



OHIO DEPARTMENT OF TRANSPORTATION

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

Environmental Document

for

CUY Garfield Parkway Bridge PID 119873

Environmental Document Level: C2

Approved: 9/12/2024

Prepared By: Jim Burns

AECOM

Phone: 216-622-2396

E-mail: jim.burns@aecom.com

District Contact: Thomas Sorge

Phone: 216-584-2086

E-mail: Tom.Sorge@dot.ohio.gov

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:	119873
Project Sponsor:	Cleveland Metroparks
ODOT District:	12
Funding Source:	Federal

C2 Section

Project Description:

Cleveland Metroparks proposes to replace the box beam culvert that carries Garfield Parkway over Mill Creek within the Garfield Park Reservation. This box beam culvert will be replaced with another concrete box culvert that is approximately 200 ft shorter. Since the culvert is being shortened, the stream will be restored (daylighted) for 200 ft downstream of the structure.

The following are the main project improvements that will be implemented:

- The existing culvert will be replaced with a similar culvert from the upstream point at Junction Chamber #3 of the construction plans for the ODOT PID 104132; CUY-14-06.93 project to a point downstream of Garfield Parkway where a full height headwall can be placed which is beyond the clear zone grading limit of Garfield Parkway vehicular traffic so as not to require guardrail.
- The remainder of the length of Mill Creek downstream of the new headwall to the project limit will receive stream restoration.
- The existing typical section of Garfield Parkway and the adjacent path will be replicated, including reuse of the existing sandstone curbing. Existing drainage patterns will not be altered.

The project is located within a regulated floodplain. Coordination was conducted with the local floodplain administrator on March 7, 2024. The project will be designed to meet the requirements of the National Flood Insurance Program. Approximately 0.33 acres of suitable wooded habitat for the federally protected Indiana bat and northern long-eared bat, and state protected tricolored bat and little brown bat all within 100' EOP will be impacted by the project. The project is not located within a USFWS bat buffer zone. The project may affect not likely to adversely affect these species. A plan note will be included in the project plans to limit tree clearing to between October 1 & March 31. There is no suitable habitat for any other federally or state listed species within the project area.

No cultural resources impacts, no hazardous materials impacts, no noise or air quality impacts, or impacts to underserved populations are associated with this project.

The environmental document and associated studies are being 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	119873: 24-27 STIP



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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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Waterways Permit Type:

Permit Determination and/or Permit
Application Approval Pending

Isolated Wetland Permit

No

Will any wetlands be impacted?

Yes

The following Federally Listed Species received an effect determination of May Affect, Not Likely to Adversely Affect:

Species Common Name	Species Scientific Name	Listing Status	Most Recent Coordination Date
Indiana Bat	<i>Myotis sodalis</i>	Endangered	04/02/2024
Northern Long-eared Bat	<i>Myotis septentrionalis</i>	Endangered	04/02/2024
Tricolored Bat	<i>Perimyotis subflavus</i>	Proposed Endangered	04/02/2024

The following Federally Listed Species received an effect determination of No Effect:

Species Common Name	Species Scientific Name	Listing Status	Most Recent Coordination Date
Bald Eagle	<i>Haliaeetus leucocephalus</i>	Species of Concern	04/02/2024
Piping Plover	<i>Charadrius melodus</i>	Endangered	04/02/2024
Rufa Red Knot	<i>Calidris canutus rufa</i>	Threatened	04/02/2024

Endangered Species Remarks:

Approximately 0.33 acres of suitable wooded habitat for the federally protected Indiana bat and northern long-eared bat, and state protected tricolored bat and little brown bat all within 100' EOP will be impacted by the project. The project is not located within a USFWS bat buffer zone. The project may affect not likely to adversely affect these species. A plan note will be included in the project plans to limit tree clearing to between October 1 & March 31. There is no suitable habitat for any other federally or state listed species within the project area.

According to StreamStats, Mill Creek has a drainage area of 9.3 square miles at the existing culvert outlet. According to the *Ohio Mussel Survey Protocol* (April 2023), Mill Creek is not listed as a Group 1 to 4 stream. Therefore, as an unlisted stream with a drainage area over five square miles, a reconnaissance survey using the *Reconnaissance Survey for Unionid Mussels* (Appendix B of the *Protocol*) is required.

A mussel reconnaissance survey was conducted on May 16, 2024. After thorough inspection of the stream bed, banks, and adjacent depositional areas, no evidence was found to indicate the presence of native freshwater mussels within the limits of the survey areas. Based on this survey effort, no federal or state-listed are present within the survey area of CUY-Gar old Parkway Bridge Project footprint. Therefore, no freshwater mussels would be impacted by the proposed project. The mussel reconnaissance survey report is in the Project File under Ecological/Reports.

