CUY-90-14.90

PID 77332/85531

APPENDIX ED-02

Final Environmental Impact Statement (FEIS)
(Reference Document)

State of Ohio
Department of Transportation
Jolene M. Molitoris, Director

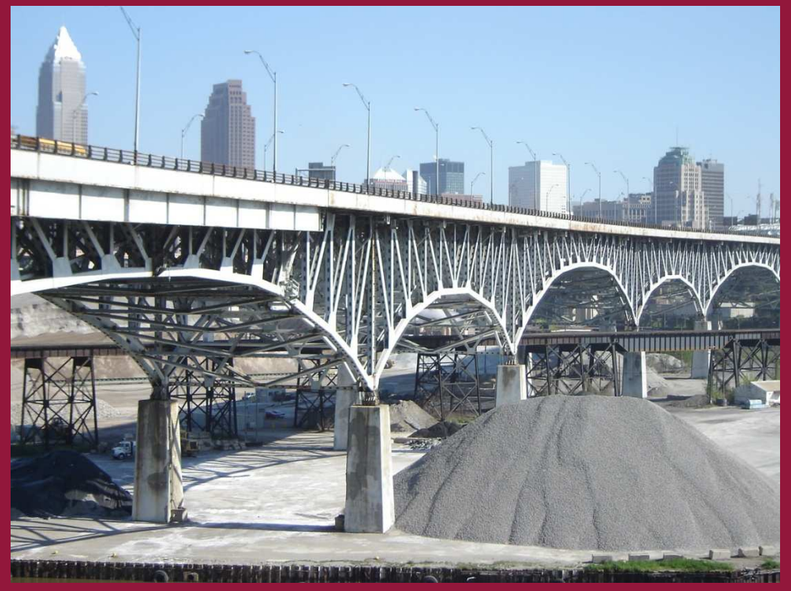
Innerbelt Bridge
Construction Contract Group 1 (CCG1)

Revision Date: July 31, 2009

Final Environmental Impact Statement

Cleveland Innerbelt Project

CUY-90-Innerbelt
PID No. 77510



STATE OF OHIO DEPARTMENT OF TRANSPORTATION

FHWA

FHWA-OH-EIS-09-01-F

Cleveland Innerbelt Project
CUY – IR 71/IR90 -16.79/14.90, PID 77510
City of Cleveland, Cuyahoga County, Ohio

Final
Environmental Impact Statement

Submitted Pursuant to 42 U.S.C. 4332 (2) (c) and 49 U.S.C. 303 by the

U.S. Department of Transportation – Federal Highway Administration – Ohio Federal aid Division, and the Ohio Department of Transportation, as Joint Lead Agencies pursuant to 23 U.S.C. 139(c)

In cooperation with the

U.S. Department of Homeland Security - U.S. Coast Guard, and the Department of the Army – Corps of Engineers

And with the participation of the

U.S. Department of the Interior - Fish and Wildlife Service,
U.S. Department of the Interior - National Park Service,
U.S. Environmental Protection Agency, and
U.S. Department of Transportation, Federal Aviation Administration

7-10-09 — Jolene M. Molitoris

Date of Approval — **Jolene M. Molitoris, Director, Ohio Department of Transportation**

7-22-09 — Patrick A. Bauer

Date of Approval — **Patrick A. Bauer, Acting Division Administrator, Federal Highway Administration, Ohio Federal aid Division**

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Abstract

The Federal Highway Administration (FHWA) and the Ohio Department of Transportation (ODOT) as joint lead agencies are proposing the major rehabilitation and reconstruction of the Cleveland Innerbelt Freeway system infrastructure to address operational, design, safety, and access shortcomings that severely impact the Freeway's ability to function in an acceptable manner. The Innerbelt Freeway system provides for the collection and distribution of traffic between the radial freeway system (I-71, I-90, I-77, SR 2, I-490, and SR 176) and the local street system, and it also moves traffic between each of the radial freeways, within the City of Cleveland Central Business District (CBD) area.

The Cleveland Innerbelt Project termini are located approximately at the merge/diverge point of State Route 176, (the Jennings Freeway) and Interstate 71 southwest of downtown, south of the existing Interstate 90/Interstate 77 Central Interchange on Interstate 77 south to the Pershing Avenue local partial interchange south of downtown, and east of the Interstate 90/State Route 2 system interchange east of downtown along the shore of Lake Erie and adjacent to the Burke Lakefront Airport. Within the project limits Interstate 90 crosses the expansive Cuyahoga River Valley.

The Draft Environmental Impact Statement (DEIS) for the project was approved on March 3, 2009. A public hearing was held on April 21, 2009. The public comment period ended May 21, 2009. Comments on the DEIS focused upon the following issues: stormwater management, access changes and economic effects, bicycle and pedestrian access, aesthetics, the Project Development Process, air quality and climate change, Transportation System Management, marine transportation, and impacts to Burke Lakefront Airport. None of the issues during the comment period require substantive changes to the information provided in the DEIS. However, some issues required the presentation of additional discussion and information to supplement information contained within the DEIS.

This Final Environmental Impact Statement (FEIS), which incorporates the DEIS by reference, constitutes a full disclosure document, under the National Environmental Policy Act (NEPA) and related regulations, for the proposed Cleveland Innerbelt Project in Cleveland, Ohio. This document contains an errata for minor changes to the DEIS, updated information that was developed subsequent to publication of the DEIS, additional information to supplement information in the DEIS to address comments received during the DEIS commenting period, the public hearing transcripts, and copies of all written statements from the public.

Based upon the information presented within the DEIS and this FEIS, the FHWA and ODOT have determined that Alternative A satisfies the project's purpose and need, and that it causes the least impact to the natural and human environment in comparison to Alternative B. In addition FHWA and ODOT have determined that the No Build alternative would not fully address the project's needs and does not enable the Innerbelt Freeway system to function acceptably. Compared to the No Build and other alternatives considered, Alternative A best provides for the balanced consideration of the purpose and need for the action and justifies the impacts and costs. Alternative A is identified as the Preferred Alternative within this FEIS. The current estimated project costs is $2.7 to $3.5 billion, based upon expected year of expenditure, with implementation expected to occur in phases over the period from 2010 to 2033.

The public is advised that FHWA and ODOT, as joint lead agencies, intend to publish a notice pursuant 23 USC §139(l), indicating that one or more Federal agencies have taken final action on permits, licenses, or approvals for this transportation project. If such notice is published, claims seeking judicial review of those Federal agency actions will be barred unless such claims are filed within 180 days after the date of publication of the notice, or within such shorter time period as is specified in the Federal laws pursuant to which judicial review of the Federal agency action is allowed. If no notice is published, then the periods of time that otherwise are provided by the Federal laws governing such claims will apply.

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Executive Summary

Introduction

The Federal Highway Administration (FHWA) and the Ohio Department of Transportation (ODOT) as joint lead agencies are proposing the major rehabilitation and reconstruction of the Cleveland Innerbelt Freeway system infrastructure to address operational, design, safety, and access shortcomings that severely impact the Freeway's ability to function in an acceptable manner. The Innerbelt Freeway system provides for the collection and distribution of traffic between the radial freeway system (I-71, I-90, I-77, SR 2, I-490, and SR 176) and the local street system, and it also moves traffic between each of the radial freeways, within the City of Cleveland Central Business District (CBD) area.

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The FEIS document provides a summary of public and agency comments on the DEIS, with additional discussion provided for issues requiring clarification, along with errata for minor changes to the DEIS. Updated information regarding cultural resources and environmental site assessments is provided. This document also contains the Final Section 4(f) Evaluation for the project.

Comments on the DEIS

Notice of Availability
Availability of the Draft Environmental Impact Statement (DEIS) was published in the Federal Register on March 20, 2009. (A copy is included in Appendix A.) Notice of the DEIS and public hearing was published by advertisement in: The Cleveland Plain Dealer on March 20, April 15 and April 19, 2009; The Call & Post on April 14, 2009; El Sol in the April Issue available April 7, 2009; and the Erie Street Journal April issue, available March 31, 2009. (Copies of the advertisements are included in Appendix A.)

Public hearing notifications were also made through the following methods: e-mail announcement to local stakeholders; announcement on ODOT's website; and news release to local newspapers, television and radio stations.

Copies of the DEIS were made available for public viewing on the project website at www.innerbelt.org and at 3 public libraries, 5 Community Development Corporation (CDC) offices, Cleveland City Hall, NOACA, and ODOT's District 12 office. The public comment period ended May 21, 2009.

Public Hearing
A public hearing was held on April 21, 2009 to provide an opportunity for interested persons to review and comment on the DEIS. The hearing was held at the Annunciation Greek Orthodox Church from 4:00 to 8:00 p.m. This location was chosen because it is located within the project area near residential areas, is easy to find, has adequate parking, is ADA accessible, and has been host to previous, well-attended meetings on the project.

The hearing was conducted in an open house format with large display boards graphically depicting the project and probable impacts, as well as the right-of-way needed to construct the project. Copies of the handouts are included in Appendix A. The hearing was attended by 183 members of the public and public officials, as indicated by the sign-in sheets in Appendix A.

A presentation of project development, including the explanation of the preferred alternative, was given from approximately 5:30 to 6:15 p.m. by the project manager, Mr. Craig Hebebrand. A copy of the presentation is included in Appendix A. After the presentation, verbal comments from 19 audience members were recorded. A copy of the transcript, including the presentation and verbal comments from the public, is included in Appendix A.

The public also had opportunity to provide hand written comments at a separate station. The public also had the opportunity to provide comments verbally to a court reporter at another station, but no one used this option.

Comments were accepted until May 21, 2009. Media coverage of the project during this period is provided in Appendix A. Copies of all the hand written and verbal comments received are summarized in Section 2.3. All written comments received at the meeting, or by mail, e-mail or submission to the project website by that date, are included in Appendix B.

In addition to the official public hearing, ODOT provided an update on the project at the Urban Core Projects Committee Meeting on April 2, 2009. (Minutes, with list of attendees, and copy of presentation are included in Appendix A.)

Summary of Public Comments
Table 1a contains a summary of written comments received during the DEIS availability period. Table 1b contains a summary of verbal comments from the public hearing transcript of April 21, 2009. Table 1c contains comments received after the close of the comment period. The actual comments or concerns made are found in the public involvement record in Appendix B, which displays the comment as received.

Agency Coordination
Following notification of availability in the Federal Register, the Cleveland Innerbelt Project Draft Environmental Impact Statement (DEIS) was distributed to the following agencies for opportunity to review:

Federal Agencies:

- U.S. Department of Homeland Security, United States Coast Guard
- U.S. Department of the Interior, Fish and Wildlife Service
- U.S. Department of the Interior, National Park Service
- U.S. Environmental Protection Agency
- U.S. Army Corps of Engineers
- U.S. Department of Transportation, Federal Transit Administration
- U.S. Department of Transportation, Federal Aviation Administration

State Agencies:

- Ohio Department of Agriculture
- Ohio Department of Natural Resources
- Ohio Environmental Protection Agency
- Ohio Historic Preservation Office

Formal comments were received from six agencies, highlighted above. These comments, along with responses, are summarized in the Table 2. Copies of the coordination letters are included in Appendix C.

Issues and Resolutions
None of the issues during the comment period require substantive changes to the information provided in the DEIS. However, some issues require additional information to supplement information in the DEIS.

The majority of public comments on the DEIS were regarding a few main issues:

- Stormwater management (FEIS Section 2.5.1)
- Access Changes and Economic Effects (FEIS Section 2.5.2)
- Bicycle and Pedestrian Access (FEIS Section 2.5.5)
- Aesthetics (FEIS Section 2.5.6)
- Project Development Process (FEIS Section 2.5.9)

Comments from agencies requiring additional discussion pertained to the following topics:

- Stormwater management (FEIS Section 2.5.1)
- Air quality and climate change (FEIS Section 2.5.3)
- Transportation System Management (FEIS Section 2.5.4)
- Impacts to Burke Lakefront Airport (FEIS Section 2.5.7)
- Marine Transportation (FEIS Section 2.5.8)

Additional discussions for each of these issues are provided within the FEIS document in the sections noted in parentheses.

Update to Information Provided in the DEIS

The following sections provide additional information that was developed subsequent to publication of the DEIS.

Cultural Resources (Section 106)

Archaeological Resources. An archaeological disturbance study was conducted as a part of the Phase I Cultural Resources survey in May 2006. Based upon a preliminary review, the Ohio Historic Preservation Office (OHPO) concluded by letter of July 5, 2006, there is a potential for that encountering historic residential, commercial and industrial deposits, given the large affected area. OHPO concluded that the archaeological issues would be best addressed by a land use review of historic atlases, insurance maps, and a visual inspection when the Preferred Alternative is selected and the work limits for the project are better known. On February 17, 2009, ODOT's Office of Environmental Services and OHPO conducted a joint field review focused on the preferred corridor. This field review confirmed that the entire area is thoroughly disturbed by commercial, residential, and industrial development, landscape modification, artificial landform construction, parking lot construction, and underground utility installation. The severity of the disturbance precludes the existence of intact archaeological deposits. The shallow nature of the land surface along the Cuyahoga River would also preclude the existence of stratified archaeological deposits. On February 27, 2009, ODOT documented the above finding in a letter to the Ohio Historic Preservation Office. OHPO concurred with this finding on March 9, 2009. The concurrence letter is included in Appendix E.

History/Architecture. As discussed in the DEIS Section 4.2.11, the Ohio Historic Preservation Office (OHPO) concurred on December 9, 2008, that a finding of "adverse effect" was applicable to the project. For the Preferred Alternative, the crossing of the Cuyahoga River valley will result in an adverse effect for three buildings (Broadway Mills, Marathon Gas Station, and Distribution Terminal Warehouse). Discussion of avoidance alternatives for these properties is included in the Final Section 4(f) discussion (see FEIS Chapter 5). Visual, noise, and vibration effects on other historic properties in the Area of Potential Effects (APE) have been monitored but are not anticipated to add to the adverse effect of the project overall.

On December 19, 2008, the ODOT Office of Environmental Services (OES) notified the Advisory Council on Historic Preservation (ACHP) of the finding of "adverse effect". The notification included the following supporting documentation: a copy of the *CUY-IR71/90 PID: 77510 Section 106 Assessment of Effects for the Feasible Alternatives, September 2008;* documentation of the Section 106 consultation process between September 24, 2008 and December 1, 2008; a copy of the "Notice of Intent" published in the Federal Register Thursday, September 7, 2006; a request to determine their participation in resolving the "adverse effects" and the development of a Programmatic Agreement for the Section 106 process.

The ACHP responded by letter dated January 9, 2009. The ACHP concluded that their participation in the consultation to resolve adverse effects was not needed. The consulting parties were provided a copy of the ACHP response, a copy of the draft Programmatic Agreement, and an invitation to participate in consultation.

The Programmatic Agreement (PA) specifies the process to be used to develop mitigation to resolve adverse effects, including a list of potential mitigation measures that will be considered. No specific mitigation plans are included in the PA. A consultation meeting regarding the development of the PA was held on March 18, 2009. At the meeting, ODOT reviewed the Programmatic Agreement. Consulting parties requested a definition of mitigation versus enhancement. Following the meeting, ODOT provided FHWA's response to this request. (See copy of e-mail in Appendix E.) Following the meeting and the Consulting Party comment period, the PA was finalized and executed by OHPO, ODOT, and FHWA on May 20, 2009. A copy of the executed Programmatic Agreement is included in Appendix E.

The first construction project (new bridge over Cuyahoga River for I-90 westbound) will impact the three properties that are the basis for the "adverse effect." These include the Broadway Mills Building, Marathon Gas Station, and Distribution Terminal Warehouse (AKA Cold Storage Building). A Section 106 Consulting Parties meeting was held May 20, 2009, in accordance with the PA. Treatment plans to mitigate adverse effects were discussed, as well as potential project specific enhancements and locally sponsored plans.

Project specific enhancements will be developed with aesthetic committee members and local officials. These enhancements may include: aesthetic treatments to the new bridge abutments and piers; pedestrian overlooks and facilities; reuse of the Central Viaduct Bridge abutment; and commemorative parks. Locally sponsored enhancements may include reuse of buried rail lines and multi-use pedestrian trails.

In accordance with the PA, FHWA and ODOT propose the following treatment plans to resolve the adverse effect on the three impacted historic properties:

- Broadway Mills - Level II documentation as specified by the Historic American Building Survey (HABS) will be prepared. A commemorative display will be located at or near the existing mill site.
- Marathon Gas Station – Level II documentation as specified by the Historic American Building Survey (HABS)
- Distribution Terminal Warehouse – A historic context will be prepared documenting the significance of the resource in relation to the City of Cleveland's food distribution industrial history.

On June 5, 2009, ODOT described the proposed treatment plans for the above buildings in a letter to OHPO. (See letter in Appendix E. For additional details, please refer to letter.) ODOT requested OHPO's concurrence that the proposed treatment plans mitigate the adverse effects of the undertaking on historic cultural resources. In accordance with the PA, FHWA and ODOT provided copies of the coordination and proposed treatment plans to Consulting Parties. During the 30-day Consulting Parties comment period, no comments were received relative to the proposed plans. (One comment was received regarding fire department operations, see discussion in Table 1c.) OHPO concurred with the proposed plans on July 7, 2009. (See letter in Appendix E.)

Environmental Site Assessments
Recently, it has been determined that property currently part of Burke Lakefront Airport is considered by OEPA as unregulated landfill. Therefore, a 27-13 permit will be required from OEPA for investigations and construction within this area.

Updated results are available regarding Environmental Site Assessments for two properties within the project limits, the Cold Storage Building (AKA Distribution Terminal Warehouse) and the BP Oil Station at 900 Carnegie Ave.

Regarding the Cold Storage Building, ODOT's Office of Environmental Services (OES) reviewed the Phase I and Phase II Environmental Site Assessment reports and concluded that no additional investigations are required. The wipe samples taken of transformers found in the building did not detect the presence of PCBs. Materials found during a floor-by-floor reconnaissance of the building should be considered as personal items to be removed by the owner prior to ODOT taking possession of the property. If they are not removed, ODOT will have them removed prior to demolition of the building. Useable products would be salvaged for use or sale. Wastes will be analyzed and properly disposed. Copy of Interoffice Communication is included in Appendix F.

Regarding the BP Oil Station, OES reviewed the Phase II report and concluded that no further investigations are required and no special material management is necessary for this site, based upon the current work limits and proposed shallow excavation.

Additional Noise Studies
Subsequent to the publication of the DEIS, noise analyses were revisited to consider internal noise levels at three locations: the Western Reserve Fire Museum, Fire Station #28, and Hilton Garden Inn. Based upon the study results (included in Appendix F), the interior noise levels do not approach or exceed the FHWA noise abatement criterion for these properties. Therefore, no noise impacts are anticipated at these locations and no abatement measures are recommended.

Access Modification Study
The Access Modification Study (AMS), which presents the traffic operations and geometric design details of the project, was conditionally approved on July 8, 2009. The Preferred Alternative, Alternative A, was found to be acceptable from a geometric and operational standpoint. The AMS analysis validated that Alternative A will provide for the effective collection and distribution of traffic between the radial freeway system and the local street system and that Alternative A will effectively facilitate the movement of traffic between each of the radial freeways. The design and operational deficiencies that are retained within Alternative A are minor, localized in nature, and in all cases provide for a build condition that is substantially better than the existing or no build condition. Final approval of the AMS will be provided with the Record of Decision.

The AMS was referenced in the DEIS and was available upon request from ODOT District 12. The AMS document and appendices are included on DVD in Appendix G of the FEIS.

Implementation Plan/Cost Estimate
Current cost estimates were developed during the Cleveland Innerbelt cost estimate review meeting held June 1-5, 2009, at the ODOT District 12 office. The workshop was facilitated by FHWA and included attendees from ODOT and the project consultants. The objective of the review was to conduct an unbiased risk-based review to verify the accuracy and reasonableness of the ODOT and consultant team preliminary cost estimate and to develop a probability range based upon the project's current stage of design. Risk-based analyses were based upon a Monte Carlo Simulation model to generate project estimate forecasts as a range of values by taking into consideration threats and opportunities and the impact and probabilities associated with each. The greatest factor influencing the range of costs is inflation.

The total cost estimate for the project is approximately $1.6 - $1.7 billion in 2009 dollars, with $109-121 million for engineering, $75 - $82 million right-of-way, and $1.4 -$1.5 billion construction.

The size and complexity of the Cleveland Innerbelt Project, its extensive cost, and the need to maintain traffic require that the improvements be systematically phased, with implementation expected to occur over the period from 2010 to 2033. The project team developed a proposed phasing plan taking into consideration current conditions, maintenance of traffic, constructability, and the utility of the finished segment. The resulting recommended contract groups are listed in Table 7. The project elements included in each construction contract group will be designed together and may be constructed as one contract or broken into phases (A, B, C, etc.). All pieces within a group must be completed to have a useable segment.

Table 7 also lists the current cost estimates inflated to the year of expenditure. Based upon these figures, the estimated total project cost is over $2.7 - $3.5 billion, with $155 - $197 million for engineering, $83 - $106 million right-of-way, and $2.5 - $3.1 billion for construction.

As a major project of over $500 million, a Project Management Plan and Annual Financial Plan will be required. The Project Management Plan is required within 90 days of the Record of Decision. The Initial Financial Plan is required prior to Federal authorization for construction and must be updated annually. These documents are currently in development. The current cost estimates, along with funding sources for each phase, will continue to be evaluated. This information will be updated, as required, as part of the financial plan described above.

Relationship to State and Local Transportation Plans
The project's relationship to state and local transportation plans is provided in DEIS Section 4.3.4. Since publication of the DEIS, the regional transportation plan, NOACA's Transportation Improvement Plan (TIP) has been amended with the following projects in the project area:

- 85531 - Cuy -IR90-14.90 Amendment dated 6-30-09
- 85049 - Cuy-IR490 -1.87WN/VAR - Amendment dated 4-21-09

Compliance with Planning Requirements
For compliance with applicable planning requirements, the project must be included in the fiscally constrained long range plan for NOACA. In addition, the first construction section, CCG1 (see Table 7), will be included in NOACA's TIP.

The overall project is accounted for in the long rage plan under an older proposed phasing plan and estimates. The long range plan will have to be updated with the current phasing plan and estimates prior to issuance of the Record of Decision.

The first construction segment is currently within the TIP, but does not reflect the updated scope and cost estimates. NOACA will be administratively modifying and updating the plan and will issue a TIP amendment to adjust these figures prior to issuance of the Record of Decision.

Segments with project implementation of any phase (design, right-of-way or construction) within the time horizon of the current TIP are included within the TIP or will be added by amendment. The current phasing plan, described above, will require updates to the TIP and cost estimates, which will be incorporate by TIP amendment prior to authorization of project activities for those segments.

Environmental Impacts & Comparison of Feasible Alternatives

Impacts of the Feasible Alternatives are summarized in Table 8. Noteworthy differences between the two alternatives are highlighted in the table and discussed below. Several issues results in impact differences in more than one category. They are grouped by issue below.

Historic Properties Alternative A impacts three stand-alone historic buildings that were recently determined to be eligible for the National Register: Broadway Mills, Marathon Gas, and the Distribution Terminal Warehouse. The Distribution Terminal Warehouse has been vacant for more than five years, it has been in foreclosure, and the owners have petitioned ODOT to request that it be purchased from them. (See DEIS Section 4.2.5 Property Impacts and Relocations.)

In comparison, Alternative B also affects the Broadway Mills building and Marathon Gas building, but in exchange for avoiding the Distribution Terminal Warehouse, this alternative has an adverse effect on the Tremont National Register Historic District, resulting in removal of two residences that are contributing elements and one non-contributing building, plus adverse access and proximity impacts to the Annunciation Greek Orthodox Church. (See DEIS Section 4.2.11 Cultural Resources and FEIS Chapter 5 Final Section 4(f) Evaluation.)

Religious Facilities. Alternative A is projected to have no impacts on religious facilities. Alternative B would have impacts on the Annunciation Greek Orthodox Church that also fall under the Visual, Access, and Historic Properties categories. Alternative B would introduce proximity impacts to the church, affect its access, block views to and from, and impact the attributes that make it a contributing element to the Tremont National Register Historic District. (See DEIS Section 4.2.1 Visual Resources. DEIS Section 4.2.3 Neighborhood and Community Access, DEIS Section 4.2.11 Cultural Resources, and FEIS Chapter 5 Final Section 4(f) Evaluation.)

Maintenance of Traffic. Alternative A and Alternative B have one important difference with regard to maintenance of traffic. The Northern Alignment for the Central Viaduct/Central Interchange, which runs continuously north of the existing alignment until its tie-in point, can be constructed almost entirety off-line, permitting traffic to use the existing alignment while the Northern Alignment is constructed. During a Maintenance of Traffic Alternatives Analysis (MOTAA), only one conflict area was found just north of East 22nd Street.

The Southern Alignment also contains this conflict point at East 22nd Street. In addition, it crosses the existing alignment near 9th Street, which restricts traffic from being maintained on the existing alignment at this point and continuing to the north. Maintaining traffic while the Southern Alignment is being constructed will require a crossover to be constructed to the north and west of existing I-90 to permit the contractor to work while traffic is being maintained. The only way to avoid the need for the cross-over would be to shift the Southern Alignment into the Cuyahoga County Juvenile Justice Center, a property eligible for the National Register of Historic Places.

The Southern Alignment would also require the concurrent construction of the westbound alignment to 22nd Street to maintain traffic in both the eastbound and westbound directions. The Northern alignment allows the westbound lanes to be constructed under a separate contract, which provides for better cash flow management for implementing the project. In addition, substantial additional costs would be required, not only to construct wider structures associated with the crossover, but for the additional fills, structures, and pavement. The specific cost cannot be estimated without detailed cross sections, but is expected to be in the millions of dollars based upon ODOT's experience with similar projects.

Relocations. Alternatives A and B would impact businesses and residences. Alternative A would have fewer impacts, with 25 commercial buildings (57 businesses) and 10 residential buildings (19 households) compared to 27 buildings (57 businesses) and 12 residential buildings (22 households) on Alternative B. (See DEIS Property Impacts and Relocations, Section 4.2.5.)

Access and Neighborhood Street Impacts. Alternative B will require the elimination of 14th Street between Fairfield Avenue and Abbey Avenue, requiring vehicles to go around the block to gain access. Alternative A retains 14th Street in its current location. In addition, Alternative A would provide for a relocated access from I-90 eastbound to Broadway Avenue southbound, while Alternative B would not provide this access. The Broadway ramp provides access to the main post office. Without this connection, vehicles will be routed via East 22nd Street, past St. Vincent Hospital, and through Cuyahoga Community College. (See Neighborhood and Community Access, DEIS Section 4.2.3.)

Identification of Preferred Alternative

This FEIS, which incorporates the DEIS by reference, constitutes a full disclosure document, under the National Environmental Policy Act (NEPA) and related regulations, for the proposed Cleveland Innerbelt Project in Cleveland, Ohio. Based upon the information presented within the DEIS and FEIS, and summarized in Table 8, the FHWA and ODOT have determined that Alternative A satisfies the project's purpose and need, and that it causes the least impact to the natural and human environment in comparison to Alternative B, because of:

- Fewer Adverse Effects under Section 106 and least net harm under Section 4(f)
- Ability to incorporate off-ramp to Broadway Avenue to maintain direct access to Quadrangle area, including main post office
- Ability to maintain 14th Street between Fairfield and Abbey Avenues to avoid impacting access the Annunciation Greek Orthodox Church
- Fewer relocations of residences and businesses
- More straightforward maintenance of traffic, which permits smaller construction segments and improves cash flow

In addition FHWA and ODOT have determined that the No Build alternative would not fully address the project's needs and does not enable the Innerbelt Freeway system to function acceptably. Compared to the No Build and other alternatives considered, Alternative A best provides for the balanced consideration of the purpose and need for the action and justifies the impacts and costs. All substantive comments on the DEIS have been addressed. Appropriate mitigation measures are included in the project, as are commitments for future coordination and implementation. The project complies with all applicable laws, such as Section 4(f) and Section 106. For future actions, the project's analyses provide reasonable assurance that all requirements can be met. Therefore, Alternative A remains the identified Preferred Alternative for the project.

1.0 Introduction

The Federal Highway Administration (FHWA) and the Ohio Department of Transportation (ODOT) as joint lead agencies are proposing the major rehabilitation and reconstruction of the Cleveland Innerbelt Freeway system infrastructure to address operational, design, safety, and access shortcomings that severely impact the Freeway's ability to function in an acceptable manner. The Innerbelt Freeway system provides for the collection and distribution of traffic between the radial freeway system (I-71, I-90, I-77, SR 2, I-490, and SR 176) and the local street system, and it also moves traffic between each of the radial freeways, within the City of Cleveland Central Business District (CBD) area.

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2.0 Comments on the DEIS

2.1 Notice of Availability

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In addition to the official public hearing, ODOT provided an update on the project at the Urban Core Projects Committee Meeting on April 2, 2009. (Minutes, with list of attendees, and copy of presentation are included in Appendix A.)

2.3 Summary of Public Comments

Table 1a contains a summary of written comments received during the DEIS availability period. Table 1b contains a summary of verbal comments from the public hearing transcript of April 21, 2009. Table 1c summarizes comments received after the close of the comment period on May 21, 2009. The actual comments or concerns made are found in the public involvement record in Appendix B, which displays the comment as received. Within the table, a reference is provided to other reports, sections of the DEIS, or sections of this FEIS where the issue is discussed in more detail.

2.4 Agency Coordination

Following notification of availability in the Federal Register, the Cleveland Innerbelt Project Draft Environmental Impact Statement (DEIS) was distributed to the following agencies for opportunity to review:

Federal Agencies:

- U.S. Department of Homeland Security, United States Coast Guard
- U.S. Department of the Interior, Fish and Wildlife Service
- U.S. Department of the Interior, National Park Service
- U.S. Environmental Protection Agency
- U.S. Army Corps of Engineers
- U.S. Department of Transportation, Federal Transit Administration
- U.S. Department of Transportation, Federal Aviation Administration

State Agencies:

- Ohio Department of Agriculture
- Ohio Department of Natural Resources
- Ohio Environmental Protection Agency
- Ohio Historic Preservation Office

Formal comments were received from six agencies, highlighted above. These comments, along with responses, are summarized in the Table 2. Copies of the coordination letters are included in Appendix C.

Table 1a: Summary of Public Comments - Written		
Name or Organization	**Comments**	**Responses/References**
Todd Alexander	1) Project should include features to make bike usage/pedestrian traffic simple. 2) Project should promote growth within the city. 3) Plans should move forward only after consulting a larger number of stakeholders.	1) For bike/pedestrian issues, see DEIS Section 4.2.10 and further discussion in FEIS Section 2.5.5. 2) The project is projected to have an overall positive economic effect, with construction jobs in the short-term and long-term benefits of reduced congestion for area businesses. See DEIS Section 4.2.7. 3) Public involvement for the project has been on-going since 1999, with numerous meetings with a wide range of stakeholders. Public involvement efforts are summarized in the Strategic Plan Section 1.7.3, Conceptual Alternative Study (CAS) Section 3.3 and DEIS Section 5.0.
William E. Alfonsi	The new bridge is an opportunity to rekindle Cleveland's national presence. Cleveland has much to offer and a strong history. The bridge should show that history with bronze plaques, statuary, and lighting to give it drama.	ODOT is committed to working with an aesthetics committee to focus on the appearance of the structure and the corridor. Further discussion is provided in FEIS Section 2.5.6.
Paul Alsenas	There are substantive deficiencies and questions regarding the Project development process and the Project recommendations.	For a discussion of process issues, please see CAS Section 1.1, DEIS Section 1.2, and further discussion in FEIS Section 2.5.9.
Anonymous #1	Instead of directing traffic to fewer exits, should build express lanes for people to bypass Cleveland if desired.	Express lanes were not considered because a small volume of traffic is "through" traffic. Approximately 85% of traffic on the Innerbelt during the AM or PM peak has an origin or destination within the City.
Anonymous #2	1) Need to keep as many exits open as possible to keep Cleveland economically competitive. 2) The southern alternative is preferable.	1) For access issues in the Trench, see further discussion in FEIS Section 2.5.2. 2) For the comparison of alternatives, see FEIS Chapter 4.
Anonymous #3	ODOT should repair sidewalks and pave empty lots along West 15th Street between Kenilworth and Auburn Avenue that were left unattended since ODOT built the Innerbelt.	ODOT's maintenance forces periodically address issues such as litter, graffiti, and brush removal as part of the County Work Plan. ODOT addresses complaints about maintenance of right-of-way on a case-by-case basis. At this particular location, ODOT District 12 executed a 10 year renewable Joint Use License Agreement with the St Augustine Church on July 1, 2009. The Church will be maintaining this area for parking purposes.
Anonymous #4	Don't obstruct the view of the water and landscape for motorists. There should be a view from the bridge.	ODOT is committed to working with an aesthetics committee to focus on the appearance of the structure and the corridor. Further discussion is provided in FEIS Section 2.5.6.
Anonymous #5	When will ODOT clean up all the trees and undergrowth along I-71 leading up to the Innerbelt bridge?	ODOT's maintenance forces periodically address issues such as litter, graffiti, and brush removal as part of the County Work Plan. ODOT addresses complaints about maintenance of right-of-way on a case-by-case basis. Citizens may submit concerns to ODOT District 12 Highway Management Administrator. ODOT has committed to working with local Community Development Corporations regarding such issues during the final design process. This specific comment will be forwarded to the appropriate party for follow-up.
Fred L. Backus	Concerns with original appraisal for impacts to building of TIG Welding Specialties.	All property will be acquired following federal regulations. A new appraisal for this property is pending.
Jamie Baker, St. Clair Superior CDC	Will Kirtland Park be used as an Innerbelt construction staging area?	Response sent 3/20/2009: There is no temporary or permanent work in Kirtland Park. It is not being considered for use as a construction staging area.
David Beach	1) Project has deficiencies in purpose and need by not considering quality of life, economic redevelopment, and more sustainable transportation alternatives. 2) Project fails to consider transportation demand management solutions, such as flex-time programs, telecommuting, transit incentives, bicycle facility improvements, and promotion of downtown housing. 3) Project fails to address stormwater pollution and water quality. 4) Project fails to implement a complete-streets solution that includes bicycles.	1) Purpose and need is focused on existing infrastructure and safety, primarily because the existing infrastructure is in poor condition, lane closures on the bridge are already occurring. See Purpose and Need in DEIS Chapter 2. 2) Various project strategies were considered during the planning phase, as documented in the Strategic Plan, included in DEIS Appendix C. 3) Stormwater issues are discussed further in FEIS Section 2.5.1. 4) Bicycle and pedestrian issues are discussed in DEIS Section 4.2.10 and in FEIS Section 2.5.5.

Table 1a: Summary of Public Comments - Written		
Name or Organization	**Comments**	**Responses/References**
William C. Beckenbach, Quadrangle	1) DEIS fails to address secondary and cumulative impacts of access modifications, making generalized statements without data. 2) Draft AMS referenced in DEIS was not included in the DEIS and not located on the website. 3) Project should include improvements to local roads that will handle increased traffic due to relocated entrance and exit ramps. 4) Local road improvements should include enhancements to improve urban design aesthetics and the pedestrian realm. 5) DEIS does not adequately address impacts on Cuyahoga Community College Administration Building, including loss of parking, noise, vibration, and visual impacts. 6) E. 9th St. has insufficient capacity to handle outbound traffic from the Gateway sports complex destined for Broadway and I-77 south. 7) Elimination of connector from Orange to Woodland may create traffic bottlenecks during PM peak and special events. 8) Increased traffic on E. 30th will create traffic bottlenecks at several major intersections between Broadway and Euclid. 9) ODOT and GCRTA should move the E. 34th St. station to E. 30th and Broadway and enhance pedestrian and bus connections between Maingate and the new station. 10) Ohio Educational Credit Union will lose parking, experience impacts on traffic flow for the back lot, and experience noise and vibration impacts. 11) Cuyahoga Community College Boulevard no longer connects to E. 14th St. Bus routes and access to St. Vincent Charity Hospital from Playhouse Square will be affected. 12) St. Vincent will lose over 50 parking spaces. 13) Cedar Avenue continues to end in a cul-de-sac although a new Cedar Ave extension is connected to Carnegie Avenue. 14) The Trench retaining walls should be constructed to support future caps over East 22nd, Carnegie, Prospect and Euclid. FEIS should commit to this. 15) Elimination of I-90 eastbound exit ramp at Broadway creates truck safety concerns due to severe angle of 9th St. south exit ramp and blind approach to 9th St, creating a conflict between exiting vehicles and southbound E. 9th traffic, particularly trucks turning left at Orange Ave. There is insufficient capacity on E. 9th St. southbound, so adding the ramp in this location is contrary to purpose and need.	See Access Modification Study text in Appendix G for information on all operational conditions on local streets. 1) DEIS Section 4.4 discusses secondary traffic impacts. Secondary impacts in the form of economic effects are discussed in DEIS Section 4.2.7 and 4.2.8. 2) Draft AMS referenced in the DEIS was available during the review period upon request from ODOT District 12. A copy of the AMS is included in FEIS Appendix G. 3) The project includes improvements to local roads and intersections where appropriate to address projected traffic volumes. 4) ODOT will work with an aesthetic committee where appropriate during final design with regard to elements within ODOT's jurisdiction. 5) Impacts on affected properties are illustrated on exhibits in the DEIS. Noise and vibration were examined for the property and no substantial impacts are anticipated on this property. Loss of parking will be addressed through right-of-way process. 6) Capacity analyses indicate that E. 9th Street will function as good or better in the build condition. 7) Bottlenecks in the PM peak are not anticipated in the area of Orange and Woodland based upon analyzed traffic volumes. The project has been designed for morning and evening rush hour peak traffic volumes, not for special event traffic volumes. It should be noted that special event traffic typically does not overlap with normal rush hour traffic. 8) E. 30th Street intersections within the project area are projected to operate at an acceptable level of service. 9) GCRTA has considered requests to move the E. 34th Street Station to E. 30th Street. Coordination with GCRTA indicates that any action on this issue is several years away. 10) Noise and vibration were analyzed for the DEIS for the credit union property. Parking issues will be addressed during detailed design and right-of-way process. 11) Traffic connecting between Community College Avenue and East 14th Street will be redirected. Under the current conditions, traffic can connect between the Carnegie Avenue/East 14th Street intersection to the East 22nd Street/Community College Avenue through the Central Interchange area via connector roadways along a distance of approximately 0.3 miles. With the elimination of these connector roadways, which is necessary for the reconstruction of the Central Interchange traffic is redirected to the Carnegie Avenue/East 22nd Street intersection along a distance of 0.5 miles. GCRTA will continue to use E. 22nd and E. 21st to connect to the area. GCRTA's proposed Stephanie Tubbs-Jones Transit Center will be located along the south side of Prospect Ave. between E. 22nd and E. 21st. 12) Parking issues will be addressed during detailed design and right-of-way process. 13) The end of Cedar is maintained in order to provide access to the Juvenile Justice Center. 14) ODOT will continue to evaluate whether or not it would be appropriate to construct the retaining walls within the Trench to support caps. The decision will be made during final design for that portion of the project with input from the City of Cleveland on the viability of caps. 15) It has been confirmed that the safety, operation, stopping sight distance, and intersection storage length associated with this ramp meet current design standards. See DEIS Section 3.4.2.3.
Norm Beznoska	The project will shut down Cleveland and cut off public access to downtown.	A discussion of access issues is included in DEIS Section 4.2.3 and FEIS Section 2.5.2.
Scott Carpenter	Bridge and on-ramp at Carnegie and Ontario should be moved as far as possible from the Western Reserve Fire Museum and fire station. This would be an improvement for use and view of this historic site.	ODOT has committed to evaluating this issue in detailed design to see if the alignment can be moved a little farther away. In order to maintain traffic and for constructability, the northern alignment alternative cannot be moved very far away because pushing the alignment farther south would have dramatic maintenance of traffic/constructability impacts in the central interchange -- requiring the westbound lanes to be closed during construction for a period of up to two years.
Jeffrey Champion	Project will make freeways move but city traffic will be at a standstill due to changes in exits and entrances.	A discussion of access issues is included in DEIS Section 4.2.3 and in FEIS Section 2.5.2.
Brad Chase	ODOT should serve the needs of the community by providing bicycle and pedestrian accommodations on the Innerbelt bridge. ODOT should follow federal law requiring bike lanes on new bridge projects.	Bicycle and pedestrian issues are discussed in DEIS Section 4.2.10 and in FEIS Section 2.5.5.
Dominic J. Chillemi	Should build the new bridge above the existing bridge to save money, time, and businesses.	During the fatal flaw analysis of the definition of Conceptual Alternatives in the Cleveland Innerbelt Planning Study, ODOT considered double-decking of the Central Viaduct. It was assumed that the lower deck of the double decked bridge would need to be 130 feet over the river (100 foot shipping clearance and 30 foot allowance for the possibility of under deck truss). This would result in the riding surface of the upper deck being approximately 155-160 feet over the river. In order to be viable, the traffic traveling on that upper deck would need to access the Abbey Avenue/West 14th Street interchange on the west and the Ontario Street ramps on the east end of the bridge. This is not possible with the elevation of the upper deck. As such, the double deck concept did not survive the fatal flaw analysis and was not pursued further.
Moses Cintron	Existing concrete walls are crumbling into traffic, creating a hazard for motorists. Walls and barriers should be built on steel rails instead of concrete.	Retaining walls will be designed utilizing current design standards and materials.

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Name or Organization	**Comments**	**Responses/References**
Walter Collins	Changes to access undermine efforts to revitalize the City of Cleveland	A discussion of access issues is included in DEIS Section 4.2.3 and FEIS Section 2.5.2.
James Corrigan, Office of Cuyahoga County Board of Commissioners	On behalf of Cuyahoga County Commissioners: unequivocal support for the northern alignment as proposed.	Comment noted.
Kevin Cronin, Cleveland Bikes	1) ODOT fails to protect the health and safety of cyclists by increasing street congestion, due to closure of highway exits, resulting in more and heavier trucks, harmful diesel fuel emissions, longer and more frequent idling, and reducing the area bike plan's limited routes north and south in the central city. 2) ODOT improperly excludes bicycles and pedestrians from the bridge, by exaggerating the value of alternative routes and underestimating demand. 3) ODOT does not meet federal regulations requiring consideration of bicycle facilities. 4) Because details are not resolved, the project is not "shovel ready" as required for stimulus funds.	1) Analyses indicate that the local street system will generally operate as good as or better than the existing. Refer to summary in DEIS Table 3-3 and AMS included in Appendix G. 2) & 3) Bicycle and pedestrian issues are discussed in DEIS Section 4.2.10 and in FEIS Section 2.5.5. 4) FHWA will make a determination as to whether the project is eligible for stimulus funding, or whether other federal funds will be used, based upon the project's status as of the authorization deadline.
David H. Daams	Supports the plan as proposed. Agree with elimination of a few ramps, since some kind of access is provided. Plan provides what public expects from modern highway.	Comment noted.
Wendy Dalton	Should make a 2 level bridge, with top level as a bypass that doesn't need access to downtown.	During the fatal flaw analysis of the definition of Conceptual Alternatives in the Cleveland Innerbelt Planning Study, ODOT considered double-decking of the Central Viaduct. It was assumed that the lower deck of the double decked bridge would need to be 130 feet over the river (100 foot shipping clearance and 30 foot allowance for the possibility of under deck truss). This would result in the riding surface of the upper deck being approximately 155-160 feet over the river. In order to be viable, the traffic traveling on that upper deck would need to access the Abbey Avenue/West 14th Street interchange on the west and the Ontario Street ramps on the east end of the bridge. This is not possible with the elevation of the upper deck. As such, the double deck concept did not survive the fatal flaw analysis and was not pursued further. The top level could not be constructed as a bypass without access because 85% of the traffic on the Innerbelt during peak hours is destined for exits within the limits.
Lora DiFranco	1) Should include more downtown exits. 2) Should include bike lanes to reduce traffic and encourage sustainable transportation choices.	1) A discussion of access issues is included in DEIS Section 4.2.3 and FEIS Section 2.5.2. 2) Bicycle and pedestrian issues are discussed in DEIS Section 4.2.3 and in FEIS Section 2.5.5.
Kelly Dowling	Closing Carnegie and Prospect ramps will be detrimental to Midtown Cleveland. If a clear, easy route is not available, many people will not come downtown.	A discussion of access issues is included in DEIS Section 4.2.3 and FEIS Section 2.5.2.
Jon Eckerle	1) Prefer the southern alternative. 2) Opportunity corridor should be built first or will cut off access to University Circle/Cleveland Clinic area. 3) Project should include a bike lane. 4) Should be more emphasis on holistic system (road, rail, bike, bus, pedestrian).	1) A comparison of alternatives is included in FEIS Chapter 4. 2) The Opportunity Corridor Project is currently in project development, scheduled to move into Step 5 of the PDP within the next few months. Project development is funded through completion of an environmental document. At this time, the preferred alignment is unknown and it has not been determined whether the project will be funded for construction prior to construction of the Innerbelt project. 3) Bicycle and pedestrian issues are discussed in DEIS Section 4.2.10 and in FEIS Section 2.5.5. 4) The overall Cleveland Innerbelt Plan evaluated the overall system and considered recommendations. See Strategic Plan in DEIS Appendix C.
James V. Fazzino	1) In the proposed plan, how will traffic move from eastbound Orange to Woodland Avenue? Why has the underpass been eliminated and what benefit would that provide to drivers to make two additional turns to be on Woodland? 2) Concerned with closure of eastbound exit ramp from I-490 to Broadway and westbound entrance ramp to I-490 from Broadway.	1) Response sent 4/29/2009: The direct connection between EB Orange and EB Woodland has been eliminated and drivers will turn left onto E. 30th St. and then right on Woodland. Similarly, the WB Woodland to WB Orange connection has been eliminated. The first change allows for improvements in operation of the exit ramp from NB I-77 to Woodland. The second change allows for improvements to the operation of the exit ramp from NB I-77 to East 9th St. 2) Response sent 4/28/2009: The Cleveland Innerbelt project does not close either of these two ramps.
Jim Folk, Cleveland Indians	1) Have some reservations about Carnegie exit in the Trench. 2) Supportive of balance of ODOT's plan. 3) Look forward to "signature" design elements for bridge.	1) For further discussion of access issues in the Trench, see DEIS Section 4.2.3 and FEIS Section 2.5.2. 2) Comment noted. 3) ODOT is committed to working with an aesthetics committee to focus on the appearance of the structure and the corridor. Further discussion is provided in FEIS Section 2.5.6.

Table 1a: Summary of Public Comments - Written		
Name or Organization	**Comments**	**Responses/References**
Carl Frey	1) DEIS speaks only briefly of land use and development without considering positive opportunities. 2) Assuming northern alignment is used, why not relocate eastbound I-90 to this alignment as well? 3) Why not build one new bridge for both east and westbound I-90? 4) Could the East Shoreway be converted to a boulevard with at-grade intersections to eliminate need for extensive ramps, bridges, and frontage roads along the Innerbelt Curve? 5) Does further discussion of relocating the Port support the opportunity to convert the Shoreway to a boulevard? 6) Could the Central Interchange utilize single point interchanges or a continuation of the Trench to the Cuyahoga River to reduce impacts? 7) Ramp alignments should be critically reviewed to ensure they closely align with the mainline, avoid loops, avoid excessive length, or are configured to meet local street intersections. 8) A more southern alignment seems beneficial from a land use standpoint in respect to Gateway investments. 9) A straight WB exit ramp to Fairfield in lieu of the loop ramp with a local road connection back to Abbey would reduce impacts. 10) The realignment of Commercial Road should eliminate the need to maintain the remnant of the existing road with two cul-de-sacs. 11) Is there an alignment that would avoid crossing the EB I-90 to E. 9th Street exit loop with the WB I-90 to SR I-77 exit? 12) Is there an alternative that would avoid the EB I-90 exiting loop ramps? Could both E. 9th and Ontario be served from a single loop ramp from I-90? 13) Is there an alignment of NB I-77 to EB I-90 that would avoid impacts to the institutions? 14) Why is Community Avenue and E. 14th St. separated? 15) Could the EB I-90 to Central Ave ramp be fitted more closely to the mainline? 16) Why are there two exit ramps from WB I-90 to E. 26th St.? 17) The Woodland Ave on-ramp to I-77 NB seems to set up a weave with I-77 exit to Community Ave. 18) The NB I-77 ramp to E. 22nd seems excessive. Could this link occur via Woodland? Could Woodland extend to 14th and 9th Streets?	Details regarding the alternatives and the specifics of their operational performance and geometric design are provided in the AMS included in Appendix G. 1) Positive economic results are discussed in 4.1.7 Regional Economic Effects. 2) The new eastbound bridge will be on essentially on the existing alignment. Details of the alignment will be determined during detailed design. 3) When a major bridge structure gets as wide as 10 lanes plus shoulders, it becomes more expensive than building two bridges side-by-side. 4) Constructing the SR 2 and I-90 interchange as a service interchange was considered early on and eliminated due to operations. 5) This project did not examine the shoreway or the effects of the port issues on the shoreway. 6) The use of a SPUI was considered as part of planning study and was rejected due to operations. 7) Ramps have been designed to meet engineering operational performance needs and design standards, while minimizing impacts to surrounding community. 8) The southern alignment may be more beneficial with regards to the Gateway area, but it would have more impacts in other areas. (See FEIS Chapter 4.) 9) A direct connection to Fairfield cannot be done due to the elevation difference between Fairfield and the mainline bridge. The loop ramp is necessary to achieve an acceptable grade on the ramp. 10) The remnant is maintained to provide access to remaining properties. 11) Not that would meet design standards. 12) Several options were considered for interchanges in the central interchange – using service style, directional style, etc. The proposed configuration is the only one that meets operational needs. AM peak volumes for 9th and Ontario are too high to serve on one ramp. Ontario and East 9th Street corridors service different quadrants of the City. 13) Not that would meet design standards. 14) With the other changes made to central interchange, it is not possible to maintain this connection. 15) Ramps are as close as possible while still meeting design standards. 16) The cut off ramps provide more directional access to the light industrial and distribution properties north of Superior, similar to the existing condition. 17) Yes, this is a weave, but it functions at an acceptable level. 18) Each of the exits from NB I-77 service a different travel shed of the Cleveland CBD. Woodland cannot extend to 14th and 9th due to conflicts with several of the proposed ramps.
David Furyes	This is an opportunity to make an architectural statement with a landmark bridge.	ODOT is committed to working with an aesthetics committee to focus on the appearance of the structure and the corridor. Further discussion is provided in FEIS Section 2.5.6.
Paul Gluck	Supports the plan as proposed.	Comment noted.
Rick Greiner	Closing Carnegie and Prospect ramps will hurt businesses. They rely on easy access from the freeway. East 22nd and Chester are difficult due to traffic and signals.	A discussion of access issues is included in DEIS Section 4.2.3 and FEIS Section 2.5.2.
Michael Hirz	Concerned with design aesthetics: that two bridges do not match, that varying design elements for noise barriers and bridge colors have no consistency. Suggests decking on bridge and irrigation systems for adjacent landscaping.	ODOT is committed to working with an aesthetics committee to focus on the appearance of the structure and the corridor. Further discussion is provided in FEIS Section 2.5.6.
Franklyn P. Kellogg	1) ODOT should abandon the idea of constructing an additional bridge. 2) Or, the new bridge should be constructed over the existing alignment as two-level with eight lanes of traffic, express lanes, a rail system, and bicycle and pedestrian accommodations. 3) Noise barriers should not be constructed unless requested. 4) Access to Carnegie and Prospect must be maintained.	1) An additional bridge is required to meet the project needs. See Purpose and Need in DEIS Chapter 2. 2) During the fatal flaw analysis of the definition of Conceptual Alternatives in the Cleveland Innerbelt Planning Study, ODOT considered double-decking of the Central Viaduct. It was assumed that the lower deck of the double decked bridge would need to be 130 feet over the river (100 foot shipping clearance and 30 foot allowance for the possibility of under deck truss). This would result in the riding surface of the upper deck being approximately 155-160 feet over the river. In order to be viable, the traffic traveling on that upper deck would need to access the Abbey Avenue/West 14th Street interchange on the west and the Ontario Street ramps on the east end of the bridge. This is not possible with the elevation of the upper deck. As such, the double deck concept did not survive the fatal flaw analysis and was not pursued further. 3) Before noise barriers are constructed, ODOT considers the views of affected property owners. See DEIS Section 4.1.13. 4) A discussion of access issues is included in DEIS Section 4.2.3 and FEIS Section 2.5.2.
Dennis J. Kucinich, U.S. House of Representatives	1) ODOT should resolve the matter of purchase for Cleveland Cold Storage immediately. 2) Another alternative should be considered that doesn't close off access in the Trench, such as the one presented by the Cuyahoga County Planning Commission. 3) I would support repaving the Trench with no structural changes. 4) To improve safety along the Trench, the speed limit could be lowered.	1) The Cold Storage Building has been appraised and an offer will be made in the summer of 2009. 2) A discussion of access issues is included in DEIS Section 4.2.3 and FEIS Section 2.5.2. No option from the Planning Commission was provided during the comment period. Earlier suggestions were evaluated and found to have unacceptable impacts on the Tremont National Register Historic District. 3) Repaving the Trench without adding additional lanes or changing access would not meet the project's purpose and need. See DEIS Chapter 2. 4) The average operating speed within the Trench during peak periods is less than the allowable legal speed. Reducing the legal speed will have no discernable effect on safety conditions within this area.

Table 1a: Summary of Public Comments - Written		
Name or Organization	**Comments**	**Responses/References**
Robert Lash	1) Eliminating Carnegie access, and forcing everyone to use Chester, will result in enormous back-ups at the exit and on the north-south city streets. 2) People who work, visit and live here do not see the safety issues to justify changing access.	1) A discussion of access issues is included in FEIS Section 2.5.2. 2) Safety issues are discussed in the Purpose and Need DEIS Chapter 2.
Chris Lebiedz	Proposes new plan: Route I-90 along new Opportunity Corridor. Eliminate bridge over Cuyahoga River. End I-71/I-90 into the downtown. Strategic ramps to service Steelyard Commons/Tremont. Extend East 9th to new Opportunity Corridor. End I-77 at Opportunity Corridor. Make all other routes local traffic only, since through traffic would be on new bypass. Build RTA light rail lines and park-n-rides at Steelyard Commons to reduce number of cars coming into downtown.	Conceptual alternative solutions, representing a wide range of ideas for transportation improvements, were developed and evaluated as part of the planning phase. This work is documented in the Strategic Plan. (See DEIS Appendix C.)
Lee	Requested geotechnical information at hearing.	Response sent 5/14/2009: Geotechnical reports placed on ftp site and link provided to the requesting party.
Brandi M. Leslie	Closing Carnegie and Prospect ramps will hurt MidTown corridor. Depends on these ramps for quick and easy access. Closure will cause lost time due to further travel.	A discussion of access issues is included in DEIS Section 4.2.3 and FEIS Section 2.5.2.
Peter Mac Ewan, Cuyahoga Community College	1) Closer proximity of freeway will result in visual, noise and vibration impacts on Tri-C's headquarters. 2) Tri-C's headquarters will lose 50 percent of its parking, which is used for staff but also for income from special events. 3) Concerned with temporary construction impacts, including loss of parking, noise and vibration. 4) Tri-C would like to work with ODOT to develop mitigation strategies. 5) The DEIS did not adequate address secondary impacts to traffic patterns. 6) Draft AMS was not available in the DEIS or on the project website. 7) E. 9th Street south of Carnegie is restricted to one lane, which would cause E. 9th to be severely congested after special events. 8) Increased traffic volumes on E. 30th will make Tri-C campus less pedestrian friendly. 9) Bottleneck conditions currently exist on E. 30th between Community College Blvd and Carnegie. Widening of this segment could mitigate future congestion on E. 30th and improve connections between Tri-C and the community. 10) Elimination of Orange connector to Woodland will affect truck movements to food terminals and other businesses. 11) GCRTA and ODOT should move 34th St station to E 30th Street and enhance pedestrian and bus connections to the station as part of the traffic impact mitigation strategy. 12) Tri-C's Center for Creative Arts building is being constructed facing Woodland Ave and I-77. The major retaining wall proposed across from this location should include public art. 13) Concerned about ability of local roadway system to respond to peak and special event traffic.	1) Noise and vibration study provided by Tri-C's consultant indicates no vibration impacts, no outdoor uses for which exterior noise is a concern, and indoor noise levels that exceed FHWA's criterion of 51 decibels. A review of this study by ODOT's Office of Environmental Services indicates that the predicted interior noise levels for Tri-C based upon building and window type is 43 decibels, which is below the criterion. (See OES Interoffice Communication in Appendix F.) 2) Parking issues will be examined during detailed design and during the right-of-way acquisition process. 3) Temporary uses of property will be determined during the right-of-way acquisition process. Noise and vibration during construction are discussed in DEIS Section 4.1.13 and 4.1.14. 4) ODOT will work with Tri-C during design and right-of-way acquisition. 5) In DEIS Section 4.4, it is noted that secondary traffic impacts are evaluated within the overall traffic analysis for the project. No substantial impacts to the local street system are anticipated. 6) Draft AMS was available upon request from ODOT District 12. AMS is included in FEIS Appendix G. 7) The project is designed for average day peak periods, not special event traffic. 8) Signalized pedestrian crosswalks exist on E. 30th Street. Traffic volumes on E. 30th Street are similar to other city streets with heavy pedestrian volumes. There are no proposed changes to sidewalks or the character of the roadway in this area; therefore, no substantial changes to the pedestrian experience are anticipated. 9) Traffic analyses indicate that local streets affected by the project operate as good as or better than existing. The noted location on E. 30th Street is outside the impact area of the project. 10) The direct connection between EB Orange and EB Woodland has been eliminated and drivers will turn left onto E. 30th St. and then right on Woodland. Similarly, the WB Woodland to WB Orange connection has been eliminated. The first change allows for improvements in operation of the exit ramp from NB I-77 to Woodland. The second change allows for improvements to the operation of the exit ramp from NB I-77 to East 9th St. 11) GCRTA has considered requests to move the E. 34th Street Station to E. 30th Street. Coordination with GCRTA indicates that any action on this issue is several years away. 12) ODOT will work with an aesthetic committee as appropriate regarding such issues. 13) The project is designed to address peak hour traffic.
Deane Malaker	The southern alternative is not acceptable to Tremont.	Comment noted. Northern Alignment is the preferred alternative.
Meagan S. Mauter	DEIS insufficiently addresses the impacts of the project on stormwater quality. 2) DEIS fails to investigate alternatives for stormwater management or mitigation for water quality impacts due to stormwater runoff. 3) DEIS misrepresents or fails to document the extensive debate that has occurred during the project development process regarding stormwater issues.4) ODOT and FHWA should enter the process of third party environmental mediation for the project. 5) Environmental commitments should include assessment of existing water quality conditions of Lake Erie and Cuyahoga River, determine likely Innerbelt stormwater quality characteristics, development of stormwater management alternatives, cost-benefit analysis of stormwater treatment options, and commitment to on-going research to develop improved stormwater BMPs that address specific water quality issues of Innerbelt runoff.	Stormwater issues are further discussion in FEIS Section 2.5.1. The public record regarding stormwater is supplemented in FEIS Section 2.5.1 and FEIS Appendix D.

Table 1a: Summary of Public Comments - Written		
Name or Organization	**Comments**	**Responses/References**
Michael J. May, Maingate Business Development Corporation	1) Elimination of entrance ramps from E. 9th and Ontario/Broadway to I-77 southbound will create traffic bottlenecks along eastbound Orange Ave. and on northbound and southbound 30th St. 2) Orange Street has insufficient capacity. ODOT should consider the possibility of widening eastbound Orange Ave. 3) ODOT should consider double left-turn lanes for Orange Ave onto northbound E. 30th St. and double left-turns for southbound E. 30th St. onto the I-77 South entrance ramp. 4) The elimination of the Orange Ave eastbound underpass connector to Woodland Ave will affect all truck movements to the distribution businesses in Maingate and beyond and result in severe congestion. 5) Recommend that a wider turning radius be provided at the southeast corner of E. 30th and Woodland to accommodate trucks. 6) Elimination of Orange-Woodland underpass connector combined with elimination of downtown I-77 entrance ramps will create congestion and safety problems at the confluence of Orange, E. 30th, and the I-77 south entrance ramp. 7) Elimination of I-90 east to Broadway exit ramp creates truck safety concerns due to severe angle of 9th St. south exit ramp and blind approach to 9th St, creating a conflict between exiting vehicles and southbound E. 9th traffic, particularly trucks turning left at Orange Ave. 8) There is insufficient capacity on E. 9th St. southbound. 9) ODOT and GCRTA should move the E. 34th St. station to E. 30th and Broadway and enhance pedestrian and bus connections between Maingate and the new station. 10) DEIS fails to address secondary and cumulative impacts of access modifications on Orange Ave and E. 30th. 11) Draft AMS referenced in DEIS was not included in DEIS and not located on the website. 12) Traffic modeling should be provided to demonstrate how these routes will perform under increased traffic volumes due to relocated entrance and exit ramps. 13) Local road improvements/changes should also include enhancements to improve urban design aesthetics and the pedestrian realm.	1) 2) 3) 6) 8) 12) Where necessary, improvements to local streets are included within the project. Traffic analyses indicate that affected local roadways will operate as good as or better than the no build condition. See AMS in Appendix G. 4) The direct connection between EB Orange and EB Woodland has been eliminated and drivers will turn left onto E. 30th St. and then right on Woodland. Similarly, the WB Woodland to WB Orange connection has been eliminated. The first change allows for improvements in operation of the exit ramp from NB I-77 to Woodland. The second change allows for improvements to the operation of the exit ramp from NB I-77 to East 9th St. 5) Intersections will be designed appropriately for trucks. 7) It has been confirmed that the safety, operation, stopping sight distance, and intersection storage length associated with this ramp meet current design standards. See DEIS Section 3.4.2.3. 9) GCRTA has considered requests to move the E. 34th Street Station to E. 30th Street. Coordination with GCRTA indicates that any action on this issue is several years away. 10) In DEIS Section 4.4, it is noted that secondary traffic impacts are evaluated within the overall traffic analysis for the project. No substantial impacts to the local street system are anticipated. 11) Draft AMS was available upon request from ODOT District 12. AMS is included in FEIS Appendix G. 13) ODOT is committed to working with an aesthetics committee to focus on the appearance of the corridor. Further discussion is provided in FEIS Section 2.5.6.
Caroline McClennan	Closure of Carnegie exit would be detrimental to revival of Cleveland's downtown.	A discussion of access issues is included in DEIS Section 4.2.3 and FEIS Section 2.5.2.
Alec McClennan	1) Little consideration is being paid to how the road affects the city and neighborhoods. ODOT should work with city planners to reach a compromise that is good for Cleveland. 2) Bike lanes would be great. 3) Access to city roads is crucial.	1) A discussion of access issues is included in DEIS Section 4.2.3 and FEIS Section 2.5.2. 2) Bicycle issues are discussed in DEIS Section 4.2.10 and further in FEIS Section 2.5.5.
Jim McClurg	New span should be placed as close as possible to the original span in order to reduce the overall footprint.	The location of the new span is controlled by several factors, such as maintenance of traffic and constructability. The new span is located as close to the original span as possible given these issues.
Neil Mohney and K.C. Yasmer	Forest City Enterprises presented a southern alignment alternative concept for the Central Interchange at Ontario and 9th Street interchanges.	Several southern alignment options were evaluated during project development. (See CAS Chapter 6.) No additional options other than the southern alignment as shown were found that would meet operational needs without extensive impacts.
Lynn Murray and Glenn Murray	1) Underpasses at Kenilworth, Fairfield and Abbey are litter strewn, graffiti tagged, ill maintained, dark and dusty. (Photos provided.) They need to be safe and inviting for pedestrians and bicyclists, including lighting and art. 2) The underpass at Abbey is unfenced, unpaved, and poorly lit, and experiences illegal dumping. The area should be fenced, paved, have lighting and art (photos of lighting examples provided), and be used as covered parking for neighborhood events and as a trailhead for the Towpath Trail. 2a) A separate multi-purpose trail should be provided in the public right-of-way at the underpass. 3) University Road between West 11th and Scranton Road should remain open. This will allow for redevelopment and lessen congestion on surface streets caused by on/off ramp location at Fairfield. 4) ODOT must implement a maintenance plan to monitor and remove graffiti, stop illegal dumping, and maintain the underpasses. 5) ODOT must expedite the purchase and demolition of the derelict Cold Storage Building. 6) The project will place traffic closer to homes and churches in Tremont. The visual, noise, vibration, and lighting impacts must be fully identified and appropriate mitigating measures presented in the FEIS. 7) Shielded lighting should be mounted at lower heights to minimize light pollution and spillover. 8) Sound barriers must be high quality and aesthetically appealing, especially on the neighborhood side. 9) The bridge must accommodate pedestrian/bike paths linking downtown to Tremont. This could be accomplished on the existing 8-lane bridge when it is converted to 5 lanes eastbound. 10) Impacts of ramp modifications to the Greek Orthodox Church and Tremont must be fully identified and mitigation presented in the FEIS. 11) The alignment of the exit ramp to Abbey from I-90 WB should be configured to maximize development of property along Abbey Ave and W. 15th St. 12) The local street network, including Train Ave., must remain intact. 13) The project should enhance the visual quality and create a signature gateway, including bridges, retaining walls, landscaping, and infrastructure lighting. 14) Impacts of stormwater runoff must be identified and mitigation measures included in the FEIS.	1) 2) and 4) ODOT's maintenance forces periodically address issues such as litter, graffiti, and brush removal as part of the County Work Plan. ODOT addresses complaints about maintenance of right-of-way on a case-by-case basis. Citizens may submit concerns to ODOT District 12 Highway Management Administrator. ODOT has committed to working with local Community Development Corporations regarding such issues during the final design process. This specific comment will be forwarded to the appropriate party for follow-up. 2a) The Towpath Trail is proposed to provide connectivity under the Central Viaduct. 3) In order to improve stability of the west bank of the Cuyahoga River, the project includes unloading of the slope. When this is implemented, the grade difference will not allow for continuation of University Road in this area. 5) The Cold Storage Building has been appraised and an offer will be made in the summer of 2009. 6) Visual, noise, and vibration impacts were evaluated and disclosed in the DEIS. See DEIS Sections 4.1.13, 4.1.14, and 4.2.1. 7) Lighting issues will be addressed during detailed design and will take into consideration spillover into residential areas. 8) Per ODOT noise policy, affected residents will be afforded the opportunity to determine whether the proposed noise walls are constructed and provide input on the appearance on the neighborhood side. 9) Bike lanes cannot be accommodated on the existing bridge. It is anticipated that the existing bridge will be removed and replaced following completion of the new westbound bridge. The same factors that eliminate consideration of bike lanes on the new westbound bridge apply to the new eastbound bridge. See DEIS Section 4.2.10. 10) Impacts of the project adjacent to Tremont are illustrated and discussed in the DEIS. See discussion in Section 4.2.11. 11) The exit ramp from I-90 Westbound to Fairfield/Abbey is controlled by the grade difference between the mainline bridge and Abbey Avenue. 12) Train Avenue intersects with Fairfield Avenue and Scranton Road just to the southwest of where the proposed Abbey Avenue loop ramp will be. The project makes no changes to the intersection. Since we are proposing to build the Abbey Avenue loop ramp on retaining wall and maintain Fairfield Avenue, this connection will be preserved. 13) See additional discussion of aesthetics in FEIS Section 2.5.6 14) Stormwater issues are further discussion in FEIS Section 2.5.1.

