



# OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 12  
5500 TRANSPORTATION BLVD. • GARFIELD HGTS., OH 44125 • 614-995-7912

## **Environmental Document**

for

## **CUY IR 090 21.02 PID 103821**

**Environmental Document Level: C2**

**Approved: 4/26/2018**

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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 11, 2015, and executed by FHWA and ODOT.*

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## C2

**PID:** 103821  
**Project Sponsor:** ODOT SPONSORING AGENCY  
**ODOT District:** 12  
**Funding Source:** Federal  
**Private Funding:** No

### Project Description:

The Ohio Department of Transportation proposes to reconfigure the I-90/Lakeshore Blvd./MLK Drive interchange to improve traffic flow and reduce crashes in the city of Cleveland. The project includes extending two southbound lanes on MLK Drive from Lakeshore Blvd. to East Blvd.; installing traffic signals at the eastbound and westbound I-90 exit ramp intersections with MLK Drive, constructing an additional dedicated right turn lane at the eastbound exit ramp from I-90 to MLK Drive; widening the westbound exit ramp from I-90 to MLK Drive for an additional dedicated left turn lane; constructing new dedicated left turn lanes from MLK Drive at the eastbound I-90 entrance ramp and North Marginal Road intersection; and channelizing the northbound MLK Drive right turn to eastbound I-90. The sidewalk area under the I-90 bridge along the west side of MLK Drive will be improved to meet city bikeway standards, including 2-foot buffer from the bridge wall, 10-foot paved path, and 2-foot separation from roadway lanes. This will enhance the MLK Drive underpass connection to Rockefeller Park with the north side of Gordon Park, Lakefront Reservation, and Dike 14 Nature Preserve. No bridge work on I-90 is anticipated. No work on the structure over or within Doan Brook is planned.

MLK Drive is functionally classified as a Minor Arterial in the project area. Lakeshore Blvd. is functionally classified as a Major Collector.

The project will have temporary impacts to Rockefeller Park and the Harrison Dillard Bikeway. No work will involve impacts to streams or wetlands, threatened or endangered species, historic sites, or hazardous materials. No permanent or temporary right-of-way is required for this project.

Construction will primarily use part-width construction techniques which require lane closures. Full closures with detours will be required for pavement work on each ramp which will only take place on weekends.

The Lakefront Bikeway Connector is located just to the north of the project and was developed using Land & Water Conservation Fund funding, Grant Number 39-00975. There will be no impact to the Lakefront Bikeway Connector, therefore, there will be no Section 6(f) impacts. A list of Section 6(f) sites in the project vicinity is included in Project File.

The C2 approval is based on the Stage 2 plans that are included in Project Files/General/Project information/Stage 2 Design.pdf.

For project location mapping see Project File/General/Project Information

**STIP Reference #**

FY 2018-2021 STIP SLI 15 & 32

**Select the appropriate project type:**



(26) Modernization of a highway by resurfacing, restoration, rehabilitation, reconstruction, adding shoulders, or adding auxiliary lanes (including parking, weaving, turning, and climbing lanes), if the action meets the constraints in paragraph (e) of this section. *Examples include: Joint or limited use of right-of-way where the proposed use would have minimal or no adverse social (including highway safety), economic or environmental impacts; Installation of new noise walls and other new noise mitigation projects; Construction of highway safety and truck escape ramps; Construction of bicycle lanes and pedestrian walkways, sidewalks, shared-use paths, or facilities and trailhead parking that do not otherwise qualify for a C1 designation; Beautification or facility improvement projects (i.e. landscaping, curb and gutter installation and replacement, ADA ramps/curb ramps, installation of park benches, decorative lighting, etc.); Construction of alternative energy facilities (fuel tank farms, wind turbines, etc.)*

In accordance with 23 CFR 771.117(e), the proposed project cannot be processed as a C2 CE, if it involves - 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>	Not Present
<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>	01/19/2018
<b>Endangered Species - Critical Habitat Present/Impacted</b>	
Kirtland's warbler	
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>	Yes
<b>NFIP Local Floodplain Coordinator Notification Date:</b>	03/26/2018



**Section 4(f):**

Present; No Programmatic  
Evaluation or Individual Evaluation  
Required

**Section 4(f) Determination:**

No Use

Temporary No Use Exception - 774.13(d)

