



# OHIO DEPARTMENT OF TRANSPORTATION

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

## **Environmental Document** for **CUY IR 077 11.11 Replace PID 21788**

**Environmental Document Level: D1**

**Approved: 12/22/2022**

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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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## Project Type

**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



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## General Project Information

### Project, Cost Schedule and Work Limits

### Project, Cost Schedule and Work Limits

Environmental Document Levels:	D1
PIDs:	115275, 21788, 105743
Project Name:	CUY IR 077 11.11 Replace
Project Sponsor:	ODOT SPONSORING AGENCY
ODOT District:	12
Funding Source:	Federal
Private Funding:	No
Local Public Funding:	No
STIP Reference #:	21788:21-24 STIP
The next phase of the proposed project is listed on the STIP	Yes
The current cost estimate is in line with existing federal procedures for Ohio STIP Amendments and Administration Modifications	Yes
Planning and Engineering:	\$10,617,109.24
Right of Way:	\$1,050,000.00
Construction:	\$152,592,000.00
Other:	\$0.00
An Interchange Modification/Justification/Operations Study (IMS/IJS/IOS) was completed	No

### Project Description:



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The project proposes the replacement of the CSX railroad bridge (SFN 1806270) over I-77 to remove the existing two span structure and replace with a new single span structure that will be increased in length to accommodate standard lane and shoulder widths below the structure. This existing two span railroad structure crosses over I-77 just south of Grant Avenue in Cuyahoga County Ohio. This bridge is in need of replacement due to age, previous damage from a vehicle fire under the bridge and the need to rebuild I-77 with appropriate lane and shoulder widths to improve the safety and operation of the freeway.

One of the primary goals of this project is to replace the existing two span railroad bridge with a single span bridge as the remainder of the overhead bridges in the corridor and to the north have been replaced with single span bridges. In addition to the bridge replacement, the footprint of the road beneath will be widened to accommodate standard width shoulders on the outside with barrier to protect the new abutments and standard shoulders in the median.

The constraints that have been considered are as follows:

Minimize utility impacts; notably the high voltage transmission lines that run parallel to and south of the CSX tracks

Minimize impacts to the railroad

Avoid a costly shoe fly railroad runaround and construct the bridge part-width while maintaining rail traffic

Maintain 3 lanes of vehicle traffic in each direction during construction

The proposed project is listed on the 2021-2024 STIP.

- The STIP can be found in the project file under General/Project Information

**Limits of Proposed Work:**

Cuyahoga Hts; Valley to S of Grant.  
& Cuyahoga Hts; Over I-77 S of  
Grant. & Cuyahoga Hts, Newburgh  
Hts, Cleveland; CSX to SR-14

**Start (SLM):** 57+55.61

**End (SLM):** 60+67.41

**Total Work Length (Miles):** 0.1

**Roadway Character**

**Route Number: IR00077**

**Functional Classification:** Principal Arterial - Interstate (Urban)

**Current Average Daily Traffic:** 118520

**Current Average Daily Traffic Year:** 2023

**Design Year Average Daily Traffic:** 125530

**Design Average Daily Traffic Year:** 2043

**Daily Hourly Volume:** 11852

**Truck %:** 6

**Setting:** Urban

**Topography:** Level

	Existing:	Proposed:
Design Speed (MPH):	70	70
Legal Speed (MPH):	60	60



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Number of Lanes:	6	6
Type of Lanes:	through	through
Pavement Width (ft):	36	36
Shoulder Width (ft):	24	24
Median Width (ft):	6	6
Sidewalk Width (ft):	N/A	N/A

**Sufficiency Rating:** N/A

**General Rating:** 6

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

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

**40. Bridge Type:** 402N

**Sufficiency Rating:** 070.0

**General Rating:** 5

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

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

**40. Bridge Type:** 302N

**Sufficiency Rating:** N/A

**General Rating:** 5

**Date Built:** 07/01/1949

**Bridge Location:** .99 MI. N. OF JCT. SR-21

**40. Bridge Type:** 302N

**Design Criteria For Bridges**  
**Design Criteria for Bridges**

**SFN: 1806548**

**Sufficiency Rating:** N/A

**General Rating:** 6

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

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

**Existing:**

**Proposed:**

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):	0	N/A
Under Clearance (ft):	N/A	N/A

**Bridge Type Description:**

The bridge is not included in the project.

