



# OHIO DEPARTMENT OF TRANSPORTATION

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

## **Environmental Document**

for

## **CUY OLD ROCKSIDE ROAD BRIDGE PID 91563**

**Environmental Document Level: C2**

**Approved: 3/12/2021**

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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**

**PID:** 91563  
**Project Sponsor:** CUYAHOGA COUNTY ENGINEER  
**ODOT District:** 12  
**Funding Source:** Federal  
**Private Funding:** No

**Project Description:**

The City of Independence in partnership with ODOT and the Village of Valley View proposes to replace the deficient bridge on Old Rockside Road over the Cuyahoga River in the City, Cuyahoga County. The existing structure is 140-foot long, 24-foot wide, 2-span, precast, prestressed, concrete box beams with reinforced concrete hammerhead pier and stone abutments built in 1960. The new structure will be a 247-foot long, 36-foot wide, 3-span continuous steel beams with composite reinforced concrete deck and substructures with semi-integral abutments. The new bridge will have 2 11-foot lanes with 6-foot side sidewalk on the south side. The project will require closure of the Old Rockside Road Bridge. A temporary bridge will be a 24-foot wide, 205-foot long structure. The temporary bridge will carry traffic during the closure. The project will require several short term closures of the entrance drive to the Cuyahoga Valley Scenic Railroad (CVSR) Rockside Station. These closures will be coordinated with the CVSR to avoid conflicts with railroad operations.

Permanent and temporary right-of-way will be required from 10 parcels.

Relocation of some utilities will be required for this project.

Approximately 1.252 acre of suitable wooded habitat for the federally listed Indiana bat and northern long-eared bat, and state protected tricolored bat and little brown bat will be impacted by this project. Of the 1.252 acres of SWH, 0.188 acre is between 100' to 300' EOP and 1.064 is within 100' EOP, and not within 50 feet of a perennial stream. This impact May Affect Not Likely to Adversely Affect these species. A plan note will be included restricting tree clearing to October 1 through March 31. The Cuyahoga River will have 145 linear feet of impact due to the bridge replacement and will require USACE permit. All files related to ecological resources can be found in the project file under Ecological.

The project will require approximately 0.326 acres of temporary right-of-way from Cuyahoga Valley National Park. The Park entrance will be closed at two separate times during construction. See plan notes. The Cuyahoga River which is an ODNR designated water trail will experience boating restrictions. The project will result in a recreational Section 4(f) 'Temporary No Use' impacts to both resources. The project will require closure of the River to paddlers at three separate times. See plan notes. These impacts were approved by ODOT OES on March 3, 2021. All related files can be found in the project file under Section 4(f).

The project is located within a regulated floodplain. Coordination with local floodplain coordinator was initiated in March 2021. A floodplain permit will be required. Floodplain comments will be incorporated into the project design.

Review of the LWCF Grant Listing for Cuyahoga County did not identify any Section 6(f) sites in the project area. See project file.

No other environmental, hazardous materials, cultural resources, or underserved population impacts will result from this project. Letters were sent to adjacent property owners on June 27, 2019 to provide project information and an opportunity to comment on the project. No comments were received. No revisions or additions to project have been made based on public input. Cuyahoga County 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.



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STIP Reference #:

91563: 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 -  
a. Acquisition of more than a minor amount of right-of-way  
b. Residential or non-residential displacements  
c. A Coast Guard, Individual Section 404 and/or a Section 10 permit  
d. A Section 106 finding of Adverse Effect  
e. A Section 4(f) Programmatic or Individual Evaluation  
f. A finding of May Affect, Likely to Adversely Affect to Threatened and Endangered Species  
g. Construction of temporary access, or the closure of existing road, bridge, or ramps, that would result in major traffic disruptions  
h. Changes in access control  
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)  
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  
k. No minor public or agency controversy on environmental grounds ( no opposition from any organized groups or agencies and no unresolved environmental coordination )  
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>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>	09/24/2019
<b>Endangered Species - Critical Habitat Present/Impacted</b>	
Indiana bat	
Northern long-eared bat	
<b>Endangered Species - Other Critical Habitat Present/Impacted:</b>	No
<b>100-Year Floodplain:</b>	Encroachment Within the SFHA is a Functionally Dependent Use
<b>EO 11988/NFIP Coordination and Documentation Completed:</b>	No
<b>Section 4(f):</b>	Present; No Programmatic Evaluation or Individual Evaluation Required



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**Section 4(f) Determination:**

Temporary No Use Exception - 774.13(d)

