



OHIO DEPARTMENT OF TRANSPORTATION

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

Environmental Document

for

GEA US 422 12.26 Deck PID 102434

Environmental Document Level: C2

Approved: 3/4/2020

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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 June 6, 2018, and executed by FHWA and ODOT.

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C2

PID: 102434
Project Sponsor: ODOT SPONSORING AGENCY
ODOT District: 12
Funding Source: Federal
Private Funding: No

Project Description:

Replace the deck and paint the structural steel of the US-422 structure over the Cuyahoga River in Troy Twp, Geauga County, Ohio. Work will also include widening the structure to maintain traffic.

Maintenance of Traffic (MOT) includes widening the structure so that a minimum of one lane of traffic in each direction can be maintained at all times throughout the project. No closures or detours will be necessary.

Temporary right of way is anticipated to impact one parcel within the project area. A total of 0.086 acre of temporary right of way will be necessary to complete grading and construct a drive. No permanent right of way will be necessary for the proposed project.

There is one utility conflict associated with the proposed project. Two light poles operated by The Illuminating Company (First Energy) will need to be relocated.

Funding:

Preliminary engineering: detailed design- 100% state. Environmental preliminary development- 100% state.

Construction: Construction contract- 80% federal and 20% state.

ODNR Scenic Rivers gave comments on January 13, 2020. The comments were added to the environmental commitments. The ODNR comments can be downloaded at [Project Files/Ecological/Coordination/ODNR Scenic Rivers Comments.pdf](#).

In accordance with Stipulation V(C)1 and Appendix B of the Section 106 Programmatic Agreement approved on November 8, 2017 (Agreement No. 19319), ODOT-OES has determined that the proposed project is a type of undertaking with "minimal potential to cause effects" and is not a part of a larger undertaking. the project was approve as a paper approval and a copy of this approval is located in the Project File/Cultural Resources/Coordination/Minimal Potential to Cause Effects A or B.pdf

The Floodplain Statement of Findings was posted on the ODOT D-12 website on January 15, 2020. See the PDF of the website in the Project File/Permits/Floodplain/Statement of Findings website.pdf. No comments were received by ODOT District 12 during this time. ODOT submitted LD-53 Letter to Geauga County as self-permitting for work within floodplain. The LD-53 Letter is included in Project File/Permits/Floodplains/Letter of Compliance - LD-53.pdf.

The environmental document and associated studies are being approved using Stage 3 Design. A copy of the plans can be found in the project file.

STIP Reference # SLI 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



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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.)*

(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.

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
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	08/31/2018
Endangered Species - Critical Habitat Present/Impacted	
Indiana bat	
Northern long-eared bat	
Endangered Species - Other Critical Habitat Present/Impacted:	Yes



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Endangered Species - Other Description:

Eastern pondmussel (*Ligumia nasuta*). Possible impacts will be determined during mussel survey

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:

03/03/2020

Section 4(f):

Present; No Programmatic
Evaluation or Individual Evaluation
Required

Section 4(f) Determination:

Temporary No Use Exception - 774.13(d)

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

07/31/2019

Section 6(f):

Not present

Cultural Resources:

Not Present

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

06/29/2018

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:

01/14/2020

Hazardous Materials - ESA Screening Conducted

Yes

Hazardous Materials - OES Approval Date:

06/29/2018

Phase I ESA Warranted Based on Coordination with OES:

No Further Studies Warranted

Farmland:

Non-Urbanized Area; No Impacts in
Accordance With the Farmland
MOU, 7 CFR 658, and ORC 929.05

