



# OHIO DEPARTMENT OF TRANSPORTATION

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

## **Environmental Document**

for

## **CUY St. Clair Ave Bridge PID 105778**

**Environmental Document Level: C2**

**Approved: 3/17/2020**

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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:** 105778  
**Project Sponsor:** CUYAHOGA COUNTY ENGINEER  
**ODOT District:** 12  
**Funding Source:** Federal  
**Private Funding:** No

### Project Description:

The Cuyahoga County Engineer proposes to rehabilitate the deficient historic St. Clair Avenue bridge (CR 9) over Doan Brook 04.44 (SFN 1839993) in the City of Cleveland, Cuyahoga County. The existing bridge is a 20-foot clear span, 150-foot long semi-circular stone arch buried in over 20 feet of fill. The arch is supported on stone pedestals and there are stone gravity wingwalls extending from its four corners. The proposed work includes rehabilitation of the existing stone arch bridge including slip-lining new corrugated metal multi-plate arch on new reinforced concrete pedestal walls, constructing new reinforced concrete invert slab, rehabilitating existing stone wingwalls and headwalls, constructing new reinforced soil slopes, replacing portions of existing reinforced concrete channel walls, and repairing portions of existing approach roadways, including replacing catch basins, sidewalks, and guardrail. The bridge is within the National Register of Historic Places (NRHP) boundary for the St. Clair Avenue Bridge over Martin Luther King, Jr. Boulevard and is a contributing element to the NRHP-listed Rockefeller Park. No work is planned for the Martin Luther King, Jr. Boulevard Bridge 0.40 (SFN 1831445). St. Clair Avenue is a four-lane city street.

At least one lane of traffic will be maintained in each direction during construction activities.

Permanent right-of-way will be required for this project to fully encompass the existing bridge, the proposed improvements, and to allow access for future inspection and maintenance. Temporary right-of-way will also be required for construction access.

Approximately 1.0 acre of suitable wooded habitat for the federally listed Indiana bat (*Myotis sodalists*) and Northern long eared bat (*Myotis septentrionalis*) will be impacted by this project. All 1.0 acres are within 100' EOP. 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. Minor stream impacts will occur. No wetlands are located within the project area. All files related to ecological resources can be found in the project file under Ecological.

ODOT has determined that proposed project is not likely to impact the Kirtland's warbler. Our Agency is supportive of the concept of preserving wooded migratory stopover habitat located within three miles of Lake Erie when possible (for Kirtland's warbler and other migratory species) and will avoid tree and brush removal in excess of what is required to implement the project safely. However, ODOT does not intend to restrict the removal of trees and brush located within 3 miles of the Lake Erie shoreline between April 22nd and June 1st or between August 15th and October 15th.

Justification for this decision is included in Project File/Ecological/Coordination/ODOT Kirtland's Warbler Justification IOC.pdf.



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ODOT-OES determined in January 31, 2020 that the proposed work would have 'No Adverse Effect' on the historic integrity of the Rockefeller Park & Cleveland Cultural Gardens Historic District and Rockefeller Park Bridges will not be altered. No other cultural resources were identified in the project area. Plan notes will be included related to stone, grout color, and rock cleaning; and continued coordination with SHPO. All cultural related files can be found in the project file under Cultural Resources.

Rockefeller Park is a Section 4(f) resource. The project will require approximately 0.762 acres of temporary right-of-way and 0.434 acres of permanent right-of-way from Rockefeller Park. The project will result in a recreational Section 4(f) *de minimis* impact. These impacts were approved by ODOT OES on December 12, 2019. ODOT OES determined on March 4, 2020 that the cultural resources impacts result in a Section 4(f) *de minimis* determination. All related files can be found in the project file under Section 4(f).

Review of the LWCF Grant Listing for Cuyahoga County did not identify and Section 6(f) sites in the project vicinity. See Project File.

No hazardous materials, no noise or air quality impacts, or impacts to underserved populations are associated with this project.

The County issued a press release on September 27, 2019 providing information about the project and an opportunity for the public to comment. No comments were received. Press Release and County confirmation of no public comments received are in Public Involvement under Public Involvement.

The project is identified in State Line Item (SLI) 16. State Transportation Improvement Program (STIP)/ODOT Local Transportation Improvement Programs (TIP) fiscal constraint is maintained by fiscal year per SLI Group and not on the individual projects utilizing the SLI Group. An individual project utilizing a Statewide Line Item does not require a STIP/TIP amendment.

The environmental document and associated studies are being approved using Stage 2 Design. A copy of the plans is included in the project file.

#### STIP Reference #

SLI 16

#### 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.



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<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>	07/30/2018
<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>	Yes
<b>NFIP Local Floodplain Coordinator Notification Date:</b>	10/22/2019
<b>Section 4(f):</b>	Present; No Programmatic Evaluation or Individual Evaluation Required
<b>Section 4(f) Determination:</b>	
de minimis	
<b>Section 4(f) Determination Date - de minimis</b>	03/04/2020
<b>Section 6(f):</b>	Not present
<b>Cultural Resources:</b>	Present; No Finding of Adverse Effect
<b>Cultural Resources Coordination:</b>	No Adverse Effect
<b>Cultural Resources Coordination - ODOT Approval/SHPO Concurrence Date</b>	01/31/2020

**Tribal Consultation Summary/Remarks:**

The Miami Tribe of Oklahoma, Delaware Tribe of Oklahoma, and Delaware Nation were notified of the project on October 15, 2019. The Tribes did not provide any response within the 30 day comment period. The Delaware Tribe of Oklahoma, and Delaware Nation were notified of the project update on January 31, 2020. The Tribes did not provide and response within the 30 day comment period.



