



OHIO DEPARTMENT OF TRANSPORTATION

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

Environmental Document

for

CUY Valley Pkwy Bridge Rehab PID 118700

Environmental Document Level: C2

Approved: 7/11/2024

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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.

Table of Contents

C2.....	3
Environmental Commitments.....	10
Preparers and Approvals.....	11
Appendix.....	13



Environmental Document Level: C2
PID 118700 CUY Valley Pkwy Bridge Rehab
Approved: 7/11/2024

C2

Project Information

PID:	118700
Project Sponsor:	Cleveland Metroparks
ODOT District:	12
Funding Source:	Federal

C2 Section

Project Description:



Environmental Document Level: C2
PID 118700 CUY Valley Pkwy Bridge Rehab

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Cleveland Metroparks in coordination with the Ohio Department of Transportation (ODOT) proposes a project of rehabilitation of the Valley Parkway "Cedar Point" Bridge (SFN 1890182) over the Rocky River (west branch) in the Rocky River Reservation in the Cleveland Metroparks in Cuyahoga County. The project includes replacement of the superstructure with a composite prestressed concrete box beam superstructure and minor repairs to the abutments and piers.

The project does not include right-of-way. A full closure of the bridge is expected during construction. The southbound traffic on Valley Parkway will be detoured to Shepard Lane to Mastick Road to Columbia Road to Cedar Point Road to Lewis Road to Barrett Road to Stafford Road, and in reverse for the northbound detour.

The project proposes to impact approximately 96 linear feet of one stream, Rocky River. There is approximately 0.363 acres of suitable wooded habitat (SWH) for bats is located within 100 feet from the edge of pavement. However, no SWH is located within the construction limits of the project. According to the USFWS, the project is not located within a known bat buffer. A plan note will be included in the project plans to limit tree clearing between October 1 and March 31. There is no suitable habitat for any other federally or state listed species within the project area. Rocky River is a Group 1 stream according to the 2023 Ohio Mussel Survey Protocol. The mussel reconnaissance was conducted 9/29/23. No evidence of mussels. Evidence of current or recent swallow roosting and nesting was observed under the Cedar Point bridge spanning Rocky River within the Study Area. Approximately 15-20 swallow nests were noted on the downstream side of the bridge. Proposed work will involve the removal of these sections of the bridge, resulting in impact to the nests.

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. See the RMR documentation for the project in the Project File/ESA/Reports subsection.

The project is located within a Special Flood Hazard Area Zone A. Appropriate coordination with the local floodplain administrator needs to be completed for the project.

All Purpose Trail crosses Rocky River over the Valley Parkway bridge. The Bridle Trail fords the river southeast of the bridge. All Purpose Trail and Bridle Trail are recognized recreational properties and are afforded protection from adverse impacts. Section 4(f)/6(f) Determination Request Form for Recreational Properties (DRF) was submitted to ODOT-OES Policy Staff on April 15, 2024. Based upon review of the DRF it was determined a de minimis impact will occur to the Rocky River Reservation All Purpose Trail and Rocky River Reservation Bridle Trail in accordance with 23 CFR 774. The determination was made based on the proposed scope of work and concurrence received from the Official with Jurisdiction (OWJ) regarding the assessment of impacts that are included in the DRF. 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 impact to Rocky River Reservation All Purpose Trail and Rocky River Reservation Bridle Trail. See the Section 4(f) documentation for the Project File/Section 4(f)/Reports and Coordination subsection. The Rocky River Reservation is also recognized Section 6(f) property. ODOT-OES Policy Staff determined on April 24, 2024; the project can be proceeded as a Maintenance Type Project in accordance with Section B (1) of the Section 6(f) Memorandum of Understanding executed July 11, 2018.

No other environmental or Environmental Justice population impacts will result from this project.

Cleveland Metroparks conducted various public involvement activities for the project, including issuance of news release that posted on Cleveland Metroparks website on March 12, 2024, soliciting public comments on the proposed project. Also, letters sent to local stakeholders on March 13, 2024, to notify them of the maintenance of traffic plan. The public comments period ended March 29, 2024, only one comment received, and it was not related to the proposed project. All public involvement materials and documents have been uploaded to the Project File tab under Public Involvement.