Table 1a: Summary of Public Comments - Written		
Name or Organization	**Comments**	**Responses/References**
Glenn Murray	Do not close University Road between West 14th and Scranton. It provides important access for Tremont residents.	In order to improve stability of the west bank of the Cuyahoga River, the project includes unloading of the slope. When this is implemented, the grade difference will not allow for continuation of University Road in this area.
Dan Neubert	1) Eliminating the Carnegie and Prospect exits will cause massive back-ups. 2) Design will have economic impact on businesses in the area. 3) Projections that Chester exit can handle traffic volumes are inaccurate.	A discussion of access issues is included in DEIS Section 4.2.3 and FEIS Section 2.5.2.
Betsy Nosse	Will Travelers Custom Case building be impacted?	Response sent 4/6/2009: The improvements to the East 14th St. intersection with Carnegie Ave. will be designed to avoid the existing Travelers Custom Case building (2261 East. 14th St.)
Stephen M. O'Bryan	1) When was Access Modification Study submitted to FHWA? Has it been approved? Is it available for public review? 2) When was the DEIS submitted for review and approval? When was it available to the public? Was the original AMS submitted in February 2007? Was that available to the public, or was the March 2009 version the first available one?	1) Response sent 5/11/2009: FHWA is expected to complete review of the AMS by end of May 2009. It is available for public review upon request. 2) Response sent 5/14/2009: DEIS was submitted to FHWA for review on August 29, 2007. The DEIS was approved by FHWA on March 3, 2009. The approved DEIS was made available to the public on March 20, 2009. The draft AMS was submitted to FHWA for review on February 7, 2007. The final AMS was submitted to FHWA on March 2, 2009, at which time it was also made available to the public.
Arlene Olson	Project should take into account effect on businesses of lack of accessibility during construction. Euclid Corridor project resulted in businesses going out of business due to lack of access. Should allow for business relocation or compensation.	Maintenance of traffic, including public communication plans, is discussed in DEIS Section 4.3.1. The nature of the work for the Cleveland Innerbelt project is different from the Euclid Corridor. Access to business during construction will be indirectly affected, rather than parking and walk-up access problems as were experienced on Euclid Avenue. ODOT will work with CDCs to get information to businesses about construction activities.
Patrick Paoletta	Objects to removal of I-90 eastbound exit to Carnegie, as this exit connects to University Circle and Heights area. Alternative at E. 22nd would require going through two additional lights to get to Carnegie and add hours of commute time annually. Suggests eliminating E. 22nd Street instead, since it is less traveled.	A discussion of access issues is included in DEIS Section 4.2.3 and FEIS Section 2.5.2.
Frank H. Porter, Jr.	Objects to design of Midtown Connector. Concerns with impacts of project to business: impacts to parking, change in internal traffic flow, fire lane and emergency egress altered, difficulty in exiting property when traffic light is installed at Carnegie/Midtown Connector. Suggests moving connector closer to I-90 to reduce impacts and terminating it at Carnegie instead of Cedar.	Impacts to property and parking will be refined during detailed design and resolved through the right-of-way acquisition process. The Midtown Connector as proposed is as close to I-90 as possible while meeting design standards. The connector cannot be terminated at Carnegie, as connection to Cedar Avenue is needed to maintain access (including continuation of bus routes) to large low income housing complex on Cedar.
Greg Puntel	Elimination of ramps through the Trench will result in negative economic effects on businesses greater than any gain. Businesses depend on customers being able to access and rely on drive by traffic for visibility.	A discussion of access issues is included in DEIS Section 4.2.3 and FEIS Section 2.5.2.
Wayne T. Puntel	1) The project will be a disaster for retail business on Carnegie. 2) Carnegie exits are needed for access to University Circle/clinic area.	A discussion of access issues is included in DEIS Section 4.2.3 and FEIS Section 2.5.2.
Audre Puskorius	The Central Interchange is a large area with no unique architectural details or pedestrian-friendly green space. Elements should be added to connect the north (Progressive Field) and the south (Post Office and Tri-C). Should get input from artists and educators.	ODOT is committed to working with an aesthetics committee to focus on the appearance of the corridor. Further discussion is provided in FEIS Section 2.5.6.
Michael Resch	1) Eliminating access ramps in the Trench will kill business, cause people to burn more gas and slow down. 2) No need to change the Trench as other areas (Deadman's Curve to I-271) are more dangerous.	A discussion of access issues is included in DEIS Section 4.2.3 and FEIS Section 2.5.2.
Marilyn P. Rhein	Two bridges would be a waste of money. Should build one bridge large enough and demolish the old bridge.	A bridge of this size width and length is less expensive to construct as two bridges compared to a single bridge.
Garry Risner	Create no bottlenecks in the flow of traffic.	Operational analyses indicate that the freeway, ramps, and local streets will function acceptably. See Access Modification Study in Appendix G.
Craig Rommel	In order to reduce salt usage, ODOT should invest in a self contained steam deck heating system rather than waste the funds on appearance features.	ODOT has not identified an economical deck heating system for a bridge of this size.
Daniel Rothenfeld	Two suggestions for design ideas for a signature bridge: an elevated park by planting the outer shoulder lane with vegetation; or an observation tower at the center point.	ODOT is committed to working with an aesthetics committee to focus on the appearance of the structure and the corridor. Further discussion is provided in FEIS Section 2.5.6.
Terri Burgess Sandu	Construction of the project will bring much-needed jobs to Clevelanders.	Comment noted.
Charles Scaravelli	Need access to go east from Ontario.	There is currently no access to or from past Prospect Ave. This condition will remain. Please note that traffic from the west (I-90), southwest (I-71) and south (SR 176) all enter the CBD via the Innerbelt bridge, thus all of the entrances and exits south of Carnegie are oriented to the west. Traffic from the east (I-90) enters the CBD via SR 2 (E 9th and W. 3rd) or the Innerbelt Trench (Superior, Chester, Prospect). The system, existing and proposed, is designed so that access is to the CBD globally

Table 1a: Summary of Public Comments - Written		
Name or Organization	**Comments**	**Responses/References**
		and not to a specific location within the CBD.
Harvey J. Schach	Hilton Garden Inn needs a left turn on Carnegie to enter the main entrance to hotel parking. Plans show a median island on Carnegie.	The "median" shown in the drawings is a painted channelizing island. Left-turns will not be prohibited.
Jay Schach	1) On Carnegie between E 14th and E 9th, there should be no physical barriers that would prevent traffic from turning left at E. 13th Street or into the main entry to the Hilton Garden Inn. 2) Concerns over four eastbound lanes and two westbound lanes on Carnegie, due to traffic having to cross four lanes of traffic to turn left into businesses on the south side of Carnegie. Would prefer three lanes each way with a center turn lane.	1) There is no physical barrier in this location. The "median" is a painted channelizing island. 2) Traffic volumes in the area require the proposed four eastbound and two westbound lanes.
Michele L. Slotta	Requested details regarding how the property and business (Tempcraft) will be impacted.	Response sent 5/20/2009: It is anticipated that ODOT will eventually need to acquire right-of-way near the northwest corner of the parking lot when South Marginal Road and E. 38th St. are under construction. ODOT will work with Tempcraft and the City of Cleveland to determine the best way to handle access to the loading dock along East 38th. Cleveland has successfully managed similar situations.
Ricky D. Smith, Cleveland Airport System	Summary of primary issues: 1) The project as proposed would have property impacts on Burke Lakefront Airport. The DEIS does not disclose how the airport will be compensated for these impacts. 2) The impacted property is important to the airport for future development as a revenue stream. The project will impact the viability of the remaining property for this purpose. 3) The project will be very close to the aircraft hold pad. The DEIS did not disclose the effect on airport operations or commit to design and funding of the blast fence that would be required. The blast fence should be included as mitigation. 4) A proposed realignment was discussed in 2008 that would provide for a trade-off of land, which was not disclosed in the DEIS. The airport would prefer this option. 5) The DEIS does not disclose that an FAA land release would be required. 6) Airport Access Road is not a public local road, as implied in the DEIS Table 4-39. 7) FAA response to coordination was not included in Appendix E. 8) Intent of this portion of the project needs to be clarified, as to the realignment of North Marginal Road and extent of impacts on BKL. 9) DEIS should disclose that the project is not consistent with the BKL Master Plan.	For a discussion of airport concerns and issues, please refer to FEIS Section 2.5.7.
Rick Stunek	1) Project completely eliminates access to downtown from the south if people have to exit at 30th Street. 2) This will have a negative economic impact on the area. 3) Does ODOT consider anything besides traffic flow? 4) Who or what is the impetus behind the project?	1) 2) Access is provided to E. 14th, Ontario, Orange, and East 22nd, in addition to 30th Street. See DEIS Table 4-14. Directional signing will direct motorists to these available connections. 3) The Purpose and Need (DEIS Chapter 2) and discussion of issues associated with development of the alternatives (CAS and DEIS Chapter 3) illustrates the range of issues that are considered, in addition to traffic flow. 4) The impetus behind the project is described in the Purpose and Need (DEIS Chapter 2). The most pressing issues are the deteriorating condition of bridges and pavements, congestion and safety issues.
Scott Sweress	My design idea is a treble clef and bass clef for the front and back of the bridge to denote music for the Rock-n-Roll Hall of Fame.	ODOT is committed to working with an aesthetics committee to focus on the appearance of the structure and the corridor. Further discussion is provided in FEIS Section 2.5.6.
Nellie Ruby Taylor	My design idea is a treble clef and bass clef for the front and back of the bridge to denote music for the Rock-n-Roll Hall of Fame.	ODOT is committed to working with an aesthetics committee to focus on the appearance of the structure and the corridor. Further discussion is provided in FEIS Section 2.5.6.
Jason Therrien	Closing the Prospect and Carnegie exits would have devastating economic consequences on businesses in the area that rely on the traffic that passes or use the exits for deliveries, client and employee routing.	A discussion of access issues is included in DEIS Section 4.2.3 and FEIS Section 2.5.2.
Jerry Sue Thorton, Ph.D., Cuyahoga Community College	1) Closer proximity of freeway will result in visual, noise and vibration impacts on Tri-C's headquarters. 2) Tri-C's headquarters will lose 50 percent of its parking, which is used for staff but also for income from special events. 3) Concerned with temporary construction impacts, including loss of parking, noise and vibration. 4) Tri-C would like to work with ODOT to develop mitigation strategies.	1) Visual, noise and vibration impacts were discussed in the DEIS. No substantial impacts were found in this area. The noise and vibration study provided by Tri-C's consultant indicates no vibration impacts, no outdoor uses for which exterior noise is a concern, and indoor noise levels that exceed FHWA's criterion of 51 decibels. A review of this study by ODOT's Office of Environmental Services indicates that the predicted interior noise levels for Tri-C based upon building and window type is 43 decibels, which is below the criterion. (See OES Interoffice Communication in Appendix F.) 2) Parking issues will be examined during detailed design and right-of-way process. 3) There will be no loss of parking during construction that is not addressed during the right-of-way acquisition phase. Noise and vibration during construction are discussed in DEIS Section 4.1.13 and 4.1.14. 4) ODOT will work with Tri-C during design and right-of-way acquisition.
Tony	Cleveland needs a bridge that will put the city back on the map.	ODOT is committed to working with an aesthetics committee to focus on the appearance of the structure and the corridor. Further discussion is provided in FEIS Section 2.5.6.

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Jerome R. Valco	1) The project will have a negative impact to the Ohio Educational Credit Union building with loss of 22 of the 58 rear parking spaces. Loss of parking was not addressed in the DEIS. 2) There would also be noise and vibration impacts on the building.	1) Parking issues will be addressed during final design and right-of-way acquisition. 2) Noise and vibration impacts were assessed in the DEIS Section 4.1.13 and 4.1.14. No impacts are predicted in this area.
R. Van Petten	Suggested changes related to Carnegie Access: From I-90 eastbound, create a ramp from the spur and bring it up to grade to exit to Carnegie near location of existing access. "Beef up" proposed exits to ease access from Carnegie to the innerbelt. Consider eliminating loop ramp from Chester to I-90 and create an exit from I-90 westbound past Prospect to grade near Carnegie and strengthen Midtown Connector on the west side as a collector. Extend the Midtown connector east side to Carnegie and find a place to drop it down to the Innerbelt near the Chester Ave underpass.	This suggested option was evaluated and found to function acceptably; however, it would have impacts to the Cuyahoga County Juvenile Justice Center, which is eligible for the National Register of Historic Places. Intersections are already being designed to operate at LOS D or better. Cannot eliminate the Chester loop ramp as it has an extremely high traffic volume – 1360 using ramp in PM peak. Ramp connections to Carnegie were examine during planning phases – Midtown connector is result of the work done to provide access from interstate to Euclid Prospect and Carnegie corridors via the Chester interchange. No place to add another connection to freeway.
Istvan van Vianen	Submitted suggested designs (in form of sketches) for a signature bridge.	ODOT is committed to working with an aesthetics committee to focus on the appearance of the structure and the corridor. Further discussion is provided in FEIS Section 2.5.6.
Bonita Vargo	1) Unfortunate to close the Carnegie exit that provides direct access to the Cleveland Clinic and University Circle neighborhoods. 2) Incorporate bicycle lanes in the bridge design.	1) A discussion of access issues is included in DEIS 4.2.3 and FEIS Section 2.5.2. 2) Bicycle and pedestrian issues are discussed in DEIS Section 4.2.10 and FEIS Section 2.5.5.
Andy Vidra	Submitted TRANSWAC comments through e-mail/web submission. See TRANSWAC comments below.	See TRANSWAC comments below.
Dick Warren	1) Closure of Carnegie Avenue access ramp would impact businesses, health care organizations, and eastern suburbs. 2) Safety was cited as need for ramp closure, but has never seen an accident at the ramp in 26 years.	1) A discussion of access issues is included in DEIS Section 4.2.3 and FEIS Section 2.5.2. 2) The section of I-90 from I-77 to Payne Avenue, eastbound and westbound, is consistently ranked among the highest crash locations in the state. The accident rate within this area is more than two times the statewide average rate for similar facilities. (See DEIS Section 2.2.3.)
Kurt C. Weaver	Would prefer that Cedar not be cut off.	Cedar is being realigned to intersection with Carnegie east of the E. 22nd Street to eliminate the 5-legged intersection that exists at Cedar/Carnegie/E. 22nd. Traffic volumes at this location require a less complicated intersection in order to function acceptably.
Christopher Weigand	The new bridge is a once in a lifetime opportunity to leave a mark. It should be aesthetically pleasing. Suggestion: large sculptures or large steel arches to tie into Cleveland's past.	ODOT is committed to working with an aesthetics committee to focus on the appearance of the structure and the corridor. Further discussion is provided in FEIS Section 2.5.6.
Rev. Will	1) The Innerbelt bridge needs to be worked on right now. 2) Put people to work, as many bridge companies are going under.	1) Current work is scheduled for maintenance of the Innerbelt bridge until such time as it can be replaced. 2) Comment noted.
Charles Wilson	1) The I-71 "metro curve" is most important. Too much money is spent reducing afternoon congestion when surveys show that morning time is valued higher. 2) Need to look again at completing the I-71 to I-90 to Shoreway route as many of the impacted homes may already be lost to foreclosure. 3) Should consider rush hour directional lanes instead of building 10 lanes. 4) Suggestion: Bring the E. 9th on-ramp from north of Carnegie (bridge over) to bypass the stoplight which is the worst loss of time downtown.	1) The Purpose and Need, as related to traffic flow, is intended to address the AM and PM peak conditions. 2) The old concept for the Innerbelt from the 1960's followed this suggested route. ODOT currently has no plans to evaluate this alignment, as the impacts would be extensive beyond just the housing areas. 3) On the river crossing bridges in the PM peak, there are 7,872 vehicles westbound and 5,173 eastbound. With these levels, it is not possible to use reversible lanes. All lanes are needed for both directions. 4) A fly-over option was considered and eliminated. See DEIS Page 3-15.
Charles Wilson	Design suggestion: Use the southern alignment splitting shortly after crossing the river. Have a group of three exit lanes (Ontario, E. 9th, E14th) bending right and sweeping back west (counterclockwise instead of clockwise as currently shown). This would allow for adding an additional ramp to provide relief to south half of downtown.	Various configuration of a southern alignment were evaluated during project development. None of these were found to operate acceptably without extensive impacts.

Table 1a: Summary of Public Comments - Written		
Name or Organization	**Comments**	**Responses/References**
Jason Worcester	1) ODOT and GCRTA should coordinate an effort for commuter traffic relief. 2) The Cleveland and Lorain commuter train should be implemented. 3) Carnegie and Prospect Avenue ramps should be kept open. 4) The bridge should be rebuilt within the existing right-of-way. 5) The bridge should accommodate all modes of travel -- car, rail, pedestrian and bicycle. 6) The bridge should be double or triple level.	1) Three existing park-n-ride lots are being expanded by 150 to 220 spaces to assist GCRTA in serving commuter traffic in the corridor. These are located in North Olmsted, Strongsville, and Westlake. 2) The Lorain - Cleveland commuter rail concept was studied by NOACA about ten years ago. The study's conclusions revealed several challenges, including identification of start-up capital funding, provision for operations funding, and finding a multi county operator. Local opposition prevented any further progress at that time. Currently a coalition of Lorain and western Cuyahoga public and private partners is again looking at this commuter route. Lorain County has received a federal earmark of almost $350,000 to perform an FTA Alternatives Analysis. Local matching funds are being sought. Completion of the Analysis and resolution of the aforementioned issues remain before implementation of any commuter rail service could begin. 3) A discussion of access issues is included in DEIS Section 4.2.3 and FEIS Section 2.5.2. 4) The needed lanes cannot be constructed entirely inside existing right-of-way. 5) A discussion of bicycle and pedestrian access to the bridge is included in DEIS Section 4.2.10 and further discussed in FEIS Section 2.5.5. 6) During the fatal flaw analysis of the definition of Conceptual Alternatives in the Cleveland Innerbelt Planning Study, ODOT considered double-decking of the Central Viaduct. It was assumed that the lower deck of the double decked bridge would need to be 130 feet over the river (100 foot shipping clearance and 30 foot allowance for the possibility of under deck truss). This would result in the riding surface of the upper deck being approximately 155-160 feet over the river. In order to be viable, the traffic traveling on that upper deck would need to access the Abbey Avenue/West 14th Street interchange on the west and the Ontario Street ramps on the east end of the bridge. This is not possible with the elevation of the upper deck. As such, the double deck concept did not survive the fatal flaw analysis and was not pursued further.
Kenny Yuko, Representative, Ohio 7th House District	Concerns with the bridge being close to historic Western Reserve Fire Museum. Negative impacts to access, parking, and general enjoyment of the exterior of the historic resource. Requests that alignment be moved as far to the south as possible, away from the museum.	As noted in DEIS, access for buses and equipment has been evaluated and found to function. Parking will be addressed during detailed design and right-of-way process.
John A. Zangerle, Western Reserve Fire Museum	Concerns with the bridge being too close to historic Western Reserve Fire Museum: access for buses, parking, road noise, obstructing views of the south side, restrict ability to maneuver some historic apparatus into the building.	As noted in DEIS, access for buses and equipment has been evaluated and found to function. Noise and visual impacts of the project were evaluated in the DEIS, Sections 4.1.13 and 4.2.1.
NOACA Transportation/Water Quality Advisory Council (TRANSWAC)	1) NOACA provides a series of specific comments regarding stormwater impacts and management options. 2) Public record regarding coordination is incomplete. Summary provided.	1) Stormwater issues are further discussion in FEIS Section 2.5.1. 2)The public record regarding stormwater is supplemented in FEIS Section 2.5.1 and FEIS Appendix D.
MidTown and Cleveland Clinic	Summary of main issues listed in submission: 1) ODOT did not prepare a “final” economic impact study following discussions with citizen groups. 2) The Regional Economic Effects analysis in the EIS is not substantiated. 3) Traffic models do not take into account potential future growth in Cleveland Clinic/University Circle area. 4) ODOT did not follow its Project Development Process because it did not prepare a separate Assessment of Feasible Alternatives. 5) ODOT failed to consider alternatives to elimination of the Carnegie and Prospect ramps and adoption of mitigation measures to address the elimination of those ramps is insufficient. 6) ODOT improperly dismissed the Carnegie exit "compromise solution" based upon Section 4(f) impacts to the Juvenile Justice Center. 7) The project does not meet the stated Purpose and Need regarding local roadway connectivity and access. 8) ODOT should pursue a “minimum build” alternative plus the Carnegie ramp, after all other improvements are constructed, or 9) If the “minimum build” plus Carnegie is not selected, the project should be segmented to consider the Trench independently.	1), 2), 3), 5), 6), 7), 8) and 9) Further discussion of the economic impact study and access within the Trench is provided in FEIS Section 2.5.2. 4) The Project Development Process is discussed further in FEIS Section 2.5.9.

Table 1b: Summary of Public Comments – Verbal		
Name	**Comments**	**Responses/References**
Howard Maier, NOACA	1) NOACA participated in the process and NOACA is pleased that economic recovery funds would be used for the bridge. 2) Personal comment that the bridge is a good opportunity for a statue of Superman.	1) Comment noted. 2) ODOT is committed to working with an aesthetics committee to focus on the appearance of the structure and the corridor. Further discussion is provided in FEIS Section 2.5.6.
Mallory Jackson	The bridge project is an opportunity to put laborers and tradesmen back to work.	Comment noted.
Ken McGovern	The state is threatening one of Midtown's key assets, its accessibility. ODOT is urged to restudy the Trench design with a specific focus on equal or better access to and from Midtown, the Cleveland Clinic and downtown.	A discussion of access issues is included in DEIS Section 4.2.3 and FEIS Section 2.5.2.
Paul Stanard	Sensible to build new structure while maintaining traffic on the existing. The plan will put people back to work. It will make the highway safer and improve transportation greatly in the Cleveland area.	Comment noted.
Brooke Deines	The area where the Cold Storage building is going to be demolished should be developed using urban and environmental planning to make a green, usable space for the residents of Tremont, rather than the dark dangerous place that it is now.	ODOT is committed to working with an aesthetics committee to focus on the appearance of the structure and the corridor. Further discussion is provided in FEIS Section 2.5.6.
Kevin Cronin	1) ODOT is failing to provide for the health and safety of cyclists by denying bicycle and pedestrian access to the bridge. 2) The project is not the shovel-ready status called for by the stimulus plan. 3) Cycling on improved bike lanes will be less safe, such as Superior Ave., E.24th, E. 30th., E. 55th, and cross streets. 4) Project will cause more and heavier truck traffic, which reduces safety. 5) Project will cause more harmful diesel emissions, which affects bicycles and pedestrians. 6) Fewer highway exits are going to cause longer, more frequent idling, which has health effects. 7) Federal law says that if you're replacing the bridge deck and there is cycling on both sides, then there should be cycling access on the bridge. 8) Other bike routes cited by ODOT as alternatives are unsafe.	Similar to written comments provided by Mr. Cronin. See above. Further discussion of bicycle and pedestrian issues is provided in FEIS Section 2.5.5.
Steve Hom	1) Yet to see convincing argument that the existing exits and entrances in the Innerbelt trench are hazardous. 2) The project will increase the speeds in the Innerbelt trench. Will this result in more accidents and more serious accidents? 3) What is the probability that the traffic model is incorrect? What is elimination of access points leads to gridlock on the highway and city streets?	1) The section of I-90 from I-77 to Payne Avenue, eastbound and westbound, is consistently ranked among the highest crash locations in the state. The accident rate within this area is more than two times the statewide average rate for similar facilities. (See DEIS Section 2.2.3.) 2) The project has been developed to address the Purpose and Need, which includes consideration of safety. 3) See discussion of travel demand model under FEIS Section 2.5.2.
Mark Leonard	1) If Carnegie ramp is closed, lack of easy highway access will radically affect the neighborhood. 2) Business will be forced to move due to economic hardship. 3) Without easy access to Carnegie Avenue, visitors will have a hard time finding the Cleveland Clinic.	A discussion of access issues is included in DEIS Section 4.2.3 and FEIS Section 2.5.2.
Marty McGann	1) Cleveland Clinic is concerned that the elimination of the east-on-Carnegie exit will create access issues for the clinic and other major employers. 2) The Trench should be addressed independently from the bridge project. 3) The data used for the project does not contemplate the growing economic importance of health care and has the potential to cause large scale problems on city streets.	A discussion of access issues is included in DEIS Section 4.2.3 and FEIS Section 2.5.2.
Frank Porter	Removing the ramps at Prospect and Carnegie cuts off the flow of funds and traffic and will force businesses to go elsewhere.	A discussion of access issues is included in DEIS Section 4.2.3 and FEIS Section 2.5.2.
James Carpenter	Closing Prospect Ave exit shuts off one of the major exit ramps for Cleveland State, the athletic complexes that are to the west, and businesses to the east. Shutting exit ramps will impact economic vitality.	A discussion of access issues is included in DEIS Section 4.2.3 and FEIS Section 2.5.2.
Brooke Willis	ODOT should consider neighborhood input on whether or not to install noise walls and what they look like. Noise walls should not be put up at all.	Per ODOT noise policy, ODOT considers the views of affected residents prior to deciding whether to construct proposed noise walls. Residents are also given input on wall appearance.
Jim Haviland	1) Elimination of Carnegie ramp will have adverse effect on social and economic development. Planned growth is going to happen -- without access, there will be a negative impact. 2) The Trench segment should be studied separately.	A discussion of access issues is included in DEIS Section 4.2.3 and FEIS Section 2.5.2.
Eric Smith	ODOT needs to get through this environmental phase and get this project built to put people back to work.	Comment noted.
Steve O'Bryan	1) Removing Carnegie and Prospect will destroy economic value. 2) ODOT has proceeded without a recommended and promised economic impact study. 3) There is precedent to consider the Trench separately from the EIS. 4) ODOT has not followed NEPA or its own process.	A discussion of access issues is included in DEIS Section 4.2.3 and FEIS Section 2.5.2. Project Development Process issues are further discussed in FEIS Section 2.5.9.
Nabil Farah	Supports the project. Likes the northern alignment and the reconfiguration of E. 22nd St.	Comment noted.
Don Scipione	1) Eliminating access to Midtown Cleveland will be an enormous burden on the economy. 2) Slow the speed limit in the Trench and keep the access as it is. 3) Separate the decision on the bridge from the decision in the Trench.	1) and 3) A discussion of access issues is included in DEIS Section 4.2.3 and FEIS Section 2.5.2. 2) The current average operating speed within the Trench during peak periods is less than the allowable legal speed. Reducing the legal speed would have no discernable effect on safety conditions within this area. The No Build alternative would not address the project's needs.
Vicki Wildeman	Fully supports the project as it is shown.	Comment noted.
Scott Carpenter	1) The southern alignment is preferable. 2) The Western Reserve Fire Museum is going to be impacted by the bridge being constructed so close. ODOT needs to work with the museum to minimize impacts.	1) A comparison of alternatives is provided in FEIS Section 4.0. 2) As noted in DEIS, access for buses and equipment has been evaluated and found to function.

Table 1c: Summary of Public Comments – Received After Comment Period		
Name	**Comments**	**Responses/References**
Paul Alsenas, Cuyahoga County Planning Commission	Written comments dated 6/10/2009 expressed support of NOACA's TRANSWAC comments on behalf of Cuyahoga County Planning Commission.	See discussion of Stormwater, FEIS Section 2.5.1.
Timothy J. O'Toole, Cleveland Division of Fire	Letter of 7-7-09 in response to Section 106 correspondence. Notes that appropriate clearance is necessary to ensure that equipment can access fire department facilities at 312 Carnegie Avenue.	As noted in DEIS, access for buses and equipment has been evaluated and found to function.
Dennis J. Kucinich, U.S. House of Representatives	Letter of July 10, 2009 reiterates earlier comments (included in Table 1a) regarding changes to freeway access in the Trench area.	See discussion of access in the Trench, FEIS Section 2.5.2.
Forest City Enterprises	Comments and presentation dated June 21, 2009, suggests consideration of an alternative that would be located south of the existing Central Viaduct bridge. In addition, the document questions the redirection of the Carnegie Avenue ramp.	ODOT held a meeting with Forest City Enterprises on June 30, 2009 to discuss their concerns. This meeting was also attended by representatives of Midtown Cleveland, University Circle, and the Cleveland Clinic. ODOT discussed the reasons for identification of the northern alignment as the Preferred Alternative (FEIS Chapter 4) and the basis for the decision regarding the Carnegie Avenue ramp (see FEIS Section 2.5.2.)
"Save Our Access" campaign	A number of e-mails were received after the close of the comment period from supporters and visitors to the website of "Save Our Access," organized by individuals and groups opposed to the modifications to access within the Trench area.	See discussion of access in the Trench, FEIS Section 2.5.2.

Table 2: Summary of Agency Comments on DEIS

Agency	Date	Status	Comments	Response
U.S. Department of Interior, Fish and Wildlife Service	May 18, 2009	Participating Agency	Comments provided jointly with USDOI, National Park Service. See below.	N/A
U.S. Department of Interior, National Park Service	May 18, 2009	Participating Agency, required due to Section 4(f)	Section 4(f) comments: • The Department has reviewed the temporary and de minimis use descriptions in the evaluation and concurs with those determinations. The OHPO concurrence letters should be included in the Appendix. • The Department concurs with FHWA that there are no feasible or prudent alternatives to the proposed alternatives resulting in impacts to Section 4(f) properties. • Because the measures to minimize harm will need to be negotiated with the OHPO resulting in a programmatic agreement to resolve the adverse effect determination, the Department cannot yet concur that all measures to minimize harm have been employed. The Department defers final determination until that agreement is finalized, which should appear in the FEIS. Fish and Wildlife comments: • It is recommended that the project use best construction techniques to minimize erosion. All disturbed areas should be mulched and revegetated with native plants. • The Department strongly recommends that even short-term impacts to Lake Erie and shoreline habitat be avoided and minimized to the extent possible. Erosion and sedimentation control should be a priority concern when addressing stability issues on the west bank of the Cuyahoga River. Endangered Species comments: • FWS concurs that the project may affect, but is not likely to adversely affect the Indiana bat. FWS notes other species discussed in DEIS and agrees with conclusions.	• OHPO concurrence letters are included in DEIS Appendix E. • The Programmatic Agreement was executed on May 20, 2009. Specific mitigation measures regarding the three impacted historic properties have been developed. Additional discussion is provided in FEIS Section 3.1 and in FEIS Chapter 5 Final Section 4(f) Evaluation. • Erosion and sedimentation control will be established through the NPDES permit process and stormwater pollution prevention plan developed for the project.
U.S. Environmental Protection Agency	May 21, 2009	Participating Agency	• Recommend that the FEIS examine and discuss green infrastructure alternatives for managing wet weather flows, including features like swales, detention ponds, and rain gardens to filter and absorb stormwater. Stormwater parks should be considered. Noted that separating wet weather flows from the combined sewer system will reduce pollutant loadings to the River and Lake due to combined sewer overflow discharges. • Stormwater discharges will require NPDES permit from OEPA. The FEIS should include a description of both during and post construction stormwater control measures. • Disagree with DEIS implication that just because OEPA concedes that contamination of the Cuyahoga River makes its full recovery improbable, it is therefore acceptable to consider the pollution load this project contributes to these waters to be negligible. • USEPA accepts analysis in DEIS for ozone and particulate matter. Recommend that FEIS estimate the greenhouse gas emissions associated with the project, and conversely how global climate changes might impact this project. • Because peak hour traffic congestion is a significant component of the purpose and need, USEPA recommends that some of the developing TSM concepts be considered in combination with the build alternatives in the FEIS.	• Stormwater issues are further discussed in FEIS Section 2.5.1. • Air quality and climate change issues are further discussed in FEIS Section 2.5.3. • Transportation System Management is further discussed in FEIS Section 2.5.4.

Agency	Date	Status	Comments	Response
U.S. Coast Guard	April 6, 2009	Cooperating Agency, required due to Section 9 permit	• Marine transportation was not discussed in DEIS. Coordination will be required prior to any construction or removal activities that could affect permitted navigational clearances. • Coast Guard will require statement from OEPA confirming water quality certification status once a bridge permit application is submitted. • If the bridge is constructed as a design-build, minimum vertical and horizontal clearances must be identified in the bridge permit and adhered to in the final structure. • Section 9 permit is needed as discussed in the text, not Section 10 as listed in table. • Coast Guard not listed with other agencies at beginning of Appendix E of DEIS, but the coordination was included.	• Discussion of Marine Transportation included in FEIS Section 2.5. • ODOT will apply for a Section 9 permit from the U.S. Coast Guard and provide OEPA confirmation for water quality certification. • If the bridge is constructed as design-build, ODOT agrees to provide required clearances and document these in the permit application. • Minor typographical errors and omissions are noted and are included on Errata list in FEIS Section 1.0.
U.S. Department of Transportation, Federal Aviation Administration	May 21, 2009	Participating Agency	• ODOT and Cleveland need to continue their dialog on the feasibility of acquiring land currently owned by the City and dedicated to Burke Lakefront Airport. Any taking of property will require an FAA land release, which requires public notice, a NEPA document, and may take several months. • As plans are refined, FAA will need to conduct an aeronautical study of the project and proposed changes at Burke Lakefront Airport. The changes need to be depicted on the Airport Layout Plan (ALP). This study will enable FAA to determine if there are any possible safety/operational/development concerns with the project. • The FEIS should contain meeting minutes of past and future meetings on road modifications near the airport. Also, FAA recommends that the FEIS include a final description of land requirements and mitigation, concurred with by the airport. • The FEIS should clearly note that FAA approval will be required for any land transfer of airport property to the State. • Notice must be filed for construction near airports, per 14 CFR Part 77. FAA recommends that notice be filed for the estimated location and heights of the Innerbelt curve and the proposed eastbound/westbound bridges. • FHWA may want to reference FAA Order 5000.3C"Coordination with the Federal Highway Administration" in the FEIS.	• Discussion of on-going coordination regarding Burke Lakefront Airport is included in FEIS Section 2.5.8. • ODOT acknowledges that a land release will be required, along with changes to the ALP. • Meeting minutes are available in the project file and are not included in the appendices. Final description of land requirements will not be available until final design. ODOT intends to continue to work with airport to minimize impacts during the design process. • ODOT acknowledges that notice must be filed for construction near airports. • Requested reference is provided in FEIS Section 2.5.8.
Ohio Environmental Protection Agency	April 22, 2009	None	• No major concerns regarding the project alternatives described. • Ecological impacts appear to be relatively minor. Would appreciate more details on the nature and magnitude of the impacts to the Cuyahoga River and its tributaries, if applicable. • There are water quality concerns in the Cuyahoga River watershed, with increase in impervious surface directly related to degree of degradation. The problem may be minimized by implementing BMPS, pursuing "green space" opportunities, and exploring innovative technologies. • Regarding stability issues of the west bank of the Cuyahoga River, will the problem be fixed and not compromise the integrity of the river? • The project impacts appear to be below the threshold that would require an individual Section 401 Water Quality Certification. However, if a Section 9 permit is required from the Coast Guard, they will require an Individual Section 401 Certificate. Please update OEPA on this status. • If individual Section 404 is needed from US Army Corps of Engineers, then an individual 401 authorization would also be required	• Stormwater issues are further discussed in FEIS Section 2.5.1. • The project includes slope stabilization, through unloading of the slope, which is intended to address the west bank of the Cuyahoga River. • A Section 9 permit is required; therefore, a Section 401 Water Quality Certificate will be required.

2.5 Issues and Resolutions

This section of the FEIS addresses topics raised by public and agency review of the DEIS, as reflected in the comment summaries above. None of the issues during the comment period require substantive changes to the information provided in the DEIS. However, some issues require additional information to supplement information in the DEIS.

The majority of public comments on the DEIS were regarding a few main issues:

- Stormwater management (FEIS Section 2.5.1)
- Access Changes and Economic Effects (FEIS Section 2.5.2)
- Bicycle and Pedestrian Access (FEIS Section 2.5.5)
- Aesthetics (FEIS Section 2.5.6)
- Project Development Process (FEIS Section 2.5.9)

Comments from agencies requiring additional discussion pertained to the following topics:

- Stormwater management (FEIS Section 2.5.1)
- Air quality and climate change (FEIS Section 2.5.3)
- Transportation System Management (FEIS Section 2.5.4)
- Impacts to Burke Lakefront Airport (FEIS Section 2.5.7)
- Marine Transportation (FEIS Section 2.5.8)

Additional discussions for each of these issues are provided within the FEIS document in the sections noted in parentheses. Minor errors and omissions are included in Table 3.

Table 3: Errata for the DEIS

4.1.2 Aquatic Resources	The DEIS states that the Cuyahoga River is the sole aquatic feature mapped in the project area. This is a true statement. However, it should be noted that a portion of the project area drainage eventually reaches Lake Erie. Therefore, stormwater issues will consider Lake Erie as well.
Section 4.2.2	"Relocation" is misspelled.
Page 4-40	Under heading of "Burke Lakefront Airport," "coordination" should be "coordinated." Text should note that the impacted airport property is intended for economic development as a revenue stream for the airport. Text should note that a blast fence is likely to be required adjacent to the aircraft hold pad, which will be a part of the project cost as mitigation.
Table 4-39	Airport access road is not a local public road, but a private access road for the airport.
Sections 4.5 and 4.6	A number of misspellings were identified in DEIS Section 4.5 Comparison of Feasible Alternatives and Section 4.6 Draft Section 4(f) Evaluation. These sections are repeated and updated, with typographical errors corrected, within this FEIS as Section 4.1 Identification of the Preferred Alternative and Chapter 5 Final Section 4(f) Evaluation.
Page 5-6	Table 5-3 states that U.S. Coast Guard involvement is required due to a "Section 10" permit. This should read, "Section 9."
Section 5.9 Agency Coordination	Stormwater coordination is listed as occurring with the Northeast Ohio Regional Sewer District. This coordination also includes NOACA's Transportation/Water Quality Advisory Council (TRANSWAC).
Section 6.1	The DEIS stated that the Project Management Plan and Annual Financial Plan would be completed prior to the Record of Decision. This is incorrect. For corrected timeline, please refer to FEIS Section 3.4.
Section 6.3	Other federal actions will also include a land release from the FAA for property from Burke Lakefront Airport. This will also require a revision to the Airport Layout Plan by the City of Cleveland Airport System.
Appendix E, cover page	In the list of agencies on the cover page for Appendix E, the U.S. Coast Guard was omitted. The actual coordination was included.

2.5.1 Stormwater and Water Quality

Based upon a study from August 17, 2007, the existing drainage area for the project is approximately 280 acres. Approximately 48% drains to the existing combined sewer system. Approximately 52% drains to either Lake Erie or the Cuyahoga River. ODOT is pursuing a separation strategy which will consider removing existing water from the combined sewer system and discharging that to either the Cuyahoga River or Lake Erie, where hydraulically and economically feasible. These stormwater discharges will utilize storm water quality best management practices (BMPs).

The project has not yet entered detail design, so there has been no detailed look at future stormwater acreage which will remain connected to the combined sewer system versus that which will be separated. ODOT anticipates that there will likely be areas that remain connected to the combined sewer system. These areas will require coordination with NEORSD and Cleveland's Division of Water Pollution Control, to understand both local pipe capacity and combined sewer overflow (CSO) control impacts.

The Cleveland Innerbelt Project is being constructed within an ultra urban corridor. Even with the current economic downturn, property acquisition will be a substantial part of this infrastructure investment. At the current time, it is anticipated that the necessary RW acquisition costs are in the range of $75 million in current dollars. During the project, ODOT has attempted to minimize the impact to neighboring property as much as possible. The City has a vested interest in keeping as much downtown property as possible available for economic development. ODOT will utilize the current project footprint to implement stormwater BMPs.

The project does not have any special allocations or contingency funding for storm water quality issues. All storm water elements will be paid out of normal project funding.

Within the public comments, including comments from NOACA's Transportation/Water Quality Advisory Council (TRANSWAC) and the Northeast Ohio Regional Sewer District (NEORSD), the primary unresolved issues are:

- Effects on water quality
- Regulatory requirements for stormwater treatment
- Timing for consideration and commitments regarding stormwater management strategies
- Public record regarding stormwater issues

Each of these issues is discussed in more detail below.

Project's Effects on Water Quality

ODOT maintains that the project will improve water quality conditions, by separating stormwater from the combined sewers and reducing combined sewer overflows into the Cuyahoga River and Lake Erie, and by meeting OEPA requirements for stormwater management. TRANSWAC maintains that the project has the potential to degrade water quality by allowing this separated water to flow to Lake Erie without adequate water treatment. TRANSWAC would like ODOT to consider treatment of Innerbelt stormwater discharges in NEORSD central treatment facilities, particularly "first flush" stormwater. ("First flush" refers to the beginning of each rainfall event, when the majority of contaminants are washed from the road surface.)

A stormwater tie to the combined sewer system is complicated, in that the intensity of storms used to design the NEORSD system and the ODOT system are dramatically different. It is our understanding that NEORSD typically uses a 1-5 YR storm for the design of their CSO control program. ODOT's design manual requires significantly higher storm return intervals:

- Storm sewer design – 10 YR storm
- Hydraulic Grade Line check – 25 YR
- Hydraulic Grade Line check in sag vertical curves – 50 YR

The Innerbelt storm sewer system could not be tied exclusively into the NEORSD combined sewer system, as the limited capacity of the existing system would likely cause flooding either within the local combined sewer system, or within the high speed Interstate pavement. Only a small percentage of the pavement drainage could be tied to the combined sewer. Some sort of a diversion system would have to be in place to divert >1-5 YR storm flows away from the combined sewer system and safely off the Interstate pavement. ODOT has concluded that the base cost of a pipe drainage conveyance system would likely be the same for one that ties to the combined sewer system as to one that discharges to a separate storm only system, due to the ODOT design storm requirements. The difference in approach is how stormwater quality is addressed. At this time, ODOT's approach is to construct stormwater quality BMPs to treat stormwater from this project. In addition to the unknown NEORSD plant treatment cost, and the required CSO tunnel capital cost, is the unknown NEORSD system modeling work that would be required to ensure overall CSO compliance. OEPA does not require that stormwater be treated at central treatment facilities. ODOT will utilize stormwater quality BMPs in order to comply with current OEPA regulations. Where feasible, ODOT will entertain BMPs such as extended detention to settle out potential pollutants. The USEPA DEIS comments dated May 21, 2009, specifically state, "Separating wet weather discharges from the highway to the combined system will contribute to reduced pollutant loadings to the River and the Lake from CSO discharges." As regulations evolve, ODOT will comply with any new requirements to manage particular pollutants.

ODOT's existing policies and procedures have been developed to keep its projects in compliance with current OEPA regulations regarding water quality. ODOT's Location and Design Manual, Volume 2, Drainage Design, is the basis of ODOT's policy with respect to drainage design. Section 1115-Post Construction Water Structural Best Management Practices, is the basis of ODOT's policy to comply with the current Ohio Environmental Protection Agency (OEPA) regulations. As the implementation of the Cleveland Innerbelt Corridor projects is anticipated to span numerous years, it is likely that the projects will span several versions of OEPA storm water quality regulations. ODOT's commitment is to meet the applicable OEPA regulations in effect as each project is in final design. ODOT has in the past, and will continue in the future, revising its standard drainage policies as necessary to comply with evolving regulations. Additionally, ODOT currently has over $900,000 in on-going research projects on several BMPs including Vegetated Biofilters and Exfiltration Trenches. ODOT will continue to evaluate and update its drainage policies and procedures as these research projects evolve.

In the event of spills, primary spill containment on the I-90 river crossing bridges is performed by Cleveland emergency response crews. Often, the primary method to control spills is to keep the liquids from entering the bridge drainage systems utilizing items such as sand bags. If detention is determined to be a recommended BMP for the river valley, the detention time would provide an additional buffer between potential spills and the Cuyahoga River.

Regulatory Requirements for Stormwater Treatment

ODOT's existing policies and procedures are in compliance with current OEPA regulations. These regulations allow reduced treatment percentages for "redevelopment" projects such as the reconstruction of the Innerbelt. The current regulations allow projects to treat 20% of existing impervious area while treating 100% of new project impervious area. ODOT will look to exceed the 20% treatment requirement where practical. The current conceptual work for the first construction phase is evaluating both the minimum regulatory treatment percentage and 100% treatment.

Timing for Consideration and Commitments of Stormwater Management Strategies

A preliminary Best Management Practice (BMP) feasibility analysis was completed and documented in *Cleveland Innerbelt Corridor Storm Water Best Management Practice Report, April 17, 2007*. This report discusses specific BMPs that are considered to be feasible, by geographic areas of the project. (This report is on file and is available for review at ODOT District 12.) The table at right (ES-1) is taken from this report and summarizes the potential BMPs that were identified for each project area.

TABLE ES-1 - DRAINAGE AREA AND BEST MANAGEMENT PRACTICES

Innerbelt Corridor Project Area Name	Number of Preliminary Drainage Areas Delineated	Potential Best Management Practices Identified
Innerbelt Curve	7	Exfiltration Trench, Manufactured Treatment System, Vegetated Bioswale, Detention/retention basins, and remain connected to combined sewer system or local collection system.
Innerbelt Trench	19	Exfiltration Trench, Manufactured Treatment System, Vegetated Bioswale and remain connected to combined or local collection system.
Central Interchange	7	Exfiltration Trench, Manufactured Treatment System, Vegetated Bioswale, Detention/retention basins and remain connected to current combined or local collection systems.
Interstate 77 Approach	3	Exfiltration Trench, Manufactured Treatment System, Vegetated Bioswale and remain connected to current combined sewer system.
Central Viaduct	2	Exfiltration Trench, Manufactured Treatment System, Vegetated Bioswale, Detention/retention basins and remain connected to current combined or local collection systems.
Southern Innerbelt Section	5	Exfiltration Trench, Manufactured Treatment System, Vegetated Bioswale and remain connected to current combined or local collection system.

Source: Cleveland Innerbelt Corridor Storm Water Best Management Practice Report, April 17, 2007 (URS Corporation)

ODOT has indicated that the identification of specific stormwater management strategies and their locations will occur during detailed design of each construction segment. Several public comments requested that these strategies be evaluated and their locations be identified in the EIS. USEPA's comments recommended that the FEIS examine and discuss green infrastructure alternatives for managing wet weather flows, including features like swales, detention ponds, and rain gardens to filter and absorb stormwater. USEPA also suggested that the FEIS should include a description of both during and post construction stormwater control measures.

Within this urban corridor, the complexity of the drainage will require detailed design-level information in order to evaluate and finalize specific BMPs. ODOT commits to working with TRANSWAC, NEORSD, and the City of Cleveland during design of each project phase to consider these issues.

The issue of water quality as part of the project's purpose and need was discussed at the beginning of the study. It was decided that stormwater was not a likely a differentiator of transportation solutions for this project, as stormwater issues would be addressed with the same approach, regardless of the transportation solution selected. Adequate analysis is available to assess the magnitude of impacts for the purpose of the NEPA decision.

Public Record Regarding Stormwater Issues

ODOT has attended virtually all of the NOACA TRANSWAC meetings during project development, and has participated in numerous Innerbelt specific meetings. The DEIS concentrated on providing public and agency comments that were received subsequent to the publication of the Conceptual Alternatives Study in August 2006. In addition, correspondence regarding details of stormwater strategy was not provided. Several comments were received that objected to providing only the recent and incomplete coordination in the DEIS and requested a full record of coordination regarding stormwater issues. A complete summary of stormwater coordination is provided in Table 4. Copies of correspondence are included in Appendix D.

Table 4: Stormwater Coordination Summary

Date	Topic
March 14, 2003	Meeting between NEORSD and ODOT. NEORSD identified water quality as an Innerbelt concern and encouraged long range coordination efforts via management of Innerbelt stormwater.
April 3, 2003	E-mail from ODOT to NEORSD with assurance that current goals of Innerbelt project were inclusive of goal to "protect and enhance water quality."
February 9, 2004	NEORSD letter to ODOT requesting that Innerbelt planning comprehensively consider stormwater management issues
September 2, 2005	ODOT transmits conceptual drainage maps to NEORSD
October 4, 2005	NEORSD/ODOT coordination meeting at NEORSD
February 14, 2006	ODOT attends TRANSWAC meeting
March 20, 2006	TRANSWAC report: TRANSWAC identifies 11 issues that should be considered in the planning process.
April 10, 2006	ODOT transmits draft stormwater separation study to NEORSD
April 21, 2006	ODOT provides stormwater statement to NOACA Transportation Advisory Committee (TAC)
May 3, 2006	ODOT follow-up e-mail to NEORSD regarding 4/10/2006 submission of stormwater separation study
May 16, 2006	ODOT attends TRANSWAC meeting
June 23, 2006	ODOT follow-up e-mail to NEORSD regarding 4/10/2006 submission of stormwater separation study
July 7, 2006	Informal meeting between ODOT and NEORSD regarding stormwater issues
August 16, 2006	ODOT letter to NEORSD requesting information on charges related to the storm water utility for "first flush" methodology
October 16, 2006	NEORSD response to 8/16/2006 letter. NEORSD responded that the identification of a fee for storm water was uncertain. NEORSD indicated willingness to work with ODOT on ongoing strategic implementation.
November 12, 2006	An editorial appears in the *Cleveland Plain Dealer* regarding regional concern over cost of CSO control program
November 20, 2006	ODOT letter to NEORSD. ODOT stated intent to begin investigation of a storm water separation strategy to provide separate storm sewer systems for roadway drainage, where hydraulically appropriate.
January 12, 2007	ODOT formal response to TRANSWAC report
March 5, 2007	TRANSWAC letter to ODOT. States that ODOT"s formal response of 1/12/2007 does not address issues of the 3/20/2006 report for purposes of the DEIS.
March 2007	ODOT issues Level 1 Ecological Survey Report to resource agencies
April 8, 2007	TRANSWAC comments ecological survey report. Among other comments, notes that report fails to address Lake Erie impacts.
April 10, 2007	TRANWAC letter to ODOT. NOACA/TRANSWAC request ODOT to include various analyses of stormwater management as part of the EIS, including request for cost/benefit analysis of centralized treatment of first flush in NEORSD centralized facilities.
April 26, 2007	ODOT meeting with NEORSD technical staff to go over specific locations where interstate stormwater enters the combined sewer system.
May 29, 2007	ODOT Letter to NEORSD. ODOT stated to NEORSD that the Department will pursue a stormwater separation strategy, as hydraulically appropriate. The strategy will include installation of stormwater quality best management practices (BMPs) along the corridor to address water quality requirements. Proposed BMPs will address: water quality requirements on existing stormwater-only sewer systems with the corridor and storm water only systems which may be designed as a result of separating highway run-off from the existing combined sewer system.
June 22, 2007	NEORSD letter to ODOT. NEORSD suggests approach and cost data to assist in evaluation of cost and benefits for centralized treatment for first flush treatment option
July 25, 2007	ODOT participates in NOACA TRANSWAC meeting
September 6, 2007	ODOT transmits draft BMP report to NOACA and NEORSD
October 16, 2007	ODOT transmits draft BMP report to Ohio Environmental Protection Agency (OEPA)
October 19, 2007	ODOT transmits hard copy of draft BMP report to NEORSD
December 3, 2007	ODOT transmits draft BMP report to Cleveland Water Pollution Control
January 23, 2008	ODOT participates in NOACA TRANSWAC meeting
March 20, 2008	ODOT and NEORSD coordination meeting
July 23, 2008	ODOT participates in NOACA TRANSWAC meeting
July 25, 2008	TRANSWAC comments on ODOT BMP report. (transmitted to ODOT on 4/9/2009)
April 24, 2009	ODOT participates in NOACA TRANSWAC meeting
May 15, 2009	ODOT attend NOACA TAC meeting
June 8, 2009	ODOT meeting with Cuyahoga River Remedial Action Plan Executive Director to discuss Green Bulkheads
July 10, 2009	ODOT response to TRANSWAC comments on BMP report

2.5.2 Access in the Trench Section

A third of the 89 written comments received on the DEIS, as well as half the 19 verbal comments at the public hearing, expressed concerns with the potential impacts resulting from these changes to freeway access. Cited concerns include the following, which are also discussed in more detail below:

- Failure to meet Purpose and Need regarding local access
- No consideration of alternatives
- Validity of traffic models
- Congestion on local roadways
- Economic impacts on businesses from loss of direct access or changes in travel patterns
- Desire to delay NEPA decision concerning project elements in the Trench, by segmenting that portion of the road from the remainder of project

Purpose and Need
Certain comments suggested that proposed project elements in the Trench portion of the study area would not meet the stated Purpose and Need. These comments improperly segregate individual project elements and ignore the overall balancing of operational performance, safety, design improvement and freeway access that must be conducted to evaluate the project as a whole and key to the function of the Innerbelt freeway system.

The purpose of the Innerbelt Freeway system is to collect and distribute traffic between the radial freeway system (I-71, I-90, I-77, SR 2, I-490, and SR 176) and the local street system, and to move traffic between each of the radial freeways, within the Cleveland CBD area. Within the Trench section, the existing Innerbelt Freeway System provides the following traffic functions: through traffic, local street to interstate, interstate to local street, and local-to-local movements (where traffic uses the interstate to go a distance of only one interchange). Safety and operation in the Trench section is affected by the numerous, closely spaced interchanges and the large number of weaving maneuvers within this section.

With respect to the Trench area, evidence in the DEIS demonstrates that redesign of the ramps in the Trench will in fact address safety, design deficiencies and performance issues that currently exist in that area. (See Purpose and Need element summarized in FEIS Table 8 for proposed conditions compared to No Build.) Each of the functions in the Trench is addressed. Through traffic will experience improved travel times and safety due to reduced congestion and fewer conflicts. Traffic accessing local streets from the freeway, and vice versa, will experience the same improvements on the freeway as through traffic and will use ramps that meet current design standards, which have a safer merging distance.

Local-to-local movements, which are presently using the freeway to go from one interchange to the next, will be able to use the new Midtown connector to access several east-west corridors in the Trench area. In addition, the Midtown connector will serve to distribute traffic from the Innerbelt Freeway system to the local street system. In the build condition, the local streets in the vicinity of the project will function as good as or better than existing conditions. Therefore, the project meets the access need from the Purpose and Need.

Figure 1-1: Innerbelt Study Area Points of Interest

Consideration of Alternatives

As discussed above, the alternatives developed for the Trench section focused on maintaining all of the Innerbelt Freeway system functions while addressing the safety and operational shortcomings that cause the system not to function acceptably. The alternatives within the Trench area focused on consolidating some of the interchanges within this section, reconfiguring the remaining interchanges such that access to the CBD and Midtown were equally accessible, and minimizing the number of weaving locations through use of a frontage road system, braided ramps, improving weaving distances or a combination of these approaches. Ten different conceptual alternatives (Trench 1 through Trench 10) were developed to address freeway through traffic and freeway-to-local movements. At the conclusion of the conceptual alternatives phase, two feasible alternatives remained for the Trench: one option which provided for an interchange at Chester Avenue and a second option that provided for a split interchange at Chester and Payne Avenues. The primary difference between these alternatives is how access is provided to the Payne Avenue corridor. As such, these alternatives were referred to as the "With Payne" and "No Payne" alternatives. (See CAS Chapter 5).

The "With Payne" alternative provided direct freeway access to Payne Avenue via a modified split diamond interchange with Payne Avenue and Chester Avenue. Operational analyses showed that this alternative improved operation for Chester Avenue. However, there was strong public opposition to the provision of direct freeway access to Payne Avenue. Key stakeholders, including the City of Cleveland, were concerned that this change in access would change the character of this arterial. The "No Payne" Alternative removes freeway access from Payne Avenue and consolidates access at the Chester Avenue interchange, a modified diamond interchange. While this design better addressed access concerns raised by stakeholders, it raised other concerns regarding the operation of the Chester Avenue arterial corridor in the interchange area and access patterns to Payne Avenue. After working extensively with stakeholders in this area, the "No Payne" alternative was modified in the DEIS to include refined versions of the existing cut-off ramps that provide indirect access to Payne Avenue. Therefore, an alternative was considered that would have provided for more of the direct access desired by the public at an additional location in the Trench, but this option was eliminated from further consideration as a result of public comment which strongly expressed the desire to not change the character of the Payne Avenue corridor.

Eighteen conceptual alternatives (Midtown 1 through Midtown 18) were developed to address local-to-local movements in the CAS. At the conclusion of the CAS, the Midtown Connector remained the feasible solution; however, the exact configuration of the connector was left open for additional consideration.

The *Conceptual Alternatives Study* (located in Appendix C of the DEIS, included as Appendix G of this FEIS) details the development of the Innerbelt Trench conceptual alternatives through the identification of Feasible Alternatives. Figures 3-3a, 3-3b, 3-3c, 5-3a, and 5-3b of the CAS illustrate the progression of these alternatives in relation to the numerous meetings held with area stakeholders, including Midtown Cleveland, in order to identify Feasible Alternatives for the Trench. Extensive coordination, including approximately two dozen meetings (as documented in Table 5a), occurred during development of conceptual alternatives for the Trench area.

During development of the DEIS, Coordination with the City of Cleveland and area stakeholders resulted in a modification to the Midtown connector to create one-way pairs on either side of I-90 and to extend the connector to Cedar Avenue. Coordination during development of the DEIS is listed in Table 5b. Various concerns of stakeholders were considered and addressed through the development of alternatives, leaving one remaining concern: the strong local desire to provide direct access at Carnegie and Prospect Avenues could not be achieved.

Table 5a: Coordination with Local Stakeholders Regarding Trench Access during Development of CAS

January 20, 2004	Meeting with MidTown Cleveland
March 15, 2004	Meeting with University Circle, Inc.
May 11, 2004	Meeting with MidTown Cleveland
June 4, 2004	Meeting with MidTown Cleveland
November 3, 2004	Meeting with MidTown Cleveland
January 11, 2005	Meeting with MidTown Cleveland, Quadrangle, St. Clair/Superior, Tremont and City of Cleveland
February 24, 2005	Public Involvement Meeting
May 12, 2005	Meeting with MidTown, St. Clair/Superior, City of Cleveland
June 14, 2005	Public Involvement Meeting
July 21, 2005	Meeting with MidTown, St. Clair/Superior
October 13, 2005	Meeting with Congresswoman Tubbs-Jones, MidTown, Cuyahoga County Planning Commission
October 18, 2005	Meeting with MidTown
October 19, 2005	Meeting with MidTown
October 27, 2005	Meeting with MidTown
November 2, 2005	Meeting with MidTown, St. Clair/Superior
November 15, 2005	Asian Community Meeting at Asia Plaza
November 17, 2005	Public Involvement Meeting
November 18, 2005	Meeting with MidTown, Greek Orthodox Church, Cuyahoga County Planning Commission, Tremont West, Quadrangle, Cleveland State University, St. Clair/Superior
January 23, 2006	Meeting with Mayor Jackson, Congressional Representatives Tubbs-Jones and Kucinich, Senator Voinovich, Councilman Cimperman
January 25, 2006	Meeting with Midtown
February 21, 2006	Midtown public meeting (locally sponsored)
February 24, 2006	Meeting with Midtown, Quadrangle, St. Clair/Superior, Tremont, City of Cleveland
March 14, 2006	Meeting with Midtown, Quadrangle, St. Clair/Superior, City of Cleveland, Congressional Representatives
April 13, 2006	Meeting with Midtown, Quadrangle, St. Clair/Superior, Tremont, City of Cleveland
April 21, 2006	City of Cleveland Press Release indicating "no safe way to reestablish ramps at Carnegie Avenue and Prospect Avenue." Committing to work closely with ODOT during design.

Table 5b: Coordination with Local Stakeholders during Preparation of DEIS

August 13, 2007	GCP e-mail indicating "lack of consensus" regarding Carnegie ramp among stakeholders
August 31, 2007	Meeting with Liet. Governor Fisher, Mayor Jackson, GCP, Quadrangle, Midtown, and City of Cleveland
October 17, 2007	GCP Meeting, Draft Letter to ODOT/FHWA
November 6, 2007	Meeting with GCP, CSU, and NOACA. GCP indicated desire to revisit travel demands based upon growth in University Circle. NOACA presented travel demand model. ODOT discussed certified traffic process. GCP/CSU discussed data collection. GCP to provide updated data to modeling advisory committee (MAC).
November 7, 2007	GCP letter to FHWA and ODOT, with signatures of additional stakeholders, indicating desire to include direct ramp to Carnegie Avenue
January 8, 2008	Meeting with GCP and CSU. GCP secured support of local stakeholders, Lt. Governor Fisher and Senator Voinovich for GCP/CSU to study access issues, impacts, and alternatives. ODOT provided information on travel demand model and on Section 4(f) procedures.
August 14, 2008	Meeting with GCP, CSU, City of Cleveland, and NOACA regarding GCP/CSU's presentation of revised employment projections for MidTown and University Circle
August 20, 2008	ODOT e-mail to GCP transmitting summary from 8/14/08 meeting, along with population and employment projections from the NOACA travel demand model
December 5, 2008	ODOT e-mail to GCP and CSU regarding certified traffic and travel demand modeling
February 4, 2009	GCP e-mail to ODOT transmitting outpatient information
March 3, 2009	Publication of DEIS
March 12, 2009	NOACA response to GCP regarding travel demand modeling
March 13, 2009	Meeting with GCP, City of Cleveland, NOACA, Cleveland Clinic, and CSU

The Feasible Alternatives within the Innerbelt Trench require traffic to and from the existing ramps at Carnegie and Prospect Avenues to be redirected, as shown in DEIS Tables 4-11 and 4-12. Alternatives to these changes were considered early in the conceptual design phase, but no options could be found that could maintain these ramps and meet operational needs without substantial impacts. Design concepts for the Trench area face several constraints. On the north side of the trench is the Walker Weeks Building. On the south side is the Cuyahoga County Juvenile Justice Center. Both are historic properties subject to protection under Section 4(f). The space between these buildings is limited. Based upon I-90 traffic volumes, ten travel lanes are needed to serve the traffic. With ten travel lanes and shoulders, there is no room to develop a ramp in this area even with the use of retaining walls.

As part of project development, and as a result of stakeholder concerns, two options were developed to examine preserving the existing direct freeway access to Carnegie Avenue. Exhibits of these options are included in DEIS Appendix G. While these options would function operationally, neither is constructible without impacts to the Juvenile Justice Center building.

The options developed in response to comments put the agency in the unusual position of further evaluating an alternative that would clearly use an historic or cultural resource eligible for listing on the National Register of Historic Place, as opposed to considering options that would avoid such a use under Section 4(f) of the Transportation Act. Under the accepted standard for Section 4(f), the agency would have to find that alternatives without the ramp were not "feasible and prudent avoidance alternatives," as that phrase is defined at 23 C.F.R. 774.17.

First, it is the agency's recommendation that the avoidance alternatives included as part of the proposed Preferred Alternative are clearly feasible from an engineering standpoint. Comments received to date do not appear to question that recommendation. The alternatives discussed in the DEIS can be built as a matter of sound engineering judgment and would require an additional travel distance of two to three blocks.

Second, and most pertinent to the comments raised proposing use of the Juvenile Justice Center building, the agency recommends that the proposed options in the Preferred Alternative are, in fact, prudent. Under current FHWA regulations, a feasible and prudent alternative "does not cause other severe problems of a magnitude that substantially outweighs the importance of protecting the Section 4(f) property." In addition, the regulations set out several factors that could contribute to a finding that an alternative is not prudent. The agency could find that one of those factors exist in such a magnitude as to warrant a finding of no prudence, or the option could involve multiple factors "that while individually minor, cumulatively cause unique problems or impacts of extraordinary magnitude."

Among these factors, comments suggested that the proposed Preferred Alternative would result in "severe economic impacts" and "disruption to established communities." However, analyses n the DEIS contradicts such a finding. (See Regional Economic Analysis in DEIS Section 4.2.7 and Neighborhood and Community Access DEIS Section 4.2.3). As presented in the supplemental discussion of local economics below, none of the impacts identified are so severe or of such an extraordinary magnitude that would render the proposed Preferred Alternative imprudent. Therefore, under Section 4(f), the alternative that impacts the Juvenile Justice Center cannot be selected since another feasible and prudent alternative exists (the Preferred Alternative) that avoids the building.

Comments recommending demolition of all or some of the Juvenile Justice Center further indicate the nature of the analysis of the "relative value of the resource to the preservation purpose" of Section 4(f). Yet, none of the comments question the fact that the Center is eligible for listing on the National Register. Under accepted criteria created to evaluate the significance of historic or cultural resources, the Center has been identified as deserving projection. Section 4(f) mandates protection in circumstances when a prudent and feasible alternative exists. Those circumstances are present here.

As shown in Tables 4-11 and 4-12 from the DEIS (repeated below), traffic to and from the Prospect and Carnegie Avenue ramps will be redirected to ramps at Chester Avenue and East 22nd Street, utilizing city streets and the new Midtown Connector. In most cases, the additional travel distance is two to three city blocks. Directional signing will be used to provide motorists with information on which city streets are best accessed from which ramps. The Midtown connector will serve as a frontage road to provide connectivity between the east-west roadways, to allow the Chester Avenue Interchange to provide access to multiple cross-streets.

DEIS Table 4-11: Disposition of I-90 Westbound Local Access Points				
Type	**Street**	**Secondary**	**Proposed**	**Comments**
Exit to	SR 2		Redesigned	
Entrance from	SR 2		Redesigned	
Entrance from	E 26th St	Lakeside	Redirected	Via E 26th St to Superior Ave Entrance Ramp
Exit to	Superior	E 26th St	Redesigned	
Entrance from	Superior		Redesigned	
Exit to	Chester	E 24th St	Redesigned	
Entrance from	Chester		Redesigned	
Exit to	Prospect		Redirected	Via new frontage road from Chester Exit Ramp
Entrance from	Prospect		Redirected	Via Carnegie Ave to E 14th St Entrance Ramp
Entrance from	E 14th St		Redesigned	
Entrance from	E 9th St		Redesigned	
Entrance from	Ontario		Redesigned	

DEIS Table 4-12: Disposition of I-90 Eastbound Local Access Points				
Type	**Street**	**Secondary**	**Proposed**	**Comments**
Exit to	Broadway		Relocated or Eliminated	Relocated to new E 9th St southbound exit ramp for Northern Alignment Alternative. Not provided on Southern Alignment Alternative.
Exit to	Ontario		Redesigned	
Exit to	E 9th St		Redesigned	
Exit to	E 22nd St		Redesigned	
Exit to	Carnegie		Redirected	Via E 22nd St Exit Ramp
Entrance from	Prospect		Redirected	Via new frontage road to Chester Entrance Ramp
Exit to	Chester		Redesigned	
Entrance from	Chester		Redesigned	
Exit to	Superior	E 30th St	Redesigned	
Entrance from	Superior		Redesigned	
Exit to	E 33rd St	Lakeside	Redirected	Via E 26th or E 30th extension from Superior Exit Ramp

Travel Demand Modeling

Traffic volumes used to analyze the operation of the Innerbelt freeway, ramps, and local street systems were developed according to ODOT's prescribed practice used for projects throughout the state. The process to develop traffic, which is then "certified" by ODOT's Office of Technical Services for use in project design, consists of two main inputs: traffic counts and the Northeast Ohio Areawide Coordination Agency (NOACA) travel demand model. The model is used to grow the traffic volumes for a design year, in this case 2035.

NOACA develops its model by, in part, including conservative land use assumptions. In their process, neighborhood planning subcommittees provide input on the growth numbers being used. ODOT and the project team apply the NOACA model to create traffic impacts analysis. Reasonable projected growth in University Circle based on consultation with neighborhood planning subcommittees is reflected in the NOACA model.

The project team developed the traffic volumes following the prescribed process. ODOT's Technical Services independently reviewed the results and certified that the required procedure had been followed. The NOACA model was used and the same process was followed as is required for all projects. The resulting traffic volumes are included as an appendix to the Access Modification Study (AMS), which may be found on DVD in Appendix G of this FEIS. These certified traffic volumes are required for project analyses.

Public comments expressed concerns about the ability of the proposed Innerbelt design to handle increasing traffic volumes due to growth in University Circle. In response to similar questions, NOACA provided a "Fact Sheet" to the Greater Cleveland Partnership (GCP) on March 12, 2009, responding to concerns about traffic modeling. This Fact Sheet has been included in Appendix F. NOACA indicates that the proposed Innerbelt design can accommodate anticipated trips from expansion of hospital facilities, stating: "*A review of available travel demand model (TDM) data for the corridor suggests that expected outpatient growth will not overburden the Innerbelt design proposed by ODOT. The Innerbelt was designed using the highest possible number of work trips (the 1990 compact model).*"

Table 6a presents a comparison of the build and no build peak hour traffic volumes on east-west corridors in the Trench. This summary illustrates that overall traffic volumes accessing the area on the main east-west routes are projected to remain essentially the same. As would be expected based upon the access patterns as shown in Tables 4-11 and 4-12, traffic volumes are projected to decrease on Prospect and Carnegie Avenues, increase on Chester Avenue, and remain nearly the same on Superior, Payne and Euclid Avenues. The overall east-west traffic volumes show a difference of only -1% to +2% for build compared to no build. The function of the Innerbelt Freeway is to collect and distribute traffic from the local street system to the radial freeways and vice versa. These projected volumes illustrate that the project will achieve this function.

Table 6a: Comparison of Build and No Build Peak Hour Traffic Volumes in the Trench	East-West Routes							
	AM No Build	AM Build	Increase (Decrease)		PM No Build	PM Build	Increase (Decrease)	
Superior								
West of East 30th	1780	1600	(180)		1920	1890	(30)	
East of East 30th	1470	1540	70		1540	1550	10	
Payne								
West of East 30th	780	790	10		1000	1070	70	
East of East 30th	830	820	(10)		980	1080	100	
Chester								
West of East 30th	3380	4070	690		3190	4100	910	
East of East 30th	3200	3780	580		3100	3910	810	
Euclid								
West of East 30th	860	970	110		700	890	190	
East of East 30th	900	1030	130		660	750	90	
Prospect								
West of East 30th	1000	620	(380)		1600	1010	(590)	
East of East 30th	920	670	(250)		1350	900	(450)	
Carnegie								
West of East 30th	2770	2410	(360)		2430	1850	(580)	
East of East 30th	2660	2360	(300)		2360	1900	(460)	
Total for East-West Routes								
West of East 30th	10570	10460	(110)	-1%	10840	10810	(30)	0%
East of East 30th	9980	10200	220	2%	9990	10090	100	1%

Table 6b presents a comparison of the build and no build peak hour traffic volumes on north-south routes adjacent to the Trench. North-south routes, East 22nd and East 30th Streets, are projected to show a decrease between Euclid and Carnegie Avenues, as the new Midtown Connector will provide an additional option for motorists. The Midtown Connector also provides for local trips that use the Innerbelt Freeway under existing conditions, so the overall volume is higher than just the redirected volumes from existing north-south streets. It should be noted that the volume changes on local streets are proximate to the freeway and access points, but are similar to existing conditions a short distance away. For example, volumes on East 30th Street are shown to remaining essentially the same between Superior and Chester Avenues.

Table 6b: Comparison of Build and No Build Peak Hour Traffic Volumes in the Trench	North-South Routes							
	AM No Build	AM Build	Increase (Decrease)		PM No Build	PM Build	Increase (Decrease)	
East 22nd								
Euclid to Prospect	680	650	(30)		570	530	(40)	
Prospect to Carnegie	1400	1350	(50)		930	760	(170)	
East 30th								
Superior to Payne	920	990	70		1010	970	(40)	
Payne to Chester	890	960	70		1090	1120	30	
Chester to Euclid	980	900	(80)		870	820	(50)	
Euclid to Prospect	880	740	(140)		870	720	(150)	
Prospect to Carnegie	1070	860	(210)		1010	970	(40)	
Midtown Connector								
Euclid to Chester	n/a	2250	2250		n/a	1270	1270	
Prospect to Euclid	n/a	820	820		n/a	870	870	
Carnegie to Prospect	n/a	860	860		n/a	990	990	
Total for North-South Routes (excluding Midtown Connector)								
Euclid to Prospect	1560	1390	(170)	-11%	1440	1250	(190)	-13%
Prospect to Carnegie	2470	2210	(260)	-11%	1940	1730	(210)	-11%

The above data in Tables 6a and 6b validates the model results. The origin and destinations remain the same, with small changes in travel patterns based upon access changes. In the overall picture, trips to the majority of destinations in the Trench area will not change appreciably. In the build condition, the travel on local streets will increase by two to three blocks, a distance of about 400-500 feet. The additional travel time on local streets will be more than offset by the overall travel time savings on the Innerbelt Freeway system through reduction of congestion, geometric and operational improvements.

The Midtown stakeholders occupy the area between Central Avenue and St. Clair Avenue, from I-90 at approximately East 22nd Street to East 55th Street and beyond, a distance of about 33 blocks or more. (Figure 3-2 of the CAS shows specific boundaries of the Community Development Corporations.) Within this area, 2-3 blocks added to a trip is not substantial for most trips. For example, for longer trips along city streets, such as those to the University Circle area (often cited in public comments), the addition of 400-500 feet of travel on city streets is even less noticeable, as these trips currently travel about 3 miles from I-90 on city streets in addition to the length of their trip on the Innerbelt Freeway system and beyond.

