



# OHIO DEPARTMENT OF TRANSPORTATION

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

## **Environmental Document**

for

## **CUY West Creek Greenway Trail PID 108940**

**Environmental Document Level: C2**

**Approved: 9/6/2024**

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Cleveland Metroparks

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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**

|                         |                      |
|-------------------------|----------------------|
| <b>PID:</b>             | 108940               |
| <b>Project Sponsor:</b> | Cleveland Metroparks |
| <b>ODOT District:</b>   | 12                   |
| <b>Funding Source:</b>  | Federal              |

**C2 Section**

**Project Description:**



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Construction of a 10' wide, paved shared use path as part of the West Creek Greenway Trail from the east end of Coventry Drive to Broadview Road (SR-176) across from Civic Drive in the City of Parma in Cuyahoga County. Users will be able to cross Broadview Road to connect to an existing portion of all purpose trail at the City of Seven Hills' Recreation Center.

The project proposes to impact approximately 0.011 acres of one wetland A. There is no suitable wooded habitat (SWH) for bats located within 100 feet from the edge of pavement. There are 0.04 acres of SWH within 50 feet of perennial stream but outside 100 feet of the roadway. There are 0.02 acres of SWH between 100 and 300 feet from the edge of pavement and not located within 50 feet of a perennial stream. According to the USFWS, the project is not located within a known bat buffer. No individual bats were observed and no known hibernacula exist within or near the study area. A total of 3.199 acres of SWH was observed in the 13.2 acre study area, approximately 0.06 acres of which will be impacted based on the current design plans. A plan note will be included in the project plans to limit the tree removal to be between October 1 and March 31. Details of these impacts are described in the Ecological section.

According to the USFWS/ODOW, there are no records of bald eagle nests within 0.5 miles of the project area. There were no bald eagles observed in/near the study area. No mature woodlots suitable for bald eagle nesting were observed in the study area. There will be no impacts to the species' suitable habitat.

The project area is outside all critical habitat areas and lacks both rocky shores and open sandy beaches preferred by the Piping Plover. The banks of West Creek are mostly vegetated and occasionally flood making it poor nesting habitat. The species was not observed during the field visit. There will be no impacts to the species suitable habitat.

Rufa Red Knot was not observed during the field visit. No beaches/mudflats suitable for use by the species were observed. There will be no impacts to the species' suitable habitat.

For the Tricolored Bat, no individuals were observed in the study area. No hibernacula were noted in the study area. Approximately 0.06 ac of forest suitable as habitat will be impacted based on current design plans. Tree removal will occur between October 1 and March 31 when the species would not be present. All of the pertinent AMMs listed in the OHPBO for Indiana bat and northern long-eared bat will be followed, will also protect this species from take. This project May Affect this species but is not going to jeopardize the continued existence of the species. Per the 11/15/2022 letter from USFWS outlining conferencing requirements for this species, this project does not need to be submitted for individual conferencing.

The ecological survey report and threatened/endangered species documentation for the project is available in the Project File/Ecological/Reports subsection and the Ecological tab.

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

The project is located within a regulated floodplain. However, the bridge is being built to limit impacts. The bridge meets the criteria presented in the Location & Design Manual, Volume 2 Section 1006.3. The bridge will result in a decrease of 0.05 feet in the 100-year starting water surface elevation (WSE). Thus, the proposed structure meets the National Flood Insurance Program criterion for development within a FEMA SFHA Zone A. Cleveland Metroparks has coordinated with the City of Parma's floodplain coordinator. The literature search concluded there are no inventoried buildings (OHI) or no known archaeological sites (OAI) in the immediate study area. No listed or eligible historic properties found in the project area or in the area of potential effects (APE). The construction of pedestrian walkways and the installation of other pedestrian facilities are exempt from further cultural resource consideration by the 6/29/23 Cultural Resource PA (Agreement 38503), as long as the project is not within the boundary of a historic property and no contributing component of a NR district will be removed or altered by construction.