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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.

<b>Air Quality:</b>	Studies Not Required
<b>Air Quality - Coordination with OES:</b>	No
<b>Noise:</b>	Studies Not Required
<b>Noise Coordination - OES Approval Date:</b>	03/11/2020
<b>Hazardous Materials - ESA Screening Conducted</b>	Yes
<b>Hazardous Materials - OES Approval Date:</b>	01/31/2018
<b>Phase I ESA Warranted Based on Coordination with OES:</b>	No Further Studies Warranted
<b>Farmland:</b>	Urbanized Area; No Impacts in Accordance With the Farmland MOU and 7 CFR 658
<b>Scenic Rivers</b>	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.	
<b>Underserved Populations</b>	Does Not Exceed UP Guidance Criteria; No UP Analysis Report Required and No UP Issues Raised During Public Involvement
<b>Public Involvement:</b>	Minimum PI Requirements Met; No Minor Public or Agency Controversy on Environmental Grounds
<b>Environmental Commitments</b>	Yes



## **Environmental Commitments**

### **C2**

- 1) 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 with a minimum height of 13 feet.
- 2) The Contractor shall adhere to Dust Control AMM - ODOT CMS 616.
- 3) The Contractor shall maintain safe public access to Rockefeller Park at all times during construction activities.
- 4) The Contractor shall not store or stage construction equipment or materials within Rockefeller Park boundaries, outside of the construction limits, except for area(s) approved by the Official with Jurisdiction specifically for storage or staging of equipment under CMS 107.10.
- 5) To protect Rockefeller Park and the public, the Contractor shall install and maintain temporary construction fencing along the known boundaries of Rockefeller Park within the project construction limits prior to the start of construction activities.
- 6) Prior to the start of construction activities, the Contractor shall install signage approved by the Engineer to alert Rockefeller Park users of construction activities and access restrictions or closure, and to direct users to other access points.
- 7) The Contractor shall provide the construction schedule to the City of Cleveland Department of Public Works and the Cuyahoga County Department of Public Works 30 days prior to the start of construction activities.
- 8) Cuyahoga County shall obtain all appropriate waterway permits for the project prior to any work within the jurisdictional boundary of any waterway, including wetlands, and all applicable waterway permits conditions shall be provided in the project construction plan as Special Provisions.
- 9) The Cuyahoga County Engineer and/or their consultant shall prepare a mock-up of the proposed grout and grout color for review by ODOT, State Historic Preservation Office, and consulting parties prior to construction. Plan notes will be revised as applicable.
- 10) The Cuyahoga County Engineer and/or their consultant shall explore the availability and cost of rock channel protection with a warm color tone and will provide ODOT, State Historic Preservation Office, and consulting parties as opportunity to review the results of their investigation. Plan notes will be revised as applicable.
- 11) The Cuyahoga County Engineer and/or their consultant shall revise the plan notes to clarify the term "match" and will stress "gentleness" where cleaning and repair of the stones is referenced.
- 12) The Cuyahoga County Engineer and/or their consultant shall provide ODOT, State Historic Preservation Office, and consulting parties an opportunity to review the Stage 3 Design plan sheets.
- 13) ODOT shall continue to consult with SHPO and consulting parties throughout the project development process.



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### **Preparers and Approvals**

**Form Preparer:**

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**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)	3/17/2020



## Appendix

### General

Aerial Map.pdf

### Ecological

Coordination with ODNR and USFWS.pdf

### General

County Map.pdf

### Noise

District Determination - No Noise Analysis Required.pdf

### ESA

Regulated Materials Review Form.pdf

RMR Coordination.pdf

### Cultural Resources

SHPO Comments

### General

STIP Listing.pdf

### Cultural Resources

Transmittal 1 - Effect Determination

Transmittal 2 - Effect Determination Re-evaluation

Tribal Consultation

### Other Resources

Urbanized Area Map.pdf

### Ecological

USFWS Comments.pdf

### General

USGS Quadrangle Topographical Map.pdf

### Other Resources

Water Source Protection Area Map.pdf

Well Log Data.pdf

### Underserved Populations



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Census Mapping.pdf

**Permits**

FEMA FIRM.pdf

Local Floodplain Administrator Approval.pdf

**Section 6(f)**

LWCF Grant Listing.pdf

**Permits**

No Rise Certification - ODOT Form LD-50.pdf

**Section 4(f)**

OES Recreational 4(f) Determination.pdf

**Public Involvement**

Press Release.pdf

Public Comments - No Comments Received.pdf

**Permits**

Statement of Findings.pdf

**Underserved Populations**

Underserved Populations Documentation Form.pdf