Operation of Local Roads
Local roads that are affected by the project have been evaluated based upon the projected 2035 traffic volumes, as discussed above. Improvements to local streets required to achieve acceptable intersection operations are included as project elements, such as the proposed Midtown connector and improvements to the intersections of freeway ramps with local streets. A summary of intersection operations is included on Page 3-13 of the DEIS. (Details regarding the operational analyses are included in the Access Modification Study, included in Appendix G on DVD.) From this table, it is clear that the proposed design will operate as good as or better than existing conditions at local street intersections.

The Chester Avenue and East 30th Street intersection is the one exception within the Trench area. This intersection operates at LOS E during the PM peak. The high volumes on southbound East 30th Street, coupled with the lane use of a pocket left and shared thru/right, overload this approach. To improve operation at this intersection, a southbound right turn lane would need to be added to East 30th Street. Adding this lane would require demolishing two buildings located in the northwest quadrant of the intersection that are currently occupied and designated for warehouse/light industrial uses. The minor problems at this intersection, occurring primarily on one approach and only during the PM peak period, will not impact the operation of the freeway or interchange. ODOT and FHWA have determined that it would be better to accept this minor capacity problem than to impact two buildings. Considered in context, this minor issue does not represent any substantial degradation of local street conditions compared to the No Build.

Economic Impacts
A study of the statewide and regional economic effects of the project, *Regional Economic Impacts of Cleveland Innerbelt Reconstruction (July 15, 2004)*, discussed in DEIS Section 4.2.7, indicated overall benefits in employment and income as result of the project, both for Ohio as a whole and for the greater Cleveland area. While not disputing these findings, representatives of Midtown contend that the access changes in the Trench area will have negative localized economic effects on Midtown.

As a result of these comments, a localized study was conducted and discussed in the report entitled *Economic Effects of the Cleveland Innerbelt Plan Access Changes (Draft - March 2006)*. The study area boundaries coincide, for the most part, with the three local community development corporations (CDCs): Midtown Cleveland, St. Clair-Superior Development Corporation (excluding the area east of East 55th Street), and the Quadrangle. The scope of the study was proposed by the economic subconsultant and reviewed by ODOT and representatives of Midtown. The study was designed to include an analysis of likely impacts on employment and sales at firms in the MidTown area and an estimation of changes in transportation costs for firms and workers in the area.

The results of the draft study did show small increases and decreases in employment and income for particular streets, generally based upon changes in pass-by traffic. However, the draft study indicated that any negatives would be offset by positive gains elsewhere within the Trench area and there would be no substantial negative economic impacts on the MidTown area as a result of the project. MidTown stakeholders did not accept this conclusion and provided public comments on the issue (see DEIS Chapter 5), including comments on the methodology.

Economic analyses, and a specific methodology to conduct them, are not specified in any FHWA or ODOT guidance. As a result, disputes concerning the most effective or "best" methodology to assess economic impacts do not necessarily call into question the results and would be difficult to resolve through public involvement. There are a high number of variables related to potential job creation in a downtown business district. Similarly, the valuation of travel cost savings is inherently subjective and subject to numerous interpretations. With this in mind, ODOT and FHWA decided not to finalize the disputed study. ODOT and FHWA pursued an alternative methodology to assess the economic effects of the proposed transportation improvements by focusing on the fundamental elements that were the basis for the economic concerns cited by Midtown representatives and in public comments throughout project development:

- congestion on local streets,
- changes in traffic volumes,
- loss of direct access, and
- lack of need for the project.

These factors were determined from public involvement throughout numerous meetings, as listed in Tables 5a and 5b above. The preceding discussions on these four issues illustrate that:

- Congestion will be improved in the build condition. The AMS (included on DVD in Appendix G) demonstrates that the local street system will operate as good as or better than existing conditions. Within the Trench area, there is only one exception located at the intersection of East 30th Street and Chester Avenue, which has been determined to be minor and does not represent a substantial degradation of local street conditions.
- Redirected access will have minimal impact on the overall traffic volumes in the Trench area. The build and no build traffic volumes, summarized in Table 6a and 6b above, illustrate that traffic volumes will go up on Chester Avenue and down on Prospect and Carnegie Avenues in close proximity to I-90. However, the overall traffic within the Trench will not change appreciably.
- The loss of direct access results in additional travel distances of two to three blocks on city streets, approximately 400-500 feet, which is minor compared to the overall size of the Trench area. The additional travel time on local streets will be more than offset by the overall travel time savings on the freeway through reduction of congestion, geometric and operational improvements.
- There is a demonstrated purpose and need for the project as a whole, and within the Trench area. The project will meet the needs for freeway through traffic, freeway-to-local, local-to-freeway, and local-to-local movements through improved mainline capacity, ramps that meet current standards, and local connectivity provided by city streets and the Midtown connector.

Based upon the above conclusions, these issues, neither individually nor cumulatively, are anticipated to result in substantial impacts within the Trench area. Therefore, the fundamental issues leading to the concern regarding economic impacts have been determined to be insubstantial. As the regional economic analysis indicates an overall economic benefit to the area, it has been determined that there will be no substantial economic effects within the Trench area. Continuing comments regarding this issue have not presented any new information to contradict these findings.

It is acknowledged that the draft study, *Economic Effects of the Cleveland Innerbelt Plan Access Changes (Draft - March 2006)*, was not finalized. While initially conceived and coordinated with the public as a means to facilitate the assessment of local economic effects of the project within the Trench area, it was met with strong opposition by the public while in draft form. As discussed above, ODOT and FHWA determined that bringing the study to final form would be difficult given the challenges to methodology. Therefore, ODOT and FHWA pursued an alternative methodology to assess the economic effects of the proposed transportation improvements by focusing on the fundamental elements that were the basis for the economic concerns cited by the public. Based upon the use of an alternative methodology as described above, finalizing the draft local economic study is not necessary to support the NEPA decision-making process. The scope of the methodology employed herein covers the range of issues determined as the basis for economic concerns through extensive public involvement documented in Tables 5a and 5b. Continuing comments regarding this issue have not presented any additional substantive factors relevant to this analysis.

Contrary to comments received concerning the economic impacts analysis, an agency is not required to "resolve" the impacts identified. Once an agency identifies certain impacts, it is required to consider certain measures to mitigate those impacts. However, in some instances, potential negative impacts cannot be resolved. Comments focusing on a Fifth Circuit decision, *O'Reilly v. Army Corps of Engineers,* are not applicable to the Innerbelt project. In *O'Reilly,* the agency proposed a "mitigated Finding of No Significant Impact." In that situation, an agency decides not to prepare a full EIS because it determines that potential significant impacts can be reduced to insignificant levels. When, as in this case, an agency prepares an EIS, it need not propose specific mitigation to reduce all potentially significant impacts.

Segmenting Trench from Remainder of Project Decision
Public comments included a request that FHWA issue a Record of Decision (ROD) for the project, but exclude any decision on a preferred alternative within the Trench. This request will not be granted for several reasons.

First, the project has been planned and considered as a whole. Bridge replacement and improvement design elements, for example, have a direct relationship to other project elements. Similarly, the number of planned lanes impact ramp alignments and the planned methodology to improve circulation into the project area from radial highways affects design in the Trench. It is inadvisable and inappropriate from an engineering standpoint to segment project elements after the fact. Moreover, the public participation process has been conducted with the understanding that decisions regarding the Innerbelt project would be made on all elements identified in the DEIS.

Second, the legal authority cited in comments concerning segmentation is inapplicable to a project at this stage of the NEPA process. Agencies are discouraged from dividing the environmental review for portions of a transportation proposed action because of the tendency to underestimate impacts to sensitive resources. The decision to segment environmental review and, by extension, whether certain project elements have "logical termini" and "independent utility," is made before the earliest stage of the NEPA process -- public scoping. Not one of the cases raised in the public comments involve a project, like this one, that progressed up to the penultimate NEPA stage, publication of a FEIS. In this case, the agency's consideration of important traffic performance data, as well as related socio-economic impacts, was conducted based on the entire project area. The project's Purpose and Need is discussed in detail in Chapter 2 of the DEIS. The project's termini are based upon this purpose and need.

Even if the agency could at this point segment out just Trench elements, it is unnecessary to do so in order to address concerns raised in comments. The state transportation agency is required to track development of a project following publication of a Record of Decision to determine if any conditions have changed or if the analysis of potential impacts has changed so significantly as to warrant further review. FHWA regulations provide for either a re-evaluation or supplementation process in certain circumstances to determine whether the previous NEPA analysis and final decision remain appropriate.

2.5.3 Air Quality and Climate Change

In their comments on the DEIS, USEPA suggested that the FEIS discuss the effects of the project on climate change and vice versa. The issue of global climate change is an important national and global concern that is being addressed in several ways by the Federal government. In response to a 2007 Supreme Court decision on motor vehicle standards, EPA has proposed to find that greenhouse gas emissions endanger public health. EPA and DOT have also filed a Notice of Intent to propose coordinated greenhouse gas tailpipe emissions and fuel economy standards. However, it is important to recognize that unlike criteria air pollutants, no national regulatory thresholds for greenhouse gas emissions or concentrations have been established through law or regulation.

Transportation is a significant source of greenhouse gases, particularly of carbon dioxide (CO_2) emissions - the predominant greenhouse gas (GHG). The transportation sector was responsible for 32.3% of all U.S. CO_2 emissions in 2002. The principal anthropogenic (human-made) source of carbon emissions is the combustion of fossil fuels, which account for approximately 80 percent of anthropogenic emissions of carbon worldwide. Almost all (97.9%) of transportation-sector emissions result from the consumption of petroleum products such as motor gasoline, diesel fuel, jet fuel, and residual fuel.

Recognizing this concern, FHWA is working with other modal administrations through the DOT Center for Climate Change and Environmental Forecasting to develop strategies to reduce transportation's contribution to greenhouse gases - particularly CO_2 emissions - and to assess the risks to transportation systems and services from climate changes. In these efforts, FHWA has been working with other Federal agencies, including EPA and DOE, to evaluate effective approaches consistent with our national goals.

FHWA does not believe it is informative at this point to consider greenhouse gas emissions as part of the project-level planning and development process. Greenhouse gases are quantitatively and qualitatively different from other motor vehicle emissions, and their magnitude and breadth appear to require a different approach to address their potential climate impacts. First, HC and other criteria pollutant emissions are of concern, and thus regulated, in individual metropolitan or smaller areas. The climate impacts of CO_2 emissions, on the other hand, are global in nature. From a NEPA perspective, it is analytically problematic to conduct a project level cumulative effects analysis of greenhouse gas emissions on a global-scale problem. Secondly, criteria pollutant emissions last in the atmosphere for perhaps months; CO_2 emissions remain in the atmosphere far longer - over 100 years - and therefore require a much more sustained, intergenerational effort. Finally, due to the interactions between elements of the transportation system as a whole, project-level emissions analyses would be less informative than ones conducted at regional, state, or national levels. Because of these concerns, FHWA concludes that we cannot usefully evaluate CO_2 emissions in the same way that we address other vehicle emissions.
The NEPA process is meant to concentrate on the analyses of issues that can be truly meaningful to the consideration of project alternatives, rather than simply "amassing" data. In the absence of a regional or national framework for considering the implications of a project-level GHG analysis, we feel that such an analysis would not inform project decision-making, while adding administrative burden.

Regarding the effects of global climate change on the project, it should be noted that no comprehensive inventory exists of U.S. transportation infrastructure vulnerable to climate change impacts, the potential extent of that exposure, or the potential damage costs. Most studies that examine impacts of global climate change have, to date, focused on the coastal areas of the United States. However, we can surmise that there will be some impacts from climate change on transportation infrastructure beyond the coastal areas, including Ohio.

The TRB Special Report 290, "Potential Impacts of Climate Change on U.S. Transportation" states that, "*Projected warming temperatures and more heat extremes will affect all surface transportation modes. In many northern states,* [such as Ohio]*, for example, warming winter temperatures will bring about reductions in snow and ice removal costs, lessen adverse environmental impacts from the use of salt and chemicals on roads and bridges, extend the construction season, and improve the mobility and safety of passenger and freight travel through reduced winter hazards. Expected increases in temperature extremes, however, will have less positive impacts. More freeze–thaw conditions may occur, creating frost heaves and potholes on road and bridge surfaces and resulting in load restrictions on certain roads to minimize the damage. With the expected earlier onset of seasonal warming, the period of springtime load restrictions may be reduced in some areas but is likely to expand in others with shorter winters but longer thaw seasons. Longer periods of extreme heat may compromise pavement integrity (e.g., softening asphalt and increasing rutting from traffic); and cause thermal expansion of bridge joints, adversely affecting bridge operation and increasing maintenance costs."*

These are the potential impacts of climate change to all of Ohio's existing and planned surface transportation infrastructure and are not unique to the Cleveland Innerbelt Project, nor are these potential impacts unique to certain alternatives of this project.

2.5.4 Transportation System Management

Although acknowledging that such measures alone would not address the project needs, USEPA requested that Transportation System Management (TSM) measures be incorporated along with the build alternative. It should be noted that the Cleveland Innerbelt Plan, the early planning phase from which this project was initiated, also included TSM measures.

The Ohio Department of Transportation (ODOT) has developed the Cleveland Freeway Management System Project for a regional freeway management system in the Cleveland metropolitan area. On June 16, 2009, FHWA authorized this project for construction. It is listed in DEIS Section 4.3.4 as Freeway Management System. The system will perform the following functions:

- Remotely monitor freeway traffic flow;
- Receive notification of freeway crashes from 911 calls;
- Distribute information in real-time to multiple, local, public safety agencies;
- Manage traffic, via the operation of permanent highway dynamic message signs and highway advisory radio;
- Provide web-based traveler information services.

ODOT's approach to transportation system management is to provide traffic surveillance and monitoring on limited access roadways (Interstates and freeways) in major metropolitan areas in Ohio. Over half of all congestion on these roadways is caused by incidents (typically vehicle crashes). Rapid notification and identification of these incidents can help save lives through quick deployment of emergency response personnel. We also provide real-time information to motorists to inform them about an incident so they can potentially avoid the roadway with the crash scene. This accomplishes two things – first, it helps minimize additional delays to the travelling public, and second, by minimizing the queuing or stopped traffic at the scene, secondary crashes can be avoided. In some instances the secondary crash can be more severe than the original incident.

With other major construction projects in Ohio's major urban areas, the freeway management systems are also used to manage regional traffic for major roadway construction. In the Cleveland area the Innerbelt/Viaduct bridge construction will have a significant impact to traffic movement and circulation. The Cleveland FMS project includes an early operations phase to coincide with the beginning of the Viaduct project. Specific FMS devices will be in place and operational within one year of the start of the FMS project to provide work zone traffic control.

2.5.5 Bicycle and Pedestrian Access

The City of Cleveland Bicycle Master Plan (October 2008) and the NOACA Regional Bicycle Transportation Plan (March 2008) illustrate the proposed bicycle facilities in the project area. Planned facilities include the Cleveland Towpath Trail (discussed below) and proposed bike lanes on Prospect Avenue. The project facilitates construction of the Towpath Trail through the slope work proposed under the Innerbelt bridge. The project will also remove ramps to and from I-90 along Prospect Avenue, which will simplify the addition of a bike lane, if constructed. Therefore, the project is consistent with the NOACA plan.

The map provided with the City of Cleveland plan indicates a proposed "neighborhood connector" on the Innerbelt bridge over the Cuyahoga River, which is not shown on the NOACA plan. The project is not consistent with the Cleveland plan, in that bicycle accommodations are not proposed for the Innerbelt bridge.

During project development for the Cleveland Innerbelt project, the public input process raised the concept of bicycle/pedestrian accommodation on the Central Viaduct Bridge alignment. The issue was considered and determined to not be practical. DEIS Section 4.2.10 describes ODOT's policy regarding inclusion of bicycle facilities and the types of issues to be considered, including: (1) bicyclists and pedestrians are prohibited by law from using the roadway; (2) the cost of establishing the bicycle and pedestrian facility is excessively disproportionate to the need or probable use; or, (3) lack of population or other factors indicate an absence of need.

In short, ODOT determined that alternative routes are available; provision of the bike lane on an interstate facility would present safety and maintenance challenges; and the cost to establish a separated bicycle facility on the bridges over the Cuyahoga River Valley would be disproportionate to the need.

ODOT agrees with the importance of providing alternative transportation choices. ODOT is participating in the development of the Towpath Trail within the project area. The Towpath Trail is multi-purpose trail planned to cover one hundred miles from New Philadelphia to Downtown Cleveland. Where possible, it follows the former towpath of the old Ohio and Erie Canal, which linked Lake Erie and the Ohio River from the 1830's onward, thus connecting Ohio's agricultural heartland with the East Coast population centers. The Towpath Trail now terminates at Harvard Avenue in Cuyahoga Heights, six miles from Downtown Cleveland. Farther north, a completed one mile segment traverses the Steelyard Commons retail project east of I-71 and Metro General Health Center. The Cuyahoga County Engineer's office is working with the City of Cleveland, Cleveland Metroparks, the Ohio Canalway Corridor advocacy group, and other public / private partners to complete the Trail within the next five to ten years. Design is underway on two segments south and north of Steelyard Commons to extend the path from Harvard northward to West Third Street and Literary Avenue, southeast of the Innerbelt Bridge. The final project will follow the north Tremont bluffs along University Road, drop back into the river valley to pass under the Innerbelt Bridge, and then head towards Scranton Road. From there it will follow Scranton Road or the west river bank, go over the Carter Road Lift Bridge, and enter Canal Basin Park beneath the Detroit - Superior Bridge.

ODOT has participated in the Towpath Trail planning process and is designing the new bridge to accommodate the trail underneath on the regraded west bank hillside. The Trail can connect to adjacent areas such as Tremont, Downtown, the Lakefront, and Ohio City via the local street system or future planned connectors. A study now underway is looking at connections from Canal Basin Park to adjacent areas and the existing Lakefront Bikeway, which passes over the Park on the Detroit - Superior Bridge.

A high level crossing is currently available via Abbey Avenue and the Lorain-Carnegie Bridge, with essentially the same beginning and ending points as the new crossing would have. Approximately one-quarter mile north, the Lorain-Carnegie Avenue Bridge spans the river/valley at a level nearly even to the Central Viaduct, and its touchdown point on the eastern side of the valley is approximately one-eighth mile to the north of the Central Viaduct's touchdown point. Comments cited examples where bike facilities were provided on major interstate bridges, such as the Woodrow Wilson Bridge in Washington, D.C. However, in that case, the nearest crossing is more than 6 miles upstream.

Regarding safety and maintenance, the provision of a bike lane on the Innerbelt bridge is complicated by the speed differences between freeway traffic and bicycle traffic. For safety, a bike facility on the interstate bridge would have to be offset by a barrier and fence. This would create challenges for maintenance, snow removal, and emergency access.

Regarding cost, the additional bridge width required would be 15 feet. The distance across the river valley is 2,640 feet. At approximately $400/square foot for the high-level bridge, the cost in current dollars for the additional bridge width would be $15.8 million. Inflated to 2012 dollars (mid-point of construction), this would add $19.5 million to the cost, an increase of approximately 15% to the cost of the high level river crossing. This cost does not include the additional costs to connect the

bridge crossing to paths on either end. ODOT does not find a cost of approximately $20 million to be reasonable for one-half mile of bike facility, considering that alternative routes are available.

2.5.6 Aesthetics

ODOT remains committed to working with an aesthetics committee to focus on the appearance of the corridor, such as lighting, fencing and various treatments. ODOT will consider input from the Innerbelt Bridge and Urban Design Aesthetics subcommittees prior to selecting aesthetic treatments and urban design details, including wayfinding, gateway, overpass and underpass treatments. Examples include but aren't limited to, lighting, railings, fencing, retaining wall and noise wall treatments, color and texture. Opportunities to emphasize green design, safety, litter control, security, and use of underpass areas as public spaces will be considered as part of the aesthetic committee for incorporation into the project.

Several comments noted the importance of the Central Viaduct Bridge as a landmark or gateway for Cleveland. As noted in DEIS Section 5.2, ODOT originally worked with a Bridge Subcommittee to identify a "signature bridge" structure type. A single-tower cable-stayed structure was recommended by the committee. ODOT originally accepted the committee's recommendation on January 2, 2007. However, due to fiscal limitations and recent lane closures due to build-up of ice on cables (such as on the Maumee River Crossing in Toledo), the preferred alternative does not include the signature bridge type recommended by the committee.

The first construction phase is the new bridge over the Cuyahoga River valley for westbound I-90 (Construction Contract Group #1, See discussion of Implementation Plan in 3.5.) A presentation was made June 25, 2009 at NOACA to illustrate the opportunities for aesthetic treatments that are available for that contract group. (A copy of the presentation is on file at ODOT District 12 and on the project website at www.innerbelt.org.) A budget of $8 million (approximately 2% of construction) has been established for that effort. ODOT will meet with the aesthetics committee prior to October 2009 to consider and prioritize aesthetic design treatments for this construction segment. Similarly, ODOT will establish an aesthetics budget for each construction contract group and meet with the aesthetics committee during the design process.

2.5.7 Burke Lakefront Airport

During project development, ODOT and FHWA have coordinated with the City of Cleveland Airport System ("airport") regarding impacts to Burke Lakefront Airport (BKL). In addition, coordination has been conducted with the FAA under FAA Order 5000.3C. Copies of coordination are included in Appendix F.

The project has been in development since 1999, including coordination with City of Cleveland officials. The Airport System developed a proposed Master Plan that did not take into consideration the proposed project. Therefore, the project is not consistent with the proposed Master Plan, which has not yet been approved. Included in Appendix F is a copy of the Airport Layout Plan, as of February 2008, with the proposed project overlaid, which illustrates only minor impacts on airport property and no impacts on facilities. In their comments on the DEIS, the airport identified several concerns that are summarized as follows.

The primary concern appears to be impacts to property intended for economic development to produce a revenue stream for the airport. The airport expressed concerns with the uncertainty of the compensation that will be provided for that property, as well as the economic viability of the remainder of the development area on their property. Property impacts will be better quantified during detailed design, with compensation issues resolved during right-of-way acquisition as they would be for any impacted land owner, as required by the Federal Real Property Acquisition and Uniform Relocation Act. In addition, any property acquisition will require FAA approval in the form of a land release. This land release will require a revision to the Airport Layout Plan (ALP).

The airport would prefer a design option that would reconfigure the SR 2 interchange adjacent to the airport, which is the first interchange west of the Innerbelt Curve and services South Marginal Road. This option would allow the airport to reclaim property. This option was considered and dismissed. It was determined that reconfiguration of this nearby interchange was beyond the scope of the current action and would need to be considered as an independent project, rather than as mitigation.

The airport also expressed concerns related to operational impacts on the aircraft hold pad adjacent to the project. They noted the need for a blast fence to protect vehicles on the North Marginal Road from jet blast on the hold pad. ODOT acknowledges the need for design and construction of a blast fence. These costs are eligible cost of the project as mitigation.

FAA, in their comment s on the DEIS, acknowledged the need for continuing coordination with the airport to resolve these concerns. FAA comments on the DEIS also noted the requirement for an FAA land release for acquired property, the need for a revision to the Airport Layout Plan (ALP), and the requirement to file notice prior to construction near the airport (per 14 CFR Part 77). ODOT acknowledges the need for an FAA land release, required studies by FAA, and the timeline that may be required for that effort. Based upon the anticipated construction schedule for that portion of the project, ample time is available to resolve right-of-way acquisition issues. If laws and regulations should change prior to implementation of the project in this area, ODOT and FHWA will comply with such rules.

2.5.8 Marine Transportation

The U.S. Coast Guard noted that the "Other Transportation Modes" section of the DEIS did not mention marine transportation. Marine transportation is an issue for the Cleveland Innerbelt Project because the Cuyahoga River is a navigable waterway subject to the jurisdiction of the U.S. Coast Guard and the U.S. Army Corps of Engineers. Required clearances must be maintained above the navigation channel, which controls the elevation of the bridges over the Cuyahoga River. A Section 9 permit is required from the U.S. Coast Guard for construction over the river. The permit application will have to specify the proposed clearances over the river and assure that these clearances will be achieved by the constructed bridges.

The preliminary design used for estimating environmental impacts for the DEIS and FEIS achieves the required 100-ft clearance over the Cuyahoga River. This clearance will be confirmed during final design and specified in the Section 9 permit application to the U.S. Coast Guard.

The City of Cleveland Office of Harbormaster reviews proposed dock wall construction in the river. The Harbormaster has requested to be included during preliminary design of dock wall repair/reconstruction. ODOT will coordinate with the Harbormaster at the time of permit application to the U.S. Army Corps of Engineers.

2.5.9 Project Development Process

For purposes of guiding projects through the NEPA process, ODOT created a Project Development Process (PDP), published in November 2004. The PDP is not a formal regulation and it does not supplant existing FHWA or Council on Environmental Quality NEPA regulations. Instead, the PDP includes recommended steps for ODOT to manage environmental reviews, public participation, and inter-agency coordination. In short, the PDP is not prescriptive. It is a framework for decision-making.

For the Cleveland Innerbelt Project, ODOT deviated from its published PDP. Specifically, ODOT decided to forego preparation of an Assessment of Feasible Alternatives (AFA) document in favor of directly proceeding to preparation of a Draft Environmental Impact Statement. Several comments questioned the validity of the process and whether this change prevented the public from commenting on the alternatives and identification of the preferred alternative.

The Cleveland Innerbelt Study began in August of 2000, prior to the adoption of the current PDP. However, it utilized ODOT's Planning Study Process which is very similar to the first four steps of the PDP. This constituted the planning phase for the project and resulted in a Strategic Plan at the conclusion of Step 4 in the summer of 2004. Step 5 was completed with the approval of the Conceptual Alternatives Study in August 2006, which was released for public review and comment. During the progression of Step 6 in 2006, ODOT and FHWA decided not to produce an Assessment of Feasible Alternatives document, but to instead begin preparation of the Draft Environmental Impact Statement. (See letters in Appendix F.)

Because of the urgent need to respond to the deteriorating condition of the Central Viaduct Bridge, ODOT decided to proceed with a DEIS. An updated Notice of Intent to prepare an EIS was published in the Federal Register on September 7, 2006.

The decision to proceed to the DEIS, rather than the interim step of publication of an AFA, did not compromise public participation required by NEPA. Specifically, project alternatives were discussed in detail in the Conceptual Alternatives Study, published in August 2006 and made available for public review. No preferred alternative was specifically identified; however, all but two segments of the project had but a single alternative carried forward from the CAS. Two areas had alternatives remaining, the Central Viaduct/Central Interchange and the Trench.

The Central Viaduct/Central Interchange area had two options – the northern alignment alternative and the southern alignment alternative. The CAS disclosed that the northern alignment was assumed to be superior based upon available information as of that date. (See CAS Page 7-10.)

The Trench area had one main option with two potential interchange configurations – either all access at Chester Avenue or access split between Chester and Payne Avenues. In addition, the details of the Midtown Connector were still under study. The CAS noted that changes in access were a concern that would continue to be studied to resolve any issues on the local street system. (See CAS Page 5-15.) Additional discussion of Trench issues is included in FEIS Section 2.5.2.

Public comments on the CAS are summarized in the DEIS Chapter 5 and included in DEIS Appendix F. Based on this accepted process for public review and comment, ODOT determined that preparation of an AFA would offer no additional benefit that had not already been obtained from the CAS and DEIS public review processes.

ODOT's public involvement procedures are documented in the ODOT Public Involvement Handbook, which was approved by FHWA on December 23, 2002. In accordance with these procedures, a specific public involvement program was developed and implemented for the Cleveland Innerbelt Project. The program as implemented is described in the Strategic Plan Section 3.5.3, the Conceptual Alternatives Study Section 3.4, and the DEIS Chapter 5. Public involvement for major issues included extensive interaction over a five-year period. Public involvement on stormwater issues are summarized in FEIS Table 4. For Trench Access issues, public coordination is summarized in FEIS Tables 5a and 5b.

In addition, ODOT and FHWA chose to apply the Section 6002 of SAFETEA-LU provisions to the project. Compliance with Section 6002 is described in DEIS Section 1.2, along with a table of federal agencies who were contacted. In addition, ODOT invited several state and local agencies to become participating agencies per Section 6002. By letter dated August 3, 2007, ODOT contacted:

- City of Cleveland
  - Mayor
  - Division of Engineering and Construction
  - Division of Traffic Engineering
  - Landmarks Commission
  - Planning Commission
- Cuyahoga County Engineer
- Northeast Ohio Areawide Coordinating Agency (NOACA)
- Ohio Environmental Protection Agency (OEPA)
- Ohio Department of Natural Resources (ODNR)

OEPA and the Cleveland Landmarks Commission responded with agreement to become a participating agency. The Mayor's office responded to indicate that the invitation was forwarded to the Director of City Planning. No other responses were received. Copies of correspondence are included in Appendix A.

In April 2007, prior to the project-specific correspondence, ODOT also initiated coordination per Section 6002 regarding proposed project methodologies on a program-wide basis with numerous federal and state review agencies, including US Army Corps of Engineers, Bureau of Underground Storage Tank Regulation (BUSTR), US Coast Guard, National Park Service, ODNR, and the U.S. Fish and Wildlife Service. This correspondence also is included for reference in Appendix A.

FHWA and ODOT, as joint leads for the project, used the DEIS to formally announce the Preferred Alternative per Section 6002 of SAFETEA-LU. The DEIS for the project was approved on March 3, 2009. The Notice of Availability appeared in the Federal Register on March 20, 2009. Copies were circulated to federal and state agencies. Public hearing notifications were made through local media, e-mail to stakeholders, and announcement on the project website. A public hearing was held on April 21, 2009. The public comment period ended May 21, 2009. Written comments, as well as verbal comments provided in the hearing transcript, are summarized and addressed in this FEIS.

The FEIS will be made available for a 30-day period. Following consideration of input on the DEIS and FEIS, the FHWA intends to issue a Record of Decision (ROD) in 2009, which will document the Selected Preferred Alternative decision.

3.0 Update to Information Presented in the DEIS

The following sections provide additional information that was developed subsequent to publication of the DEIS.

3.1 Cultural Resources (Section 106)

Archaeological Resources
An archaeological disturbance study was conducted as a part of the Phase I Cultural Resources survey in May 2006. Based upon a preliminary review, the Ohio Historic Preservation Office (OHPO) concluded by letter of July 5, 2006, there is a potential for that encountering historic residential, commercial and industrial deposits, given the large affected area. OHPO concluded that the archaeological issues would be best addressed by a land use review of historic atlases, insurance maps, and a visual inspection when the Preferred Alternative is selected and the work limits for the project are better known. On February 17, 2009, ODOT's Office of Environmental Services and OHPO conducted a joint field review focused on the preferred corridor. This field review confirmed that the entire area is thoroughly disturbed by commercial, residential, and industrial development, landscape modification, artificial landform construction, parking lot construction, and underground utility installation. The severity of the disturbance precludes the existence of intact archaeological deposits. The shallow nature of the land surface along the Cuyahoga River would also preclude the existence of stratified archaeological deposits.

On February 27, 2009, ODOT documented the above finding in a letter to the Ohio Historic Preservation Office. OHPO concurred with this finding on March 9, 2009. The concurrence letter is included in Appendix E.

History/Architecture.
As discussed in the DEIS Section 4.2.11, the Ohio Historic Preservation Office (OHPO) concurred on December 9, 2008, that a finding of "adverse effect" was applicable to the project. For the Preferred Alternative, the crossing of the Cuyahoga River valley will result in an adverse effect for three buildings (Broadway Mills, Marathon Gas Station, and Distribution Terminal Warehouse). Discussion of avoidance alternatives for these properties is included in the Final Section 4(f) discussion (see FEIS Chapter 5). Visual, noise, and vibration effects on other historic properties in the Area of Potential Effects (APE) have been monitored but are not anticipated to add to the adverse effect of the project overall.

On December 19, 2008, the ODOT Office of Environmental Services (OES) notified the Advisory Council on Historic Preservation (ACHP) of the finding of "adverse effect". The notification included the following supporting documentation: a copy of the *CUY-IR71/90 PID: 77510 Section 106 Assessment of Effects for the Feasible Alternatives, September 2008;* documentation of the Section 106 consultation process between September 24, 2008 and December 1, 2008; a copy of the "Notice of Intent" published in the Federal Register Thursday, September 7, 2006; a request to determine their participation in resolving the "adverse effects" and the development of a Programmatic Agreement for the Section 106 process.

The ACHP responded by letter dated January 9, 2009. The ACHP concluded that their participation in the consultation to resolve adverse effects was not needed. The consulting parties were provided a copy of the ACHP response, a copy of the draft Programmatic Agreement, and an invitation to participate in consultation.

The Programmatic Agreement (PA) specifies the process to be used to develop mitigation to resolve adverse effects, including a list of potential mitigation measures that will be considered. No specific mitigation plans are included in the PA. A consultation meeting regarding the development of the PA was held on March 18, 2009. At the meeting, ODOT reviewed the Programmatic Agreement. Consulting parties requested a definition of mitigation versus enhancement. Following the meeting, ODOT provided FHWA's response to this request. (See copy of e-mail in Appendix E.) Following the meeting and the Consulting Party comment period, the PA was finalized and executed by OHPO, ODOT, and FHWA on May 20, 2009.

The Advisory Council on Historic Preservation (ACHP) acknowledged receipt of the PA on June 16, 2009. A copy of the executed Programmatic Agreement is included in Appendix E.

The first construction project (new bridge over Cuyahoga River for I-90 westbound) will impact the three properties that are the basis for the "adverse effect." These include the Broadway Mills Building, Marathon Gas Station, and Distribution Terminal Warehouse (AKA Cold Storage Building). A Section 106 Consulting Parties meeting was held May 20, 2009, in accordance with the PA. Treatment plans to mitigate adverse effects were discussed, as well as potential project specific enhancements and locally sponsored plans.

Project specific enhancements will be developed with aesthetic committee members and local officials. These enhancements may include: aesthetic treatments to the new bridge abutments and piers; pedestrian overlooks and facilities; reuse of the Central Viaduct Bridge abutment; and commemorative parks. Locally sponsored enhancements may include reuse of buried rail lines and multi-use pedestrian trails.

In accordance with the PA, FHWA and ODOT propose the following treatment plans to resolve the adverse effect on the three impacted historic properties:

- Broadway Mills - Level II documentation as specified by the Historic American Building Survey (HABS) will be prepared. A commemorative display will be located at or near the existing mill site.
- Marathon Gas Station – Level II documentation as specified by the Historic American Building Survey (HABS)
- Distribution Terminal Warehouse – A historic context will be prepared documenting the significance of the resource in relation to the City of Cleveland's food distribution industrial history.

On June 5, 2009, ODOT described the proposed treatment plans for the above buildings in a letter to OHPO. (See letter in Appendix E. For additional details, please refer to letter.) ODOT requested OHPO's concurrence that the proposed treatment plans mitigate the adverse effects of the undertaking on historic cultural resources. In accordance with the PA, FHWA and ODOT provided copies of the coordination and proposed treatment plans to Consulting Parties. During the 30-day Consulting Parties comment period, no comments were received relative to the proposed plans. (One comment was received regarding fire department operations, see discussion in Table 1c.) OHPO concurred with the proposed plans on July 7, 2009. (See letter in Appendix E.)

3.2 Environmental Site Assessments

Following is a summary of recent developments related to environmental site assessments and hazardous materials. Recently, it has been determined that property currently part of Burke Lakefront Airport is considered by OEPA as unregulated landfill. Therefore, a 27-13 permit will be required from OEPA for investigations and construction within this area. Updated results are available regarding Environmental Site Assessments for two properties within the project limits, the Cold Storage Building (AKA Distribution Terminal Warehouse) and the BP Oil Station at 900 Carnegie Ave.

Regarding the Cold Storage Building, ODOT's Office of Environmental Services (OES) reviewed the Phase I and Phase II Environmental Site Assessment reports and concluded that no additional investigations are required. The wipe samples taken of transformers found in the building did not detect the presence of PCBs. Materials found during a floor-by-floor reconnaissance of the building should be considered as personal items to be removed by the owner prior to ODOT taking possession of the property. If they are not removed, ODOT will have them removed prior to demolition of the building. Useable products would be salvaged for use or sale. Wastes will be analyzed and properly disposed. Copy of Interoffice Communication is included in Appendix F.

Regarding the BP Oil Station, OES reviewed the Phase II report and concluded that no further investigations are required and no special material management is necessary for this site, based upon the current work limits and proposed shallow excavation.

3.3 Additional Noise Studies

Subsequent to the publication of the DEIS, noise analyses were revisited to consider internal noise levels at three locations: the Western Reserve Fire Museum, Fire Station #28, and Hilton Garden Inn. Based upon the study results (included in Appendix F), the interior noise levels do not approach or exceed the FHWA noise abatement criterion for these properties. Therefore, no noise impacts are anticipated at these locations and no abatement measures are recommended.

3.4 Access Modification Study

The Access Modification Study (AMS), which presents the traffic operations and geometric design details of the project, was conditionally approved on July 8, 2009. The Preferred Alternative, Alternative A, was found to be acceptable from a geometric and operational standpoint. The AMS analysis validated that Alternative A will provide for the effective collection and distribution of traffic between the radial freeway system and the local street system and that Alternative A will effectively facilitate the movement of traffic between each of the radial freeways. The design and operational deficiencies that are retained within Alternative A are minor, localized in nature, and in all cases provide for a build condition that is substantially better than the existing or no build condition. Final approval of the AMS will be provided with the Record of Decision.

The AMS was referenced in the DEIS and was available upon request from ODOT District 12. The AMS document and appendices are included on DVD in Appendix G of the FEIS.

3.5 Implementation Plan/Cost Estimate

Current cost estimates were developed during the Cleveland Innerbelt cost estimate review meeting held June 1-5, 2009, at the ODOT District 12 office. The workshop was facilitated by FHWA and included attendees from ODOT and the project consultants. The objective of the review was to conduct an unbiased risk-based review to verify the accuracy and reasonableness of the ODOT and consultant team preliminary cost estimate and to develop a probability range based upon the project's current stage of design. Risk-based analyses were based upon a Monte Carlo Simulation model to generate project estimate forecasts as a range of values by taking into consideration threats and opportunities and the impact and probabilities associated with each. The greatest factor influencing the range of costs is inflation.

The total cost estimate for the project is approximately $1.6 - $1.7 billion in 2009 dollars, with $109-121 million for engineering, $75 - $82 million right-of-way, and $1.4 -$1.5 billion construction.

The size and complexity of the Cleveland Innerbelt Project, its extensive cost, and the need to maintain traffic require that the improvements be systematically phased, with implementation expected to occur over the period from 2010 to 2033. The project team developed a proposed phasing plan taking into consideration current conditions, maintenance of traffic, constructability, and the utility of the finished segment. The resulting recommended contract groups are listed in Table 7. The project elements included in each construction contract group will be designed together and may be constructed as one contract or broken into phases (A, B, C, etc.). All pieces within a group must be completed to have a useable segment.

Table 7 also lists the current cost estimates inflated to the year of expenditure. Based upon these figures, the estimated total project cost is over $2.7 - $3.5 billion, with $155 - $197 million for engineering, $83 - $106 million right-of-way, and $2.5 - $3.1 billion for construction.

As a major project of over $500 million, a Project Management Plan and Annual Financial Plan will be required. The Project Management Plan is required within 90 days of the Record of Decision. The Initial Financial Plan is required prior to Federal authorization for construction and must be updated annually. These documents are currently in development. The current cost estimates, along with funding sources for each phase, will continue to be evaluated. This information will be updated, as required, as part of the financial plan described above.

3.6 Relationship to State and Local Transportation Plans

The project's relationship to state and local transportation plans is provided in DEIS Section 4.3.4. Since publication of the DEIS, the regional transportation plan, NOACA's Transportation Improvement Plan (TIP) has been amended with the following projects in the project area:

- 85531 - Cuy -IR90-14.90 Amendment dated 6-30-09
- 85049 - Cuy-IR490 -1.87WN/VAR - Amendment dated 4-21-09

3.7 Compliance with Planning Requirements

For compliance with applicable planning requirements, the project must be included in the fiscally constrained long range plan for NOACA. In addition, the first construction section, CCG1 (see Table 7), will be included in NOACA's TIP.

The overall project is accounted for in the long rage plan under an older proposed phasing plan and estimates. The long range plan will be administratively modified and updated with the current phasing plan and estimates prior to issuance of the Record of Decision.

The first construction segment is currently within the TIP, but does not reflect the updated scope and cost estimates. NOACA will be administratively modifying and updating the plan and will issue a TIP amendment to adjust these figures prior to issuance of the Record of Decision.

Segments with project implementation of any phase (design, right-of-way or construction) within the time horizon of the current TIP are included within the TIP or will be added by amendment. The current phasing plan, described above, will require updates to the TIP and cost estimates, which will be incorporate by TIP amendment prior to authorization of project activities for those segments.

Table 7: Project Implementation Schedule/Cost Estimate

Construction Segments	Phase	Year of Expenditure (YOE)	Cost in 2009 (millions)	Cost in YOE (millions)
Construction Contract Group 1: I-90 westbound from I-90/I-490 to East 9th St. overhead	Detailed Design Right-of-Way Construction	2010 2009 2011-2013	$17-18 $41-52 $362-399	$17-22 $41-52 $442-564
Construction Contract Group 2: I-90 eastbound from I-90/I-490 to East 9th St. overhead	Detailed Design Right-of-Way Construction	2011 2012 2014-2016	$26-29 $3 $287-317	$28-36 $3-4 $396-505
Construction Contract Group 3: A: I-90 WB in Central Interchange from E. 9th St. to E. 22nd St.; E. 22nd St. (part-width); remove Cedar Ave. bridge over I-90 B: I-77 improvements north of Kingsbury Run Bridge C: I-90 EB in Central Interchange from E. 9th St. to E. 22nd St.; Carnegie (part-width)	Detailed Design Construction (A) Construction (B) Construction (C)	2014 2017-2018 2021 2019-2020	$21-23 $102-112 $83-92 $46-50	$26-33 $159-202 $154-196 $78-100
Construction Contract Group 4: A: Easterly Interceptor relocation B: CSX railroad overhead C: Norfolk Southern railroad overhead D: Overheads in Innerbelt Curve: Superior (part-width); St. Clair (closure); Hamilton (closure); Lakeside (closure); Structure under Superior intersection for the proposed I-90 WB to Chester ramp E: Innerbelt Curve north of Superior Ave.	Detailed Design Right-of-Way Construction (A) Construction (B) Construction (C) Construction (D) Construction (E)	2019 2020 2022 2022-2023 2022-2023 2024-2025 2026-2027	$18-20 $14-16 $4-5 $25-28 $28-31 $23-25 $116-127	$28-36 $19-24 $8-10 $51-65 $56-71 $50-64 $279-356
Construction Contract Group 5: A: Overheads in Innerbelt Trench: Prospect (part-width); Euclid (part-width); Chester (part-width); Payne (closure) B: I-90 eastbound in Innerbelt Trench from E. 22nd St. to Superior C. I-90 westbound in Innerbelt Trench from E. 22nd St. to Superior	Detailed Design Right-of-Way Construction (A) Construction (B) Construction (C)	2025 2026 2028-2029 2030-2031 2031-2033	$15-17 $12-13 $34-37 $77-85 $54-59	$32-41 $19-24 $90-114 $225-287 $169-216
Construction Contract Group 6: A: I-77 bridge widening over I-490 B: I-77 improvements south of I-490	Detailed Design Right-of-Way Construction (A) Construction (B)	2022 2023 2021-2024 2025-2026	$6-7 $1 $45-49 $25-28	$12-15 $1-2 $89-113 $58-74
Construction Contract Group 7: I-71 roadway pavement and bridge deck replacements; I-71 southbound deceleration lane to Jennings	Detailed Design Construction	2024 2027	$6 $61-68	$11-15 $152-194
Totals	All phases	2010-2033	$1.6-1.7 billion	$2.7 to $3.5 billion

4.0 Preferred Alternative

4.1 Selection of the Preferred Alternative

Following completion of the Conceptual Alternatives Study (CAS), two Feasible Alternatives remained for two sections of the project, the Innerbelt Trench and the Central Viaduct/Central Interchange area. As discussed in DEIS Chapter 3, the Feasible Alternatives for both areas were revisited based upon additional information obtained subsequent to the development of the Conceptual Alternatives. DEIS Chapter 3 includes a discussion of all design issues that remained after publication of the CAS and how those issues were resolved.

For the Trench section, the environmental and property impacts were essentially the same for both options; however the traffic operations and community input differed. Traffic operations were superior for the With Payne option; however public input favored the No Payne option because it did not change the character of current traffic on Payne Avenue. A compromise solution was reached to utilize the No Payne option with cut-off ramps to restore traffic patterns to a condition similar to the existing conditions. Therefore, one Feasible Alternative resulted from the revisions to the Conceptual Alternatives. (See DEIS Exhibit s A-26 to A-27.) For more information on this issue, please refer to DEIS Section 3.4.1.

With that decision, the only remaining area with more than one Feasible Alternative is the Central Viaduct/Central Interchange section. Two build options plus the No Build alternative for the Central Viaduct/Central Interchange area were carried forward from the CAS, the Northern Alignment Alternative and the Southern Alignment Alternative. Revisions to these alternatives based upon new information yielded changes to each option. (See DEIS Section 3.4.2.) After these revisions, the Northern Alignment Alternative became one bridge north of the existing structure and a replacement of the existing bridge on essentially the existing alignment. The Southern Alignment Alternative became one bridge south of the existing structure and a replacement of the existing bridge on essentially the existing alignment. These alternatives are illustrated on DEIS Exhibits A and B.

Impacts of the Feasible Alternatives are summarized in Table 8 below. Alternative A is the entire project length, using the Northern Alignment Alternative within the Central Viaduct/Central Interchange area. Alternative B is the entire project length using the Southern Alignment Alternative within the Central Viaduct/Central Interchange area. Noteworthy differences between the two alternatives are highlighted in the table and discussed below. Several issues results in impact differences in more than one category. They are grouped by issue below.

Historic Properties Alternative A impacts three stand-alone historic buildings that were recently determined to be eligible for the National Register: Broadway Mills, Marathon Gas, and the Distribution Terminal Warehouse. The Distribution Terminal Warehouse has been vacant for more than five years, it has been in foreclosure, and the owners have petitioned ODOT to request that it be purchased from them. (See DEIS Section 4.2.5 Property Impacts and Relocations.)

In comparison, Alternative B also affects the Broadway Mills building and Marathon Gas building, but in exchange for avoiding the Distribution Terminal Warehouse, this alternative has an adverse effect on the Tremont National Register Historic District, resulting in removal of two residences that are contributing elements and one non-contributing building, plus adverse access and proximity impacts to the Annunciation Greek Orthodox Church. (See DEIS Section 4.2.11 Cultural Resources and FEIS Chapter 5 Final Section 4(f) Evaluation.)

Religious Facilities. Alternative A is projected to have no impacts on religious facilities. Alternative B would have impacts on the Annunciation Greek Orthodox Church that also fall under the Visual, Access, and Historic Properties categories. Alternative B would introduce proximity impacts to the church, affect its access, block views to and from, and impact the

attributes that make it a contributing element to the Tremont National Register Historic District. (See DEIS Section 4.2.1 Visual Resources, DEIS Section 4.2.3 Neighborhood and Community Access, DEIS Section 4.2.11 Cultural Resources, and FEIS Chapter 5 Final Section 4(f) Evaluation.)

Maintenance of Traffic. Alternative A and Alternative B have one important difference with regard to maintenance of traffic. The Northern Alignment for the Central Viaduct/Central Interchange, which runs continuously north of the existing alignment until its tie-in point, can be constructed almost entirety off-line, permitting traffic to use the existing alignment while the Northern Alignment is constructed. During a Maintenance of Traffic Alternatives Analysis (MOTAA), only one conflict area was found just north of East 22nd Street.

The Southern Alignment also contains this conflict point at East 22nd Street. In addition, it crosses the existing alignment near 9th Street, which restricts traffic from being maintained on the existing alignment at this point and continuing to the north. Maintaining traffic while the Southern Alignment is being constructed will require a crossover to be constructed to the north and west of existing I-90 to permit the contractor to work while traffic is being maintained. The only way to avoid the need for the cross-over would be to shift the Southern Alignment into the Cuyahoga County Juvenile Justice Center, a property eligible for the National Register of Historic Places.

The Southern Alignment would also require the concurrent construction of the westbound alignment to 22nd Street to maintain traffic in both the eastbound and westbound directions. The Northern alignment allows the westbound lanes to be constructed under a separate contract, which provides for better cash flow management for implementing the project. In addition, substantial additional costs would be required, not only to construct wider structures associated with the crossover, but for the additional fills, structures, and pavement. The specific cost cannot be estimated without detailed cross sections, but is expected to be in the millions of dollars based upon ODOT's experience with similar projects.

Relocations. Alternatives A and B would impact businesses and residences. Alternative A would have fewer impacts, with 25 commercial buildings (57 businesses) and 10 residential buildings (19 households) compared to 27 buildings (57 businesses) and 12 residential buildings (22 households) on Alternative B. (See Property Impacts and Relocations, DEIS Section 4.2.5.)

Access and Neighborhood Street Impacts. Alternative B will require the elimination of 14th Street between Fairfield Avenue and Abbey Avenue, requiring vehicles to go around the block to gain access. Alternative A retains 14th Street in its current location. In addition, Alternative A would provide for a relocated access from I-90 eastbound to Broadway Avenue southbound, while Alternative B would not provide this access. The Broadway ramp provides access to the main post office. Without this connection, vehicles will be routed via East 22nd Street, past St. Vincent Charity Hospital, and through Cuyahoga Community College. (See Neighborhood and Community Access, DEIS Section 4.2.3.)

Identification of Preferred Alternative

This FEIS, which incorporates the DEIS by reference, constitutes a full disclosure document, under the National Environmental Policy Act (NEPA) and related regulations, for the proposed Cleveland Innerbelt Project in Cleveland, Ohio. Based upon the information presented within the DEIS and FEIS, and summarized in Table 8, the FHWA and ODOT have determined that Alternative A satisfies the project's purpose and need, and that it causes the least impact to the natural and human environment in comparison to Alternative B, because of:

- Fewer Adverse Effects under Section 106 and least net harm under Section 4(f)
- Ability to incorporate off-ramp to Broadway Avenue to maintain direct access to Quadrangle area, including main post office
- Ability to maintain 14th Street between Fairfield and Abbey Avenues to avoid impacting access the Annunciation Greek Orthodox Church
- Fewer relocations of residences and businesses
- More straightforward maintenance of traffic, which permits smaller construction segments and improves cash flow

In addition FHWA and ODOT have determined that the No Build alternative would not fully address the project's needs and does not enable the Innerbelt Freeway system to function acceptably. Compared to the No Build and other alternatives considered, Alternative A best provides for the balanced consideration of the purpose and need for the action and justifies the impacts and costs. All substantive comments on the DEIS have been addressed. Appropriate mitigation measures are included in the project, as are commitments for future coordination and implementation. The project complies with all applicable laws, such as Section 4(f) and Section 106. For future actions, the project's analyses provide reasonable assurance that all requirements can be met. Therefore, Alternative A remains the identified Preferred Alternative for the project.

Table 8: **Comparison of Feasible Alternatives**	**No-Build**	**ALTERNATIVE A (Exhibit A)** **Entire Project (using Northern Alignment Alternative)**	**ALTERNATIVE B (Exhibit B)** **Entire Project (using Southern Alignment Alternative)**
PURPOSE AND NEED			
Operational Performance	Ramps that do not operate at an acceptable level of service. AM Peak: • I-90 eastbound off-ramp to southbound Broadway Ave./Orange Ave. • I-90 eastbound on-ramp from I-77 northbound • I-90 eastbound off-ramp to E. 22nd St./Central Ave. • I-90 eastbound off-ramp to Carnegie Ave. eastbound • I-77 northbound off-ramp to Woodland Ave./E. 30th St. • I-77 northbound on-ramp from Woodland Ave./E. 30th St. • I-77 northbound off-ramp to I-90 eastbound Ramps that do not operate at an acceptable level of service. PM Peak: • I-90 eastbound on-ramp from I-77 northbound • I-90 eastbound off-ramp to Carnegie Ave. eastbound • I-90 westbound on-ramp from Prospect Ave. • I-90 westbound off-ramp to I-77 southbound • I-90 westbound on-ramp from E. 14th St./I-77 northbound • I-90 westbound on-ramp from E. 9th St./Carnegie Ave. • I-90 westbound off-ramp to W. 14th St./Abbey Ave. • I-71 southbound on-ramp from I-90/I-490 • I-71 southbound off-ramp to SR 176 • I-77 southbound on-ramp from Orange Ave./E. 30th St. Roadway segments that do not operate at an acceptable level of service. AM Peak: • I-90 eastbound from I-71 to the westbound Chester on-ramp • I-90 westbound from the East 55th on-ramp to the SR 2 on-ramp • I-90 westbound from the Superior off-ramp to the Superior on-ramp • I-71 northbound from the SR 176 on-ramp to the I-90 merge • I-77 northbound from I-490 on-ramp to I-90/East 14th Street off-ramp Roadway segments that do not operate at an acceptable level of service. PM peak: • I-90 westbound from the SR 2 off-ramp to the SR 2 on-ramp • I-90 westbound from the Prospect off-ramp to the I-71 diverge • I-71 southbound from the I-90/I-490 on-ramp to SR 176 off-ramp	Ramps that do not operate at an acceptable level of service. AM Peak: • None Ramps that do not operate at an acceptable level of service. PM Peak: • Southbound I-71 at I-90/I-490 on-ramp, LOS F • Northbound I-77 at I-490 off-ramp, LOS F Roadway segments that do not operate at an acceptable level of service. AM Peak: • Northbound I-77, south of I-490 on-ramp, LOS E • Northbound I-77, south of Woodland Ave on-ramp, LOS E • Eastbound I-90, east of westbound SR 2 off-ramp, LOS F • Eastbound I-90, east of eastbound SR 2 on-ramp, LOS F • Weave, Westbound I-90, eastbound SR 2 to Superior Avenue, LOS E Roadway segments that do not operate at an acceptable level of service. PM peak: • Eastbound I-90, west of eastbound SR 2 on-ramp, LOS E All of the above locations will operate equal to or better than existing conditions.	Ramps that do not operate at an acceptable level of service. AM Peak: • None Ramps that do not operate at an acceptable level of service. PM Peak: • Southbound I-71 at I-90/I-490 on-ramp • Northbound I-77 at I-490 off-ramp Roadway segments that do not operate at an acceptable level of service. AM Peak: • Northbound I-77, south of I-490 on-ramp, LOS E • Northbound I-77, south of Woodland Ave on-ramp, LOS E • Eastbound I-90, east of westbound SR 2 off-ramp, LOS F • Eastbound I-90, east of eastbound SR 2 on-ramp, LOS F • Weave, Westbound I-90, eastbound SR 2 to Superior Avenue, LOS E Roadway segments that do not operate at an acceptable level of service. PM peak: • Eastbound I-90, west of eastbound SR 2 on-ramp, LOS E All of the above locations will operate equal to or better than existing conditions.
Safety	• Twenty-one of the 30 half-mile sections that comprise the Innerbelt Freeway have crash rates above the statewide average. • Six locations have been, or currently are, ranked in the top 250 high crash locations in Ohio. Majority of the study area is listed as a Safety Hot Spot. • Safety issues are related to operational and design deficiencies	All design and operational deficiencies that did not meet the established project design and operational criteria were evaluated in more detail. All of the design and operational deficiencies retained provide for substantial improvement over the no build and were determined to be acceptable. For additional detail, refer to the *Draft Access Modification Study*.	All design and operational deficiencies that did not meet the established project design and operational criteria were evaluated in more detail. All of the design and operational deficiencies retained provide for substantial improvement over the no build and were determined to be acceptable. For additional detail, refer to the *Draft Access Modification Study.*

Table 8: **Comparison of Feasible Alternatives**	**No-Build**	**ALTERNATIVE A (Exhibit A)** **Entire Project (using Northern Alignment Alternative)**	**ALTERNATIVE B (Exhibit B)** **Entire Project (using Southern Alignment Alternative)**
Innerbelt Access	o Providing local access is a fundamental function of the Innerbelt Freeway. o Need to balance the demand for access with the demand for freeway and local street system safety and operational efficiency. o 38 Existing points of access.	Proposed Access Points: o 3 No Change o 25 Redesigned o 9 Redirected o 1 Relocated Local street closures: o University Road o Crown Avenue o East 27th Street o East 33rd Street (open for pedestrians) o Orange Avenue to Woodland Avenue cross-over o Connector between E. 14th and Community College Drive Local street reconfigurations/redesign: o West 15th Street o Commercial Road o Broadway Avenue o Carnegie Avenue o East 9th Street o East 14th Street o East 18th Street o East 22nd Street o Cedar Avenue o Chester Avenue o Superior Avenue o East 30th Street o East 38th Street o South Marginal Road o North Marginal Road o Airport Access Road (private access) o Woodland Avenue o Orange Avenue New local roadways: o Commercial Road Hill Connector from Canal Road to Ontario Street o Broadway Avenue from East 14th Street to East 9th Street o Cedar Avenue Extension from Cedar Avenue to Carnegie Avenue o Midtown Connector one-way pair from Carnegie Avenue to Chester Avenue o East 30th Street extension from St. Clair Avenue to Hamilton Avenue o Southbound Frontage Road from Broadway Avenue to Pershing Avenue	Proposed Access Points: o 3 No Change o 25 Redesigned o 9 Redirected o 1 Eliminated Local street closures: o University Road o Crown Avenue o East 27th Street o East 33rd Street (open for pedestrians) o Orange Avenue to Woodland Avenue cross-over o Connector between E. 14th and Community College Drive o 14th Street between Fairfield and Abbey Ave. Local street reconfigurations/redesign: o West 15th Street o Commercial Road o Broadway Avenue o Carnegie Avenue o East 9th Street o East 14th Street o East 18th Street o East 22nd Street o Cedar Avenue o Chester Avenue o Superior Avenue o East 30th Street o East 38th Street o South Marginal Road o North Marginal Road o Airport Access Road (private access) o Woodland Avenue o Orange Avenue New local roadways: o Commercial Road Hill Connector from Canal Road to Ontario Street o Broadway Avenue from East 14th Street to East 9th Street o Cedar Avenue Extension from Cedar Avenue to Carnegie Avenue o Midtown Connector one-way pair from Carnegie Avenue to Chester Avenue o East 30th Street extension from St. Clair Avenue to Hamilton Avenue o Southbound Frontage Road from Broadway Avenue to Pershing Avenue
Maintenance of Traffic	Need to plan for a systematic phasing of the improvements such that traffic can be maintained to the greatest extent practical.	• Need to plan for a systematic phasing of the improvements such that traffic can be maintained to the greatest extent practical. Project is consistent with ODOT's Permitted Lane Closure Policy. • Project able to be constructed primarily off-line to minimize need for cross-overs.	• Need to plan for a systematic phasing of the improvements such that traffic can be maintained to the greatest extent practical. Project is consistent with ODOT's Permitted Lane Closure Policy. • Complex MOT due to cross-over through Central Interchange.

Table 8: Comparison of Feasible Alternatives	**No-Build**	**ALTERNATIVE A (Exhibit A) Entire Project (using Northern Alignment Alternative)**	**ALTERNATIVE B (Exhibit B) Entire Project (using Southern Alignment Alternative)**
Design Deficiencies	• 131 Total Design Deficiencies • 11 Locations that do not have full shoulders • 2 Improper reductions in the basic number of lanes (freeway) o WB I-90 and SR 2 & SB I-71 and SR 176 • Inadequate ramp configuration and spacing o 20 acel/decel deviations o 5 inadequate ramp terminal spacing o 9 operationally deficient weaves • Inadequate curve radius (freeway mainline) o 43 speed below posted o 10 stopping sight distance below posted speed. • 21 locations with inadequate vertical clearance	• 6 Total Design Deficiencies • 3 Locations that do not have full shoulders o I-77 NB and SB on Kingsbury Run Bridge o Transition to existing shoulder width on I-71 o Transition to existing shoulder width on I-90 • Inadequate ramp configuration and spacing o 1 operationally deficient weaves	• 6 Total Design Deficiencies • 3 Locations that do not have full shoulders o I-77 NB and SB on Kingsbury Run Bridge o Transition to existing shoulder width on I-71 o Transition to existing shoulder width on I-90 • Inadequate ramp configuration and spacing o 1 operationally deficient weaves
Pavement Conditions	• Full-depth Pavement Replacement in kind • Approximately 3.8 million sq. ft. of full-depth replacement	• Full-depth Replacement/Major New Construction • Approximately 7.6 million sq. ft. of full-depth replacement	• Full-depth Replacement/Major New Construction • Approximately 7.6 million sq. ft. of full-depth replacement.
Bridge Conditions	• 25 mainline and ramp bridges deck replacements in kind. • Approximately 1.2 million sq. ft. of existing bridge deck. • Rehab or Replacement of Exiting CV Bridge o 1,226-foot long/approximately 0.14 million sq. ft. of deck, west approach. o 2,722-foot long main truss /approximately 0.13 million sq. ft. of deck. o 1,131-foot long/approximately 0.13 million sq. ft. of deck, east approach.	• 16 mainline and ramp bride deck replacements in kind. • Approximately 0.21 million sq. ft. of deck replacement. • 35 new mainline, ramp, and overhead bridges. • Approximately 1.55 million sq. ft. of new bridge deck area. • Major New Westbound Bridge across Cuyahoga Valley o Approximately 1,028 feet long/0.10 million sq. ft. of deck, west approach. o Approximately 800-ft long main span/ 0.08 million sq. ft. of deck. o Approximately 3,371-ft long/0.30 million sq. ft. of deck, east approach. • Replacement of Exiting CV Bridge o 1,226-foot long/ 0.11 million sq. ft. of deck, west approach. o 800-ft long main span/approximately 0.08 million sq. ft. of deck. o 3,053-ft long/approximately 0.26 million sq. ft. of deck, east approach.	• 16 mainline and ramp bride deck replacements in kind. • Approximately 0.21 million sq. ft. of deck replacement. • 35 new mainline, ramp, and overhead bridges. • Approximately 1.53 million sq. ft. of new bridge deck area. • Major New Westbound Bridge across Cuyahoga Valley o Approximately 1,043-ft long/0.10 million sq. ft. of deck, west approach. o Approximate 900-ft long main span/0.09 million sq. ft. of deck. o Approximately 3,061-ft long/0.27 million sq. ft. of deck, east approach. • Replacement of Existing CV Bridge o 1,226-foot long/0.11 million sq. ft. of deck, west approach. o 800-ft long main span/approximately 0.08 million sq. ft. of deck. o 3,053-ft long/approximately 0.26 million sq. ft. of deck, east approach.
AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES			
Archaeology	No resources present within the project limits.	No resources present within the project limits.	No resources present within the project limits.
Geology	• Slope stability problems on west bank of Cuyahoga River remain for existing Central Viaduct Bridge, requiring periodic maintenance. • Factor of safety for existing slope is 1.06 to 1.09.	• Slope stability improved by unloading of slope and removal of buildings. Building is historic property that is already impacted by the bridge construction. • Factor of safety improved to 1.5.	• Slope stability improved by unloading of slope, requiring removal of two residential buildings that are contributing elements to the Tremont National Register Historic District and one non-contributing building that houses a restaurant. • Factor of safety improved to 1.5.
Aquatic Resources	No impacts to streams or water quality.	No substantial long term impact on streams or water quality.	No substantial long term impact on streams or water quality.
Stormwater	I-90 in Tremont, Central Interchange, and I-77 north of I-490 drain into combined sewer system. Other areas drain to surface waters.	• Potential for stormwater separation strategy to reduce volume and frequency of combined sewer overflows. • Stormwater best management practices will be used as required by OEPA regulations.	• Potential for stormwater separation strategy to reduce volume and frequency of combined sewer overflows. • Stormwater best management practices will be used as required by OEPA regulations.
Wetlands	No wetlands within project area.	No wetlands within project area.	No wetlands within project area.
Terrestrial Resources	No unique or high quality terrestrial areas within the project limits.	No unique or high quality terrestrial areas within the project limits.	No unique or high quality terrestrial areas within the project limits.

Table 8: Comparison of Feasible Alternatives	No-Build	ALTERNATIVE A (Exhibit A) Entire Project (using Northern Alignment Alternative)	ALTERNATIVE B (Exhibit B) Entire Project (using Southern Alignment Alternative)
Floodplains	No impacts on floodplain of Cuyahoga River.	No piers anticipated within floodplain. No impacts.	No piers anticipated within floodplain. No impacts.
Threatened and Endangered Species	• No potential for impacts to federally threatened or endangered species. No impacts to state-threatened plant species. • Rehabilitation work that would be necessary under the No Build condition would require relocation of Peregrine Falcon nest by ODNR prior to construction.	• No potential for impacts to federally threatened or endangered species. No impacts to state-threatened plant species. • Peregrine Falcon nest to be avoided during nesting season. ODNR will move peregrine falcons prior to construction. No impacts expected.	• No potential for impacts to federally threatened or endangered species. No impacts to state-threatened plant species. • Peregrine Falcon nest to be avoided during nesting season. ODNR will move peregrine falcons prior to construction. No impacts expected.
Drinking Water Resources	Public water source intake is in Lake Erie, 3 miles off-shore. No community or non-community public drinking water sources use ground water within the project area.	Public water source intake is in Lake Erie, 3 miles off-shore. No community or non-community public drinking water sources use ground water within the project area.	Public water source intake is in Lake Erie, 3 miles off-shore. No community or non-community public drinking water sources use ground water within the project area.
Farmland	No farmland within project limits.	No farmland within project limits.	No farmland within project limits.
Parks (Section 4(f))	No impacts to parks or recreation areas.	De minimis impact to recreation area within Chester Avenue loop ramp. Trail to be realigned and area revegetated.	De minimis impact to recreation area within Chester Avenue loop ramp. Trail to be realigned and area revegetated.
Hazardous Waste	No impacts.	ESA Phase II investigations required for 23 properties, with types of waste that are commonly managed by ODOT.	ESA Phase II investigations required for 18 properties, with types of waste that are commonly managed by ODOT.
Air Quality	No change.	The project has been found to be in conformance with NOACA's air quality implementation plan, maintenance plan, and NAAQS.	The project has been found to be in conformance with NOACA's air quality implementation plan, maintenance plan, and NAAQS.
Noise	Existing noise levels range from 48-78 dBA. Majority of receivers will continue to exceed Noise Abatement Criterion of 67 dBA.	Future noise level changes are minor (-3 dBA to +5 dBA); however, majority of receivers already do, and will continue to, exceed the Noise Abatement Criterion of 67 dBA. Noise walls are recommended: • Region 3 – westbound I-90 from Abbey Ave to I-90/I-71/I-490 Interchange – maximum reduction 12 dBA – benefitted receivers 64 (>5dBA) • Region 4 – eastbound I-90 from I-90/I-490 interchange to Abbey Ave – maximum reduction 9 dBA – benefitted receivers 75 (>5dBA), 7 (3-5dBA) • I-77 Broadway to Pershing – west side of I-77 – benefitted receivers 11 (>5dBA), 3 (3-5 dBA) Southern Innerbelt areas eligible for consideration under Type II Retrofit Noise Barrier Program, independent of the project Vegetative screening to be offered, if feasible to install, for east side of I-90 from Superior to St. Clair Public input will be conducted during design to determine if the noise walls are desired by affected residents.	Future noise level changes are minor (-3 dBA to +5 dBA); however, majority of receivers already do, and will continue to, exceed the Noise Abatement Criterion of 67 dBA. Noise walls are recommended: • Region 3 – westbound I-90 from Abbey Ave to I-90/I-71/I-490 Interchange – maximum reduction 10 dBA –benefitted receivers 52 (>5dBA), 12 (3-5dBA) Region 4 – eastbound I-90 from I-90/I-490 interchange to Abbey Ave – maximum reduction 10 dBA – benefitted receivers 79 (>5dBA), 3 (3-5dBA) • I-77 Broadway to Pershing – west side of I-77 – benefitted receivers 11 (>5dBA), 3 (3-5 dBA) Southern Innerbelt areas eligible for consideration under Type II Retrofit Noise Barrier Program, independent of the project Vegetative screening to be offered, if feasible to install, for east side of I-90 from Superior to St. Clair Public input will be conducted during design to determine if the noise walls are desired by affected residents.
Vibration	No change.	No long-term impacts. Short-term impacts during construction possible from impact pile-driving and vibratory rollers near Annunciation Greek Orthodox Church and Samuel Mather Mansion. Alternative construction measures for these areas to be investigated during design.	No long-term impacts. Short-term impacts during construction possible from impact pile-driving and vibratory rollers near Annunciation Greek Orthodox Church and Samuel Mather Mansion. Alternative construction measures for these areas to be investigated during design.
Visual Resources	No change.	• Enhanced view of Lake Erie from the ramp in the Innerbelt Curve, improved visual harmony through the Innerbelt Trench due to a reduction in access points and signing, and improved visibility of businesses along the Innerbelt Trench. • Negative impacts will include wider pavement and less vegetation through the Innerbelt Trench and introduction of new ramps and structures across from the Cuyahoga Community College.	• Enhanced view of Lake Erie from the ramp in the Innerbelt Curve, improved visual harmony through the Innerbelt Trench due to a reduction in access points and signing, and improved visibility of businesses along the Innerbelt Trench. • Negative impacts will include wider pavement, less vegetation through the Innerbelt Trench, introduction of new ramps and structures across from the Cuyahoga Community College, blocking of views of and from the Greek Orthodox Church.

