



# OHIO DEPARTMENT OF TRANSPORTATION

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

## **Environmental Document**

for

## **CUY US 422 09.59 Culvert PID 113100**

**Environmental Document Level: C2**

**Approved: 7/20/2023**

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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

**Project Information**

**PID:** 113100

**Project Sponsor:** Beachwood, City of

**ODOT District:** 12

**Funding Source:** Federal

**Project Description:**

The city of Beachwood, in partnership with the Ohio Department of Transportation (ODOT), has proposed a project that will involve the rehabilitation of the existing box culvert that carries Mill Creek under U.S. 422 (Chagrin Blvd.) in Beachwood, Ohio. The rehabilitation will include the placement of a steel lining throughout the length of the culvert beneath the road right-of-way, the construction of a new outlet headwall, and placement of rock channel protection. Additionally, a 30' diameter storm sewer and sidewalk will be replaced along the north side of Chagrin Blvd. Temporary rights-of-way and state highway and channel easement will be needed to construct this project.

Mapping that depicts the project location on United States Geological Survey (USGS) 7.5-Minute Topographic Quadrangle Mapping is included in the Project File/General/Project Information subsection as USGS Quadrangle Topographical Map.pdf. Approximately 0.235 acres of temporary right-of-way, 0.048 acres of state highway easement, 0.042 acre of channel easement, and 0.001 acre of sewer easement will be required from 2 parcels to construct the project. Total property takes, structure takes or relocation are not proposed by the project. See the Stage 3 Design for the project in the Project File/General/Project Information subsection as Stage 3 Design.pdf.

Electric, gas, water, sewer, lighting, and telecommunication utilities exist within the project study area. These utilities are located along overhead cables and underground conduits. A utility pole, owned by First Energy, will need to be relocated along the north side of Chagrin Blvd. Electric and communication lines connected to the pole will need to be reconnected to the new utility pole. An overhead street lighting power line, located on the south side of Chagrin Blvd., will be temporarily relocated during the construction phase of this project. Coordination with the utility companies affected by the proposed construction activities was conducted for the project during the preliminary engineering phase and will continue during the detailed design phase.

During project construction, a single lane of traffic in each direction will be maintained at all times on all streets by use of existing pavement. Lane restriction and closure information will be posted within the project limits and at all intersecting side streets prior to the start of project construction. Access shall be maintained to all adjacent properties and businesses for the duration of project construction. Substantial traffic disruptions are not expected during the project construction. Road closures and detours will not be necessary to construct the project.

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 is included in the Project File/General/Project Information subsection as Stage 3 Design.pdf.

The estimated project cost specified in Ellis is equal to the total project costs specified in the ODOT State Fiscal Years 2024 - 2027 Statewide Transportation Improvement Program (STIP).

**The next phase of the proposed project is listed on the STIP:** Yes

**Ellis STIP Details**

Phase	Current STIP Reference
ENV	
CO	113100: 24-27 STIP



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

**Select the appropriate project type:**

(27) Highway safety or traffic operations improvement projects, including the installation of ramp metering control devices and lighting, if the project meets the constraints in paragraph (e) of this section. *Examples include: Lane reduction ("road diet") changes provided traffic analysis is completed; Railroad projects that close at-grade crossings to improve safety or traffic operations.*

**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 ROW (exceeds strip takes)
2. **b.** Residential or non-residential displacements
3. **c.** A U.S. Coast Guard permit or an Individual Section 404 permit under the Clean Water Act
4. **d.** A Section 106 finding of *Adverse Effect*
5. **e.** Section 4(f) impacts greater than de minimis
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.** A full Environmental Justice Analysis Report (EJAR) is required (the project must be processed as a D-level CE or higher-level document). If a memo-to-file/letter/IOC-format EJAR Short Report is determined to be the appropriate level of documentation, contact OES regarding NEPA document level.

**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.**

**Ecological**

<b>Waterways:</b>	Present; No Coast Guard, Individual 404, and/or Section 10 Permit required
<b>Waterways Permit Type:</b>	Permit Determination and/or Permit Application Approval Pending
<b>Isolated Wetland Permit</b>	No
<b>Will any wetlands be impacted?</b>	No



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**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** 01/12/2023

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

Indiana bat

Northern long-eared bat

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

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

**Scenic Rivers Remarks**

The proposed project is not located within 1,000 feet of a designated Scenic River.

**Floodplains**

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

**Floodplain Remarks**

Based on a review of the FEMA FIRM for Cuyahoga County, Ohio, the proposed project is located within a 100-year floodplain. Executive Order (EO) 11988 requires actions to avoid, to the extent possible, the long and short-term adverse impacts associated with occupancy and modification of flood plains and to avoid the direct and indirect support of floodplain development whenever there is a practicable alternative. Prior to any fill being placed within a 100-year floodplain, all EO 11988 requirements must be met to address floodplain impacts by federal agencies or their assigned designee. Regarding NFIP, a notification (Letter of Compliance LD-51) was sent to the city of Beachwood Floodplain Coordinator, William Griswold, and the Village of Highland Hills Floodplain Coordinator, Susan Hamilton on June 1, 2023. The notification identified the project is located within Special Flood Hazard Area-Zone A. William Griswold responded on June 20, 2023 stating the Special Flood Hazard Area does not reach the culvert, therefore floodplain coordination is not required. A copy of the FEMA FIRM for the project is included in the Project File under Permits/Floodplains/FEMA FIRM.pdf. Copies of the coordination and responses are included in the Project File under Permits/Floodplains/Coordination with LFA.pdf and Correspondence with LFA.pdf.