Scenic Rivers

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

Scenic Rivers Remarks

No National Wild and Scenic Rivers are known from the project area.

Floodplains



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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:

03/07/2024

Floodplain Remarks

The project is located within a regulated floodplain. Coordination was conducted with the local floodplain administrator on March 7, 2024. Documentation of this coordination is in the Project File under Permits/Floodplain. The project will be designed to meet the requirements of the National Flood Insurance Program.

Section 4(f)

Section 4(f):

Present; No Programmatic
Evaluation or Individual Evaluation
Required

Section 4(f) Determination:

Temporary No Use Exception - 774.13(d)

Section 4(f) Determination Date - 774.13(d)

07/25/2024

Section 4(f) Remarks

The replacement of the culvert as described in the Project Description will result in temporary impacts to 1.23 acre of Garfield Park Reservation. It will also result in the permanent restoration (via daylighting) of 254 linear feet of Mill Creek, an ecological enhancement. The grading required to accomplish this stream restoration will fill 0.006 acre of Category 2 palustrine forested wetland.

Access to the Section 6(f) property, Garfield Park Reservation, will be maintained at all times during construction activities, with the exception of the area within the proposed construction limits. Furthermore, the type of work is designed to enhance the property and will not change the use of land from recreational to transportation.

An approved Section 4(f)/6(f) Determination Request Form for Recreational Properties that includes concurrence correspondence from Cleveland Metroparks and the City of Cleveland, the two Owners With Jurisdiction for the property are in the Project File under Section 4(f)/Reports. Section 4(f)-specific public involvement is also documented in that form. A Section 4(f) approval email, dated 7/25/24, is included in the Project file under Section 4(f)/Coordination.

Section 6(f)

Section 6(f):

Present; No 6(f) Conversion
Required

Section 6(f) Determination:

Maintenance

Section 6(f) Determination Date:

07/25/2024

Cultural Resources

Cultural Resources:

Not Present



**Cultural Resources Coordination - ODOT Approval/SHPO
Concurrence Date**

03/26/2024

Cultural Resources Remarks

A Scoping Request Form for the project was submitted via EnviroNet on March 25, 2024. On March 26, 2024, ODOT OES found:

The undertaking is limited to the replacement of the Garfield Parkway bridge found in the Garfield Heights neighborhood 6.5 mile southeast of downtown Cleveland, Cuyahoga County, Ohio. The bridge carries the park roadway over Mill Creek. The existing 24-foot concrete culvert will be replaced in-kind on the existing line and grade. The construction area will extend across parkland previously disturbed by erosion and extensive channelization efforts. The project area is surrounded by developed parkland and transportation facilities including a roadway viaduct. The project will not involve any buildings 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). Furthermore, the Mill Creek corridor is reported to have been previously surveyed for cultural resources with negative results. The existing bridge (SFN 1890808) is a Type 119N Concrete Culvert Filled structure built in 1930. The construction date and TIMS mapping indicates the bridge is not historic and the structure is not considered eligible for the National Register based on the Ohio DOT Historic Bridge Inventory (accepted April 28, 2010). The replacement of non-historic bridges and minor roadway rehabilitation projects requiring additional minor right-of-way are activities exempt from further cultural resource consideration by the 6/29/23 Cultural Resource PA (Agreement 38503), if the project is not within the boundaries of any historic property or N. R. district.

In accordance with Stipulation V(C)(1) and Appendix B of the Section 106 Programmatic Agreement executed on June 29, 2023 (Agreement No. 38503), ODOT-OES has determined that the proposed project is a type of undertaking that has 'minimal potential to cause effects' to historic properties and is not a part of a larger undertaking.

Environmental Resources Considered

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

Regulated Materials

Air Remarks

The project is an Air Quality Exempt Project, it is considered insignificant from an air quality conformity perspective. It will have no air quality impacts.

Noise Remarks

Since the Project:

- does not involve the construction of a highway on new location;
- does not involve alteration of an existing highway which significantly changes either the horizontal (i.e. 50% closer to receptor) or vertical alignment;
- does not increase the number of through-traffic lanes;
- does not add an auxiliary lane;
- does not negatively affect the shielding of an existing roadway;
- does not restripe existing pavement for an added thru lane or auxiliary lane;
- does not add or substantially alter a weigh station, rest stop, rideshare lot, or toll plaza; or
- does not cause a major change in vehicle mix;

Noise analysis is not required for the project.