Table 8: **Comparison of Feasible Alternatives**	**No-Build**	**ALTERNATIVE A (Exhibit A)** **Entire Project (using Northern Alignment Alternative)**	**ALTERNATIVE B (Exhibit B)** **Entire Project (using Southern Alignment Alternative)**
Land Use and Development	No change.	Primary conversion of land to highway purposes will be heavy and light industry/office. Impact is small compared to overall availability these uses. Project is consistent with City of Cleveland 2020 Comprehensive Plan.	Primary conversion of land to highway purposes will be heavy and light industry/office. Impact is small compared to overall availability these uses. Project is consistent with City of Cleveland 2020 Comprehensive Plan.
Neighborhood/ Community Access	No change.	• See Innerbelt Access above for summary of access changes. • All access points maintained or mitigated through ramp and/or local street improvements	• See Innerbelt Access above for summary of access changes. • No off-ramp to Broadway Avenue is provided, resulting in traffic rerouting by St. Vincent's and Cuyahoga Community College. All other access points maintained or mitigated through ramp and/or local street improvements.
Community Facilities and Services	No impacts to community facilities. With continued traffic congestion and high crash rates, there is potential for increased emergency response times and burden on response providers.	• No impacts to schools, universities, or hospitals. • Relocation of mounted police stables. Potential impact to fire training facility. Modification of access to Fire Station No. 28 (Tactical Rescue Station). No impacts to services are expected. Reduced congestion and improved response times. • No impacts to religious facilities. • Access to main post office maintained via relocated off-ramp to Broadway Ave.	• No impacts to schools, universities or hospitals. • Relocation of mounted police stables. Potential impact to fire training facility. Modification of access to Fire Station No. 28 (Tactical Rescue Station). No impacts to services are expected. Reduced congestion and improved response times. • Access and proximity impacts to Annunciation Greek Orthodox Church. • Access to main post office altered – routed via East 22nd Street, past St. Vincent's and Cuyahoga Community College
Property Impacts and Relocations	No property impacts.	• Business impacts: 25 buildings/57 businesses. No issues anticipated with relocations, if adequate lead time is available. • Residential impacts: 10 buildings/19 households. No issues anticipated with relocations.	• Business impacts: 27 buildings/57 businesses. No issues anticipated with relocations, if adequate lead time is available. • Residential impacts: 12 buildings/22 households. No issues anticipated with relocations.
Demographics	No change.	No changes anticipated	No changes anticipated
Economics	Minimal change. Potential for minor economic benefits related to spending on maintenance activities.	• Positive regional economic benefits expected due to improved facility, reduced congestion, and efficient access. • Positive economic benefits during construction period • Minimal impacts on tax base due to property acquisitions, as many may relocate within the area • No substantial negative impacts anticipated in sensitive local areas. Access changes are mitigated. Localized changes in traffic volumes – increases on Chester, decreases on Prospect and Carnegie. Overall, no substantial adverse changes in traffic volumes, local congestion, operations and travel patterns.	• Positive regional economic benefits expected due to improved facility, reduced congestion, and efficient access. • Positive economic benefits during construction period • Minimal impacts on tax base due to property acquisitions, as many may relocate within the area • No substantial negative impacts anticipated in sensitive local areas. Access changes are mitigated. Localized changes in traffic volumes – increases on Chester, decreases on Prospect and Carnegie. Overall, no substantial adverse changes in traffic volumes, local congestion, operations and travel patterns.
Environmental Justice	No change.	• No impacts anticipated. Improvements will occur within same general corridor as the existing freeway. All properties within this area fall within census tracts of the same general demographic conditions. • Impact to residences is small, with adequate replacement housing available within same census tracts. No EJ issues raised during 9 years of public involvement.	• No impacts anticipated. Improvements will occur within same general corridor as the existing freeway. All properties within this area fall within census tracts of the same general demographic conditions. • Impact to residences is small, with adequate replacement housing available within same census tracts. No EJ issues raised during 9 years of public involvement.
Construction Impacts	Minimal construction impacts related to maintenance activities.	• Temporary air and noise impacts due to construction activities will be minimal. Contractors will be required to follow local ordinances and the ODOT *Construction and Materials Specifications* • Stormwater Pollution Prevention Plan will be required	• Temporary air and noise impacts due to construction activities will be minimal. Contractors will be required to follow local ordinances and the ODOT *Construction and Materials Specifications* • Stormwater Pollution Prevention Plan will be required

Table 8: **Comparison of Feasible Alternatives**	**No-Build**	**ALTERNATIVE A (Exhibit A)** **Entire Project (using Northern Alignment Alternative)**	**ALTERNATIVE B (Exhibit B)** **Entire Project (using Southern Alignment Alternative)**
Other Transportation Modes	No change.	• Bus – Routes using Cedar Avenue will be modified to use connector from Cedar Ave to Carnegie Ave. No impacts to bus operations. • Pedestrians – On modified local streets, sidewalks will be provided where they exist today and will be ADA compliant. Midtown connector will provide new pedestrian connection. • Bicycles – The bike route along North Marginal Road will be realigned along with the roadway. No impacts to bicycle facilities are expected. • Rail – No impacts. Coordination will continue for maintenance of rail traffic. • Aviation – No impacts to airport operations • Marine – Required clearances over Cuyahoga River will be maintained. Coordination with Harbormaster will be conducted during design.	• Bus – Routes using Cedar Avenue will be modified to use connector from Cedar Ave to Carnegie Ave. No impacts to bus operations. • Pedestrians – On modified local streets, sidewalks will be provided where they exist today and will be ADA compliant. Midtown connector will provide new pedestrian connection. • Bicycles – The bike route along North Marginal Road will be realigned along with the roadway. No impacts to bicycle facilities are expected. • Rail – No impacts. Coordination will continue for maintenance of rail traffic. • Aviation – No impacts to airport operations • Marine – Required clearances over Cuyahoga River will be maintained. Coordination with Harbormaster will be conducted during design.
Historic Properties (Section 106 and 4(f))	No impacts.	No Adverse Effect, No Use (temporary right-of-way): • Walker Weeks Building • Superior Avenue Historic District • Lorain-Carnegie Bridge • Tremont National Register Historic District No Adverse Effect, de minimis Section 4(f): • Loft Building • Samuel Mather Mansion • Ohio Boxboard Company • Cuyahoga County Juvenile Justice Center • Tactical Rescue Station Adverse Effect, Individual Section 4(f): • Broadway Mills • Marathon Gas Station • Distribution Terminal Warehouse All other properties are No Historic Properties Affected/No Use	No Adverse Effect, No Use (temporary right-of-way): • Walker Weeks Building • Superior Avenue Historic District • Lorain-Carnegie Bridge No Adverse Effect, de minimis Section 4(f): • Loft Building • Samuel Mather Mansion • Ohio Boxboard Company • Cuyahoga County Juvenile Justice Center • Tactical Rescue Station Adverse Effect, Individual Section 4(f): • Broadway Mills • Marathon Gas Station • Tremont National Register Historic District o Adverse access impact to Annunciation Greek Orthodox Church o Demolition of 1103 University Road o Demolition of 1107 University Road o Demolition of 1 non-contributing structures All other properties are No Historic Properties Affected/No Use
Secondary and Cumulative Impacts	No impacts.	No secondary or cumulative impacts are anticipated. Traffic analyses for the project have taken into account committed transportation and development projects in the area. Other projects not likely to have substantial impacts on areas of greatest concern for the Innerbelt, such as business relocations and historic properties.	No secondary or cumulative impacts are anticipated. Traffic analyses for the project have taken into account committed transportation and development projects in the area. Other projects not likely to have substantial impacts on areas of greatest concern for the Innerbelt, such as business relocations and historic properties.
IMPLEMENTATION COST AND SCHEDULE			
Estimated Project Cost	• $ 400 Million to $ 600 Million in 2009 dollars (costs in year of expenditure not developed)	• $1.6 to $1.7 billion in 2009 dollars ($2.7 to $3.5 billion in year of expenditure) • Revenue sources and availability under review. • Fiscal Plan to be available prior to authorization for construction	• $1.6 to $1.7 billion in 2009 dollars ($2.7 to $3.5 billion in year of expenditure) • Revenue sources and availability under review. • Fiscal Plan to be available prior to authorization for construction
Schedule	▪ Begin in kind work: 2010 ▪ End in kind work: continuum through the design year 2035	▪ Begin in kind work: 2010 ▪ End work: 2033 ▪ Project Management Plan under development which will take into account fiscal realities associated with the implementation of the project.	▪ Begin in kind work: 2010 ▪ End work: 2033 ▪ Project Management Plan under development which will take into account fiscal realities associated with the implementation of the project.

4.2 Wetland finding

No wetlands were identified within the project area during the literature search or the field investigations. Based on the current design plans and the lack of identified wetlands, the proposed project has no impact on wetlands.

4.3 Floodplain finding

Except for the shoreline of Lake Erie and within the bulkheads that line the Cuyahoga River, all portions of the study area are designated as Zone C or upland areas of minimal flooding. No other FEMA designated floodplains were identified in the project area. The Cleveland Innerbelt Bridge crosses over the 100-year flood plain of the Cuyahoga River however, there are no piers located or proposed for location within this floodplain. Based on the current design plan, the proposed project would have no impact on FEMA designated floodplains.

4.4 List of Commitments

Geology: Soil and Bedrock
The Contractor is required to follow best management practices for temporary sediment and erosion control during construction in accordance with 2005 ODOT Construction and Material Specifications Section 107.19 and Supplemental Specification 832. Plan notes and estimated quantities in accordance with Supplemental Note 832 will be included in the plans to handle erosion control. In addition to the current CMS, SS, plan notes, and SWPPP stipulations, all the regulations and conditions associated with the required NPDES permit will require the Contractor's full compliance.

Aquatic Resources
A Coast Guard Section 9 permit and an ODNR Coastal Consistency Determination will be required for the project. If during the waterway permit application process, it is determined that a Section 404 permit and/or a Section 401 Water Quality Certification is required, stream mitigation will be provided in accordance with the USACE and OEPA current stream mitigation rules and guidelines. If in-stream work is required, it should not be conducted from March 15 to June 30, to reduce impacts to aquatic species and their habitat.

Storm Water
This project will require an OEPA NPDES Phase 2 General Construction Permit. Plan notes, along with a Storm Water Pollution Prevention Plan (SWPPP), will be needed to address project soil erosion control measures. It is anticipated that the project will install appropriate best management practices.

ODOT will continue to comply with current and future OEPA NPDES regulations. ODOT has documented policies and procedures to address both sediment and erosion control and long term storm water quality on construction projects. ODOT will continue to update its policies and procedures as needed to stay in compliance with current and future NPDES regulations. This project will utilize the most current ODOT policies and procedures at time of final design.

ODOT will continue its coordination with NEORSD and WPC during detail design of each project section. Particular attention will be given to areas of the project that will remain connected to the combined sewer system. Additionally, if NEORSD creates a regional storm water management program, ODOT will coordinate, as necessary, with this newly formed regional entity. ODOT will continue to coordinate with TRANSWAC, as appropriate, during detail design of each project section.

ODOT will consider, during the detail design of each project section, installing water quality BMPs that exceed the required treatment area percentage of the NPDES permit. (Currently redevelopment projects only require treating 20% of the existing pavement area.)

Wetlands
No specific mitigation measures are anticipated for wetlands.

Terrestrial Resources
No specific mitigation measures are anticipated for terrestrial ecology.

Threatened and Endangered Species
Additional coordination will be conducted with ODNR regarding the Peregrine Falcon prior to demolition activities for the existing Central Viaduct bridge. ODNR has obtained a permit from the US Fish and Wildlife Service to relocate the falcon to safe habitat in advance of construction.

Drinking Water Resources
No specific mitigation measures are anticipated for drinking water resources.

Floodplain Impacts
Coordination will be conducted with the local community floodplain administrator during development of the preferred alternative. A description and mapping of the preferred alternative, including available details on any fill material to be placed in the floodplain, will be provided to the local community Floodplain Administrator for review and comment. This coordination will determine if a Flood Hazard Development Permit will be required prior to construction activities.

Farmland
No specific mitigation measures are anticipated for farmland.

Parks and Other Green Spaces
Impacts to the infield of the loop ramp on Chester Avenue will continue to be coordinated with Cleveland State University. The walking trail will be restored and the area will be revegetated to retain the current recreational use of the right-of-way. The path adjacent to the North Marginal Road will be realigned along with the roadway to provide continuity of the path.

Hazardous Waste
Phase II Environmental Site Assessments will be conducted for recommended properties. For any property determined to be contaminated with regulated substances, environmental plan notes will be developed and incorporated into the construction contracts to ensure that regulated substances are properly managed and disposed during construction.

Air Quality
Given that air pollutants are not predicted to exceed the NAAQS in the future as a result of implementing the Build Alternative, mitigation measures for air quality are not necessary for the project. Standard emission minimization measures for construction activities are recommended.

Noise Analysis
Three noise barrier locations are recommended. These locations are within the Central Viaduct and I-77 Access locations. A public meeting will be held in these areas during the design phase to determine if the residents wish to have a noise wall. Although not a noise abatement measure, vegetative screening will be offered to residences along the east side of I-90 between Superior Avenue and St. Clair Avenue, if feasible to install, in accordance with ODOT noise policy.

Barrier optimization will be performed during the detailed design phase of the project after final profiles are established. A final check of elevation consistency between those used in barrier design model and those in the stage three roadway plans will be completed. A table will be provided showing barrier segments, distance from centerline or baseline, barrier height, and top elevation for the project design consultant as stated in the ODOT-OES IOC dated February 2, 2007 found in Appendix D.

Vibration Analysis
No long-term vibration impacts have been identified for the Cleveland Innerbelt project and therefore no mitigation measures are required with regard to ground-borne traffic vibration. During the construction period, however, there is the potential for short-term vibration impact from impact pile driving and the use of vibratory rollers adjacent to the Annunciation Greek Orthodox Church and the Samuel Mather Mansion. In addition to minimizing the use of such equipment near the vibration-sensitive buildings, potential mitigation measures include use of alternative construction methods, such as the use of drilled piles or pressed piles in place of impact piling. The feasibility of such measures will be investigated during project design to avoid vibration impact during construction.

Historic Architecture Sites/ Section 4(f)/Section 106 Consultation
Based upon coordination with the Ohio Historic Preservation Office, the following commitments are known for properties where there is "no adverse effect":

- Cuyahoga County Juvenile Justice Center – Relocate approximately 200' of sidewalk and stone wall; maintain vehicular access to courtyard; construct adjacent retaining wall in manner that will not impact the historic resource
- Samuel Mather Mansion – Alternative construction methods will be evaluated to minimize vibration during construction.

In accordance with the Programmatic Agreement, FHWA and ODOT will use the following treatment plans to resolve the adverse effect on the three impacted historic properties:

- Broadway Mills - Level II documentation as specified by the Historic American Building Survey (HABS) will be prepared. A commemorative display will be located at or near the existing mill site.
- Marathon Gas Station – Level II documentation as specified by the Historic American Building Survey (HABS)
- Distribution Terminal Warehouse – A historic context will be prepared documenting the significance of the resource in relation to the City of Cleveland's food distribution industrial history.

Details for implementing these proposals are specified in the June 5, 2009 letter from ODOT to OHPO, as accepted by OHPO on July 7, 2009. Additional commitments will be developed through the consultation process to mitigate for adverse effects, as specified in the Programmatic Agreement.

Archaeological Resources
No specific mitigation measures are anticipated for archaeological resources.

Traffic Maintenance
As part of the detailed design, a maintenance of traffic plan will be prepared in accordance with the then most current ODOT standard specifications and policies. Public involvement will be conducted during the construction phase according to ODOT District 12's communication plan for major projects.

Public Notifications
To ensure that the public is notified of construction activities, lane closures, and/or road closures, the following plan note will be added to the project plans: The Contractor will advise the Project Engineer a minimum of fourteen (14) days prior to the following: the start of construction activities, lane closures, and road closures. As appropriate, the PIO will, in turn, notify the public, the local emergency services, affected schools and businesses, and/or any other impacted local public agency of any of the above mentioned items via media sources.

Residential/Business Relocations and Property Impacts
The acquisition and relocation for all residences displaced for right-of-way will be conducted in accordance with all applicable state and federal laws.

Utility Relocations
All utility relocations shall be coordinated between the Contractor and the utility owners in such a way as to avoid and/or minimize any inconvenience to potentially affected customers. All utility relocations not included in this contract shall be performed by the affected utility owner or its contractor and will be compliant with ODOT roadway design standards. Utility work will be ongoing throughout construction of the project. Upon the contract award, the coordination of all necessary relocations with the utilities shall become the responsibility of the Contractor. A list of all utility owners located within the project work limits shall be located in the General Notes section of the project plans.

Remaining Design Commitments from Public Involvement

- Directional signing will be considered for indicating local street destinations at redesigned and redirected ramp locations.
- Input from the Innerbelt Bridge and Urban Design Aesthetics Sub-committees will be considered prior to the selection of aesthetic treatments and urban design details, including wayfinding, gateway, overpass and underpass treatments.
- Designing the retaining walls between E 22nd St and Carnegie Ave to support a freeway cap or deck will be considered during detail design. This commitment does not include the funding for the design and construction of the freeway cap or deck.
- ODOT will coordinate with the Cuyahoga County Engineer and the City of Cleveland to accommodate the proposed Cleveland Towpath Trail multi-purpose trail as it crosses beneath I-90.
- Upper Commercial Road will be reconfigured to accommodate fire trucks and buses serving Cleveland Fire Department Station No. 28 and the Western Reserve Fire Museum.
- Ontario entrance ramp structure will be designed to provide the vertical clearance necessary to accommodate fire trucks serving Cleveland Fire Department Station No. 28.
- Adjusting the alignment of the East 30th Street extension slightly toward the west will be considered during detail design in an effort to further minimize impacts.
- The City of Cleveland Office of Harbormaster reviews proposed dock wall construction in the river. ODOT will coordinate with the Harbormaster at the time of permit application to the U.S. Army Corps of Engineers.

5.0 Final Section 4(f) Evaluation

Proposed Action

The Proposed Action involves improvements to Interstates 71, 77and 90, and connecting radial freeways and local roadways, known as the Cleveland Innerbelt. The Cleveland Innerbelt is routed across the Cuyahoga River valley and around the south and east sides of downtown Cleveland, Ohio. The project termini are located approximately at the merge/diverse point of State Route 176, (the Jennings Freeway) and Interstate 71 southwest of downtown, south of the existing Interstate 90/77 Central Interchange on I-77 south of downtown, and east of the Interstate 90/State Route 2 interchange east of downtown along the shore of Lake Erie.

The purpose of the Innerbelt Freeway system is to collect and distribute traffic between the radial freeway system (I-71, I-90, I-77, SR 2, and SR 176) and the local street system, and to move traffic between each of the radial freeways, within the Cleveland CBD area. The purpose of the Cleveland Innerbelt action is to rehabilitate and reconstruct the Innerbelt Freeway system, and to address operational, design, safety, and access shortcomings that severely impact the ability of the Innerbelt Freeway system to function. More detail on the Purpose and Need for the project is provided in DEIS Chapter 2.

Description of Section 4(f) Properties, Avoidance Alternatives, and Measures to Minimize Harm

ODOT's Project Development Process is designed to identify Section 4(f) properties and to avoid these properties. If impacts are unavoidable, the process seeks to minimize impacts and to mitigate when needed.

Section 4(f) properties impacted by the Cleveland Innerbelt project fall into three categories per Section 4(f) (23 CFR 774):

- No Use (temporary occupancy)
- Minor impacts (*de minimis*)
- Impacts greater than the *de minimis* standard, requiring consideration of avoidance alternatives within an Individual Section 4(f) Evaluation

This section will discuss the properties by each category.

No Use (Temporary Occupancy)

Within this category are three historic properties, including:

- Walker Weeks Building
- Superior Avenue Historic District
- Lorain-Carnegie Bridge

Walker Weeks Building, 2341 Carnegie Avenue (DEIS Exhibit A-23)

The Walker Weeks Building is part of the Upper Prospect Multiple Resource Nomination featuring properties eligible for the NRHP under Criterion C (architecture). The building sits on a parcel of less than one acre adjacent to existing I-90. In this area, I-90 is below grade and the building sits just above a retaining wall. The National Register boundaries for this property include the existing sidewalk; therefore, temporary impacts will be required within the boundary to reconstruct the I-90 retaining wall and existing sidewalk. The building will not be altered. No substantial noise, vibration, or visual impacts are anticipated. Coordination was conducted with consulting parties. OHPO has determined that a finding of No Adverse Effect is appropriate for the property. No property will be acquired for highway use. The temporary occupancy will be for a shorter duration than the overall undertaking and the area will be restored to a condition as good, or better, than existing. Therefore, there will be no use under Section 4(f).

Superior Avenue Historic District (DEIS Exhibit A-27)

The Superior Avenue Historic District includes properties fronting Superior Avenue from East 26th Street to just west of East 19th Street. The district is eligible under Criterion A (association with Cleveland's garment industry) and Criterion C (architecture). The boundary includes half of East 26th Street and a portion of Superior Avenue within the project limits. Work in this area will be limited to areas within existing roadway rights-of-way. No substantial noise, vibration, or visual impacts are anticipated. Coordination was conducted with consulting parties. OHPO has determined that a finding of No Adverse Effect is appropriate for the property. No property will be acquired for highway use. The temporary occupancy will be for a shorter duration than the overall undertaking and the area will be restored to a condition as good, or better, than existing. Therefore, there will be no use under Section 4(f).

Lorain-Carnegie Bridge (DEIS Exhibits A-15 and B-15)

The Lorain-Carnegie Bridge is listed on the NRHP under Criterion C (architecture). The eastern approach includes the Carnegie Avenue grade separation over rail and rapid transit tracks. Temporary work within the boundary will be required for restriping and related roadway work. Commercial Road Hill access to Carnegie will be modified to right-in/right-out. The sidewalk along Carnegie will be continued to the Ontario/Carnegie intersection without structural modifications. No substantial noise, vibration, or visual impacts are anticipated. Coordination was conducted with consulting parties. OHPO has determined that a finding of No Adverse Effect is appropriate for the property. No property will be acquired for highway use. The temporary occupancy will be for a shorter duration than the overall undertaking and the area will be restored to a condition as good, or better, than existing. Therefore, there will be no use under Section 4(f).

***De Minimis* Impacts to Section 4(f) Properties**

Within this category are one recreation area and five historic properties. The recreation area is the Infield of the Loop Ramp on Chester Avenue. The five historic properties include:

- Loft Building
- Samuel Mather Mansion
- Ohio Boxboard Company
- Cuyahoga County Juvenile Justice Center
- Tactical Rescue Station

Each of the properties is discussed separately below. For each historic property, the project involved consultation with consulting parties and coordination with the Ohio Historic Preservation Office for a finding of No Adverse Effect, per 23 CFR 774.5(b)(1).

Infield of the Loop Ramp on Chester Avenue (DEIS Exhibit A-25)

The infield of the loop ramp on Chester Avenue contains a pedestrian trail and green space and is approximately 1.8 acres in size. The property is held in easement by ODOT. The pedestrian trail and green space has been maintained by Cleveland State University, although an official maintenance agreement cannot be found. Although the CSU pedestrian trail is located within highway right-of-way, FHWA has determined that Section 4(f) applies to this resource since the pedestrian trail has been operated as a public recreation opportunity for approximately 28 years.

Currently, the area has an 8-foot wide, 930-foot asphalt pedestrian trail in the shape of an oval. Within the oval is landscaped open grass area. There are 29 trees and bushes within the trail oval and 26 trees and bushes outside of the trail oval. At one time, there were circuit course facilities around the trail; however, CSU removed them in the late 1990's. CSU does not have plans to add additional recreational facilities to this site.

Typical uses are walking, jogging, and sitting to eat, talk or read. CSU does not formally schedule the area for physical education courses, but it is available for this purpose. It has been used in this manner for badminton, golf, running, and exercise classes offered by CSU.

The walking trail and green space have limited access due to their location within the I-90 loop ramp. No vehicular access or parking is provided for this area. A sidewalk along Chester Avenue provides pedestrian and bicycle access. From the west or south, pedestrians must cross either Chester Avenue or East 24th Street, and then cross over the unsignalized loop ramp to get to the trail. From the east, pedestrians must cross East 27th Street and the I-90 eastbound on ramp to access the trail. There is no direct access from the north. Since there is no vehicular access to the site, users predominately come from nearby campus and work destinations.

Minor impacts are required to the western and eastern edges of the property in order to reconstruct the existing loop ramp to meet current design standards and to relocate the access westbound I-90 to Prospect Avenue to improve the safety and operation of the freeway in this section.

The following measures will be used to minimize recreational disruption during construction:

- The area within the loop ramp including the walking trail will be closed for public safety while construction is taking place
- The temporary closure of the trail will be shorter in duration than the overall Innerbelt Project. The pedestrian trail will be closed to the public for approximately two years or less during reconstruction of the interchange.
- The walking trail will be adjusted to fit within the new loop ramp alignment. The proposed trail will be approximately the same length (930 feet).
- The removal of trees will be limited to what is needed to reconstruct the Chester Avenue Interchange.
- The number of trees that are removed will be replaced within the new trail area, although not the same size.
- Seeding and mulching of the area will be done to return it to its existing condition.

ODOT coordinated with Cleveland State University regarding the impacts to this area by letter dated September 12, 2007, requesting concurrence that the project as proposed will not adversely affect the activities, features and attributes that qualify the property for protection under Section 4(f). Cleveland State University concurred by signature on September 13, 2007. A copy of the signed letter is included in Appendix A. Public involvement regarding the intent to use a *de minimis* Section 4(f) finding was included as part of the public hearing regarding the DEIS. No comments were received regarding this issue. Therefore, the impact has been determined to be *de minimis.*

<u>Loft Building (DEIS Exhibit A-27)</u>

The Loft Building, located at 2800 Superior Avenue is a five-story reinforced concrete frame industrial building. It was built in 1919 in the Commercial/Chicago style, and features a cubic exterior with large expanses of steel windows, an emphasis on vertical lines, and a detailed frieze on the north façade. The Loft Building retains original steel industrial sash on all its upper stories, which is rare for this type of building in Cleveland. The building sits in a densely developed area of Cleveland dominated by industrial and commercial buildings.

The Loft Building, like many Cleveland garment industry buildings, originally housed multiple tenants, most of which were related to the garment industry. As the garment industry began to fade during the Great Depression and World War II, these tenants were gradually replaced by other light industries, mainly printing and lithographic concerns.

The Loft Building is recommended individually eligible for the NRHP under Criteria A (association with Cleveland's garment industry) and C (architecture). It is a representative example of a 1920s reinforced concrete Cleveland garment warehouse and retains a high level of integrity. The Loft Building represents one of the largest and best examples of an intact 1920s Commercial Style industrial loft building in Cleveland. The proposed NRHP boundary follows the legal boundary, excluding a rectangular area on the south.

The project will require a strip take at the western parcel boundary of the Loft Building, eligible for inclusion on the NRHP, within the National Register (NR) boundary. The building will not be impacted. The ramp return for the ramp from I-90 eastbound to Superior Avenue will require removal of the access from Superior Avenue to the parking lot. The existing access to the parking lot from 30th Street will remain. Because the current business use is not related to the historic aspect of the property, changes to access will be resolved during the right-of-way process with the property owner. Based upon a truck turning analysis, it is possible to maintain truck access to the loading dock by expansion of the paved area on the southwest corner of the property. No substantial noise, vibration, or visual impacts are anticipated. Coordination was conducted with consulting parties. OHPO has determined that a finding of No Adverse Effect is appropriate for the property. Therefore, the impact has been determined to be *de minimis*.

<u>Samuel Mather Mansion, (University Hall, Cleveland State University), 2605 Euclid Avenue (DEIS Exhibit A-24)</u>

This building is a three-story brick house with Indiana limestone trim, designed in the Tudor Revival style by Cleveland architect Charles Schweinfurth. The house was completed in 1910 and is one of the last surviving mansions along Euclid Avenue, which was at one time lined with the homes of the wealthiest Cleveland residents. Samuel Mather, who commissioned the house, was a pioneer in the iron ore industry. He was director of several corporations including ones in the shipping, furnace, and financial industries, and was also very active in the community, serving on the boards of a number of social and arts organizations.

The house was nominated to the NRHP in 1973, at a time when the NRHP form did not yet include listing criteria in today's A-B-C-D format. Were the house to be listed today, it would clearly be listed under Criterion B for its association with Samuel Mather, an important figure in Cleveland's industry and civic life, and under Criterion C as one of the major works of Charles Schweinfurth and as a major example of a Tudor Revival residence.

A boundary was not defined for the property on the original 1973 NRHP nomination. Since much of the area around the mansion has been altered for re-development by Cleveland State University, most of the land to the west and north of the house does not resemble its original appearance and is not included in the current boundary.

The project will require a strip take at the southeastern boundary of the Samuel Mather Mansion, listed on the NRHP, from an area within the NR boundary. See DEIS Exhibit A-24. The right-of-way purchase will be required at the southeastern boundary of the site for construction of a frontage road (Midtown Connector) connecting Euclid Avenue to Chester Avenue. Constructing the Midtown Connector adjacent to the property will serve to reconnect the site within the local street grid and create a buffer between the property and the freeway trench.

The area impacted consists of a sidewalk connecting the eastern edge of the property to the street and a small grassy area south and east of the main building. There are no impacts to the building. ODOT commits to work with the property owners and OHPO to reestablish the modern park benches, planters and sidewalk. No substantial noise, vibration, or visual impacts are anticipated. Coordination was conducted with consulting parties. OHPO has determined that a finding of No Adverse Effect is appropriate for the property. Therefore, the impact has been determined to be *de minimis*.

Ohio Boxboard Company, 1400 E. 30th Street (DEIS Exhibit A-27)

The Ohio Boxboard Company at 1400 East 30th Street is located on the west side of East 30th Street between St. Clair and Superior avenues. Built ca. 1909, this rectangular-plan industrial building stands four stories tall, features red brick walls set in common bond, wood one-over-one double-hung sash on the north half of the first story, steel one-over-one double-hung sash on the south half of the first story, and wood fifteen-over-fifteen sash along the upper three stories of the east façade. The building was designed by Cleveland architectural-engineering firm Christian, Schwarzenberg & Gaede (1909-1972). Today the building is owned by 1400 East 30th Street Partners, who lease floor space to a variety of tenants, including artists and a restaurant. There are presently seven operating business tenants.

The Ohio Boxboard Company plant at East 30th Street provides one of the better preserved examples of vernacular Chicago Style architecture in the area. Built with a traditional heavy timber wood frame, the original section of the Ohio Boxboard Company building reflects nineteenth century industrial building design and engineering. The south addition, which features a steel structural frame and concrete floors, exemplifies the new architectural and engineering solutions developed and introduced for industrial buildings at the turn of the twentieth century. A well preserved example of vernacular Chicago Style architecture demonstrating the evolution of architectural and engineering practice, the Ohio Boxboard Company plant at East 30th Street is eligible for the NRHP under Criterion C (architecture).

This property was originally impacted by early project alternatives. Subsequent to the publication of the *Conceptual Alternatives Study*, ODOT developed an avoidance alternative to minimize impacts to the property. The Ohio Boxboard Building, containing seven businesses, was avoided by an alignment shift that resulted in impacts to three commercial properties, increasing the number of commercial buildings impacted, but decreasing the number of displaced businesses. Permanent impacts will be limited to the southwest corner of the parking lot. There will be no impacts to the building. Temporary right-of-way adjacent to the building will be required for construction of the retaining wall adjacent to I-90. No substantial noise, vibration, or visual impacts are anticipated. Coordination was conducted with consulting parties. OHPO has determined that a finding of No Adverse Effect is appropriate for the property. Therefore, the impact has been determined to be *de minimis*.

Cuyahoga County Juvenile Justice Center, 2163 E. 22nd Street (DEIS Exhibits A-22 and B-22)

This large complex is composed of several wings surrounding a courtyard. The original portions of the building have a series of gabled roofs, limestone trim, and brick walls. The exterior of the building has not had any major additions other than the completion of a new rear addition in 1965–1966. This addition was used for offices in 1969. The addition is attached to the original building by only a small connector, and it is situated at the back of the building; it therefore does not significantly diminish the integrity of the original structure. The original portion of the building did undergo some alterations. The 1976 OHI photograph indicates that by that date, the original multi-pane windows had been replaced by inappropriate single-pane tinted aluminum-frame windows. In addition, the south and north wings of the building, which were once residential in nature, were converted to office use; the original finishes were demolished and replaced by offices with gypsum board walls, metal doors, and drop acoustical ceilings.

After study by the Cleveland Foundation, a decision was made in 1929 by the City of Cleveland to separate the juvenile court from the main adult court system. A bond issue was passed in 1929 to fund the construction of a new juvenile court facility. Construction began in 1931, and the building was dedicated in 1932. The architect was Frank W. Bail. The building served as a national and international model for court facilities for juveniles, and it continues to be used as a juvenile court facility.

The Cuyahoga County Juvenile Justice Center at 2163 E. 22nd Street was found to be eligible for the NRHP by consensus determination of eligibility by the Ohio Department of Transportation with concurrence by the Ohio Historic Preservation Office on November 8, 2005. The building was found to be eligible under Criterion A (social history) for its role as a significant social institution at the national, state, and local levels, and under Criterion C (architecture) as a prototype for the juvenile center property type. The eligible boundary for the property was determined to be the low stone retaining wall running along the property edge on the west, north, and south sides of the building. The east boundary is the western edge of an alley at the rear of the building. The parking lot at the rear of the building is considered a non-contributing element. The entire Juvenile Justice Center property is also listed as a local landmark by the Cleveland Landmarks Commission.

The Juvenile Justice Center building will not be impacted. A strip take will be necessary at the northwestern boundary of the site in order to widen I-90 in the Carnegie Curve and reestablish the existing retaining wall and sidewalk. This impact is necessary in order to avoid acquisition of the NRHP-listed Walker Weeks Building on the opposite side of the freeway.

Adjacent to the existing sidewalk is a low stone wall that encircles the property and serves as the property's historical boundary. Approximately 200 feet of the stone wall will be impacted. The low stone wall will be reestablished adjacent to the relocated sidewalk, utilizing as much of the existing material as practical. New stone will be matched as closely as possible.

Construction of a retaining wall adjacent to the freeway will require the use of tie-backs, which will extend underneath the existing foundation of the Juvenile Justice Center. This retaining wall replaces the existing retaining wall at this location and provides for the necessary widening of I-90 in the Carnegie Curve. Impacts to the foundation and the structural integrity of the building are not expected. Vehicular access will be maintained to the entrance off of Cedar Avenue. No substantial noise, vibration, or visual impacts are anticipated. Coordination was conducted with consulting parties. OHPO has determined that a finding of No Adverse Effect is appropriate for the property. Therefore, the impact has been determined to be *de minimis*.

Tactical Rescue Station, 312 Carnegie Avenue (DEIS Exhibits A-15 and B-15)

The Tactical Rescue Station is eligible for the National Register under Criterion A (association with Cleveland's city wide automated fire alarm system). Cleveland's system of reporting the location of fires and communicating them to the closest fire station was adopted during the Civil War and expanded with Cleveland's growth. After World War II, the same system was in place. When expansion was needed, the fire department built the modern-style building in 1953 next to the fire station where the signal equipment was housed and continued their work in the same location.

Access for the property to Carnegie Avenue will be changed to right-in/right-out. Left turns will be allowed for fire trucks with lights and siren. The Southern Alignment Alternative would have no property impacts. The Northern Alignment Alternative may require an easement for the bridge to pass overhead at a corner of the property, with minor property impacts possible for pier location. No substantial noise, vibration, or visual impacts are anticipated. Coordination was conducted with consulting parties. During detailed design, Upper Commercial Road will be reconfigured to accommodate fire trucks and buses serving Cleveland Fire Department Station No. 28 and the Western Reserve Fire Museum. The Ontario entrance ramp structure will be designed to provide the vertical clearance necessary to accommodate fire trucks serving Cleveland Fire Department Station No. 28. OHPO has determined that a finding of No Adverse Effect is appropriate for the property. Therefore, the impact has been determined to be *de minimis*.

Impacts Requiring Individual Section 4(f) Evaluation

Within the Central Interchange/Central Viaduct section, the following Section 4(f) properties are impacted by the feasible alternatives:

- Broadway Mills
- Marathon Gas Station
- Distribution Terminal Warehouse

- Tremont Historic District, including Byzantine Greek Orthodox Church of the Annunciation, 1103 University Avenue, and 1107 University Avenue

Two feasible alternatives are under consideration for the Central Viaduct/Central Interchange area. These are the Northern Alignment Alternative and the Southern Alignment Alternative. Each option impacts historic properties, as summarized in the table below and shown on DEIS Exhibits A-10 to A-15 and B-10 to B-15. These properties are located in proximity to one another. Avoidance alternatives for some properties will affect others. Therefore, they will be discussed together within this section.

Table 9: Impacts to Section 4(f) Properties in Central Interchange/Central Viaduct

Property	Impacts of Alternatives	
	Northern Alignment	Southern Alignment
Broadway Mills	Building removal (adverse)	Building removal (adverse)
Marathon Gas Station	Building removal (adverse)	Access impact (adverse)
Distribution Terminal Warehouse	Building removal (adverse)	Minor property (no adverse)
Tremont National Register Historic District	Minor Right-of-Way Impacts (no adverse)	Property impacts, Access changes (adverse)
Byzantine Greek Orthodox Church of the Annunciation	None	Right-of-way impact, Access impact (adverse)
Residential House at 1103 University Road (contributing to Tremont Historic District)	None	Building removal (adverse)
Residential House at 1107 University Road (contributing to Tremont Historic District)	None	Building removal (adverse)

Broadway Mills, 300 Central Viaduct (DEIS Exhibits A-15 and B-15)

Broadway Mills, located at 300 Central Viaduct, was built adjacent to the north abutment of the former Central Viaduct in 1894. This former flour mill stands on the edge of the Cuyahoga River Valley in what was once a heavily-developed industrial zone. With a pentagonal-shaped footprint designed to accommodate the shape of the lot and the function of the building, Broadway Mills stands six stories tall. According to the 1896 Sanborn map, the structure consists of a combination of iron post-and-beam and masonry construction. The building features compound arch windows at the sixth story, elaborate brick corbelling at the cornice, an incorporated smokestack with custom-made rounded bricks at the center of the west façade, and a flat roof surrounded by a parapet.

Designed by Cleveland architect John N. Richardson (1837-1902), Broadway Mills exhibits architectural details most commonly associated with Romanesque Revival and Chicago School architecture. Broadway Mills' use of iron-frame construction, in combination with masonry load-bearing walls, represents a transition between two methods of architectural engineering.

Broadway Mills is the best surviving example of mill architecture in the city. It is recommended eligible for the NRHP under Criterion A, for its association with the Cleveland flour milling industry. Broadway Mills is also recommended NRHP-eligible under Criterion C (architecture) as an excellent example of a late-nineteenth century industrial building that reflects the period's use of architectural detailing on functional industrial buildings.

The proposed NRHP boundary follows the legal boundary for the property. This boundary excludes the land included in the existing ODOT easement.

Both the Northern and Southern Alignment Alternatives require removal of the Broadway Mills Building. Coordination was conducted with consulting parties. OHPO has determined that a finding of Adverse Effect is appropriate for this property.

Marathon Gas Station, 300 Central Viaduct (DEIS Exhibits A-15 and B-15)

Built in 1928 and situated on an irregularly-shaped lot in an industrial section of Cleveland, this resource is a good example of an early twentieth-century service station. Located on a corner lot on Central Viaduct, the property is adjacent to the historic Broadway Mills industrial building, the 1953 Cleveland Fire Department Tactical Rescue Station at 312 Carnegie Avenue, the 1938 firehouse at 310 Carnegie Avenue, and the Lorain-Carnegie Memorial Bridge.

Displaying a unique trapezoidal shape, this two-story, brick-clad building features a brick parapet with a large circular stone ornament. This station is historically associated with the early history of the automobile in Cleveland. The subject property at 300 Central Viaduct is notable for its continued use as filling station since its construction and its architectural integrity. Given its high level of architectural integrity and character, the filling station at 300 Central Viaduct is recommended eligible for the NRHP under Criteria A (association with early history of the automobile in Cleveland) and C (architecture) as a fine example of an early twentieth century gas station. The proposed NRHP boundary follows the legal boundary, excluding any easements.

The property currently functions as a service station, with access to Central Viaduct, which intersects Carnegie Avenue.

The Northern Alignment Alternative requires removal of the Marathon Gas Station for the ramp from Ontario Street to I-90 westbound. Coordination was conducted with consulting parties. OHPO has determined that a finding of Adverse Effect is appropriate for this property.

The Southern Alignment Alternative will not impact the building, but will substantially change access to the property and interfere with its ability to continue to function as a filling station. The project requires the relocation of Commercial Road Hill. The road cannot be maintained in this location due to vertical clearance limitations related to the Ontario Street ramp and operational concerns. The vertical clearance of the Ontario Street ramp over Commercial Road Hill at this location would be less than the 14.5 feet required by design standards. Relocating this connection will eliminate through traffic in this area, impairing the business function of the gas station. This impacts its continued use as a gas station, which is a key component of its historical significance. Coordination was conducted with consulting parties. OHPO has determined that a finding of Adverse Effect is appropriate for this property.

Distribution Terminal Warehouse, 2000 W. 14th Street (DEIS Exhibit A-12)

The Distribution Terminal Warehouse consists of a 12-story reinforced concrete warehouse and its adjacent ice-making plant. Built in 1927, the footprint of the main warehouse facility measures approximately 176 feet by 214 feet. Designed by local architect Wilbur Watson & Associates, the Distribution Terminal is a representative example of a 1920s reinforced concrete ice plant and warehouse. Art Deco in style, each façade contains a series of recessed segmental arched panels that serve to divide the sides of the building into shallow bays. The corners of the building are punctuated at the roof line by gabled parapets, designed to resemble battlements. The parapet along the length of the roofline is decorated with diamond-shaped concrete relief ornaments. The main entrance to the building, located on the east façade, retains its original double door,

surrounded by Art Deco style, diamond-shaped concrete relief ornaments. Loading docks for trucks are located in recessed bays along the east and south facades. A car shed for railroad reefers is located along the former Nickel Plate spur at the north façade.

The asymmetrically shaped ice-making plant, located at the northwest corner of the warehouse, consists of a rectangular-shaped ice house and a pentagonal-shaped freezing tank storage house. Like the warehouse, the ice plant is constructed of reinforced concrete and mirrors the Art Deco style of the larger building. The five-story ice house, situated at the north end of the plant, features a series of gabled pilasters along each facade. Unlike the warehouse, the walls of the ice house feature neither windows nor relief ornaments. A covered loading dock is located on the north façade. The north façade of the freezing tank storage house, which extends along University Road, contains five large steel-framed multi-light windows. Like the parapet of the warehouse, the parapet of the freezing tank storage house is decorated with diamond-shaped concrete relief ornaments.

The Distribution Terminal Warehouse complex retains architectural integrity and is recommended eligible for the NRHP under Criterion C as a well-preserved example of an early-twentieth century cold storage building and its association with a well-known architect. The warehouse is recommended eligible under Criterion A for its role in the evolution of Cleveland's food distribution network and for its association with Cleveland's cold storage industry, and that industry's decentralization following the loss of the downtown district. The proposed NRHP boundary follows the legal boundary, excluding any ODOT easements.

Access to the loading docks is provided along University Road. The business is in bankruptcy and the owners have petitioned ODOT to purchase the building. The building is currently vacant. Due to the isolated location of this property, it has poor security and has experienced vandalism.

The Northern Alignment Alternative would require removal of the Distribution Terminal Warehouse complex. The Warehouse building will be impacted by the new bridge. To manage the major slip planes in the area and reduce the pressure on the slope to achieve a minimum factor of safety of 1.5, unloading of the slope and regrading (shown on DEIS Exhibit A-12) requires removal of the warehouse and ice-making building. Coordination was conducted with consulting parties. OHPO has determined that a finding of Adverse Effect is appropriate for this property.

The Southern Alignment Alternative would require only minor property impacts for construction of a cul-de-sac. Coordination with OHPO indicates that this alternative would result in a No Adverse Effect.

<u>Tremont Historic District (DEIS Exhibits A-9 to A-12 and B-10 to B-12)</u>

This district was listed in the NRHP in 1994. The district was listed under Criteria A and C: Criterion A was cited due to the neighborhood's social history and its reflection of the city's ethnic heritage, and Criterion C was cited for the series of architecturally significant, highstyle churches, several of which also represent the neighborhood's eastern European background.

The neighborhood reflects physical development that extended from the 1850s up into the twentieth century. The district contains a few examples of early vernacular housing from the 1850s and 1860s, and the ca. 1865 St. Augustine Church, a Victorian Gothic Revival structure originally built to serve the University Heights Congregational Church (Keiser and Petit 1994: Section 8:2). Rapid growth in the area was spurred by the industrialization of the surrounding area, which started in the 1870s, and the 1887–1888 construction of the Central Viaduct, which connected the area with downtown. As a result, the area developed rapidly in the 1890s and the early years of the twentieth century. Many of the area's prominent apartment buildings, churches, and single-family dwellings were constructed in the 1890s and the early 1900s. At the same time, the area was also built up with more modest single-family homes, double houses, and four-family buildings occupied by the middle and working classes who were employed at nearby industries.

Most contributing properties in the project vicinity are small vernacular housing units or modest commercial buildings. In addition to middle-class and working-class housing and commercial buildings within the Tremont Historic District, there is one prominent building that is within the project area, the Greek Orthodox Church of the Annunciation, which is described below.

Greek Orthodox Church of the Annunciation, 2187 W. 14th Street. The congregation of this church has its roots in a Panhellenic society that was established in Cleveland and began offering Greek Orthodox liturgy in a downtown hall in 1910. After moving to several locations, the present church building was constructed in 1918. The congregation is the mother church of St. Helen's in Cleveland Heights and St. Demetrios in Rocky River, both congregations founded after World War II. The church exterior is executed in a round arched mode in yellow brick, with the two arched and domed towers evoking the Byzantine architecture of Greece and Asia Minor. The interior of the building is decorated with frescoes and numerous icons, many dating to the 1924–1928 period (Armstrong, Armstrong, and Klein 1992:218). The attached school and parish hall buildings were added after World War II.

Front door access to the church is provided on 14th Street, with access to handicapped parking and a drop off area. General parking is provided north of the church with access off of Fairfield Avenue.

The Northern Alignment Alternative includes intersection improvements at W. 14th Street and Fairfield Avenue, including installation of ADA curb ramps. This work occurs within the boundary of the historic district but remains within existing roadway rights-of-way. No buildings within the district would be affected. Temporary right-of-way within the boundary is required for construction of a retaining wall adjacent to Ola St. Joseph Center. Coordination was conducted with consulting parties. Coordination with OHPO indicates that this alternative would result in No Adverse Effect on the Tremont National Register Historic District. The Northern Alignment Alternative3 would require no property for highway use. The temporary occupancy will be for a shorter duration than the overall undertaking and the area will be restored to a condition as good, or better, than existing. Therefore, the Northern Alignment would constitute no use under Section 4(f).

However, the Southern Alignment Alternative does use land from the Section 4(f) resource. The Southern Alignment Alternative realigns the on-ramp to use the path of existing 14th Street, with 14th Street eliminated adjacent to the Greek Orthodox Church. Vehicles must use Fairfield to 11th Street to Abbey. Since 14th Street is removed, vehicular access is eliminated to the west side of parcel, eliminating access to the drop off area and handicapped parking. Pedestrian access only is maintained to front door. Handicapped parking is relocated north of building, with access along sidewalk to front door. The existing main span of the Central Viaduct is 110 feet from the corner of the church. The new main span is 56 feet from the building. The on-ramp, which is currently 60 feet from the building, is 18 feet away in the Southern Alignment Alternative.

In order to manage slip planes in the area and reduce the pressure on the slope to achieve a factor of safety of 1.5, the Southern Alignment Alternative also requires slope unloading and regrading (shown on DEIS Exhibit B-12) that removes two contributing buildings at 1103 University Road and 1107 University Road. The impacted portion of the historic district is closely related to the remainder of the district. Coordination was conducted with consulting parties. Coordination with OHPO indicates that the Southern Alignment Alternative would have an Adverse Effect on the Tremont National Register Historic District.

Alternatives to Avoid

No Build Alternative

The No Build alternative would involve no improvements other than reconstruction/maintenance activities for pavements and bridges. The No Build alternative would not fully satisfy the project's needs and would not allow the Innerbelt Freeway system to function acceptably.

Southern Alignment Alternative

For the Southern Alignment Alternative, the impacts to the Broadway Mills Building and Marathon Gas Station are related to the ramp from Ontario Street to I-90 westbound. Eliminating this ramp would fail to meet the purpose and need. A design option was considered to avoid the buildings. Steepening the grade of the Ontario ramp to 8% would allow it to be merged onto I-90 westbound east of the proposed location, eliminating the impacts to the Broadway Mills Building. This option would also increase the vertical clearance at Commercial Road Hill, allowing it to stay open and eliminating the access impacts, which would allow the Marathon Gas Station to continue to function.

This design option would fail to meet the project's purpose and need by perpetuating substandard operational and safety conditions for the Ontario ramp and the Ontario/Carnegie intersection. This is the highest volume intersection within the City of Cleveland, the highest crash problem within the study area, and the highest volume on-ramp within the project limits. Increasing the grade of the ramp will slow the speed of traffic using the ramp, which will reduce the volume of traffic able to effectively use the ramp, affecting the intersection operation, and will not provide adequate pacing distance for merging traffic.

This avoidance alternative is not prudent for the following reasons:

- Substandard grade on the ramp (8% compared to 5% allowable under design standards)
- Substandard design speed on the ramp
- Inadequate pacing distance, resulting in a forced merge, for traffic on to I-90 westbound
- Impacts to the operation at the critical intersection of Ontario Street and Carnegie Avenue

For the Southern Alignment Alternative, impacts to the Tremont National Register Historic District cannot be avoided. The existing right-of-way for the Central Viaduct abuts the historic district. The Northern Alignment Alternative is the avoidance alternative for the Tremont National Register Historic District.

Northern Alignment Alternative

For the Northern Alignment Alternative, the impacts to the Broadway Mills Building and Marathon Gas Station are related to the mainline and ramp alignment locations. Moving the alignment south of the proposed location was evaluated and found not to avoid impacts to these properties.

Avoidance alternatives were considered for the Distribution Terminal Warehouse. A design option was considered to lengthen the span to eliminate the need to regrade the slope and move the alignment as far south as possible. The bridge would span from south of Abbey Street to the east bank of the Cuyahoga River, a span of approximately 950 feet.

In this area, the available space between the existing bridge, with the existing Abbey ramp removed, and the edge of the building is approximately 127 feet. The proposed bridge width at this location is a minimum of 100 feet, considering an under-deck support system, and 112 feet for above-deck support systems.

The only under-deck support system that can practicably span 950 feet is an under-deck truss. The major structural elements are underneath the deck, which reduces clearances under the bridge. Because of the length of the span, the structure would be considerably deeper than the existing bridge. Because of the configuration of an under-deck truss, the deepest portions of the truss would occur near the Cuyahoga River and Abbey Avenue. This option would not achieve the required 100-foot clearance for the navigable channel of the Cuyahoga River. It would also not achieve the required 14.5 feet of clearance over Abbey Avenue, requiring it to be closed or relocated.

An above-deck support system requires supports on the outside of the roadway, for a minimum width of 112 feet. Based on this, there is approximately 7 feet of distance from the outside edge of the new structure to the existing structure and to the Distribution Terminal Warehouse. This 7-foot distance is not sufficient for construction of any of the above-deck structures. Narrowing the structure by eliminating full-width shoulder would increase this distance by 8 feet on each side, for a total distance of approximately 15 feet. This distance, while not desirable, would allow enough space for construction.

This option would place the new bridge within 15 feet of the edge of the Distribution Terminal Warehouse. The existing truck bays are located on the east side of the building, facing the bridge. Access to this area would be eliminated by this option, reducing its viability for reuse as a cold storage building, its historical use. This option, a long span with narrow shoulders, also was evaluated for its ability to meet the purpose and need. Full width shoulders on the bridge are included as a part of the purpose and need for safety and operational issues. Based upon existing safety problems (223 crashes within the limits of the bridge from 2004-2006), full shoulders are desirable to manage incidents.

The long span will cost approximately $50 million more than a short span option. (See cost comparison in DEIS Appendix A.)

This approximate $50 million differential is based upon a long span cable-stayed bridge versus a short span cable-stayed with standard approach spans. While a cable-stayed option was used for comparison purposes, it is not the most cost effective bridge type for this span length. Therefore, this cost difference would be greater if a common structure type were considered.

Based upon the accumulation of the factors below, the long span with narrow shoulders option would not be prudent:

1. Narrow space within which to construct. The new bridge would be within 15 feet of the existing viaduct and the Distribution Terminal Warehouse. This area is less than the 25 feet that is desirable for construction of a structure of this magnitude.
2. Adverse impact to Distribution Terminal Warehouse building. Changes in access and proximity of new bridge would eliminate potential reuse of the building for warehousing.
3. Elimination of full width shoulders. This option will not provide for desired shoulders across the central viaduct. Public comment consistently expressed the need to provide for breakdown shoulders on the bridge.
4. Substantial additional cost. The long span option would cost $50 million more than the short span option.

The Southern Alignment Alternative is the avoidance alternative for the Distribution Terminal Warehouse complex.

Measures to Minimize Harm

Measures to minimize harm for impacts to historic properties are developed through the Section 106 process with consulting parties, the Ohio Historic Preservation Office, ODOT and the Federal Highway Administration. On May 20, 2009, ODOT, FHWA, and OHPO executed a Programmatic Agreement specifying the process to be used to develop mitigation. This process is summarized as follows:

> ODOT will propose treatment plans to mitigate the adverse effects on historic properties. These plans will be commensurate with the level of effect to historic properties, appropriate for public recordation of the historic property, and of reasonable cost. Treatment plans will be developed in consideration of the qualities of the property that qualify it for eligibility or listing on the National Register of Historic Places and will take into account the views of the

consulting parties. ODOT and FHWA will provide for the treatment plan activities and associated reasonable cost, in accordance with available State and Federal program funds.

The proposed treatment plans may use, but are not limited to, the following activities:

- Level II documentation as specified by the Historic American Building Survey (HABS) in accordance with 36 CFR Part 68, The Secretary of the Interior's Standards for the Treatment of Historic Properties will be considered. Archival HABS documentation will be maintained at a designated archival repository. High quality copies of the HABS documentation will be provided to the recipients, as determined in the treatment plan.
- A plaque or plaques commemorating the significance of the historic property will be considered in association with commemorative displays or as stand-alone treatments.
- The preparation of historic context documentation, documenting the architect, significant events, architecture, patterns in history, and people associated with the resource in relation to the City of Cleveland, the state, or the nation during the period of significance will be considered. ODOT will provide copies, of the historic context documentation, to consulting parties and will provide additional copies to other recipients upon request.
- The application of aesthetic treatments, to elements of the proposed highway infrastructure elements, as mitigation for the project will be in accordance with the Secretary of Interior's standards.
- Salvage of architectural elements prior to demolition activities or construction activities, for reuse or for commemorative purposes, will be considered.
- The development of educational materials, magazine or journal articles, commemorative displays, and websites that provide a public benefit will be considered.

ODOT will concurrently submit proposed treatment plans to the consulting parties for review and comment, and to the OHPO for agreement review, comment, and acceptance. The ODOT submission will request that review comments be provided to the ODOT within 30 days. ODOT will consider and provide for the written disposition of all comments received within the 30 day time period. All comments received within the 30 day time period along with the written disposition of each, and any appropriate revisions to the proposed treatment plan(s) will be provided to the OHPO for consideration. The OHPO will upon the receipt and consideration of all comments, comment disposition, and appropriately revised documentation, provide ODOT with comment or acceptance of the proposed mitigation. ODOT will, upon the successful complete implementation of an accepted treatment plan, submit appropriate documentation to the OHPO, for their 30 day review and approval that the terms, conditions, and provisions of the accepted treatment plan have been implemented in full.

In accordance with the procedures set forth in the Programmatic Agreement as described above, ODOT proposed treatment plans for impacts resulting from the first planned construction phase in a letter to the OHPO of June 5, 2009. This construction project involves the Broadway Mills Building, Marathon Gas Station, and Distribution Terminal Warehouse, the three buildings that are the basis of the "adverse effect" determination for the preferred alternative. The proposed mitigation includes:

- Broadway Mills - Level II documentation as specified by the Historic American Building Survey (HABS) will be prepared. A commemorative display will be located at or near the existing mill site.
- Marathon Gas Station – Level II documentation as specified by the Historic American Building Survey (HABS)
- Distribution Terminal Warehouse – A historic context will be prepared documenting the significance of the resource in relation to the City of Cleveland's food distribution industrial history.

For additional details, please refer to June 5, 2009 letter in Appendix E. In the letter, ODOT requested OHPO concurrence that the proposed mitigation was adequate to resolve the adverse effect. The Consulting Parties were provided copies of this letter, per the Programmatic Agreement. One comment letter was received from the consulting parties, which was unrelated to the Section 106 process and has been included as a comment on the DEIS in Table 1c. No comments were received on the proposed mitigation. OHPO concurrence was received on July 7, 2009. (See letter in Appendix E.)

Table 10: Comparison of Section 4(f) Avoidance Alternatives

Alternative	Sub-Alternatives	Feasible and Prudent Alternative?	Uses 4(f) Land?	Relative Net Harm to Section 4(f) Land After Mitigation
Northern Alignment Alternative	As proposed	yes	yes	Removal of Marathon Gas, Distribution Terminal Warehouse, Broadway Mills
	Shifted south as far as possible	yes	yes	Removal of Marathon Gas, Distribution Terminal Warehouse, Broadway Mills
	Long span – under deck support	no	yes	Removal of Marathon Gas, Broadway Mills
	Long span – above deck support	no	yes	Removal of Marathon Gas, Broadway Mills
Southern Alignment Alternative	As proposed	yes	yes	Removal of Broadway Mills, 1103 University Road, and 1107 University Road. Adverse effect to Marathon Gas. Adverse effect to Tremont Historic District and Greek Orthodox Church of the Annunciation.
	With increased grade on Ontario Ramp	no	yes	Removal of 1103 University Road and 1107 University Road. Adverse effect to Marathon Gas. Adverse effect to Tremont Historic District and Greek Orthodox Church of the Annunciation.

Conclusion

The analysis above illustrates that there is no feasible and prudent alternative that entirely avoids impacts to Section 4(f) properties. (See Table 10.) The No Build alternative would not fully satisfy the project's needs and would not allow the Innerbelt Freeway system to function acceptably. Therefore, the Feasible Alternatives were compared to determine which causes the least overall harm to Section 4(f) properties. The individual Section 4(f) impacts of the Feasible Alternatives are summarized in Table 9 and described below.

The Northern Alignment impacts three stand-alone historic buildings that were recently determined to be eligible for the National Register: Broadway Mills, Marathon Gas, and the Distribution Terminal Warehouse. The Distribution Terminal Warehouse has been vacant for more than five years, it has been in foreclosure, and the owners have petitioned ODOT to request that it be purchased from them. (See DEIS Section 4.2.5 Property Impacts and Relocations.)

In comparison, the Southern Alignment Alternative also affects the Broadway Mills building and Marathon Gas building, but in exchange for avoiding the Distribution Terminal Warehouse, this alternative has an adverse effect on the Tremont National Register Historic District, resulting in removal of two residences that are contributing elements and one non-contributing building, plus adverse access and proximity impacts to the Annunciation Greek Orthodox Church.

Considering the relative severity of the impacts and significance of the impacted properties, the Northern Alignment Alternative has the least overall harm to resources protected under Section 4(f).

In addition, a comparison of the Northern and Southern Alignment Alternatives on the basis of all impacts, not just Section 4(f), indicates that the Northern Alignment Alternative is preferable. (See FEIS Chapter 4 and Table 8 for full comparison of the Feasible Alternatives.)

In its review of the Draft Section 4(f) Evaluation, the U.S. Department of Interior, National Park Service (NPS) reviewed the temporary and de minimis use descriptions in the evaluation and concurred with those determinations. NPS also concurred that there are no feasible or prudent alternatives to the proposed alternatives resulting in impacts to Section 4(f) properties. (See NPS comment in Appendix C.)

Because the measures to minimize harm needed to be negotiated with the OHPO resulting in a programmatic agreement to resolve the adverse effect determination, NPS did not concur that all measures to minimize harm have been employed, at the time of review of the DEIS. NPS will provide its final determination based upon the finalized PA, which is provided in this FEIS. The project includes all reasonable measures to minimize harm, per the executed Programmatic Agreement among FHWA, ODOT, and OHPO. Specific mitigation has been proposed for the three properties that are the basis for the "adverse effect" determination on the Preferred Alternative.

Section 4(f) Finding

In accordance with 23 CFR 774.3, FHWA determined the following regarding the Preferred Alternative, Alternative A:

The use of property from the Infield of the Loop Ramp on Chester Avenue, a recreation area, will have a *de minimis* impact as defined in 23 CFR 774.17, in that it will not adversely affect the features, attributes, or activities qualifying the property for protection under Section 4(f). Coordination has been conducted with Cleveland State University regarding the *de minimis* finding.

The use of property from the following historic properties will have a *de minimis* impact. Coordination has been conducted with the Ohio Historic Preservation Office and Consulting Parties. Concurrence has been received from the OHPO that the project will have "no adverse effect" in accordance with 36 CFR Part 800.

- Loft Building
- Samuel Mather Mansion
- Ohio Boxboard Company
- Cuyahoga County Juvenile Justice Center
- Tactical Rescue Station
- Tremont National Register Historic District

There are no feasible and prudent avoidance alternatives for the following three properties: Broadway Mills, Marathon Gas Station, and Distribution Terminal Warehouse. The above analysis demonstrates that there are unique problems or unusual factors involved in the use of alternatives that avoid these properties or that the cost, social, economic, and environmental impacts, or community disruption resulting from such alternatives reach extraordinary magnitudes (23 CFR 771.135(a)(2)). The U.S. Department of Interior, National Park Service, concurred with this conclusion by letter dated May 18, 2009 (located in Appendix C).

Alternative A, the Preferred Alternative, causes the least overall harm, based upon a balancing of the following factors:

- The ability to mitigate adverse impacts to each Section 4(f) property;
- The relative severity of the remaining harm, after mitigation, to the protected activities, attributes, or features that qualify each Section 4(f) property for protection;
- The relative significance of each Section 4(f) property;
- The views of the officials with jurisdiction over each Section 4(f) property;
- The degree to which each alternative meets the purpose and need for the project;
- After reasonable mitigation, the magnitude of any adverse impacts to resources not protected by Section 4(f); and
- Substantial differences in costs among the alternatives.

The action includes all measures to minimize harm, as documented in a Programmatic Agreement under 36 CFR Part 800.

Based upon the above considerations, there is no feasible and prudent alternative to the use of land from the identified Section 4(f) properties and the proposed action includes all possible planning to minimize harm to the Section 4(f) property resulting from such use.

Appendix A

camping near streams, lakes and wetlands. Rating EC2.

EIS No. 20090002, ERP No. D–USN–D35063–VA, Norfolk Harbor Channel, Proposed Dredging to Deepen Five Miles of the Federal Navigation Channel in the Elizabeth River from Lamberts Bend to the Norfolk Naval Shipyard (NNSY), Norfolk and Portsmouth, VA.

Summary: EPA expressed environmental concerns about impacts to aquatic populations from the dredging of contaminated sediment. Rating EC1.

EIS No. 20090013, ERP No. D–CGD–A11083–00, Programmatic—Future of the U.S. Coast Guard Long Range Aids to Navigation (LORAN–C) Program, Implementation.

Summary: EPA does not object to the proposed project. Rating LO.

EIS No. 20090024, ERP No. D–FHW–H40397–MO, Interstate 70 Corridor Improvements, Kansas City to St. Louis, Updated Information, Evaluates if a Truck-Only Lane Strategy is Viable, Kansas City to St. Louis, MO.

Summary: EPA does not object to the proposed action. Rating LO.

Final EISs

EIS No. 20080470, ERP No. F–FHW–B40098–VT, Middlebury Spur Project, Improvements to the Freight Transportation System in the Town of Middlebury in Addison County to the Town of Pittsford in Rutland County, VT.

Summary: EPA has no objections to the proposed project.

EIS No. 20090003, ERP No. F–FHW–C40170–NY, Fort Drum Connector Route Project, Proposed Link between I–81 and U.S. Route 11 at the Fort Drum North Gate, Town of Le Ray and Pamelia, Jefferson County, NY.

Summary: EPA's previous issues have been resolved; therefore, EPA does not object to the proposed action.

EIS No. 20090020, ERP No. F–AFS–D65039–WV, Lower Williams Project Area (LWPA), Alternative 6 is the Preferred Alternative, Proposed to Perform Vegetation Management and Wildlife Habitat Improvements, Implementation, Gauley Ranger District, Monongahela National Forest, Webster County, WV.

Summary: EPA does not object to the proposed project.

EIS No. 20090027, ERP No. F–FHW–G40192–TX, Grand Parkway/State Highway 99 Improvement Project, Segment G, from Interstate Highway (IH) 45 to US 59, Funding, Right-of-Way Grant, U.S. Army COE Section 404 Permit, Harris and Montgomery Counties, TX.

Summary: EPA does not object to the proposed action.

EIS No. 20090029, ERP No. F–NSA–D11045–MD, Fort George G. Meade Utilities Upgrade Project, Proposes to Construct and Operate (1) North Utility Plant (2) South Generator Facility and (3) Central Boiler Plant, Fort George M. Meade, MD.

Summary: EPA's previous issues have been resolved; therefore, EPA does not object to the proposed action.

EIS No. 20090030, ERP No. F–COE–J11025–CO, Fort Carson Grow the Army Stationing Decision, Constructing New Facilities to Support Additional Soldiers and their Families, Portions of El Paso, Pueblo and Fremont Counties, CO.

Summary: No formal comment letter was sent to the preparing agency.

EIS No. 20090033, ERP No. FS–COE–G36072–AR, Fourche Bayou Basin Project, 1,750 Acre Bottomland Acquisition with Nature Appreciation Facilities, Development, Funding, City of Little Rock, Pulaski County, AR.

Summary: EPA does not object to the proposed action.

Dated: March 17, 2009.

Robert W. Hargrove,

Director, NEPA Compliance Division, Office of Federal Activities.

[FR Doc. E9–6149 Filed 3–19–09; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[ER–FRL–8591–4]

Environmental Impact Statements; Notice of Availability

Responsible Agency: Office of Federal Activities, General Information (202) 564–1399 or *http://www.epa.gov/compliance/nepa/*.

Weekly receipt of Environmental Impact Statements Filed 03/09/2009 through 03/13/2009.

Pursuant to 40 CFR 1506.9.

EIS No. 20090066, Draft EIS, AFS, OR, Tracy Placer Mining Project, Proposing Mine Development on a Portion of the Unpatented Cedar Gulch Group Placer Claim, Plan-of-Operations, Wild Rivers Ranger District, Rogue River-Siskiyou National Forest, Josephine County, OR, Comment Period Ends: 05/04/2009, Contact: John Wells, 541–951–5932.

EIS No. 20090067, Draft Supplement, FHW, TX, Trinity Parkway Project, New and Additional Information, Construction of a Six-Lane Controlled Access Toll Facility from IH–35 E/TX–183 to US–175/TX–310, U.S. Army COE Section 10 and 404 Permits, Dallas County, TX, Comment Period Ends: 05/04/2009, Contact: Salvador Deocampo 512–536–5950.

EIS No. 20090068, Final EIS, AFS, AK, Angoon Hydroelectric Project, Construction and Operation, Special-Use-Authorization, Thayer Creek, Admiralty Island National Monument, Tongass National Forest, AK, Wait Period Ends: 04/20/2009, Contact: Pete Griffin, 907–789–6244.

EIS No. 20090069, Draft EIS, AFS, 00, Black Hills National Forest Travel Management Plan, Proposes to Designate Certain Roads and Trails Open to Motorized Travel, Custer, Fall River, Lawrence, Meade, Pennington Counties, SD and Crook and Weston Counties, WY, Comment Period Ends: 05/04/2009, Contact: Ed Fischer, 605–673–9207.

EIS No. 20090070, Draft Supplement, AFS, CA, Pilgrim Vegetation Management Project, Updated Information to Address and Respond to the Specific Issues Identified in the Court Ruling. Implementation, Shasta-Trinity National Forest, Siskiyou County, CA, Comment Period Ends: 05/04/2009, Contact: Dennis Poehlmann, 530–926–9656.

EIS No. 20090071, Draft EIS, FHW, OH, Cleveland Innerbelt Project, Proposing Major Rehabilitation and Reconstruction between I–71 and I–90, Cleveland Central Business District, Funding, City of Cleveland, Cuyahoga County, OH, Comment Period Ends: 05/21/2009, Contact: Craig K. Hebebrand, 216–584–2113.

EIS No. 20090072, Final EIS, USN, 00, Jacksonville Range Complex Project, To Support and Conduct Current and Emerging Training and RDT&E Operations, NC, SC, GA and FL, Wait Period Ends: 04/20/2009, Contact: Karen Foskey, 703–602–2859.

EIS No. 20090073, Final EIS, USN, 00, Virginia Capes (VACAPES) Range Complex, Proposed action is to Support and Conduct Current and Emerging Training and RDT & E Operations, Chesapeake Bay, DE, MD, VA and NC, Wait Period Ends: 04/20/2009, Contact: Karen Foskey, 703–602–2859.

EIS No. 20090074, Final EIS, FAA, OH, Port Columbus International Airport/(CMH) Project, Replacement of Runway 10R/28L, Development of a New Passenger Terminal and other Associated Airport Projects, Funding, City of Columbus, OH, Wait Period Ends: 04/20/2009, Contact: Katherine Delaney, 734–229–2958.

EIS No. 20090075, Final EIS, NPS, CA, Golden Gate National Recreation Area, Proposed Marin Headlands and Fort Baker Transportation Infrastructure and Management Plan, Implementation, Marin County, CA, Wait Period Ends: 04/20/2009, Contact: Steve Ortega, 415–561–4841.

EIS No. 20090076, Draft EIS, SFW, CA, Paiute Cutthroat Trout Restoration Project, Eradication of Non-Native Trout Species from 11 Stream Miles of Silver King Creek, Alpine County, CA, Comment Period Ends: 05/04/2009, Contact: Chad Mellison, 775–861–6300.

EIS No. 20090077, Final EIS, FRC, CA, Big Creek Hydro Project (FERC Nos. 67, 120, 2085, and 2175) Proposes to Relicenses, Big Creek Nos.2A,8 and Eastwood—FERC No. 67; Big Creek Nos. 1 and 2—FERC No. 2175; Mammoth Pool—FERC No. 2085 and Big Creek No. 3 FERC No. 120, Fresno and Madera Counties, CA, Wait Period Ends: 04/20/2009, Contact: Patricia Schaub, 1–866–208–3372.