**Section 4(f)**

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

**Section 4(f) Determination:**

*de minimis* - Recreational

**Section 4(f) Determination Date - de minimis - Recreational** 07/17/2023



**Section 4(f) Remarks**

Highland Park Golf Course is a publicly owned golf course located in Highland Hills, Ohio and owned by the city of Cleveland. The property is considered a Section 4(f) property and will be impacted by the proposed culvert project. To accommodate construction activities associated with culvert rehabilitation project, a total of 0.042 acres of channel easement, 0.048 acres of state highway easement, and 0.190 acres of temporary right-of-way will be acquired from the Highland Park Golf Course. Impacts to the property will take place mostly within Mill Creek. The impacts will include the dredge of sediment from the stream's substrate, placement of rock channel protection, grading along the banks of the stream, and the addition of new headwall. A construction access road will extend from Chagrin Blvd. to the west side the culvert outlet.

A Section 4(f)/6(f) Determination Request Form (DRF) for recreational properties for the project was submitted to ODOT Office of Environmental Services (OES) Policy Section. Based on the review of the DRF, ODOT OES Determined a De Minimis impact will occur to the Highland Park Golf Course in accordance with 23 CFR 774. The determination was made based on the proposed scope of work and concurrence received from the Officials with Jurisdiction (OWJ) regarding the assessment of impacts that are included in the DRF. See the Section 4(f) documentation for the project for the in the Project File/Section 4(f)/Reports and Coordination subsections.

The following measures to minimize harm will be incorporated into the plans as plan notes and as environmental commitments in the NEPA document:

- Access to the Highland Park Golf Course shall be maintained at all times during the duration of project construction.
- Temporary construction fencing shall be installed along proposed construction limits on the Highland Park Golf Course property prior to the start of construction activities to protect the Section 4(f) property and the public.
- Appropriate signage shall be installed to alert users of the Highland Park Golf Course of the construction.
- The contractor shall be required to closely coordinate the construction schedule with ODOT, the City of Beachwood, Village of Highland Hills, City of Cleveland, and the Ohio EPA.

**Section 6(f)**

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

**Cultural Resources**

**Cultural Resources:** Not Present

**Cultural Resources Coordination - ODOT Approval/SHPO Concurrence Date** 12/21/2021

**Cultural Resources Remarks**

No buildings will be removed by the project and no relocations will be required. The literature search determined there are no inventoried buildings (OHI), no identified archaeological sites (OAI), and no listed or eligible historic properties found in the proposed construction area. The existing culvert is a modern type and is not considered eligible for the National Register. The repair culverts composed on modern materials including steel and concrete are exempt from further cultural resource consideration by the August 29, 2012 State Project Letter Agreement (No. 17075), is not within the boundaries of any historic property of N.R. district.

ODOT-OES has determined this project will not impact any property listed on or eligible for the National Register of Historic Places or significant resources. Furthermore, the project is exempt from further consultation with the Ohio SHPO/OHC under ORC 149.53 and stipulations in Appendix B of the revised State Funded Project Letter Agreement (Agreement No. 17075), between Ohio's SHPO and ODOT executed August 29, 2012. The Section 106 Scoping Request Checklist can be found in the Project File under Cultural Resources/Project Information.

**Environmental Resources Considered**



The following environmental resources are present and have been studied for potential impacts:

Regulated Materials

**Air Remarks**

No air quality studies or coordination are needed for this project. Project falls under 40CFR93.126 under "Projects that correct, improve, or eliminate hazardous locations or features".

**Noise Remarks**

The project does not qualify as a Type I project for noise (*i.e.*, not adding capacity, not moving thru travel lanes equal to or greater than 50% closer to noise sensitive areas) and a noise analysis is not required for the project under 23 CFR 772. No Noise Analysis District Determination was 07/14/23, documentation in the Project File/Noise/Project Information subsection.

**The project involves ROW acquisition, Deep Excavation, or OEPA 513 Landfill Authorization:** Yes - Screening

**Regulated Materials Review Screening:**

No Further Regulated Materials Review

**Regulated Materials Review Screening - DEC/OES Approval Date:** 12/21/2021

**Regulated Materials Review Remarks:**

Based on information provided in the Regulated Materials Review (RMR) Screening, no sites within the project study area warranted further RMR investigation. ODOT-OES reviewed the RMR Screening and on December 21, 2021, a determination was made that no further RMR or special material management is warranted for the project. See the RMR documentation for the project in the Project File/ESA/Reports and Coordination subsections.