**Load Restrictions Description:**

N/A

**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:**

N/A

**SFN: 1806572**

**Sufficiency Rating:**

070.0

**General Rating:**

5

**Date Built:**

07/01/1950

**Bridge Location:**

.87 MI. S. OF JCT. SR-14

	Existing:	Proposed:
Bridge Type:	302N	N/A
Bridge Length (ft):	73	N/A
Number of Main Spans:	1	N/A
Max Span Length (ft):	67	N/A
Load Restrictions (TON):	130	N/A
Curb to Curb Width (ft):	102.50	N/A
Shoulder Width(ft):	0	N/A
Under Clearance (ft):	0	N/A

**Bridge Type Description:**

The bridge is not included in the project.

**Load Restrictions Description:**

N/A

**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:**

N/A

**SFN: 1806270**

**Sufficiency Rating:** N/A

**General Rating:** 5

**Date Built:** 07/01/1949

**Bridge Location:** .99 MI. N. OF JCT. SR-21

	Existing:	Proposed:
Bridge Type:	302N	303
Bridge Length (ft):	99	153.96
Number of Main Spans:	2	1
Max Span Length (ft):	49	145
Load Restrictions (TON):	0	0
Curb to Curb Width (ft):	0	38
Shoulder Width(ft):	N/A	N/A
Under Clearance (ft):	15.9	17.75

**Bridge Type Description:**

The proposed bridge will be constructed of single span steel through plate girders with bolted bottom flanges (ASTM A709 grade 50) with steel plate ballasted deck and reinforced concrete abutments supported on tangent drilled shafts.

**Load Restrictions Description:** Not applicable

**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:**

The existing bridge (SFN 1806270) is a Type 302N Steel Multi-beam structures built in 1949. This structure is not considered eligible for the National Register based on the Ohio DOT Historic Bridge Inventory (accepted April 28, 2010).

- 41. Bridge Length (ft): 357
- 41. Bridge Length (ft): 73
- 41. Bridge Length (ft): 99
- 42. Number of Main Spans: 4
- 42. Number of Main Spans: 1
- 42. Number of Main Spans: 2



43. Max Span Length (ft):	116
43. Max Span Length (ft):	67
43. Max Span Length (ft):	49
44. Load Restrictions (TON):	0
44. Load Restrictions (TON):	130
44. Load Restrictions (TON):	0
45. Curb to Curb Width (ft):	0
45. Curb to Curb Width (ft):	102.50
45. Curb to Curb Width (ft):	0
<b>Maintenance of Traffic During Construction</b>	
A roadway, bridge or ramp closure is required	Yes
A temporary bridge or roadway is proposed	No
A detour is required for the proposed project	Yes
Access for local through traffic will be provided with appropriate signage	Yes
Provisions for through-traffic dependent businesses will be incorporated into project design	Yes
Provisions to accommodate any local special events or festivals will be incorporated into project design	Yes
The proposed MOT substantially impacts sensitive environmental resources	No
Substantial controversy is associated with the proposed MOT	No
Coordination has been initiated and/or completed with local emergency services, schools, public institutions/facilities, etc.	Yes

**Remarks:**

Maintenance of traffic shall consist of maintaining existing roadways and ramps in accordance with the Ohio manual of uniform traffic control devices (OMUTCD) for streets and highway current edition, latest revision the specifications. In addition, detours will be implemented for I-77 freeway closure per OMUTCD. Freeway lane shifts will be installed for moving traffic as needed for the multiple phases of construction. Minimal lighting and its signal conduits/circuits will be required to accommodate new bridge and roadway guardrail/curb modifications in anticipation of the part 2 I-77 roadway widening project. Traffic will be maintained on three lanes in both directions on I-77 at all times during construction except during for announced short term/total closures. Entrance and exit ramps from Grant Ave will also be maintained at all times except during short term and total closures of I-77 for removal of existing beams and median piers.

Short term closures will be announced at least 30 days in advance of closure. The plans allow the contractor to close IR-77 no more than 5 times during construction.

