



# OHIO DEPARTMENT OF TRANSPORTATION

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

## **Environmental Document** for **CUY SR 014 12.12E PID 13184** Environmental Document Level: C2

**Approved: 11/3/2022**

**Prepared By: Libby Rushley**

Lawhon AND Associates

E-mail: lrushley@lawhon-assoc.com

District Contact: Mark Carpenter

Phone: 216-584-2089

E-mail: Mark.Carpenter@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**

**PID:** 13184  
**Project Sponsor:** ODOT SPONSORING AGENCY  
**ODOT District:** 12  
**Funding Source:** Federal  
**Private Funding:** No

**Project Description:**

The Ohio Department of Transportation in cooperation with the city of Bedford proposes to replace the deficient bridge on SR 14E (Union Street) over Tinker's Creek in the City, Cuyahoga County. The existing filled arch structure will be replaced with a prestressed concrete I-beam superstructure with semi-integral abutments and turnback wingwalls founded on drilled shafts and the roadway approaches will also be replaced.

The project will require closure of SR 14E Union Street for approximately 12 months. A detour will be provided from SR 8 north to Rockside Road to SR 14 (Broadway Ave.) or SR 14 (Broadway Ave. to Forbes Road.

Permanent right-of-way will be required from 4 parcels and temporary right-of-way will be required from 2 parcels. Some utility impacts are anticipated.

One stream (Tinker's Creek) will have approximately 95 linear feet of impact due to the bridge replacement and will require a USACE permit. No wetlands will be impacted. Approximately 0.14 acres of suitable wooded habitat (SWH) for the federally protected Indiana bat and northern long-eared bat, and state protected tricolored bat and little brown bat will be impacted all within 100' EOP. 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. These impacts are described in the Ecological section. There is no suitable habitat for any other federally or state listed species within the project area. Coordination with USFWS and ODNR was completed on November 3, 2022.

The project is located within a regulated floodplain. Coordination was initiated with the local floodplain administrator on August 31, 2022. The project will be designed to meet the requirements of the National Flood Insurance Program.

The project is located adjacent to the Cleveland Metroparks' Bedford Reservation, a protected Section 4(f) and Section 6(f) resource. However, the project will not require temporary or permanent impacts to this resource, therefore, Section 4(f)/Section 6(f) coordination does not apply. See the ROW Exhibit in the Project File/ Section 4(f).

An Asbestos Report was completed on 12/9/18 and no ACM was identified on the bridge. A plan note will be included in the final plan prior to bidding the project. Notification forms will be given to the contractor.

No other environmental, cultural resources, hazardous materials, or underserved population impacts will result from this project.

Letters were sent to adjacent property owners on September 9, 2022 providing notification of the project and an opportunity to comment on the project. No comments were received. ODOT has decided to proceed with the project as currently designed.

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

**STIP Reference #:**

13184: 21-24 STIP



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 right-of-way
2. b. Residential or non-residential displacements
3. c. A Coast Guard, Individual Section 404 and/or a Section 10 permit
4. d. A Section 106 finding of *Adverse Effect*
5. e. A Section 4(f) Programmatic or Individual Evaluation
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. If an EJ Analysis Report is required, the project must be processed as a D-level CE or higher level document

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.

<b>Waterways:</b>	Present; No Coast Guard, Individual 404, and/or Section 10 Permit required
<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>	No
<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>	11/03/2022



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**Endangered Species - Critical Habitat Present/Impacted**

Indiana bat

Northern long-eared bat

**Endangered Species - Other Critical Habitat Present/Impacted:** No

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

**EO 11988/NFIP Coordination and Documentation Completed:** Yes

**NFIP Local Floodplain Coordinator Notification Date:** 08/31/2022

**Section 4(f):** Present; No Impacts and/or Access Restrictions

**Section 6(f):** Present; No Impacts and/or Access Restrictions

**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** 08/22/2022

Since no Tribe was interested in this project based on their customized preferences, no further Tribal consultation was conducted.

Projects that meet C2 criteria are not anticipated to have impacts to the following environmental resources. If resources are present, documentation is only required if there is a potential for impacts.

**Air Quality:** Studies Not Required

**Air Quality - Coordination with OES:** No

**Noise:** Studies Not Required

**Noise Coordination - OES Approval Date:** 11/01/2022

**Hazardous Materials - ESA Screening Conducted** Yes

**Hazardous Materials - OES Approval Date:** 11/01/2022

**Phase I ESA Warranted Based on Coordination with OES:** No Further Studies Warranted

**Farmland:** Urbanized Area; No Impacts in Accordance With the Farmland MOU and 7 CFR 658

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

Projects that meet C2 criteria must be in accordance with ODOT's UP Guidance and activities conducted for Public Involvement are commensurate to the project's type and scope of work.



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**Underserved Populations**

Present; No UPIAR Required, Does Not Exceed UP Guidance Criteria, and No Issues Raised During Public Involvement

**Identified Underserved Populations**

Census Block Group #	% Minority	% Low Income	% Older Adults	% Limited English Proficiency (LEP)
390351323021	45	46	19	1

**Underserved Populations Remarks**

According to the ODOT's TIMS, the EJ population percentages are low in the project area. The Minority population is 45 percent. The Low Income population is 46 percent. The older adult population is 19 percent and the Limited English Proficiency (LEP) is 1 percent population.

