approaches, ground-mounted post installation along the access road to the parking area near the proposed east abutment, new abutment wingwall construction with textured concrete surfaces, rock channel protection placement, sign installation and edge line/transverse-diagonal line pavement marking applications. Two (2) temporary construction staging areas, one staging area on the east side of the Cuyahoga River and one staging area with a temporary construction access road on the west side of the Cuyahoga River, are also exhibited in the project plans as a potential method to construct the project.

Mapping that depicts the project location on United States Geological Survey (USGS) 7.5-Minute Topographic Quadrangle Mapping is included in Project File/General/Project Information as USGS Quadrangle Topographical Map.pdf.

Access will be maintained to the Boston Visitor Center, Ohio & Erie Canal Towpath Trail and parking facilities at all times during project construction activities. The project will require closure of a portion of the parking facility closest to the Visitor Center, adjacent to the Cuyahoga River. The project may require closure of the Boston Store Paddlesports Launch area. All roads will remain open to traffic during project construction.

Permanent and/or temporary right-of-way will not be required to construct the project. The connector will be built entirely within the existing CVNP boundary.

Existing utilities within the project study area will not be impacted/relocated to construct the project.

The Section 106 Records Check/literature search conducted by CVNP cultural resource management (CRM) team identified two National Register of Historic Places (NRHP) listed architectural resources, the Boston Mills Historic District and the Valley Railway Historic District, in the project Area of Potential Effects (APE). Archaeological sites were not identified in the project APE and further archaeological investigations were not recommended for the project. The project will not result in the physical destruction or damage to any contributing element to the historic districts or change the character of the historic districts. The proposed pedestrian bridge will introduce a new visual element, however, due to its location and design, it will not diminish the integrity of either district. In accordance with 23 CFR 800 and the 2008 Programmatic Agreement (PA) between NPS, the Advisory Council of Historic Preservation, and the National Conference of State Historic Preservation Officers, the National Park Service (NPS) CVNP determined that 'no adverse effect' is the appropriate finding for the project. The SHPO concurred with this finding. Moreover, based on the customized preferences configured by the tribe, the ODOT EnviroNet System notified the Delaware Nation and Seneca Nation of Indians about the project. See the tribal comments for the project in the Tribal Consultation Summary/Remarks Box. See the cultural resources documentation for the project in the Project File/Cultural Resources/Project Information subsection. The Cultural Resources tab was not utilized for this project.



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The project will not impact the Cuyahoga River, Granny's Run and the three wetlands located within the project study area. Approximately 0.125 acre of suitable wooded habitat (SWH) for the federally protected Indiana bat and northern long-eared bat, and state protected tricolored bat and little brown bat will be removed to construct the project. See the ecological and threatened/endangered species documentation for the project in the Project File/Ecological/Reports and Coordination subsections.

Based on the information in the Regulated Materials Review (RMR) Form completed for the project, further RMR activities or special materials management are not warranted for the project. See the RMR documentation for the project in the Project File/ESA/Reports subsection.

CVNP and the Cuyahoga River Water Trail are Section 4(f) recreational properties within the project study area.

Project construction will occur entirely within the CVNP and will require two, 1-2 day closures of the Cuyahoga River Water Trail. ODOT-OES determined the project can be processed as an exception to the requirement for Section 4(f) approval and, in accordance with 23 CFR 774.13(g), will preserve and/or enhance Cuyahoga Valley National Park and will not adversely affect the protected recreational activities, features or attributes. This determination was made based on the proposed scope of work and concurrence received from the Official with Jurisdiction (OWJ). Moreover, ODOT-OES also determined the project can be processed as an exception to the requirement for Section 4(f) approval and, 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 Cuyahoga River Water Trail. This determination was made based on the proposed scope of work and concurrence received from the Official with Jurisdiction (OWJ). See the Section 4(f) documentation for the project in the Project File/Section 4(f)/Reports and Coordination subsections.

Upon review of the FEMA FIRM for the project study area, the project is located within a special flood hazard area.

The project was coordinated with the local floodplain administrator by the completion and submission of the project floodplain permit application. As a result of this floodplain coordination/ permit application review activity, the local floodplain administrator issued a floodplain permit for the project. The project will be designed to meet the requirements of the National Flood Insurance Program. See the floodplains documentation for the project in the Project File/Permits/Floodplains subsection.