EIS No. 20090078, Final EIS, NIH, MT, Rocky Mountain Laboratories (RML) Master Plan, Implementation, Hamilton, Ravalli County, MT, Wait Period Ends: 04/20/2009, Contact: Mark Radtke, 301–451–6467.

Amended Notices

EIS No. 20080406, Final EIS, BIA, MT, Absaloka Mine Crow Reservation South Extension Coal Lease Approval, Proposed Mine Development Plan, and Related Federal and State Permitting Actions, Crow Indian Reservation, Crow Tribe, Bighorn County, MT.

The U.S. Environmental Protection Agency's (EPA) has ADOPTED the U.S. Department of Interior's, Bureau of Indian Affairs (DOI/BIA) FEIS #20080406 filed 10/02/2008. EPA was a Cooperating Agency for the above project. Recirculation of the FEIS is not necessary under 40CFR 1506.3(c). If you have any questions, please contact Greg Davis at *davis.gregory@epa.gov* or 303–312–6314.

EIS No. 20080528, Draft EIS, USN, 00, Northwest Training Range Complex (NWTRC), To Support and Conduct Current, Emerging, and Future Training and Research, Development, Test and Evaluation (RDT&E) Activities, WA, OR and CA, Comment Period Ends: 04/13/2009, Contact: Kimberly Kler, 360–396–0927.

Revision to FR Notice Published 12/29/2008: Extending the Comment Period from 03/11/2009 to 04/13/2009.

EIS No. 20080530, Draft EIS, MMS, AK, Beaufort Sea and Chukchi Sea Planning Areas, Proposals for Oil and Gas Lease Sales 209, 212, 217, and 221, Offshore Marine Environment, Beaufort Sea Outer Continental Shelf, and North Slope Borough of Alaska, Comment Period Ends: 03/30/2009, Contact: Keith Gordon 907–334–5265.

Revision of the FR Published 12/29/2008: Extending Comment Period from 03/16/2009 to 03/30/2009.

EIS No. 20080540, Draft EIS, AFS, ID, Nez Perce National Forest (NPNF), Proposed Designated Routes and Areas for Motor Vehicle Use (DRMVU), Implementation, Idaho County, ID, Comment Period Ends: 04/20/2009, Contact: Alexandra Botello, 208–983–1950.

Revision to FR Notice Published 01/02/2009: Extending Comment Period from 02/25/2009 to 04/20/2009.

EIS No. 20090062, Draft EIS, FRC, 00, Catawba-Wateree Hydroelectric Project (FERC No. 2232), Application for Hydroelectric License, Catawba and Wateree Rivers in Burke, McDowell, Caldwell, Catawba, Alexander, Iredell, Mecklenburg, Lincoln and Gaston Counties, NC and York, Lancaster, Chester, Fairfield and Kershaw Counties, SC, Comment Period Ends: 05/08/2009, Contact: Patricia Schaub, 1–866–208–3372.

Revision to FR Notice Published 03/13/2009: Correction to Comment Period from 04/27/09 to 05/08/09.

Dated: March 17, 2009.

Robert W. Hargrove,

Director, NEPA Compliance Division, Office of Federal Activities.

[FR Doc. E9–6158 Filed 3–19–09; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPP–2008–0416; FRL–8383–5]

Diiodomethyl p-tolyl sulfone (Amical 48), Busan 77, Organic Esters of Phosphoric Acid Reregistration Eligibility Decisions; Notice of Availability

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces the availability of EPA's Reregistration Eligibility Decision (RED) for the pesticides Diiodomethyl p-tolyl sulfone (Amical 48), Busan 77, and Organic Esters of Phosphoric Acid, and opens a public comment period on these documents. The Agency's risk assessments and other related documents also are available in the Diiodomethyl p-tolyl sulfone (Amical 48), Busan 77, and Organic Esters of Phosphoric Acid Dockets. Diiodomethyl p-tolyl sulfone is used as an algaecide, bactericide, and fungicide for materials and wood preservation. Busan 77 is used to control of algae in swimming pools, hot tubs, whirlpools and fountains without fish. It is also registered to control growth of algae, bacteria, and fungi in recirculating cooling towers, industrial air washing systems, and as a materials preservative in metal cutting fluids. Organic Esters of Phosphoric Acid is used primarily as a fungicide and bacteriostat, with the main use site being a material preservative for carpet backings. Some other use sites include paint, textiles, vinyl products, polymeric laminates, and epoxy flooring and tile. EPA has reviewed Diiodomethyl p-tolyl sulfone (Amical 48), Busan 77, and Organic Esters of Phosphoric Acid through the public participation process that the Agency uses to involve the public in developing pesticide reregistration and tolerance reassessment decisions. Through these programs, EPA is ensuring that all pesticides meet current health and safety standards.

DATES: Comments must be received on or before May 19, 2009.

ADDRESSES: Submit your comments, identified by docket identification (ID) number for Diiodomethyl p-tolyl sulfone, EPA–HQ–OPP–2007–1151; for Busan 77, EPA–HQ–OPP–2007–0834; and for Organic Esters of Phosphoric Acid, EPA–HQ–OPP–2007–1166 by one of the following methods:

- *Federal eRulemaking Portal*: *http://www.regulations.gov*. Follow the on-line instructions for submitting comments.
- *Mail*: Office of Pesticide Programs (OPP) Regulatory Public Docket (7502P), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460–0001.
- *Delivery*: OPP Regulatory Public Docket (7502P), Environmental Protection Agency, Rm. S–4400, One Potomac Yard (South Bldg.), 2777 S. Crystal Dr., Arlington, VA. Deliveries are only accepted during the Docket's normal hours of operation (8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays). Special arrangements should be made for deliveries of boxed information. The

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Call + Post 4/14/09

Public Hearing!

The Ohio Department of Transportation invites you to attend a Public Hearing on the Draft Environmental Impact Statement (DEIS) for the Cleveland Innerbelt Project

CLEVELAND INNERBELTPLAN
OHIO DEPARTMENT OF TRANSPORTATION

Where: **Annunciation Greek Orthodox Church**
2187 West 14th Street, Cleveland, OH 44113

When: **Tuesday, April 21, 2009**
4 p.m. to 8 p.m. Open House
5:30 p.m. to 6 p.m. Project Presentation

The Cleveland Innerbelt Project is focused on improving safety on I-71, I-77 and I-90 near downtown Cleveland. The Ohio Department of Transportation and Federal Highway Administration have approved the Innerbelt Project's DEIS and seek public input.

In accordance with the National Environmental Policy Act (NEPA), the purpose of this hearing is to provide an opportunity for review and comment on the project's Draft Environmental Impact Statement and for citizens to provide feedback through written, verbal or recorded verbal comments. In addition, in accordance with the National Historic Preservation Act, public comments are requested on projected impacts to historic properties. Comments received (by mail, email, or fax) by 5 p.m. Thursday, May 21, 2009 will be considered in the Final Environmental Impact Statement.

The DEIS is available at www.Innerbelt.org or at any of the following locations:

ODOT, District 12 Office; Cleveland City Hall; NOACA; Cleveland Library Main Branch, South Branch and Sterling Branch; Tremont West Development Corporation; MidTown Cleveland Incorporated; Quadrangle Incorporated; St. Clair Superior Development Corporation; and Flats Oxbow Association.

If you have any questions, please call 216.584.2006.

Comments may be submitted to:
Ohio Department of Transportation, District 12
Attention: Craig Hebebrand
5500 Transportation Boulevard Garfield Heights, OH 44125
Fax: 216.584.584-3508
On the Web: www.Innerbelt.org

Annunciation Greek Orthodox Church is ADA-accessible. Sign language and a Spanish language interpreter will be available.

A 2

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El Sol April Issue

公衆聽證會

俄亥俄州交通运输廳邀請您參加一個關於克里夫蘭市內項目對環境影響評估草案的公衆聽證會

CLEVELAND INNERBELTPLAN
OHIO DEPARTMENT OF TRANSPORTATION

地點: Annunciation Greek Orthodox Church
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時間: Tuesday, April 21, 2009
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因本市內項目鄰近克城唐人街，與當地華人的切身利益密切相關，故特別邀請中國城附近的居民、商家和企業等有關人士踴躍參加！

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5500 Transportation Boulevard Garfield Heights, OH 44125
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Erie Street Journal
April Issue

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Plain Dealer
3/20/09
4/14/09
4/19/09

CLEVELAND INNERBELTPLAN

Public Hearing

Please Sign In

Tuesday, April 21, 2009
Annunciation Greek Orthodox Church

Name	Organization	Street Address	City/State/Zip	E-mail
Jim Ruggles	OH Dept of Dev			jruggles@development.ohio.gov
Moses Torres	Resident	3724 W. Bernard Ave	Cleve OH 44109	moes66@sbcglobal.net
Christine Negros	Eikona Stavros	2280 W. 10th	" "	christine2280@sbcglobal.net
Robin Richmond	—			
Dan Missio	Local 404	E. 26th	Cleveland	DannyM404@AOL.com
Stee Hom	Asia Plaza	2999 Payne Ave	Cleve OH 44119	SLHOM@PEOPLEPC.COM
Ruth Cook	Tremont Resident	2246 W. 5	Cleve 44113	
Lee Gase	City of Richmond Hts	26789 Highland Rd	Rich. Hts 44143	
Brooke Deines	Tremont resident	857 Starkweather	Cleve 44113	iagirl85@yahoo.com
Vickie Goble (Nelon)				
Joe Havasi	Lafarge	555 Frost Rd	Streetsboro OH	joseph.havasi@lafarge-na.com
Bob Modic		2131 E 36TH	CLEV. OH	
Neil Mohney		3467 W. 41st St.	CLEVE OH 44109	
Howard Hoehn		1828 Westhill Blvd	Westlake, OH 44145	

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CLEVELAND INNERBELTPLAN

Public Hearing

Please Sign In

Tuesday, April 21, 2009
Annunciation Greek Orthodox Church

Name	Organization	Street Address	City/State/Zip	E-mail
Tracy Engle	URS	1375 Euclid Ave Suite 600	Cleveland, OH 44115	tracy_engle@urscorp.com
Allen V. Harris	Franklin Circle Christ. Church	1688 Fulton Rd.	Cleveland, OH 44113	AHarrisCLE@aol.com
Moira Mackay		2465 Professor Ave.	Cleve, OH 44113	moiracmackay@yahoo.com
Jeanne Mackay		13428 Lake Ave.	LKWD, OH 44107	jeannemackay@sbcglobal.net
Ed Hom	Li Wah	2999 Payne	Cleve OH 44114	King-wah1@yahoo.com
Bob Brecht	BSN	100 W. Erie St	Painesville	
Phil Oravec		1473 Coutant	LKWD 44107	TOPNOBLE223@HOTMAIL.COM
Nicholas Loya	Eikona, Inc.	2280 W. 10TH	44113	eikona@sbcglobal.net
Marty Cicirella	City of Cleve	7345 Broadway	Cleveland 44105	
Mallory Jackson	Laborer Local 860	3334 Prospect Ave	Cleve. Ohio 44115	
Christopher Alvarado	Cuyahoga County Planning	323 Lakeside Ave West Suite 400	44113	calvarado@cuyahogacounty.us
Tony Smith	Popeyes	11811 Shaker Blvd. #106 Cleveland, OH 44118	44120	asmith@aesmgmt.com
Bryan Booker	Diggs	2157 E 55 St	44113	
Paul Alsenas	CPC	323 Lakeside Ave West #400	Cleveland 44113	palsenas@cuyahogacounty.us

CLEVELAND INNERBELTPLAN

Public Hearing

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Tuesday, April 21, 2009
Annunciation Greek Orthodox Church

Name	Organization	Street Address	City/State/Zip	E-mail
Henry Senyak	Lincoln Hts. Block Club	2575 Scranton Rd	Cleveland . Oh 44113	HSenyak@aol.com
Paul Creighton	Cuyahoga Community College	Carnegie Ave	Cleveland Oh	
Andre Puskorius	GETCO	2710 Detroit/1836 W25	Cleveland Oh	getco@getcoenvironmental.com
Sheri Dozier	GCP	100 Public Square, #210 Cleveland	Cleveland 44113	sdozier@gcpartnership.com
George Palko	Great Lakes Constr	2608 Great Lakes Way	Hinckley, OH 44233	gpalko@tglcc.com
Wayne Puntel	AudioCraft Co	3915 Carnegie Ave	Cleveland, Ohio	
Neal Crowther		1112 Kenilworth Ave	" 44113	Hcrowther@caring.com
Myron Pakush	CT Consultants	35000 Kaiser Crt	Willoughby, OH 44094	mpakush@ctconsultants.com
[illegible] Browning		3334 West 17 St	Cleveland OH 4/21/09	
Steve Schindler				
Chris Garland	Tremont West CDC	ADC Professor / 44113	44113	[illegible]
James Mitchell		800 Talkrow Dr	Akron OH 44305	jfmitch@fastmail.us
Lenny Rizzo	Local 860	3334 Prospect Ave	Cleveland 44115	
Glenn Murray		2415 West. 11th. St.	Cleveland, OH. 44113	LGMurray@netzero.com

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CLEVELAND INNERBELTPLAN

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Name	Organization	Street Address	City/State/Zip	E-mail
Timothy J Richards	self	27024 Pondside Point	Olmsted Twp. Ohio 44138	TimothyJRichards@aol.com
Vickie Wildeman	self	614 W. Superior Ave #1000	Cleveland 44113	vwildeman@dlz.com
Scott Backus	T.I.G. Welding	1501 W. 14	Cleve 44113	
Miranda Wenger	self	1008 Kenilworth Ave Apt 1	Cleveland 44113	miranda.wenger@gmail.com
Nina Swerdlow	Lincoln Hts / Scranton Starkweather Blk Club	1615 Starkweather Ave	Cleveland 44113	NSwerdlow@aol.com
Bob Parker	WSA	55 Public Square, Suite 600	Clev. OH 44113	rparker@wilbursmith.com
Peter MacEwan	Cuyahoga Community College	700 Carnegie Ave. Cleveland, OH 44115		Peter.MacEwan@Tri-C.edu
Kathy Luschek for Tom Chema	Hiram College	PO Box 67	Hiram, OH 44234	
Dean Collura	The Ruhlin Co.	Sharon Center, Ohio	Medina. OH 44256	
Jim Cusick	Ironworkers Lu 17	1544 East 23rd	Cleveland Oh 44114	
Greg Puntel	Audio Craft	3915 Carnegie	Cleve Oh 44115	GPuntel@AudioCraft.com
Howard Maier	NOACA	1299 Superior Cleveland, OH		hmaier@mpo.noaca.org
Marty Gelfand	Cong. Kucinich's Office	14400 Detroit Ave. Lakewood, OH 44107		marty.gelfand@mail.house.gov
Luise Severstos				

CLEVELAND INNERBELTPLAN

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Name	Organization	Street Address	City/State/Zip	E-mail
Stephen M. O'Bryan	Taft, Stettinius & Hollister	200 Public Sq	Cleve Ohio	sobryan@taftlaw.com
NABIL FARAH	HNTB			
JIM HAVILAND	MIDTOWN CLEVELAND, INC.			
Gary McClurg	Great Lakes Flunser			
Richard L Headley	Yellow Cab Co	2069 W. 3rd St.	Cleve, Ohio 44113	
Jim ZALES	CITIZEN			
Frank Januszak		2260 THURMAN AVE	Cleveland Ohio 44113	NONE
Claude Lawrence Cornett	Cornett Environmental Consulting	2450 W 6 ST. Apt UPS	Cleveland 44113	lcornett@en.com
Kevin Cronin	Cleveland Bikes	4403 St. Clair Ave Cleveland OH		kevin.cronin.ohio@gmail.com
Harvey Schach	Hilton Garden Inn	1100 Carnegie Ave	Cleve Oh 44115	
Philip Peterson	PB	615 W. Superior	Cleveland 44113	petersonpe@pbworld.com
Neil Chase	Self	17308 East Park Dr.	Cleveland O 44119	chase.development@sbcglobal.com
Fred L Backus	Welding Tig	2150 W 15th St	Cleveland OH 44113	
FRANK PORTER	Central Cadillac	2801 Carnegie Ave	Clev 44115	fporter@centralcadillac.com

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CLEVELAND INNERBELTPLAN

Public Hearing

Please Sign In

Tuesday, April 21, 2009
Annunciation Greek Orthodox Church

Name	Organization	Street Address	City/State/Zip	E-mail
CHUCK FISHER	THE RUHLIN CO	6931 RIDGE RD	SHARON CTR 44274	cfisher@ruhlin.com
Fr. Dean Dimon	GREEK ORTHODOX CHURCH OF THE ANNUNCIATION	2187 W. 14th ST.	CLEVELAND, Ohio	frdean@sbcglobal.net
GREG & ANNA SPANGLER		2599 SCRANTON DR	CLEVELAND OH 44113	gregandanna@ameritech.net
Robert W. Williamson		2468 Scranton Rd	Cleveland 44113	
Moses Cintron		3636 Erin Ave	Cleveland 44113	
BRIDGET McGINTY	TASTYBIRDS RESTAURANT	1400 E. 30th St	CLEVELAND 44114	
Curtis Jackson	WEWS	3001 Euclid Ave	Cleveland	
Jim McClurg	GLF	CANAL RD	"	
Steve Goodreau	WSA	55 Public Square	Cleveland	sgoodreau@wilbursmith.com
Rick Rockich	TRANSYSTEMS	55 PUBLIC SQ	CLEVELAND	rerockich@transystems.com
JOHN R MELCHIORRE	HB MFG	3735 CARNEGIE AVE	CLEVE 44115	
Dona Brady	Cleve City Council	1272 West Blvd.		
Robert Thomas	2260 Thurman Ave	Cleveland Ohio	44113	
HAMID HOMAEE	TSC	55 Public Sq Suite 1900	44113	hvhomaee@Transystems.Com

CLEVELAND INNERBELTPLAN

Public Hearing

Please Sign In

Tuesday, April 21, 2009
Annunciation Greek Orthodox Church

Name	Organization	Street Address	City/State/Zip	E-mail
Jeff Broadwater	Michael Baker Jr. Inc	1228 Euclid Ave Ste 1050 Cleveland OH 44115	Cleveland OH 44115	jbroadwater@mbakercorp.com
Rob Mihalik	Home owner	2431 W. 15 St	Cleveland, OH 44113	
Amy M Pappas	home owner	610 Literary Rd	Cleveland	amy@azaevents.net
[illegible]	[illegible]	1900 Euclid Avenue	Cleveland 44115	[illegible]
Monica Castillo	Interpretor	5676 Broadview Rd Parma Oh.	Parma. 44134	monica572@yahoo.com
Rich + Val Walker		2329 W. 16th Place ~~Cleveland, Ohio 44113~~	Cleveland, Ohio 44113	
Charles Wilson		850 E. PLEASANT Valley ROAD	Seven Hills, Ohio 44131	custerwilsonaa@aol.com
BILL ADLER	STRIPMATIC	1501 ABBEY	CLEVE, OH 44113	wjadler@stripmatic.com
Jon Eckerle	Lakewood Observer	11850 Edgewater 308	Cleve OH 44107	JEckerle@GMail.Com
Ken Yokoyama	Parsons		Richmond Hts, OH	Ken.Yokoyama@Parsons.com
Jason Worcester	truck driver	34290 Lorain Rd No 1	N Ridgeville, OH 44039	Tracfone1000@hotmail.com
Tom Hyland	ODOT - Const.	5500 Transportation	Garfield	thyland@DOT.STATE.OH.US
Priscilla Treska	home owner	1518 Kenilworth Ave.	Cleveland, Ohio 44113-4308	curttreska@hotmail.com
David Owens		7473 River Road Olmsted Falls, OH 44138		

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CLEVELAND INNERBELTPLAN

Public Hearing

Please Sign In

Tuesday, April 21, 2009
Annunciation Greek Orthodox Church

Name	Organization	Street Address	City/State/Zip	E-mail
Chuck Scaravelli		1619 Starkweather	Cleveland	SCARAvelli's@AOL.com
Robert Drake	Hydrarefe	5512 Train Ave	Cleveland	drakehyd@sbcglobal.net
Martin McGann	Cleveland Clinic	9500 Euclid Avenue	Cleveland/OH/44195	mcgannm@ccf.org
CARM Kelly	Midtown Cleveland	4019 Prospect	Cleveland / 44107	ckelly@midtowncleveland.org
Michael Fleming	MidTown Cleveland	4019 Prospect	" "	mfleming@midtowncleveland.org
Susan Patton	Cobalt Group Inc	1900 Superior Ave	Cleveland 44114	patton@cobaltgroupinc.com
Brennan Finn	CCEO	2100 Sup. Via.	Clev 44113	bfinn@cuyahogacounty.us
Robert Lash	Mosley Dental Lab.	2111 E. 36 St.	Clev 44115	rob@mosleylab.com
David Daams		4621 E. 131st ST. #106	GARFIELD HEIGHTS, OH	Dave Daams @ cvtrailscouncil.org
R. VanPetten	VanPetten Architects	815 Superior Avenue #1207	Cleveland Ohio 44114	architectvanp@aol.com
Andy Shreck	Parsons	26301 Curtiss Wright Parkway	Richmond Hts, OH	
[illegible]	[illegible]			
[illegible]		2857 Creekview Ln	Avon, Ohio 44011	[illegible]@aol.com
JAY SCHACH	HILTON GARDEN INN	1100 CARNEGIE AVE	CLEVELAND OH	jschach@roadrunner.com

CLEVELAND INNERBELTPLAN

Public Hearing

Please Sign In

Tuesday, April 21, 2009
Annunciation Greek Orthodox Church

Name	Organization	Street Address	City/State/Zip	E-mail
Ned Whelan	Whelan Communications	1422 Euclid Avenue #621 Cleveland, OH 44115	Cleveland, OH 44115	Nedwhelan1@AOL.com
DAN DOUGHERTY	ODOT D-12	5500 TRANSPORTATION BLVD	GARFIELD HTS, OH	
LAURIE SCARMUZZI	ODOT D-12	5500 TRANSPORTATION	GARFIELD HTS, OH 44125	
Joan Short	ODOT NE Region	Dist 4	Akron, Ohio	
Travis Carpenter	NE Region	Dist. 4	Akron, OH	
Sage Callahan	ODOT - D12	5500 Transportation	Garfield Hts, Ohio	
DIANE DANIELS	DANIELS FURNITURE	2800 Superior Ave Cleve 44114		
DON SCIPIONE	ACME EXPRESS	3821 Prospect	Cleve 44115	dscipione@acmex.com
Judge Jean Murrell Capers	/ E. 40th St. Club	9380 East 40th St.	Cleve. 44104-1113	None.
DAVID LASTUVKA	ODOT DIST 12	5500 Transportation Blvd	Garfield Hts, OH 44125	
Charles Ruebensaal	Great Lakes Management	3510 Bessemer Ave.	Cleveland, Oh. 44127	chas@tempest-eng.com
Tim Neufer	Neu Architecture	2157 Coludbany Ave	Lakewood, OH 44107	tanarch@aol.com
Donald Butchak		2052 W. 11 St.	Cleve. Oh.	
Eric Smith	URS	564 White Pond Dr. Akron 44320		eric_smith@urscorp.com

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CLEVELAND INNERBELTPLAN

Public Hearing

Please Sign In

Tuesday, April 21, 2009
Annunciation Greek Orthodox Church

Name	Organization	Street Address	City/State/Zip	E-mail
Anna Matisak	Whelan Communications	1422 Euclid Ave #621 Cleve, 44113		amatisak@gmail.com
MARK SANDERSON	FOCAL PLANE PHOTO	4078 ELMWOOD S. EUCLID OH 44121		
Michael Kubek	ODOT D12			
CHUCK CLUM	KOKOSING CONST.	1539 Lowell St. Elyria OH 44035		
Dave DiBiasio	Great Lakes Mgmt	2394 Canal Rd		dave@nationalfreezer.com
JIM CARRIGAN	CUY. COUNTY	1219 Ontario Rm 434 CLE OH 44113		
OLIVER HENKEL	CLEVELAND CLINIC	9500 EUCLID AVE. CLEVELAND, OH 44195		
Casey Swamba	Taft			
Kurt (C.) Seaver	AKW	2008 Valentine Ave		akwinc@sbcglobal.net
CALLIE CRIPPS	MAINGATE DEV. CORP.	3800 ORANGE AVE		
MICHAEL MAY	MAINGATE DEV. CORP	3800 ORANGE AVE		mmay@maingatecleveland.org
DEANE MALAKER		622 LITERARY	CLEV	
PAUL GLUCK	BAKER	1228 EUCLID AVE STE 1050		pgluck@mbakercorp.com
MICHAEL B. ARMSTRONG	FHWA	200 NORTH HIGH ST ROOM 328 COLUMBUS, OH 43215		MICHAEL.ARMSTRONG@FHWA.DOT.GOV

Public Hearing

Please Sign In

Tuesday, April 21, 2009
Annunciation Greek Orthodox Church

Name	Organization	Street Address	City/State/Zip	E-mail
John J. Rakauskas	Rakauskas Architecture	3428 Memphis #101	Cleveland, OH 44109	JJR@GWIS.com
Tomard R Bates	—	2791 Scarborough Rd	Cleveland Heights 44118	rbates2@ mac com
Brooke Willis	resident	2590 West 15th St.	Cleveland, OH 44113	brookewillis@earthlink.net
Jeff Elliott		1522 Kenilworth Ave	Cleve 44113	
Robert Asch		12030 Lake Ave #306	Lakewood OH 44107	itsabouttime in 2004@hotmail.com
Scott Nagy	Resident	811 Brayton Ave	Cleveland OH 44113	scottnagy99@AOL.com
Wayne Bratton	Trilogy Housing Corporation	1800 Scranton	Cleveland 44113	
Kevin Ford		562 J. L Jackson Place	Cleve 44108	

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Public Hearing

~~Elected Officials Sign In~~

Tuesday, April 21, 2009
Annunciation Greek Orthodox Church

Name	Organization	Street Address	City/State/Zip	E-mail
Terri Burgess Sandy	Hard Hatted Women	4220 Prospect Ave Cleveland OH 44103		tsandy@hardhattedwomen.org

CLEVELAND INNERBELTPLAN

Public Hearing

Elected Officials Sign In

Tuesday, April 21, 2009
Annunciation Greek Orthodox Church

Name	Organization	Street Address	City/State/Zip	E-mail
J. Carpenter	Willoughby-Eastlake Board of Ed	3791 Harvard Dr	Willoughby, Ohio 44094	
Mark Carpenter	ODOT	5500 Transportation Blvd	Garfield Heights OH	
Jerry Spott	E & J Investments	2630 Payne	44114	
Scott Garson	NAI Daus	3401 Enterprise Pkwy	Clev. 44122	sgarson@naidaus.com
Kevin Kelley	Cleveland City Council	601 E. Lakeside	Cleveland 44114	wardi16@yahoo.com
Misty Fry	thunder::tech	915 Literary Rd	Cleveland 44113	mistye thundertech.com
Jeff Pesler	MIDTOWN	4019 Prospect	Cleveland 44103	jpesler@midtowncleveland.org
"Joe" Cimperman	City	601 Lakeside	City OH 44114	joecimperman@gmail.com
Paul Stanard	Great Lakes Construction	2608 Great Lakes Way	Hinckley OH 44233	pstanard@tglcc.com
Mahmoud Al-lozi	NOACA	1285 Superior Ave	Cleveland, OH 44114	mallozi@mpo-noaca.org
[illegible]	[illegible]			
[illegible]	—	2000 [illegible]	44113	-

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CLEVELAND INNERBELTPLAN

Public Hearing

Please Sign In

Tuesday, April 21, 2009
Annunciation Greek Orthodox Church

Name	Organization	Street Address	City/State/Zip	E-mail
Emil Liszniansky	B&N	535 River Rd	Hinckley, OH	eliszniansky@burnip.com
Stacey M. Booker				
Frank Matisak		9213 Oakdale	Parma Oh	
Sandy Matisak		9213 Oakdale	Parma Oh	
Christina L Krosel	Metro-North	1734 Brainard	Cleve 44109	clk1734@sbcglobal.net
Eric Russ + Dan Storick	Lincoln Heights	1802 Lamoille Ct.	Cleveland, Oh 44113	

CLEVELAND INNERBELTPLAN

Public Hearing

Please Sign In

Tuesday, April 21, 2009
Annunciation Greek Orthodox Church

Name	Organization	Street Address	City/State/Zip	E-mail
Keh McGovern	M.O Tory	3120 Mt Montgomery	CLEVELAND 44122	Kwm@cwdeapsnwebtcs
Karl Heller Jr	CSU grad study	5781 Bx	Clev. OH 44101	N/A
David Bowen	Bowen + Assoc	13000 Shaker Blvd	Cleveland OH 44102	dbowen@rlba.com
JEFF NOBLE		3822 TALENT DRIVE	AKRON OH 44319	jnakron70@YAHOO.com
CHRIS PEKOC		1028 STARKWEATHER AV	CLEVE, OH 44113	
MARK OLIVO	Laborers Local 860	3334 Prospect AVE	Cleveland OH 44115	a
JEFF Power	OSBORN Int'l	5401 Hamilton Ave	Cleve 44114	
RICHARD KURTH		4464 Pearl Road	Cleveland, 44109	rekuwk@hotmail.com
Ed ADAMCZYK	ARCADIS	30932 LYNHAM CIRCLE	WEBRAKS, OH	
Matt Denholm	Kenmore Const.	700 Home Ave.	Akron OH	mdenholm@kenmorecompanies.com
Melissa Bilancini		178 1/2 Fairlawn Ave	Elyria, Oh 44035	melissa.bilancini@gmail
Amy Mosessinger	Mutual Display	1748 E 27th.	Cleve 44114	mutualdisplay@aol.com
MARK LEONARD	DODD CAMERA	2077 E. 30th ST.	CLEVELAND 44115	MARKL@DODDCAMERA.COM
Paul SCALA	KENMORE CONST.		Akron OH.	

Cleveland Innerbelt Project Public Hearing

April 21, 2009

Draft Environmental Impact Statement Viewing Locations:

On the Web: www.Innerbelt.org

ODOT, District 12 Office
5500 Transportation Boulevard
Garfield Heights, OH 44125

City of Cleveland, City Hall
Division of Engineering & Construction
601 Lakeside Ave., Room 518
Cleveland, OH 44114

City of Cleveland, City Hall
Planning Commission
601 Lakeside Ave, Room 501
Cleveland, OH 44114

Cuyahoga County Engineer's Office
2100 Superior Viaduct
Cleveland, OH 44113

Cuyahoga County Planning Commission
323 Lakeside Ave. West, Suite 400
Cleveland, OH 44113

NOACA
1299 Superior Avenue
Cleveland, OH 44114

Cleveland Library, Main Branch
325 Superior Avenue NE
Cleveland, OH 44114

Cleveland Library, South Branch
3096 Scranton Rd.
Cleveland, OH 44113

Cleveland Library, Sterling Branch
2200 East 30th Street
Cleveland, OH 44115

Tremont West Development Corp.
2406 Professor Street
Cleveland, OH 44113

MidTown Cleveland Incorporated
4019 Prospect #200
Cleveland, OH 44103

Quadrangle Incorporated
1900 Euclid Ave. Suite 101
Cleveland, OH 44115

St. Clair Superior Development Corp.
4205 St. Clair Ave.
Cleveland, OH 44103

Flats Oxbow Association
1283 Riverbed Street
Cleveland, OH 44113

Draft Environmental Impact Statement Public Comment Period

The Ohio Department of Transportation (ODOT) and Federal Highway Administration (FHWA) have approved the Innerbelt Plan's Draft Environmental Impact Statement (DEIS) and have released the plan for public input.

In accordance with the National Environmental Policy Act (NEPA), the purpose of tonight's hearing is to provide an opportunity for review and comment on the project's Draft Environmental Impact Statement and for citizens to provide feedback through written, verbal or recorded verbal comments. In addition, in accordance with the National Historic Preservation Act, public comments are requested on projected impacts to historic properties.

Comments received (by mail, e-mail, or fax) by 5 p.m. Thursday, May 21, 2009 will be considered in the Final Environmental Impact Statement. Comments may be submitted to:

Ohio Department of Transportation, District 12
5500 Transportation Boulevard Garfield Heights, OH 44125
Attention: Craig Hebebrand
Additional contact information below.

Contact Information

Ohio Department of Transportation, District 12
5500 Transportation Boulevard Garfield Heights, OH 44125
Attention: Craig Hebebrand
Phone 216.584.2113, Fax: 216.584.3508
E-mail: craig.hebebrand@dot.state.oh.us
On the Web: www.Innerbelt.org

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Cleveland Innerbelt Project Public Hearing

April 21, 2009

Next Steps:

Public Comment Period until 5 p.m. Thursday, May 21, 2009

Address Public Comments and Prepare Final Environmental Impact Statement – June 2009

Notice of Availability of Final Environmental Impact Statement – July 2009

Record of Decision – August 2009

Cleveland Innerbelt Plan Benefits:

Provides for the phased replacement of the existing Central Viaduct through the construction of a new westbound bridge to the north of the existing bridge, followed by the construction of a new eastbound bridge on essentially the same alignment as the existing bridge.

Improves safety by realigning I-90 through the Innerbelt Curve to reduce the severity of the curve.

Improves safety by braiding or consolidating ramps within the Innerbelt Trench to minimize conflicts between vehicles entering and exiting the highway.

Reduces daily recurring congestion caused by inadequate spacing between consecutive ramps, inadequate acceleration lengths on individual ramps and by adding limited capacity to relieve existing bottlenecks.

Maintains access through the construction of a new pair of one-way frontage roads connecting Carnegie Avenue, Prospect Avenue, Euclid Avenue and Chester Avenue.

Project Timeline:

March 2009 – Draft Environmental Impact Statement
April 2009 – Public Hearing
July 2009 – Final Environmental Impact Statement
August 2009 – Record of Decision
2009 – 2010 – Right of Way Acquisition for New Westbound Bridge
Winter 2010 – Requests for Design-Build Proposals for New Westbound Bridge
Summer 2010 – Notice of Proceed for Design-Build Contract for New Westbound Bridge
2010 – 2013 – Design and Construction of New Westbound Bridge

Schedules for Design, Right-of-Way Acquisition and Construction activities for subsequent projects to be determined

Ohio Department of Transportation www.innerbelt.org

Preferred Alternative Contract Groups

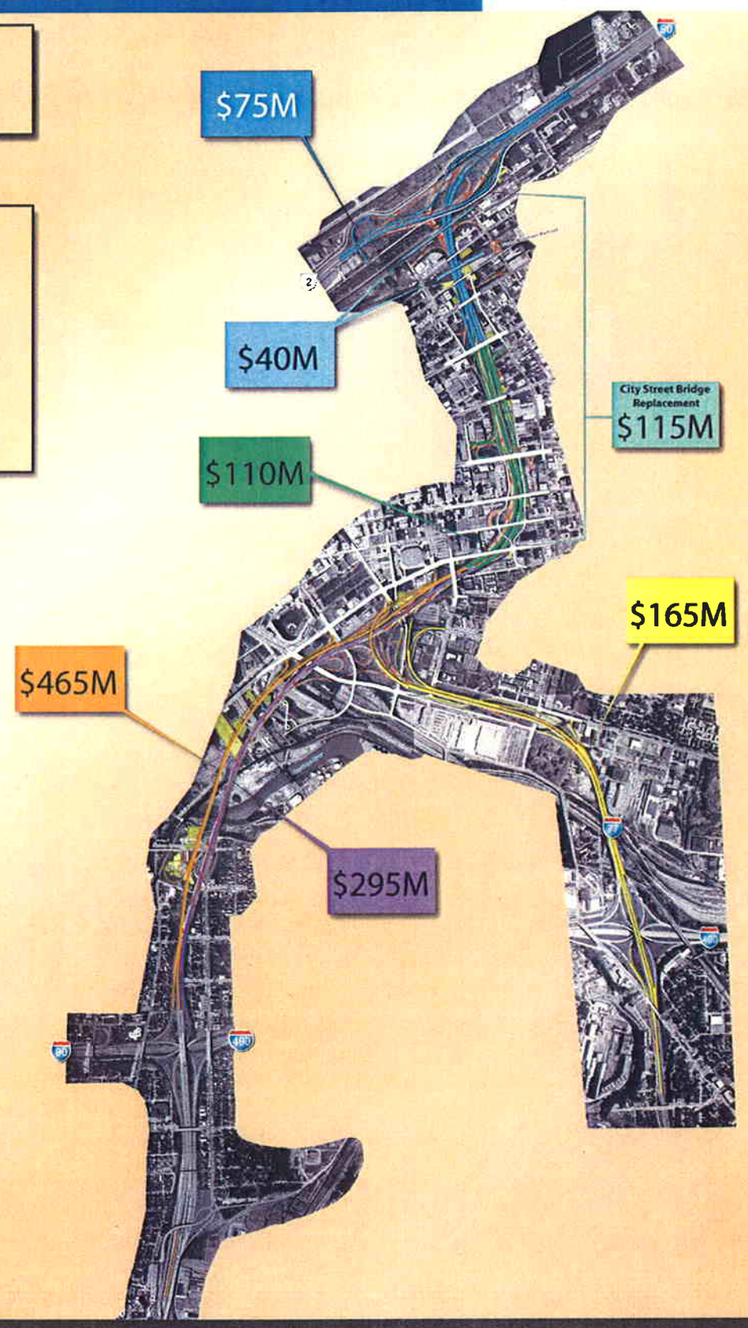
April 21, 2009

CLEVELAND INNERBELTPLAN
OHIO DEPARTMENT OF TRANSPORTATION

- Removed Roadway
- Removed Freeway
- City Street Improvement

- Contract Group 1
- Contract Group 2
- Contract Group 3
- Contract Group 4
- Contract Group 5
- Contract Group 6
- Contract Group 7

Note: Costs shown are in 2008 dollars



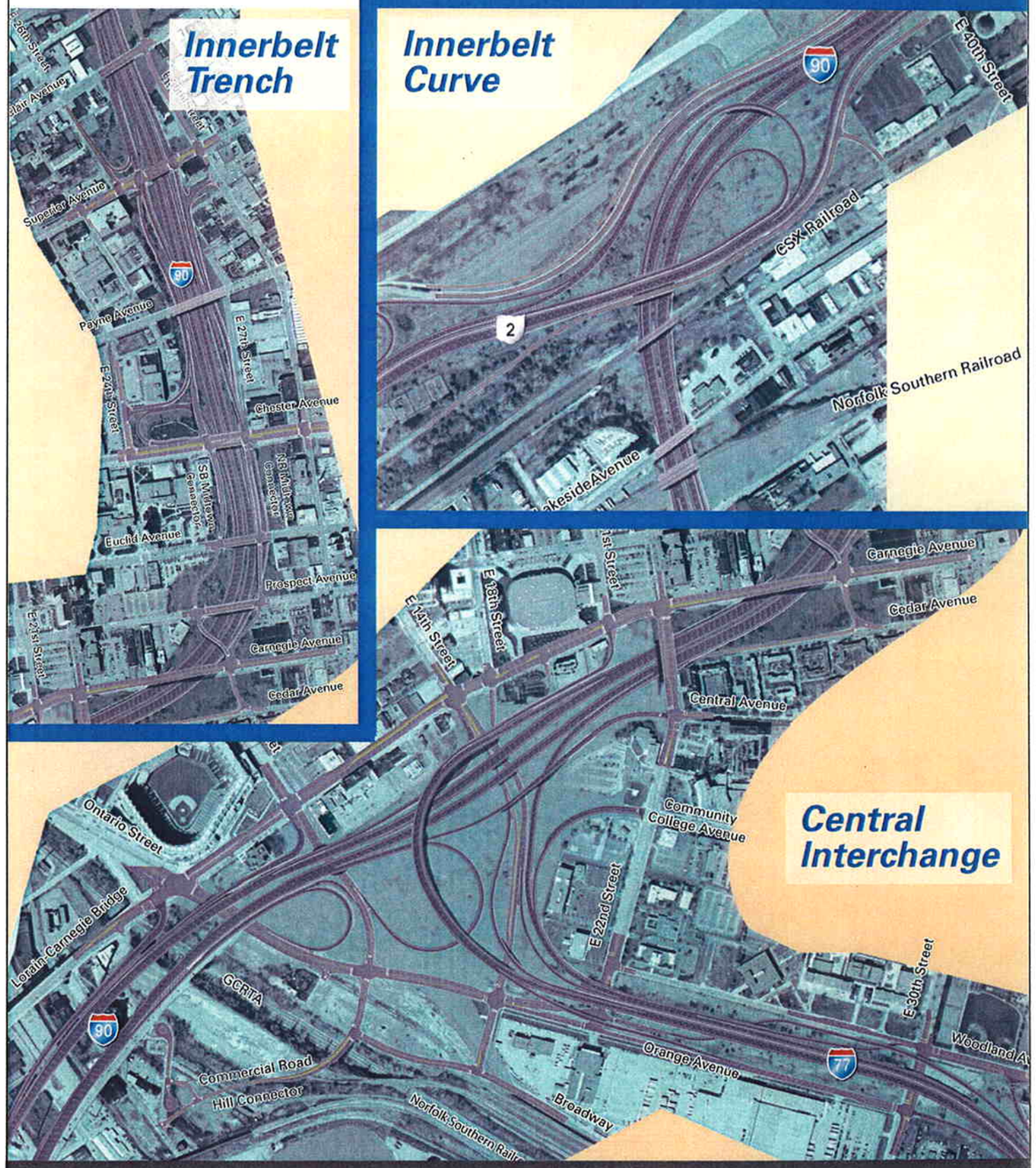
Ohio Department of Transportation

www.innerbelt.org

CLEVELAND INNERBELTPLAN
OHIO DEPARTMENT OF TRANSPORTATION

Cleveland Innerbelt Project Public Hearing

April 21, 2009



Ohio Department of Transportation

www.innerbelt.org

Cleveland Innerbelt Project

Draft Environmental Impact Statement
Public Hearing
April 21, 2009

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CLEVELAND INNERBELT PLAN
OHIO DEPARTMENT OF TRANSPORTATION

Draft Environmental Impact Statement

DEIS Approved by ODOT – March 2, 2009
DEIS Approved by FHWA – March 3, 2009
Notice of Availability (DEIS) – March 20, 2009
CUCP Advisory Committee – April 2, 2009
Public Hearing – April 21, 2009
Close of DEIS Public Comments – 5:00 PM, May 21, 2009
Final EIS – June 2009
Notice of Availability (FEIS) – July 2009
Record of Decision – August 2009

CLEVELAND INNERBELT PLAN
OHIO DEPARTMENT OF TRANSPORTATION

Draft Environmental Impact Statement Public Hearing

Annunciation Greek Orthodox Church
2187 West 14th Street

Tuesday, April 21, 2009
4:00 PM to 8:00 PM – Open House
5:30 PM to 6:00 PM – Project Presentation

Public Comments to Follow Presentation

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CLEVELAND INNERBELT PLAN
OHIO DEPARTMENT OF TRANSPORTATION

Draft Environmental Impact Statement

On-Line at www.innerbelt.org

Copies Available for Review at:
- ODOT D12, Cleveland City Hall, NOACA, CCEO, CCPC
- Cleveland Public Library:
  - Main, South and Sterling Branches
- Community Development Corporations:
  - Tremont West, MidTown, Quadrangle, St. Clair-Superior and Flats Oxbow

CLEVELAND INNERBELT PLAN
OHIO DEPARTMENT OF TRANSPORTATION

Draft Environmental Impact Statement Comments

On-line at www.innerbelt.org
E-mail at craig.hebebrand@dot.state.oh.us
Fax to (216) 584-3508 or (216) 584-2279
Mail to Ohio Department of Transportation
5500 Transportation Boulevard
Garfield Heights, Ohio 44125
Attn: Craig Hebebrand

Submit Comments by 5:00 PM on May 21, 2009

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CLEVELAND INNERBELT PLAN
OHIO DEPARTMENT OF TRANSPORTATION

Preferred Alternative

Provides for $1.5 - $2.0 billion investment to renew the transportation infrastructure

Provides for New Westbound Bridge to North of Existing

Provides for Replacement of Existing Bridge with New Eastbound Bridge on approximately the same alignment

Provides for one-way pair frontage road system between Carnegie Avenue and Chester Avenue

CLEVELAND INNERBELT PLAN
OHIO DEPARTMENT OF TRANSPORTATION

Preferred Alternative

Provides for the systematic replacement of bridge decks (1 million sq ft) and roadway pavements (4 million sq ft).

Improves safety by realigning I-90 through the Innerbelt Curve to reduce the severity of the curve.

Improves safety by braiding or consolidating ramps within the Innerbelt Trench to minimize conflicts between vehicles entering and exiting the highway

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CLEVELAND INNERBELT PLAN
OHIO DEPARTMENT OF TRANSPORTATION

Preferred Alternative

Improves ingress and egress to the Central Business District by reducing daily recurring congestion caused by inadequate spacing between consecutive ramps, inadequate acceleration lengths on individual ramps and by adding limited capacity to relieve existing bottlenecks.

CLEVELAND INNERBELT PLAN
OHIO DEPARTMENT OF TRANSPORTATION

Disposition of I-90 Westbound Ramps:

Entrance Ramps:
Lakeside Ave – Redirect via E 26th St to Superior
Superior Ave – Braid to eliminate weave with Chester
Chester Ave - Exclusive Lanes
Prospect Ave – Redirect via E 14th St or Carnegie Ave
East 14th St – Exclusive Lane
East 9th St – Improve Acceleration Length
Ontario St – Exclusive Lane

Exit Ramps:
Superior Ave – Weave with Lakeside eliminated
Chester Ave – Braid to eliminate weave with Superior
Prospect Ave – Redirect via Frontage Rd from Chester

CLEVELAND INNERBELT PLAN
OHIO DEPARTMENT OF TRANSPORTATION

Disposition of I-90 Eastbound Ramps:

Entrance Ramps:
Prospect Ave – Redirect via Frontage Rd to Chester
Chester Ave – Braid to eliminate weave with Superior
Superior Ave – Exclusive Lane

Exit Ramps:
Broadway – Redirected via Southbound East 9th St
Ontario St – Improved Geometry
East 9th St – Improved Geometry
East 22nd St – Braid to eliminate weave with I-77
Carnegie Ave – Redirected via East 22nd St
Chester Ave – Weave with Prospect eliminated
Superior Ave – Braid to eliminate weave with Chester
Lakeside Ave – Redirected via E 26th St/E 30th St from Superior

CLEVELAND INNERBELT PLAN
OHIO DEPARTMENT OF TRANSPORTATION

Disposition of I-90 & I-77 System Interchange Ramps

I-90 EB to I-77 SB – Redirected via I-490
I-77 NB to I-90 WB – Redirected via I-490

I-90 WB to I-77 SB – 2 Thru Lanes
I-77 NB to I-90 EB – 2 Thru Lanes

CLEVELAND INNERBELT PLAN
OHIO DEPARTMENT OF TRANSPORTATION

Disposition of Historic Properties:

No Adverse Effect – No Use:
Walker Weeks, Superior Ave Historic District, Tremont National Register Historic District, Lorain-Carnegie Brdg.

No Adverse Effect – de minimis Section 4(f):
Loft, Samuel Mather Mansion, Ohio Boxboard, Juvenile Justice Center, Tactical Fire Rescue Station

Adverse Effect – Individual 4(f):
Broadway Mills, Marathon Gas Station, Distribution Terminal Warehouse

CLEVELAND INNERBELT PLAN
OHIO DEPARTMENT OF TRANSPORTATION

Disposition of Other Properties:

25 Commercial Structures – 57 Businesses

10 Residential Structures – 19 Households

1 Municipal Structure

No Impacts to Schools, Churches or Hospitals

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Innerbelt Curve

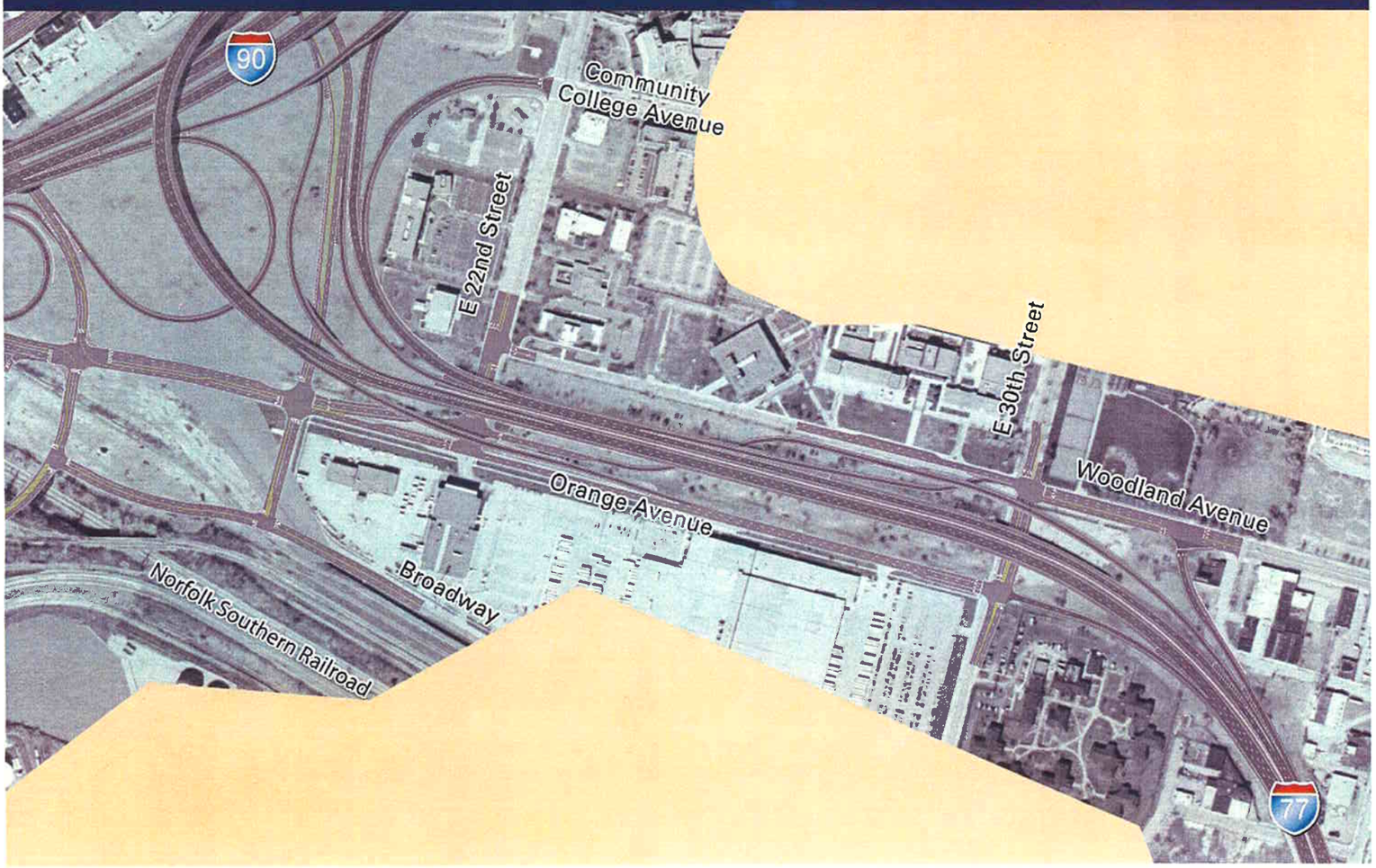
Alignment Shift Detail

Innerbelt Trench

Central Interchange

Frontage Road Detail

I-77 Approach Detail



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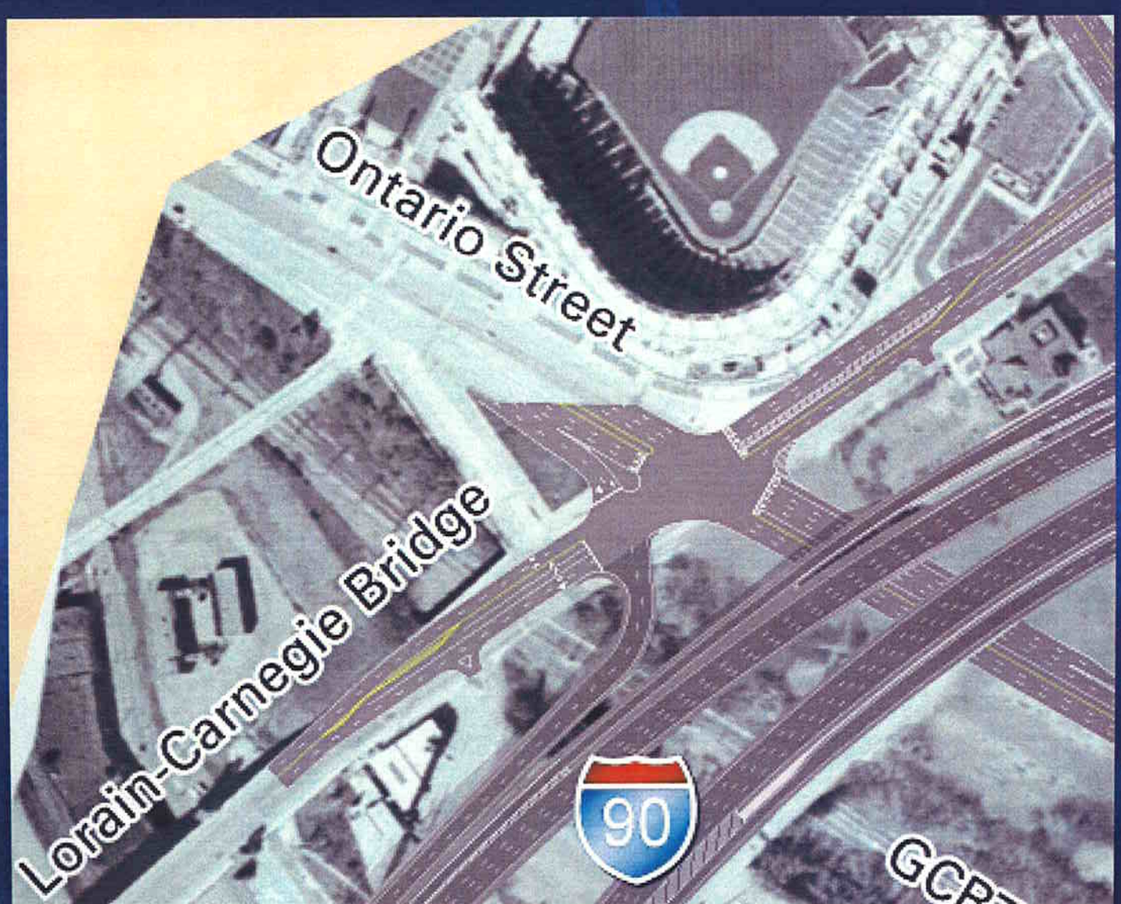
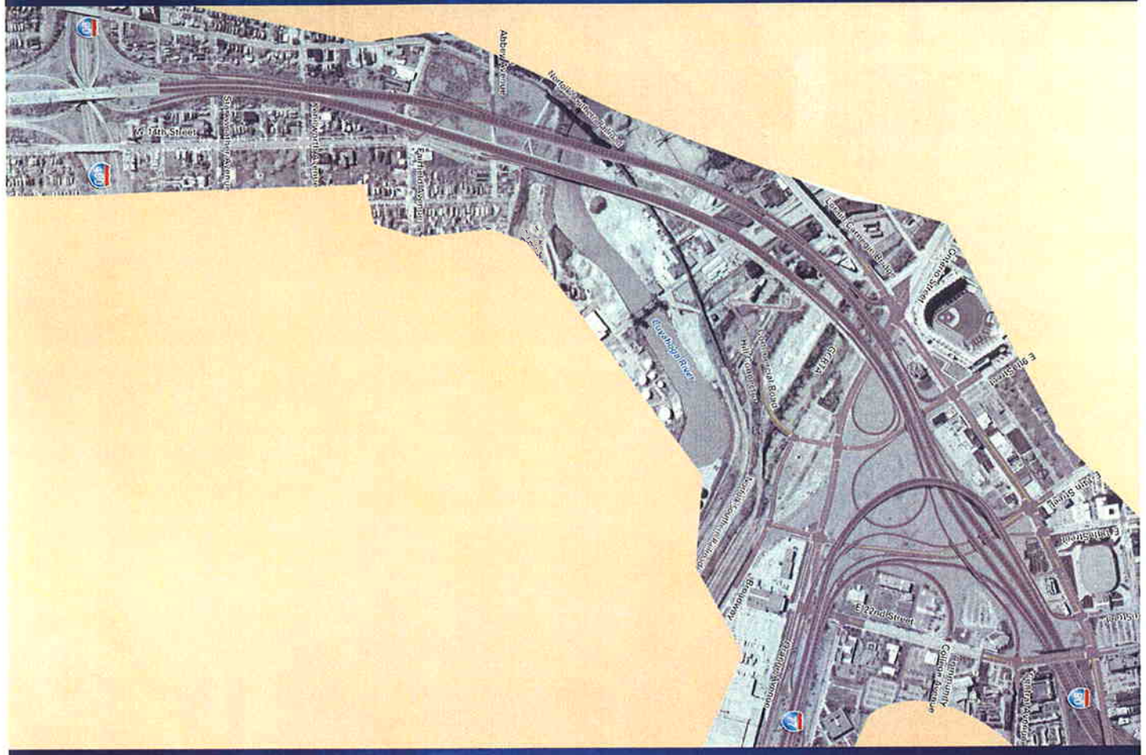
Carnegie & Ontario Detail



A 24

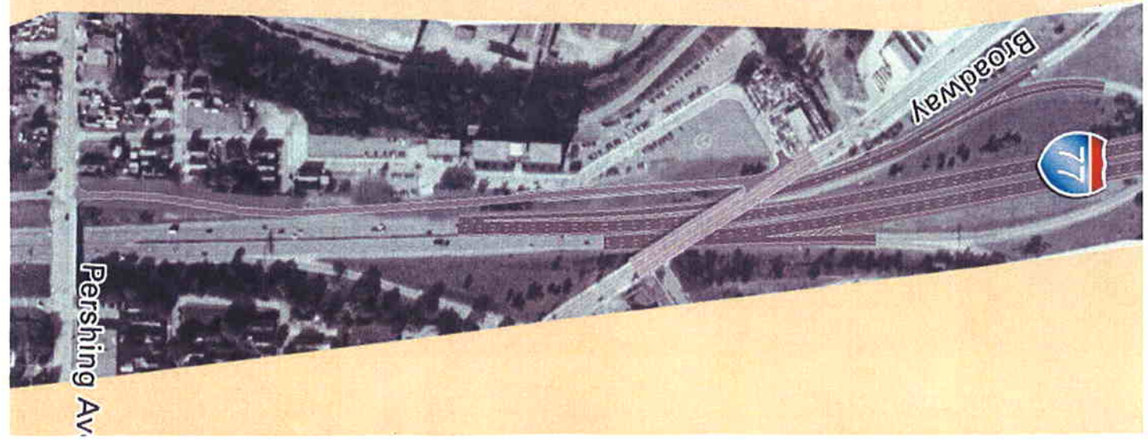
←New Westbound Bridge



New Eastbound Bridge →

I-71 South Detail

I-77 South Detail



CLEVELAND INNERBELT PLAN
OHIO DEPARTMENT OF TRANSPORTATION

New Westbound Bridge

Design-Build Budget is $400 million including:
- $200 million ARRA Funds
- $97 million SAFETEA-LU Earmark Funds

ARRA Funds Required to be Obligated within 365 Days

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CLEVELAND INNERBELT PLAN
OHIO DEPARTMENT OF TRANSPORTATION

New Westbound Bridge

Transportation Budget Bill Included Provisions to:

Increase Biennium Limit for Design-Build Contracts from $250 million to $1 billion from July 1, 2009 to July 1, 2011

Allow ODOT to Use a Value-Based Selection Process for Design-Build Contracts from July 1, 2009 to July 1, 2011

CLEVELAND INNERBELT PLAN
OHIO DEPARTMENT OF TRANSPORTATION

New Westbound Bridge – Next Steps:

Complete Right-of-way Acquisition – 2009/2010
Establish Design-Build Criteria – Summer/Fall 2009
Request Design-Build Proposals – Winter/Spring 2010
Notice to Proceed Design-Build – Summer 2010
Design & Construction – 2010 thru 2013

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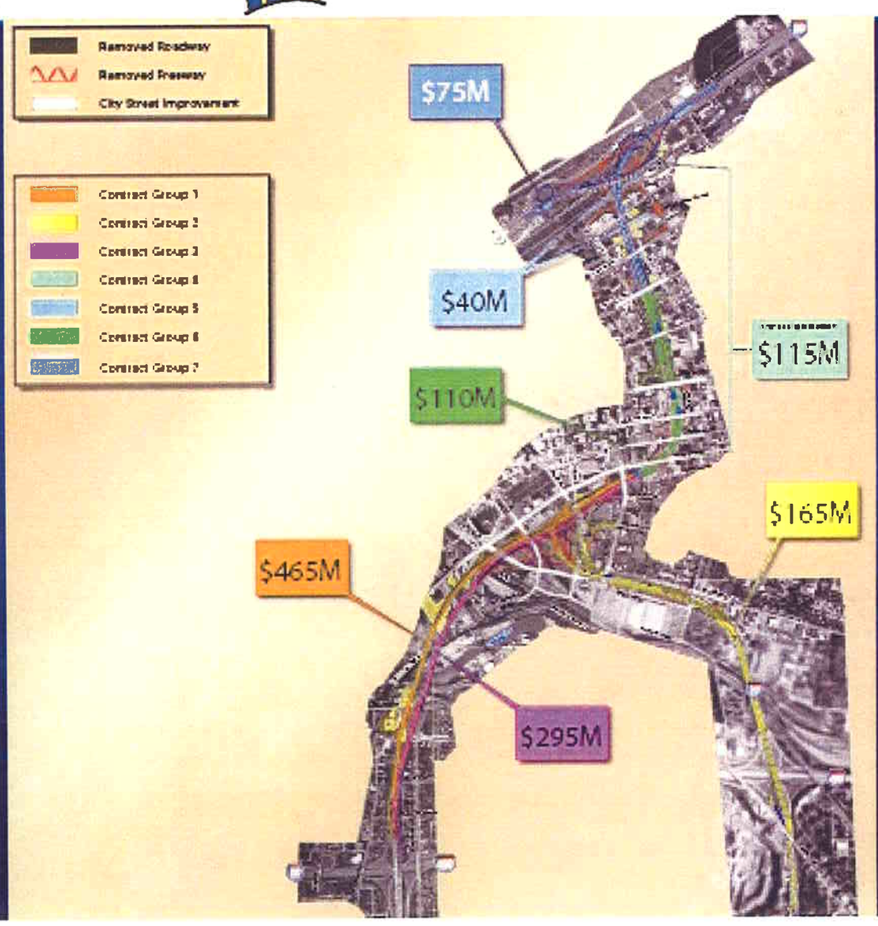
CLEVELAND INNERBELT PLAN
OHIO DEPARTMENT OF TRANSPORTATION




Thank you

CLEVELAND INNERBELT PROJECT

PUBLIC HEARING

- - -

APRIL 21, 2009

- - -

Held at the Annunciation Greek Orthodox Church, 2187 West 14th Street Cleveland, Ohio.

- - -

P-R-O-C-E-E-D-I-N-G-S

- - -

MR. HEBEBRAND: Thank you, ladies and gentlemen.

This is the public hearing for the Cleveland Innerbelt Draft Environmental Impact Statement.

I'll give you a little bit of a time line. The document was signed by the Department of Transportation on March 2nd. It was then signed by Federal Highway the following day. Notice of availability was placed in the Federal Registrar on March 20th, at which point the document was widely distributed around town; made available electronically.

Our Cleveland Urban Corp Project Advisory Committee, we made a presentation to them on April 2nd regarding the same document. And we're here today in Tremont on April 21st.

The close of public comments is a month from today, May 21st, at five p.m. All comments that we have received by that date will be addressed and incorporated into our final departmental impact statement, which we hope to have to Federal Highway by June. We hope to

be through that review process and a notice of availability issued in July of this summer in hope that they're in a position to issue a record of decision in August of 2009.

Thank you to the Annunciation Greek Orthodox Church, Councilman Zimmerman, to make it possible to use this venue.

Open house is here until eight o'clock and then the Cavs start. Presentations should only take about a half hour, and then we'll open the floor to questions. Jocelynn Clemmings, our public information officer, will moderate that session.

The documents are widely available. It's available online at our website, www.innerbelt.org. There are hard copies available in our district office in Garfield Heights. There's two copies -- three copies, I believe, in City Hall: one in planning; one in engineering and construction; and one in the City Hall library in the lobby. There's copies at NORACA, The Northeast Ohio Regional Area Wide Coordinating Agency; the county engineer's office has a copy; the county planning commission has a copy. There are also copies

at the Main, South and Sterling branches of the Cleveland Public Library; and several of training community development corporations have them in their lobbies: Tremont West, Midtown, Quadrangle, St. Clair-Superior, and Flats Oxbow.

Comments -- Obviously, we're taking

comments today. You can fill out one of the hard copy questionnaires and leave it in the comment box.

We also have a stenographer behind the tree back there if you'd like to give your comments one on one and have someone take them down to you.

We also have a stenographer who is taking the minutes of this meeting, including the public comments that come after the presentation.

You can go to our website, again wwwinnerbelt.org, and submit your comments electronically. You can also submit them through my email address, which craig.hebebrand@dot.state.oh.us. You can fax them, and there's two fax numbers: (216) 584-3508 or 2279. And all this

information is on the hard copies that are available; or you can mail your comments to my attention, care of the Ohio Department of Transportation, 5500 Transportation Boulevard, Garfield Heights, 44129.

And again any comments that we receive by five o'clock on the 21st of May we will address and incorporate into the final environmental impact statement.

That document outlines the preferred

alternative as recommended by -- approved by ODOT and Federal Highway Administration. It provides for about one and a half to two million dollars of investment in renewal of the transportation infrastructure.

It provides for a new westbound bridge, north of the existing bridge, and also provides for the replacement of the existing bridge with a new eastbound bridge. So in the future there will be twin bridges, one westbound and one eastbound.

It provides for a pair of one-way frontage roads to facilitate access through the innerbelt trench between Carnegie and Chester.

It provides for the systematic replacement of a million square feet of bridge deck and four million square feet of pavement. This is all infrastructure that's 50 years of age and has reached the end of its useful life and needs to be replaced.

Improve safety by realigning I-90 through the innerbelt curve, dramatically flattening the curve. And I've got a number of slides that show this graphically as we get farther into the presentation.

The other thing it will do is improve safety through the Carnegie curve and the trench

by either braiding or consolidating ramps, so we eliminate all the conflict points between vehicles entering and exiting the highway to make it operate safer.

We also will improve egress and ingress into the central business district by reducing daily recurring congestions.

One of the issues in addition to the safety issue is the fact that -- the way the ramps and the Carnegie curve -- a series of ramps coming out of it are set up. We simply overload that section every night and we cue

that traffic back up.

We have other daily recurring congestion, the Metro curve in the morning. So both inbound and outbound, we have sections of the facility that on a daily basis fail to operate, and that spills back onto the other streets.

A little bit about the ramps. I know there's a lot of representatives from Midtown, and we'll hear from those people later, and we welcome your comments. But I wanted to kind of walk through the ramps that are here.

And this is just westbound between the innerbelt curve and the innerbelt bridge. The Lakeside ramps are closed. That exit is redirected via 26th Street back to Superior. That's actually a movement that we see a lot

of people making today because they don't like the stopped condition at the bottom of the Lakeside ramps.

The Superior entrance ramp actually gets braided with the Chester exit ramp, so there's no longer a conflict point; so when you do use that Superior ramp, you go clean onto the freeway.

Chester enters with exclusive lanes, so

Chester no longer has to compete or conflict with the exiting traffic at Prospect. The two lanes from Chester become the fourth and fifth lanes going into the Carnegie curve.

Prospect is redirected via the new frontage roads, so that traffic can make its way down to the central interchange and re-enter there at 14th and be either 77 or 90.

14th Street, which enters as a merge now, will enter as an exclusive lane, where it becomes the fourth lane approaching the bridge.

9th Street will continue to merge, but the concrete barrier will be gone and there will be adequate acceleration distance there, so that 9th Street comes on safely after 14th Street does; and then Ontario Street comes on as the fifth lane as we go onto the bridge.

There's three exit ramps in that direction. So Superior Avenue, the weave with

Lakeside is eliminated, because Lakeside is coming up 26th to get on; and then the Chester Avenue, again we braid the Chester Avenue exit with the Superior entrance, so that conflict point is gone; and then Prospect traffic is redirected to exits with Chester and comes

down the new frontage road.

In the opposite direction, coming from the innerbelt bridge to the innerbelt curve, there's a series of three entrances. An entrance ramp comes on from Prospect Avenue. That ramp gets closed. That traffic comes down the new frontage road. When it reaches Chester, it's directly opposite the ramp. It goes through the signal and comes down onto I-90 eastbound.

The Chester entrance is braided with Superior; so again, when Chester comes down and merges in, it no longer has to compete for pavement with traffic attempting to exit at Superior; and then Superior comes down and has exclusive lane as it goes into the innerbelt curve.

Again, exit ramp coming in the same direction as we come off the bridge. The first one is Broadway and then the second one is Ontario. In the future, we've actually rearrange those, so Ontario will still be there,

a much improved geometry on the loop ramp; but the Broadway access point will actually move to southbound 9th Street and will come off after

Ontario and before northbound 9th Street, so the access will all be there. It will be slightly adjusted.

22nd Street gets braided with 77, so again we eliminate that condition where 22nd and 77 criss-cross each other right on the main line of I-90. Take 22nd up and over and 77 down under.

Carnegie gets redirected to 22nd, so we pull that Carnegie access, and exits I-90 with 22nd Street. They both come up to 22nd and Central. 22nd Street traffic goes east/west -- or north/south, and they are on 22nd. Carnegie traffic turns left, goes over the bridge, and they are on Carnegie. The weave with Prospect is eliminated, so Chester comes on/off cleanly.

Same thing: Superior is braided with Chester entrance, so that Superior exits without conflict with Chester; and then the Lakeside ramps are removed and that access is redirected from the Superior interchange, using a combination of 26th Street on the west side and 30th on the east side.