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

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) This project is located in or near a Drinking Water Protection Area. In order to minimize the potential for contamination, the Contractor shall not perform project related refueling and vehicle maintenance activities from STA 637+95 to STA 641+95. The Contractor shall immediately take steps to mitigate any event, such as a spill of fuels, oils, or chemicals, that could threaten to contaminate the drinking water supply. Any such spill or event shall be reported immediately to the River Walk/Iron Horse Saloon Public Water System [Chris Kanieski at 440-834-4400]. If the spill is a reportable amount (per Ohio EPA's Release Reporting Requirements), the Contractor shall contact Troy Township Fire Department at 440-834-1810 or the Ohio EPA's Spills Hotline 1-800-282-9378 for clean-up of the spill.
- 2) The Contractor shall only restrict public access to the City of Akron Watershed Conservation Property for temporary periods of time that will take place at night time to avoid impacting canoe access and to complete construction activities that could compromise public safety. Access to the City of Akron Watershed Conservation Property shall remain open to the public at all other times throughout construction.
- 3) To protect the City of Akron Watershed Conservation Property and the public, the Contractor shall install and maintain temporary construction fencing along the proposed project construction limits prior to the start of construction activities.
- 4) Prior to the start of construction activities, the Contractor shall install signage approved by the Engineer to alert the City of Akron Watershed Conservation Property users of construction activities and access restrictions or closures, and to direct users to secondary access points.
- 5) The Contractor shall not store or stage construction equipment or materials within the City of Akron Watershed Conservation Property boundaries, outside of proposed construction limits, except for area(s) approved by the Official with Jurisdiction specifically for storage and staging of equipment per CMS 107.10.
- 6) The Contractor shall provide the construction schedule to ODOT [ODOT PM, Poonsak Sritalapat at 216-584-2112] and the OWJ [ODNR Division of Parks and Watercraft, Natalie Pirvu at 614-265-6466 & City of Akron Water Supply, Jessica Glowzewski at 330-678-0077 x 3745) 30 days prior to the start of construction activities.
- 7) The ODNR Division of Parks and Watercraft should be notified at least two weeks in advance of construction to post notice of the impending project on ODNR's online boating webpage and associated maps. Coordination and notification should be through Tom Arbour at 614-265-6575 or Thomas.Arbour@dnr.state.oh.us.
- 8) Prior to the start of construction activities, the Contractor shall install signage approved by the Engineer upstream of the project at Eldon Russell Park to alert paddlers of the construction activities downstream and to provide information as to the status of the Cuyahoga River within the project area in regards to safe passage for recreational boaters.
- 9) Prior to the start of construction activities, the Contractor shall install signage/buoys/markers approved by the Engineer upstream and downstream of the project area to alert paddlers of construction activities and access restrictions or closures.
- 10) The Cuyahoga River should be kept open to boating traffic as much as feasibly and safely possible during construction to keep impacts to recreation at a minimum. The state authority for approval of any "Closure" on Ohio's waterways is Gary Obermiller, Chief of the ODNR Division of Parks and Watercraft.
- 11) If a closure is needed or the project area becomes unsafe for paddlers to pass through at any time during the project, a portage should be established and marked for safe passage around the construction area.



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- 12) The project is located within the known habitat ranges of the federally listed and protected Indiana bat and northern long-eared bat. The Contractor shall not remove trees under this project from April 1 through September 30. All necessary tree removal shall occur from October 1 through March 31. The Contractor shall demarcate clearing limits in the field to avoid any unauthorized tree clearing. 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 a with a minimum height of 13 feet.
- 13) An asbestos survey for the existing three-span continuous steel beam bridge (SFN 2801779) which conveys traffic over the Cuyahoga River scheduled for renovation work was conducted by a licensed asbestos hazard evaluation specialist. A copy of the asbestos survey report for the structure is included in the plan package for this project. The asbestos survey report DID NOT identify the presence of any asbestos containing materials.
- 14) Crooked River Adventures (440-834-1778) and Camp Hi (330-569-7621) should be notified early in the planning process if it is determined that construction activities may affect their access to the Cuyahoga River. They should also be notified at least 2 weeks in advance of the project.
- 15) If on-the-water law enforcement assistance is needed during any portion of the construction, please contact the Division of Parks and Watercraft law enforcement supervisor, Scott Stauffer, scott.stauffer@dnr.state.oh.us or 440-812-3208.
- 16) ODOT shall ensure a State permitted malacologist must 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 permitted malacologist will submit the salvage and relocation work plan to ODNR for review and approval prior to any survey work. The results of the mussel survey and/or salvage work must be provided to the ODOT District Environmental Coordinator, Mark Carpenter, P.E., at Mark.Carpenter@dot.ohio.gov for coordination with ODNR. ODOT shall ensure the mussel survey and relocation occurs, and approval has been received from ODNR, prior to the Contractor performing any work below ordinary high water mark the Cuyahoga River.
- 17) ODOT will obtain all appropriate waterway permits prior to any work within the jurisdictional boundary of any waterway, including wetlands, and all ODOT: Waterway Permit Special Provisions will be noted under Special Provisions in the plans and adhered to during construction.
- 18) The Contractor shall not perform any work within the jurisdictional boundaries of any waterway, including wetlands, until ODOT obtains the necessary waterway permit(s). This includes the placement of any temporary or permanent fills. Work over the Cuyahoga River is not permitted until ODOT receives USCG approval.
- 19) ODOT will adhere to all appropriate ODOT: Waterway Permit Special Provisions throughout construction.
- 20) ODOT shall submit the In-Stream Work Restriction Waiver Request to ODNR-DOW no more than one year, and no less than 30 days, prior to the start of construction.
- 21) ODOT shall self-permit prior to plan file for floodplain impacts.
- 22) The Project Designer shall incorporate the known boundary of the City of Akron Watershed Conservation Property within the project area in the plans and label it accordingly.