**Are there any Environmental Commitments?** Yes



## Right of Way and Utility Involvement

The project requires Permanent Right-of-Way	Yes
The project requires Permanent Easement(s)	No
The project requires Temporary Right-of-Way	No

## Right of Way and Utility Involvement

Number of parcels impacted by Permanent Right-of-Way:	4
Number of parcels impacted by Temporary Right-of-Way:	N/A
Approximate acreage of Permanent Right-of-Way needed:	.9
Approximate acreage of Temporary Right-of-Way needed:	N/A
Electrical lines, gas lines, water lines, sewer lines, phone lines or other utilities exist in the project area	Yes
Large scale transmission facilities are located within the project area	Yes
Private utility easements are located within the project area	Yes
The existing private utility easement will be impacted by the project	No
Coordination with identified utilities has been initiated and/or completed	Yes

## Remarks:

Based on preliminary right-of-way plans, 0.9 acres of permanent right-of-way from 4 parcels (the CSX railroad parcel and the 3 adjoining parcels) will be required for the proposed project.

Project plans can be found in the project file under General/Project Information/Stage 1 Design

Impacts to the high voltage transmission lines that run parallel to and south of the CSX tracks will be avoided.

The following companies have utilities that are located within the proposed construction limits:

- First Energy
- Dominion Gas/Energy
- AT&T Ohio
- Northeast Ohio Regional Sewer District
- Spectrum (Charter Communications)
- City of Cleveland Water Department
- Village of Cuyahoga Heights

Utility coordination has been initiated and will be continued as part of the design process. The utilities have been coordinated with during the preliminary design portions and this will continue



## Purpose & Need

### Purpose & Need

#### Project History:

ODOT conducted a study of the bridge in July of 2002 and was reevaluated in November of 2019.

#### Purpose Statement:

The need to address deficiencies of the railroad bridge and IR-77 travel lanes.

#### Need Element(s):

The purpose of this project addresses the deficient railroad bridge over IR-77, CUY-77-11.11. This bridge is in deficient due to age, previous damage from a vehicle fire under the bridge and the substandard lane and shoulder widths need addressed to improve the safety and operation of the freeway. The existing vertical clearance is 15.9 feet and the minimal vertical clearance of 17.6 feet per CSXT Public Project Information Manual.

#### Goals and Objectives:

All existing mapping is from GIS, LiDAR, record plans, and supplemental topographic survey. The constraints that have been considered are as follows:

- No new permanent Right of Way may be taken
- Minimize utility impacts; notably the high voltage transmission lines that run parallel and south of the CSX tracks
- Minimize impacts to the railroad
- Avoid a costly shoe fly railroad runaround and construct the bridge part-width while maintaining rail traffic
- Maintain 3 lanes of traffic in each direction during construction

#### Summary Statement:

N/A

#### Logical Termini and Independent Utility:

This existing two span existing railroad structure crosses over I-77 just south of Grant Avenue in Cuyahoga County Ohio. The IR-77 reconstruction project requires the lengthening of the bridge to accommodate the future lane configuration of IR-77.



## Alternatives

### Alternatives

#### Discuss No Build Alternative:

The no build alternative would not address the current lane width issues beneath the bridge by allowing a center pier to remain in the center. The road footprint not being widened would also mean that the deficient shoulders would not be replaced with standard width shoulders to protect the abutments. The damage to the bridge from a vehicle fire would also not be addressed

Was a Feasibility Study completed?

No

Was an Alternative Evaluation Report (AER) completed?

Yes

Date AER was approved:

12/16/2019

#### Alternatives Considered

Name	Description	Reason Dismissed	Included in the AER	Preferred Alternative
No Build	N/A	does not meet purpose and need	Yes	No
Alternative 1	Replace existing CSX RR structure with 2-double track single span steel through plate girder bridges to span entirety of I-77 and not require center pier.	N/A	Yes	Yes
Alternative 2	Replace existing CSX RR structure with 2-double track single span steel through plate girder bridges to span entirety of I-77 and not require center pier, but with more embankment widening on the west side to support temporary track due to the 200' minimum track turnout distance	would require a larger amount of right-of-way and impact to the existing embankment	Yes	No

Discuss Reasons Alternative Identified as Preferred was selected:



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Alternative 1 was selected because it meets the purpose and need of the project with fewer embankment impacts and less right of way requirements.