So there are a couple system interchange ramps that get adjusted. These are ramps

that carry traffic between the interstate -- one interstate and another. Two of them get redirected. That's I-90 northbound -- excuse me -- I-90 eastbound to 77 south and 77 north to 90 west. Those actually get redirected and assigned via 490, and actually the connection between 77 and 90 is more direct via 490 than coming up into the central interchange, so the connectivity is preserved on a shorter, more direct route, and it gives us more room, then, in the central interchange to make safety improvements.

The other two ramps remain; that is, I-90 westbound to 77 south and 77 north to 90 east. Those remain and actually both of them become two-lane ramps, so that there's two lanes coming off of I-90 west, coming out of the Carnegie curve and they go to 77 south; and likewise, there's two lanes coming off of 77 north entering I-90 east, going into the Carnegie curve.

If you've had a chance the look at the documents or look at the boards back there, you can see that there's a large number of historic properties, given the age of the

corridor, the density of the development around. Most of these, we have no effect. The series of them, we have no effect, we have no use: the Walker Weeks Building, the Superior Historic District, the Tremont National Historic District, and the Lorain-Carnegie Bridge; and then we have several others where we have no effect, but they're de minimis Section 4(f), so we do touch those properties, but we have no adverse effect on. That includes the Loft Building, the building with Daniel's Furniture; Samuel Mather Mansion on Cleveland State's campus; the Ohio Boxboard Building, which Taste Buds and a number of other businesses occupy; the juvenile court building; and what's known as Tactical Fire Rescue Station, which is Fire Station No. 28, next to the fire museum, on the old central viaduct.

There are three properties where the preferred alternative does have an adverse impact and requiring individual 4(f)s. That includes the Broadway Mills Building and the Marathon Gas Station on the downtown side where the new bridge is to be constructed; and the building known as the Distribution Terminal

Warehouse, probably more commonly referred to as "the Cold Storage Building," which is the

large concrete structure on the Tremont side of the valley, and those three buildings need to come down to make room for the new westbound bridge.

There's a number of other properties that aren't historic but are no less important: total of 25 commercial structures, housing 57 businesses. There's ten residential structures, with 19 units in them; and there's one municipal structure, which is the mounted police stables, which we're working with the city on. There's no impact to the schools, churches or hospitals in the corridor.

I'm going to walk you through the corridor. There haven't been a lot of changes in the last two years. It's fairly consistent to what you've seen over the last two years, but there are some changes, and I just wanted to give you a general lay of the land.

This is the innerbelt curve. This is I-90 coming around the curve out to the east. This is Route 2 to the west; Lakeside, Hamilton, St. Clair and Superior Avenues. You can see in

here in the shading here, this is actually the existing curve. It actually comes up and turns to the west and comes up and make a very hard turn to the east, much sharper than this future curve. So we've taken that very severe curve

and increased its radius significantly and made a much safer operation.

There's also a curve on the backside. If you're going Route 2 eastbound to 90 west, there's actually a 20-mile-an-hour curve on the backside of the 35-mile-an-hour curve. And we actually take that ramp up over the top, so it has a much larger radius like the main line curve and increase the distance between that interchange and the first exit at Superior Avenue.

We maintain the access point at the parking lot connector roadway in the south margin road and then the connection within the parking lot that comes back from the south marginal road.

We set up for the future Lakefront plan, the calming of the shoreway. Right now if you're headed eastbound -- or westbound on Route 90 and you enter westbound Route 2

heading towards East 9th Street, there's really nothing that tells you you've left the interstate system and you're approaching the North Coast Harbor area.

We actually create a true exit so that traffic continuing west on Route 2 exits the interstate from a traditional right-hand exit -- exits from a traditional right-hand exit. And

we actually put a little bit of geometry in there, so it has a general curve to the right and then to the left, so we create a traditional exit so as people are coming westbound on I-90 and exiting to the downtown, they know they're leaving the interstate system. They know they're entering a new facility with a different type of operations.

UNIDENTIFIED MAN: Since you stopped at this point, can you explain what's happening with the innerbelt there? because that did switch back and forth -- I mean, Route 2 changed in terms of the shoreway plan, so leaving the freeway and entering a different place; so as you continue west on 2.

Well, you're back.

MR. HEBEBRAND: As you continue west, we

really make no physical changes; but because we've changed this to a traditional exit and put a little geometry in there to kind of naturally slow traffic coming into the Lakefront, in the future the facility's speed is reduced and the connections incoming into North Coast Harbor will change. This will already feed naturally in there.

The ramps to and from Lakeside are removed. That gives us a much better operation between Route 2 and Superior, which is the

primary interchange.

26th Street is the primary connector. 26th Street becomes two-way all the way down to Superior, so that little, short stretch of one-way section is eliminated.

And we also improved the geometry here so that you get a better return when you do that cut-off ramp to go back to 26th and head up to St. Clair and Lakeside.

On the other side, we take 30th Street and actually extend it across St. Clair up to Hamilton so that we can move traffic from the Superior interchange up north into the industrial area.

Innerbelt trench, I've got a couple blow-ups of this, but I'll give an overview of it first.

This is I-90 coming into the Carnegie curve; 22nd Street; and then Carnegie, Prospect, Euclid, Chester, Payne, and Superior; existing interchanges at Superior, Chester and one that splits three-quarters of Prospect and one-quarter at Chester.

I'll go into a little detail; that this is the frontage road section between Chester and Carnegie. I'll also talk a little bit about the alignment up here.

One of the things that we previously

showed was impact to the Ohio Boxboard Building, the building that occupies -- is occupied by Taste Buds and a number of other businesses.

What we did in an attempt to avoid them was actually put a little bit of reverse curve in the main line. It's fairly subtle. As you come under Superior, we kind of turn a little bit to the west; and as we come up to St. Clair, we turn back to the east. It's just enough, with a retaining wall, to get around that property and allow us to avoid that one.

Operationally, drivers are not going to be perceptive of much of the change in direction as they go through there.

Little bit of detail of Superior here. Again, Superior is a full interchange. There's four ramps, to and from the east, to and from the west. Very similar configuration to the way it is today. It's signalized. Particularly that ramp that's coming from the west will be able to come up and turn freely. Today it's unsignalized.

The cut-off ramps -- There's indirect ramps that go to 26th and go to 30th, provide access up to St. Clair and Lakeside, provide access back to Payne. Those are retained, so it's a very similar operation to what is there today.

The big difference is that in order for this Superior Avenue ramp to come on cleanly, we actually take the Chester Avenue ramp off and slide it underneath before Superior enters, so that's how we get those two movements across each other so that we can continue to have both movements in close proximity without having the weave condition we have today.

This is a little farther south. This is the frontage road system. And again we have a interchange at Chester. There's an existing interchange, three-quarters of which is at Prospect, fourth part of it is at Carnegie. These Carnegie and Prospect ramps get redirected.

The Chester ramp interchange stays fairly similar to the way it is. We do eliminate the loop ramp in this quadrant with a pair of diamond ramps. We keep the loop ramp in this quadrant and improve it.

The other thing is, as you're coming I-90 westbound and you're exiting at Chester, today you actually exit to 24th Street and access Chester indirectly. We maintain that cut-off to 24th Street, but we also provide a direct access to Chester, which actually begins the frontage road, which takes people to Euclid, Prospect, Carnegie, and actually all the way

down to Cedar.

In the northbound direction, the frontage road system picks up where Cedar connects to Carnegie and connects Prospect, Euclid, up to Chester; and as it reaches Chester, it's

opposite the entrance ramp, so it can go across the signal and enter I-90 at that point.

Chester Avenue enters two lanes of the ramps, one coming off of eastbound and one coming off of westbound. They come together and actually form the fourth and fifth lanes coming into the Carnegie curve, and those lanes continue until the I-77 exit; likewise, coming the other direction, two lanes come on from 77 and then exit to Chester Avenue.

Moving into the central interchange --

Let me set the orientation here.

Jacobs Field; Lorain-Carnegie Bridge; Carnegie Avenue; 22nd Street; 18th Street; 14th Street; 9th Street; Ontario Street, which becomes Broadway and eventually Orange Avenue. This is 77 coming in between the post office and Tri-C and making the curve into I-90.

We do a couple things here. We'll talk about the bridge in a moment, but this is the new westbound bridge and then the new eastbound bridge on approximately the alignment of the existing bridge.

As we enter from the bridge, again we've got a ramp today that exits to Broadway. That

ramp actually gets pulled back here and enters to 9th Street southbound, which lines it up with the new Commercial Road hill, which takes it down into West Third Street and Canal, and provides access in and out of the Cuyahoga River Valley.

Ontario Street geometry is improved. And a new geometry, to simplify the presentation, we grade out the existing geometry so you can focus on the proposed geometry; but if you look at some of the boards in the back to the left, you can see the difference in the radius on those ramps.

So you exit Ontario Street. You exit to 9th Street south, which is also Broadway and Commercial Road. You exit to 9th Street north, and then you exit to 22nd Street.

We braid this ramp with 77, so right now 77 and 22nd cross very abruptly at grade. We now take that 22nd Street ramp up and over the 77 ramp, bring it in in the exact same location. It's Central Avenue.

We also consolidated with the ramp that comes off here and goes to Carnegie, so that movement comes back, shares this ramp. They

both come up. 22nd Street traffic is already on 22nd Street. Carnegie traffic exits, turns left and reaches Carnegie Avenue.

In the other direction, the ramp from 21st to 77 remains. All these ramps get improved geometry. The ramps from 14th and 18th to 77 and 90 remain. 9th Street remains. Ontario Street remains.

The ramp that comes up off of 9th and Ontario to start 77, actually that traffic continues on Orange and enters at the other side of the post office at 30th and Orange.

77 traffic comes in. Again, the movements 77 north to 90 west, 90 east to 77 south, those are relocated to I-490. And what we have then is two lanes coming off of I-90 to 77, forming the beginning of 77. Today that traffic comes off. It comes off as a single lane. It then drops down in grade; and then makes a hard left turn, with pretty poor sight distance underneath the main line. In the future we'll actually take that up and slide it over the top of the main line so we'll have much better sight distance and geometry coming across to form 77. It will pick up the

ramps from 21st Street as it comes around and

then the ramp from 14th Street.

The other thing we do is the exit ramp from 77 south to 30th and Orange. Right now that ramp comes down virtually in the intersection. There's very little ability, once you're off the ramp, to change lanes, to adjust your speed, whether or not the signal is red in front of you. We actually pull that ramp back, so it's actually coming off here as you come over 22nd Street, touches down opposite the post office and has, you know, considerable distance, short of the intersection now, for traffic to make any lane adjustments that it has.

Likewise, coming in the other direction, the one ramp you don't see is the loop ramp to 9th Street, and it's actually about a 540-degree circle you make to come in. You're coming in on I-77; you actually exit to southbound 14th street, turn on Orange Avenue before turning onto 9th Street. We pull that back, and we actually exit as you come off of the Kingsberry Run Bridge and enter the 30th Street curve. It runs parallel and slides underneath where

the Woodland crossover is today. It actually becomes westbound Orange Avenue. From that point, these vehicles can access 22nd. They can access 18th and 14th, and they can access

9th and can access Ontario Street, so it becomes a very functional access point, which distributes traffic very effectively in the downtown from 77.

On 77 we also maintain the direct access connection to 22nd and Community College as well as the connection from 77 to 14th and 18th.

A little bit of talk about Commercial Road. Today it comes off near the beginning of Lorain-Carnegie Bridge, travels on the old viaduct, comes underneath the new viaduct, and then comes into Canal Road and West 3th Street.

Particularly up here it's difficult because it is -- particularly trucks exiting and trying to go down into the valley, they're coming off the interstate system. They're coming off on the right side in Ontario. They have to cross to the left side, make a left turn in what is the most busiest intersection

in Cleveland; and then they immediately need to make a second left turn before they've even finished completely leaving that intersection, so it's a very difficult maneuver. And what we do is actually create a much more logical path that accommodates the trucks, again, coming off of southbound 9th Street and being lined

up directly with Commercial Road, so it allows access to the vehicles coming into the post office, but does feed that connector down into the industrial valley very well.

A little close-up on Ontario Street, on the 77 leg. The main thing here is that we maintain the connections at 30th Street. What is missing are these crossovers; so the crossovers between Woodland and Orange, those are handled traditionally at the 30th and 22nd Street rather than having those two S-curves in there. That makes the exit ramps at 30th work better. That gives us room to accommodate the new 9th Street exit ramp.

This is right in front of Jacobs Field, Carnegie, Lorain-Carnegie Bridge, Ontario Street, the new westbound bridge and the new eastbound bridge.

Redoing this Lorain-Carnegie intersection and Ontario, one of the things with the intersection is, it's actually a double-legged intersection, where southbound and Ontario Street, the left and right turns actually use the west leg of the intersection; so that the old Eagle Avenue, they're diverted to the west, and those movements are made over here. We actually propose pulling that intersection back, reducing its footprint so it's a single

intersection; and coming south creates a larger, more usable parcel of property than just the little triangle that was there. It also cleans up the operation of this intersection. It's still going to be the busiest intersection in the City of Cleveland just because it's freeway on one side, convergence of a series of diagonal roads it feeds and the CBD immediately on the other side, but it will operate much better.

Southbound, we actually create the lanes for the entrance to the ramp north of the intersection, so the lane assignments for people entering I-90 west are actually made while they're still next to the Jacobs Field.

We separate them from the through traffic; and then when the lights change, they can come on and get on the ramp and the other traffic can continue down.

Before I go back to the bridge, I wanted to step over to a couple items that are a little bit farther south on both 71 and 77.

Let me orientate you on these. This is I-77. This is just south of here, I-71, just south of here. This is the 14th Street S Bridge, so the new traffic around about is up here. Metro General Hospital is here. Steelyard Commons is here. This is I-71

southbound as it enters the MetroHealth curve and has an exit to SR 176 southbound.

If you're going 71 southbound and you're exiting to State Route 176 southbound, the Jennings Freeway, you actually exit abruptly from the high-speed lane, the left lane; so it's starting to make a curve to the right, and you bale out to the left; not only that, the prevailing traffic speed is that of a high-speed lane of a freeway, not of a right lane preparing to exit.

So the solution there is fairly simple.

We just create a deceleration lane as we come under 14th Street, so that traffic that is exiting that isn't going through to 71 south can pull out of the through lanes and start to decelerate before it enters that curve onto 176 southbound.

On the other side of the valley -- this is 77, just north -- south of the 490 interchange -- we have the ramps coming from east and west on 490 that merge into 77. This is Broadway, which has a single ramp here and here; and this is Pershing, which has a pair of ramps.

The issue we had there was, we had a series of consecutive ramps. We had the ramps from east and west 490. We had the

ramps from Broadway. We had the ramps from Pershing. Particularly, the ramp from Pershing was very low volume; still the ramp from Broadway had to squeeze in between Pershing and the 490 ramp.

What we did was, we created a frontage road from where Broadway enters now to Pershing; and then both movements, the Broadway and the Pershing, use the Pershing ramp to enter. That

spaces those movements out. And again, the volumes on the Pershing ramp are extremely low, so bringing the volumes from Broadway up does not create a problem and improves the situation on 77 south.

Talk about the bridge. Proposal is for a new westbound bridge north of the existing bridge. And again, as we come out of the central interchange, we slide to the north, come through where the Broadway Mills Building is, parallel to the existing bridge, through where the Cold Storage Building is, and then we're back on alignment by the time we get to Kenilworth and Starkweather.

Again, there's three lanes coming out of the -- approaching the bridge. 14th Street will become the fourth lane. 9th Street will merge in. Still have four lanes. Ontario Street will enter, will become the fifth lane,

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so we'll have five lanes coming across the river valley in a westbound direction. A lane will exit the 14th Street and Abbey, as it does today, with improved geometry; and then those five lanes will continue south. And when we get to 71 and 90, we have five

receiving lanes. There's two eastbound lanes on 90, two westbound lanes on 90, and there's three southbound lanes on 71, so the five lanes we create coming out of downtown have a natural departure when we get to this side of the river.

In the opposite direction, in the eastbound direction, we also create a five-lane structure. Right now we have four lanes coming across the bridge. What we do is, we actually have three lanes coming north on 71, which is comprised of two lanes from 71 and one lane from State Route 176. However, to make that interchange operate, we actually have a portable concrete barrier, which has been there for a couple decades, that forces that 176 traffic to merge into 71, which creates a backup into the MetroHealth curve, so that we can allow the two ramps from -- two lanes from 90 to enter. What we do is actually make room for a fifth lane, so that the two lanes from 71 can proceed north, the lane from 176 can proceed north, and the two lanes from 90 can become

the fourth and fifth lane coming up on the bridge.

We pick up the 14th Street entrance ramp

the way we do today. And again, as we get into downtown side, we have an exit that allows us to access Ontario Street northbound, 9th Street southbound, 9th Street northbound, and 22nd Street and Carnegie.

The new westbound bridge is the first construction contract we're proposing to proceed with. Our hope that we would have the design-built contract in place in approximately next summer, summer of 2010.

Design build, for those of you who aren't familiar with it, most of the traditional highway projects for the last 100 years have been designed-bid build. We prepare a one-hundred percent design, extremely detailed. We then bid those out, and we then allow it to be constructed.

Going back another 100 years, it was all master builders, people like Blaine (phonetical), who did both the design and the construction simultaneously for these large bridges, so it's kind of the industry going back to something that worked previously in appropriate occurrences.

We're estimating that the construction

of the new bridge and the design be about 400 million. About 200 million is coming from the American Recovery and Reinvestment Act Funds, another 97 million is coming from -- earmarked from the Federal Transportation Bill, so that's about three-quarters of the funding coming from the two federal authorizations.

The American Recovery and Reinvestment Act Funds have some very strict time lines. Again, the purpose of these moneys are to stimulate the economy by getting them into circulation quickly. Those funds need to be obligated 365 days, and we've already spent 51 of those 365 days; so by March of next year we need to have the federal authority to advertise the -- for requests for proposal for the design build for this.

We had some current recent changes to Ohio law that will help this project. We've had design build authority for more than a decade; however, it's been fairly limited. On a statewide basis, we were limited to 250 million dollars in biennium, so every two years we could do a total of 250 million. Obviously, we're looking at doing one 400-million-dollar

project. So that limit has been moved -- raised from 250 to one billion for the two-year period starting this July.

The other thing that was changed in the state law is provisions to allow a value-based selection process. Our previous design build authority was direct low bid: open the bid, low bid, your project.

This authority allows us to actually entertain technical proposals from design build teams to create those against the criteria we -- criteria we established and use a combination of their performance on the technical proposal as well as the price proposal to determine the best value for the award of the contract; and that provisions also are in place for the biennium starting July 1, with the provisions that, at the end of that period, the Department of Transportation would report back to the state legislature. Actually, the governor would report back to the state legislature on the performance of that for determination whether or not that authority would be extended.

The next steps for the new bridge, after the completion of the record of decision

this August is the completion of the right-away acquisition. We have been purchasing properties

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from willing sellers, people that have approached us and wanted to expedite the sale of their property. We have been doing that for about two years. We'll continue to do that; plus, we'll also move forward with all our other acquisitions through the rest of this year and through 2010.

We'll establish those design build criteria I talked about. One of the big issues is urban design and aesthetics and what this new bridge looks like.

Previously, two years ago when we were here, we were talking about a cable-stay structure for 800 feet of the bridge. The proposed bridge is about 5,200 feet in length, which is what the existing bridge is, and about 800 feet of that was recommended to be a cable-stay structure, with very tall spire cables coming down to support it.

For a number of reasons, not the least which is financial considerations, the state national global economy we're dealing with today is much different than the one we had

two years ago. We have backed off that recommendation, so we're going to treat that 800 feet of the bridge the same way we're treating the other 4,400 feet, so the entire 5,200 feet will be treated similar.

We had a gentleman here last -- or two years ago that did a number of community workshops. His name was Skip Smallridge from Crosby, Schlessinger & Smallridge, that worked with the community to help us define the criteria. He will be coming back this summer for another series of community workshops to provide input to the Department of Transportation so that we may incorporate the appropriate criteria into our design build contract.

We hope to have the request for proposals out by March 1 of next year. Again, that's our funds and the obligation, limit of 365 days.

We hope to be able to issue a notice to proceed in the summer of 2010. Again, this is a design build contract, so this contractor team is going to be responsible for both the completion of the design as well as the

construction of the improvements.

Most likely, a large part of the work that they will be doing in the second half of 2010 is going to be design related, so there's not likely to be a lot of physical changes in the environment occurring in that time period; however, started in 2011, '12 and '13, we would expect construction to start ramping

up, starting with demolition of the buildings and getting into foundation construction and ultimately completion of a new bridge.

Beyond the first contract group, again we're looking at building that westbound bridge first, 2010 through 2013, and would then come back and replace the existing bridge with a parallel span and going eastbound.

Starting in 2013, '14, '15, the next series of years, at that point we would then start looking at the 77 approach and the ramps. We don't have specific dates now, but we're really concentrating on getting the structural issues and the Cuyahoga River Valley taken care of, so it's really the focus of our investment at this point and our other resources; but again, the westbound bridge, eastbound bridge

and then work our way into the other components of the corridor.

Jocelyn, are you going to facilitate the --

MS. TEEUWEN: Thank you, Craig.

I hope that answered some of your questions.

We're going to get started with the public comments.

The first person to talk is Howard Maier, and then the next up is -- to be prepared is

Mallory Jackson.

And we are going to limit it to two minutes, so we'll give you a one-minute warning so you could start making your point, Howard.

MR. MAIER: Not that there's a little pressure here.

Well, first of all, thanks for hosting this meeting. I think it's extremely important that the public gets to see it. The public involvement, obviously, is an important element in it.

And thanks to Craig for his steadfast involvement over these many, many years.

We recognize --

I should introduce myself. Howard Maier, NOACA.

NOACA has been a partner with Ohio Department of Transportation and City of Cleveland since 2000 on this project. NOACA hosted many meeting and the staff participated in several subcommittees and advisory groups.

NOACA is responsible for the region's long-range transportation plan. It should be noted that the innerbelt and the innerbelt bridge projects are on through NOACA long-range transportation plan. These were decisions made by the region, elected officials from five counties, as well as the City of

Cleveland, so it went through quite a process in NOACA.

Also to point out, we were pleased that Governor Strickland has decided to use the Federal Economic Recovery Funds to advance this first innerbelt project, so we're pleased to see that the new bridge is right on the list.

So we recognize, finally, the difficulty of making a traffic artery serve multiple and sometimes conflicting goals, such as economic development, quality of life, safety,

maintenance of traffic, mobility, air quality, water quality and many others worthy goals. This is quite a process.

And I just want to say thanks for the opportunity to speak.

And I do have some ideas for the bridge design. Good opportunity to do a statute of Superman. That's a personal comment.

Thanks.

MS. TEEUWEN: Mallory Jackson is next, with Ken McGovern on deck.

MR. JACKSON: Good evening everyone.

My name is Mallory Jackson. I'm a field representative of Labor Local 860. We're skilled craft union laborers. Anthony Liberatore, Jr., is the business manager and secretary/treasurer.

Also with me tonight are two of my colleagues: Leonard Rizzo and Mark Olivo.

Our jurisdiction for the laborers, we cover Lake, Geauga and Cuyahoga County, and the coverage area is the ODOT District 12. But not only for the infrastructure work that's involved in this bridge, our members of Labors Local 860, 2,200 members, are going

to have an opportunity to work on this bridge and also additional work that's involved. Also the building trade. It's not only the laborers. There's also the other trades that's going to have an opportunity to work also.

So I'd just like to thank ODOT and the representative of -- for Anthony Liberatore, Jr., and all the other members of Labor Local 860.

Thank you.

MS. TEEUWEN: Thank you.

MR. MC GOVERN: Good evening. I'm Ken McGovern.

MS. TEEUWEN: On deck is Paul Stanard.

MR. MC GOVERN: And I am a member of the Midtown organization, on the board, and various committees and also one of the founding members, so I've been involved in the organization for 25 years, trying to deal

with that piece of earth.

Twenty-five years ago, the condition we found there was one of deterioration, disinvestment and basically what was becoming a noncompetitive location.

When the small group of us got together and looked around, we looked at our assets, and they were highlighted by one location, nestled between University Circle and downtown, the two major job generators.

Second was the diversity of small businesses, business stakeholders in the area, which was -- the appearance was very deceptive, but there's a lot -- was and continues to be a lot of business strength.

And the third asset was access. We had incredible access to the interstate system to downtown and to University Circle.

Implicit in our mission, then and now, is to assure and sustain competitiveness of the Midtown location for job retention and job growth.

The initial actions when we started out, we didn't have very much money, we didn't have very many folks, so we got the hookers off the street and we got graffiti off the buildings. We did all those things grassroots organizations do.

As we gained momentum, got more money, we realized we had to be in the land business,

so we started to buy some land; got some help from the city, got some help from other civic organizations.

Today I think it's fair to say Midtown is one of Cleveland's success stories. The last ten years we've witnessed major reinvestment; job creation; assembling of clean, large parcels for redevelopment. We've seen the RTA Euclid corridor line; and we've gained, I think, a lot of credibility.

We now find ourselves in a situation where the state, which we believe should be a partner with us on job retention and expansion, is threatening one of our key assets, which is accessibility.

MS. TEEUWEN: And if you could wrap it up, please.

MR. MC GOVERN: The proposed stretch design will negatively impact our large and small stakeholders.

We urge ODOT to restudy the trench design with a specific focus on equal or better access to and from Midtown, The Cleveland Clinic and downtown.

Thank you.

MS. TEEUWEN: Mr. Stanard, and on deck is Brooke Deines.

MR. STANARD: Thank you, Bonnie, and thank you, Craig.

I know the two of you have put a tremendous amount of work into this project for a long number of years. I've been coming to these meetings for six or seven years now.

From my standpoint, it's a real good plan. It's sensible to build a new structure while maintaining traffic on the existing structure; thereby, minimizing the disruption of traffic.

The plan is going to put a lot of hard work in Clevelanders, Cuyahoga County people and Ohioians back to work. It's going to make the highway safer and improve transportation greatly in the Cleveland area. Good work and God's speed.

MS. TEEUWEN: Thank you.

Brooke Deines. Did I pronounce that correctly?

MS. DEINES: Just Deines.

MS. TEEUWEN: Sorry.

And then Kevin Cronin is on deck.

MS. DEINES: I'm a resident of Tremont.

And my comment is concerning the area where the Cold Storage Building is going to be demolished, and where the new westbound bridge will create an under viaduct area here in Tremont. And I would like to see some environmental and urban and environmental planning, maybe a green space, just to make that area a green, usable space for the residents of Tremont and Cleveland rather than a dangerous, dark area where it kind of is now, where the existing bridge is now. And that's my comment as a private citizen.

And as a union labor lawyer here in Cleveland, I'm very happy that these dollars are going to put Cleveland laborers and tradesmen, tradespeople back to work.

Thanks.

MS. TEEUWEN: Kevin Cronin, and Steve Hom is on deck.

MR. CRONIN: Thank you.

I'm a volunteer with a nonprofit called Cleveland Bikes, which does cycling advocacy and promotion of cycling and pedestrian interests.

From our perspective -- From my perspective, ODOT failed to protect the health and safety of cyclists and denies pedestrian cyclists access to the bridge, which is contrary

to federal transportation regulations.

The cycling committee was pleased to assist in passage of the stimulus in working both nationwide and herein with our Ohio representatives.

We think that infrastructure investment is the right call for the economy, but the cycling and pedestrian infrastructure can rebuild our economy and our neighborhoods' full cycle concerns at this point.

To our view -- To my view, the ODOT plan fails to meet the responsibilities for cyclists, and it's far from the shovel-ready status called for by the innovative federal plan that the president and congress have called for. 2

Now, the first point I'd like to say is, I think the plan threatens cycling safety on the improved bike lanes, like Superior Avenue as well as on -- cyclists who may be riding on East 24th, 30th, 55th and cross-streets that 3

burdens to cyclists and pedestrians who are lawfully working on or along the road. And I think that the fewer highway exits are going to create longer, more frequent idling, which will also have a deleterious health effect. 6

As a result, ultimately you're going to be using the area of the bike plan's already limited routes north and south here in Cleveland.

Now, the second point is dealing with the bridge access. My reading of Federal Law 23 USC 217 says that if you're replacing the bridge deck and there's cycling on both sides, then there should be cycling access on the bridge. 7

And I think -- And so we do think that when you were first talking about some innovative plans and some creative designs,

are going to be coming and feeding in through downtown Cleveland.

I think the plan is going to cause more and heavier truck traffic, which has longer stopping distances and active safety risk. 4

I think it will cause more harmful diesel fuel emissions which shifts health 5

that cycling could be -- cycling and pedestrians could be accommodated.

When ODOT created some alternatives, a theory was continued in the draft environmental statement that said that the cycling need not be accommodated because there were other alternatives. I think that the other alternatives are unsafe and that this would be an opportunity to get the process right right from the start. 8

So in conclusion, I would like to point out that cycling and pedestrian access is big bang for a relatively low level of investment. If you were to invest even a fraction of what you're talking about for a highway, maybe the amount of money it's going to cost you to create one mile of highway, you could invest in creating a strong pedestrian and cycling infrastructure for a modern city, and we think that's what Cleveland needs.

So for those things -- those points, I'd like to stress that I think the current plan as it's out there is inadequate to address the health and safety of cyclists.

Thank you very much.

MS. TEEUWEN: Steve Hom, and on deck is Mark Leonard.

MR. HOM: Hello. My name is Steve Hom. I'm a concerned stakeholder from the Payne Avenue area.

I've come to many of these presentations like others of you, and I have yet to see a convincing argument that the existing exits and entrances in the innerbelt trench are hazardous. Much like the bridge to nowhere, ODOT is building extra roads for no purpose. The existing system works fine.

Where is the data that shows that the

trench has more accidents than other areas? And we rarely see accidents in the innerbelt trench. It seems as if there are significantly more accidents on I-480 and 271 during rush-hour. I speculate there are more accident and more serious accidents on those highways because of the higher speeds.

This model proposed will increase the speeds in the innerbelt trench. Will this result in more accidents and more serious accidents?

But no matter how good this model is,

it actually cannot predict the future. What is the probability that this model is incorrect? What if the elimination of one-third of the access points in the innerbelt trench leads to gridlock on both the highway and the city streets? Is this experiment really worth the risk?

MS. TEEUWEN: Thank you.

Mark Leonard is up, and Marty McGann is on deck.

MR. LEONARD: My name is Mark Leonard. I'm the president at Dodd Camera. We have our store and headquarters at the corner of Carnegie Avenue and East 30th.

And truly I mimic what so many of the other stakeholder of that neighborhood

understand, which is that loss of access to that neighborhood, easy access on and off the highways will radically affect the neighborhood. That neighborhood was prostitutes, empty buildings, and a terrible place to be until the local community took time to really kind of renovate what was going on.

We've enjoyed a lot of success there

over the last 15 years that we've been on that corner. Lack of easy highway access will force us to move.

I certainly hope that people understand that this is not simply an environmental; it's an economic hardship that we will face and have to look for other places to go; that we would also cut off access to The Cleveland Clinic, which is certainly a lifeblood for the city at this point.

If you've ever taken the bus and you're walking down Euclid or Prospect or Carnegie Avenue, you would be amazed how often you'll be stopped by other people who will ask, How do I get to The Cleveland Clinic?

Without easy access to Carnegie Avenue, they won't be able to find it, so I'm concerned for the out-of-towners as well.

So I simply agree that eliminating the

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Carnegie Avenue exit is not the right thing to do, and I do not believe that there's been enough serious attention paid to the locals there.

For two years, three years, four years, we brought forth the same argument. I have

yet to see a change in the plan for the exit ramp elimination.

Thank you very much.

MS. TEEUWEN: Mary McGann, and on deck is Frank Porter.

MR. MC GANN: Good afternoon.

My name is Marty McGann. I'm here on behalf of The Cleveland Clinic. I'm here presenting the main campus hospital and nine regional hospitals.

The Cleveland Clinic is the largest employer in greater Cleveland and the second largest employer in the state.

I'm here because The Cleveland Clinic is concerned that the current Ohio Department of Transportation, Cleveland Innerbelt Reconstruction Plan, which calls for the elimination of east-on-Carnegie-Avenue exit, will create unintended access issues for us and other major employers in the area.

There are over 20,000 employees of The Cleveland Clinic main campus and 3.3

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A 50

million patient visits annually. Literally, thousands of patients and visitors and employees use this exit on a daily basis.

Cleveland Clinic fully supports the immediate advancement of components of the plan that are necessary to construct the new innerbelt bridge. We agree that this is critical and must be addressed promptly; however, we also support Midtown Cleveland and their request that the trench components in the plan be decoupled and addressed independently.

We feel the daily use to justify the closing of Carnegie exit does not contemplate the growing economic importance of health care to our region and has the potential to cause large scale challenges on the City of Cleveland streets.

Thank you for the opportunity to provide comment.

MS. TEEUWEN: Thank you.

Mr. Frank Porter, and on deck is Mr. James Carpenter.

MR. PORTER: Thank you.

My name is Frank Porter, and I'm president of Central Cadillac, Limited.

Our company will be celebrating its 71st anniversary in Cleveland this year. My

grandfather and my father actually built the existing facility that we're in at 2801 Carnegie, before the innerbelt was ever built in 1949, so we've been there for 61 years.

We have the largest Cadillac dealer in the State of Ohio, in a downtown urban location. How does that happen? One way, and that is because of direct freeway access.

I want to speak today on behalf of the 80-plus retail businesses that make Prospect and Carnegie Avenue in Midtown their home. These businesses all rely on the freeway access and the traffic that the freeway provides to survive.

When you remove the ramps at Carnegie and Prospect, the businesses will go -- all the business is going to go somewhere else.

Midtown has lived through this once before. When I first in business, Nick Moletti moved the Barrens to the Coliseum in Richfield. That was 1974. The arena up to that point provided revenue -- a revenue flow to a number of businesses and restaurants in the area.

When that was cut off, the area deteriorated rapidly and dramatically. It's

taken years and years, as other people have attested to, to bring this area back. And by closing the exit and entrance ramps at Prospect and Carnegie, you are cutting off the flow of funds and traffic, which is our lifeblood. And I predict the same kind of results will happen.

And I ask you to restudy Carnegie. The exit ramp is available. It can happen. It's extremely important to the retail businesses in our area.

Thank you.

MS. TEEUWEN: Thank you.

James Carpenter, and on deck is Brooke Willis.

MR. CARPENTER: Good evening, ladies and gentlemen.

Thank you, Bonnie and Craig, for this opportunity.

I'm from Willoughby, Ohio. And the reason I'm here is because, as a central city declines or prospers -- if it declines, suburbs go with it. You can't have a rotten core, you can't have a core in distress and have healthy suburbs.

Article in the Lake County News Harold several days ago, they're working on Route 2;

and one of the comments was that it's going to be -- increasing the three lanes on part of Route 2 is going to be a stimulus to the local economy.

As pointed out here several times, there are probably several hundred, maybe even several thousand small businesses between the lake and where we're at now, employing two to three to five to 20, 30, 40 people. They need to be able to get to work quickly. Closing Prospect Avenue exit ramp shuts off -- that's the last exit ramp going south on 90. That's the major -- one of the major exit ramps for Cleveland State. It's one of the major exit ramps coming south from I-90, going into athletic complexes that are west of here, to say nothing of the major access ramps to the businesses which are east of here.

You can't keep chopping off exit ramps and entrance ramps and expect economic vitality to continue.

At one time the Cleveland area was -- had -- one of the best freeway systems in the

nation was here. Let's make sure that we keep it one of the best freeway systems in the nation, here, so that these people, businessmen and businesswomen can continue to offer businesses and employment for their

employees and continue to increase the economic situation here in Cuyahoga County.

Thank you.

MS. TEEUWEN: Thank you.

Brooke Willis, and on deck is Jim Haviland.

MR. WILLIS: My name is Brooke Willis, and I'm a homeowner in Tremont. I live on West 15th Street, immediately south of Starkweather, which is immediately adjacent to the ODOT property of the innerbelt. My backyard is about three feet deep and then there's the fence to the innerbelt, if you see where I'm coming from.

I just wanted to speak against the installation of the so-called "noise-reducing barrier walls." Just because that they are very common in the suburbs does not mean that they have a place in urban settings.

And I want ODOT to carefully consider

neighborhood input, which I'm sure you will, in whether or not these are put up and what style they are. And hopefully, they won't be put up at all.

Just basically, they produce greatly-reduced sight lines, greatly-reduced afternoon sunlight; would completely eliminate sunsets, at least from the level of my house

and many houses on West 15th Street, on the other side; on Scranton, I imagine, as well. And also some studies have shown that they have potentially increased noise levels rather than decrease noise levels.

So I just wanted to speak against barrier walls.

Thanks.

MS. TEEUWEN: Jim Haviland, on and deck is Eric Smith.

MR. HAVILAND: Good evening, Craig, Bonnie, Jocelynn, and all of you this evening.

I'm Jim Haviland, executive director of Midtown Cleveland, Incorporated.

First I would like to congratulate our local, state and federal-elected officials for securing the stimulus money for things like the

bridge and also for accelerating the planning of Opportunity Corridor, which was not mentioned but it's vital and instrumental and it's a key piece of infrastructure in northeast Ohio.

However, as I'm standing here today, I'm really disheartened because of the fact that after all this work, we still have a trench design that is unacceptable. And this isn't --

For those of you who do not know, a letter that was offered by Mayor Jackson in

2007 had took into consideration a lot of the community's concerns with many bridges you've heard of today. And in that letter that went to the Ohio Department of Transportation, Federal Highway, the mayor said that there's an expressed need to maintain direct Carnegie access in Cleveland to maintain a economical viability.

We learned earlier this year that that alternative has been rejected, and we are back now to an alternative that has been rejected by the community since 2003.

Midtown has been pleased in working on community compromises. And in a few minutes

we'll talk about what we're doing to, once again, provide an alternative to this; but to this end, we implore ODOT, Federal Highway to consider a new trench design, because the omission of Carnegie ramp is really going to be unacceptable to all of us. And the reason being -- there's three reasons. Number one, the mayor had indicated in his letter, which again had government, business, community groups, major institutions and the county commissions, that Carnegie Avenue and its omission will have an adverse effect on the social and economic development in the region. That's a significant message coming from

the mayor of the City of Cleveland. And it was signed off by many in the community.

Secondly, ODOT said -- excuse me -- that we determined that ODOT did not accurately take a look at the future growth in the Central Business District, Midtown District, and University Circle.

MS. TEEUWEN: Wrap it up.

MR. HAVILAND: I will do that. Thank you.

We believe that the plan growth -- and

we are for plan growth -- is going to happen. And if we do not have access, then we're going to have a negative impact.

So what we're asking for -- and Steve O'Bryan, our attorney who has been representing these businesses for three years, will explain this a little further -- either we need to take a look at a new plan, we need to pull the trench segment out of the EIS so that we can come up with a fresh approach, one that will provide access, allow all of the other activities to occur. We support the Opportunity Corridor, certainly the bridge and everything else that's been approved.

We do not want to lose this stimulus money, but we need to find a plan that's not going to take the grip off and put it on the

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city surface streets, because there's no capacity in this study for the city to be able to mitigate the problems you're going to have on the city surface streets, and that is our key concern that we have.

Thank you very much.

MS. TEEUWEN: Eric Smith, and Steve O'Bryan is on deck.

MR. SMITH: I'm Eric Smith. I want to congratulate ODOT for doing a fantastic job with this project. They have been working eight years on it. This is a fantastic opportunity for the City of Cleveland. No other city in the State of Ohio is going to receive this much money for a project to stimulate the economy in Cleveland and make improvements that are much needed.

I think this process needs to move forward. We need to get through this environmental phase and get this thing built and get people to work.

Thank you.

MS. TEEUWEN: Thank you.

Steve O'Bryan, with -- on deck is Nabil Farah.

MR. O'BRYAN: Thank you.

As Jim Haviland indicated, my name is Steve O'Bryan. I'm with the Taft law firm,

and I've been representing the Midtown Nonprofit Organization and its 650 businesses for three years now.

Our position has been consistent, and it's simply this: that ODOT's predetermined

decision to remove Carnegie and Prospect, these freeway interchanges, from this improvement has been wrong, and we continue to believe that.

Everyone knows that freeway interchange is a very valuable thing, and all you have to do is look at Rockside Road and I-77 and the other examples.

ODOT's decision to take these interchanges out of the heart of the City of Cleveland and destroy the economic value, we've heard hundreds of businessmen here in the last three years testify to this, and it's on record. So we believe that ODOT has proceeded here without a recommended and promised economic impact study, and they have not come up with a viable alternative to the closure of these two roads.

So we believe and we are urging Federal Highway to not approve the EIS as it relates to the trench.

There is legal precedent for the separation of a segment of a highway such

as this.

The trench, as you've heard Craig

indicate, is going to be constructed last. We need to stop the expenditure of any federal money in the trench, as you have heard. It works now. It provides jobs and access to The Cleveland Clinic, the largest employer in this area; Applied Industrial Technologies; Dodd Camera.

Just to look at the environmental impact statements and analysis of the job situation, it says on page, I believe, 436 that it projected 175 jobs to be created by the year 2035.

Ladies and gentlemen, Federal Highway -- if these gentlemen who have told you that they're going to have to either move, close their businesses or stop and shunt the growth of our hospital system in this town, if this project goes forward as now planned, thousands of jobs are at stake, millions of dollars in local taxes, and thousands and millions of dollars of economic benefit.

We believe and we will outline in our statement, which we'll submit by May 21st, a clear and consistent rationale that will show that as to the trench, NEBA (phonetical) has

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not been followed either substantively or procedurally.

You all promised us a completed draft environmental impact statement by EDR in November of '05. You got --

MS. TEEUWEN: Wrap it up, please.

MR. O'BRYAN: You didn't like the results, and it was never completed.

You promised us an alternative route study that would be put out and published before any alternative route was agreed upon. You never produced that document, much less had an open and public input on that.

ODOT hasn't followed its own published procedures at arriving at this draft environmental impact statement; and for that reason and for the reasons that this project is irrational and arbitrary in terms of its predetermined need to take from the heart of Cleveland these economic -- these economic drivers, these two important and critical interchanges, it should be stopped, no federal money should be spent on that. Build the bridge, build the curve, and let's continue to study this and not spend --

MS. TEEUWEN: Thank you very much.

MR. O'BRYAN: -- taxpayers' money to shut down and stunt the economic growth of this great city.

Thank you very much. And sorry if I've taken a few extra second to set forth our position.

MS TEEUWEN: Nabil Farah, and on deck is Don Scipione.

MR. FARAH: Good evening.

I am Nabil Farah. I'm a resident of Cuyahoga County, and I work downtown. I also attend our church that is located downtown, so I'm downtown almost seven days a week.

I want to applaud ODOT for moving this job forward. It's much needed at this time, And we need to start moving forward.

As we move to other Ohio cities, we see a configuration of the whole interstate system and all the ramps and exits. It's much needed jobs, much needed work that we need to continue on.

I have two comments. I really like that ODOT is moving forward with the new bridge on the northern alignment. I think

it's a better alignment overall and give us better access to go downtown. I'm a person who drives it every day during rush-hours, during game times. I think it's a better

alternative.

Another point, I am also very glad to see that we configured East 22nd Street exit. For that reason -- East 22nd, I had to deal with that in my last days when I was going to college. I scheduled my classes not to come in at eight o'clock so I could avoid that exit.

Nowadays, my wife works downtown. She works for St. Vincent Charity Hospital.

I avoid that 70 percent of the time. I come off of 490, come down Broadway, not to take that exit.

In the future, my daughter will be going to Cleveland State University. I don't want her to deal with the same issues I had to deal with.

Thank you very much.

MS. TEEUWEN: Don, could you say your last name so I don't butcher it, please?

MR. SCIPIONE: Certainly.

MS. TEEUWEN: And on deck is Vicki

Wildeman.

MR. SCIPIONE: I'm Don Scipione, and I am a past chairman of Midtown Cleveland and a business owner in Midtown.

Craig, when you started off, you were talking about finishing this up so we could get to the Cavs game. Well, you know, if you

were heading west -- heading west towards Cleveland, when you got to Prospect, you see a sign saying like "Quicken Arena, turn here" or "LeBron, turn right" or something like that. Imagine that, you know, now we've got your plan to close the trench and you're heading to Cleveland for the playoffs and you miss that exit at Chester. Your only chance -- next change is way on the west side. By the time you got back to your seat in the Cavs arena, the Cavs would be so far ahead, LeBron would be sitting down for the rest of the game. So really we need this access.

You're talking about eliminating 30 percent of the access to the City of Cleveland, 60 percent of the access to Midtown Cleveland. It's going to be an enormous burden to the economy, and it doesn't need to be done.

The simple solution is to slow the speed limit, keep the access as it is, save 425 million dollars that you're going to use for that and use it for the Opportunity Corridor.

I just want to say that I could go on for a long time, but a lot of the previous people have spoke about all the points.

We've been here ten years at this. We need to work as a partnership, separate the

decision for the bridge from the decision of the trench, and let's move forward and find a solution that's good for the City of Cleveland.

Thank you.

MS. TEEUWEN: Thank you.

Vicki Wildeman, with Scott Carpenter on deck.

MS. WILDEMAN: Hi. I'm Vicki Wildeman. I work downtown Cleveland, and I use the local and interstate roadway system on a regular basis for my job.

I realize that tonight has been -- it's kind of the culmination of a very long process and it has taken a lot longer than any of us originally anticipated.

And while I do understand that the results aren't going to please everyone that's been involved in the process, I believe that all of the stakeholders that have been involved are dedicated to providing the safest environment to the general public and to the City of Cleveland.

So I fully support this project as it's shown now tonight because it does achieve that goal. It does provide a safe environment for the public, while allowing us to accommodate future growth and development.

After all the years and efforts we've experienced, it is encouraging to see this

project move forward.

Thank you.

MS. TEEUWEN: And Scott Carpenter, and that's the last name that we have.

MR. CARPENTER: I'm Scott Carpenter. I represent the Western Reserve Fire Museum and Education Center.

We are, in fact, right now we have -- we're spending about a million dollars on the east end of the bridge right -- the existing bridge right now. We're at the foot of the Lorain-Carnegie Bridge, right across the

street from the Progressive Field.

Our property, although it is not a take, we are going to be significantly impacted by the bridge being built on the north side of the existing structure.

I've been trying very hard to work closely with everybody here to make the most of the situation; however, since this will be one of my last times to say it, I'm still advocating for the southern alignment. I still like that concept. I think it still works.

Given that we're probably not going to get the southern alignment, I want to work with Craig and his team to do the very best we can at that -- at the east end of the new structure

to minimize the impacts to our facility, to our historic site.

The building that we're in was built in 1926. It is the old alarm office for the City of Cleveland, which was in use until 2002. We have more than 1,000 members right now, the majority of whom are Cleveland area firefighters. Cleveland firefighters alone have given over $300,000 to this project in

developing this museum and education center, all for the good, all for the good of the Cleveland area, all for the good of northeast Ohio. We're in the business of saving history, saving lives.

So whatever we do when we build this bridge, I'm advocating Craig, once again, to do whatever we can to minimize the impacts to that historic site, the old central viaduct, and our building. I'm also advocating that we build the bridge as far away as possible.

Again, I prefer the southern alignment; but given we're going to be north, that's fine, but let's work on minimizing the impact to that site. Let's not have a great big shadow of a building -- of this bridge on our building. Let's allow great views of our old structures at that site, including the Lorain-Carnegie bridge.

Thank you.

MS. TEEUWEN: And that's the last comment that we have. I guess the formal presentation is over.

We will still stick around. If you have questions at the end for some of our

staff, you can address those specific comments with those people.

But thank you very much for coming.

Go Cavs. Go Indians.

- - -

Thereupon, the hearing was concluded.

- - -

C E R T I F I C A T E

- - -

THE STATE OF OHIO:
SS:
COUNTY OF CUYAHOGA:

I, Irma A. Blank, a Notary Public within and for the State of Ohio, duly commissioned and qualified, do hereby certify that the foregoing is a true and correct transcription of the proceedings in this matter.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office at Cleveland, Ohio, this 27th day of April, A.D., 2009.

_____
Irma A. Blank, Notary Public
Within and for the State of Ohio.
My Commission Expires 5/09/09

fox8.com/news/wjw-odotmeeting-txt,0,4954184.story

WJW

ODOT to hold public meeting on innerbelt plan

Staff Writer

CLEVELAND, Ohio -- The Ohio Department of Transportation and Federal Highway Administration want the public's opinion on their latest plan for the innerbelt bridge. Both organizations have approved what they are calling the "Innerbelt Plan's Draft Environmental Impact Statement."

ODOT is holding a public hearing on Tuesday, April 21, 2009 from 4 to 8 p.m. The hearing will take place at the Annunciation Greek Orthodox Church, located at 2187 West 14th Street, Cleveland, OH 44113.

The public can submit comments verbally, as well as by e-mail or fax.

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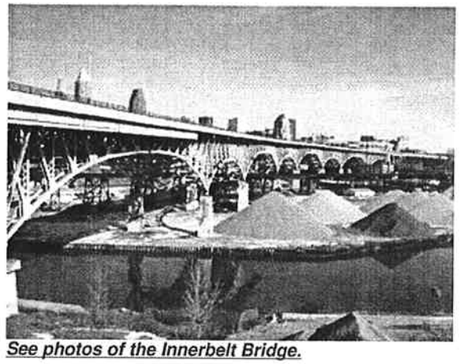
Close Window

Could a new Innerbelt Bridge include a toll?

Governor Strickland suggests ODOT toll newly-constructed bridges.
By Ted Klopp, Newsradio WTAM 1100
Check out Ted's personality page
Monday, March 23, 2009

(Cleveland) – Ohio Governor Ted Strickland has made a number of suggestions to state agencies when it comes to finances in these tough economic times. One for ODOT is to toll new bridges.

The current plan for Cleveland's Innerbelt Bridge is to build a new westbound bridge and then either rehab or replace the current bridge. So could the new innerbelt setup involve a toll?



See photos of the Innerbelt Bridge.

Downtown Councilman Joe Cimperman says he has not heard any talk about making the Innerbelt Bridge a toll bridge and would not support the idea. He says a toll would discourage business and hurt people who live in the area.

ODOT's Jocelynn Clemmings says they view the innerbelt project as an improvement of an existing facility – so tolling would not be appropriate.

Printed from: http://www.wtam.com

Draft of federal environmental impact statement finds no problems with Inner Belt overhaul

Posted by dkramer March 24, 2009 02:03AM

Chuck Crow/The Plain DealerThe Inner Belt Bridge is a major component of the state's Inner Belt Plan, a $2 billion proposal to rebuild the five-mile artery through downtown Cleveland. The project involves adding a second bridge, removing some exits and improving the central interchange. The Lorain-Carnegie (Hope Memorial) Bridge is to the left of the Inner Belt Bridge.

Plans to overhaul the Inner Belt through Cleveland moved another step forward with federal authorities' release of a draft environmental impact statement of the road project.

•Previous Inner Belt stories

The authorities found no environmental problems with the project, which includes rebuilding portions of several interstates into downtown and closing some entrance and exit ramps between the Inner Belt Bridge and Dead Man's Curve.

The feds agree with the state that the best solution for the aging bridge is to build a new span to the north of the existing one and repair or replace that bridge in its present location.

They also suggested putting in noise barriers near Tremont at the west end of the bridge but said that decision should be left to residents.

The environmental study includes no surprises, Craig Hebebrand, the Ohio Department of Transportation engineer in charge of the Inner Belt project, said Monday.

No money has been appropriated for the project, estimated to cost $2 billion and scheduled to be completed in 2028.

A public hearing will be held next month, and the Federal Highway Administration expects to approve a final environmental plan by late summer. Then ODOT can seek federal dollars for design and construction, Hebebrand said.

While attention in recent months has been focused on the deteriorating Inner Belt Bridge, which is likely to be totally renovated or replaced in a few years, ODOT continued to work on an overall Inner Belt plan.

It includes rebuilding portions of Interstates 71, 77 and 90 into downtown Cleveland and involves the East 55th Street bridge, Dead Man's Curve, the central interchange where the three interstates join, the Inner Belt Bridge and the West Seventh Street and Interstate 490 interchange.

ODOT held its first public meeting on the plan in January 2001 and its last in the summer of 2007. Much of the dissention has centered on the portion of the five-mile artery called "the trench" where Interstate 90 curves through the city's core.

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ODOT plans to close the Carnegie Avenue exit ramp from Interstate 90 eastbound and consolidate it with the East 22nd Street exit ramp. The Prospect Avenue entrance and exit ramps will be replaced with a pair of one-way roads that will connect to the Chester Avenue and East 14th Street interchanges.

Peregrine falcons that nest under the Inner Belt Bridge need to be relocated, the environmental review said. The bridge is among a dozen nesting sites in Cleveland for the once-endangered birds that are best known for nesting on the Terminal Tower.

A nesting box for falcons, installed in 2002, was recently removed because of planned maintenance and renovations to the bridge, Hebebrand said.

"They have had a nice safe perch but hopefully they will find the Lorain-Carnegie or other bridges more inviting this year," he said.

Categories: Environment, Innerbelt Bridge, Real Time News, Traffic

Comments

Jizy4 says...

Environmental study?
170 years of industrial waste, what's there to study?

Posted on 03/24/09 at 8:24AM

tremonster says...

Peregrine falcons...gotta save them, natural selection, less pigeons...LOL

Posted on 03/24/09 at 9:39AM

krazyk47 says...

"No money has been appropriated for the project, estimated to cost $2 billion and scheduled to be completed in 2028. "

your kidding me, right?

Posted on 03/24/09 at 10:07AM

kelkilbar says...

Any plan that does not extend 490 north to hook up with I-90 is a huge mistake. If this is done, the trucks passing through town will be able to bypass downtown. This will open up many options for re-building the inner belt bridge and downtown exits and on-ramps.

The current plan continues to route truck traffic around "Dead Man's Curve", needlessly increasing congestion in and around downtown.

If 490 is extended north (not the old, ridiculous plan to send it east through the Shaker Lakes) it will benefit the region and open up additional options to turn the Shoreway into a boulevard. Should this be built and the Port moved to the E. 55th area. the infrastructure will be there to get the trucks loaded and on their way.

If the trucks moving through town have a true bypass it will enable our region to re-create the innerbelt and perhaps build a "signature bridge" into town that will not be overwhelmed by truck traffic.

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Posted on 03/24/09 at 10:09AM

Krazyk47 says...

Great Idea kelkilbar. Extending 490 up along the railroad right of way through University Circle, and Glenville up to Bratenahl makes a lot of sense to me... Unfortunately I don't work for ODOT.

I think better highway access would benefit the dying manufacturing firms on the east side, help to spread the wealth of university circle into surrounding neighborhoods, and relieve a lot of congestion on Mayfield road because it would be quicker for Cleveland Heights residents to head west to get on the highway.

If you had a true downtown bypass, then that would enable you to shut down the innerbelt, as Kelkibar suggests, and build a single bridge. And since it would no longer be necessesary for through traffic to pass through the central business district, all of the highways could terminate before the cloverleaf which would open up a lot of land for development.

Posted on 03/24/09 at 10:21AM

rouggie says...

They can't maintain land alongside the freeways why do you expect a sound wall or new bridge will make things all better?

I have tried to have a lot paved for YEARS now that they left unpaved since the time of original demolition in the late 50's and I never get anywhere with these clowns !

Posted on 03/24/09 at 10:37AM

SomeVeracity says...

kelkibar

Don't they still have some sort of plan to build an expressway to Shaker Square from the 490 cutoff? Doesn't make as much sense as your idea but is something.

Posted on 03/24/09 at 10:42AM

msbrownsfan says...

Expected to be completed in 2028???? GOOD LORD, The bridge will collapse before then!

Posted on 03/24/09 at 10:42AM

mindspiral says...

@kelkilbar, there is talk of extending 490 to University Circle but only as quicker access to UC. I have not heard any discussion of going all the way to 90.

Posted on 03/24/09 at 10:47AM

mindspiral says...

@SomeVeracity, there is talk to extend 490 to University Circle area, and not Shaker Square (which was the original plan for 490 when it was first built).

Posted on 03/24/09 at 10:49AM

cleveland197 says...

2028?????

Posted on 03/24/09 at 10:53AM

rouggie says...

Yea you people don't have to live by a 490 ramp that you wanna build !

Posted on 03/24/09 at 11:13AM

john1015 says...

No money has been appropriated for the project, estimated to cost $2 billion and scheduled to be completed in 2028.

So how does Minneapolis build a new bridge in 13 months for 19% of the cost? And get it done 3 months ahead of schedule?

How about we fix the damn bridge first rather than kick around plans for another 7 years?

Posted on 03/24/09 at 11:18AM
Footer

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THE PLAIN DEALER

REINVENTING THE INNER BELT

Environmental study finds no problems with Inner Belt overhaul

Tuesday, March 24, 2009

Karen Farkas
Plain Dealer Reporter

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The authorities found no environmental problems with the project, which includes rebuilding portions of several interstates into downtown and closing some entrance and exit ramps between the Inner Belt Bridge and Dead Man's Curve.

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A64

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"They have had a nice safe perch but hopefully they will find the Lorain-Carnegie or other bridges more inviting this year," he said.

To reach this Plain Dealer reporter:

kfarkas@plaind.com, 216-999-5079

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THE PLAIN DEALER

How to comment on Inner Belt plan

Tuesday, March 24, 2009

A public hearing to discuss the Inner Belt Project's draft environmental impact statement is scheduled from 4 to 8 p.m. April 21 at the Annunciation Greek Orthodox Church, 2187 West 14th St., Cleveland.

Comments at the meeting and those submitted to the Ohio Department of Transportation by May 21 will be considered in a final environmental statement.

They may be sent to Craig Hebebrand at the Ohio Department of Transportation District 12, 5500 Transportation Blvd., Garfield Heights, OH 44125.

The draft environment statement is posted at www.Innerbelt.org or can be read at the following locations:

ODOT District 12, 5500 Transportation Blvd., Garfield Heights.

Cleveland City Hall, Division of Engineering and Construction, Room 518; or Planning Commission, Room 516, 601 Lakeside Ave.

Cuyahoga County Engineer's Office, 2100 Superior Viaduct, Cleveland.

Cuyahoga County Planning Commission, 323 Lakeside Ave., Suite 400, Cleveland.

Northeast Ohio Areawide Coordinating Agency, 1299 Superior Ave., Cleveland.

Cleveland Main Library, 325 Superior Ave.

Cleveland Public Library, South branch, 3096 Scranton Road.

Cleveland Public Library, Sterling branch, 2200 East 30th St.

Tremont West Development Corp., 2406 Professor St., Cleveland.

MidTown Cleveland Inc., 4019 Prospect Ave., Room 200, Cleveland.

Quadrangle Inc., 1900 Euclid Ave., Suite 101, Cleveland.

Flats Oxbow Association, 1283 Riverbed St., Cleveland.

St. Clair Superior Development Corp., 4205 St. Clair Ave., Cleveland.

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THE PLAIN DEALER

FEDERAL STIMULUS MONEY

Cleveland will get new Inner Belt Bridge with stimulus money

The reason: It's the biggest transportation concern

Friday, March 27, 2009

Karen Farkas and Aaron Marshall

Plain Dealer Reporters

A new Inner Belt Bridge will begin rising over the Cuyahoga River next year, built with $200 million in federal stimulus money.

It is the largest commitment by the state, which received more than $900 million in federal stimulus funds for infrastructure, including roads, bridges, rail and maritime projects.

The award, announced Thursday, illustrated the concern of state and local officials over the deterioration of the current Inner Belt Bridge, which has prompted lane and load reductions.

The Ohio Department of Transportation said the Interstate 90 bridge is the state's most pressing transportation concern. The new bridge will be completed in 2013.

ODOT will use $774 million in stimulus funds for 149 projects out of 2,222 eligible.

State planning agencies, such as the Northeast Ohio Areawide Coordinating Agency, allocated $161 million in stimulus funds to road and bridge projects in urban areas.

"We have identified projects that will put thousands of Ohioans to work quickly," Gov. Ted Strickland said as he announced the ODOT projects. The biggest winners among the 149 projects - which the state said will create 21,527 jobs - were the $200 million for the Cleveland bridge and $150 million for a bypass around Nelsonville on U.S. 33 in southeastern Ohio. The Inner Belt Bridge project was championed by House Speaker Armond Budish, while the Nelsonville project runs through the heart of Strickland's old Appalachian congressional district. No other ODOT projects received more than $25 million.

"Projects such as the Inner Belt Bridge in Cleveland can have a transformative effect on Cleveland's regional economy," said Budish, a Beachwood Democrat.

Cleveland Mayor Frank Jackson, who vehemently opposed an earlier proposal by ODOT to close the current bridge for a year or two while a replacement was built, said in a news release he was pleased a new bridge would be built. Once the new five-lane bridge is completed, the current bridge will be replaced or rehabilitated.

"We are thrilled to death," said Bonnie Teeuwen, deputy director for District 12, which includes Cuyahoga County. "As you know, we have been struggling with how we would fund this project."

The new bridge qualifies for stimulus money, which must be spent quickly, if ODOT does it as a design/build project, in which about 30 percent of the design is completed when ground is broken and the remainder proceeds as the bridge is built.

The district will spend $182 million it had already set aside for the new bridge, which will cost $300 million. It

will cost about $100 million to connect the ends of the bridge to existing roadways, she said. In addition to the bridge and $67,000 for reconstruction of a rail line in Cleveland, the only other project that received stimulus funds in Cuyahoga County was the proposed Opportunity Corridor in Cleveland. ODOT allocated $20 million for planning and right-of-way acquisition for the 2¾-mile boulevard that would extend Interstate 490 at East 55th Street east to University Circle.

Teeuwen said she realized some officials were disappointed.

But NOACA spent $43.6 million on 21 road and bridge projects in Cuyahoga, Lake, Geauga, Lorain and Medina counties. It spent $9.8 million on traffic signals and transit vehicles.

And communities are eligible for the more than $2.1 billion in capital/construction projects ODOT will fund over the next 15 months, she said.

But no ODOT or stimulus money can be appropriated until the state's transportation budget is approved. Negotiations on the budget among House Democrats, Senate Republicans and the Strickland administration are expected to continue through the weekend.

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THE PLAIN DEALER

A speeding ODOT is about to run over downtown Cleveland

An agency blind to anything but pavement is about to run over downtown

Sunday, March 29, 2009

Thomas Bier

The feds have given their OK to the environmental impact of the Ohio Department of Transportation's planned reconstruction of the Inner Belt. The appalling attack on Cleveland's downtown and the businesses and institutions in the Midtown Corridor out to and including University Circle continues.

Principal items in this debacle involve closing the ramps at Prospect Avenue, closing the Carnegie Avenue ramp (you'll exit at East 22nd Street instead), and closing the Interstate 77 exit at East Ninth Street (you'll exit at East 30th Street/Woodland Avenue instead).

That's all. ODOT's position from Day One has been "no problem" - as if those major changes would have no negative impact on city streets.

Over the past six years, there have been numerous ODOT presentations to the public and opportunities for affected parties to comment. Other than the Jackson administration (but not Cleveland City Council), I can't recall a single person speaking in favor of the ODOT plan. Business leaders, representatives of our medical institutions, the Cleveland Indians (boy, will Gateway be affected) have all said, essentially, "This is crazy. How can this be?"

It can be because ODOT says it will be.

ODOT's position is that too many accidents occur on the Inner Belt as traffic weaves in and out. But before ODOT came along with its plan, was there an outcry from any corner (hospital emergency rooms, City Hall, auto insurance companies, the public) that something had to be done about the unsafe Inner Belt? I don't think so.

It is apparent that highway traffic engineering is what rules ODOT, not thoughtful engagement among the engineers and the parties who would be affected by what the engineers have in mind. What matters is the highway, period.

That is evident in ODOT's Project Development Process, the 14 steps ODOT goes through in planning and implementing a major project such as the Inner Belt construction. In that process, "identifying impacts to the local street system as a result of proposed [ramp] changes" hardly qualifies as an afterthought. That critical step is positioned in the fine print of Step 6.

The engineers knew long before Step 6 what they wanted to do with the Inner Belt and had all kinds of technical analyses to back them up. The affected parties had only their knowledge of how traffic actually moves and their sense of how it would be affected by the ramp changes - which, in the face of ODOT's technicality, meant nothing.

The public meetings and associated discussions were essentially sham events. Political correctness required them. (It must have been excruciating for the engineers to sit through them.)

The ODOT mentality brings to mind Wall Street. The Wall Street wizards created ways - very technical, very analytical - of distributing and obviating investment risk to the point where it simply disappeared (until the cards collapsed).

Now the ODOT wizards have their very technical, very analytical studies of traffic on and near the Inner Belt, which they use to obviate risk and counter those who say, "What you want to do may very well cause major damage to downtown and the economic heart of the city." Response: It can't happen.

ODOT is an empire that simply does what it wants to do. (I wonder if it even takes orders from the governor.) As Cleveland and other Ohio cities struggle against immense odds to have a viable future, that kind of ODOT simply worsens the odds.

On Tuesday, April 21, the final event for commenting on the plan will be held. Don't bother, folks; it's all a sham. You'd be better off going to the Indians game. They're playing Kansas City.

Bier is an executive-in-residence at the Levin College of Urban Affairs, Cleveland State University.

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THE PLAIN DEALER

Fixing Inner Belt Bridge isn't the state's only obligation to NE Ohio -- editorial

Doing the necessary things to fix the Inner Belt Bridge won't relieve the state of other obligations to NE Ohio's future

Sunday, March 29, 2009

Use of $200 million in federal stimulus money to fund construction of a new Inner Belt Bridge across the Cuyahoga River underscores the need to replace the existing bridge as soon as possible.

There's a reason why the Ohio Department of Transportation lists the Interstate 90 bridge as the state's most pressing transportation issue. Concerns over its deterioration already have prompted ODOT to impose load and lane-use restrictions.

Using the stimulus money probably will enable ODOT to expedite the project, which is to begin next year.

But no one should presume that fixing or replacing this bridge was ever optional for Gov. Ted Strickland's highway department. The 48-year-old bridge, used by more than 100,000 vehicles daily, has significant structural problems.

The $200 million for a new bridge topped the list of stimulus projects announced Thursday by the governor. Second on that list, curiously, was $150 million for what is known as the Nelsonville bypass, on Ohio 33 in southeast Ohio. In fact, the Nelsonville bypass received far more in stimulus funding than any other urban area of the state -- with the exception of the mandatory funding of the Inner Belt Bridge project.

Tiny Nelsonville has all of 5,200 residents. The 14 counties that comprise all of southeast Ohio have a total of 584,747 residents. Northeast Ohio has 4.4 million residents.

Those numbers help us make this point: Fully funding the replacement of an endangered bridge doesn't relieve the state of its obligation to fund two other highway projects crucial to what is by far the state's most populated region -- reconstruction of the Inner Belt and construction of the Opportunity Corridor to link University Circle with the interstate highway system.

The governor's stimulus package includes $20 million for Opportunity Corridor planning and land acquisition. That's an excellent start, as long as the state is committed to more funding at a later date.

Greater Cleveland has about $1 billion in pressing road-construction needs. The 4.4 million people of Northeast Ohio neither expect nor deserve the state's entire allotment of highway dollars. They do expect -- and deserve -- their fair share.

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Five Things You Should Know: The Week In Review

Posted by dsims March 29, 2009 05:57AM

• MONDAY

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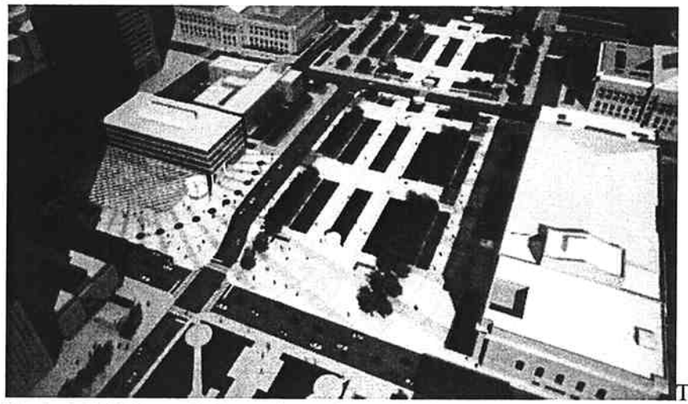
Read the entire story in the Metro section

• TUESDAY

Lawsuit threat ends secrecy over medical mart



Tracy Boulian/The Plain DealerMMPI 's rendering of how the medical mart mall area would appear under their plan. Cuyahoga County Commissioners promised not to approve a development agreement without allowing the public to review the deal for at least a week.

Under threat of a lawsuit from The Plain Dealer, Cuyahoga County commissioners Tuesday promised not to approve a development agreement on the taxpayer-funded $425 million medical mart project until the public has at least a week to review the deal.

Deciding where to build a medical mart has been a process marked by secret documents and closed-door meetings. After The Plain Dealer threatened to sue, Cuyahoga County commissioners promised to turn over the agreement at least a week before they vote to give the public its first look at the pact.

Commissioners and their attorney have negotiated the deal in secrecy with a private partner for over a year, giving taxpayers almost no details about how the public's money will be spent or protected. The newspaper was prepared to sue commissioners Friday under the Ohio Open Records Law, resulting in negotiations to give the public an advance look.

"We are satisfied, but we are utterly disappointed with how this process has been conducted," Plain Dealer Editor Susan Goldberg said. "It has been alarming to see elected officials operate with this level of disregard for the public's right to know how its money is being spent and how decisions of enormous civic importance are being made."

The development agreement will detail the county's partnership with Merchandise Mart Properties Inc., which will build, own and operate the mart and convention center. MMPI will collect all profits from operating the mart and convention center. Commissioners increased the sales tax to free up money for the complex.