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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:

03/14/2024

Regulated Materials Review Remarks:

The subject project is immediately south and west of CUY-SR 14-6.93 Replace PID: 104132 and both projects will be combined to sell as a single construction project. The CUY-SR 14-6.93 Replace PID: 104132 is in the process of having a RMR Investigation due to the Garfield Alloys being within this project. Because of this, the subject project will not require further RMR. However, the RMR Investigation results for CUY-SR 14-6.93 Replace PID: 104132 will be used to determine if CUY-Garfield Parkway Bridge PID: 119873 will require material management during construction. This has been made an environmental commitment.

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
390351542002	57	51

Environmental Justice Remarks

Although the project is in a Census Block Group with 57 percent minority and 51 percent low income, the nature of the project (culvert replacement and stream daylighting within a Metropark) precludes environmental justice population impacts. 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 and the attached mapping. 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 and the attached mapping. 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. The Census mapping may be found in the project file under Environmental Justice/Project Information.

Public Involvement



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Public Involvement:

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

Public Involvement Remarks

A website project announcement as well as a press release were posted to the Cleveland Metroparks website on March 28, 2024. Both the announcement and the press release provided means for the public to comment on the project and requested those comments be submitted by April 29, 2024, thus allowing a 30+ day comment period. One comment was received via Cleveland Metroparks' project online comment form. The commenter asked: Will access to the all purpose trail south/east of the culvert still be possible by going under the bridge under Broadway/Henry St. by Baumann Recycling? Cleveland Metroparks responded to the commenter via email, explaining that there will no longer be access between Chaincraft Rd. below the Henry Street Bridge and Garfield Park Reservation at that location. Printouts of these three documents are included in the project file as Public Involvement/Project Information/CMP Website Announcement, Public Involvement/Project Information/Press Release, and Public Involvement/Project Information/Public Comment Received and Response, respectively.

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-Garfield Parkway Bridge	Wetland A	Adjacent	Category 2	0.16	0.01

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

Total impact to all wetlands (ac.): 0.01

Total acres of non-isolated wetlands impacted: 0.01

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 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:

The proposed replacement of the culvert will fill 0.01 acre of a 0.16 acre Category 2 palustrine forested wetland. However, the proposed action will also result in the permanent restoration (via daylighting) of 254 linear feet or 0.12 acre of Mill Creek, an ecological enhancement. It is believed by the project owner (Cleveland Metroparks) that the ecological benefits of the stream restoration outweigh the extremely minor wetland impacts.

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



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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:

Complete avoidance of wetland impacts is not possible with this project. Project design has minimized impacts to the extent practicable. Since the wetland impact is well under 0.1 acre, no compensatory mitigation is required for this impact. The remaining wetland will be protected from inadvertent impact by the placement of orange construction fencing along the project construction limits. The orange fencing is shown in the final tracing plan set.



Environmental Commitments

C2

- 1) Waterway permits required
- 2) Tree clearing will be limited to between October 1 & March 31.
- 3) The RMR Investigation results for CUY-14-6.93 Replace (PID 104132) will be used to determine if CUY-Garfield Parkway Bridge (PID 119873) will require material management during construction.
- 4) Summary of floodplain impacts Post on ODOT website
- 5) NOI for stormwater required.
- 6) To ensure that the integrity of wetland to remain after the minor construction impact, the contractor will place orange construction fencing along the project construction limits. The orange fencing is shown in the final tracing plan set.



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Preparers and Approvals

Form Preparer: Jim Burns
AECOM
1375 Euclid Avenue Suite 500, Cleveland OH 44114
216-622-2396
jim.burns@aecom.com

Supporting Form Preparer(s): Christopher Papp
Charlotte Stallone

Approvals & Electronic Signatures

Approved & Electronically Signed By:	Approval Date:
Thomas Sorge (PROGRAM ADMIN 3)	9/12/2024



Appendix

General

Aerial Map.pdf

County Map.pdf

USGS Quadrangle Topographical Map.pdf

RMR

OES Review - Screening Approval with commitment.pdf

OES Review - Screening.pdf

Cultural Resources

Minimal Potential to Cause Effect - Appendix B

Records Check.pdf

Ecological

ODNR Scenic River MOA Conditions

USFWS/ODNR Ecological MOA Conditions

Section 6(f)

ODNR Informal Consultation Response PID 104132.pdf

Environmental Justice

Census Mapping.pdf

Public Involvement

CMP Website Announcement.pdf

Press Release.pdf

Public Comment Received and Response.pdf

Permits

Coordination with Local Floodplain Administrator.pdf