**Section 4(f) Determination Date - No Use** 01/02/2018

**Section 4(f) Determination Date - 774.13(d)** 04/19/2018

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

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

**Cultural Resources Coordination:** No Adverse Effect

**Cultural Resources Coordination - SHPO Concurrence Date:** 12/29/2017

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:** 04/11/2018

**Hazardous Materials - ESA Screening Conducted** Yes

**Hazardous Materials - OES Approval Date:** 12/12/2017

**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



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**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 incorporate the following note into the plans: The project is located within the known habitat ranges of the federally listed and protected Indiana bat and northern long-eared bat. 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 these species as required by the Endangered Species Act. 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) The Project Designer shall incorporate the following note into the plans: This project is located within the migration range of the federally endangered Kirtland's warbler. No trees and woody vegetation greater than 3 feet in height shall be removed under this project from April 22 through June 1 and from August 15 through October 15. All necessary vegetation removal shall occur from October 16 through April 21 and from June 2 through August 14. This requirement is necessary to avoid and minimize impacts to the Kirtland's warbler as required by the Endangered Species Act.
- 3) The Project Designer shall incorporate the following note into the plans: The project is located within the known habitat range of the Kirtland's warbler. If the species is encountered within the construction limits during construction operations, all construction operations will cease immediately, and the Project Engineer shall immediately contact the ODOT-OES at 614-466-7100, who will immediately contact the USFWS Columbus Field Office. Construction activities shall not continue until this additional coordination/consultation with USFWS is concluded.
- 4) The Project Designer shall incorporate the following note into the plans: The Contractor shall maintain access to Rockefeller Park, Gordon Park, and Lakefront Reservation at all times during construction activities.
- 5) The Project Designer shall incorporate the following note into the plans: The Contractor shall maintain public bicycle and pedestrian access to the Harrison Dillard Bikeway and Lakefront Bikeway at all times during construction activities.
- 6) The Project Designer shall incorporate the following note into the plans: The Contractor shall not stage or store any construction equipment within the Rockefeller Park, Gordon Park, or Lakefront Reservation boundaries outside of the proposed construction limits.
- 7) The Project Designer shall incorporate the following note into the plans: The Contractor shall install temporary construction fencing along the construction limits prior to the start of construction activities to protect Rockefeller Park, Gordon Park, Lakefront Reservation, and the public.
- 8) The Project Designer shall incorporate the following note into the plans: The Contractor shall install appropriate signage to alert Rockefeller Park, Gordon Park, and Lakefront Reservation users to the construction activities.
- 9) The Project Designer shall incorporate the following note into the plans: The Contractor shall install appropriate signage to alert users of the temporary closure of the Harrison Dillard Bikeway, in order to direct users to the Bikeway detour.
- 10) The Project Designer shall incorporate the following note into the plans: The Contractor shall coordinate the project schedule with the City of Cleveland Department of Public Works and Cleveland Metroparks.
- 11) The Project Designer shall incorporate the following note into the plans: The Contractor shall fully restore any land disturbed at Rockefeller Park, Gordon Park, and Harrison Dillard Bikeway to a condition, which is at least as good as that which existed prior to the project.



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- 12) The Project Designer shall the following note into the plans: The Contractor shall 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.
- 13) The Project Designer shall incorporate the following note into the plans: The Contractor shall ensure tree removal is limited to that specified in project plans by clearly marking clearing limits. ODOT shall ensure that contractors understand clearing limits and how they are marked in the field.



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### **Preparers and Approvals**

**Form Preparer:**

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**Supporting Form Preparer(s):**

Mark Carpenter

### **Approvals & Electronic Signatures**

<b>Approved &amp; Electronically Signed By:</b>	<b>Approval Date:</b>
Mark Carpenter (TRANS ENGR 3)	4/26/2018



## Appendix

### **Environmental Justice**

Underserved Populations Documentation.pdf

Census Mapping.pdf

### **Section 4(f)**

OES Cultural Resources 4(f) Determination.pdf

City of Cleveland OWJ Concurrence.pdf

### **Noise**

District Determination - No Noise Analysis Required.pdf

### **Section 4(f)**

OES Recreational 4(f) Determination.pdf

### **General**

County Map.pdf

USGS Quadrangle Topographical Map.pdf

Aerial Map.pdf

### **ESA**

Project Related OES Decision 2 - ESA.pdf

Project Related OES Decision - ESA.pdf

### **Cultural Resources**

SHPO Coordination.pdf

### **Ecological**

ODNR Comments.pdf

USFWS Comments Consult Form CUY-90-21.02 PID 103821.pdf

Coordination with ODNR and USFWS.pdf

Coordination with ODNR.pdf

### **Other Resources**

Well Log Data.pdf

Water Source Protection Area Map.pdf

### **Public Involvement**

Public Involvement Summary.pdf



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Press Release.pdf

Property Owner Notification Letter.pdf

**Permits**

Coordination with Local Floodplain Administrator.pdf

Statement of Findings.pdf

FEMA FIRM.pdf