The environmental document and associated studies are approved using Stage 3 design. A copy of the 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
CO	118700: 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:

(28) Bridge rehabilitation, reconstruction, or replacement or the construction of grade separation to replace existing at-grade railroad crossings, if the actions meet the constraints in 23 CFR 771.117(e). *Examples include: Railroad projects that close or relocate at-grade crossings*

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

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



Environmental Document Level: C2
PID 118700 CUY Valley Pkwy Bridge Rehab
Approved: 7/11/2024

Waterways Permit Type:	Permit Determination and/or Permit Application Approval Pending
Isolated Wetland Permit	No
Will any wetlands be impacted?	No
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	04/26/2024
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 project will not impact any scenic river.
Floodplains	
100-Year Floodplain:	Encroachment Within the SFHA is a Functionally Dependent Use
EO 11988 Compliance Met	No
NFIP Coordination and Documentation Completed	No
Floodplain Remarks	
The project is located within a Special Flood Hazard Area Zone A. Cleveland Metroparks will obtain the necessary floodplain permit prior construction.	
Section 4(f)	
Section 4(f):	Present; No Programmatic Evaluation or Individual Evaluation Required
Section 4(f) Determination:	
<i>de minimis</i> - Recreational	
Section 4(f) Determination Date - de minimis - Recreational	04/24/2024



Section 4(f) Remarks

All Purpose Trail crosses Rocky River over the Valley Parkway bridge. The Bridle Trail fords the river southeast of the bridge. All Purpose Trail and Bridle Trail are recognized recreational properties and are afforded protection from adverse impacts. Section 4(f)/6(f) Determination Request Form for Recreational Properties (DRF) was submitted to ODOT-OES Policy Staff on April 15, 2024. Based upon review of the DRF it was determined a de minimis impact will occur to the Rocky River Reservation All Purpose Trail and Rocky River Reservation Bridle Trail in accordance with 23 CFR 774. The determination was made based on the proposed scope of work and concurrence received from the Official with Jurisdiction (OWJ) regarding the assessment of impacts that are included in the DRF. 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 impact to Rocky River Reservation All Purpose Trail and Rocky River Reservation Bridle Trail. See the Section 4(f) documentation for the Project File/Section 4(f)/Reports and Coordination subsection. Furthermore, all appropriate environmental commitments related to measures to minimize harm and/or resulting mitigation are listed accordingly in the environmental commitment section.

Section 6(f)

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

Section 6(f) Determination: Maintenance

Section 6(f) Determination Date: 04/24/2024

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 04/03/2024

Cultural Resources Remarks

A Cultural Resources Records Check was performed 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 ORC 149.53 Appendix A. 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



Environmental Document Level: C2
PID 118700 CUY Valley Pkwy Bridge Rehab

Approved: 7/11/2024

This project is an Exempt Project per 40-CFR 93.126 (Exempt Project/Safety: Widening narrow pavements or reconstructing bridges (no additional travel lanes). No air quality analysis is required.

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.

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: 03/22/2024

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.

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
390351742072	13	28
390351381051	28	40

Environmental Justice Remarks



Environmental Document Level: C2
PID 118700 CUY Valley Pkwy Bridge Rehab

Approved: 7/11/2024

Based on mapping from TIMS, the minority populations are 13% - 28% for the US Census Block Groups located within the project area and 28% - 40% 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 shared-use path along North Marginal Road will serve a variety of purposes and will play an important role in terms of accessibility and equity for the environmental justice community. The new shared-use path will provide transportation and exercise opportunities for those walking, bicycling, or using other active modes on a safe facility separated from motor vehicles. These opportunities will not only provide a safe accessible route, but also reduce the negative impact on the environment, increase the health benefits for EJ communities who reside adjacent to the project area, increase social well-being benefits, and benefiting the economy.

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

Cleveland Metroparks conducted various public involvement activities for the project, including issuance of news release that posted on Cleveland Metroparks website on March 12, 2024, soliciting public comments on the proposed project. Also, letters sent to local stakeholders on March 13, 2024, to notify them of the maintenance of traffic plan. The public comments period ended March 29, 2024, only one comment received, and it was not related to the proposed project. All public involvement materials and documents have been uploaded to the Project File tab under Public Involvement. The Cleveland Metroparks have decided to proceed with the project.