No other environmental, cultural resources, hazardous materials, or environmental justice impacts will result from this project. Cleveland Metroparks conducted various public involvement activities for the project including issuance of Public Notification Letters to inform the public about the project and receive their comments. The letters were sent to nearby property owners on 3/14/2024 and information about the project was posted on Cleveland Metroparks' webpage with an online comment form available as well as email and phone contacts. The comment period ended 4/15/24. One public comment was received on were received on 4/9/24 and was answered to the commentator and the question and answer also posted to the website. See the public involvement documentation for the project in Project File/Public Involvement/Project Information subsection.

The environmental document and associated studies are approved using Stage 2 design. A copy of the most recent plans is included in the project file.

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

**Yes**

**Ellis STIP Details**

| Phase | Current STIP Reference |
|-------|------------------------|
| ENV   |                        |
| CO    | 108940: 24-27 STIP     |
| DD    |                        |



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

Select the appropriate project type:

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

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

1. **a.** Acquisition of more than a minor amount of 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**

**Waterways:**

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



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|  |   |
|--|---|
| <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>                                | Yes   |
| <b>Endangered Species:</b>   | Present; No finding of May Affect, Likely to Adversely Affect                   |
| <b>Endangered Species - Coordination</b>                             | May Affect, Not Likely to Adversely Affect                                      |
| <b>Endangered Species - Coordination Date</b>                        | 04/22/2024  |
| <b>Endangered Species - Critical Habitat Present/Impacted</b>        |   |
| Indiana bat  |   |
| Northern long-eared bat  |   |
| <b>Endangered Species - Other Critical Habitat Present/Impacted:</b> | No  |
| <b>Scenic Rivers</b>   | No National Wild and Scenic River Within 1000 Feet of the Proposed Project Area |
| <b>Scenic Rivers Remarks</b>   |   |
| The project will not impact any federal or state Scenic Rivers.      |   |
| <b>Floodplains</b>   |   |
| <b>100-Year Floodplain:</b>  | Encroachment Within the SFHA is a Functionally Dependent Use                    |
| <b>EO 11988 Compliance Met</b>                                       | Yes   |
| <b>NFIP Coordination and Documentation Completed</b>                 | Yes   |
| <b>NFIP Local Floodplain Coordinator Notification Date:</b>          | 08/21/2024  |
| <b>Floodplain Remarks</b>  |   |



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Based on the Hydrology and Hydraulics Report conducted by E.L. Robinson Engineering of Ohio Co. (Jan. 2024) that is available under the Permits/Floodplain tab, the results of the 5-year hydraulic analyses shows that the starting water surface elevation (WSE) is below the low chord of the proposed bridge alternative. Thus, the proposed bridge alternative meets the criteria presented in Location & Design Manual, Volume 2 (LD2) Section 1006.3

The results of the 100-year hydraulic analyses shows that the WSE for the proposed 3-span steel beam bridge results in a minor lowering of the WSE when compared to the existing condition. This decrease converges to the existing WSE by the next upstream cross-section. There are no occupied structures within the 100-year floodplain. There is a minimal decrease in 100-year areal inundation caused by the proposed 3-span steel beam bridge. The proposed bridge alternative meets the criteria presented in LD2 Section 1006.3

Finally, the proposed 3-span steel beam bridge was compared to the existing condition. The proposed bridge results in a decrease of 0.05 feet in the 100-year WSE. Thus, the proposed structure meets the NFIP criterion for development within a FEMA SFHA Zone A.

Cleveland Metroparks coordinated with the City of Parma via a virtual meeting on November 9, 2023 at which time the City expressed no exceptions to the project. Additional floodplain coordination was conducted via emailed letter on August 21, 2024, available under the Permits/Floodplain tab.

Cleveland Metroparks will post the "Summary of Floodplain Impacts" document on the project's webpage at [www.clevelandmetroparks.com/planning](http://www.clevelandmetroparks.com/planning).