- The AER can be found in the project file under Alternatives



## Air

### Mobile Source Air Toxics (MSATs)

**Sensitive Areas are located within approximately 500' of the proposed project area** No

#### Remarks:

No sensitive areas are located within 500-feet of the construction limits. The project have no meaningful impacts on traffic volumes or vehicle mix and therefore is an exempt from conformity requirements under the Clean Air Act pursuant to 40 CFR 93.126

### Particulate Matter 2.5 (PM2.5)

**The proposed project is in an air quality non-attainment or maintenance area** Yes

**The proposed project falls under 40 CFR 93.126** Yes

#### Remarks:

The project falls under 40 CFR 93.126. No Hot Spot Analysis is 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** No

#### Remarks:

The project is located within the 2015 8-hour ozone nonattainment area. Currently the project is not on the NOACA TIP but is on the STIP.

### Environmental Commitments

**Are there any environmental commitments?** No



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## Noise

### Noise

**Noise Sensitive Areas located within approximately 500' of the proposed project area** No

#### Remarks:

The project is not a Type I project for noise, add an auxiliary lane or does not add capacity a new highway on new location. the project will not significantly change the horizontal or vertical alignment. Therefore, a noise analysis is not required. See ODOT District 12 determination dated 12/21/22 in the Project File/Noise/Coordination.

### Environmental Commitments

**Are there any environmental commitments?** No



## ESA

### ESA

Does the project require any Permanent ROW or Easement?: Yes

ESA Screening Report was completed by District Staff Yes

Date when It was completed 10/07/2022

Date of ESA Screening IOC from OES: 12/21/2022

Do any sites require a Phase 1 ESA, Phase 2 ESA, or plan note according to the IOC from OES? Yes

### Sites that require Phase 1 ESA, Phase 2 ESA, or Plan Note

Site Name	Address	Phase 1 Required?	Phase 2 Required?	Plan Note Required?
RM-005 -CSX Railroad Right of way	N/A	No	Yes	No
RM-006 - Cleveland Regional Sewer District	6000 Canal Street	No	Yes	No
RM-007 - Joshen Paper and packaging Retail Store	5800 Grant Avenue	No	Yes	No
RM-008 - Northern Stamping, Inc.	6600 Chapek Parkway	No	Yes	No

Date of Phase 2 ESA IOC from OES:

### Remarks:

The Regulated Materials Review (RMR) was completed on October 7, 2022. The review examined properties within the study area and determined that there were 4 properties that will require an RMR investigation. These properties are:

1. RM-005 - CSX Railroad right of way
2. RM-006 - Cleveland Regional Sewer District - 6000 Canal Street
3. RM-007 - Joshen Paper and packaging Retail Store - 5800 Grant Avenue
4. RM-008 - Northern Stamping, Inc. - 6600 Chapek Parkway

There are no other properties that require further investigation.

An asbestos survey was also completed, and 4 samples of expansion joint were collected and analyzed, which was 2 homogenous areas. Laboratory analysis determined that these samples were asbestos containing materials.

- The RMR Screening and asbestos report can be found in the project file under ESA/Reports



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**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.):**

A Section 106 Scoping Request Form was completed by the consultant on October 7, 2022.

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

**OES Approval/OSHPO Concurrence Date:** 11/09/2022

### Remarks:

The structure is found near Grant Avenue. Construction efforts will focus to the existing operational right-of-way. However, minor permanent right-of-way will be required since the work will be dealing with land currently owned by the CSX. Permanent and Temporary right-of-way will allow for construction access during effort. A central pier will be removed since the new structure will not require this feature. The area is surrounded by modern industrial/commercial development. No buildings will be involved in construction and no relocations will be required.

The literature search concluded there are no inventoried buildings (OHI), no known archaeological sites (OAI), and no listed or eligible historic properties found in the project area or in the area of potential effects (APE). The existing bridge (SFN 1806270) is a Type 302N Steel Multi-beam structures built in 1949. This structure is not considered eligible for the National Register based on the Ohio DOT Historic Bridge Inventory (accepted April 28, 2010). Non-historic bridge replacements and minor roadway widening 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.

