



# OHIO DEPARTMENT OF TRANSPORTATION

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

## **Environmental Document**

for

## **CUY IR 090 07.58 Repair PID 109531**

**Environmental Document Level: C2**

**Approved: 11/29/2020**

**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.*

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## C2

**PID:** 109531  
**Project Sponsor:** ODOT SPONSORING AGENCY  
**ODOT District:** 12  
**Funding Source:** Federal  
**Private Funding:** No

### Project Description:

Repair the IR-90 bridge over the Rocky River Valley in Rocky River and Lakewood.

All work will be on structure. No excavation is required. No work in streams or wetlands. No tree removal required.

The bridge is over the Rocky River, however due to no work in the river, a waterway permit is not required, and 6. Waterways was marked as "Not present". No ecological impacts are anticipated.

No cultural resources, regulated materials, or floodplain impacts are anticipated.

The bridge is over the Cleveland Metropark's Rocky River Reservation. Temporary construction access on park property will be required under the bridge. ODOT has aerial right-of-way for the bridge and all work will be completed within ODOT aerial right-of-way limits. It has been determined that Section 4(f) Temporary No Use applies to the project. The Cleveland Metroparks concurred with the Measure to Minimize Harm as listed in the Environmental Commitments Section.

ODNR coordinated the project work with National Park Service for LWCF impacts. On November 26, 2019, The National Park Service (NPS) determine the work is within the allowable period that the current policy allows for Temporary non-conforming use of an LWCF-encumbered site. ODNR used the See NPS determination as approval of Section 6(f). See the NPS/ODNR Determination in Project File/Section 6(f)/Concurrence/ODNR Approval-Temporary Non-Conforming Use.

### Public Involvement Conclusion

A Press Release was published on 8-14-2020. Several comments were received. Some public commenters requested that aesthetic treatments be added to improve the look of the bridge and to include noise barriers with the project. The project is a repair of the existing bridge steel, therefore, there is not an opportunity to add aesthetic treatments with this project. ODOT has a separate noise mitigation program that would need to determine if noise barriers are justified for this location. Currently the bridge provides a nice vista of the River valley and noise barriers on the bridge would block the view. The Cities of Lakewood and



Rocky River would have to determine if that is what the community wants and submit a noise barrier application.

All other comments were in favor do the project . A Public Comment Summary with ODOT's specific responses to each comment is included in Project File/Public Involvement/ Project Information/Public Comment Summary.pdf.

Based on the public comments received, ODOT has concluded to proceed with the project as designed.

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

**STIP Reference #** 109531: 21-24 STIP

**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:** Not Present

**Endangered Species:** No Impacts to Protected Species and Critical Habitat

**100-Year Floodplain:** No Encroachment Within a Special Flood Hazard Area (SFHA)

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

**Section 4(f) Determination:**

Temporary No Use Exception - 774.13(d)



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**Section 4(f) Determination Date - 774.13(d)** 09/18/2020

**Section 6(f):** Present; No 6(f) Conversion Required

**Section 6(f) Determination:** Temporary Non-Conforming Use

**Section 6(f) Determination Date:** 11/27/2020

**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** 02/18/2020

**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:** 05/05/2020

**Hazardous Materials - ESA Screening Conducted** Yes

**Hazardous Materials - OES Approval Date:** 05/04/2020

**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

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



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## **Environmental Commitments**

### **C2**

- 1) Access to Rocky River Reservation shall be maintained at all times, except for the time needed to temporarily occupy the property, which shall be less than the time needed for construction of the project
- 2) Temporary construction fencing shall be installed along proposed construction limits prior to the start of construction activities to protect the Section 4(f) property and the public
- 3) 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.
- 4) The contractor shall be required to closely coordinate the construction schedule with ODOT and Cleveland Metroparks prior to the start of construction activities.
- 5) 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  
Mark.Carpenter@dot.ohio.gov

### **Approvals & Electronic Signatures**

<b>Approved &amp; Electronically Signed By:</b>	<b>Approval Date:</b>
<b>Mark Carpenter (TRANS ENGR 3)</b>	11/29/2020



## Appendix

### Noise

District Determination - No Noise Analysis Required.pdf

### Ecological

Ecological Review Form - Ecologically Exempt Project.pdf

### Cultural Resources

Minimal Potential to Cause Effect - Appendix B

Records Check.pdf

### Underserved Populations

Census Mapping.pdf

### Section 6(f)

LWCF Grant Listing.pdf

### Public Involvement

News Article.pdf

### Section 6(f)

ODNR Approval - Temporary Non-Conforming Use.pdf

### Section 4(f)

OES Recreational 4(f) Determination.pdf

### Public Involvement

Press Release.pdf

Public Comment Summary.pdf

Response to Public Comments - Bonifas.pdf

Response to Public Comments - Malone.msg

Response to Public Comments Koozer.msg

### Underserved Populations

Underserved Populations Documentation Form.pdf