



OHIO DEPARTMENT OF TRANSPORTATION

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

Environmental Document

for

CUY SR 014 06.93 Replace PID 104132

Environmental Document Level: C2

Approved: 1/30/2023

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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 14, 2020, and executed by FHWA and ODOT.

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C2

PID:	104132
Project Sponsor:	ODOT SPONSORING AGENCY
ODOT District:	12
Funding Source:	Federal
Private Funding:	No
Project Description:	



Approved: 1/30/2023

The Ohio Department of Transportation (ODOT) proposes to replace the SR 14 (Broadway Avenue) bridge, also known as 'Whitehouse Crossing' bridge over Garfield Park Reservation, Chaincraft Road, Norfolk & Southern rail lines, and Wheeling & Lake Erie Railway lines (leased to Cleveland Commercial Railroad) in the City of Garfield Heights, Cuyahoga County. The new bridge will be located slightly to the north of the existing structure. The project is partially located within Garfield Park Reservation. The bridge will include a multi-use trail on the south side of Broadway Avenue from 800-west of Henry Street intersection to the east end of the bridge over the railroad tracks. This will provide safer pedestrian connections between the neighborhoods to the east and the GCRTA bus stop at the Henry Street/Garfield Park Reservation intersection.

Approximately 3.583 acres of permanent right-of-way will be required from 8 parcels and 0.678 acres of temporary right-of-way from 6 parcels. Utility impacts are anticipated.

Traffic on Broadway Avenue & Chaincraft Road will be maintained during construction, using part-width techniques. Henry Street will be closed during Phase 2 of construction with traffic maintained via detour. Wetland impacts will occur and will require a USACE permit. Approximately 0.728 acres of suitable wooded habitat for the federally protected Indiana bat and northern long-eared bat, and state protected tricolored bat and little brown bat all within 100' EOP will be impacted by the project. The project is not located within a USFWS bat buffer zone. The project *may affect not likely to adversely affect* these species. A plan note will be included in the project plans to limit tree clearing to between October 1 & March 31. There is no suitable habitat for any other federally or state listed species within the project area.

The project is located within a regulated floodplain. Coordination was conducted with the local floodplain administrator on January 26, 2023. A Floodplain Statement of Findings was posted to the project website on January 12, 2023. The project will be designed to meet the requirements of the National Flood Insurance Program.

Garfield Park Reservation is a recognized Section 4(f) recreational property. This project will require permanent and temporary right-of-way from the Park to construct the new structure with multi-use trail, vegetated earthen slopes (instead of retaining wall per Cleveland Metroparks request), bioswale (Best Management Practice) for storm water management. Access will be maintained to the majority of the park during construction, with the exception of the area between Garfield Park Boulevard (within the park) and Chaincraft Road. Based on coordination with the Official with Jurisdiction and in accordance with 23 CFR 774, ODOT-OES determined on January 20, 2023 that the project will have a *de minimis* impact upon Garfield Park Reservation. Section 4(f) Measures to Minimize Harm are included in the environmental commitments.

Garfield Park Reservation is also a recognized Section 6(f) property, meaning that improvements within Garfield Park Reservation were developed using National Park Service (NPS) Land and Water Conservation Funds under Grant # 39-01164. Based on mapping from NPS/ Ohio Department of Natural Resources (ODNR), only the area south of the existing bridge is subject to the Section 6(f) restrictions. Based on coordination to date with ODNR, the Section 6(f) impacts on the south side of the bridge related to inclusion of the multi-use trail and construction of vegetated earthen slopes as requested by CMP meets the Section 6(f) Maintenance Type use as defined in the ODOT/ODNR Section 6(f) MOU dated July 11, 2018. A Maintenance Type use will improve Section 6(f) property and does not require replacement property for reasonable impacts. ODOT-OES determined on January 19, 2023 that the project meets the Section 6(f) Maintenance Type use criteria.

No Cultural resources impacts, no hazardous materials impacts, no noise or air quality impacts, or impacts to underserved populations are associated with this project. An Asbestos Survey identified ACM on the structure. The Contractor will be required to submit the completed OEPA Notification of Demolition Form to OEPA at least 10 days prior to demolition activities.