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

03/03/2021

**Section 6(f):**

Not present

**Cultural Resources:**

Present; No Finding of Adverse Effect

**Cultural Resources Coordination:**

Minimum Potential to Cause Effect  
Appendix B

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

02/10/2020

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:**

03/11/2021

**Hazardous Materials - ESA Screening Conducted**

Yes

**Hazardous Materials - OES Approval Date:**

04/01/2020

**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.

**Underserved Populations**

Does Not Exceed UP Guidance Criteria; No UP Analysis Report Required and No UP Issues Raised During Public Involvement

**Public Involvement:**

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

**Environmental Commitments**

Yes



## Environmental Commitments

### C2

1) The Project Designer shall include Asbestos Abatement Plan note

The asbestos inspection determined that asbestos is present on the structure (CUY-Old Rockside Road Bridge) & nearby electrical boxes in excess of the regulatory limits and requires abatement. The City will provide the Asbestos Inspection Report containing the quantities and locations of the asbestos containing materials at the pre-construction meeting. A Licensed Hazard Evaluation Specialist will provide a partially completed Notification of Demolition and Renovation Form (NDRF) with the Asbestos Inspection Report. The Abatement Contractor shall complete the NDRF.

Abate, transport, and dispose all asbestos containing material above allowable regulatory limits in accordance with all federal, state, and local regulations. Dispose the asbestos containing materials in a landfill licensed by the local health department and permitted by the Ohio Environmental Protection Agency - Division of Air Pollution Control to accept asbestos containing material. The removal and disposal of all asbestos containing material must comply with the Ohio Administrative Code (OAC) regulations and the National Emission Standard for Hazardous Air Pollutants (NESHAP) standard for asbestos.

#### Electronic Submission:

Submit a completed electronic Notification of Demolition and Renovation Form (NDRF), applicable fees, and the Asbestos Inspection Report to the OEPA at least 10 days prior to any demolition activity, renovation activity, or both. Submit the NDRF and payment along with the Asbestos Inspection Report using the OEPA eBusiness Center. Submit one electronic PDF copy and one hard copy of the NDRF to the Engineer. The Engineer will provide one copy to the District Environmental Staff.

#### Hard Copy Submission:

The Contractor may submit a hard copy of the completed NDRF and payment along with the Asbestos Inspection Report. Follow mailing instructions on the NDRF. Check with Local Health Department, John Sobolewski at 216-201-2000, ext.1515, to determine if they require a hard copy submittal.

Submit the completed NDRF to OEPA at least 10 days prior to demolition activity, renovation activity, or both. Retain two hard copies of the NDRF and submit one copy to the Engineer and one copy to District Environmental staff, Mark Carpenter, ODOT D-12, 216-583-2089.

#### Basis of Payment

Submit all documentation related to the abatement, transport, and disposal of asbestos containing materials to the Engineer within two weeks of completion. The Engineer will provide a copy of the documentation to the District Environmental Staff.

Payment for this work shall be made at the bid price of lump sum.

The following estimated quantity has been included in the general summary for the work noted above:  
690E98400 Item Special - Misc.: Work Involving Asbestos Containing Materials - Lump Sum

OR

MOP 202 - Removal of Structures and Obstructions: Work Involving Asbestos Containing Materials - Lump Sum

OR

Other appropriate Pay Item

2) Ensure impacts to the federally listed and protected Indiana bat and northern long-eared 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.



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3) Visually inspect work areas on the structure for evidence of roosting bats 60 days prior to demolition in accordance with Appendix D of Bridge Structure Assessment Guidance Federal Transportation Agency/State Department of Transportation (DOT) Preliminary Bat Assessment Guidelines for Bridges/Structures. The person(s) conducting the inspection must be capable of identifying bats. Inspection using binoculars from the ground is acceptable. Provide written confirmation of the inspection to the Engineer, including a statement indicating whether evidence of roosting bats was found.

If no evidence of roosting bats were encountered, construction activities can proceed any time of the year.

If roosting bats are encountered within the proposed work area, contact the Engineer and ODOT District Environmental Coordinator (Mark Carpenter, 216-584-2089) immediately. Construction activities can only occur between October 31 and March 31 unless the Contractor blocks access to portions of the bridge that could become roosting locations prior to April 1. These areas include: vertical crevices sealed at the top, 0.5-1.25" wide, and 4" deep, crevices >12" deep & not sealed, expansion joints, and spaces between concrete end walls and the bridge deck. Provide written confirmation to the Engineer including a statement indicating measures taken to block access to roosting locations. Do not perform work that would result in harm to the bats.

