



OHIO DEPARTMENT OF TRANSPORTATION

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

Environmental Document

for

CUY IR 480 06.47/VAR Paint PID 22131

Environmental Document Level: C2

Approved: 11/1/2019

Prepared By: District 12

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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 June 6, 2018, and executed by FHWA and ODOT.

Table of Contents

C2.....	3
Environmental Commitments.....	7
Preparers and Approvals.....	9
Appendix.....	10



C2

PID: 22131
Project Sponsor: ODOT SPONSORING AGENCY
ODOT District: 12
Funding Source: Non-Federal
Does this project require a Federal permit or approval? Yes
Private Funding: No

Project Description:

Paint the structural steel of the IR-480 bridge over the Rocky River and the Lorain Ave (SR-10) bridge over the Rocky River.

A work access agreement with Cleveland Metroparks will be obtained for access in Rocky River Reservation beneath the bridge.

No deep excavation required. No work below the Rocky River OHWM is required. The project will have work over the Rocky River floodplain, however, there is no work in the floodplain and the base flood elevation at the bridge will not change. A Summary of Floodplain Impacts was prepared and posted to the ODOT website on 9-26-2019. The Summary of Floodplain Impacts is included in Project File/Permits/Floodplains/Floodplain Impacts.pdf. Local Floodplain Coordinator comments will be addressed and incorporated into the plans as best possible.

Tree removal is required for access to the structure. Tree removal restriction dates will be included in the plans to avoid impacts to the federally endangered Indiana bat, Northern long-eared bat, and Kirtland's warbler.

The project is not a Type 1 project for noise. No Noise Analysis is required.

The existing paint on the structure was tested for lead. The paint on the inside of the towers does have lead and will require special handling and disposal during construction.

It was determined by ODOT-OES Policy Staff 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). Measures to minimize harm will be listed as environmental commitments. OES determination is included in Project File/Section 4(f)/Coordination/OES Recreational 4(f) Determination.pdf.

ODNR determined that the project does not apply as a conversion of Section 6(f) property. ODNR determination is included in Project File/Section 6(f)/Coordination/NOS Comments.pdf.



The project will have no impacts to underserved populations. Included in Project File/Underserved Populations/Project Information/Underserved Populations Documentation Form.pdf.

The C2 Approval is based on Stage 3 Design. Plans are in project File/General/project Information/Stage 3 Design.pdf.

STIP Reference #

2018AM13ID0462FDCO

Select the appropriate project type:

(28) Bridge rehabilitation, reconstruction, or replacement or the construction of grade separation to replace existing at-grade railroad crossings, if the actions meet the constraints in 23 CFR 771.117(e). *Examples include: Railroad projects that close or relocate at-grade crossings*

In accordance with 23 CFR 771.117(e), the proposed project cannot be processed as a C2 CE, if it involves -
 a. Acquisition of more than a minor amount of right-of-way b. Residential or non-residential displacements c. A Coast Guard, Individual Section 404 and/or a Section 10 permit d. A Section 106 finding of Adverse Effect e. A Section 4(f) Programmatic or Individual Evaluation f. A finding of May Affect, Likely to Adversely Affect to Threatened and Endangered Species g. Construction of temporary access, or the closure of existing road, bridge, or ramps, that would result in major traffic disruptions h. Changes in access control 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) 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 k. No minor public or agency controversy on environmental grounds (no opposition from any organized groups or agencies and no unresolved environmental coordination) 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:	Permit Determination and/or Permit Application Approval Pending
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	09/19/2019

Endangered Species - Critical Habitat Present/Impacted

- Kirtland's warbler
- Indiana bat
- Northern long-eared bat



Approved: 11/1/2019

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
NFIP Local Floodplain Coordinator Notification Date:	10/03/2019
Section 4(f):	Present; No Programmatic Evaluation or Individual Evaluation Required
Section 4(f) Determination:	
Temporary No Use Exception - 774.13(d)	
Section 4(f) Determination Date - 774.13(d)	10/31/2019
Section 6(f):	Present; No Impacts and/or Access Restrictions
Cultural Resources:	Present; No Finding of Adverse Effect
Cultural Resources Coordination:	Minimum Potential to Cause Effect Appendix B
Cultural Resources Coordination - ODOT Approval/SHPO Concurrence Date	08/08/2019
Since no Tribe was interested in this project based on their customized preferences, no further Tribal consultation was conducted.	
Projects that meet C2 criteria are not anticipated to have impacts to the following environmental resources. If resources are present, documentation is only required if there is a potential for impacts.	
Air Quality:	Studies Not Required
Air Quality - Coordination with OES:	No
Noise:	Studies Not Required
Noise Coordination - OES Approval Date:	09/25/2019
Hazardous Materials - ESA Screening Conducted	Yes
Hazardous Materials - OES Approval Date:	07/11/2019
Phase I ESA Warranted Based on Coordination with OES:	No Further Studies Warranted
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