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

### Archaeological Resource Adverse Effect

### History/Architecture Adverse Effect

### Tribal Consultation

**Tribal Consultation Summary/Remarks:** No comments received from Tribal Coordination

### Environmental Commitments

**Are there any Environmental Commitments?** No



## Ecological

### ESR

ESR Name:	ESR Type:	Coordination Complete Date:
CUY-IR77-10.08	Level 1	11/23/2022

### Wetlands

ESR Name:	Wetland ID:	Hydrologic connection:	Wetland category:	Estimated total size (ac.):	Total estimated impact area by alternative (ac.):
CUY-IR77-10.08	Wetland A - CSX Bridge	Isolated	Category 1	0.025	0.025

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

Total impact to all wetlands (ac.): 0.025

Total acres of non-isolated wetlands impacted: 0

Total acres of isolated wetlands impacted: 0.025

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 Not Meet the Identified Needs of the Project.

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

Based on the location of the isolated wetland at the base of the existing CSX bridge, along IR-77 where the proposed project will widen the shoulders the wetland will be impacted.

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:**

Based upon a field review conducted by TranSystems on 7/11/2022, a 0.025 acre, Category 1, isolated wetland was identified along the west side of IR-77 near the CSX railroad bridge. The wetland will be impacted by the project. A Level 1 Ecological Survey Report can be found in the project folder under Ecological/Reports.

**Streams & Rivers**

Based on the results of the ESR(s), no streams were observed within the study area(s) for this Environmental Document.

**Remarks:**

Based on the field review completed by TranSystems on 7/11/2022, the project will not impact any streams.

**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
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**Remarks:**

Based on the field review conducted by TranSystems on 7/11/2022, the project will not impact any potentially jurisdictional ditches.

**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.):
CUY-IR77-10.08	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 to 100% of the Total Cover.	High Disturbance (Dominated by Widespread Taxa Not Typical of a Particular Community)	No	6.3	6.3
	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	0.2	0.2
	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)	Intermediate Disturbance (Dominated by Plants that Typify a Stable Phase of a Native Community that Persists Under Some Disturbance)	No	0.5	0.5

**Remarks:**

Based upon field reviews conducted in July 2022, it was determined that although terrestrial habitat exists within the proposed project area, no unique or high quality habitats are present. The proposed project is located in a highly disturbed, commercial and industrial area with little vegetative cover.

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

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

ESR Name: CUY-IR77-10.08

Effect Determination: May Affect, Not Likely to Adversely Affect

**Discussion Including impacts to Suitable Habitat:**

The project is not located within a USFWS bat buffer. There will be no bridge over perennial water impacts. Suitable wooded habitat for the Indiana Bat and Northern Long-eared bat can be found along the existing CSX rail corridor. No roosting habitat was observed during field reconnaissance. Approximately 0.2



acres of suitable wooded habitat will be impacted by the proposed project, all within 100-feet of the edge of pavement. All tree removal will occur between October 1 and March 31 to protect these species during their summer roosting period.

Species Common Name:	Species Scientific Name:	Listing Status:
Northern Long-eared Bat	<i>Myotis septentrionalis</i>	Threatened

ESR Name: CUY-IR77-10.08

Effect Determination: May Affect, Not Likely to Adversely Affect

**Discussion Including impacts to Suitable Habitat:**

The project is not located within a USFWS bat buffer. There will be no bridge over perennial water impacts. Suitable wooded habitat for the Indiana Bat and Northern Long-eared bat can be found along the existing CSX rail corridor. No roosting habitat was observed during field reconnaissance. Approximately 0.2 acres of suitable wooded habitat will be impacted by the proposed project, all within 100-feet of the edge of pavement. All tree removal will occur between October 1 and March 31 to protect these species during their summer roosting period.

Species Common Name:	Species Scientific Name:	Listing Status:
Bald Eagle	<i>Haliaeetus leucocephalus</i>	Species of Concern

ESR Name: CUY-IR77-10.08

Effect Determination: No Effect

**Discussion Including impacts to Suitable Habitat:**

Suitable habitat for the Bald Eagle was not observed within the project area.

Species Common Name:	Species Scientific Name:	Listing Status:
Piping Plover	<i>Charadrius melodus</i>	Endangered

ESR Name: CUY-IR77-10.08

Effect Determination: No Effect

**Discussion Including impacts to Suitable Habitat:**

As the Piping Plover spends the majority of its life on sandy beaches or rocky shores, suitable habitat is not found within the project area. No suitable habitat for the Piping Plover will be impacted as a result of the project.

