



# OHIO DEPARTMENT OF TRANSPORTATION

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

## **Environmental Document**

for

## **CUY Rockside Road Bridges PID 95403**

**Environmental Document Level: C2**

**Approved: 9/9/2024**

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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.*

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## **C2**

### **Project Information**

<b>PID:</b>	95403
<b>Project Sponsor:</b>	CUYAHOGA COUNTY ENGINEER
<b>ODOT District:</b>	12
<b>Funding Source:</b>	Federal

### **C2 Section**

#### **Project Description:**

The Cuyahoga County Department of Public Works (CCDPW) in cooperation with the City of Independence and the Village of Valley View proposes to improve two deficient bridges on Rockside Road in Independence and Valley View, Cuyahoga County, Ohio. The structures carry Rockside Road over the Cuyahoga Valley Scenic Railway (CVSR) (SFN 1830260) and the Cuyahoga River (SFN 1830279). The work includes major rehabilitation of SFN 1830260 and replacement of SFN 1830279. Additional work includes lighting improvements, approach work, and the installation of a new sidewalk on the north side of Rockside Road from Brecksville Road to the bridge over the Cuyahoga Valley Scenic Railway. The left turn lane from Rockside Road to Canal Road will be extended through the Cuyahoga River bridge. The overall work includes widening both structures to include 6' wide sidewalks on both sides. The purpose of the proposed project is to replace the existing deficient bridge decks and other bridge components; improve traffic flow; pavement replacement; and provide pavement width transitions and new pavement markings. The NEPA evaluation for this project began in 2016 and was placed on hold intermittently due to funding constraints. Mapping that depicts the project location is included in the Project File/General/Project Information subsection.

A full roadway closure will not be required. It is anticipated that a minimum of one lane traffic in each direction will be maintained throughout the project site via part width construction. Access shall be maintained to all properties within and adjacent to the project construction limits for the duration of project construction. No detours are anticipated, and traffic is not expected to be re-routed. The project will require right-of-way acquisition. Approximately 0.25-acre of permanent and 0.50-acre of temporary right-of-way will be required from nine (8) parcels to construct the project. Total takes and/or relocations are not proposed to construct the project however utility impacts are expected. Coordination with the utility companies in proximity to the proposed construction activities was conducted for the project during its preliminary engineering phase and will continue during its detailed design phases. Construction is scheduled to begin in the Spring 2025 and will last approximately 24 months.

A Level 1 Ecological Survey Report was completed by Lawhon ecological personnel for the project. The Cuyahoga River, one additional stream, three wetlands, and suitable forested bat habitat were identified in the project area. The project will impact approximately 85 ft of stream, 0.021 acres of wetland, and 0.45-acre of forested habitat. No other ecological resources are present within the project construction limits. The project will impact approximately 0.45-acre of suitable wooded habitat (SWH) for the federally listed Indiana bat, northern long-eared bat, and tricolored bat species. The project will also impact 0.45-acre of habitat for the state listed little brown bat. The US Fish and Wildlife Service (USFWS) and the National Park Service (NPS) were notified of the proposed project by ODOT-OES on December 8, 2023. The USFWS did not respond after a 14-day review period, therefore a Programmatic Concurrence has been applied in accordance with the 2016 OH Programmatic Consultation on December 22, 2024. NPS coordination was completed on January 20, 2024. Mussel survey and relocation efforts were performed in support of the project on August 24, 2021, and the report was coordinated with ODNR in February 2022. A total of 5 specimens of 2 species were found and no federal or state endangered or threatened species were identified. In July 2023 a request to ODNR was made not to conduct additional survey and relocation efforts since only 5 live mussels were found during this first survey. ODNR concurred with the determination on July 21, 2023. See the threatened/endangered species documentation for the project in the Project File/Ecological/Project Information and Reports subsections and the Ecological tab.

Lawhon NEPA personnel reviewed the FEMA FIRM mapping for the project study areas and found the proposed construction activities are located within a designated Special Flood Hazard Area (SFHA) floodplain. The Village of Valley View issued a floodplain permit on July 8, 2024, and the City of Independence issued a new floodplain permit on August 6, 2024, both in support



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of the proposed project. See the floodplain mapping and coordination for the project in the Project File/Permits/Floodplains subsection.