A press release was issued on January 12, 2021 to notify the public about the project and direct them to the project website for information and to submit comments. In addition, over 1800 letters were sent to residents and property owners within a 1 mile radius of the project. Forty-eight written comments were received. ODOT responded to all of the comments by posting the responses on the website. A Public Involvement Summary and Conclusion Statement is included in the Project File.

The environmental document and associated studies are being approved using Stage 1 design. A copy of the plans is included in the Project File.



STIP Reference #:

104132: 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 -

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
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	07/31/2020
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: 01/26/2023

Section 4(f): Present; No Programmatic Evaluation or Individual Evaluation Required

Section 4(f) Determination:

de minimis

Section 4(f) Determination Date - de minimis 01/20/2023

Section 6(f): Present; No 6(f) Conversion Required

Section 6(f) Determination: Maintenance

Section 6(f) Determination Date: 01/19/2023

Cultural Resources: Present; No Finding of Adverse Effect

Cultural Resources Coordination: Minimum Potential to Cause Effect Appendix B

Cultural Resources Coordination - ODOT Approval/SHPO Concurrence Date 12/20/2021

Tribal Consultation Summary/Remarks: No tribal comments were received.

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: 01/27/2023

Hazardous Materials - ESA Screening Conducted Yes

Hazardous Materials - OES Approval Date: 04/25/2022

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

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)
390351542002	50	62	15	0
390351546011	53	18	9	0
390351543001	98	60	27	0

Underserved Populations Remarks

According to the ODOT's TIMS, the EJ population percentages in the project area are: Minority population is 50-98 percent; Low Income population is 18-62 percent; Older adult population is 9 - 27 percent; and Limited English Proficiency (LEP) is 0 percent population.

Public involvement included mailing letters to residents and businesses within a one mile radius of the project area. Coordination with GCRTA is ongoing related to bus stops in the project area.

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 Underserved Populations Impact Analysis Report is not required.

The Census mapping may be found in the project file under Underserved Populations.

Public Involvement:

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

Environmental Commitments

Yes



Environmental Commitments

C2

- 1) Ensure impacts to the federally listed and protected Indiana bat and northern long-eared bat and the State listed and protected little brown bat and tricolored bat are avoided and minimized. Do not remove trees from April 1 through September 30. Perform all necessary tree removal from October 1 through March 31. Demarcate clearing limits in the field to avoid any unauthorized tree clearing. 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) Maintain safe public access to Garfield Park Reservation at all times during construction activities, with the exception of the area within the proposed construction limits, between Garfield Park Boulevard and Chaincraft Road.
- 3) Install and maintain temporary construction fencing along the known boundaries of Garfield Park Reservation within the project construction limits prior to the start of construction activities.
- 4) Prior to the start of construction activities, install signage approved by the Engineer to alert Garfield Park Reservation users of construction activities and access restrictions or closures, and to direct users to secondary access points.
- 5) The Contractor shall obtain a construction permit from Cleveland Metroparks prior to the start of construction activities.
- 6) Areas of temporary right-of-way within Garfield Park Reservation shall be restored to a condition which is at least as good as that which existed prior to the project.
- 7) Provide the construction schedule to the Department, Cleveland Metroparks, and City of Cleveland Department of Public Works 30 days prior to the start of construction activities.
- 8) ODOT will obtain all appropriate waterway permits prior to any work within the jurisdictional boundary of any waterway, including wetlands, and all Waterway Permit Special Provisions will be noted under Special Provisions in the plans and adhered to during construction.



Approved: 1/30/2023

9) ASBESTOS NOTIFICATION

A CERTIFIED ASBESTOS HAZARD EVALUATION SPECIALIST SURVEYED THE BRIDGE STRUCTURE SCHEDULED FOR DEMOLITION AND/OR REHABILITATION; THE SURVEY DETERMINED THAT 5 SQUARE FEET ASBESTOS IS PRESENT ON THE BRIDGE STRUCTURE.

