



# OHIO DEPARTMENT OF TRANSPORTATION

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

## **Environmental Document**

for

## **CUY SR 043 06.07 PID 104097**

**Environmental Document Level: C2**

**Approved: 12/16/2020**

**Prepared By: District 12**

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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:** 104097  
**Project Sponsor:** ODOT SPONSORING AGENCY  
**ODOT District:** 12  
**Funding Source:** Federal  
**Private Funding:** No

**Project Description:**

Replace the Aurora Rd (SR-43) bridge over a branch of Tinkers Creek located east of SR-175 in Solon Level 1 Ecological Survey identified ecological resources in the project area. Minimizing tree removal in design is required. Tree removal restriction dates are required to avoid impacts to roosting federally endangered bat species. Waterway permits are required to be obtained prior to construction. Hydraulic Analysis shows that the Project will not increase the base flood elevation of Tinkers Creek. The LD-51 Letter to the City of Solon Floodplain Coordinator and the No-Rise Certificate (LD-50) are included in the Project File/Permits/Floodplains/Letter of Compliance - ODOT Form LD-51.pdf & No-Rise Certification - ODOT Form LD-50.pdf.

Field review and review of project mapping did not identify any Section 4(f) resources in project area. Review of the LWCF.org Grant List for Cuyahoga County did not identify an Section 6(f) sites in the project vicinity. The LCWF.org Grant Listing is included in the Project File/Section 6(f)/Project information/LWCF Grant Listing.pdf.

On 8-14-2018, OES determined that the project is a type of undertaking that has 'minimal potential to cause effects' to historic properties and is not part of a larger undertaking in accordance with the November 8, 2017 Programmatic Agreement (Agreement No. 19349).

The project will replace a bridge on essentially the same alignment and elevation, therefore no air quality or noise investigation is required.

No suspect Regulated Material sites will be impacted by the project. RMR Screening is included in Project File/ESA/Reports/Regulated Material Review Form.pdf.

The project is located in an urbanized area. Therefore, no farmland impacts are anticipated.

The project is not within 1000-feet of a Scenic River. No Scenic River impacts.

Census mapping identifying Underserved Populations in the project vicinity is included in Project File/Underserved Populations/Census Mapping.pdf. The Underserved Populations Documentation Form did not identify any UP impacts that required UP AIR. The Form is included in Project File/Underserved Populations/Project File/Underserved Populations Documentation Form.pdf.

**Public Involvement Conclusion:** Property owner notification letters were sent out to affected residents. No opposition to the project has been received. The Stage 2 Plans have been coordinated with the City and no comments were received. Based on the property owner and City of Solon notifications and no opposition being received, ODOT has determined to proceed with the project design. No changes in design are anticipated due to public comments.

The C2 Approval is based on Stage Design Plans. Plans are included in Project File/General/Project Information/Stage 2 Design.pdf.



STIP Reference #:

104097: 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.

**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** 02/13/2018

**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



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<b>EO 11988/NFIP Coordination and Documentation Completed:</b>	Yes
<b>NFIP Local Floodplain Coordinator Notification Date:</b>	08/12/2020
<b>Section 4(f):</b>	Not present
<b>Section 6(f):</b>	Not present
<b>Cultural Resources:</b>	Present; No Finding of Adverse Effect
<b>Cultural Resources Coordination:</b>	Minimum Potential to Cause Effect Appendix B
<b>Cultural Resources Coordination - ODOT Approval/SHPO Concurrence Date</b>	08/14/2018

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.

<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>	11/17/2020
<b>Hazardous Materials - ESA Screening Conducted</b>	Yes
<b>Hazardous Materials - OES Approval Date:</b>	11/09/2020
<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) Tree Removal AMM 1: 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.
- 2) Tree Removal AMM 2(a) (OH PBO: A-1). Time of year restrictions for tree removal when bats are not likely to be present - To avoid impacts to summer roosting bats, SWH will be cleared only between 1 October and 31 March, when the species would not be present.
- 3) Tree Removal AMM 3. 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.
- 4) The Project Designer shall ensure that waterway permits are obtained and incorporated into the plans.
- 5) An Asbestos Abatement Plan note shall be included in the plans that directs the Contractor to submit the Notification Form to Ohio EPA at least 10 days prior to demolition.



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### **Preparers and Approvals**

**Form Preparer**

District 12  
Contact: Mark Carpenter  
216-584-2089  
Mark.Carpenter@dot.ohio.gov

**Approvals & Electronic Signatures**

<b>Approved &amp; Electronically Signed By:</b>	<b>Approval Date:</b>
Mark Carpenter (TRANS ENGR 3)	12/16/2020



## Appendix

### Noise

District Determination - No Noise Analysis Required.pdf

### Cultural Resources

Minimal Potential to Cause Effect - Appendix B

Minimal Potential to Cause Effects - A or B.pdf

### Ecological

Coordination with ODNR and USFWS.pdf

USFWS Comments Consult Form CUY-43-6.07 PID 104097.pdf

### Section 6(f)

LWCF Grant Listing.pdf

### Underserved Populations

Census Mapping.pdf

Underserved Populations Documentation Form.pdf

### Public Involvement

Property Owner Notification Letter.pdf

### Permits

FEMA FIRM.pdf

Floodplain Impacts.pdf

Letter of Compliance - ODOT Form LD-51.pdf

No Rise Certification - ODOT Form LD-50.pdf