**Environmental Justice**

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

**Environmental Justice Populations** Present; No EJAR Required, Does Not Exceed EJ Guidance Criteria, and No Issues Raised During Public Involvement

**Identified Environmental Justice Populations**

Census Block Group #	% Minority	% Low Income
152228	90	58
151579	32	12

**Environmental Justice Remarks**



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Based on mapping from TIMS, the minority populations are between 32% and 90% for the US Census Block Groups located within the project area and 12% and 58% of the population is designated as low income. A review of the ODOT Transportation Information Mapping System (TIMS) indicated Environmental Justice populations within the proposed project area. No businesses or residences will be acquired or relocated as part of the project. The proposed project will have no disproportionately high and adverse effects to minority or low-income populations based upon the table above and attached mapping. No concerns related to impacts on Environmental Justice 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 and FHWA Order 6640.23A, no further analysis is required. Based on the above findings an Environmental Justice Analysis Report (EJAR) is not required. See Environmental Justice documentation for the project in the Project File/Underserved Populations/Project Information subsection.

### Public Involvement

#### Public Involvement:

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

### Public Involvement Remarks

Various public involvement activities were conducted for the project; including notification letters to property owners, stakeholders, and residents that could potentially be impacted by the project. In addition, a press release was posted on the city's website requesting comments from the public. Property Owner Notification Letters and Press Release were sent out on May 17, 2023. During the 30-day comment period, no comments were received. In conclusion the public involvement has been addressed and the city of Solon has decided to proceed with the project. See the public involvement documentation for the project in the Project File/Public Involvement/Project information subsection.

### Environmental Commitments

#### Environmental Commitments

Yes



## Environmental Commitments

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- 1) The Project Designer shall incorporate the following note into the plans: 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 FEDERALLY AND STATE LISTED BAT SPECIES AS REQUIRED BY THE ENDANGERED SPECIES ACT. FOR THE PURPOSE 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) Tree Removal AMM 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.
- 3) Tree Removal AMM 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.
- 4) The project designer shall incorporate the following note into the plans: ACCESS TO THE HIGHLAND PARK GOLF COURSE SHALL BE MAINTAINED AT ALL TIMES DURING THE DURATION OF THE PROJECT CONSTRUCTION.
- 5) The project designer shall incorporate the following note into the plans: TEMPORARY CONSTRUCTION FENCING SHALL BE INSTALLED ALONG PROPOSED CONSTRUCTION LIMITS ON THE HIGHLAND PARK GOLF COURSE PROPERTY PRIOR TO THE START OF CONSTRUCTION ACTIVITIES TO PROTECT THE SECTION 4(f) PROPERTY AND THE PUBLIC.
- 6) The project designer shall incorporate the following note into the plans: APPROPRIATE SIGNAGE SHALL BE INSTALLED TO ALERT USERS OF THE HIGHLAND PARK GOLF COURSE OF THE CONSTRUCTION.
- 7) The project designer shall incorporate the following note into the plans: THE CONTRACTOR SHALL BE REQUIRED TO CLOSELY COORDINATE THE CONSTRUCTION SCHEDULE WITH ODOT, THE CITY OF BEACHWOOD, VILLAGE OF HIGHLAND HILLS, CITY OF CLEVELAND, AND THE OHIO EPA.
- 8) The city of Beachwood will obtain all necessary waterway permits prior to any work below the ordinary high water mark of any waterway and all waterway permits conditions shall be incorporate into project plans as Special Provisions.



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### **Preparers and Approvals**

**Form Preparer:**

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### **Approvals & Electronic Signatures**

<b>Approved &amp; Electronically Signed By:</b>	<b>Approval Date:</b>
Mark Carpenter (TRANS ENGR 3)	7/20/2023



## Appendix

### General

Aerial Map.pdf

County Map.pdf

Existing Environmental Covenant Easement.pdf

USGS Quadrangle Topographical Map.pdf

### Cultural Resources

ORC 149.53 Appendix B

Records Check.pdf

### Ecological

ODNR Scenic River MOA Conditions

USFWS/ODNR Ecological MOA Conditions

### Other Resources

Site Specific Resource Mapping.pdf

Sole Source Aquifer Mapping.pdf

Water Source Protection Area Map.pdf

### Section 4(f)

OES Recreational 4(f) Determination.pdf

OWJ Coordination-Beachwood.pdf

OWJ Coordination-Cleveland.pdf

OWJ Coordination-Highland Hills.pdf

OWJ Coordination-OEPA.pdf

### Section 6(f)

LWCF Grant Listing Cuyahoga County.pdf

LWCF Grant Listing.pdf

### Environmental Justice

Census Mapping.pdf

### Public Involvement

Press Release.pdf

Project Exhibit.pdf



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Property Owner Notification Letter.pdf

Public Comments Received - No Comments.pdf

Public Notification Mailing List.pdf

Stakeholder Contact List.pdf

**Permits**

Coordination with Local Floodplain Administrator Beachwood.pdf

Coordination with Local Floodplain Administrator Highland .pdf

FEMA FIRM.pdf

Letter of Compliance - ODOT Form LD-51 Beachwood.pdf

Letter of Compliance - ODOT Form LD-51-Highland Hills.pdf

Local Floodplain Administrator Responses-Beachwood.pdf