Species Common Name:	Species Scientific Name:	Listing Status:
Rufa Red Knot	<i>Calidris canutus rufa</i>	Threatened

ESR Name: CUY-IR77-10.08



**Effect Determination:** No Effect

**Discussion Including impacts to Suitable Habitat:**

Habitat preferred by the Rufa Red Knot, including sand, gravel, and/or cobble beaches and/or mudflats along the shores of Lake Erie is not found within the project area. No suitable habitat for the Rufa Red Knot will be impacted as a result of the project.

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

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

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

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

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

**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:**

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

**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:**

**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:**

Wooded habitat is found surrounding the CSX bridge corridor within the project area. All tree removal will occur between October 1 and March 31 when the species would not be present. The project will have no impact on the Little Brown Bat.

**Species Common Name:**

**Species Scientific Name:** *Perimyotis subflavus*



**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:**

Wooded habitat is found surrounding the CSX bridge corridor within the project area. All tree removal will occur between October 1 and March 31 when the species would not be present. The project will have no impact on the tri-colored 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 Green Snake

**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

**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:** 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:** 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

**Remarks:**

This project will not impact any of the listed species. Some tree removal (SWH) will be required for this project. Plan notes will be included to follow the tree cutting restrictions.

**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



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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-IR77-10.08	USFWS	11/9/2022		No

**Additional Coordination Considerations:**

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

**Remarks:**

N/A

**Are there any environmental commitments? Yes**



### Other Resources

#### Farmlands

#### 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:

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 Resources 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.

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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Based upon a review of the OEPA Division of Drinking and Ground Water mapping and ODNR water well mapping on November 8, 2022, it was determined that no impacts to drinking water resources will occur as a result of the proposed project. No residential wells are located within the project area.

- **Mapping 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**

**No**

### **Identified Section 4(f) Properties**

#### **Remarks:**

Based on review of mapping and field observations, no recreational Section 4(f) properties were identified within and/or adjacent to the project area.

**Are there any environmental commitments? No**



## Section 6(f)

### Section 6(f) Determination

### Section 6(f) Determination

	Present:	Impacted:
6(f) Properties:	No	

### Remarks:

Based upon a review of online mapping and a field review conducted for this project on July 11, 2022, it was determined that no Section 6(f) properties are located within the proposed project area, and no impacts will occur to recreational lands purchased or improved with Land and Water Conservation Funds (LWCF). Therefore, Section 6(f) coordination is not required.

- The grant listing for Cuyahoga County can be found in the project file under Section 6(f)/Project Information

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:**

The proposed project complies with local and regional development. The project will replace an existing railroad bridge over Interstate 77.

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

**Remarks:**

The proposed project will not create negative impacts to community cohesion. The proposed project will result in the improvement of vehicle mobility in the project area.

**Will the proposed action result in indirect or cumulative impacts?** No

**Remarks:**

Based on the proposed projects ability to address the need elements of providing a safer and higher functioning roadway facility, a positive cumulative affect by improving traffic flow will be provided. Furthermore, the proposed project will not have any foreseeable negative impacts on the area. Overall, the proposed project will have a positive impact on the traveling public.

**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:**

The proposed project will not result in impacts on health and educational facilities, public utilities, fire, police, emergency services, religious institutions, public transportation, or pedestrian and bicycle facilities. The proposed project will improve traffic flow.

**Will the proposed action displace residents, businesses, institutions or farms?** No

**Remarks:**

Based on current plans, the proposed project will not displace residents, businesses, institutions, or farms.

**Are there any Environmental Commitments?** No



## Underserved Populations

### Underserved Populations

#### Identified Underserved Populations

Census Block Group #	% Minority	% Low Income	% Older Adults	% Limited English Proficiency (LEP)
390351961001	7	26	15	1

Are Underserved Populations located within and/or adjacent to the proposed project area? No

#### Remarks:

According to the ODOT's TIMS, the project is located entirely within one Census blockgroup. The Minority population range is 7 percent. The Low Income population is 26 percent. The older adult population is 15 percent and the Limited English Proficiency (LEP) population is 1 percent.