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- 23) This project is located within a Drinking Water Protection Area. In order to minimize the potential for contamination, the Contractor shall utilize proper containment and diking in refueling areas. Fuels, toxic/hazardous materials, and chemicals shall not be stored near drainage ways, ditches, or streams. A spill kit is to be maintained on-site throughout construction activities. The Contractor shall immediately take steps to mitigate any event, such as a spill of fuels, oils, or chemicals, that could threaten to contaminate the drinking water supply. Any such spill or event shall be reported immediately to the River Walk/Iron Horse Saloon Public Water System [Chris Kanieski at 440-834-4400]. If the spill is a reportable amount (per Ohio EPA's Release Reporting Requirements), the Contractor shall contact Troy Township Fire Department at 440-834-1810 or the Ohio EPA's Spills Hotline 1-800-282-9378 for clean-up of the spill.
- 24) The Contractor shall not discharge toxic or hazardous materials such as sealants, paint, solvents, cleaning agents, earthen materials, waste-water, fuels or debris of any kind to a scenic river, its tributaries, or drainage ways. If refueling of immobile equipment is necessary within the floodplain or near any tributary drainage ways, ditches, or stream, the contractor shall provide secondary containment with enough capacity to completely contain and collect all potential liquid wastes in the event of a spill.
- 25) Any and all construction debris, earthen debris, excess asphalt or concrete, wood debris from clearing, excess fill material, and trash should be disposed of at an approved upland site or land fill above FEMA 100-year flood elevations. Disposal of any such materials within 1000 feet of the Cuyahoga River is prohibited.
- 26) In accordance with ORC 3750.06, reportable spills must be reported to the local fire department (911); the local emergency coordinator (440-279-2171), and the Ohio Spill Line (1-800-282-9378).
- 27) The Contractor shall keep all idle equipment, fuels, lubricants, and any storage for/of potentially toxic or hazardous materials out of the FEMA designated special flood hazard area and not within 1000 feet of the Cuyahoga River.
- 28) The Contractor shall notify the Project Engineer 40 days prior to work within 1000 feet of the Cuyahoga River. The Project Engineer shall notify the District Environmental Coordinator 35 days prior to work within 1000 feet of the scenic river. If coordination with ODNR has not already occurred, and the project requires notification to the Scenic River Manger prior to construction per the Scenic River MOA, the District Environmental Coordinator shall coordinate with ODNR Scenic Rivers 30 days prior to any work within 1000 feet of the Cuyahoga River.
- 29) Develop and implement a Storm Water Pollution Prevention Plan, per SS 832, before earthwork commences. Properly install and maintain sediment and erosion controls throughout the duration of the project. Do not use straw bales as a form of sediment control. Ensure timely adherence to the General Construction Permit for all sediment and erosion controls, including seeding and mulching. Particular attention shall be given to any drainage ways, unprotected slopes, ditches, and streams that could convey sediment laden waters directly to the Cuyahoga River.
- 30) Keep all idle equipment, fuels, lubricants, and any storage for/of potentially toxic or hazardous materials out of the FEMA designated special flood hazard area and not within 1000 feet of the Cuyahoga River. Idle equipment is construction equipment that will not be in use for the following two calendar days with the exception of large cranes.
- 31) Install an under deck apron or similar device to prevent debris and other materials from entering the river during removal. Remove the asphalt deck material prior to removing all other portions of the bridge. Immediately remove all material that falls into the water. Dispose all debris, excess fill material, and material excavated from the river bottom at an approved upland site that is above 100-year flood elevations. Do not dispose materials in wetlands, floodplains or within 1000 feet of the Scenic River.
- 32) Return all disturbed areas in the stream bottom to pre-construction contours. Determine stream-bottom elevations prior to starting in-stream work to ensure that all fill material and debris is completely removed when construction is complete.