Read the entire story in the Metro section

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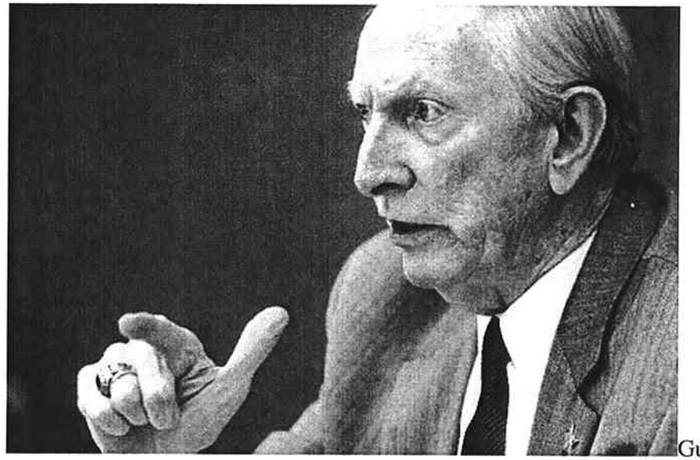
• WEDNESDAY

Sheriff Gerald McFaul resigns amid questions about cash



Gus Chan/The Plain DealerCounty Sheriff Gerald McFaul Sr. resigned Wednesday.

• Read The Plain Dealer's full coverage of Sheriff McFaul's path to resignation.

• McFaul's life: Profile of a political career

• McFaul's official statement today (PDF)

CLEVELAND — Cuyahoga County Sheriff Gerald McFaul resigned Wednesday afternoon following three months of Plain Dealer stories that spawned a criminal investigation and detailed a wide range of misconduct in his office.

The resignation came about 30 minutes after the newspaper asked his office about the latest set of allegations: that he accepted birthday and Christmas cards stuffed with cash from employees.

The 32-year sheriff cited failing health as the reason for his resignation, which will take effect April 1.

Since January, The Plain Dealer has published 17 stories about how McFaul operates his office. The stories documented his hiring and promoting practices, illegal fund raising and

Gerald McFaul's timeline

1967: Elected to Cleveland City Council.

1973: Supports George Forbes for council president and is elected majority leader.

1976: Defeats Republican Ralph Krieger for sheriff.

1977: Opens new jail and boasts it is escape-proof. Within months, there are four escapes.

1982: Gets jail warden's resignation after FBI complains that mob figures

favoritism for friends and political allies. Pay records show he goes to the office only about one day a week.

A Plain Dealer story in February led to the appointment of a special prosecutor from Toledo to investigate whether McFaul broke the law when he coached his girlfriend to dodge a subpoena in a 1986 sexual-harassment complaint against him.

The newspaper asked McFaul's office Wednesday about cash given to him by employees and whether he claimed the money on his tax returns.

Read the entire story in the Metro section

• THURSDAY

Inner Belt Bridge project to get $200 million in federal stimulus money

Plain Dealer fileThe 49-year-old Inner Belt Bridge, shown here in June 2005, carries 100,000 or so vehicles each weekday.

Related link

A list of priority transportation projects and other information about the state's transportation infrastructure investments

COLUMBUS — A new Inner Belt Bridge will begin rising over the Cuyahoga River next year, built with $200 million in federal stimulus money.

It is the largest commitment by the state, which received more than $900 million in federal stimulus funds for infrastructure, including roads, bridges, rail and maritime projects.

The award, announced Thursday, illustrated the concern of state and local officials over the deterioration of the current Inner Belt Bridge, which has prompted lane and load reductions.

A 72

The Ohio Department of Transportation said the Interstate 90 bridge is the state's most pressing transportation concern. The new bridge will be completed in 2013.

Read the entire story in the Metro section

• FRIDAY

Ohio reviews if John Frola Jr. violated law by handling real estate deals for Parma without a license

State officials are looking at whether consultant John Frola Jr. violated Ohio law by handling real estate deals for the city of Parma without a real estate license.

The state Department of Commerce began an inquiry after The Plain Dealer asked about the legality of the real estate consulting contract that Frola had with the city, an agency spokesman said Friday.

Frola, who is listed as a Realtor on several campaign finance forms recording his political donations, did not return a call or e-mail Friday. State records indicate Frola does not have a real estate license.

But he defended his work for both Parma and another real estate consulting agreement with Parma schools earlier this week, after the school superintendent suspended his contract.

Read the entire story in the Metro section

Categories: Week in Review

Comments

Footer

GreenCityBlueLake
<greencitybluelake @greencity bluelake.org>
04/16/2009 04:51 PM
Please respond to GreenCityBlueLake <reply.349055.272096065.4534892598226400964-dave.lastovka_dot.state.oh.us@en.groundspring.org>

To <dave.lastovka@dot.state.oh.us>
cc
bcc
Subject Taking action for the region and the Earth

GreenCityBlueLake update

April 16, 2009

GreenCityBlueLake is the interactive online home for all the discussions and activities that are moving Northeast Ohio toward greater sustainability. Join the conversation!

Taking action for the region and the Earth

The next week is as momentous to friends of the environment as the recent Rock Hall inductions were for music fans. Many groups are throwing Earth Day parties, open houses and festivals to celebrate environmental awareness and the arrival of spring. It's also an important time to weigh in on major planning projects shaping the future of the region.

A new vision for transportation

Northeast Ohio's transportation planning agency has an opportunity to redefine its role as a leader while bracing for the impact of climate change. NOACA's update to its long-range plan is a golden opportunity to set the course for sustainable transportation and land-use. But will the agency embrace change and offer clear metrics, or will it fall back on old ways? Will the plan recognize climate change and offer a plan to reduce our impact by setting measurable goals for more bike lanes and racks, for more buses and trains in order to reduce vehicle miles traveled? Will it join the ranks of Boston, Denver and Charlotte where they're looking at infill development as a means to lessen transportation demand? Read GCBL's talking points, and submit a comment here.

A bridge to the future?

The Innerbelt Project stands to be the largest infrastructure investment in our lifetimes. Will it be an investment in sustainable urban redevelopment (one of the key goals) or will it only focus on moving traffic through Cleveland? ODOT has released its environmental impact statement which claims that no major impacts will be felt. We argue that ODOT's framework, and therefore the process, has been flawed from the outset. At minimum, we need to consider the impact of the Carnegie exit closing and insist on a signature Innerbelt Bridge with bike lanes. Read the case for bike lanes on the bridge, and a vision to handle the bulk of the region's transportation issues here. And leave your comments for ODOT here, or tell them in person at next Tuesday's public meeting about the Innerbelt Environmental Impact Statement.

Events celebrating Earth Day

- The Cleveland Stonewall Democrats are celebrating Earth Day with a meeting about green initiatives in Cleveland and Cuyahoga County on April 16.
- Tremont Electric celebrates a patent for its Personal Energy Generator which powers iPods, cell phones and PDAs through the kinetic energy of walking with an open house this Friday, April 17.
- Beachwood High School marketing students host the 2nd annual GreenDream showcase, an exhibit of 70 local green businesses and concepts on April 17. Click here for details.
- Show the earth some love this Sunday, April 19 by biking or taking the free RTA 'clean' air bus from Public Square to the Zoo for EarthFest 2009. Health tips, a rain garden demonstration, calculate your carbon footprint, get hands on green building advice and update on environmental activities from 160 groups and businesses in the region. Read more.
- The Banff Mountain Film Festival World Tour brings adventure, extreme sports, cultural and environmental films to town for an exclusive Cleveland showing at the Allen Theatre, Friday, April 17 and Saturday, April 18.
- Get ideas on how to reduce your environmental impact at Akron's Learn Green, Live Green festival and at the Slavic Village's Work green, play green, live green both on Saturday, April 18.
- LightsOut Ohio, organized by Sierra Club's Portage Trail Group, is seeking out workplaces, schools and churches pledging to switch off non-essential lights for at least one hour on Earth Day, April 22, as a simple step toward making energy saving choices every day.
- "Who's your mama?" 3rd annual EarthDay and environmental film festival in Kent on April 24. A website powered by the wind is found at whosyourmama.org.
- Northcoast Nature Festival of the Cleveland Metroparks, April 24-26

Also check out the "Building our Future Beyond Foreclosure" forum series at the Cleveland State University Levin College of Urban Affairs, which kicks off on April 23.

Sign up a friend!
Do you have friends who might like to receive these GreenCityBlueLake email updates? Please send their email addresses here and help build the regional network for sustainability in Northeast Ohio. (We will send no more than one update a week, and people can opt-out of the service at any time.)

GreenCityBlueLake is a community service of the GreenCityBlueLake Institute at The Cleveland Museum of Natural History. We welcome your comments!

Plans underway for new Inner Belt Bridge

Posted by kturner April 20, 2009 11:52AM


Plain Dealer fileThe 49-year-old Inner Belt Bridge, shown here in June 2005.

Related link The Inner Belt Bridge project

CLEVELAND — Plans for the new Inner Belt Bridge are underway, even though no federal funds can be spent to acquire land until later this year, after federal authorities issue a final approval of the entire project.

The $465 million five-lane bridge, which will carry westbound traffic, will be built just north of the current bridge. It will be funded with $200 million in federal stimulus funds and federal money already held by the Ohio Department of Transportation.

While it will be a straightforward girder bridge, built of concrete or steel, it will have a signature design, said Bonnie Teeuwen, deputy director of the ODOT district that includes Cuyahoga County.

A proposed cable-stay design that would have risen in the midpoint of the bridge had to be scrapped because similar cables on a bridge in Toledo iced up, leading to lanes being closed when the ice fell.

ODOT will reconvene its the urban design aesthetic committee this summer to determine a design, which will also be used for the current Inner Belt Bridge when it is rebuilt or replaced.

The new bridge will use current lanes and on-ramps, said Teeuwen and Craig Hebebrand, the project manager for the Inner Belt.

Interstate 90 west through Cleveland will remain three lanes as it passes the Interstate 77 exit. The current East 14th Street entrance ramp will become a new fourth lane of the new bridge. The East 9th Street entrance ramp will merge into that lane. The entrance ramp from Ontario Street will become the fifth lane. The bridge curves slightly north then back to the current Interstate 90 where two lanes currently exit to Interstate 90 west and three lanes become Interstate 71 south.

The current bridge will carry all traffic until the new bridge is completed in 2012. Then that bridge will carry all traffic until the current bridge is rehabilitated or replaced. When both bridges open, they will have five lanes.

Public comment will be sought about the entire Inner Belt project at a hearing Tuesday. An open house will be held from 4 to 8 p.m. at the Annunciation Greek Orthodox Church, 2187 West 14th Street. ODOT will give a presentation from 5:30 to 6:30 p.m. and then listen to comments.

Hebebrand will submit comments and any other new information to the Federal Highway Administration, which is expected to issue what is called the Record of Decision in August. At that point ODOT can begin spending money and will begin land acquisition, he said. ODOT will advertise for bids for the new bridge in February 2010 and likely award the contract that summer.

Categories: Breaking News, Innerbelt Bridge, Real Time News, Traffic

Comments

indepl says...

I want lower taxes, not a new bridge for westside suburbanite trash to access downtown. Let 'em use public transportation - that is what it is there for.

Posted on 04/20/09 at 12:14PM

sensiblemind says...

indepl -
This is a very narrowly viewed comment.
There are many more who use this bridge than just west siders.
Do you understand that I-90 is a major commerce route? There are trucks from all over North America who drive through. When they have to get delayed, even to switch over to 490 it is one more reason not to come through the area.
Think of the bigger picture!

Posted on 04/20/09 at 12:26PM

BelievelandD says...

Well, you're an idiot. Im pretty sure the bridge is being built so it doesnt crumble with people on it/under it... like the one in minnesota

Posted on 04/20/09 at 12:29PM

knikon says...

moron, eastsiders use public transpo as well. jackass.

Posted on 04/20/09 at 12:31PM

A 74

ALaker says...

indepl... what a brilliant remark. I bet all the businesses downtown appreciate that insight.

Anyway, I hope that the "aesthetic" angle doesn't hold this up any longer. I don't care really what it looks like, just as long as it can withstand the traffic and serve those of us who apparently are "suburbanite trash" as we head to and from work, trying to contribute to society instead of dragging on it :)

Posted on 04/20/09 at 12:32PM

tspags says...

I've got news for you. If it wasn't for us westsider's there would be know one downtown. As for your taxes, it's starts with you! You are the one's who keep voting for the "3 stooges commissioners" and keep letting people like that a hole Dennis stay in power. I seriously think you should look at the real picture before you make a stupid "public transportation" comment again. Real westsider's only have a limited bus option and no trains. Where do you think all the building is going on in the area? It certainly is not east! Maybe you need to take a drive on i90 WEST and figure it out...

Posted on 04/20/09 at 12:36PM

Bingham1983 says...

Indepl,

You're kidding right? The people from all of the suburbs are keeping this city alive. Without them coming to sporting events, and paying income tax in Cleveland, because they work! here, this city would have nothing.

Posted on 04/20/09 at 12:38PM

krazyk47 says...

I still think the whole two bridges, 20 years, and a 2 billion dollars approach to the innerbelt project is wrong, but who am I to tell ODOT to build it cheaper, quicker, and better.

I think that a complete closure of the bridge is inevitable, so before they start with the major construction they should either repair the eagle avenue ramp or rebuild the central viaduct that runs from W. 14th to Ontario.

Then they should build 1 bridge, south of the current one to accomodate both directions of traffic.

In the short term the Eagle/Central viaduct will allow west side commuters to get to and from downtown (Through traffic would still have to take 490) and once the freeway bridge is rebuilt, we could have a bike and pedestrian friendly connection between downtown and tremont which wouldn't require merging onto a busy highway.

Posted on 04/20/09 at 12:40PM
Footer

A 75

ODOT open to ideas on Inner Belt Bridge design

Posted by cpinckar April 21, 2009 04:30AM


Plain Dealer fileThe bridge to replace the current Inner Belt Bridge, above, might look a lot different when it's constructed. Scheduled to be built by 2012, it could include stone sculptures, like the figures on the landmark Lorain-Carnegie (Hope Memorial) Bridge

Cables are out, but arches, sculptures and any other design that makes an impact on Cleveland's gateway could be considered for the new Inner Belt Bridge.

Learn more today

A public hearing is set for today to discuss a draft environmental impact statement for the Inner Belt road project. The hearing will be from 4 to 8 p.m. at Annunciation Greek Orthodox Church, 2187 West 14th St. The Ohio Department of Transportation will give a presentation, then take comments.

The project goes beyond a new Inner Belt span and includes rebuilding portions of several interstates into downtown and closing some entrance and exit ramps between the Inner Belt Bridge and Dead Man's Curve.

Comments also may be sent to Craig Hebebrand at ODOT District 12, 5500 Transportation Blvd., Garfield Heights, OH 44125 by May 21. The draft statement is posted at www.Innerbelt.org.

- More on the Inner Belt Bridge

The Interstate 90 span over the Cuyahoga River will be a straightforward girder bridge built of either concrete or steel, but it will still have some signature design, Ohio Department of Transportation officials said Monday in an update of the project.

The new bridge, scheduled to be built by 2012, could include stone sculptures, like the figures on the landmark Lorain-Carnegie (Hope Memorial) Bridge.

Or it could have twin steel arches that run parallel to the structure, a design idea that came out of public hearings several years ago.

What it won't have are cables suspended from a 200-foot-high tower, a striking design chosen after more than a dozen meetings with the public and local, state and federal planners but later scrapped.

Not because the design was flawed, but because it wasn't safe, said Bonnie Teeuwen, ODOT's deputy director of District 12, which includes Cuyahoga County.

Cables were used in the Veterans' Glass City Skyway bridge in Toledo. The winter after that bridge opened in June 2007, ice formed on its suspended cables, melted and fell onto cars, Teeuwen said, forcing highway lanes to be closed.

"It seems silly to open a brand new bridge, then have to close lanes," she said.

The new $400 million Inner Belt Bridge is to be built just north of the current aging downtown bridge.

ODOT will reconvene its design committee this summer to set criteria for the bridge, said Craig Hebebrand, project manager for the Inner Belt plan. The design for the bridge may also be used on the current Inner Belt Bridge when it is rehabilitated or replaced after the new one opens, he said.

The bridge is going to be built as a design-build project, meaning about 30 percent of the design will be completed when ground is broken and the rest will move forward as the bridge is being built. That allows the bridge to get under way quicker.

The five-lane bridge, which will carry westbound traffic, will be a box-girder bridge similar to the new Interstate 35 bridge in Minneapolis, which replaced the one that collapsed in 2007.

In addition to $200 million in stimulus money, ODOT has $185 million more in federal money set aside for the project.

But no federal money can be spent -- even for land acquisition -- until the Federal Highway Administration approves the entire Inner Belt plan, which includes the Inner Belt Bridge through Dead Man's Curve.

ODOT is holding a public hearing today to review the draft environmental impact statement of the road project. The department will then submit comments and any new information on the proposal to close some exit and entrance ramps and remove buildings to the federal agency.

Federal officials are expected to approve the plan in August. ODOT will advertise for bids for the new bridge in February 2010 and likely will award the contract next summer, Hebebrand, the project manager, said.

The current bridge will carry all traffic until the new bridge is completed in 2012. Then the new span will carry all traffic until the current bridge is rehabilitated or replaced. When both bridges open, each will have five lanes.

To reach this Plain Dealer reporter: kfarkas@plaind.com, 216-999-5079

Categories: Innerbelt Bridge, Real Time News, Traffic

Comments

A 76

jonlight says...

I just do not understand how a cable stay bridge was built it Boston, and yet never had any problems with ice forming on the cables. I would have loved to see one built here in Cleveland - the City of Bridges!!!

Posted on 04/21/09 at 5:01AM

fiendishdm says...

round and round we go.....

where it stops nobody knows.....

this project is never going to happen unless a disaster strikes. Bridges in iraq are built with ease. If money is to be made believe me it'll get done. Ohio SUCKS!

Posted on 04/21/09 at 6:27AM

squalid says...

Balloons! Hold it up with balloons! Crazy you say? Dumber than dumb? Think about it. Instead of being known as the mistake on the lake or the place where the river caught fire, we'd be the place with the balloon bridge. Plus, balloons are cheap. And, colorful.

Posted on 04/21/09 at 6:52AM
Footer

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Posted by cpinckar April 21, 2009 04:30AM

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Posted on 04/21/09 at 6:52AM
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NewsNet5.com

Public Voices Comments, Concerns About $2M Innerbelt Plan

POSTED: 10:52 pm EDT April 21, 2009
UPDATED: 11:27 pm EDT April 21, 2009

Related To Story

CLEVELAND -- Big plans are under way for the Innerbelt, part of the largest highway project in state history.

The plan includes two new bridges and roadway improvements that haven't been seen in over two generations.

On Tuesday night, the public was finally able to give their take on plans for Cleveland's decaying infrastructure.

"We've got about 1 million square feet of bridge decks, 4 million square feet of pavement that's 50 years of age. It's worn well but it's worn out," said Craig Hebebrand, of the Ohio Department of Transportation.

At a cost of nearly $2 billion, the Cleveland Innerbelt project will replace the existing east-bound bridge and build a new westbound bridge.

It will also alter the Innerbelt trench by reducing the number of exit ramps.

"The primary issue with the Innerbelt is all the points of access and making sure traffic can get on and off efficiently," said Michael Armstrong, of the Federal Highway Administration.

With that goal in mind, state and federal officials want to eliminate the exit at Carnegie Avenue. The proposal has drawn opposition from the Cleveland Clinic and business owners in midtown.

"If this project goes forward as now planned, thousand of jobs are at stake, millions of dollars in local taxes and millions of dollars of economic benefit," said Stephen O'Bryan, attorney for Midtown Cleveland, Inc.

Under the plan, several familiar landmarks will also be removed, including the cold storage building, but the historic Tremont district will be left intact.

While differences remain over the economic impact to midtown, the largest highway project in state history will no doubt produce a spinoff effect that could revive northeast Ohio.

"The plan is going to put a lot of hardworking Clevelanders, Cuyahoga County people and Ohioans back to work. It's going to make the highway safer and improve transportation greatly in the Cleveland area," said project supporter Paul Standard.

Midtown businesses claim Innerbelt changes will force them out of Cleveland

Posted By: ▪ 28 mins ago

CLEVELAND -- The last public hearing about the Innerbelt project drew warnings from businesses in the Midtown corridor.

The Innerbelt makeover has been talked about since 2001. And for much of that time companies in the Midtown corridor argued removing Carnegie and Prospect exit ramps would hurt their business.

Many -- including Dodd Camera, Blonder's and Applied Technologies -- now warn if the project excludes those ramps, it will make it harder for workers and customers to reach them. And they threaten to move out of the city.

The state's concerned about improving Innerbelt safety. Dead Man's Curve is the most dangerous stretch of highway in the state, averaging two wrecks a day.

The state wants to use access roads to reroute traffic to Chester and claims that will be safer and just as efficient.

The Cleveland Indians and Cleveland Clinic have both spoken out against the state's proposal, claiming it would be inconvenient for fans and patients.

Many businesses claim ODOT's held hearings, but didn't really listen to them. The Midtown corridor group is now asking that the highway component of the project be separated from the bridge component. That would allow the bridge repair and replacement project to start while the debate over Interbelt changes continues.

Project director Craig Hebebrand says, "there may be some adjustments," but the project will proceed with the plan that's been reviewed by the city and Federal Highway officials.

Innerbelt work is likely six years away from starting.

The Midtown corridor has about 600 companies and 18,000 workers.

Some businesses think Mayor Frank Jackson should be standing up on their behalf. Andrea Taylor, the mayor's spokesperson, says the mayor sent Planning Director Bob Brown to Tuesday's meeting to assess the situation.

Close Window

Feedback on the Innerbelt Project

Residents offer their opinions and learn more about the plans.
By Ted Klopp, Newsradio WTAM 1100
Check out Ted's personality page
Tuesday, April 21, 2009

ODOT Engineer Craig Hebebrand talks with Newsradio WTAM 1100's Ted Klopp.

See photos of the bridge proposals.

(Cleveland) – ODOT held a public meeting Tuesday night about the Innerbelt Bridge Project and the rest of the downtown interchange system.

Lots of maps with the possible plans were shown. Concerned citizens could see them and see where the new Innerbelt Bridge will go. They had the chance to voice any concerns or problems they saw with ODOT leaders.

The new Innerbelt Bridge westbound will be built north of the current bridge with contracts going out for design in about a year. They hope to break ground in 2011 and when the new bridge is done, the old one will be replaced.

Printed from: http://www.wtam.com

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4/22/2009

Update on Ohio's Transportation Stimulus Investments

ODOT's First Stimulus Projects Move Closer to Construction as Additional Projects are Certified and Advanced

COLUMBUS *(April 22, 2009)* **-** As part of the continued coordination between the Ohio Department of Transportation (ODOT) and the Federal Highway Administration (FHWA), the first 15 projects in Ohio have been authorized for funding through the American Recovery and Reinvestment Act (ARRA) - allowing these projects to move closer to construction.

This initial federal authorization of $12.8 million of stimulus funds includes investments in three interstate projects and three bridge replacements. Highlights of the authorization list include:

Interstate 75/Hancock County and Interstate 77/Guernsey County - Two separate projects will improve major sections of I-75 and I-77, both of which have seen continued increases in truck traffic along these North-South shipping corridors. Approximately $1.2 million will be invested on I-75 near Findlay in Hancock County; $1.6 million will be invested on I-77 near Senecaville in Guernsey County.

State Route 39/Carroll and Columbiana Counties - By resurfacing five miles of SR 39 in Carroll County and eight miles in Columbiana County, this $1.4 million project will improve roadway conditions to the Wellsville Intermodal Facility along the Ohio River - a hub for river, rail, and roadway cargo movement.

State Route 61/Erie County - This $500,000 project will replace the outdated twin 10-foot arch bridges on SR 61 near Berlin Heights. For businesses and travelers in the region, SR 61 is a direct connection to U.S. Route 6, the Lake Erie coast and ports in Sandusky and Vermillion.

U.S. Route 22/Perry County - Modernizing a main connector for residents and businesses to the major cities of Zanesville in Muskingum County and Lancaster in Fairfield County, this $1.6 million project will resurface 14 miles of highly-travelled sections of US 22 in Perry County.

State Route 571/Darke County - With an investment of $510,000 in stimulus funds, this project will resurface 4.5 miles of SR 571 near the Darke/Miami County Line between the City of Greenville and the Village of West Milton. This route is heavily traveled by truck traffic going to the Ethanol Plant in Greenville.

FHWA expects to authorize more Ohio projects soon. A complete list of the projects prioritized for stimulus funding - with updates on which projects have been authorized by FHWA - can be found on ODOT's **Federal Stimulus Ohio Transportation Project Information Page** . ODOT expects to award contracts for this first round of stimulus projects starting in May.

Certification of Prioritized Stimulus Projects:

Today ODOT will send to the U.S. Department of Transportation (US DOT) the next list of projects to be certified for stimulus funding: 69 of the projects announced by the Governor in March; 65 local projects identified by the state's Major Metropolitan Planning Organizations; and 142 investments in Ohio's Rural Transit Systems.

This certification letter is required by US DOT to verify that projects to be funded with stimulus dollars meet all federal eligibility requirements, including inclusion on Ohio's Statewide Transportation Improvement Program (STIP).

A total of $161.5 million was directly allocated to Ohio's eight major Metropolitan Planning Organizations (MPOs). The MPO sub-allocations include $14.1 million to Akron, $6.6 million to Canton, $30.1 million to Cincinnati, $44.2 million to Cleveland, $28 million to Columbus, $17.4 million to Dayton, $11.8 million to Toledo, and $9.3 million to Youngstown.

As part of the Recovery Act, Ohio also received $29.8 million for Rural Public Transit capital projects, including dollars set aside for rural intercity bus capital projects. Combining the Recovery Act dollars with Ohio's annual

A 80

federal transit funding, ODOT will be able to fund every rural transit system request for new vehicles.

ODOT has already certified 38 of the projects announced by the Governor in March; 19 local projects identified by the state's Major Metropolitan Planning Organizations; and 88 investments by Ohio's Urbanized Transit Systems.

Additional Stimulus Projects:

To make certain that the stringent timelines to obligate stimulus funds under the Recovery Act are met without delay, ODOT will also certify 52 additional projects to receive Recovery Act resources. These projects have all been previously announced by ODOT as part of the state's 2009 construction season.

Adding these previously announced ODOT projects to the list of those slated to receive Recovery Act resources will be accomplished by exchanging the planned allocation of state transportation funds for these 52 projects dollar-for-dollar with the more than $115 million in federal stimulus resources currently allocated to the Interstate 90 Innerbelt Bridge in Downtown Cleveland.

The funds saved by exchanging these state transportation projects off of the 2009 ODOT project list to the stimulus project list will then be redirected to fully fund the $400 million replacement of the Innerbelt Bridge, one of the state's most pressing transportation needs. Under the state's previous stimulus plan, approximately $200 million in state and federal dollars were to be combined with $200 million in stimulus funds to build the new five-lane structure. Under this plan, more than $315 million in state and federal dollars will be directed at the project, with $85 million in stimulus resources added to fully fund the project.

No previously announced stimulus project on the priority list will be funded less than previously announced, and no project will encounter delays in resources as a result of this action.

Under ARRA requirements, ODOT must obligate approximately $327.5 million of its stimulus allocation by June 29, 2009; the remaining amount must be obligated by March 1, 2010. States that meet these timeline requirements can compete for additional money lost by other states that fail to meet these deadlines.

"While many other states prioritized only existing state transportation projects to receive federal Recovery Act resources, Ohio took a more innovative approach to ensure that local and regional projects received due consideration in the review, analysis and selection process," said ODOT Director Jolene M. Molitoris. "ODOT has worked closely with our partners at the Federal Highway Administration since announcing our prioritized project list. We have come to the mutual conclusion that these additional projects will help to make certain Ohio meets the June 29 obligation deadline."

"Our commitment remains unchanged – we must make use of every available federal stimulus resource to benefit Ohioans and the Ohio economy," said Director Molitoris.

ODOT and FHWA are working closely to assure that the ARRA is successfully implemented in Ohio, making adjustments when necessary to advance stimulus projects and better position Ohio to compete for additional stimulus transportation funding.

A complete listing of the projects identified for full or partial stimulus funding - including these additional projects - can be found ODOT's **Federal Stimulus Ohio Transportation Project Information Page.**

For more information, contact Scott Varner, Central Office Communications, at (614) 644-8640 or your local ODOT District Communications Office.

The Ohio Department of Transportation
1980 West Broad Street, Columbus Ohio, 43223
Ted Strickland, Governor | Jolene M. Molitoris, ODOT Director
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THE PLAIN DEALER

Alterations to Inner Belt plan suggested at ODOT public hearing

ODOT hearing draws 150 people

Wednesday, April 22, 2009

Karen Farkas
Plain Dealer Reporter

Build new Inner Belt bridges and fix Dead Man's Curve, but don't eliminate entrance and exit ramps to Prospect and Carnegie avenues from the highway, business owners told Ohio Department of Transportation officials Tuesday.

The presidents of Central Cadillac and Dodd Camera and the director of government relations for the Cleveland Clinic were among speakers who asked ODOT to remove the portion of the Inner Belt plan that affects those streets from an environmental impact statement that must be approved so federal dollars can be spent on a new Inner Belt Bridge.

About 150 people attended the hearing on a draft environmental impact statement at Annunciation Greek Orthodox Church. ODOT was required to hold the hearing and collect comments to submit to the Federal Highway Administration, which is expected to approve the complete Inner Belt plan this fall.

The plan includes rebuilding portions of Interstates 71, 77 and 90 into downtown Cleveland and involves the East 55th Street Bridge, Dead Man's Curve, the central interchange where the three interstates join, the Inner Belt Bridge and the Interstate 490 interchange.

It is estimated to cost $2 billion and scheduled to be completed in 2028. The only money currently available is $465 million for a new Inner Belt Bridge and acquiring land north of the current deteriorating bridge. Construction is expected to start next year.

Many of those who spoke opposed ODOT's proposal to remove the eastbound exit ramp to Carnegie Avenue and entrance and exit ramps to Prospect Avenue. Similar concerns have been raised for at least five years about the portion of the five-mile artery called "the trench" where Interstate 90 curves through the city's core.

The success of the Midtown area in that vicinity was primarily due to its access from the Inner Belt, said Ken McGovern, one of the founders of MidTown Cleveland Inc. He and Stephen O'Bryan, the group's attorney, asked ODOT to remove the portion of the plan that deals with the Carnegie and Propect Avenue exits from the documents they submit to the federal agency so issues can be resolved.

"Midtown has 650 businesses and there are thousands of jobs at stake," O'Bryan said.

O'Bryan said there is legal precedent to remove a portion of a plan and submit it later, especially since the trench is not scheduled for construction for more than a decade.

Bonnie Teeuwen, deputy director of the ODOT district that includes Cleveland, said afterwards she didn't know if that could be done. She did know if the entire plan is approved, changing any portion of it is a lengthy process.

To reach this Plain Dealer reporter:

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TRAFFIC ALERT

OHIO DEPARTMENT OF TRANSPORTATION

District 12 · 5500 Transportation Blvd., Garfield Hts., OH 44125 · 216.581.2100

ODOT working the Weekend to advance Innerbelt Bridge Safety Plan

Crews minimize impact to Cleveland motorists with limited weekend closure

CLEVELAND *(Wednesday, May 06, 2009)* - In the latest phase of the Ohio Department of Transportation's Innerbelt Bridge Safety Plan, crews will perform a unique procedure to realign the Interstate 90 Innerbelt Bridge into downtown Cleveland, as a way to prevent future stress to the bridge's steel structure.

During this weekend work, crews will essentially lift and push the span four to five inches to the west in order to better align the bridge's joints. This allows the joints to adjust more freely as temperatures fluctuate, especially in the extreme heat of the summer and bitter cold of winter.

Prior to this weekend's work, crews will temporarily restrict traffic from the Innerbelt Bridge for a short timeframe during the overnight hours between Wednesday night and Thursday morning. Between 1:00 a.m. and 5:00 a.m. Thursday morning, ODOT's bridge engineers will measure and confirm calculations for this weekend's unique lift.

Then this weekend, ODOT will again temporarily restrict traffic on the Innerbelt Bridge, detouring motorists via I-77 and I-490 during the limited weekend closure.

HELP TO INDIANS FANS: To minimize the impact of this limited weekend closure to Cleveland businesses and visitors, ODOT will maintain traffic on the Innerbelt Bridge during the two home Indians games on May 8 and May 9. A complete rundown of the limited weekend closures is as follows:

FRIDAY, MAY 8:

- Beginning at 10 p.m. crews will **close** I-90 eastbound.
- At approximately midnight (or two hours after the completion of the Indians home game) crews will **close** I-90 westbound. At this time all I-90 traffic will be detoured.
- I-90 will remain closed until approximately 4 p.m. on Saturday, May 9.

SATURDAY, MAY 9:

- Beginning at 4 p.m. crews will **reopen** I-90 entirely.
- Beginning at 10 p.m. crews will **close** I-90 eastbound.
- At approximately midnight (or two hours after the completion of the Indians home game) crews will **close** I-90 westbound. At this time all I-90 traffic will be detoured.
- I-90 will remain closed until approximately 5 a.m. on Monday, May 11.

SUNDAY, MAY 10:

- I-90 will remain **closed** until approximately 5 a.m. on Monday, May 11.*

MONDAY MAY 11:

- I-90 will **reopen** at approximately 5 a.m. on Monday, May 11.

** Work on Sunday will impact Sunday's 1:05 p.m. Indians home game. For information on getting to the game visit www.WEB ADDRESS HERE. This limited weekend closure will <u>not</u> impact Monday morning's rush hour traffic.*

The realignment is accomplished using hydraulic jacks to lift and push the span inches to the west, to reposition the bridge atop its piers. A similar procedure was done during the summer of 1999 and has become necessary again as the bridge has settled and shifted. ODOT engineers who performed the previous realignment will again manage this project.

This summer, as part of the Innerbelt Bridge Safety Plan, ODOT will invest $10 million in the Innerbelt Bridge to restore full use of the structure, including heavy truck traffic. In March, ODOT announced plans to construct a new $400 million westbound Innerbelt Bridge, utilizing federal transportation stimulus funds made available through the *American Recovery and Reinvestment Act*.

###

FOR MORE INFORMATION CONTACT THE ODOT DISTRICT 12 PUBLIC INFORMATION OFFICE:
Jocelynn Clemings 216.584.2006 or Faye Callahan 216.584.2005

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NewsNet5.com

Innerbelt Bridge To Close While It Is Being Moved

POSTED: 1:05 pm EDT May 6, 2009
UPDATED: 1:32 pm EDT May 6, 2009

CLEVELAND -- The Ohio Department of Transportation plans to close the Innerbelt Bridge over the weekend so it can be moved.

ODOT crews will perform a unique procedure to realign the Interstate 90 Bridge. They plan to lift the bridge and push the structure 4 to 5 inches to the west.

The realignment will reduce stress on the bridge's steel structure as temperatures fluctuate.

Hydraulic jacks will be used to lift and push the bridge. A similar procedure was performed in 1999.

This weekend the bridge will be closed for several hours on differing days and motorists will be detoured on Interstate 77 and I-490.

Bridge Closure:

- Thursday: restricted traffic between 1 a.m. and 5 a.m
- Friday: beginning at 10 p.m., crews will close I-90 eastbound. I-90 westbound will close at midnight, or two hours after the Indians game ends. I-90 will remain closed until 4 p.m. Saturday
- Saturday: beginning at 10 p.m., crews will close I-90 eastbound. I-90 westbound will close at midnight, or two hours after the Indians game ends. I-90 will remain closed until 5 a.m. Monday

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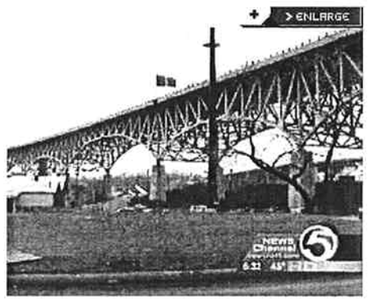

INNERBELT BRIDGE

- Photos Show Corrosion

Innerbelt Bridge Photos
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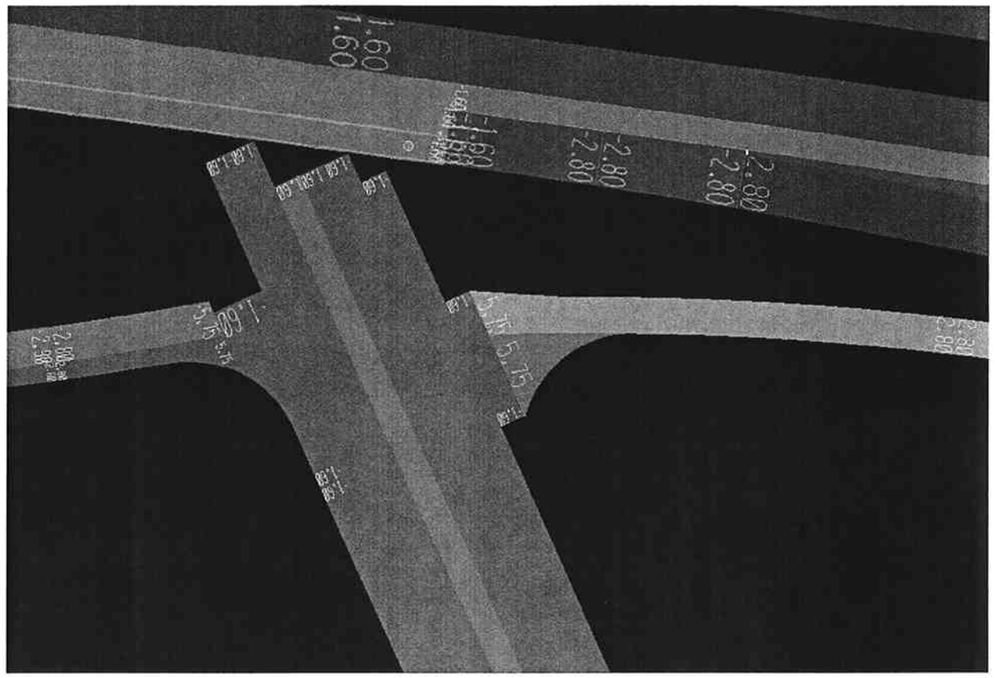

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fox8.com /wjw-news-innerbelt-bridge-weekend-closures,0,422444.story

WJW

Innerbelt Bridge to Close for Portion of Weekend

The Innerbelt Bridge will be closed for portions of the week and weekend as ODOT will attempt to realign the structure.

Staff Writer

May 6, 2009

CLEVELAND, Ohio --

A job for Superman? The Ohio Department of Transportation (ODOT) will close the I-90 Innerbelt Bridge for periods this coming weekend to weigh and actually move part of the eastbound span.

Using hydraulic jacks, contractors will lift and weigh a section over the Cuyahoga River to check if it matches calculations. ODOT area engineer Tom Hyland says a section approximately 300 feet long will then be pushed 4 to 5 inches to the west to its original position.

The work is needed to relieve pressure on a closed joint. Hyland says the joint closed over time because of ground slippage on the western slope of the River. The joint will then be reopened.

The same procedure was done on the bridge in 1999.

This weekend the bridge will be closed for several hours on differing days and motorists will be detoured via I-77 and I-490.

Below is a listing of the days and hours the bridge will be closed to travel:

Thursday, May 7th: Restricted traffic between 1:00 a.m. and 5:00 a.m.

Friday, May 8th: Beginning at 10:00 p.m. I-90 Eastbound will close At midnight I-90 Westbound will close I-90 will remain closed until 4:00 p.m. Saturday

Saturday, May 9th: Beginning at 10:00 p.m. I-90 Eastbound will close At midnight I-90 Westbound will close I-90 will remain closed until 5:00 a.m. Monday

Sunday, May 10th: I-90 will remain closed in both directions all day

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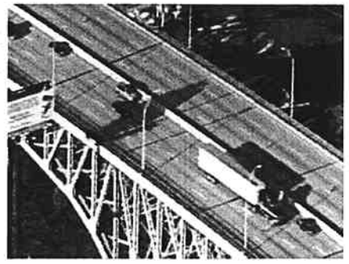
Innerbelt Bridge to Close for Portion of Weekend - WJW Page 2 of 2

http://www.fox8.com/wjw-news-innerbelt-bridge-weekend-closures,0,5690686,print.story 5/6/2009

ODOT: Engineers to lift and move Innerbelt Bridge; closures planned

Posted By: Kim Wendel ▪ 32 mins ago



CLEVELAND -- Motorists who use the Innerbelt Bridge will be using detour routes this weekend as crews prepare to literally move the bridge span to prevent future stress on the steel structure.

Ohio Department of Transportation District 12 says the procedure will help realign the bridge itself, by pushing and lifting the span five inches to the west .

The work will involve lane restrictions and complete closure of the bridge off and on beginning Thursday May 7 through Monday May 11.

ODOT, however, says steps are being taken to minimize the impact on fans heading into town for the Indians games this weekend. The work is expected to be finished before Monday's rush hour.

The bulk of the work in moving the bridge will take place over the weekend.

Prior to this weekend's work, crews will temporarily restrict traffic from the Innerbelt Bridge for a short time frame during the overnight hours between Wednesday night and Thursday morning.

Between 1 a.m. and 5 a.m. Thursday morning, ODOT's engineers will measure and confirm calculations for the lift.

ODOT says it will maintain traffic on the Innerbelt Bridge during the Indians home games on May 8 and May 9.

Here is a complete look at the lane closures:

Thursday 1 a.m.-5 a.m.: Restricted traffic while engineers take measurements

Friday 10 p.m.: I-90 eastbound closed

Midnight Friday: I-90 westbound closed

I-90 Innerbelt bridge will be completely closed from midnight Friday through 4 p.m. Saturday.

Saturday 4 p.m.-10 p.m.: I-90 completely opens for Indians game traffic

Saturday 10 p.m. : I-90 eastbound closed

Saturday Midnight : I-90 westbound closed

I-90 Innerbelt bridge will be completely closed from midnight Saturday through 5 a.m. Monday.

The bridge realignment is accomplished by using hydraulic jacks to lift and push the span inches to the west, to reposition the bridge on its piers.

A similar procedure was done in 1999 and has become necessary again as the bridge has shifted once again.

ODOT will invest $10 million into the Innerbelt Bridge as part of the Bridge Safety Plan to restore full use of the bridge, including heavy truck traffic.

In March, ODOT announced plans to build a new $400 million westbound Innerbelt Bridge with federal stimulus fund dollars.

Innerbelt Bridge to be moved

Five inch shift will ease weight loads.

Wednesday, May 6, 2009

(Cleveland) – Head up if you use the Innerbelt Bridge on the weekends.

There will be detours this weekend as crews prepare to actually move the bridge span to prevent future stress on the steel structure. According to ODOT, they will pushing and lift the span five inches to the west.

The work will involve lane restrictions and complete closure of the bridge off and on beginning Thursday May 7 through Monday May 11.The work is expected to be completed before Monday's rush hour.

To prepare, crews will temporarily restrict traffic from the Innerbelt Bridge for a short time frame during the overnight hours between Wednesday night and Thursday morning.

Between 1 a.m. and 5 a.m. Thursday morning, ODOT's engineers will measure and confirm calculations for the lift.

ODOT says it will maintain traffic on the Innerbelt Bridge during the Indians home games on May 8 and May 9.

Here is a complete look at the lane closures:

Thursday 1 a.m.-5 a.m.: Restricted traffic while engineers take measurements
Friday 10 p.m.: I-90 eastbound closed
Midnight Friday: I-90 westbound closed
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I-90 Innerbelt bridge will be completely closed from midnight Saturday through 5 a.m. Monday.

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A similar procedure was done in 1999 and has become necessary again as the bridge has shifted once again.

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THE PLAIN DEALER

Inner Belt Bridge to close for repairs most of the weekend

Staggered closings Friday, Saturday; shut Sunday

Thursday, May 07, 2009

Karen Farkas

Plain Dealer Reporter

The deteriorating Inner Belt Bridge, facing major repairs and likely replacement, will be closed most of this weekend so workers can move and realign part of the bridge that has shifted about 4 inches over the Cuyahoga River.

The west end of the Interstate 90 bridge will be raised off the piers that support the span, set down on greased slide plates and jacked four inches west.

The plates will be removed and the bridge rebolted to its piers.

The Ohio Department of Transportation's $890,000 project begins Friday night. Work will be staggered so traffic will not be affected for Friday and Saturday nights' Indians games. However, the bridge will be closed all day Sunday, so baseball fans will have to detour.

Work is expected to be finished and the bridge reopened completely by 5 a.m. Monday.

Moving the bridge is necessary for safety reasons, said Tom Hyland, the ODOT construction engineer for the project. The movement will open an expansion joint on the bridge deck that allows the structure to expand and contract. Right now, the joint is almost closed, and summer heat could cause it to jam shut, putting even more stress on the beams under the deck.

"Two weeks ago when we hit 80 it was closing right up," Hyland said of the joint. "It didn't slam shut, but it got very close. So we are doing this in May rather than wait for the heat of June or July."

The expansion joint problem is not related to the stress that caused damage to a beam at the west end of the bridge, leading to last year's closing of lanes and banning of heavy trucks.

Those problems were caused by the added weight on the bridge when the entrance ramp from West 14th Street opened in the 1980s, Hyland said.

This weekend's work replicates a half-successful effort in 1999 when ODOT stabilized the slope under the west end of the bridge.

Engineers tried to move the bridge 4 inches, but pressure from the hydraulic jacks used in the project pushed the bridge only 2 inches west and the piers 2 inches east. However, the expansion plate opened.

In the past decade, as the slope settled after the stabilization, the bridge has actually moved back to where it was in 1999, said Mike Malloy, an ODOT bridge engineer.

But this weekend's project should finally solve the problem.

Those problems probably started when the bridge was built in 1959, Malloy said. The bridge piers installed

on the slope of the Cuyahoga River were not anchored into bedrock 160 feet below the ground.

As the slope naturally slid toward the river - about an inch every decade - the piers shifted. This closed the expansion joint.

That same joint may have never been right because of a surveying error when the bridge was built, Malloy said.

ODOT was told recently that two contractors back then built the deck of the bridge, one along the east end and the other from the west, Malloy said.

"When they put the steel together at the expansion joint, it did not fit together as it should," he said. The 5,078-foot-long bridge apparently was too short by 4 to 5 inches.

ODOT is investigating whether that information is accurate.

The department plans to spend $10 million this year to repair beams, gusset plates and joint beams and brackets so all lanes of the I-90 bridge can be reopened to all traffic.

It will build a new $400 million, five-lane westbound bridge and will replace or totally repair the current bridge after the new bridge opens in 2013.

To reach this Plain Dealer reporter:

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THE PLAIN DEALER

Inner Belt Bridge to stay open this weekend, ODOT says

More data needed on Inner Belt span

Friday, May 08, 2009

Karen Farkas

Plain Dealer Reporter

The Inner Belt Bridge won't be shut down this weekend after all.

The Ohio Department of Transportation said Thursday that more weight calculations are necessary to determine the best way to move the aging bridge.

Plans had been in place to shut down the bridge starting tonight so work could be done to align the 10 million-pound west end that had shifted about 4 inches over the Cuyahoga River.

The entire bridge weighs between 90 million and 100 million pounds.

Now that work may not occur until early June because of several downtown events scheduled during the remaining weekends in May, including the Cleveland Marathon, Memorial Day celebrations and Indians games. Also the Cavaliers playoffs could be an issue.

ODOT said it wants the bridge's closing, whenever it occurs, to affect traffic as little as possible.

On Thursday, work crews took weight calculations during the early morning. Additional calculations were scheduled between midnight Thursday and 6 this morning, but it's still not enough time for engineers to confirm such information as how much force, as well as equipment, is needed to move the bridge, said Jocelynn Clemings, spokeswoman for the ODOT district that includes Cleveland.

To reach this Plain Dealer reporter:

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INNER BELT CONSTRUCTION

Inner Belt Bridge repair work will close span this week

Tuesday, May 19, 2009

Karen Farkas

Plain Dealer Reporter

Two beams on the steel truss of the Inner Belt Bridge are so weak that one end of the bridge is being realigned to reduce stress on the structure -- six years earlier than planned.

But before the west end of the Interstate 90 bridge is moved this week, the beams will have to be reinforced with steel brackets because of new concerns by the Ohio Department of Transportation that any movement could further weaken the nearly 50-year-old structure.

The bridge will be closed for several days, mostly overnight, to work on the beams. On Saturday, it will be raised off the piers that support it, set down on slide plates and jacked 4 inches west. The plates will be removed and the bridge rebolted to its piers. All work should be completed by that afternoon.

The realignment project was moved up years ahead of schedule because the weak beams could be further damaged if expansion joints on the bridge's deck jammed shut, according to ODOT e-mails and documents.

"Recent bridge inspections, along with the recent development of 3D structural analysis of this existing truss, have highlighted that it is imperative that these expansion joints remain open during warmer weather," ODOT engineer Dave Lastovka wrote in a Jan. 12 e-mail to department officials about why the bridge needs to be moved.

"If the joints remain closed, additional thermal stresses will likely be added to the existing truss," Lastovka said.

ODOT district spokeswoman Jocelynn Clemings said strengthening the two weakest beams before the move was a precaution. She said that decision was made May 7 and 8, as weight calculations were being conducted under the bridge to prepare it to be moved May 10.

However, the move was delayed until this weekend because calculations weren't complete, she said.

Inspections of the bridge last fall showed deterioration so severe that heavy vehicles were banned and the outer lanes in each direction were closed to reduce weight on the span. The beams on the south side of the bridge weakened after the entrance ramp from West 14th Street opened in the 1980s.

On Nov. 18, the day before the bridge was closed to trucks and buses, ODOT officials decided the west end of the bridge needed to be moved before summer, ODOT documents said.

Moving the bridge would open expansion joints in the deck that allow the structure to expand and contract. If they jammed shut during hot weather, it would put stress on the beams under the deck.

The jacking project replicates one in 1999 when ODOT stabilized the slope under the bridge. But when the bridge was jacked west to open the expansion joint, the pier shifted in the soft slope and the span moved only 2 inches, even though the joint did open.

ODOT did not plan to realign the bridge until 2015, since the slope is now stable and the expansion joint was slightly open.

For the $890,000 project to be completed by May 31, ODOT needed federal approval to seek bids without advertising because some federal funds are being used.

It is "in the public interest to expedite the sale," Dennis Decker, administrator of the Federal Highway Administration's division in Columbus, said in a March 6 letter to ODOT Director Jolene Molitoris.

ODOT plans to spend $10 million this year to repair beams, gusset plates and joint beams and brackets so all lanes of the bridge over the Cuyahoga River can be reopened to all traffic.

Plans are to build a new $400 million, five-lane westbound bridge and replace or totally repair the current structure after the new one opens in 2013.

To reach this Plain Dealer reporter:

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Urban Core Advisory Committee Meeting Minutes
April 2, 2009
9 a.m. at NOACA
1299 Superior Avenue
Cleveland, OH 44114

Agenda

I. Lakefront West Project Update

II. Opportunity Corridor Project Update

III. Cleveland Innerbelt Plan Update

Attendees:

Craig Hebebrand- Ohio Department of Transportation, District 12
Bob Brown- City of Cleveland, Planning
Michael May- Maingate
John Motl- Ohio Department of Transportation, District 12
Sheri Dozier- Greater Cleveland Partnership
Ronald Eckner- NOACA
Jamal Husani- Cuyahoga County Engineer
Mahmoud Al-Lozi- NOACA
Millie Caraballo- Cleveland Industrial Retention Initiative
Scott Frantz- City of Cleveland, Planning
Tim Tramble- Burten Bell Carr
David Beach- Cleveland Museum of Natural History
Kevin Kelley- Cleveland City Council
Jim Folk- Cleveland Indians/Historical Gateway District
Joe Marinucci- Downtown Cleveland Alliance
Debra Janik- Greater Cleveland Partnership
James Haviland- MidTown Cleveland
Neil Mohney- Forest City
Claire Kilbane- Cuyahoga County Planning Commission
Paul Alsenas- Cuyahoga County Planning Commission
Lester Stumpe- Northeast Ohio Regional Sewer District
Bill Beckenbach- Quadrangle
Mark Carpenter- Ohio Department of Transportation, District 12
Brian Newbacher- AAA East Central
Tim Hill- Ohio Department of Transportation, District 12
Michael Armstrong- FHWA
Paul Dorothy- Burgess & Niple
Bruce Mansfield- Burgess & Niple
Matt Wahl- HNTB
Anna Matisak- Whelan Communications
Ned Whelan – Whelan Communications
Andy Cross- City of Cleveland, Engineering
Michael Schipper- GCRTA
Dave Lastovka- Ohio Department of Transportation, District 12
Ben Trimble- Ohio City Near West
Chris Garland- Tremont West
Jim Walcott- Commission on Catholic Community Action

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Welcome by Craig Hebebrand, Innerbelt Project Manager for Ohio Department of Transportation, District 12. The purpose of this meeting is to provide the committee with updates for the Lakefront West, Opportunity Corridor and the Cleveland Innerbelt Plan.

Lakefront West

Presentation of slides:

1. Approved on January 9, 2009

   - Project Budget provides $49.8 million
   - Including $40 million for Construction
   - 35 MPH Continuous Flow Boulevard

2. New Access provided at:

   - West 73rd Street
   - West 54th Street/Division Avenue

3. Modified Access provided at:

   - West Boulevard/Lake Avenue
   - Clifton Boulevard/Lake Avenue
   - Edgewater Park
   - West 45th Street/West 49th Street
   - West 25th Street/West 28th Street

4. Improved Pedestrian/Bicycle Access at:

   - Lake Avenue: Tunnel Rehabilitation & ADA Ramps
   - West 76th Street: Tunnel Rehabilitation & ADA Ramps
   - West 25th Street to West 65th Street: New Multi-purpose Trail

5. Implementation Schedule:

   - Lake and West 76th Street Tunnels – 2010
   - Multi-Purpose Trail – 2011
   - All Other Connections – 2012
   - Mainline Reconstruction - TBD

A 90

Summary of Comments and Questions:

Bob Brown: The improvements at W. 25th/W. 28th are imperative for pedestrians. The removal of the eastbound ramp will make it pedestrian-friendly and also eliminate the dangerous merge. It is not new access, but it is significantly improved. W. 73rd will be a key access point and will accomplish the goal of taking the ramp under the railroad tracks instead of across the Shoreway.

Al Lozi: Are you physically removing the W. 28th Street ramp?

Hebebrand: The retaining wall will be removed at the W. 28th ramp. The exit will physically stay in place, but realign the pavement, which will improve the line of sight.

Al Lozi: Will there be a pedestrian crossing access on the new Shoreway?

Bob Brown: No. The new pedestrian access will be at W. 73rd and will have full pedestrian and bike access, but it will not be across the Shoreway.

Lester Stumpe: The environmental documents should be available for review prior to the final approval. Can we work cooperatively in advance of the formal documents to resolve issues such as storm water removal?

Hebebrand: We will coordinate with your offices. There will be a public involvement process so that other parties can formally participate.

Al Lozi: Will the speed limit be lowered prior to the mainline construction? NOACA needs to know for the regional model and State law changes need to be made.

Hebebrand: As soon as the city has the legislation and the signs are erected, the speed will be reduced.

Bob Brown: We can assume that it will be prior to the mainline reconstruction.

Michael Schipper: The current bike trail is "chopped up," are there plans for a multi-purpose continuous trail?

Bob Brown: The current budget does not provide for this right now, the city recognizes the need, but it is not realistic at this time.

Opportunity Corridor

Presentation Slides:

1. Project Budget includes $20 million ARRA for Preliminary Engineering, Environmental Studies and Detailed Design

Summary of Comments and Questions:

Ron Eckner: NOACA will have to amend the conformity analysis in order for ODOT to access funding. We will have to work out the complications of that aspect.

Schipper: It is difficult to envision applying the ARRA funding in a timely fashion. The committee needs to be cognitive of the environmental documentation process.

Bob Brown: The environmental documentation is necessary to move through the process. We need to be realistic about the timetable and money. Is there a chance of requesting an extension?

Millie Caraballo: What can the neighborhoods do to maximize the use of the money? What happens if we don't use all of the allocated money? How long will the environmental study take?

Hebebrand: At the end of the obligated number of days, the money will be redistributed if it isn't spent. There is some pressure to use the money.

Mike Armstrong: ODOT and the FHWA are actively engaged in the legal requirements. The neighborhoods can assist in supplying information during the process.

Hebebrand: The planning process is nearing the end and the next phase will be the environmental study.

Tim Hill: The environmental study will take 3-5 years. We cannot contract a consultant for future phases until the early steps are complete.

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Cleveland Innerbelt

Presentation Slides

1. Early Deployment Projects
   - Quigley Road is complete
2. GCRTA Park-N-Ride Lot Expansions
   - Strongsville – NOW OPEN
   - North Olmsted – NOW OPEN
   - Westlake – 2010
   - Environmental clearance by the end of the month
   - Roadwork to begin in 2009
   - Triskett – TBD
3. Freeway Management System – Construction 2009
   - Being processed for sale
   - Several dozen DMS screens
   - Save $8-10 million by switching from fiber optic cable to leased communication
4. East 55th Street over I-90 – NOW OPEN
   - Deck replacement is complete
5. CSX over East 55th Street
   - Plan development currently suspended
   - TBD – Pending Coordination with Port Relocation
   - Rail spur for Port may impact the Bridge design
   - The key is the number of tracks on the rail line
   - The outcome is still 4 lanes plus bike paths on E. 55th Street.

6. Draft Environmental Impact Statement

- DEIS Approved by ODOT – March 2, 2009
- DEIS Approved by FHWA – March 3, 2009
- Notice of Availability (DEIS) – March 20, 2009
- CUCP Advisory Committee – April 2, 2009
- Public Hearing – April 21, 2009
- Close of DEIS Public Comments – May 21, 2009
- Final EIS – June 2009
- Notice of Availability (FEIS) – July 2009
- Record of Decision – August 2009

7. Draft Environmental Impact Statement

- On-Line at www.innerbelt.org
- CD's available upon request
- Copies Available for Review at:
    - ODOT D12, Cleveland City Hall, NOACA, CCEO, CCPC
    - Cleveland Public Library: Main, South and Sterling Branches
    - Community Development Corporations: Tremont West, MidTown, Quadrangle, Street. Clair-Superior and Flats Oxbow

8. Draft Environmental Impact Statement Public Hearing

- Scheduled for April 21, 2009:
  Annunciation Greek Orthodox Church
  2187 West 14th Street
  4:00 PM to 8:00 PM – Open House
  5:30 PM to 6:00 PM – Project Presentation

- Public Comments to follow Presentation
- Submit Comments by 5 p.m. on May 21, 2009

9. Draft Environmental Impact Statement

- $1.5 - $2.0 billion investment
- Provides for New Westbound Bridge to North of Existing
- Provides for Replacement of Existing Bridge with New Eastbound Bridge on approximately the same alignment
- Provides for one-way pair frontage road system between Carnegie Avenue and Chester Avenue

A 92

10. CCG1 - New Westbound Bridge

- Budget is $400 million including:
- $200 million ARRA Funds
- $97 million SAFETEA-LU Earmark Funds
- ARRA Funds Required to be Obligated within 365 Days
- Transportation Budget Bill Includes Provisions to:
- Increase Biennium Limit for Design-Build Contracts from $250 million to $1 billion from July 1, 2009 to July 1, 2011
- Allow ODOT to Use a Value-Based Selection Process for Design-Build Contracts from July 1, 2009 to July 1, 2011

11. CCG1 - New Westbound Bridge

- Prepare DB Contract Documents by December 1, 2009
- Federal Authorization to Advertise by March 1, 2010
- Award Design-Build Contract 2010
- Design & Construction 2010 through 2013

Summary of Comments and Questions:

Paul Alsenas: What happens to the public comments?

Hebebrand: The comments are addressed and issued a response if necessary. Each comment and response will then be published in the FEIS.

Stumpe: The Agency comments are in Appendix E. Are those files available to review? Are all of the comments received thus far published in the DEIS? Is NOACA a cooperating agency?

Armstrong: Yes, all comments are included in the DEIS.

Tim Hill: NOACA is not a cooperating agency.

Chris Garland: Other than collecting data, should residents expect any response at the Public Hearing?

Tim Hill: The project team members will answer immediate questions. The verbal questions will not be addressed in the forum, but included in the documentation.

Armstrong: It is more efficient to address all of the comments in totality.

Alsenas: The public comment and official response could turn into a conversation or dialogue. How much iteration does the commenter get? Will the public participation have the avenue, the sophistication of an official process? At this stage in the plan, how will you address the concerns of the public? There is an assumption that each commenter has been involved since day one, but what if someone just moved here?

Tim Hill: There has been a constant opportunity throughout the public involvement process for individuals and agencies to address their concerns.

Armstrong: This has been a process since 2000, and the accumulation of those nine years is included and considered in the DEIS. The FHWA has addressed each and every comment and there have been extensive iterations over those nine years. This final Public Hearing is to comment specifically on the DEIS.

Stumpe: NOACA submitted concerns for the discharge violating the water quality and it was not recorded in the DEIS.

Hebebrand: I will make a note and look into it.

Joe Marinucci: Craig is one of the most responsive people available for this process.

Caraballo: There is a need to be sensitive to the fact that people may have questions regarding the answers that ODOT submits, especially if it is a generic answer. Who is the contact person to follow up with for further correspondence?

Armstrong: Each comment is forwarded to Craig, who has become the official contact person for this issue.

E-mail at craig.hebebrand@dot.state.oh.us
Mail at Ohio Department of Transportation
5500 Transportation Boulevard
Garfield Heights, Ohio 44125
Attn: Craig Hebebrand

Schipper: Will official ODOT responses be published in the FEIS? What are the terms of the process for the FEIS?

Armstrong: The FEIS will be made available by the end of July. All environmental commitments are listed in the DEIS.

Marinucci: Can you explain what "design-build" means in ODOT's terms?

Hebebrand: The Design-Build Process combines the design and construction into a single contract. ODOT will be using a Value-Based Design-Build Process, which will consider the Design-Build Team Technical Proposal and Price Proposal.

Bob Brown: The visual elements are very important and will be considered between now and December 2009.

Alsenas: I think that we should revisit the Aesthetics Subcommittee to put the necessary items in order for the Design-Build contract. There is a major concern regarding the decision not to build the cable-stay bridge. It seems that the public involvement wasn't taken seriously enough.

Hebebrand: The cost and maintenance of the cable-stay bridge design is not an economic reality, and similar bridges (e.g., Toledo Bridge, Boston, and Mackinaw) have had structural issues.

Armstrong: The Public Involvement is certainly one of the biggest challenges of this project.

Alsenas: The public expects to get a unique bridge. If cost is the issue, perhaps the public needs to understand the complexity with the changing economics.

Eckner: Is this the first time that we are hearing that we won't be getting the bridge we decided on a few years ago?

Bob Brown: Yes, the recent decision is due to economics.

Schipper: The value-based Design-Build process is preferred. Does FHWA have guidance on the Design-Build?

Armstrong: ODOT will engage with FHWA to set up the framework for value-based projects. Design-Build is the preferred method, which is pursued as a way to get into the construction quickly; the deck details are not necessary to begin.

Schipper: What is the timeline of the land acquisition? How many parcels are involved?

Hebebrand: Many parcels have already been acquired and negotiations are currently active with a number of owners. The contract will include the schedule of availability.

Claire Kilbane: When, during the process, will it be determined where the bridges will land into the street network? Will the public be able to comment when the decisions are made?

Armstrong: The footprint has already been addressed and is available in the DEIS. Appendix A has line work on aerial views and the description of the impacts are adequate. The ultimate decision with be the implementation plan and will be included in the FEIS. The comments should be as accurate as possible and tie to specific document pieces.

Bob Brown: There will be large boards of the key areas of the project for viewing at the Public Hearing.

Schipper: The DEIS schedule is aggressive. What happens if the comment period drags beyond the time allotted? When does Design-Build need a record of decision?

Tim Hill: What would happen to the ARRA funding if the dates slip?

Hebebrand: It is challenging to obligate the funds in the set time frame. If we do not get the record of decision then we cannot spend the funding. If we fail to spend the money, it will be redistributed, most likely not to Ohio.

Armstrong: We will process the comments as they come in. There are many requirements that need to be met in order to get the record of decision.

Neil Mohney: Has the bridge closure option been considered? What about educating the motorist about alternate routes around the city?

Hebebrand: Yes, and unfortunately there would need to be extensive improvements to the alternate routes in order to accommodate traffic. We feel it is better to keep the bridge access open.

Mohney: Building the south bridge would maintain the openness of the Gateway District.

Hebebrand: There are alternatives documented in the DEIS, the Northern alignment is preferred.

Alsenas: Has there been an analysis of diversion (closure option)? Can the public acquire access to all of the background information from day one of the project? He would like to see the causal linkage as to how the project evolved.

Hebebrand: You can send a request to the ODOT office, where it is all kept.

Armstrong: The past documentation may not be accurate at this point in time. Chapter three of the DEIS shows how the alternatives have evolved over the process. Also, Table 439 is a good resource for alternative evaluation.

Alsenas: Who is the team under contract?

Hebebrand: Burgess & Niple.

Closing by Craig Hebebrand. He thanked the committee members for their input and attendance, and looks forward to continuing work on the Innerbelt, Opportunity Corridor and Lakefront West.