The bridge replacement will not impact pedestrian access or public transportation during construction.

The proposed project will have no disproportionately high and adverse effects to minority or low-income populations or disparate impacts to a Title VI population based upon the table above, the attached mapping, and the answers to the questions above. No concerns related to impacts on Environmental Justice or Title VI populations were raised as a result of public involvement activities conducted as part of the proposed project. Therefore, in accordance with the protections of Executive Order 12898, FHWA Order 6640.23A and Title VI of the Civil Rights Act of 1964, no further analysis is required.

The proposed project will have no substantial impacts to Limited English Proficiency, Older Adults, and Individuals with Disabilities Populations based upon the table above, the attached mapping, and the answers to the questions above. No concerns related to impacts on these Underserved Populations were raised as a result of public involvement activities conducted as part of the proposed project. Therefore, in accordance with the protections of the Age Rehabilitation Act of 1973, Discrimination Act of 1975, Americans with Disabilities Act of 1990, and Executive Order 13166, no further analysis is required.

Based on the above findings an Underserved Populations Impact Analysis Report is not required.

- Census mapping can be found in the project file under Underserved Populations/Project Information

Are there any Environmental Commitments? No



## 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)

A project notification letter and news release summarizing the project was sent to the local newspaper and property owners in the vicinity of the project on October 31, 2022.

**Documentation/correspondence can be found in the project file under Public Involvement/Project Information**

**Was Public Involvement conducted in compliance with Title VI requirements?** Yes

**Is there any substantial environmental controversy on environmental grounds?** No

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

There were five (5) comments received for this project. Three (3) of these comments related to the existing and proposed lane widths, during and after construction, and the improved traffic flow. ODOT District 12 replied to these comments by stating that the project will keep lanes open in each direction with the exception of short-term detours for demolition and to install new beams. The lanes will remain at the current 11-foot width during construction and will increase to a 12-foot width after construction.

Two (2) additional comments received were related to bridge aesthetics. ODOT District 12 replied that the bridge will have a brick look (brick form liner) on the abutments and will resemble the bridge to the north over I-77.

**The comment matrix/responses can be found in the project file under Public Involvement/Project Information**

ODOT has decided to proceed with the project as currently designed.

**Are there any Environmental Commitments?** No



## Permits

### Waterway Permits

<b>Are Waterway Permits required?</b>	Yes
<b>Is the Waterway Permits Determination Complete?</b>	No
Army Corps of Engineers	
<b>Regional General Permit (RGP):</b>	No
<b>Nationwide Permit (NWP):</b>	No
<b>Section 404 Individual Permit:</b>	No
<b>Section 10 Permit:</b>	No
Ohio EPA	
<b>Section 401 Water Quality Certification:</b>	No
<b>Level 1 General Isolated Wetland Permit:</b>	Yes
<b>Level 2 Individual Isolated Wetland Permit:</b>	No
<b>Level 3 individual Isolated Wetland Permit:</b>	No
US Coast Guard	
<b>Section 9 Coordination:</b>	No
<b>Section 9 Bridge Permit:</b>	No
ODNR	
<b>Shore Structure Permit :</b>	No

**Remarks:**

A permit determination will be completed during later detailed design and before construction begins

**Are there any environmental commitments? Yes**

### Storm Water Permits

<b>NPDES Construction General Permit for Stormwater (NOI):</b>	Yes
<b>Watershed Specific NPDES Construction General Permit for Stormwater (NOI):</b>	No

**Remarks:**



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The proposed project will require a National Pollutant Discharge Elimination System (NPDES) permit. A Notice of Intent (NOI) will be submitted by ODOT to the OEPA prior to plan file. In accordance with ODOT Supplemental Specification 832, a Storm Water Pollution Prevention Plan (SWPPP) will be developed by the contractor and a NPDES permit will be finalized/acquired by the contractor prior to any earth disturbing construction activities occurring.

**Are there any environmental commitments? Yes**

**Floodplains**

**The proposed project involves encroachment within a Special Flood Hazard Area (SFHA) No**

**Remarks:**

Based upon a review of FEMA Floodplain Insurance Rate Mapping (FIRM) FIRMette for the Village of Cuyahoga Heights (39035C) on 11/8/2022, it was determined that the proposed project area is located outside of regulated floodplain areas.