Cuyahoga Valley National Park, the Cuyahoga River Water Trail, the Ohio & Erie Canal Towpath Trail, and Lock 39 Trailhead are recognized as recreational properties within the vicinity of the proposed project and are afforded protections from adverse impacts. A Section 4(f)/6(f) Determination Request Form for Recreational Properties (DRF) was submitted to ODOT-OES Policy Staff on April 17, 2024. On March 18, 2024, ODOT-OES concluded the proposed project will have a *de minimus* impact on NRHP listed Valley Railway. On May 13, 2024, ODOT-OES concluded the proposed project will have a *de minimus* impact on Cuyahoga Valley National Park. Finally, on May 14, 2024, ODOT-OES concluded the proposed project will have no impact on The Ohio & Erie Canal Towpath trail, the Lock 39 Trailhead, and the Cuyahoga River Water Trail. In accordance with 23 CFR 774.13, the proposed project's construction does not constitute a use of the Ohio & Erie Canal Towpath Trail, the Lock 39 Trailhead, and the Cuyahoga River Water Trail and will not adversely affect the protected recreational activities, features, or attributes. This determination was made based on the proposed scope of work and concurrence received from the Official with Jurisdictions (OWJs). Additionally, a Recreational Boating Review Form was submitted to ODNR staff on December 28, 2023. On January 16, 2024, ODNR concurred with the measures to minimize harm to the Cuyahoga River. No further Section 4(f) coordination is required at this time. See the Section 4(f) coordination for the project in the Project File/Section 4(f)/Coordination subsection.

Initial cultural resource investigations found the Ohio & Erie Canal Historic district (NRHP Site #66000607) and the Valley River Historic District (NRHP Site #85001123) within the project vicinity. No other pre-1975 aboveground resources are located within the project APE excluding the bridges. Both bridges are steel beam continuous and were constructed in 1964. They were reevaluated as Not Eligible for the NRHP in March 2023. Additionally, the area is characterized by streambank and previous transportation construction disturbances that would not be conducive to the discovery of intact archaeological deposits. Therefore, based on the literature reviews and project scope, the proposed project does not warrant additional cultural resource investigations and will have no adverse effect to the historic railroad. In accordance with Stipulation V(C)(3) of the Section 106 Programmatic Agreement between FHWA, ODOT, Ohio SHPO, and ACHP executed June 29, 2023 (Agreement No. 38503), ODOT-OES determined that "no adverse effect" is the appropriate finding for the proposed project and no further cultural resource investigation is required. See the cultural documentation, including coordination, for the project in the Cultural Resource tab. No objections or additional comments from tribes or nations were received. See the tribal coordination for the project in the Cultural Resource tab and in the Project File/Cultural Resources/Coordination subsection.

Based on the information in the Regulated Materials Review (RMR) Screening Form completed for the project, no 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.

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

Initial requests for public comment were solicited by press release occurring in September 2016, and property owner notification letters in July 2015. A press release requesting public comments was posted to the County Website for 32 calendar days spanning December 11, 2023 to January 11th, 2024. No public comments were received during the comment period. See the public involvement documentation for the project in the Project File/Public Involvement/Project Information subsection.

The project will not impact any environmentally sensitive resources within the project study area as detailed in the narrative below and the resource-specific subsections and tabs.

Construction: \$22,470,000.00: 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 Burgess & Niple LTD.

The environmental document and associated studies were approved using the Stage 3 Design Plans. A copy of the Stage 3 Plans for the project 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
ENV	
CO	95403: 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:**

(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**

<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>	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**

A Level 1 Ecological Survey Report was completed by Lawhon ecological personnel for the project. The Cuyahoga River, one additional stream, three wetlands, and suitable forested bat habitat were identified in the project area. The project will impact approximately 85 ft of stream, 0.021 acres of wetland, and 0.45-acre of forested habitat. No other ecological resources are present within the project construction limits.

The project will impact approximately 0.45-acre of suitable wooded habitat (SWH) for the federally listed Indiana bat, northern long-eared bat, and tricolored bat species. The project will also impact 0.45-acre of habitat for the state listed little brown bat. The US Fish and Wildlife Service (USFWS) and the National Park Service (NPS) were notified of the proposed project by ODOT-OES on December 8, 2023. The USFWS did not respond after a 14-day review period, therefore a Programmatic Concurrence has been applied in accordance with the 2016 OH Programmatic Consultation on December 22, 2024. NPS coordination was completed on January 20, 2024.

