



# OHIO DEPARTMENT OF TRANSPORTATION

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

## **Environmental Document**

for

## **CUY IR 480 17.69 Ramp W-S Slide PID 113582**

**Environmental Document Level: C2**

**Approved: 8/31/2023**

**Prepared By: District 12**

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*The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by ODOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated December 14, 2020, and executed by FHWA and ODOT.*

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**C2**

**Project Information**

**PID:** 113582  
**Project Sponsor:** ODOT SPONSORING AGENCY  
**ODOT District:** 12  
**Funding Source:** Federal

**Project Description:**

The Ohio Department of Transportation (ODOT) has proposed a repair the slope along the IR-480 ramp to IR-77 south in the City of Independence, Cuyahoga County. This project is necessary to address a slide caused by unnamed tributary to West Creek.

There will be no permanent and temporary right-of-way required for the project. Traffic will be maintained. The project proposes to impact approximately 0.005 acers of one wetland A. There is 0.00 acres of suitable wooded habitat (SWH) for bats is located within 100 feet from the edge of pavement. According to the USFWS, the project is not located within a known bat buffer. 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. Floodplain coordination was submitted to the City of Independence on 6/28/23. Any comments will be addressed before final design. No other environmental, cultural resources, hazardous materials, or environmental justice impacts will result from this project. The environmental document and associated studies are approved using Stage 1 design. A copy of the plans is included in the project file.

**The next phase of the proposed project is listed on the STIP:** No

**Remarks:**

The District 12 Maintenance Department will complete the project.

**Ellis STIP Details**

Phase	Current STIP Reference
ENV	On Previous STIP
CO	113582: 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**



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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
Waterways Permit Type:	Regional General Permit
Waterways Permit Approval Date	06/15/2023
Isolated Wetland Permit	No
Will any wetlands be impacted?	Yes



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

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

**Scenic Rivers Remarks**

Project is not within 1,000 feet of the a National or State Wild and Scenic River.

**Floodplains**

**100-Year Floodplain:** Encroachment Within the SFHA is a Functionally Dependent Use

**EO 11988 Compliance Met** Yes

**NFIP Coordination and Documentation Completed** Yes

**NFIP Local Floodplain Coordinator Notification Date:** 06/28/2023

**Floodplain Remarks**

Floodplain coordination with City of Independence initiated. Conditions of local floodplain coordinator to be addressed in final plans.

**Section 4(f)**

**Section 4(f):** Not present

**Section 4(f) Remarks**

No Section 4(f) properties are located within or adjacent the project limits.

**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 A

**Cultural Resources Coordination - ODOT Approval/SHPO Concurrence Date** 05/12/2023

**Cultural Resources Remarks**



A Cultural Resources Records Check was performed by district environmental staff using the SHPO GIS online database. No Cultural Resources listed on or determined eligible for listing on the National Register of Historic Places were identified within and/or immediately adjacent to the proposed project area. The undertaking is a type which has minimal potential to cause effects to historic properties. No further coordination is required in accordance with the Section 106 Programmatic Agreement. The Record Check 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**

The project is exempt from air quality analysis.

**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:** Yes - Screening

**Regulated Materials Review Screening:**

No Further Regulated Materials Review

**Regulated Materials Review Screening - DEC/OES Approval Date:** 08/31/2023

**Regulated Materials Review Remarks:**

The project does not involve new right-of-way or excavation greater than 6 feet. Therefore, the project RMR screening was approved on 8/31/23.

**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
151809	7	8

**Environmental Justice Remarks**



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Based on mapping from TIMS, the minority populations are 7% for the US Census Block Groups located within the project area and 8% 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, FHWA Order 6640.23A, no further analysis is required.

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

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

**Public Involvement**

**Public Involvement:**

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

**Public Involvement Remarks**

No public comments received. Public Information Office will media prior to start of work for any lane closures.

**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-480-17 .69	Wetland A	Adjacent	Category 1	0.005	0.005
	Wetland B	Adjacent	Category 1	1.279	0.00

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

Total impact to all wetlands (ac.): 0.005

Total acres of non-isolated wetlands impacted: 0.005

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 Not Correct Safety Hazards.

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:**

The Do Nothing alternative would allow the erosion to continue until it cut into the travel lanes on IR-480. The alternatives that avoid the wetlands do not meet the purpose and need of the project and working on the erosion will result in impacts to wetland.

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



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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:**

The wetland will need to be impacted in order to access the site. No alternative avoids impacting Wetland A.



## Environmental Commitments

### C2

- 1) Waterway permit must be included in the Special Provisions of the project plans.
- 2) Any comment from the Floodplain coordinator will be addressed in the project plans.
- 3) Aquatic resources adjacent to the project will be indicated on the plans, and the Contractor shall demarcate all aquatic resources in the field per SS 832 and the Waterway Permits Special Provisions. Areas marked for avoidance will not be impacted. In riparian areas, only the minimum amount of vegetated buffer necessary for work will be removed. Temporary and permanent fill materials will consist of suitable materials (excluding broken asphalt) free from toxic contaminants in other than trace quantities. Chromated Copper Arsenate and other pressure treated lumber shall not be used in structures placed within aquatic resources. An oil spill kit shall be located within 150 feet on any equipment working in an aquatic resource and shall be maintained for the life of the project.



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### Preparers and Approvals

**Form Preparer**

District 12  
Contact: Thomas Sorge  
216-584-2086  
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**Supporting Form Preparer(s):** Thomas Sorge

### Approvals & Electronic Signatures

Approved & Electronically Signed By:	Approval Date:
Mark Carpenter (TRANS ENGR 3)	8/31/2023



## **Appendix**

### **Ecological**

ODNR Scenic River MOA Conditions

USFWS/ODNR Ecological MOA Conditions

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

LWCF Grant Listing.pdf