- **The FEMA FIRM can be found in the project file under Permits/Floodplains**

**Are there any environmental commitments? No**

**Landfills**

**Is a 2713 Permit required? No**

**Remarks:**

Based on a review of historical aerial photographs, the information gathered from several environmental databases, and the performance of the site reconnaissance in July 2022, no landfills requiring a Rule 513 were identified within 300 feet the study area. One landfill that accepted construction and demolition debris (C&DD) is located adjoining to the project, however, C&DD landfills do not require the Rule 513 permit. No coordination is required.

**Are there any environmental commitments? No**



## Environmental Commitments

### General Project Information

1) Plan Note: CONSTRUCTION NOTIFICATION The Contractor will advise the Project Engineer a minimum of fourteen (14) days prior to the following: the start of construction activities, lane closures, and road closures. The Project Engineer will forward this information to the Village of Cuyahoga Heights and any other local officials responsible for public notification. That official will, in turn, notify the public, the local emergency services, affected schools and businesses, and any other impacted local public agency of the above mentioned items, via the appropriate media sources.

### ESA

1) The following plan note should be added to the final construction plans:

#### 1) ASBESTOS NOTIFICATION

A CERTIFIED ASBESTOS HAZARD EVALUATION SPECIALIST SURVEYED THE BRIDGE STRUCTURE SCHEDULED FOR DEMOLITION AND/OR REHABILITATION; THE SURVEY DETERMINED THAT 750 SQUARE FEET OF 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 12 OFFICE, 5500 TRANSPORTATION BOULEVARD, GARFIELD HEIGHTS, OHIO 44125.

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.

2) An RMR Investigation shall be required to be scoped and conducted for the following properties prior to construction:

1. RM-005 - CSX Railroad right of way
2. RM-006 - Cleveland Regional Sewer District - 6000 Canal Street
3. RM-007 - Joshen Paper and packaging Retail Store - 5800 Grant Avenue
4. RM-008 - Northern Stamping, Inc. - 6600 Chapek Parkway

### Ecological



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- 1) 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
- 2) 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]. The Contractor shall demarcate clearing limits in the field to avoid any unauthorized tree clearing. 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.
- 3) Ensure tree removal is limited to that specified in project plans by clearly marking clearing limits. Ensure that contractors understand clearing limits and how they are marked in the field.

**Permits - Waterway Permits**

- 1) A permit determination will be required to determine the permit level for this project
- 2) The necessary permit will be obtained prior to any work occurring in the isolated wetland/ All conditions will be followed during construction activities.

**Permits - Storm Water Permits**

- 1) An NOI will be submitted by ODOT to the Ohio EPA prior to plan file. In accordance with ODOT supplemental Specification 832, a Storm Water Pollution Prevention Plan (SWPPP) will be developed by the contractor and the NPDES permit will be finalized/acquired by the contractor prior to starting any earth disturbing activities.



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### **Preparers and Approvals**

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Brian Metz

### **Approvals & Electronic Signatures**

<b>Approved &amp; Electronically Signed By:</b>	<b>Approval Date:</b>
Mark Carpenter (TRANS ENGR 3)	12/22/2022



## Appendix

### General

Aerial Map.pdf

STIP Listing.pdf

USGS Quadrangle Topographical Map.pdf

### Alternatives

Alternatives Evaluation Report.pdf

### Air

District Determination - No Air Analysis Required.pdf

### ESA

OES Recommendations - Investigation as Commitment Approval.pdf

OES Recommendations - Screening.pdf

### Cultural Resources

Minimal Potential to Cause Effect - Appendix B

Section 106 Scoping Request Form.pdf

### Ecological

ODNR Scenic River MOA Conditions

USFWS/ODNR Ecological MOA Conditions

### Other Resources

Public Water Systems.pdf

Site Specific Resource Mapping.pdf

Sole Source Aquifer Mapping.pdf

Water Source Protection Area Map.pdf

Well Log Data.pdf

### Section 6(f)

LWCF Grant Listing.pdf

### Underserved Populations

Census Mapping.pdf

### Public Involvement

Press Release.pdf



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Property Owner Notification Letter.pdf

Public Notification Mailing List.pdf

**Permits**

FEMA FIRM.pdf