The project will not impact any other environmentally sensitive resources within the project study area.

The SCE conducted various public involvement activities for the project, including a news release, website posting and Twitter account announcement. Project comments were requested with all public involvement activities.

Written comments were not received as a result of the public involvement activities conducted for the project. See the public involvement documentation for the project in the Project File/Public Involvement/Project Information subsection.

The environmental document and associated studies, as applicable, were approved using the Stage 3 Design plans for the project. A copy of the Stage 3 Design plans for the project is included in the Project File/General/Project Information subsection as Stage 3 Design.pdf.

The estimated total project cost specified in Ellis agrees with the total project cost specified in the ODOT State Fiscal Years 2021 - 2024 Statewide Transportation Improvement Program (STIP).

**STIP Reference #:**

107797: 21-24 STIP.

**Select the appropriate project type:**

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

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



**involves -**

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

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

**Waterways:** Present; No Coast Guard, Individual 404, and/or Section 10 Permit required

**Waterways Permit Type:**

**Isolated Wetland Permit** No

**Endangered Species:** Present; No finding of May Affect, Likely to Adversely Affect

**Endangered Species - Coordination** May Affect, Not Likely to Adversely Affect

**Endangered Species - Coordination Date** 12/31/2020

**Endangered Species - Critical Habitat Present/Impacted**

Indiana bat

Northern long-eared bat

**Endangered Species - Other Critical Habitat Present/Impacted:** No

**100-Year Floodplain:** Encroachment Within the SFHA is a Functionally Dependent Use

**EO 11988/NFIP Coordination and Documentation Completed:** Yes



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**NFIP Local Floodplain Coordinator Notification Date:** 06/17/2021

**Section 4(f):** Present; No Programmatic Evaluation or Individual Evaluation Required

**Section 4(f) Determination:**

Temporary No Use Exception - 774.13(d)

Transportation Enhancement Exception - 774.13(g)

**Section 4(f) Determination Date - 774.13(d)** 09/20/2021

**Section 4(f) Determination Date - 774.13(g)** 09/20/2021

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

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

**Cultural Resources Coordination:** No Adverse Effect

**Cultural Resources Coordination - ODOT Approval/SHPO Concurrence Date** 07/02/2021

**Tribal Consultation Summary/Remarks:**

On August 31, 2021, the following Tribes/Tribal Contacts were notified of the SUM-CVNP Ped Bridge and Trail project based on the Tribes' individual preferences detailed in either the Tribal Profile Manager (in EnviroNet) or documented in previous communications: Absentee-Shawnee Tribe; Delaware Nation; Delaware Tribe; Eastern Shawnee Tribe; Ottawa Tribe; Peoria Tribe; Seneca Nation; and Wyandotte Nation. Comments were received from two of these Tribes, Delaware Nation and Seneca Nation

The Delaware Nation stated the location of the proposed project does not endanger cultural, or religious sites of interest to the Delaware Nation. Please continue with the project as planned keeping in mind during construction should an archaeological site or artifacts inadvertently be uncovered, all construction and ground disturbing activities should immediately be halted until the appropriate state agencies, as well as this office, are notified (within 24 hours), and a proper archaeological assessment can be made.

The Seneca Nation stated the Seneca Nation THPO has determined a 'No Effect'; however, we request OHDOT to provide weekly reports on the project. ODOT-OES will coordinate weekly updates with the Seneca Nation during project construction.

Projects that meet C2 criteria are not anticipated to have impacts to the following environmental resources. If resources are present, documentation is only required if there is a potential for impacts.

**Air Quality:** Studies Not Required

**Air Quality - Coordination with OES:** No

**Noise:** Studies Not Required

**Noise Coordination - OES Approval Date:**

**Hazardous Materials - ESA Screening Conducted** No ROW



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**Hazardous Materials - ODOT Approval Date:**

04/09/2021

**Farmland:**

Non-Urbanized Area; No Impacts in Accordance With the Farmland MOU, 7 CFR 658, and ORC 929.05

**Scenic Rivers**

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

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

**Underserved Populations**

Does Not Exceed UP Guidance Criteria; No UP Analysis Report Required and No UP Issues Raised During Public Involvement

**Public Involvement:**

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

**Environmental Commitments**

Yes



## Environmental Commitments

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1) The Project Designer shall incorporate the following note into the plans:

The project is located within the known habitat ranges of the federally listed and protected Indiana bat and northern long-eared bat. The Contractor shall not remove trees under this project from April 1 through September 30. All necessary tree removal shall occur from October 1 through March 31. This requirement is necessary to avoid and minimize impacts to these species as required by the Endangered Species Act. 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) The Project Designer shall incorporate the following note into the plans:

1) The Contractor shall maintain safe public access to the Cuyahoga Valley National Park at all times during construction activities, except for the construction area. 2) The Contractor shall install and maintain temporary construction fencing along the project construction limits prior to the start of construction activities. 3) Prior to the start of construction activities, the Contractor shall install signage approved by the Engineer to alert Cuyahoga Valley National Park users of construction activities and access restrictions, and to direct users around the construction area. 4) The Cuyahoga River will remain open to recreational boating traffic, as feasibly and safely as possible, with two planned closures of 1-2 days. 5) The Contractor shall place appropriate signage/buoys/markers will be placed 300 feet upstream and 300 feet downstream of the project area to alert paddlers/boaters of construction activity. 6) To provide safe passage during the planned closures, the Summit County Engineer will work with ODNR Trails Administrator and CVNP staff to locate areas, where feasible, along the Cuyahoga River where users can enter and exit the waterway and portage downstream and upstream of the project area prior to the start of construction. 7) The Project Engineer shall notify the ODNR Trail Administrator (Natalie Pirvu) via email and/or telephone at [Natalie.Pirvu@dnr.ohio.gov](mailto:Natalie.Pirvu@dnr.ohio.gov) (614) 265-6466 14 calendar days prior to the start of construction activities to allow ODNR to post notice of the impending project construction on the appropriate ODNR webpages and associated online boating maps. As part of the notification efforts, the Project Engineer shall also provide plans that indicate signage locations along the waterway and any additional planned notification efforts with ODNR that will take place during or after construction. 8) If on-the-water enforcement is needed during any portion of the construction activities, the Summit County Engineer shall contact the ODNR Division of Parks and Watercraft Law Enforcement Supervisor, Lt. Evan Staiger at [evan.staiger@dnr.ohio.gov](mailto:evan.staiger@dnr.ohio.gov) or (330) 690-3191. 9) The Contractor shall be required to closely coordinate the construction schedule (including temporary access restrictions) with the Cuyahoga Valley National Park Superintendent, Summit County Engineer, and ODNR prior to the start of construction activities, including inviting the ODNR Trails Administrator (Natalie Pirvu) to the preconstruction meeting.

3) The Project Designer shall delineate all water resources on the plans and incorporate the following note into the plans:

The Contractor shall not place temporary or permanent fill in wetlands or below the ordinary high water mark of any waterway during construction of this project, including scaffolding or bracing. The contractor shall not place equipment below the ordinary high water mark. If debris enters the waterway during construction, the Contractor shall remove the debris immediately utilizing equipment staged above the ordinary high water mark.

4) The Project Designer shall incorporate a note into the plans describing the process for the weekly project update coordination requested by the Seneca Nation.



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### **Preparers and Approvals**

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Thomas Powell

### **Approvals & Electronic Signatures**

<b>Approved &amp; Electronically Signed By:</b>	<b>Approval Date:</b>
Edward Deley (PROGRAM ADMIN 3)	10/27/2021



## Appendix

### General

Aerial Map.pdf

County Map.pdf

USGS Quadrangle Topographical Map.pdf

### Cultural Resources

OES Determination of Eligibility.pdf

SHPO Concurrence.pdf

Tribal Consultation - Email and Correspondence List.pdf

Tribal Response - Delaware Nation.pdf

Tribal Response - Seneca Nation.pdf

### Ecological

Coordination with ODNR and USFWS.pdf

USFWS Comments Consult Form SUM-CVNP Ped Br and Trl.pdf

### Other Resources

Water Source Protection Area Map.pdf

Well Log Data.pdf

### Section 4(f)

OES Recreational 4(f) Determination 2.pdf

OES Recreational 4(f) Determination.pdf

### Underserved Populations

Census Mapping.pdf

Underserved Populations Documentation Form.pdf

### Public Involvement

County Twitter Post.pdf

County Web Post.pdf

Press Release.pdf

### Permits

FEMA FIRM.pdf

Local Floodplain Administrator Approval.pdf