#### **Section 4(f)**

#### **Section 4(f):**

Present; No Programmatic  
Evaluation or Individual Evaluation  
Required

#### **Section 4(f) Determination:**

Transportation Enhancement Exception - 774.13(g)

#### **Section 4(f) Determination Date - 774.13(g)**

08/16/2024

#### **Section 4(f) Remarks**

A *Section 4(f)/6(f) Determination Request Form for Recreational Properties* (DRF) was submitted to ODOT-OES Policy Staff on 5/29/24. Based upon review of the DRF it was determined the proposed project can be processed as an exception to the requirement for Section 4(f) approval. In accordance with 23 CFR 774.13(g), the proposed project will preserve and/or enhance West Creek Greenway Trail and will not adversely affect the protected recreational activities, features, or attributes. This determination was made based on the proposed scope of work and concurrence received from the Official with Jurisdiction (OWJ).

No further Section 4(f) coordination is required at this time. A re-evaluation of Section 4(f) impacts may be required if changes to the proposed scope of work alter the degree of impacts to West Creek Greenway Trail. Furthermore, all appropriate environmental commitments related to measures to minimize harm and/or resulting mitigation should be listed accordingly in the environmental document.

#### **Section 6(f)**

#### **Section 6(f):**

Not present

#### **Cultural Resources**



**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** 06/21/2024

### **Cultural Resources Remarks**

The undertaking will construct a ten-foot-wide multi-use path in the Parma, Ohio neighborhood found about nine miles south of downtown Cleveland, Cuyahoga County, Ohio. The 2200-foot-long segment. The new path will extend from Camelot Drive to Broadview Road (SR 176) and through West Creek Reservation administered by Cleveland Metroparks. The path and a proposed bridge structure over West Creek will be built through open parkland. However, aerial photography and topographic mapping suggest the land was once at least partially developed. Approximately 20 years ago, the land was cleared and landscaped when commercial development occurred on the land immediately south of the proposed trail alignment. The occurrence of significant archaeological remains is unlikely. Additionally, the project will not involve any buildings and no relocations will be required. The literature search concluded there are no inventoried buildings (OHI) or no known archaeological sites (OAI) in the immediate study area. No listed or eligible historic properties found in the project area or in the area of potential effects (APE). The construction of pedestrian walkways and the installation of other pedestrian facilities are exempt from further cultural resource consideration by the 6/29/23 Cultural Resource PA (Agreement 38503), as long as the project is not within the boundary of a historic property and no contributing component of a NR district will be removed or altered by construction.

### **Environmental Resources Considered**

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

Regulated Materials

#### **Air Remarks**

This project is an Exempt Project per 40-CFR 93.126 (Exempt Project: Bicycle and pedestrian facilities). No air quality analysis is required.

#### **Noise 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.

**The project involves ROW acquisition, Deep Excavation, or OEPA 513 Landfill Authorization:** No

**Hazardous Materials - OES Approval Date:** 05/25/2024

#### **Regulated Materials Review Remarks:**

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

### **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 |
|----------------------|------------|--------------|
| 390351775031         | 5.3        | 16.5         |
| 390351775032         | 10.1       | 16.5         |

**Environmental Justice Remarks**

Based on mapping from TIMS, the minority populations are 0.5% for the US Census Block Groups located within the project area and 0.16% of the population is designated as low income.

The proposed project will have no disproportionately high and adverse effects to minority or low-income populations based upon the table above, the attached mapping, and the answers to the questions above. No concerns related to impacts on Environmental Justice 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, DOT Order 5610.2(a), and FHWA Order 6640.23A, no further analysis is required.

Based on the above findings an Environmental Justice Analysis Report is not required.

The proposed new multi-use path project will improve pedestrian or public transportation facilities.

The Census mapping may be found in the project file under Environmental Justice.

Residential/business relocations are not required to construct the project.

Pedestrian access will improve as pedestrian access does not currently exist in the project study area.

No concerns related to impacts on Environmental Justice populations were raised during the public involvement activities conducted for the proposed project.