Mussel survey and relocation efforts were performed in support of the project on August 24, 2021, and the report was coordinated with ODNR in February 2022. A total of 5 specimens of 2 species were found and no federal or state endangered or threatened species were identified. In July 2023 a request to ODNR was made not conduct additional survey and relocation efforts since only 5 live mussels were found during this first survey. ODNR concurred with the determination on July 21, 2023.

See the threatened/endangered species documentation for the project in the Project File/Ecological/Project Information and Reports subsections and the Ecological tab.

**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:**

10/27/2014

**Floodplain Remarks**

Lawhon NEPA personnel reviewed the FEMA FIRM mapping for the project study areas and found the proposed construction activities are located within a designated Special Flood Hazard Area (SFHA) floodplain. The Village of Valley View issued a floodplain permit on July 8, 2024, and the City of Independence issued a new floodplain permit on August 6, 2024, both in support of the proposed project. See the floodplain mapping and coordination for the project in the Project File/Permits/Floodplains subsection.

**Section 4(f)**

**Section 4(f):**

Present; No Programmatic  
Evaluation or Individual Evaluation  
Required

**Section 4(f) Determination:**



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No Use - Recreational

Temporary No Use Exception - 774.13(d)

*de minimis* - Cultural Resources

*de minimis* - Recreational

**Section 4(f) Determination Date - No Use - Recreational** 05/14/2024

**Section 4(f) Determination Date - 774.13(d)** 05/14/2024

**Section 4(f) Determination Date - de minimis - Cultural Resources** 03/18/2024

**Section 4(f) Determination Date - de minimis - Recreational** 05/13/2024

**Section 4(f) Remarks**

Cuyahoga Valley National Park, the Cuyahoga River Water Trail, the Ohio & Erie Canal Towpath Trail, and Lock 39 Trailhead are recognized as recreational properties within the vicinity of the proposed project and are afforded protections from adverse impacts. A Section 4(f)/6(f) Determination Request Form for Recreational Properties (DRF) was submitted to ODOT-OES Policy Staff on April 17, 2024. On March 18, 2024, ODOT-OES concluded the proposed project will have a *de minimus* impact on NRHP listed Valley Railway. On May 13, 2024, ODOT-OES concluded the proposed project will have a *de minimus* impact on Cuyahoga Valley National Park. Finally, on May 14, 2024, ODOT-OES concluded the proposed project will have no impact on The Ohio & Erie Canal Towpath trail, the Lock 39 Trailhead, and the Cuyahoga River Water Trail. In accordance with 23 CFR 774.13, the proposed project's construction does not constitute a use of the Ohio & Erie Canal Towpath Trail, the Lock 39 Trailhead, and the Cuyahoga River Water Trail and will not adversely affect the protected recreational activities, features, or attributes. This determination was made based on the proposed scope of work and concurrence received from the Official with Jurisdictions (OWJs). Additionally, a Recreational Boating Review Form was submitted to ODNR staff on December 28, 2023. On January 16, 2024, ODNR concurred with the measures to minimize harm to the Cuyahoga River.

No further Section 4(f) coordination is required at this time. See the Section 4(f) coordination for the project in the Project File/Section 4(f)/Coordination subsection.

**Section 6(f)**

**Section 6(f):** Not present

**Cultural Resources**

**Cultural Resources:** Present; No Finding of Adverse Effect

**Cultural Resources Coordination:** No Adverse Effect

**Cultural Resources Coordination - ODOT Approval/SHPO Concurrence Date** 02/21/2024

**Cultural Resources Remarks**



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Initial cultural resource investigations found the Ohio & Erie Canal Historic district (NRHP Site #66000607) and the Valley River Historic District (NRHP Site #85001123) within the project vicinity. No other pre-1975 aboveground resources are located within the project APE excluding the bridges. Both bridges are steel beam continuous and were constructed in 1964. They were reevaluated as Not Eligible for the NRHP in March 2023. Additionally, the area is characterized by streambank and previous transportation construction disturbances that would not be conducive to the discovery of intact archaeological deposits. Therefore, based on the literature reviews and project scope, the proposed project does not warrant additional cultural resource investigations and will have no adverse effect to the historic railroad. In accordance with Stipulation V(C)(3) of the Section 106 Programmatic Agreement between FHWA, ODOT, Ohio SHPO, and ACHP executed June 29, 2023 (Agreement No. 38503), ODOT-OES determined that "no adverse effect" is the appropriate finding for the proposed project and no further cultural resource investigation is required. See the cultural documentation, including coordination, for the project in the Cultural Resource tab.