ODOT SHALL PROVIDE A COPY OF THE OHIO ENVIRONMENTAL PROTECTION AGENCY (OEPA) NOTIFICATION OF DEMOLITION AND RENOVATION FORM, PARTIALLY COMPLETED AND SIGNED BY THE BRIDGE OWNER, TO THE SUCCESSFUL BIDDER. THE CONTRACTOR SHALL COMPLETE THE FORM AND SUBMIT IT TO ONE OF THE ADDRESSES BELOW AT LEAST TEN (10) WORKING DAYS PRIOR TO THE START OF ANY DEMOLITION AND/OR RENOVATION.

ASBESTOS PROGRAM

OHIO EPA, DAPC

P.O. BOX 1049

COLUMBUS, OH 43216-1049 OR ASBESTOS PROGRAM

OHIO EPA, DAPC

50 W. TOWN ST., SUITE 700

COLUMBUS, OH 43215

THE CONTRACTOR SHALL PROVIDE A COPY OF THE COMPLETED FORM TO THE ENGINEER AT LEAST TEN (10) WORKING DAYS PRIOR TO THE START OF ANY DEMOLITION AND/OR RENOVATION. THE FORM SHALL INCLUDE: 1) THE CONTRACTORS NAME AND ADDRESS, 2) THE SCHEDULED DATES FOR THE START AND COMPLETION OF THE BRIDGE REMOVAL AND 3) A DESCRIPTION OF THE PLANNED DEMOLITION WORK AND THE METHOD(S) TO BE USED. COPIES OF THE OEPA FORM AND BRIDGE INSPECTION REPORT ARE AVAILABLE FOR REVIEW AT THE ODOT DISTRICT 12 OFFICE, 5500 TRANSPORTATION BOULEVARD, GARFIELD HEIGHTS, OHIO 44125.

BASIS FOR PAYMENT THE CONTRACTOR SHALL FURNISH ALL FEES, LABOR, AND MATERIAL NECESSARY TO COMPLETE AND SUBMIT THE OEPA NOTIFICATION FORM. PAYMENT FOR THIS WORK SHALL BE INCLUDED IN: ITEM 202 PORTIONS OF STRUCTURE REMOVED, OVER 20 FOOT SPAN, AS PER PLAN.

10) The project will be designed to meet the requirements of the National Flood Insurance Program

11) The project designer will continue coordination with GCRTA to provide proper service during construction.



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Preparers and Approvals

Form Preparer: Libby Rushley
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Supporting Form Preparer(s): Andrew Fluegemann
Sumia Mohamed

Approvals & Electronic Signatures

Approved & Electronically Signed By:	Approval Date:
Mark Carpenter (TRANS ENGR 3)	1/30/2023



Appendix

General

Aerial Map.pdf

County Map.pdf

STIP Listing.pdf

USGS Quadrangle Topographical Map.pdf

Noise

District Determination - No Noise Analysis Required.pdf

ESA

BUSTR File Review-rev.pdf

OEPA Files-rev.pdf

OES Recommendations - Screening.pdf

Project Related OES Decision - ESA.pdf

Regulated Materials Review Form.pdf

Cultural Resources

Minimal Potential to Cause Effect - Appendix B

Records Check.pdf

Ecological

Coordination with ODNR and USFWS.pdf

Response to ODNR and USFWS Comments.pdf

USFWS Comments Consult Form CUY-14-6.93 PID 104132.pdf

Wetland Finding.pdf

Other Resources

Urbanized Area Map.pdf

Water Source Protection Area Map.pdf

Well Log Data.pdf

Section 4(f)

City of Cleveland OWJ Concurrence.pdf

Metroparks OWJ Concurrence.pdf

OES Recreational 4(f) Determination.pdf



Section 6(f)

Informal Consultation with ODNR.pdf

LWCF Grant Listing.pdf

ODNR Comments.pdf

OES Approval - Maintenance.pdf

Underserved Populations

Census Mapping.pdf

Public Involvement

Press Release.pdf

Public Comment Form .pdf

Public Involvement Summary and Conclusion Statement.pdf

Public Notification Mailing List.pdf

Public Opportunity to Comment Letter.pdf

Response to Public Comments Table.xlsx

Stakeholder Comments Garfield Heights no Emergency Call box.pdf

Permits

FEMA FIRM.pdf

Floodplain Impacts ODOT Website.pdf

Letter of Compliance - ODOT Form LD-51.pdf