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, the attached mapping, and the answers to the questions above. 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, the attached mapping, and the answers to the questions above. 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 Underserved Populations.

**Public Involvement:**

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

**Environmental Commitments**

Yes



## Environmental Commitments

### C2

1) ODOT will obtain all appropriate waterway permits prior to any work within the jurisdictional boundary of any waterway, including wetlands, and all Waterway Permit Special Provisions will be noted under Special Provisions in the plans and adhered to during construction.

2) Ensure that all local floodplain requirements have been met prior to the start of construction.

3) The following plan note will be included in the project plans:

#### ASBESTOS NOTIFICATION

A CERTIFIED ASBESTOS HAZARD EVALUATION SPECIALIST SURVEYED THE BRIDGE STRUCTURE SCHEDULED FOR DEMOLITION AND/OR REHABILITATION; THE SURVEY DETERMINED THAT NO ASBESTOS IS PRESENT ON THE BRIDGE STRUCTURE.

ODOT SHALL PROVIDE A COPY OF THE OHIO ENVIRONMENTAL PROTECTION AGENCY (OEPA) NOTIFICATION OF DEMOLITION AND RENOVATION FORM, PARTIALLY COMPLETED AND SIGNED BY THE BRIDGE OWNER, TO THE SUCCESSFUL BIDDER. THE CONTRACTOR SHALL COMPLETE THE FORM AND SUBMIT IT TO ONE OF THE ADDRESSES BELOW AT LEAST TEN (10) WORKING DAYS PRIOR TO THE START OF ANY DEMOLITION AND/OR RENOVATION.

ASBESTOS PROGRAM OHIO EPA, DAPC  
P.O. BOX 1049  
COLUMBUS, OH 43216-1049

OR

ASBESTOS PROGRAM OHIO EPA, DAPC  
50 W. TOWN ST., SUITE 700  
COLUMBUS, OH 43215

THE CONTRACTOR SHALL PROVIDE A COPY OF THE COMPLETED FORM TO THE ENGINEER AT LEAST TEN (10) WORKING DAYS PRIOR TO THE START OF ANY DEMOLITION AND/OR RENOVATION. THE FORM SHALL INCLUDE: 1) THE CONTRACTORS NAME AND ADDRESS, 2) THE SCHEDULED DATES FOR THE START AND COMPLETION OF THE BRIDGE REMOVAL AND 3) A DESCRIPTION OF THE PLANNED DEMOLITION WORK AND THE METHOD(S) TO BE USED. COPIES OF THE OEPA FORM AND BRIDGE INSPECTION REPORT ARE AVAILABLE FOR REVIEW AT [THE ODOT DISTRICT 11 OFFICE, 2201 REISER AVENUE, NEW PHILADELPHIA, OHIO 44663].

BASIS FOR PAYMENT THE CONTRACTOR SHALL FURNISH ALL FEES, LABOR, AND MATERIAL NECESSARY TO COMPLETE AND SUBMIT THE OEPA NOTIFICATION FORM. PAYMENT FOR THIS WORK SHALL BE INCLUDED IN ITEM 202 PORTIONS OF STRUCTURE REMOVED, AS PER PLAN

4) 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.



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5) Tree Removal AMM 2(a) (OH PBO: A-1). Time of year restrictions for tree removal when bats are not likely to be present - To avoid impacts to summer roosting bats, SWH will be cleared only between 1 October and 31 March, when the species would not be present. The following Plan note will be included in the project plan:

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.

6) 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.

7) 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:**

Libby Rushley  
Lawhon AND Associates  
1441 King Avenue, Columbus OH 43212  
lrushley@lawhon-assoc.com

**Supporting Form Preparer(s):**

Thomas Sorge  
Andrew Fluegemann  
Sumia Mohamed

### **Approvals & Electronic Signatures**

<b>Approved &amp; Electronically Signed By:</b>	<b>Approval Date:</b>
Mark Carpenter (TRANS ENGR 3)	11/3/2022



## Appendix

### General

Aerial Map.pdf

County Map.pdf

STIP Listing.pdf

USGS Quadrangle Topographical Map.pdf

### Cultural Resources

Historic Bridge Survey Form.pdf

Minimal Potential to Cause Effect - Appendix B

Records Check.pdf

### Ecological

ODNR Scenic River MOA Conditions

USFWS/ODNR Ecological MOA Conditions

### Other Resources

Site Specific Resource Mapping.pdf

Water Source Protection Area Map.pdf

Well Log Data.pdf

### Section 6(f)

LWCF Grant Listing.pdf

### Underserved Populations

Census Mapping.pdf

### Public Involvement

Public Notification Letter.pdf

Public Notification Mailing List.pdf

### Permits

Coordination with Local Floodplain Administrator.pdf

FEMA FIRM.pdf