**Tribal Consultation Summary/Remarks:**

Absentee-Shawnee Tribe, Delaware Nation, the Citizen Potawatomi Nation, the Delaware Tribe, the Eastern Shawnee Tribe, Forest County Potawatomi Tribe, the Miami Tribe of Oklahoma, the Osage Nation, the Ottawa Tribe, the Peoria Tribe, the Pokagon Band of Potawatomi Nation, the Seneca-Cayuga Tribe, the Seneca Nation, The Shawnee Tribe, the Stockbridge-Munsee Community, the Tonawanda Seneca Nation, the Turtle Mountain Band of Chippewa Indians, the Tusacora Nation, and the Wyandotte Nation were notified of the "no adverse effect" determination on February 23, 2024. The Stockbridge Munsee Community responded on February 26, 2024, offering no objection to the project's determination. The Shawnee Tribe responded on February 29, 2024, offering no objection to the project's determination and recommended the project proceed. The Delaware Nation responded on March 28, 2024, offering no objections to the project. No additional comments from tribes or nations were received. See the tribal coordination for the project in the Cultural Resource tab and in the Project File/Cultural Resources/Coordination subsection.

**Environmental Resources Considered**

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

Regulated Materials

Farmland

**Air Remarks**

The project type of 'rehabilitating bridges and additional work including lighting improvements, approach work, and the installation of a new sidewalk' is considered insignificant from an air quality conformity perspective, as per 40 CFR 93.126. Therefore, the project is exempt from air quality coordination.

**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:** 03/15/2024

**Regulated Materials Review Remarks:**

Based on the information in the Regulated Materials Review (RMR) Screening Form completed for the project, no 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.



**Farmland:**

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

**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
390351561011	8	7
390351929001	5	14

**Environmental Justice Remarks**

Based on mapping from ODOT's transportation Information Mapping System (TIMS), the minority populations are between 5% and 8% for the US Census Block Groups located within the project area and 7% and 14% 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 Census mapping will 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**

Initial requests for public comment were solicited by press release occurring in September 2016, and property owner notification letters in July 2015. A press release requesting public comments was posted to the County Website for 32 calendar days spanning December 11, 2023 to January 11th, 2024. No public comments were received during the comment period. See the public involvement documentation for the project in the Project File/Public Involvement/Project Information subsection.

**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-Rockside Road Bridges	Wetland A	Adjacent	Category 1	0.02	0.02
	Wetland B	Adjacent	Category 2	0.17	0.001
	Wetland C	Adjacent	Category 1	0.3	0

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

Total impact to all wetlands (ac.): 0.021

Total acres of non-isolated wetlands impacted: 0.021

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 structures that carry Rockside Road over the Cuyahoga Valley Scenic Railway (CVSR) (SFN 1830260) and the Cuyahoga River (SFN 1830279) are deficient. The work includes major rehabilitation of SFN 1830260 and the replacement of SFN 1830279. Impacts to wetlands are necessary to replace SFN 1830279. All impacts have been minimized throughout the design process.

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,



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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:**