4) Hire a State permitted malacologist to complete a mussel salvage and relocation in accordance with the most recent version of the Ohio Mussel Survey Protocol prior to the initiation of construction activities below the ordinary high water mark. The mussel survey must occur after May 1 and before October 1 either within the same season as the instream work or the season prior to the instream work. Submit the results of the mussel survey, salvage work, or both to the ODOT District Environmental Coordinator (Mark Carpenter, 216-584-2089). Obtain approval from the Department prior to performing work below ordinary high water mark of Cuyahoga River.

5) Recreational boating access to the Cuyahoga River within the project area shall be maintained at all times during construction activities, except for the time needed for temporary access restrictions associated with demolition and construction activities.

6) Maintain safe public access to Cuyahoga Valley National Park and its associated recreational facilities at all times during construction activities, except for the brief periods or time needed during driveway reconstruction. Limited to 2-3 closures of 2-3 days each.

7) The City of Independence will obtain all appropriate waterway permits prior to any work within the jurisdictional boundary of any waterway, including wetlands, and all applicable waterway permits will be included in the plans and adhered to during construction.

8) The City of Independence will obtain the floodplain permit or documentation of exemption prior to plan file.

9) Install and maintain temporary construction fencing along the known boundaries of Cuyahoga Valley National Park within the project construction limits prior to the start of construction activities.

10) Prior to the start of construction activities, install signage approved by the Engineer to alert Cuyahoga Valley National Park users of construction activities and access restrictions or closures, and to direct users to secondary access points.

11) Coordinate the construction schedule (including temporary access restrictions) with ODOT, ODNR, the Cuyahoga County Department of Public Works, the Cuyahoga Valley National Park, and City of Independence prior to the start of construction activities.

12) Place appropriate signage/buoys/markers 300 feet upstream and 300 feet downstream of the project area to alert paddlers/boaters of construction activity and for wayfinding purposes.

13) Provide contact information for local canoe liveries that use the waterway within the project area and provide written notification to the liveries 14 calendar days prior to any changes affecting recreational boating traffic. Copies of the notification shall be provided to the Project Engineer.



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- 14) The Project Engineer shall notify the ODNR Trails Administrator (Thomas Arbour) via email and/or telephone (Thomas.Arbour@dnr.state.oh.us or (614) 265-6575) 14 days prior to the start of construction activities to allow ODNR to post notice of impending project construction on the appropriate ODNR webpages and associated online boating maps. As part of notification efforts, the Project Engineer shall also provide plans that indicate signage location along the waterway and any additional planned notification efforts with ODNR that will take place during or after construction.
- 15) If on-the-water law enforcement is needed during any portion of the construction activities, the Project Engineer shall contact the ODNR Division of Parks and Watercraft law enforcement supervisor, Chuck Stiver, at Charles.Stiver@dnr.state.oh.us or (216) 361-1212.
- 16) Restore any land to be disturbed and returned it to a condition which is at least as good as that which existed prior to the project.
- 17) Maintain safe public access to the Ohio & Erie Canal Towpath Trail and associated Lock 39 Trailhead at all times during construction activities.
- 18) Coordinate with NPS for Special Use Permit for temporary occupancy of NS property.



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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):**

Jessica Stratigakos

### **Approvals & Electronic Signatures**

<b>Approved &amp; Electronically Signed By:</b>	<b>Approval Date:</b>
Mark Carpenter (TRANS ENGR 3)	3/12/2021



## Appendix

### General

Aerial Map.pdf

County Map.pdf

STIP Listing.pdf

USGS Quadrangle Topographical Map.pdf

### Noise

District Determination - No Noise Analysis Required.pdf

### ESA

OES Recommendations - Screening.pdf

Regulated Materials Review Form.pdf

### Cultural Resources

Minimal Potential to Cause Effect - Appendix B

Records Check.pdf

Section 106 Scoping Request Form.pdf

### Ecological

Coordination with ODNR and USFWS.pdf

ODNR Comments 2.pdf

USFWS Comments Consult Form CUY-Old Rockside Rd PID 91563.pdf

### Other Resources

Urbanized Area Map.pdf

Water Source Protection Area Map.pdf

Well Log Data.pdf

### Section 4(f)

OES Recreational 4(f) Determination.pdf

### Section 6(f)

LWCF Grant Listing.pdf

ODNR Informal Consultation Response.pdf

### Underserved Populations

Census Mapping.pdf



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Underserved Populations Documentation Form.pdf

**Public Involvement**

Property Owner Notification Letter.pdf

Public Notification Mailing List.pdf

**Permits**

FEMA FIRM.pdf

OEPA Director's Authorization Request.pdf