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33) Wash and use rip-rap relatively free from fine particulate matter and free from toxic contaminants other than in trace quantities. Keep rip-rap to the minimum amount necessary to prevent scour. Use fill material for rip-rap, work platforms, or cofferdams that is a minimum of three inches in diameter. Keep work platforms to the minimum size needed to facilitate in-stream work. Construct temporary access fills using culverts. Conduct in-stream work using water diversions made of material other than earthen fill. Remove all fill immediately following the completion of in-stream work.

34) Do not discharge wastewater of any kind into the Cuyahoga River or any of its tributary streams, drainage ways, wetlands, or ditches. If dewatering is necessary to facilitate in-stream work or pier construction, pump all wastewater onto a vegetated area a sufficient distance from the river to allow for complete infiltration. If discharge to a vegetated area is not feasible, then discharge wastewater into a sediment filter bag or into a temporary detention/retention pond or appropriate sediment control with a sufficient retention period that permits the settling of all suspended solids. Pump all water to an area within the project limits or an area cleared by the Contractor.

35) The Project Designer will identify areas to be planted that consider setbacks for clear zones and safety, specify which native tree species shall be planted, and include pay items for native seeding and tree planting. A list of native tree species will be provided by District Environmental Staff: Make all reasonable attempts to disturb the minimum amount of river bank vegetation. Re-vegetate disturbed stream banks, return stream-banks to previously existing contours and elevations, and replace all trees that were removed to perform the Work with native tree species, where physically practicable. Native tree species, as specified in the plans, shall be 3 to 5-gallon containerized nursery stock. The Contractor is responsible for replacing all trees that die during the first growing season. Do not cut or clear of riparian vegetation within 1000 feet of the Scenic River beyond the existing right-of-way. The Contractor may vertically trim trees. Avoid girdling or scuffing tree trunks and avoid damaging any standing trees.

36) If any painting, sand blasting, or water blasting will occur at or over the Cuyahoga River, use appropriate aprons to provide for complete containment of all paint, sealant over-spray, paint debris particles, and other debris. Immediately remove all debris from within 1000 feet of the scenic river and dispose at an approved, by the ODOT Construction Engineer, upland site that is above FEMA 100-year flood elevations and not within a wetland or a floodplain.

37) Install the "Upper Cuyahoga River State Scenic River" signs at both approaches to the bridge as specified in the plans. Install signs stating the bridge number and river mile (Route 422, river mile 80.5) on both the upstream and downstream sides of the bridge, as specified in the plans.

38) Matthew Smith NE Ohio Assistant Regional Scenic River Manager shall be invited to a pre-construction meeting with the contractor present. He shall be notified of the start date, completion date, be allowed to conduct a final inspection before the project closes. Periodic inspections of the project shall take place to ensure Scenic River requirements are being met. The Scenic River Act, ORC 1547.82, requires the ODNR Director or his representative to approve any public project. Such approval shall be granted after a review of the final plan set by Scenic River staff.



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Preparers and Approvals

Form Preparer:

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Kerri Cheng

Approvals & Electronic Signatures

Approved & Electronically Signed By:	Approval Date:
Mark Carpenter (TRANS ENGR 3)	3/4/2020



Appendix

General

Aerial Map.pdf

Other Resources

Census Bureau Urbanized Area Map.pdf

Ecological

Coordination with ODNR - Scenic River Field Review Form.pdf

Coordination with ODNR and USFWS.pdf

General

County Map.pdf

ESA

District Approval.pdf

Other Resources

District Determination - Meets Farmlands MOU.pdf

Air

District Determination - No Air Analysis Required.pdf

Cultural Resources

Minimal Potential to Cause Effects - A or B.pdf

Ecological

ODNR Comments.pdf

ODNR Scenic Rivers Comments.pdf

Other Resources

Site Specific Resource Mapping.pdf

General

STIP Listing.pdf

Ecological

USFWS Comments Consult Form GEA-422-12.26 Deck PID 102434.pdf

General

USGS Quadrangle Topographical Map.pdf

Underserved Populations



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Census Mapping.pdf

Permits

FEMA FIRM.pdf

Section 4(f)

OES Recreational 4(f) Determination.pdf

Public Involvement

Property Owner Notification Letter for Public Meeting.pdf

Property Owner Notification Letter.docx

Property Owner Notification Letter.pdf

Public Comments Received.pdf

Public Involvement Summary.pdf

Public Meeting Advertisement.pdf

Public Meeting Handouts.pdf

Public Meeting Presentation.pdf

Response to Public Comments.pdf

Permits

Statement of Findings.pdf

Underserved Populations

Underserved Populations Documentation Form.pdf