N/A



## Environmental Commitments

### C2

- 1) The county shall arrange for a mussel survey and relocation, consistent with the current USFWS/ODNR Ohio Mussel Survey Protocol prior to the start of in-stream construction activities. The survey/relocation report will be provided to ODOT District 12 for required agency coordination and approval.
- 2) County to obtain USACE Nationwide Permit (NWP) (NWP 3 Maintenance and NWP 14 Linear Transportations Projects) w/USACE PCN prior to advertising the project. The permit special provisions shall be adhered to and included in the project plans.
- 3) The Contractor shall notify in writing the following agencies at least two (2) weeks prior to the start of construction and at least 72 hours before implementing any substantial change in traffic pattern or closing any street to traffic: Cuyahoga County Department of Public Works - Public Information Officer; ODOT District 12 Public Information Office; Greater Cleveland Regional Transit Authority; US Post Office - Independence & Cuyahoga Heights; Cuyahoga Valley National Park; Independence Board of Education; Cuyahoga Heights (Valley View) Board of Education; Cuyahoga County Board of Developmental Disabilities; Independence Police, Fire, Engineering, & Service Departments; and Valley View Police, Fire, Engineering, & Service Departments.
- 4) Access to Cuyahoga Valley National Park (CVNP) and its associated recreational facilities will be maintained during construction during normal CVNP hours.
- 5) Construction work in Areas 1, 2, & 3 will be controlled by railroad flagmen, all equipment must be clear of track traffic when trains are present. Short-term closures will be required to the CVSR Rockside Station driveway (at the west end of Bridge 3.32) for the movement of construction equipment or to perform overhead work. Driveway closure will be limited to 15 minutes or less at any time.
- 6) No staging and/or storage of construction equipment will occur within the known boundaries of the Section 4(f) property (Cuyahoga Valley National Park).
- 7) Temporary construction fencing will be installed along proposed construction limits in all Areas prior to the start of construction activities to protect the existing 4(f) property (Cuyahoga Valley National Park) and the public.
- 8) Appropriate signage will be installed to alert Cuyahoga Valley National Park users of short-term closures and to direct users to additional access points.
- 9) The Contractor and the County shall be required to closely coordinate the construction schedule with Cuyahoga Valley National Park and Cuyahoga Valley Scenic Railroad prior to the start of construction activities.
- 10) The Contractor and the County will be responsible for minimizing the potential spread of invasive species onto park land (Cuyahoga Valley National Park) that could result from construction activities.
- 11) The Contractor and the County will complete and apply for a Special Use Permit to the park (Cuyahoga Valley National Park) for areas designated as temporary easements and/or ROWs. No construction activity will occur on NPS managed lands prior to the approval and coordination of said Special Use Permit.



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- 12) The Contract and County will consult with the Cuyahoga Valley NPS regarding any damages directly or indirectly associated with the project caused by the Contractor, including those that extend beyond project limits. If damages are documented, the Contractor/County and the NPS will meet within five (5) business days to agree on the nature and extent of the damages and proposed mitigation. All mitigation will be approved by the park superintendent and completed by the County/Contractor. All costs associated with the mitigation will be the responsibility of the County/Contractor.
- 13) The County/Contractor will ensure that the project revegetates the area disturbed by construction activities with the incorporation of native and/or Cuyahoga Valley NPS approved vegetation.
- 14) The Contractor shall place appropriate signage, markers, or buoys 300 feet upstream and 300 feet downstream (Cuyahoga River Water Trail) of the project area to alert paddlers/boaters of construction activity and for wayfinding purposes.
- 15) The Project Engineer or Contractor shall notify ODNR at [kyla.maunz@dnr.ohio.gov](mailto:kyla.maunz@dnr.ohio.gov), 14 calendar days prior to the start of construction activities to Cuyahoga River Water Trail to allow ODNR to post notice of the impending project construction on the appropriate ODNR webpages and associated online boating maps.
- 16) For the Cuyahoga River Water Trail, the Contractor shall closely coordinate the construction schedule (including temporary access restrictions) with Cuyahoga County Department of Public Works, Cuyahoga Valley National Park, City of Independence, Village of Valley View, ODOT and ODNR prior to the start of construction activities.
- 17) If in-the-water law enforcement is needed during any portion of the construction activities for the Cuyahoga River Water Trail, the Project Engineer or Contractor shall contact the ODNR Division of Park and Watercraft Law Enforcement Supervisor, Chuck Stiver at [Charles.Stiver@dnr.state.ohio.us](mailto:Charles.Stiver@dnr.state.ohio.us) or (216) 361-1212.
- 18) For the Ohio & Erie Canal Trailhead, temporary construction fencing shall be installed along proposed construction limits prior to the start of construction activities to protect the Section 4(f) property (Ohio & Erie Canal Towpath Trail) and the public.
- 19) While the Towpath Trail Lock 39 Trailhead driveway is outside the project area, it is within the affected area of the part-width construction maintenance of traffic. A plan note will be included to maintain public access to the Trailhead during all phases of construction.
- 20) Access to the Lock 39 Trailhead and parking lot shall be maintained at all times during construction activities.
- 21) Appropriate signage shall be installed to alert users of Lock 39 Trailhead of construction activities, if in proximity to recreational facilities or features.
- 22) For the Lock 39 Trailhead, the contractor shall be required to closely coordinate the construction schedule with ODOT, Cuyahoga County Department of Public Works, and Cleveland Metroparks prior to the start of construction activities.
- 23) The Project Designer shall incorporate the following note into the plans: NO TREES SHALL BE REMOVED UNDER THIS PROJECT FROM APRIL 1 THROUGH SEPTEMBER 30. ALL NECESSARY TREE REMOVAL SHALL OCCUR FROM OCTOBER 1 THROUGH MARCH 31. THIS REQUIREMENT IS NECESSARY TO AVOID AND MINIMIZE IMPACTS TO FEDERALLY AND STATE LISTED BAT SPECIES AS REQUIRED BY THE ENDANGERED SPECIES ACT. FOR THE PURPOSE 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.
- 24) 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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25) 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.

