



OHIO DEPARTMENT OF TRANSPORTATION

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

Environmental Document for **CUY CR 008 0.77 (Lee Road) PID 120683** Environmental Document Level: C2

Approved: 11/21/2024

Prepared By: Sumia Mohamed

Lawhon AND Associates Inc.

E-mail: smohamed@lawhon-assoc.com

District Contact: Corey Czinger

Phone:

E-mail: Corey.Czinger@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.

Table of Contents

C2.....	3
Ecological.....	9
Environmental Commitments.....	11
Preparers and Approvals.....	12
Appendix.....	13



Environmental Document Level: C2
PID 120683 CUY CR 008 0.77 (Lee Road)
Approved: 11/21/2024

C2

Project Information

PID:	120683
Project Sponsor:	CUYAHOGA COUNTY ENGINEER
ODOT District:	12
Funding Source:	Federal

C2 Section

Project Description:



Environmental Document Level: C2
PID 120683 CUY CR 008 0.77 (Lee Road)

Approved: 11/21/2024

Cuyahoga County Department of Public Work (CCDPW) in coordination with Department of Transportation (ODOT) proposes to rehabilitate the Lee Road Bridge (CR-8-0.77) bridge (SFN 1833987) over Mill Creek in Maple Heights in Cuyahoga County. Bridge maintenance includes removal and replacement of existing composite concrete deck, repairing the existing precast concrete box beams, repairing portions of the existing backwalls and portions of the existing approach slabs.

Temporary and permanent right-of-way is required for this project. Utility impacts are unlikely. During construction, Lee Road will be closed. The official northbound detour is expected to reroute traffic to Libby Road, to Warrensville Center Road, to Interstate 480, and reverse for southbound traffic. Currently construction scheduled to begin in fall 2025 and is expected to last for twelve months. Construction: \$5,481,750.00: 80% federal, 20% local match. The project has been designed by Euthenics Inc.

The project proposed to impact approximately 103 linear feet of one stream, Mill Creek. Approximately a total of 0.001 acres of Wetland A will be impacted. There is approximately 0.226 acres of suitable wooded habitat (SWH) for bats is located within 100 feet from the edge of pavement. However, no SWH is located within 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 species within the project area.

Based on the information in the Regulated Materials Review (RMR) Form completed for the project, no further RMR or special material management is warranted for the project. RMR approval was on June 10, 2024. RMR Form and approval documents are available in Project File/RMR/Reports & Coordination subsections.

The project is located within a Special Flood Hazard Area Zone AE. LD-53 form was submitted to the Local Floodplain Coordinator on May 10, 2024, informed them of the project and described that the work involved is considered maintenance that does not change the alignment, grade, or hydraulic capacity of the existing structure.

No other environmental, hazardous materials, or environmental justice impacts will result from this project.

Cuyahoga County Department of Public Work (CCDPW) issued a press release posted on CCDPW website on October 31, 2024, soliciting public comments on the proposed project. The public comment period will end December 2, 2024. An email sent to stakeholders on May 10, 2024, notifying them about the project and detour plan and soliciting their feedback. The City of Maple Heights met with local emergency and services, who provided comments on proposed Maintenance of Traffic (MOT) plans requesting to consider reworking the MOT plans. Press release, stakeholders' notification emails and their related comments are included in the Project File/Public Involvement subsection. ODOT has determined to proceed with the project as currently designed.

Construction: \$1,765,500.00: 80% federal and 20% local. The estimated construction cost specified in Ellis is the same as the construction cost specified in ODOT's Fiscal Year (FY) 2024-2027 Statewide Transportation Improvement Program (STIP).

The project has been designed by Euthenics.

The environmental document and associated studies are approved using Stage 1 Design plan. A copy of the plans is included in the Project File/General/Project Information subsection.

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

Ellis STIP Details

Phase	Current STIP Reference
CO	120683: 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

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	08/14/2024
Northern Long-eared Bat	<i>Myotis septentrionalis</i>	Endangered	08/14/2024



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	Haliaeetus leucocephalus	Species of Concern	08/14/2024
Piping Plover	Charadrius melodus	Endangered	08/14/2024
Rufa Red Knot	Calidris canutus rufa	Threatened	08/14/2024
Tricolored Bat	Perimyotis subflavus	Proposed Endangered	08/14/2024

Endangered Species Remarks:

There is approximately 0.226 acres of suitable wooded habitat (SWH) for bats is located within 100 feet from the edge of pavement. However, no SWH is located within 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.

