



OHIO DEPARTMENT OF TRANSPORTATION

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

Environmental Document

for

CUY IR 090 06.83 Major Rehab Pt1 PID 76779

Environmental Document Level: C2

Approved: 12/12/2022

Prepared By: Rick Paul

American Structurepoint Inc.

Phone: 614-901-2235

E-mail: rpaul@structurepoint.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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PIDs:	117881, 76779
Project Sponsor:	ODOT SPONSORING AGENCY
ODOT District:	12
Funding Source:	Federal
Private Funding:	No
Project Description:	



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PID 76779 - CUY-90-6.83 Major Rehab Pt 1: The project includes replacing the existing pavement along I-90 from the Hilliard Road interchange to the West 117th Street interchange in Rocky River, Lakewood and Cleveland in Cuyahoga County. Work will include bridge maintenance work, replacing median barrier and drainage, upgrading lighting, and lowering the pavement under several structures for vertical clearance. Construction is scheduled for 2024-2026.

PID 117881 - CUY-90-10.40 Major Rehab Pt 2: Replace the existing pavement along IR-90 from the West 117th Street Interchange to the IR-71/IR-490 Interchange in Cleveland. Work will include bridge maintenance work, replacing median barrier and drainage, upgrading lighting, and lowering the pavement under several structures for vertical clearance. Construction is scheduled for 2027-2029.

All waters of the U.S. within the project limits will be avoided. Furthermore, no additional ecological resources will be impacted. The project will not impact cultural (historic) resources. OES determined the project is consistent with the policies of the Ohio Coastal Management Program per the MOU between ODOT and ODNR because the project does not require a waterway permit and is not subject to authorization by the USACE. The project crosses over the Rocky River Reservation, however, no impacts to the park or access to the park and park facilities are anticipated. No Section 4(f) or Section 6(f) coordination is required.

The project crosses over a FEMA Flood Zone AE. No impacts to floodplain will occur. An LD-53 notification letter was sent to the Floodplain Coordinators for Rocky River and Lakewood as a courtesy that work will be completed in the vicinity of the floodplain. Any comments received will be addressed in final design.

The RMR Screening identified 4 properties that require a PCS plan note to address excavation, handling, and disposal of soil. 3 properties require a Solid waste plan note to address excavation, handling, and disposal of soil.

ODOT created a website to keep the public informed of the project status. Additionally, ODOT issued a press release detailing the proposed construction activities and maintenance of traffic on August 9, 2022. A total of 66 comments were received. Responses to the comments were prepared and provided to the public. No revisions or additions to the project have been made based on public input. The PI Summary is included in the Project Files/Public Involvement/Project Information/Response to Public Comments.pdf. ODOT has decided to proceed with the project as currently designed.

The maintenance of traffic (MOT) will follow a stage/phase/step sequence during construction. At no time will the project require closure of I-90 or any other roadway; however, temporary ramp closures during various construction phases are proposed. Public involvement activities during NEPA included initiation of MOT discussions with public and emergency services. Details pertaining to the specific MOT activities are provided in the Stage 2 plans in the project file.

No new right-of-way will be required to construct the project. A copy of the plans are included in the project file. Utility relocations will consist of the following: existing casting adjustments within resurfacing areas, isolated gas main lowering at a facility that is too shallow and conflicts with the cement stabilization, possibility for pole relocations at ramp intersections, existing lighting to be removed and replaced within the project limits, existing underground ITS conduit to be replaced within the project limits, and new storm sewer installations and removal of existing storm sewer are also anticipated. Construction of western section is scheduled to begin on March 1, 2024 and last until October 31, 2026. The eastern section is scheduled to begin March 1, 2027 and last until October 31, 2029.

The C2 Environmental Determination and associated studies are being approved using Stage 2 Design. A copy of the Stage 2 plan is included in the project file.



STIP Reference #:

76779: 21-24 STIP

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 -

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.

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



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Will any wetlands be impacted?	No
Endangered Species:	Present; No finding of May Affect, Likely to Adversely Affect
Endangered Species - Coordination	May Affect, Not Likely to Adversely Affect
Endangered Species - Coordination Date	11/14/2022
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:	12/06/2022
Section 4(f):	Present; No Impacts and/or Access Restrictions
Section 6(f):	Not present
Cultural Resources:	Not Present
Cultural Resources Coordination - ODOT Approval/SHPO Concurrence Date	04/18/2022
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 and Coordination Conducted; No Impacts
Air Quality - Agency Coordination:	Qualitative MSAT
Air Quality - OEPA Approval Date:	06/17/2022
Noise:	Studies Not Required
Noise Coordination - OES Approval Date:	12/02/2022
Hazardous Materials - ESA Screening Conducted	Yes
Hazardous Materials - OES Approval Date:	12/02/2022
Phase I ESA Warranted Based on Coordination with OES:	No Further Studies Warranted



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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