26) County to obtain USACE Section 408 Permission prior to advertising the project.

27) County to obtain Ohio Environmental Protection Agency (OEPA) Individual 401 Water Quality Certification (WQC) w/Director's Authorization (DA) from OEPA prior to advertising the project.

28) County to obtain floodplain permits from Valley View and Independence prior to advertising the project.

29) County to obtain mitigation credits for stream impacts: Stream: 80' x 2:1 ratio = 160' prior to advertising the project.

**30) ASBESTOS NOTIFICATION**

A CERTIFIED ASBESTOS HAZARD EVALUATION SPECIALIST SURVEYED THE BRIDGE STRUCTURES SCHEDULED FOR REHABILITATION; THE SURVEY DETERMINED THAT ASBESTOS IS PRESENT ON THE BRIDGE STRUCTURES. ODOT SHALL PROVIDE A COPY OF THE OHIO ENVIRONMENTAL PROTECTION AGENCY (OEPA) NOTIFICATION OF DEMOLITION AND RENOVATION FORMS, PARTIALLY COMPLETED AND SIGNED BY THE BRIDGE OWNER, TO THE SUCCESSFUL BIDDER. THE CONTRACTOR SHALL COMPLETE THE FORMS 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 FORMS 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 12 OFFICE, 5500 TRANSPORTATION BOULEVARD, GARFIELD HEIGHTS, OHIO 44125.

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



**Environmental Document Level: C2**  
PID 95403 CUY Rockside Road Bridges  
Approved: 9/9/2024

### **Preparers and Approvals**

**Form Preparer:** Sumia Mohamed  
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**Supporting Form Preparer(s):** Cassandra Austin  
Sumia Mohamed

### **Approvals & Electronic Signatures**

<b>Approved &amp; Electronically Signed By:</b>	<b>Approval Date:</b>
Thomas Sorge (PROGRAM ADMIN 3)	9/9/2024



## Appendix

### General

2024-2027 STIP Listing.pdf

Aerial Map.pdf

Correspondence Related to Utility Coordination.pdf

County Map.pdf

USGS Quadrangle Topographical Map.pdf

### Noise

District Determination - No Noise Analysis Required.pdf

### RMR

Asbestos Survey SFN 1830260.pdf

Asbestos Survey SFN 1830279.pdf

BUSTR File Review.pdf

OES Recommendations - Phase I.pdf

OES Recommendations - Screening.pdf

OES Review - Asbestos Survey.pdf

OES Review - Screening Approval NFA.pdf

Regulated Materials Review Form.pdf

### Cultural Resources

Records Check.pdf

SHPO Comments

Transmittal 1 - Effect Determination

Tribal Consultation

Tribal Consultation - Correspondence List and Example.pdf

Tribal Response - Delaware Nation.pdf

Tribal Response - Eastern Shawnee Tribe.pdf

Tribal Response - Shawnee Tribe.pdf

Tribal Response - Stockbridge Munsee Community.pdf

### Ecological

ODNR Concurrence - Mussel Survey for 2025 Construction.pdf



ODNR Scenic River MOA Conditions

Rockside Bridges Bat Inspection.pdf

USFWS/ODNR Ecological MOA Conditions

**Other Resources**

Census Bureau Urbanized Area Map.pdf

Water Source Protection Area Map.pdf

Well Log Map.pdf

**Section 4(f)**

OES Cultural Resources 4(f) Determination.pdf

OES Recreational 4(f) Determination - CVNP.pdf

OES Recreational 4(f) Determination - Cuyahoga River.pdf

OES Recreational 4(f) Determination - TowpathTrail\_Lock39TH.pdf

**Section 6(f)**

ODNR Informal Consultation Response.pdf

**Public Involvement**

Press Release December 2023.pdf

Press Release May 2016.pdf

Press Release Media List.pdf

Property Owner Notification Letter.pdf

Public Comments Received.pdf

**Permits**

FEMA FIRM.pdf

Local Floodplain Administrator Approval - Independence.pdf

Local Floodplain Administrator Approval - Valley View.pdf