Scenic Rivers

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

Scenic Rivers Remarks

Project will not impact any 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:

05/10/2024

Floodplain Remarks

LD-53 form was submitted to the Local Floodplain Coordinator on May 10, 2024, informed them of the project and described that the work involved is considered maintenance that does not change the alignment, grade, or hydraulic capacity of the existing structure. Copy of the Letter of Notification of SFHA Exemption included in Project File/Permits/subsection Floodplains.

Section 4(f)

Section 4(f):

Not present

Section 4(f) Remarks

No Section 4(f) impacts.

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**

06/10/2024

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. Therefore, in accordance with Stipulation V(C)(1) and Appendix B of the Section 106 Programmatic Agreement executed on November 8, 2017 (Agreement No. 19319). See the cultural resources documentation for the project in the Project File/Cultural Resources/Project Information subsection and the Cultural Resources Tab.

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/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:

06/10/2024

Regulated Materials Review Remarks:

Based on the information in the Regulated Materials Review (RMR) Form completed for the project, no further RMR or special material management is warranted for the project. RMR Form and approval documents are available in Project File/RMR/Reports & 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
390351711031	82	63
390351711033	88	52

Environmental Justice Remarks

Based on mapping from TIMS, the minority populations are 82%-88% for the US Census Block Groups located within the project area and 52% - 63% of 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 Census mapping may be found in the Project File under Environmental Justice subsection.

Public Involvement

Public Involvement:

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

Public Involvement Remarks

Cuyahoga County Department of Public Work (CCDPW) issued a press release posted on CCDPW website on October 31, 2024, soliciting public comment on proposed project. Public comment period will end December 2, 2024. An email sent to the stakeholders on May 10, 2024, notifying them about the project and the detour plan soliciting their feedback. Also, the City of Maple Heights met with local emergency and services, who provided comments on proposed Maintenance of Traffic (MOT) plans requesting to consider reworking the MOT plans. Press release, stakeholders' notification email and their comments are included in the Project File/Public Involvement subsection Project Information.

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-CR 8-0.77	Wetland A	Adjacent	Modified Category 2	0.005	0.001

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

Total impact to all wetlands (ac.): 0.001

Total acres of non-isolated wetlands impacted: 0.001

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 or Projected Capacity Deficiencies.

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 Do Nothing alternative would not correct the condition of the existing bridge. The Do Nothing alternative would result in the roadway being closed due to the condition of the bridge leading to serious impacts to the traveling public and the general welfare of the economy in the area.

Avoidance of impacts is not possible due to the wetlands being located where bridge maintenance is needed. Avoidance of impacts does not meet the identified need of the project (maintenance of the bridge) and will result in substantial social and economic impacts resulting from the roadway being closed due to the condition of the bridge over Mill Creek. Impacts to wetlands will be minimized to the extent practicable. While the impact will likely be considered permanent for the purposes of CWA waterway permitting, it is also likely that the wetland will recover within the construction limits following construction. As such, it is not feasible to consider costly extraordinary measures or construction practices to avoid this wetland and still meet the purpose and need of the



Environmental Document Level: C2
PID 120683 CUY CR 008 0.77 (Lee Road)

Approved: 11/21/2024

project.

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 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:

Minor impacts to wetlands are necessary to implement the project. These impacts will be accounted for in the CWA waterway permitting process and necessary impact minimization measures implemented during construction.



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) Public comments (if received) will be addressed and uploaded to EnviroNet once the comment period is complete.
- 3) 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.
- 4) 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.



Environmental Document Level: C2
PID 120683 CUY CR 008 0.77 (Lee Road)
Approved: 11/21/2024

Preparers and Approvals

Form Preparer: Sumia Mohamed
Lawhon AND Associates Inc.
smohamed@lawhon-assoc.com

Supporting Form Preparer(s): Nicholas Viau
Susan Daniels

Approvals & Electronic Signatures

Approved & Electronically Signed By:	Approval Date:
Thomas Sorge (PROGRAM ADMIN 3)	11/21/2024



Appendix

General

Aerial Map.pdf
Correspondence Related to Utility Coordination.pdf
County Map.pdf
USGS Quadrangle Topographical Map.pdf

RMR

OES Review - Asbestos Survey.pdf
OES Review - Screening.pdf
Regulated Materials Review Form.pdf

Cultural Resources

Minimal Potential to Cause Effect - Appendix B
Records Check.pdf

Ecological

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 6(f)

LWCF Grant Listing.pdf

Environmental Justice

Census Mapping.pdf

Public Involvement

Correspondence with Stakeholders.pdf
Press Release.pdf

Permits

Coordination with Local Floodplain Administrator.pdf
FEMA FIRM.pdf