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PID 22131 CUY IR 480 06.47/VAR Paint

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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

C2

- 1) The Project Designer shall incorporate the following plan note into the plans: To minimize impacts to the Kirtland's warbler during migration, trees and brush located within 3-miles of Lake Erie shoreline will not be removed between April 22nd and June 1st or between August 15th and October 15th. If this species is encountered within the construction limits during construction operations, all construction operations will cease and the USFWS Columbus Field Office be notified immediately (614-416-8993). Activity will not resume until coordination with USFWS has been concluded.
- 2) The project Designer shall ensure the project plans are modified to avoid tree removal in excess of what is required to implement the project safely.
- 3) The Project Designer shall incorporate the following plan 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. NO TREES SHALL BE REMOVED UNDER THIS PROJECT FROM APRIL 1 THROUGH SEPTEMBER 30. ALL NECESSARY TREE REMOVAL SHALL OCCUR FROM OCTOBER 1 THROUGH MARCH 31. THIS REQUIREMENT IS NECESSARY TO AVOID AND MINIMIZE IMPACTS TO 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.
- 4) The Project Designer shall ensure tree removal is clearly marked in the plans.
- 5) The Project Designer shall incorporate comments from local floodplain coordinators into final plans.
- 6) The Project Designer shall include the following plan note to address handling and disposal of lead paint removed from the bridge: EXISTING PAINT SYSTEM A SURVEY WAS PERFORMED ON THE EXISTING PAINT SYSTEM TO TEST FOR THE PRESENCE OF LEAD BASED PAINT. EXISTING PAINT SYSTEMS MAY CONSIST OF LEAD BASED PAINT. A COPY OF THE LEAD PAINT SURVEY IS PROVIDED IN THE SPECIAL PROVISIONS. CONTRACTOR SHALL COMPLY WITH ALL FEDERAL, STATE, AND LOCAL ENVIRONMENTAL PROTECTION LAWS, REGULATIONS, AND ORDINANCES INCLUDING, BUT NOT LIMITED TO, AIR QUALITY, WASTE CONTAINMENT, AND WASTE REMOVAL. THE CONTRACTOR SHALL COMPLY WITH THE APPLICABLE SAFETY REQUIREMENTS OF THE OHIO INDUSTRIAL COMMISSION AND OSHA.
- 7) The Project Designer shall ensure that access to Rocky River Reservation shall be maintained at all times, except for the time needed to temporarily occupy the property.
- 8) The Project Designer shall ensure that temporary construction fencing shall be installed along proposed construction limits prior to the start of construction activities to protect the 4(f) property and the public.
- 9) The Project Designer shall ensure that appropriate signage shall be installed to alert users of Rocky River reservation of construction activities, access restrictions or closures, and to direct users to secondary access points.
- 10) The Project Designer shall ensure that the staging and/or storage of construction equipment or materials shall not take place outside proposed construction limits that are within the defined boundaries of the 4(f) property.
- 11) The project Designer shall ensure that The contractor closely coordinate the construction schedule with ODOT and Cleveland Metroparks prior to the start of construction activities



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PID 22131 CUY IR 480 06.47/VAR Paint

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12) The Project Designer shall ensure that ODOT will apply for and obtain a Cleveland Metroparks Work Access Permit prior to the sale of the project.



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Preparers and Approvals

Form Preparer

District 12
Contact: Mark Carpenter
216-584-2089
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Approvals & Electronic Signatures

Approved & Electronically Signed By:	Approval Date:
Mark Carpenter (TRANS ENGR 3)	11/1/2019



Appendix

Ecological

Coordination with ODNR - Scenic River Field Review Form.pdf

Coordination with ODNR and USFWS.pdf

Noise

District Determination - No Noise Analysis Required.pdf

Cultural Resources

Minimal Potential to Cause Effect - Appendix B

Records Check.pdf

ESA

Regulated Materials Review Form.pdf

Ecological

USFWS Comments Consult Form CUY-10-8.69 PID 22131 - signed.pdf

Underserved Populations

Census Mapping.pdf

Permits

Coordination with Local Floodplain Administrator Cleveland.pdf

Coordination with Local Floodplain Administrator FP.pdf

FEMA FIRM.pdf

Floodplain Impacts.pdf

Section 6(f)

LWCF Grant Listing.pdf

NPS Comments.pdf

Section 4(f)

OES Recreational 4(f) Determination.pdf

Underserved Populations

Underserved Populations Documentation Form.pdf