Environmental Commitments

Environmental Commitments

Yes



Environmental Commitments

C2

- 1) The project designer shall incorporate the following plan note: Ensure impacts to the federally listed and protected Indiana bat and northern long-eared bat and the State listed and protected little brown bat and tricolored bat are avoided and minimized. Do not remove trees from April 1 through September 30. Perform all necessary tree removal from October 1 through March 31. Demarcate clearing limits in the field to avoid any unauthorized tree clearing. 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.
- 2) The Project Designer shall incorporate the following note into plans: Due to the known presence of Swallows's nests within the project area, the Contractor shall remove all inactive bird nests on substructure of the bridge and the site will have to be monitored for nesting this spring. The contractor shall not harm or kill any birds. If any bird nest is found on the bridge within the project work limits, crews shall wait until the species has moved off the project site unharmed before work can continue.
- 3) The Project Designer shall incorporate the following note into the plans: Valley Parkway outside the construction limits will be maintained. Traffic will be detoured during construction via a signed detour route.
- 4) The Project Designer shall incorporate the following note into the plans: Access to the All purpose Trail outside of the construction limits will be maintained.
- 5) The Project Designer shall incorporate the following note into the plans: Access to the Bridle Trail outside the construction limit will be maintained.
- 6) The Project Designer shall incorporate the following note into the plans: Temporary construction fencing will be installed where necessary to protect the section 4(f) property and the public.
- 7) The Project Designer shall incorporate the following note into the plans: Appropriate signage shall be installed along the proposed construction limit prior to the start of construction activities to protect the existing Section 4(f) property and the public.
- 8) The Project Designer shall incorporate the following note into the plans: Any disturbed areas will be restored to a condition at least as good as existing conditions.
- 9) The Project Designer shall incorporate the following note into the plans: The Contractor shall be required to closely coordinate the construction schedule with Cleveland Metroparks prior to the start of construction activities.
- 10) Cleveland Metroparks will obtain all appropriate waterway permits prior to any work within the jurisdictional boundary of any waterway, including wetlands, and all applicable waterway permits will be included in the plans and adhered to during construction.
- 11) Cleveland Metroparks will obtain a floodplain permit prior to earth disturbing activities.



Environmental Document Level: C2
PID 118700 CUY Valley Pkwy Bridge Rehab
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Preparers and Approvals

Form Preparer: Sumia Mohamed
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Supporting Form Preparer(s): Andrew Fluegemann

Approvals & Electronic Signatures

Approved & Electronically Signed By:	Approval Date:
Thomas Sorge (PROGRAM ADMIN 3)	7/11/2024



Appendix

General

Aerial Map.pdf

County Map.pdf

USGS Quadrangle Topographical Map.pdf

RMR

Regulated Materials Review Screening Form.pdf

Cultural Resources

Records Check Northern Half.docx

Records Check Southern Half.docx

Records Check.docx

Ecological

ODNR Comments

ODNR Concurrence - Mussel Survey.pdf

ODNR Scenic River MOA Conditions

USFWS/ODNR Ecological MOA Conditions

Other Resources

Census Bureau Urbanized Area Map.pdf

Water Source Protection Area Map.pdf

Well Log Data.pdf

Section 4(f)

Cleveland Metroparks OWJ Concurrence letter.pdf

OES Recreational 4(f) Determination.pdf

Section 6(f)

OES Approval - Maintenance.pdf

Environmental Justice

Census Mapping.pdf

Public Involvement

Press Release - updated.pdf

Press Release Website posting.pdf



Environmental Document Level: C2
PID 118700 CUY Valley Pkwy Bridge Rehab
Approved: 7/11/2024

Press Release.pdf

Public Comments Received.pdf

Response to Public Comments.pdf

Stakeholder Contact List.pdf

Stakeholder Notification.pdf

Permits

Coordination with Local Floodplain Administrator.pdf

FEMA FIRM.pdf