**Public Involvement**

**Public Involvement:**

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

**Public Involvement Remarks**

Cleveland Metroparks conducted various public involvement activities for the project including issuance of Public Notification Letters to inform the public about the project and receive their comments. The letters were sent to nearby property owners on 3/14/2024 and information about the project was posted on Cleveland Metroparks' webpage with an online comment form available as well as email and phone contacts. The comment period ended 4/15/24. One public comment was received on 4/9/24 and was answered to the commentor and the question and answer also posted to the website. See the public involvement documentation for the project in Project File/Public Involvement/Project Information subsection.

Public Involvement Conclusion: No revisions to the project design have been made due to public comments. Cleveland Metroparks has decided to proceed with the project as currently designed.

**Environmental Commitments**

**Environmental Commitments**

Yes



## Ecological

### Wetlands

| ESR Name:                     | Wetland ID: | Hydrologic connection: | Wetland category: | Estimated total size (ac.): | Total estimated impact area by alternative (ac.): |
|-------------------------------|-------------|------------------------|-------------------|-----------------------------|---|
| CUY-West Creek Greenway Trail | 1504        | Adjacent               | Category 2        | 3.45                        | 0.070   |
|                               | 1505        | Adjacent               | Category 2        | 2.043                       | 0.050   |
|                               | 1512        | Adjacent               | Category 2        | 0.105                       | 0   |

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

Total impact to all wetlands (ac.): 0.120

Total acres of non-isolated wetlands impacted: 0.120

Total acres of isolated wetlands impacted: 0

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 Result in Serious Impacts to the Traveling Public and the General Welfare of the Economy in the Area.

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:**

Wetlands could not be avoided without impacting residential and commercial property adjacent to the project. See Aerial Map and Stage 2 plans. A bridge was built over wetland 1504 and West Creek to minimize impacts to the wetland. Wetlands were minimized during detailed design.

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



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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:**

Wetlands were minimized during detailed design. The following commitment was added to the NEPA document and will be added to the General Notes of the plans: Contractor must identify wetland boundaries along the construction limit and must install filter fabric and orange colored snow fencing to demarcate the wetland boundary to avoid additional impacts to wetlands.



## **Environmental Commitments**

### **C2**

- 1) Cleveland Metroparks to obtain waterway permit.
- 2) Wetland Boundaries must be on the project plans.
- 3) Contractor must identify wetland boundaries along the construction limit and must install filter fabric and orange colored snow fencing to demarcate the wetland boundary to avoid additional impacts to wetlands.



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### **Preparers and Approvals**

**Form Preparer:** Sara Maier  
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**Supporting Form Preparer(s):** Jason Earley  
Sara Maier

### **Approvals & Electronic Signatures**

|   |                       |
|---|-----------------------|
| <b>Approved &amp; Electronically Signed By:</b> | <b>Approval Date:</b> |
| Thomas Sorge (PROGRAM ADMIN 3)                  | 9/6/2024              |



## Appendix

### General

Aerial Map.pdf

County Map.pdf

FIRM 1.pdf

FIRM 2.pdf

STIP Listing.pdf

Stage 3 Design Bridge.pdf

Stage 3 Design Draft.pdf

Stage 3 Design Trail.pdf

USGS Quadrangle Topographical Map.pdf

### RMR

Regulated Materials Review Form.pdf

### Cultural Resources

HCRMP West Creek Reservation Map.pdf

Minimal Potential to Cause Effect - Appendix B

Section 106 Scoping Request Form.pdf

### Ecological

ODNR Scenic River MOA Conditions

USFWS/ODNR Ecological MOA Conditions

### Section 4(f)

Determination Request Form for Recreational Properties.pdf

### Environmental Justice

Census Mapping Revised.pdf

Census Mapping.pdf

### Public Involvement

Press Release.pdf

Public Notification Mailing List.pdf

Response to Public Comments.pdf

### Permits



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Correspondence with Local Floodplain Administrator.pdf

FEMA FIRM 1.pdf

FEMA FIRM 2.pdf

FEMA FIRMETTE.pdf

Floodplain Impacts.pdf

Hydrologic and Hydraulic Calculations.pdf

Local Floodplain Administrator Responses.pdf