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)
390351812032	3	11	14	0
390351812031	1	11	28	0
390351812042	9	8	22	0
390351609002	11	42	8	5
390351609003	15	13	14	2
390351812041	12	29	15	0
390351812043	12	16	24	3
390351611002	12	21	14	4
390351231001	4	15	17	1
390351612003	5	25	11	0
390351613002	14	23	8	3
390351613001	22	36	15	3
390351614004	20	22	7	2
390351232002	4	21	18	0
390351232003	15	25	19	3
390351235012	0	41	38	0
390351014001	49	71	5	0
390351015011	52	66	11	9
390351016032	58	75	3	16
390351016034	32	34	11	7
390351014002	71	62	8	13
390351016031	58	77	3	0
390351016034	32	34	11	7
390351017003	54	45	10	0
390351018002	67	80	8	5
390351019012	64	67	10	3
390351035001	31	41	13	5
390351027004	42	73	11	0
390351024023	50	76	12	12
390351024022	56	90	6	0
390351016031	58	77	3	0
390351024024	59	90	12	0
390351035001	31	41	13	5
390351038002	43	59	20	6
390351039001	74	73	9	6
390351038001	67	72	11	10
390351027004	42	73	11	0



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390351041001	48	54	5	6
390351044002	31	45	4	0
390351041002	82	95	29	39

Underserved Populations Remarks

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 UPIAR is not required.

Public Involvement:

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

Environmental Commitments

Yes



Environmental Commitments

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- 1) 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 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) If construction will occur on a bridge structure greater than 20 feet in length over water, between the dates of March 31 and October 1, in areas of the bridge structure that provide suitable habitat for roosting bats, and greater than two years have elapsed since the last inspection for bats, an individual capable of identifying bats shall inspect the structure for bats. If bats are identified within the proposed work area, the following applies and shall be added as a note in the plans: Perform work between October 31 and March 31. The Contractor may work year-round if 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.
- 3) ODOT will address and incorporate and comments from local floodplain coordinators.
- 4) The contractor will coordinate the project schedule with local Emergency Management Services and School District two weeks prior to the start of the project.
- 5) 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.
- 6) 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) A Petroleum Contaminated Soil (PCS) plan note shall be developed to address excavation, handling, and disposal of PCS adjacent to the following four properties:
RM-004 BP Gas Station & River Automotive 19400 Hilliard, Rocky River
RM-005 Shell Gas Station 19300 Hilliard, Rocky River
RM-006 Joe's Fine Deli & Restaurant 19215 Hilliard, Rocky River
RM-046 Eagle Tires 9025 Lorain, Cleveland
- 8) A solid waste plan note shall be developed to address excavation, handling, and disposal of soil adjacent to the following three properties:
RM-031 Supply Hut Packaging Supply Store 12201 Elmwood, Cleveland
RM-032 Guaranteed Finishing Unlimited Plating Service 3206 & 3200 West 121St, Cleveland
RM-062 Rock & Roll City Music Conservatory 5500 Walworth



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Preparers and Approvals

Form Preparer: Rick Paul
American Structurepoint Inc.
2550 Corporate Exchange Drive, Ste. 300, Columbus OH 43231
614-901-2235
rpaul@structurepoint.com

Supporting Form Preparer(s): Mark Carpenter

Approvals & Electronic Signatures

Approved & Electronically Signed By:	Approval Date:
Mark Carpenter (TRANS ENGR 3)	12/12/2022



Appendix

General

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

Air

Coordination with OEPA and USEPA - Quantitative MSAT.pdf
Coordination with OEPA-USEPA-FHWA - PM 2.5.pdf
FHWA Approval - PM2.5.msg
FHWA Approval - PM2.5.pdf
OEPA Acceptance - PM 2.5 2022.pdf
OEPA Acceptance - PM 2.5.pdf
OES Concurrence - PM 2.5.pdf
USEPA Acceptance - PM2.5 2022.pdf
USEPA Acceptance - PM2.5.pdf

Noise

District Determination - No Noise Analysis Required.pdf

ESA

OES Recommendations - Screening.pdf

Cultural Resources

Records Check.pdf

Ecological

ODNR Scenic River MOA Conditions
OES Coastal Zone Consistency Determination.pdf
USFWS/ODNR Ecological MOA Conditions

Other Resources

Census Bureau Urbanized Area Map.pdf
Water Source Protection Area Map.pdf

Underserved Populations



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Census Mapping.pdf

Public Housing Map.pdf

Public Involvement

News Article Cleveland Scene 8-9-22.pdf

News Article Fox8News 8-9-22.pdf

News Article - WEWS News 5 Cleveland 8-9-22.pdf

News Article Chronicle Telegram 8-9-22.pdf

Press Release.pdf

Response to Public Comments.pdf

Permits

Coordination with Local Floodplain Administrator - Lakewood.pdf

Coordination with Local Floodplain Administrator FIRM Map.pdf

Coordination with Local Floodplain Administrator Rocky River.pdf

FEMA FIRM.pdf