CLEVELAND
URBAN CORE PROJECTS
OHIO DEPARTMENT OF TRANSPORTATION
Advisory Committee Meeting
April 2, 2009

A 95


CLEVELAND
URBAN CORE PROJECTS
OHIO DEPARTMENT OF TRANSPORTATION
Lakefront West
Opportunity Corridor
Cleveland Innerbelt


CLEVELAND
LAKEFRONT WEST
Lakefront West Plan approved by Cleveland City Planning Commission on Jan 9, 2009
Project Budget provides $49.8 million
Including $40 million for Construction

A 96


CLEVELAND
LAKEFRONT WEST
35 MPH Continuous Flow Boulevard
New Access provided at:
West 73rd St
West 54th St/Division Ave
Modified Access provided at:
West Blvd/Lake Ave
Clifton Blvd/Lake Ave
Edgewater Park
West 45th St/West 49th St
West 25th St/West 28th St


CLEVELAND
LAKEFRONT WEST
Improved Pedestrian/Bicycle Access at:
Lake Ave
Tunnel Rehabitation & ADA Ramps
West 76th St
Tunnel Rehabitation & ADA Ramps
West 25th St to West 65th St
New Multi-purpose Trail


CLEVELAND
LAKEFRONT WEST
Implementation Schedule:
Lake & West 76th St Tunnels – 2010
Multi-Purpose Trail – 2011
All Other Connections – 2012
Mainline Reconstruction - TBD

Opportunity Corridor

Project Budget includes $20 million ARRA for Preliminary Engineering, Environmental Studies and Detail Design

Cleveland Innerbelt

- Early Deployment Projects
- Draft Environmental Impact Statement
- New Westbound Bridge

CLEVELAND INNERBELT PLAN
OHIO DEPARTMENT OF TRANSPORTATION

Quigley Road Connector – NOW OPEN

CLEVELAND INNERBELT PLAN
OHIO DEPARTMENT OF TRANSPORTATION

GCRTA Park–N-Ride Lot Expansions

Strongsville – NOW OPEN

North Olmsted – NOW OPEN

Westlake – 2010

Triskett - TBD

CLEVELAND INNERBELT PLAN
OHIO DEPARTMENT OF TRANSPORTATION

Freeway Management System – Construction Starts 2009

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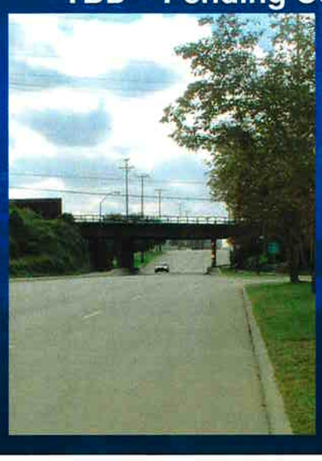
CLEVELAND INNERBELT PLAN
OHIO DEPARTMENT OF TRANSPORTATION

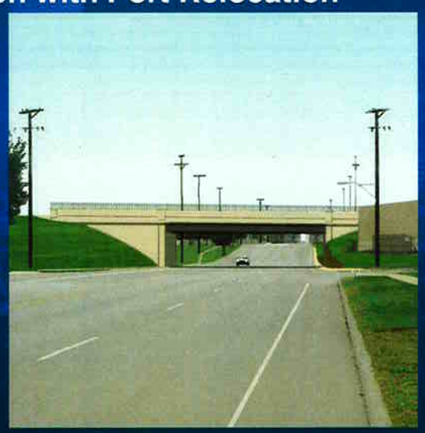
East 55th St over I-90 – NOW OPEN

CLEVELAND INNERBELT PLAN
OHIO DEPARTMENT OF TRANSPORTATION

CSX over East 55th Street

TBD – Pending Coordination with Port Relocation





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CLEVELAND INNERBELT PLAN
OHIO DEPARTMENT OF TRANSPORTATION

Draft Environmental Impact Statement

DEIS Approved by ODOT – March 2, 2009
DEIS Approved by FHWA – March 3, 2009
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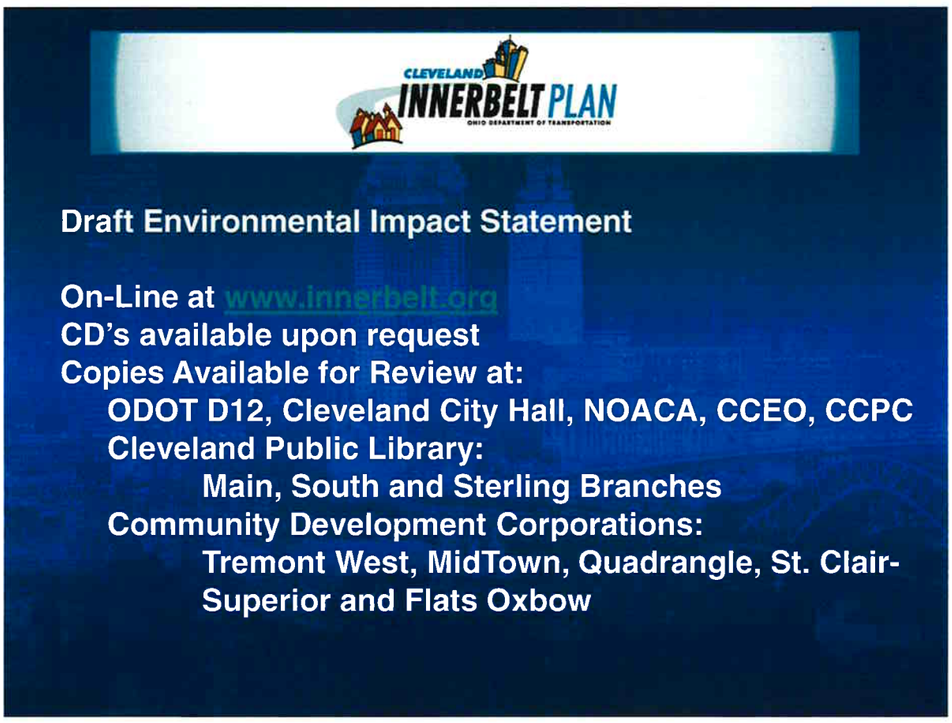
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Tremont West, MidTown, Quadrangle, St. Clair-
Superior and Flats Oxbow

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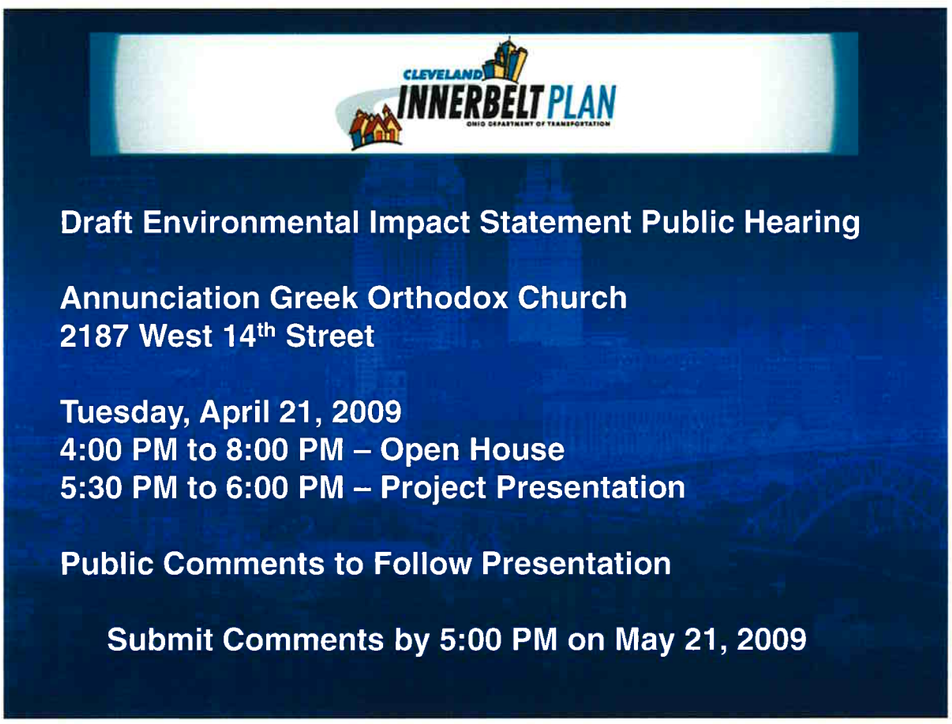
CLEVELAND
INNERBELT PLAN
OHIO DEPARTMENT OF TRANSPORTATION
Draft Environmental Impact Statement Comments
On-Line at www.innerbelt.org
E-mail at craig.hebebrand@dot.state.oh.us
Mail at Ohio Department of Transportation
5500 Transportation Boulevard
Garfield Heights, Ohio 44125
Attn: Craig Hebebrand
Submit Comments by 5:00 PM on May 21, 2009


CLEVELAND
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OHIO DEPARTMENT OF TRANSPORTATION
Draft Environmental Impact Statement Public Hearing
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Submit Comments by 5:00 PM on May 21, 2009

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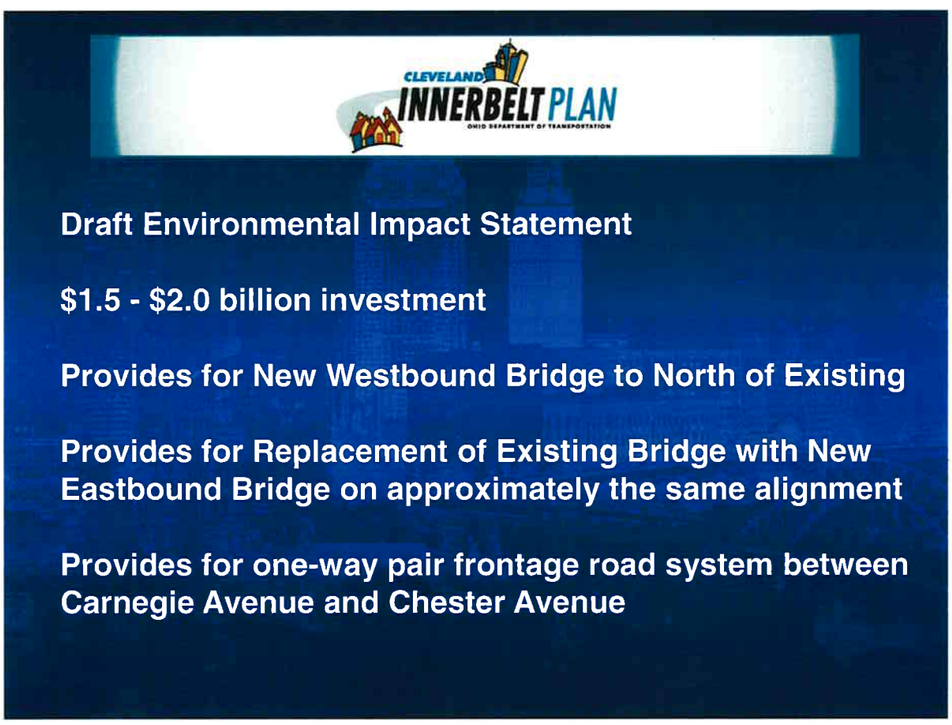
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Provides for one-way pair frontage road system between Carnegie Avenue and Chester Avenue

CLEVELAND INNERBELT PLAN
OHIO DEPARTMENT OF TRANSPORTATION

CCG1 - New Westbound Bridge

Budget is $400 million including:
- $200 million ARRA Funds
- $97 million SAFETEA-LU Earmark Funds

ARRA Funds Required to be Obligated within 365 Days

CLEVELAND INNERBELT PLAN
OHIO DEPARTMENT OF TRANSPORTATION

CCG1 - New Westbound Bridge

Transportation Budget Bill Includes Provisions to:

Increase Biennium Limit for Design-Build Contracts from $250 million to $1 billion from July 1, 2009 to July 1, 2011

Allow ODOT to Use a Value-Based Selection Process for Design-Build Contracts from July 1, 2009 to July 1, 2011


CLEVELAND
INNERBELT PLAN
OHIO DEPARTMENT OF TRANSPORTATION
CCG1 - New Westbound Bridge
Prepare DB Construction Contract Documents by December 1, 2009
Federal Authorization to Advertise by March 1, 2010
Award Design-Build Contract 2010
Design & Construction 2010 through 2013

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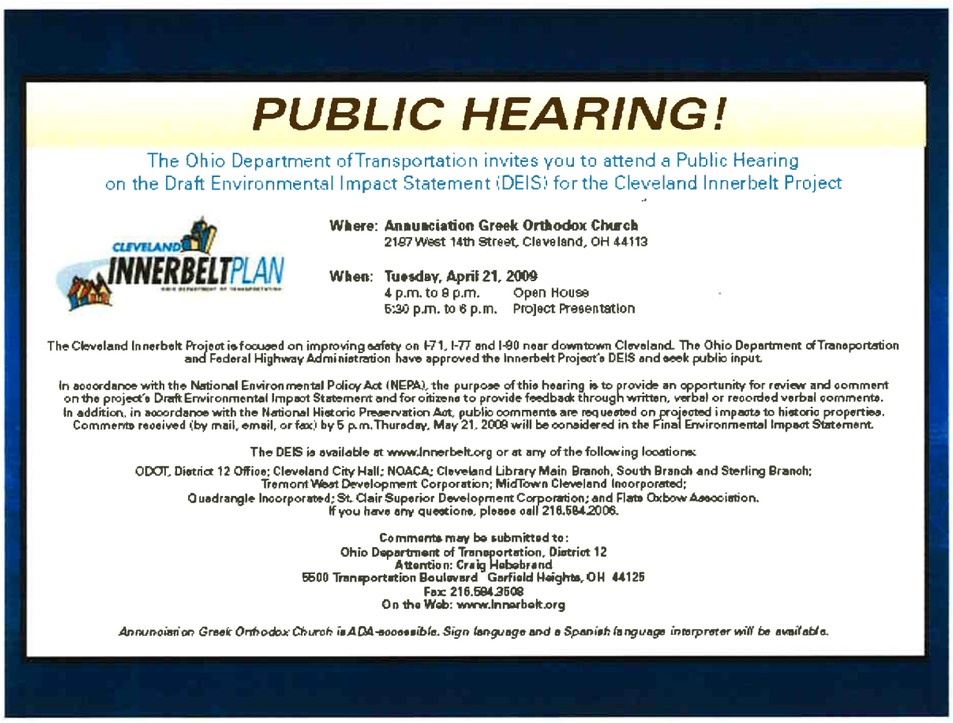

PUBLIC HEARING!
The Ohio Department of Transportation invites you to attend a Public Hearing
on the Draft Environmental Impact Statement (DEIS) for the Cleveland Innerbelt Project
CLEVELAND
INNERBELT PLAN
Where: Annunciation Greek Orthodox Church
2187 West 14th Street, Cleveland, OH 44113
When: Tuesday, April 21, 2009
4 p.m. to 8 p.m. Open House
5:30 p.m. to 6 p.m. Project Presentation
The Cleveland Innerbelt Project is focused on improving safety on I-71, I-77 and I-90 near downtown Cleveland. The Ohio Department of Transportation and Federal Highway Administration have approved the Innerbelt Project's DEIS and seek public input.
In accordance with the National Environmental Policy Act (NEPA), the purpose of this hearing is to provide an opportunity for review and comment on the project's Draft Environmental Impact Statement and for citizens to provide feedback through written, verbal or recorded verbal comments. In addition, in accordance with the National Historic Preservation Act, public comments are requested on projected impacts to historic properties. Comments received (by mail, email, or fax) by 5 p.m. Thursday, May 21, 2009 will be considered in the Final Environmental Impact Statement.
The DEIS is available at www.innerbelt.org or at any of the following locations:
ODOT, District 12 Office; Cleveland City Hall; NOACA; Cleveland Library Main Branch, South Branch and Sterling Branch; Tremont West Development Corporation; MidTown Cleveland Incorporated; Quadrangle Incorporated; St. Clair Superior Development Corporation; and Flats Oxbow Association.
If you have any questions, please call 216.584.2006.
Comments may be submitted to:
Ohio Department of Transportation, District 12
Attention: Craig Hebebrand
5500 Transportation Boulevard Garfield Heights, OH 44125
Fax: 216.584.2508
On the Web: www.innerbelt.org
Annunciation Greek Orthodox Church is ADA-accessible. Sign language and a Spanish language interpreter will be available.

OHIO DEPARTMENT OF TRANSPORTATION
CENTRAL OFFICE, 1980 WEST BROAD STREET, COLUMBUS, OH 43223

August 3, 2007

Mayor Frank Jackson
City of Cleveland
City Hall
601 Lakeside, N.E.
Cleveland, Ohio 44114

Re: Invitation to Become a Participating Agency
CUY – 71/90 – 16.79/14.90, (Cleveland Innerbelt), PID 77510

Dear Mayor Jackson:

On behalf of The Federal Highway Administration (FHWA), the Ohio Department of Transportation (ODOT) is initiating an Environmental Impact Statement (EIS) for proposed improvements to Interstates 71, 77, and 90, and connecting radial freeways and local roadways, known as the Cleveland Innerbelt. The Cleveland Innerbelt is routed across the Cuyahoga River valley and around the south and east sides of downtown Cleveland, Ohio. The action termini are located approximately at the merge/diverse point of State Route 176, (the Jennings Freeway) and Interstate 71 southwest of downtown, south of the existing Interstate 90/77 Central Interchange on I-77 south to around Pershing Avenue south of downtown, and east of the Interstate 90/State Route 2 interchange east of downtown along the shore of Lake Erie and adjacent to the Burke Lakefront Airport, (see enclosed map). The purpose of the Cleveland Innerbelt action is to rehabilitate and reconstruct the Innerbelt Freeway system, and to address operational, design, safety and access shortcomings that severely impact the ability of the Innerbelt Freeway system to function in an acceptable manner. The FHWA Ohio Division Office will serve as the lead Federal agency for this action, and ODOT will serve as joint lead.

With this letter, FHWA is extending your agency an invitation to become a participating agency with the FHWA and ODOT in the development of the EIS for the Cleveland Innerbelt action. FHWA is inviting your agency to be a participating agency in the environmental review process for this action pursuant to Section 6002 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). We are requesting your agency to participant since we believe that your agency will have an interest in this transportation action. This designation does not imply that your agency either supports the proposal or has any special expertise with respect to evaluation of the action.

FHWA also requests the participation of the your agency as a cooperating agency in the preparation of the DEIS and FEIS, in accordance with 40 CFR 1501.6 of the Council on Environmental Quality's (CEQ) Regulations for Implementing the Procedural Provision of the

National Environmental Policy Act, and in accordance with FHWA's regulations at 23 CFR 771.111(d).

Pursuant to Section 6002 of SAFETEA-LU, participating agencies are responsible for identifying, as early as practicable, any issues of concern regarding the action's potential environmental or socioeconomic impacts that could substantially delay or prevent an agency from granting a permit or other approval that is needed for the action. Due to the current status, of the Cleveland Innerbelt action FHWA suggests that your agency's role in the development of the action should include the following as they relate to your area of expertise:

1. Participate in future coordination meetings and joint field reviews as appropriate.
2. Provide timely review and comment on the Draft Environmental Impact Statement and/or other environmental documents to reflect the views and concerns of your agency on the adequacy of the document, alternatives considered, and the anticipated impacts and mitigation.

Please respond to FHWA in writing with an acceptance or denial of the invitation prior to August, September 7, 2007. If your agency declines, the response should state your reason for declining the invitation. Pursuant to SAFETEA-LU Sec. 6002, any Federal agency that chooses to decline the invitation to be a participating agency must specifically state in its response that it:

- Has no expertise or information relevant to the project;
- Has no jurisdiction or authority with respect to the project; and
- Does not intend to submit comments on the project.

Currently the Cleveland Innerbelt is in an advanced stage of project development. On September 18, 2001 the FHWA issued a Notice of Intent, for the Cleveland Innerbelt action, which was in the planning phase of project development, indicating that an Environmental Assessment or EIS would be prepared. Since 2001 project development and public involvement activities have been ongoing. In September of 2006 the FHWA, in cooperation with the ODOT, decided to prepare an EIS for the Cleveland Innerbelt action, to effectively and efficiently manage the action. A Notice of Intent to prepare an EIS was published in the Federal Register on September 7, 2006. In August of 2006, ODOT released for public and agency review a Conceptual Alternatives Study (CAS) document for the Cleveland Innerbelt action. The CAS document contains: 1) the Purpose and Need Statement; 2) the range of alternatives assessed, those eliminated from further consideration, and those that are to be further assessed in the forthcoming DEIS; and 3) a summary of the public involvement efforts that lead to the development of the document. Enclosed on CD for your use is a copy of the August 2006 CAS. For information regarding the ongoing advancement of the Cleveland Innerbelt action, visit the project website at www.innerbelt.org. In addition for any questions regarding the previously completed project development activities to date please contact ODOT, Larry Hoffman at (614) 466-6439, or FHWA, Mike Armstrong at (614) 280-6855.

Later this year, ODOT and FHWA will be circulating a Draft Environmental Impact Statement for your review and comment. The DEIS (or EA) will likely include the identification of the SAFETEA-LU Sec. 6002 "preferred alternative". The "preferred alternative" selection will be based on the balance of engineering, environmental, fiscal and community issues. All reasonable alternatives remain under consideration at this time. The final selection of an alternative will not be made until the alternatives' impacts and comments on the DEIS (or EA) and from the public hearing have been fully evaluated. Currently, the project anticipates a Record of Decision in 2008. [Pursuant to SAFETEA-LU Sec. 6002 it is the FHWA and ODOT's intent to continue utilizing ODOT's existing Project Development Process (PDP) and all other current ODOT and FHWA environmental manuals, policies, guidance, processes and procedures as the methodology for developing and analyzing the Cleveland Innerbelt alternatives' in compliance with NEPA. The level of detail will be sufficient to properly identify and quantify the impacts of the proposed action; will enable the rigorous comparative analysis of the alternatives; and will enable the assessment of impact avoidance, minimization, mitigation, and enhancement strategies. Enclosed for your review and comment pursuant to SAFETEA-LU Sec. 6002, is a CD containing the ODOT's PDP, environmental manuals, policies and guidance documents with an accompanying listing of the contents. The documents are also available on the ODOT's Office of Environmental Services web site http://www.dot.state.oh.us/oes/ . FHWA's environmental documents are available for your review and comment, pursuant to SAFETEA-LU Sec. 6002, on FHWA's web site http://www.fhwa.dot.gov/environment/index.htm . Should you not agree with the proposed methodologies to be used or the level of detail to be applied in a particular analysis for the Cleveland Innerbelt action, please provide comments describing the alternate methodology or level of analytical detail that your agency proposes and state why. Please note that if you have already provided comments on the enclosed ODOT documents pursuant to ODOT's letter dated April 30, 2007 there is no need to resubmit your comments for them to be considered during the advancement of the Cleveland Innerbelt action. The FHWA and ODOT as lead agencies will consider your views as we advance the Cleveland Innerbelt action and are committed to working with you cooperatively to address any differences.

The FHWA and ODOT recognize the need for early, frequent, and open communication with the public and federal, state, and local agencies. The further development and coordination of the Cleveland Innerbelt action will be guided by ODOT's 14 PDP. The PDP provides for ongoing public and agency coordination and involvement to meet state and federal requirements (e.g., SAFETEA-LU Sec. 6002, National Environmental Policy Act [NEPA], and Section 106 of the National Historic Preservation Act [NHPA]). Pursuant to SAFETEA-LU Sec. 6002, the FHWA and ODOT have developed the following table showing the remaining PDP tasks left to be completed and coordinated on this action in bullet form. Timeframes for review and comment on environmental documents will conform to established regulatory deadlines, where applicable. Pursuant to SAFETEA-LU Sec. 6002 and when regulatory deadlines are not applicable, a 30 calendar day review period will apply to environmental documents:

Cleveland Innerbelt Coordination Plan*

PDP Step	Task to be Completed and Coordinated	Schedule (estimated)
Step 7	• Review public and agency comments and address issues as required. • Coordinate Phase I and Phase II archaeological surveys with SHPO (If needed). • Conduct jurisdictional determinations for streams and wetlands with resource agencies. • Prepare draft waterway permit applications. • Make available the Draft Environmental Impact Statement (DEIS) document to the public and agencies. • Present the recommended preferred alternative to the pubic and agencies and request comments. • Publish a Notice of Availability (NOA) in the Federal Register. Seek agency concurrence on the Draft EIS and hold a public hearing to solicit comments. • Issue intergovernmental review letters to agencies.	Fall 2007
Step 8	• Incorporate public and agency comments into the Final Environmental Impact Statement (FEIS) document and obtain final Record of Decision. • Address any pubic and agency comments, as appropriate. • Work with resource agencies and public, as necessary, to develop conceptual mitigation plans. • Submit final waterway permit applications to agencies. • Coordinate with agencies, as necessary, to begin required hazardous material clean-up activities. • Coordinate with public and agencies, as necessary, to develop a Draft Recovery plan for archaeological and historic sites. • Coordinate with the local floodplain administrator, as necessary. • If there has been a change in the recommended preferred alternative since Step 7, notify agencies and seek concurrence-coordinate with public. • Publish a NOA in the Federal Register. • Work with the public on design aesthetics. • Incorporate stakeholder involvement and agreements into the Environmental Commitments Summary.	Spring/ Summer 2008

Note: The below tasks and coordination efforts and timeframes only apply to proposed Cleveland Innerbelt contract group 1. Contract group 1 preliminarily provides for the construction and tie-in of a new major bridge across the Cuyahoga River Valley to carry the westbound I-90 traffic. The remaining contract groups, to implement the complete proposed NEPA action, will be developed at a later point in time. For a map showing ODOT's preliminary proposed contract groups, see the CIB: website at www.innerbelt.org		
Step 9 Develop Stage 2 Detailed Design	• Complete final mitigation plans for cultural and water resources in consultation with agencies. • Incorporate agency involvement and agreements into the Environmental Commitments Summary. • Incorporate agency commitments into environmental plan notes. • Work with the public on design aesthetics.	Fall, 2008
Step 10 Complete Right-of-Way Plan and Begin Acquisition	• Receive waterway permits. • Incorporate agency comments into final right-of-way plans. • Incorporate public comments into final right-of-way plans. • Begin right-of-way acquisition activities which may include, but are not limited to, performing title searches, confirming ownership, completing appraisals, and ultimately purchasing property. • Provide relocation assistance to residents and businesses. • Work with utility companies to prepare final plans to relocate facilities.	Spring, 2009
Step 11 Develop Stage 3 Design	• Update environmental plan notes if commitments have changed through agency coordination. • Work with agencies to coordinate construction timing with other work at the same or an adjacent site. • Ensure agency concerns are addressed in the Environmental Consultation Form.	Summer, 2009
Step 12 Prepare Final Plan Package	• Coordinate with agencies as necessary. • Convey to the public the maintenance of traffic plans.	Summer, 2009
Step 13 Award Contract	• Coordinate with agencies as necessary.	Spring, 2010
Step 14 Construct Project	• Coordinate with agencies as necessary. • Prior to construction, publish public notifications. • Work with local governments, and adjacent property owners to implement maintenance of traffic plans. • Inform public throughout construction of activities and schedule.	Summer 2010

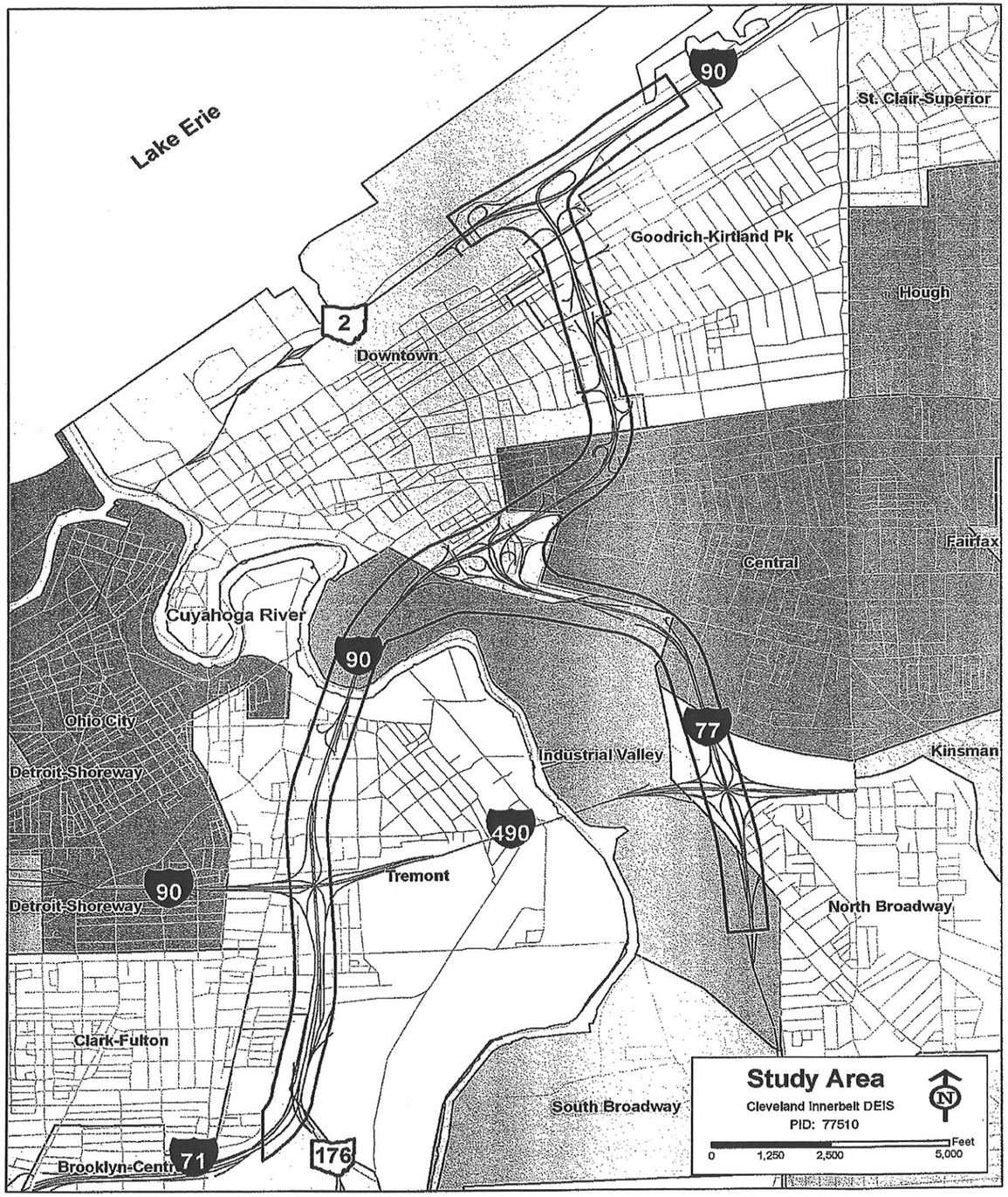
* Note that the order and timing of task completion will be in compliance with the SAFETEA-LU Sec. 6002 provisions, NEPA, and other state and federal requirements.

FHWA and ODOT look forward to your response to our invitation to participate on the Cleveland Innerbelt action and to the receipt of any comments you may have on the work products and methodologies/analytical tools provided by September 7, 2007. If you have any questions or would like to discuss in more detail the action or our agencies' respective roles and responsibilities during the preparation of this EIS, please contact Larry Hoffman, ODOT Project Coordinator, at (614) 466-6439, or email larry.hoffman@dot.state.oh.us

Respectfully,

Timothy M. Hill
Administrator
Office of Environmental Services

A 108


Lake Erie
90
St. Clair-Superior
Goodrich-Kirtland Pk
Hough
2
Downtown
Fairfax
Central
Cuyahoga River
90
Ohio City
77
Industrial Valley
Kinsman
Detroit-Shoreway
490
Tremont
90
Detroit-Shoreway
North Broadway
Clark-Fulton
South Broadway
Brooklyn-Centr
71
176
Study Area
Cleveland Innerbelt DEIS
PID: 77510
N
0
1,250
2,500
5,000
Feet


Lake Erie
90
2
Downtown
Innerbelt Trench
Central Interchange
Cuyahoga River
90
I-77
77
Central Viaduct
490
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Southern Innerbelt
176
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Corridor Sections
Cleveland Innerbelt DEIS
PID: 77510
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1,250
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Feet

OHIO DEPARTMENT OF TRANSPORTATION
CENTRAL OFFICE, 1980 WEST BROAD STREET, COLUMBUS, OH 43223

August 3, 2007

Randall DeVaul, Commissioner
City of Cleveland
Division of Engineering and Construction
601 Lakeside Avenue, Room 518
Cleveland, Ohio 44114

Re: Invitation to Become a Participating Agency
CUY – 71/90 – 16.79/14.90, (Cleveland Innerbelt), PID 77510

Dear Mr. DeVaul:

On behalf of The Federal Highway Administration (FHWA), the Ohio Department of Transportation (ODOT) is initiating an Environmental Impact Statement (EIS) for proposed improvements to Interstates 71, 77, and 90, and connecting radial freeways and local roadways, known as the Cleveland Innerbelt. The Cleveland Innerbelt is routed across the Cuyahoga River valley and around the south and east sides of downtown Cleveland, Ohio. The action termini are located approximately at the merge/diverse point of State Route 176, (the Jennings Freeway) and Interstate 71 southwest of downtown, south of the existing Interstate 90/77 Central Interchange on I-77 south to around Pershing Avenue south of downtown, and east of the Interstate 90/State Route 2 interchange east of downtown along the shore of Lake Erie and adjacent to the Burke Lakefront Airport, (see enclosed map). The purpose of the Cleveland Innerbelt action is to rehabilitate and reconstruct the Innerbelt Freeway system, and to address operational, design, safety and access shortcomings that severely impact the ability of the Innerbelt Freeway system to function in an acceptable manner. The FHWA Ohio Division Office will serve as the lead Federal agency for this action, and ODOT will serve as joint lead.

With this letter, FHWA is extending your agency an invitation to become a participating agency with the FHWA and ODOT in the development of the EIS for the Cleveland Innerbelt action. FHWA is inviting your agency to be a participating agency in the environmental review process for this action pursuant to Section 6002 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). We are requesting your agency to participant since we believe that your agency will have an interest in this transportation action. This designation does not imply that your agency either supports the proposal or has any special expertise with respect to evaluation of the action.

FHWA also requests the participation of the your agency as a cooperating agency in the preparation of the DEIS and FEIS, in accordance with 40 CFR 1501.6 of the Council on Environmental Quality's (CEQ) Regulations for Implementing the Procedural Provision of the

OHIO DEPARTMENT OF TRANSPORTATION
CENTRAL OFFICE, 1980 WEST BROAD STREET, COLUMBUS, OH 43223

August 3, 2007

Robert Mavec,Commissioner
City of Cleveland
Division of Traffic Engineering
601 Lakeside Avenue, Room 518
Cleveland, Ohio 44114

Re: Invitation to Become a Participating Agency
CUY – 71/90 – 16.79/14.90, (Cleveland Innerbelt), PID 77510

Dear Mr. Mavec:

On behalf of The Federal Highway Administration (FHWA), the Ohio Department of Transportation (ODOT) is initiating an Environmental Impact Statement (EIS) for proposed improvements to Interstates 71, 77, and 90, and connecting radial freeways and local roadways, known as the Cleveland Innerbelt. The Cleveland Innerbelt is routed across the Cuyahoga River valley and around the south and east sides of downtown Cleveland, Ohio. The action termini are located approximately at the merge/diverse point of State Route 176, (the Jennings Freeway) and Interstate 71 southwest of downtown, south of the existing Interstate 90/77 Central Interchange on I-77 south to around Pershing Avenue south of downtown, and east of the Interstate 90/State Route 2 interchange east of downtown along the shore of Lake Erie and adjacent to the Burke Lakefront Airport, (see enclosed map). The purpose of the Cleveland Innerbelt action is to rehabilitate and reconstruct the Innerbelt Freeway system, and to address operational, design, safety and access shortcomings that severely impact the ability of the Innerbelt Freeway system to function in an acceptable manner. The FHWA Ohio Division Office will serve as the lead Federal agency for this action, and ODOT will serve as joint lead.

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AN EQUAL OPPORTUNITY EMPLOYER

OHIO DEPARTMENT OF TRANSPORTATION
CENTRAL OFFICE, 1980 WEST BROAD STREET, COLUMBUS, OH 43223

August 3, 2007

Mr. Robert Keiser
City of Cleveland
Landmarks Commission
601 Lakeside Avenue
Cleveland, Ohio 44114

Re: Invitation to Become a Participating Agency
CUY – 71/90 – 16.79/14.90, (Cleveland Innerbelt), PID 77510

Dear Mr. Keiser

On behalf of The Federal Highway Administration (FHWA), the Ohio Department of Transportation (ODOT) is initiating an Environmental Impact Statement (EIS) for proposed improvements to Interstates 71, 77, and 90, and connecting radial freeways and local roadways, known as the Cleveland Innerbelt. The Cleveland Innerbelt is routed across the Cuyahoga River valley and around the south and east sides of downtown Cleveland, Ohio. The action termini are located approximately at the merge/diverse point of State Route 176, (the Jennings Freeway) and Interstate 71 southwest of downtown, south of the existing Interstate 90/77 Central Interchange on I-77 south to around Pershing Avenue south of downtown, and east of the Interstate 90/State Route 2 interchange east of downtown along the shore of Lake Erie and adjacent to the Burke Lakefront Airport, (see enclosed map). The purpose of the Cleveland Innerbelt action is to rehabilitate and reconstruct the Innerbelt Freeway system, and to address operational, design, safety and access shortcomings that severely impact the ability of the Innerbelt Freeway system to function in an acceptable manner. The FHWA Ohio Division Office will serve as the lead Federal agency for this action, and ODOT will serve as joint lead.

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OHIO DEPARTMENT OF TRANSPORTATION
CENTRAL OFFICE, 1980 WEST BROAD STREET, COLUMBUS, OH 43223

August 3, 2007

Robert Brown, Director
City of Cleveland
Planning Commission
601 Lakeside Avenue, Room 501
Cleveland, Ohio 44114

Re: Invitation to Become a Participating Agency
CUY – 71/90 – 16.79/14.90, (Cleveland Innerbelt), PID 77510

Dear Mr. Brown:

On behalf of The Federal Highway Administration (FHWA), the Ohio Department of Transportation (ODOT) is initiating an Environmental Impact Statement (EIS) for proposed improvements to Interstates 71, 77, and 90, and connecting radial freeways and local roadways, known as the Cleveland Innerbelt. The Cleveland Innerbelt is routed across the Cuyahoga River valley and around the south and east sides of downtown Cleveland, Ohio. The action termini are located approximately at the merge/diverse point of State Route 176, (the Jennings Freeway) and Interstate 71 southwest of downtown, south of the existing Interstate 90/77 Central Interchange on I-77 south to around Pershing Avenue south of downtown, and east of the Interstate 90/State Route 2 interchange east of downtown along the shore of Lake Erie and adjacent to the Burke Lakefront Airport, (see enclosed map). The purpose of the Cleveland Innerbelt action is to rehabilitate and reconstruct the Innerbelt Freeway system, and to address operational, design, safety and access shortcomings that severely impact the ability of the Innerbelt Freeway system to function in an acceptable manner. The FHWA Ohio Division Office will serve as the lead Federal agency for this action, and ODOT will serve as joint lead.

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AN EQUAL OPPORTUNITY EMPLOYER

OHIO DEPARTMENT OF TRANSPORTATION
CENTRAL OFFICE, 1980 WEST BROAD STREET, COLUMBUS, OH 43223

August 3, 2007

Robert C. Klaiber, P.E, P.S.
Cuyahoga County Engineer
2100 Superior Viaduct
Cleveland, Ohio 44113

Re: Invitation to Become a Participating Agency
CUY – 71/90 – 16.79/14.90, (Cleveland Innerbelt), PID 77510

Dear Mr. Klaiber:

On behalf of The Federal Highway Administration (FHWA), the Ohio Department of Transportation (ODOT) is initiating an Environmental Impact Statement (EIS) for proposed improvements to Interstates 71, 77, and 90, and connecting radial freeways and local roadways, known as the Cleveland Innerbelt. The Cleveland Innerbelt is routed across the Cuyahoga River valley and around the south and east sides of downtown Cleveland, Ohio. The action termini are located approximately at the merge/diverse point of State Route 176, (the Jennings Freeway) and Interstate 71 southwest of downtown, south of the existing Interstate 90/77 Central Interchange on I-77 south to around Pershing Avenue south of downtown, and east of the Interstate 90/State Route 2 interchange east of downtown along the shore of Lake Erie and adjacent to the Burke Lakefront Airport, (see enclosed map). The purpose of the Cleveland Innerbelt action is to rehabilitate and reconstruct the Innerbelt Freeway system, and to address operational, design, safety and access shortcomings that severely impact the ability of the Innerbelt Freeway system to function in an acceptable manner. The FHWA Ohio Division Office will serve as the lead Federal agency for this action, and ODOT will serve as joint lead.

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OHIO DEPARTMENT OF TRANSPORTATION
CENTRAL OFFICE, 1980 WEST BROAD STREET, COLUMBUS, OH 43223

August 3, 2007

Howard Maier, Executive Director
Northeast Ohio Regional Sewer District (NOACA)
1299 Superior Avenue
Cleveland, Ohio 44115

Re: Invitation to Become a Participating Agency
CUY – 71/90 – 16.79/14.90, (Cleveland Innerbelt), PID 77510

Dear Mr. Maier:

On behalf of The Federal Highway Administration (FHWA), the Ohio Department of Transportation (ODOT) is initiating an Environmental Impact Statement (EIS) for proposed improvements to Interstates 71, 77, and 90, and connecting radial freeways and local roadways, known as the Cleveland Innerbelt. The Cleveland Innerbelt is routed across the Cuyahoga River valley and around the south and east sides of downtown Cleveland, Ohio. The action termini are located approximately at the merge/diverse point of State Route 176, (the Jennings Freeway) and Interstate 71 southwest of downtown, south of the existing Interstate 90/77 Central Interchange on I-77 south to around Pershing Avenue south of downtown, and east of the Interstate 90/State Route 2 interchange east of downtown along the shore of Lake Erie and adjacent to the Burke Lakefront Airport, (see enclosed map). The purpose of the Cleveland Innerbelt action is to rehabilitate and reconstruct the Innerbelt Freeway system, and to address operational, design, safety and access shortcomings that severely impact the ability of the Innerbelt Freeway system to function in an acceptable manner. The FHWA Ohio Division Office will serve as the lead Federal agency for this action, and ODOT will serve as joint lead.

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AN EQUAL OPPORTUNITY EMPLOYER

OHIO DEPARTMENT OF TRANSPORTATION
CENTRAL OFFICE, 1980 WEST BROAD STREET, COLUMBUS, OH 43223

August 3, 2007

Ohio Environmental Protection Agency
Attn: Art Coleman
OEPA Lazarus Government Center
P.O. Box 1049
Columbus, Ohio 43216

Re: Invitation to Become a Participating Agency
CUY – 71/90 – 16.79/14.90, (Cleveland Innerbelt), PID 77510

Dear Mr. Coleman:

On behalf of The Federal Highway Administration (FHWA), the Ohio Department of Transportation (ODOT) is initiating an Environmental Impact Statement (EIS) for proposed improvements to Interstates 71, 77, and 90, and connecting radial freeways and local roadways, known as the Cleveland Innerbelt. The Cleveland Innerbelt is routed across the Cuyahoga River valley and around the south and east sides of downtown Cleveland, Ohio. The action termini are located approximately at the merge/diverse point of State Route 176, (the Jennings Freeway) and Interstate 71 southwest of downtown, south of the existing Interstate 90/77 Central Interchange on I-77 south to around Pershing Avenue south of downtown, and east of the Interstate 90/State Route 2 interchange east of downtown along the shore of Lake Erie and adjacent to the Burke Lakefront Airport, (see enclosed map). The purpose of the Cleveland Innerbelt action is to rehabilitate and reconstruct the Innerbelt Freeway system, and to address operational, design, safety and access shortcomings that severely impact the ability of the Innerbelt Freeway system to function in an acceptable manner. The FHWA Ohio Division Office will serve as the lead Federal agency for this action, and ODOT will serve as joint lead.

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OHIO DEPARTMENT OF TRANSPORTATION
CENTRAL OFFICE, 1980 WEST BROAD STREET, COLUMBUS, OH 43223

August 3, 2007

Ohio Department of Natural Resources
Attn: Vicki Deisner
1952 Belcher Drive
Columbus, Ohio 43224

Re: Invitation to Become a Participating Agency
CUY – 71/90 – 16.79/14.90, (Cleveland Innerbelt), PID 77510

Dear Ms. Deisner:

On behalf of The Federal Highway Administration (FHWA), the Ohio Department of Transportation (ODOT) is initiating an Environmental Impact Statement (EIS) for proposed improvements to Interstates 71, 77, and 90, and connecting radial freeways and local roadways, known as the Cleveland Innerbelt. The Cleveland Innerbelt is routed across the Cuyahoga River valley and around the south and east sides of downtown Cleveland, Ohio. The action termini are located approximately at the merge/diverse point of State Route 176, (the Jennings Freeway) and Interstate 71 southwest of downtown, south of the existing Interstate 90/77 Central Interchange on I-77 south to around Pershing Avenue south of downtown, and east of the Interstate 90/State Route 2 interchange east of downtown along the shore of Lake Erie and adjacent to the Burke Lakefront Airport, (see enclosed map). The purpose of the Cleveland Innerbelt action is to rehabilitate and reconstruct the Innerbelt Freeway system, and to address operational, design, safety and access shortcomings that severely impact the ability of the Innerbelt Freeway system to function in an acceptable manner. The FHWA Ohio Division Office will serve as the lead Federal agency for this action, and ODOT will serve as joint lead.

With this letter, FHWA is extending your agency an invitation to become a participating agency with the FHWA and ODOT in the development of the EIS for the Cleveland Innerbelt action. FHWA is inviting your agency to be a participating agency in the environmental review process for this action pursuant to Section 6002 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). We are requesting your agency to participant since we believe that your agency will have an interest in this transportation action. This designation does not imply that your agency either supports the proposal or has any special expertise with respect to evaluation of the action.

FHWA also requests the participation of the your agency as a cooperating agency in the preparation of the DEIS and FEIS, in accordance with 40 CFR 1501.6 of the Council on Environmental Quality's (CEQ) Regulations for Implementing the Procedural Provision of the

AN EQUAL OPPORTUNITY EMPLOYER

City of Cleveland
Frank G. Jackson, Mayor

Office of the Mayor
Cleveland City Hall
601 Lakeside Avenue, Room 202
Cleveland, Ohio 44114
216/664-3990 • Fax 216/420-8766
www.cleveland-oh.gov

August 17, 2007

Timothy M. Hill
Administrator
OHIO DEPARTMENT OF TRANSPORTATION
Office of Environmental Services
1980 West Broad Street
Columbus, OH 43223

RE: INVITATION TO BECOME PARTICIPATING AGENCY (CLEVELAND INNERBELT)

Dear Mr. Hill:

On behalf of Mayor Frank G. Jackson, thank you for your letter dated August 3rd inviting the City of Cleveland to become a participating agency with the Federal Highway Administration and ODOT in the development of an Environmental Impact Statement, as related to the Cleveland Innerbelt Project.

We appreciate your invitation, and have forwarded your letter to our Director of City Planning, Robert Brown, and Chief of Government Affairs, Valarie McCall, for their further review.

Sincerely,

Tarra Seifullah
MAYOR'S CORRESPONDENCE ASSISTANT
OFFICE OF THE MAYOR

cc: Robert Brown – Director of City Planning, City of Cleveland (w/DVD)
Valarie McCall – Chief of Government Affairs, City of Cleveland

City of Cleveland
Frank G. Jackson, Mayor

Cleveland Landmarks Commission
Robert D. Keiser, Secretary
601 Lakeside Avenue, Room 519
Cleveland, Ohio 44114-1071
216/664-2531 - Fax: 216/664-3281

September 4, 2007

Timothy M. Hill, Administrator
Office of Environmental Services
Ohio Department of Transportation
1980 West Broad Street
Columbus, OH 43223

RE CUY -71 -90 (Cleveland Innerbelt), PID 77510

Dear Mr. Hill:

The Cleveland Landmarks Commission would like to become a Participating Agency regarding the Innerbelt improvements, per the invitation extended in your August 3, 2007 letter. The Commission looks forward to working with the Ohio Department of Transportation on this endeavor.

Sincerely,

Robert D. Keiser
Secretary

A 114

OhioEPA
State of Ohio Environmental Protection Agency

STREET ADDRESS:
Lazarus Government Center
50 W. Town St., Suite 700
Columbus, Ohio 43215

TELE: (614) 644-3020 FAX: (614) 644-3184
www.epa.state.oh.us

MAILING ADDRESS:
P.O. Box 1049
Columbus, OH 43216-1049

DATE September 18, 2007

TO Timothy Hill, Administrator, OES
Ohio Department of Transportation

FROM George Elmaraghy, P.E., Chief
Division of Surface Water

RECEIVED
SEP 24 2007
JF SERVICES

RE Invitation to Become a Participating Agency
CUY-71/90-16.79/14.90, (Cleveland Innerbelt), PID 77510

We appreciate your offer for Ohio EPA to become a participating agency in the Cleveland Innerbelt initiative as described in your August 3, 2007 letter. We understand this action is pursuant to Section 6002 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A legacy For Users (SAFETEA-LU). The proposed project would involve improvements to Interstates 71, 77 and 90, and connecting radial freeways and local roadways (Cleveland Innerbelt). These modifications would address operational, design, safety, and access deficiencies of the Innerbelt system.

Ohio EPA provided assistance to ODOT on many of its transportations initiatives. With this in mind, we hereby agree to become a participating agency in the Cleveland Innerbelt project. We understand that as a participating agency, we would inform you of any concerns or issues we have relative to environmental or socioeconomic impacts that could substantially delay or prevent approval of a permit or other approval needed for the action. In addition, we would participate in future coordination meetings and field reviews, as appropriate, and provide review and comments on Draft Environmental Impacts Statements (DEIS) and/or other environmental documents reflecting the views and concerns of our agency with respect to the adequacy of the document, alternative, and anticipated impacts and mitigation. We will endeavor to meet these objectives.

If we can be of further service or assistance on this matter, please contact Ric Queen or Art Coleman of my staff at 644-2001.

GE:ac

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OHIO DEPARTMENT OF TRANSPORTATION
CENTRAL OFFICE, 1980 WEST BROAD STREET, COLUMBUS, OH 43223

April 30, 2007

Ms. Deborah Wegmann
USACE – Huntington District/Columbus Office
Ohio Regulatory Trans. Office, Bldg 10 Sect 10
3990 East Broad Street
Columbus, OH 43218

Dear Deborah:

The Federal Highway Administration (FHWA) published final guidance for Section 6002 of the Safe Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) in November 2006. This section prescribes changes to existing FHWA procedures for implementing the National Environmental Policy Act of 1969 (NEPA). These changes are the result of efforts to streamline the environmental review process as well as to protect environmental and community resources.

While there are several new requirements outlined in Section 6002, the purpose of this letter is to specifically share and seek your approval of the Ohio Department of Transportation's (ODOT) comprehensive and program-wide methodology for the identification and analysis of impacts. ODOT is making this information available to resource and permitting agency partners that will likely have a role as "participating agencies" in future projects.

Section 6002 of SAFETEA-LU is mandatory for Environmental Impact Statements (EIS) which had a Notice of Intent after August 10, 2005, and is optional for Environmental Assessment level projects. Typically, ODOT processes 10 or less of these higher level projects per year with the remainder of projects processed as categorical exclusions. ODOT and FHWA will determine if the 6002 process will be used on Environmental Assessment level projects on a case-by-case basis. This process does not apply to categorical exclusions.

Over the years working collaboratively with your agency, ODOT has incorporated inter-disciplinary methodologies into its manuals and processes for everyday use on all of our projects. These manuals and processes are the very ones that you helped to develop and have been used for many years to ensure compliance with state and federal environmental requirements. This effort has been successful in that collectively we have shaped and streamlined a process that works well for Ohio's transportation system, meets your requirements, and protects the environment.

FHWA's final guidance on Section 6002 requires a State DOT to determine, in collaboration with the participating agencies, the appropriate methodologies to be used and the level of detail required in the analysis of alternatives. The approach required by Section 6002, to use methodologies developed through collaboration with participating agencies is not new to ODOT. However, it is now a new federal requirement. In FHWA's final guidance, they state that this requirement can be accomplished on a project-by-project, program or region-wide basis.

ODOT's intent is to continue utilizing the Project Development Process (PDP) and all of our current manuals, policies and guidance, program-wide as the standardized methodology for developing projects and analyzing alternatives. ODOT's PDP, environmental manuals, policies and guidance are available on the enclosed disks and OES' web page. A listing of the contents of the CD is also attached for your reference. All of these combine to define our methodology, and ODOT will continue to utilize these approaches on all Section 6002 applicable projects. Should ODOT revise our manuals or choose to significantly deviate from the existing methodology for any given project, we will seek your comments as to our approach and reason. An example of a significant deviation could be to skip preparation of a major deliverable such as a Conceptual Alternative Study, Ecological Survey Report or Assessment of Feasible Alternatives.

In accordance with the FHWA guidance, a programmatic agreement is required to apply the methodology to projects and meet the intent of the 6002 provision. We are therefore requesting your agreement to use these existing supplementary environmental manuals, policies and guidance as our methodology on all EIS projects, and those EA projects in which we chose to follow the 6002 Environmental Review Process. Your agreement can be acknowledged by signing and returning this letter to the Ohio Department of Transportation, or by preparing a response.

We would appreciate a response on the outlined methodology from your agency by June 1, 2007. In the case where an agency is unable to agree with the proposed methodology, please provide comments describing the alternate methodology that your agency would propose.

Your cooperation is greatly appreciated and we are looking forward to working with you on SAFTEA-LU's new provisions. Feel free to contact OES with any questions.

Sincerely,

Timothy M. Hill, Administrator
Office of Environmental Services
Ohio Department of Transportation

Attachment

C: Dave Snyder – FHWA, Reading File

United States Army Corps of Engineers - Huntington District/Columbus Office:

Name

23 - July 2007
Date

DEPARTMENT OF THE ARMY
HUNTINGTON DISTRICT, CORPS OF ENGINEERS
502 EIGHTH STREET
HUNTINGTON, WEST VIRGINIA 25701-2070

REPLY TO
ATTENTION OF:

RECEIVED
JUL 27 2007
OFFICE OF
ENVIRONMENTAL SERVICES

July 23, 2007

Operations and Readiness Division
Regulatory Branch

Timothy M. Hill
Ohio Department of Transportation
Office of Environmental Services
Post Office Box 899
Columbus, Ohio 43216

Dear Mr. Hill:

I refer to your April 30, 2007 letter seeking approval of the Ohio Department of Transportation's comprehensive and program-wide methodology for the identification and analysis of impacts. It is our understanding that this request is in response to Federal Highway Administration final guidance on Section 6002, which requires a State DOT to determine, in collaboration with the participating agencies, the appropriate methodologies to be used and the level of detail required in the analysis of alternatives. In addition, you are requesting that we agree to your continued use of existing supplementary environmental manuals, policies and guidance as the methodology on all EIS projects, and those EA projects in which you follow the 6002 Environmental Review Process.

The proposed methodology is acceptable. However, it should be noted that the Corps of Engineers guidance pertaining to jurisdictional determinations has recently been updated. These changes are not reflected in your current manuals. If requested, this office would be glad to arrange an informational meeting to discuss current jurisdictional determination guidelines.

We look forward to continued coordination with your office. If you have any questions concerning the above, please contact Deborah Wegmann at 614-692-4654.

Sincerely,

Deborah Wegmann
Team Leader, Regulatory Transportation Office

Enclosures

OHIO DEPARTMENT OF TRANSPORTATION

CENTRAL OFFICE, 1980 WEST BROAD STREET, COLUMBUS, OH 43223

RECEIVED
MAY 22 2007
OFFICE OF
ENVIRONMENTAL SERVICES

RECEIVED
2007 MAY -7 AM 9:20
STATE FIRE MARSHAL

April 30, 2007

Pete Chace
BUSTR
8895 East Main Street
Reynoldsburg, OH 43068

Dear Pete:

The Federal Highway Administration (FHWA) published final guidance for Section 6002 of the Safe Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) in November 2006. This section prescribes changes to existing FHWA procedures for implementing the National Environmental Policy Act of 1969 (NEPA). These changes are the result of efforts to streamline the environmental review process as well as to protect environmental and community resources.

While there are several new requirements outlined in Section 6002, the purpose of this letter is to specifically share and seek your approval of the Ohio Department of Transportation's (ODOT) comprehensive and program-wide methodology for the identification and analysis of impacts. ODOT is making this information available to resource and permitting agency partners that will likely have a role as "participating agencies" in future projects.

Section 6002 of SAFETEA-LU is mandatory for Environmental Impact Statements (EIS) which had a Notice of Intent after August 10, 2005, and is optional for Environmental Assessment level projects. Typically, ODOT processes 10 or less of these higher level projects per year with the remainder of projects processed as categorical exclusions. ODOT and FHWA will determine if the 6002 process will be used on Environmental Assessment level projects on a case-by-case basis. This process does not apply to categorical exclusions.

Over the years working collaboratively with your agency, ODOT has incorporated inter-disciplinary methodologies into its manuals and processes for everyday use on all of our projects. These manuals and processes are the very ones that you helped to develop and have been used for many years to ensure compliance with state and federal environmental requirements. This effort has been successful in that collectively we have shaped and streamlined a process that works well for Ohio's transportation system, meets your requirements, and protects the environment.

FHWA's final guidance on Section 6002 requires a State DOT to determine, in collaboration with the participating agencies, the appropriate methodologies to be used and the level of detail required in the analysis of alternatives. The approach required by Section 6002, to use methodologies developed through collaboration with participating agencies is not new to ODOT. However, it is now a new federal requirement. In FHWA's final guidance, they state that this requirement can be accomplished on a project-by-project, program or region-wide basis.

ODOT's intent is to continue utilizing the Project Development Process (PDP) and all of our current manuals, policies and guidance, program-wide as the standardized methodology for developing projects and analyzing alternatives. ODOT's PDP, environmental manuals, policies and guidance are available on the enclosed disks and OES' web page. A listing of the contents of the CD is also attached for your reference. All of these combine to define our methodology, and ODOT will continue to utilize these approaches on all Section 6002 applicable projects. Should ODOT revise our manuals or choose to significantly deviate from the existing methodology for any given project, we will seek your comments as to our approach and reason. An example of a significant deviation could be to skip preparation of a major deliverable such as a Conceptual Alternative Study, Ecological Survey Report or Assessment of Feasible Alternatives.

In accordance with the FHWA guidance, a programmatic agreement is required to apply the methodology to projects and meet the intent of the 6002 provision. We are therefore requesting your agreement to use these existing supplementary environmental manuals, policies and guidance as our methodology on all EIS projects, and those EA projects in which we chose to follow the 6002 Environmental Review Process. Your agreement can be acknowledged by signing and returning this letter to the Ohio Department of Transportation, or by preparing a response.

We would appreciate a response on the outlined methodology from your agency by June 1, 2007. In the case where an agency is unable to agree with the proposed methodology, please provide comments describing the alternate methodology that your agency would propose.

Your cooperation is greatly appreciated and we are looking forward to working with you on SAFTEA-LU's new provisions. Feel free to contact OES with any questions.

Sincerely,

Timothy M. Hill, Administrator
Office of Environmental Services
Ohio Department of Transportation

Attachment

C: Dave Snyder – FHWA, Reading File

BUSTR:

Peter A. Chace
Name

5/15/07
Date

OHIO DEPARTMENT OF TRANSPORTATION

CENTRAL OFFICE, 1980 WEST BROAD STREET, COLUMBUS, OH 43223

April 30, 2007

Roger Weibusch
US Coast Guard – 8th District
1220 Spruce Street
St. Louis, MO 63103

Dear Roger:

The Federal Highway Administration (FHWA) published final guidance for Section 6002 of the Safe Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) in November 2006. This section prescribes changes to existing FHWA procedures for implementing the National Environmental Policy Act of 1969 (NEPA). These changes are the result of efforts to streamline the environmental review process as well as to protect environmental and community resources.

While there are several new requirements outlined in Section 6002, the purpose of this letter is to specifically share and seek your approval of the Ohio Department of Transportation's (ODOT) comprehensive and program-wide methodology for the identification and analysis of impacts. ODOT is making this information available to resource and permitting agency partners that will likely have a role as "participating agencies" in future projects.

Section 6002 of SAFETEA-LU is mandatory for Environmental Impact Statements (EIS) which had a Notice of Intent after August 10, 2005, and is optional for Environmental Assessment level projects. Typically, ODOT processes 10 or less of these higher level projects per year with the remainder of projects processed as categorical exclusions. ODOT and FHWA will determine if the 6002 process will be used on Environmental Assessment level projects on a case-by-case basis. This process does not apply to categorical exclusions.

Over the years working collaboratively with your agency, ODOT has incorporated inter-disciplinary methodologies into its manuals and processes for everyday use on all of our projects. These manuals and processes are the very ones that you helped to develop and have been used for many years to ensure compliance with state and federal environmental requirements. This effort has been successful in that collectively we have shaped and streamlined a process that works well for Ohio's transportation system, meets your requirements, and protects the environment.

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In accordance with the FHWA guidance, a programmatic agreement is required to apply the methodology to projects and meet the intent of the 6002 provision. We are therefore requesting your agreement to use these existing supplementary environmental manuals, policies and guidance as our methodology on all EIS projects, and those EA projects in which we chose to follow the 6002 Environmental Review Process. Your agreement can be acknowledged by signing and returning this letter to the Ohio Department of Transportation, or by preparing a response.

We would appreciate a response on the outlined methodology from your agency by June 1, 2007. In the case where an agency is unable to agree with the proposed methodology, please provide comments describing the alternate methodology that your agency would propose.

Your cooperation is greatly appreciated and we are looking forward to working with you on SAFTEA-LU's new provisions. Feel free to contact OES with any questions.

Sincerely,

Timothy M. Hill, Administrator
Office of Environmental Services
Ohio Department of Transportation

Attachment

C: Dave Snyder – FHWA, Reading File

United States Coast Guard – 8th District:

Name Roger K. Wiebusch

8/23/07
Date

Sue_Jennings@nps.gov
07/17/2007 04:46 PM

To Tim.Hill@dot.state.oh.us
cc Nicholas_Chevance@nps.gov, Sandra_Washington@nps.gov, Andrea.Stevenson@dot.state.oh.us
bcc
Subject Fw: FHWA Section 6002 Guidance

Hi Tim,

Well, no specific comments---As you may recall, we ended up scheduling a conference call to discuss the process in detail. The conf. call was held on May 18th (see below). I had, under separate cover sent a flow chart to ODOT which we had developed to assist in early coordination efforts for complying with the Wild/Scenic Rivers Act. Our recommended process was discussed during the conf. call. At that time, you requested a listing of the ORV's for the Little Miami River, which I sent in a separate email that afternoon (May 18th, 2007). We also discussed various processes other states were involved in, including WA, NC. I had noted I would discuss processes with the Interagency Wild and Scenic River's Council, which I serve on as the NPS representative, and was meeting with that month. Nothing new came out of those discussion.

While there is not one "ideal" process that covers everything, I think the over arching principle for projects that could impact a Wild and Scenic River is to get all the players involved early on at ground zero. These discussions could focus on project need/constraints, discussions on the full alternatives avail. to meet project goals and methods to avoid/minimize impacts to free flow, water quality, and individual ORVs. This involves fully understanding what elements/values are protected, which we can assist with, and likewise, fully understanding the scope of the project and engineering requirements/constraints (which your folks can help us with).

I believe we left the meeting with an understanding that ODOT and NPS would develop Environmental Performance Standards that could serve as guides for project planning. These EPS would identify avoidance and minimization efforts that could help avoid direct/adverse effect findings. Bill Cody's group had offered to take a first stab at a few of these. I've not heard back from Bill on this.

Sue

----- Forwarded by Sue Jennings/Omaha/NPS on 07/17/2007 03:19 PM -----

Tim.Hill@dot.state.oh.us
05/15/2007 12:52 PM AST

To: Sue_Jennings@nps.gov
cc: Bill.Cody@dot.state.oh.us, David.Snyder@fhwa.dot.gov, Sandra_Washington@nps.gov
Subject: Re: FHWA Section 6002 Guidance

Ohio Department of Natural Resources
TED STRICKLAND, GOVERNOR SEAN D. LOGAN, DIRECTOR
Division of Real Estate and Land Management
Paul R. Baldridge, Acting Chief
2045 Morse Road – Bldg. C-4
Columbus, OH 43229
Phone: (614) 265-6395 Fax: (614) 267-4764

Division of Real Estate and Land Management

TELECOPIER COVER LETTER

Date: 6/7/07

Please deliver the following pages to:

Name: Tim Hill Fax Number: _____

Agency: ODOT

Total number of pages (including this cover letter): 2

Sent by: Mindy Barkey

Comments:

Division of Real Estate and Land Management – Fax Number (614) 267-4764

Brian Mitch
Page 2

ODOT's intent is to continue utilizing the Project Development Process (PDP) and all of our current manuals, policies and guidance, program-wide as the standardized methodology for developing projects and analyzing alternatives. ODOT's PDP, environmental manuals, policies and guidance are available on the enclosed disks and OES' web page. A listing of the contents of the CD is also attached for your reference. All of these combine to define our methodology, and ODOT will continue to utilize these approaches on all Section 6002 applicable projects. Should ODOT revise our manuals or choose to significantly deviate from the existing methodology for any given project, we will seek your comments as to our approach and reason. An example of a significant deviation could be to skip preparation of a major deliverable such as a Conceptual Alternative Study, Ecological Survey Report or Assessment of Feasible Alternatives.

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Your cooperation is greatly appreciated and we are looking forward to working with you on SAFTEA-LU's new provisions. Feel free to contact OES with any questions.

Sincerely,

Timothy M. Hill, Administrator
Office of Environmental Services
Ohio Department of Transportation

Attachment

C: Dave Snyder – FHWA, Reading File

ODNR – REALM:

Mindy Bankey
Name

6/4/07
Date

A 120

OHIO DEPARTMENT OF TRANSPORTATION
CENTRAL OFFICE, 1980 WEST BROAD STREET, COLUMBUS, OH 43223

OHIO EPA-DSW
2007 JUN -1 PM 3:21

April 30, 2007

Ric Queen
Ohio EPA – Surface Water
Lazarus Government Center
PO Box 1049
Columbus, OH 43216

Dear Ric:

The Federal Highway Administration (FHWA) published final guidance for Section 6002 of the Safe Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) in November 2006. This section prescribes changes to existing FHWA procedures for implementing the National Environmental Policy Act of 1969 (NEPA). These changes are the result of efforts to streamline the environmental review process as well as to protect environmental and community resources.

While there are several new requirements outlined in Section 6002, the purpose of this letter is to specifically share and seek your approval of the Ohio Department of Transportation's (ODOT) comprehensive and program-wide methodology for the identification and analysis of impacts. ODOT is making this information available to resource and permitting agency partners that will likely have a role as "participating agencies" in future projects.

Section 6002 of SAFETEA-LU is mandatory for Environmental Impact Statements (EIS) which had a Notice of Intent after August 10, 2005, and is optional for Environmental Assessment level projects. Typically, ODOT processes 10 or less of these higher level projects per year with the remainder of projects processed as categorical exclusions. ODOT and FHWA will determine if the 6002 process will be used on Environmental Assessment level projects on a case-by-case basis. This process does not apply to categorical exclusions.

Over the years working collaboratively with your agency, ODOT has incorporated inter-disciplinary methodologies into its manuals and processes for everyday use on all of our projects. These manuals and processes are the very ones that you helped to develop and have been used for many years to ensure compliance with state and federal environmental requirements. This effort has been successful in that collectively we have shaped and streamlined a process that works well for Ohio's transportation system, meets your requirements, and protects the environment.

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In accordance with the FHWA guidance, a programmatic agreement is required to apply the methodology to projects and meet the intent of the 6002 provision. We are therefore requesting your agreement to use these existing supplementary environmental manuals, policies and guidance as our methodology on all EIS projects, and those EA projects in which we chose to follow the 6002 Environmental Review Process. Your agreement can be acknowledged by signing and returning this letter to the Ohio Department of Transportation, or by preparing a response.

We would appreciate a response on the outlined methodology from your agency by June 1, 2007. In the case where an agency is unable to agree with the proposed methodology, please provide comments describing the alternate methodology that your agency would propose.

Your cooperation is greatly appreciated and we are looking forward to working with you on SAFTEA-LU's new provisions. Feel free to contact OES with any questions.

Sincerely,

Timothy M. Hill, Administrator
Office of Environmental Services
Ohio Department of Transportation

Attachment

C: Dave Snyder – FHWA, Reading File

Ohio EPA – Surface Water:

Arthur E. Coleman
Name

5/22/2007
Date

A 121

Tim Hill/Environmental/CEN/ODOT
07/17/2007 12:43 PM

To Andrea Stevenson/Environmental/CEN/ODOT
cc
bcc
Subject Fw: FHWA letter

Timothy M. Hill, Administrator
Office of Environmental Services
Ohio Department of Transportation
Email: Tim.Hill@dot.state.oh.us
(614) 644-0377 (phone)
(614) 728-7368 (fax)
----- Forwarded by Tim Hill/Environmental/CEN/ODOT on 07/17/2007 12:41 PM -----

Tim Hill/Environmental/CEN/ODOT
05/17/2007 02:09 PM

To "Holland, Steven" <Steven.Holland@dnr.state.oh.us>
cc "Watkins, John" <John.Watkins@dnr.state.oh.us>, Bill Cody/Environmental/CEN/ODOT, David.Snyder@fhwa.dot.gov, Andrea Stevenson/Environmental/CEN/ODOT
Subject Re: FHWA letter

Steve,

Thanks for the comment. We will make sure that is added to our manual with our next update.

Thanks again for taking time to address this issue.

-Tim

Timothy M. Hill, Administrator
Office of Environmental Services
Ohio Department of Transportation
Email: Tim.Hill@dot.state.oh.us
(614) 644-0377 (phone)
(614) 728-7368 (fax)
"Holland, Steven" <Steven.Holland@dnr.state.oh.us>

"Holland, Steven" <Steven.Holland@dnr.state.oh.us>
05/17/2007 11:30 AM

To <tim.hill@dot.state.oh.us>
cc "Watkins, John" <John.Watkins@dnr.state.oh.us>
Subject FHWA letter

Hello Tim,

I reviewed your Section 6002 letter dated April 30, 2007 and the materials contained in its companion disc. At this time, the only comment I have is that ODOT may want to include the "Final Coastal Zone Memorandum of Understanding (MOU) between ODOT and ODNR" in its Ecological Manual or somewhere else within the program-wide methodology. For your reference, I have attached a digital copy of the MOU. If our office has any other comments, I will submit them by your June 1st deadline. Thank your for the opportunity to comment.

Steve Holland, M.P.A.
Federal Consistency Coordinator
Ohio Coastal Management Program
ODNR Office of Coastal Management
105 West Shoreline Drive
Sandusky, Ohio 44870
(419) 626-7980
www.ohiodnr.com/coastal

ODOT MOU 2005.pdf

United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
6950 Americana Parkway, Suite H
Reynoldsburg, Ohio 43068-4127

(614) 469-6923/Fax: (614) 469-6919

June 26, 2007

Timothy M. Hill
Office of Environmental Services
Ohio Department of Transportation
P.O. Box 899
Columbus, OH 43216-0899

Dear Mr. Hill:

This letter is in response to your April 30, 2007 letter received in our office on May 4, 2007 requesting agreement and/or comments on Ohio Department of Transportation's (ODOT) Project Development Process (PDP), in accordance with Section 6002 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). This section prescribes changes to existing Federal Highway Administration (FHWA) procedures for implementing the National Environmental Policy Act of 1969 (NEPA).

The Service takes this opportunity to commend ODOT on their systematic approach to project planning and the NEPA process, and we appreciate and acknowledge your willingness to collaborate with us during this process. The earlier we are involved in your project development process, the greater opportunity we have to improve projects and assist ODOT in reducing impacts to Ohio's natural resources. We feel that early coordination is the best way for our agencies to collectively execute our missions while meeting important time schedules.

The Service has reviewed the current manuals, policies, and guidance you provided with your letter describing the methodologies for everyday use on all of your projects. The Service has the following comments which we feel will improve these current methodologies that ODOT will utilize on all Section 6002 applicable projects.

In order to meet the mandate of Section 6002 with respect to ODOT's PDP and the analysis of alternatives, the Service must emphasize the importance of our *early* and *continual* involvement in the project planning and development process. While this requires an investment of time in the short term, the rewards in terms of streamlined project completion and time tables met would be significant. Specifically, the Service requests to be involved substantially in all steps of the PDP—beginning with step one, and no later than step two, upon development of the red flag summary and all subsequent steps. In this way, a truly collaborative process will yield a better project and a much more efficient outcome. Notification at the "concurrence points" is appreciated but does not occur early enough in the process and is not substantive enough to help avoid resource concerns at stages when they could most easily be avoided. We request to be involved in the scoping phase of projects in order to have the opportunity to identify, as early as

practicable, any issues of concern regarding the project's potential impacts to trust resources and other species and habitats of special management concern.

This new process is intended to promote efficient project management by ODOT and enhanced opportunities for coordination with the public and other agencies. Specifically, it is the Service's desire to be involved in the definition of the Purpose and Need, in accordance with section 6002 (f)(1). *"As early as practicable during the environmental review process, the lead agency shall provide an opportunity for involvement by participating agencies and the public in defining the purpose and need for a project."* Likewise, it is the Service's desire to be involved in the Alternatives Analysis, in accordance with section 6002 (f)(4)(A). *"As early as practicable during the environmental review process, the lead agency shall provide an opportunity for involvement by participating agencies and the public in determining the range of alternatives to be considered for a project."*

As a participating agency, it is the Service's recommendation that early and continual involvement be incorporated into all project planning activities, such that they are not limited to the Class 1 projects that require an Environmental Impact Statement. This affords ODOT the opportunity to consider the Service's input in order that issues of concern are identified at the earliest stage in the project development process—at a time when the option to address them allows for the most flexibility and efficiency possible for the project. While not necessarily within the letter, this certainly would be within the spirit of SAFETEA-LU 6002 of providing greater opportunity for enhanced interagency coordination.

Finally, the Service takes this opportunity to begin a dialogue regarding the mandate of Section 6001 of SAFETEA-LU. Currently highway projects are often planned, funded, and designed before considering the potential impacts to wildlife and habitat. Often, this can lead to expensive delays, lawsuits, and unnecessary loss of habitat. Under new law, each Metropolitan Planning Organization and state Department of Transportation is required to consult with federal, state, tribal, and local land use management, natural resources, wildlife, environmental protection, conservation and historic protection agencies in developing their long range transportation plans. It is our desire to be involved in ODOT's long range transportation planning efforts. These planning activities can contribute to establishing the purpose and need for a project, determining the range of reasonable alternatives, assessing the cumulative impacts of the projects in the plan, and developing an approach to mitigating the adverse impacts of projects in the most efficient and cost-effective manner. Consultation could include a comparison of transportation plans with spatial data reflecting conservation objectives and inventories of natural resources. Plans could also include a discussion of potential environmental mitigation activities and potential areas to carry out these activities, including those that may have the greatest potential to restore and maintain the environmental functions affected by the plan.

The SAFETEA-LU environmental review process relates to the FHWA's emphasis on context sensitive solutions (CSS) , which encourages the early, continuous, and meaningful involvement of the public and the use of a collaborative, interdisciplinary approach that involves all stakeholders throughout the project development process. The goal of CSS is to develop a transportation facility that fits its physical setting and preserves scenic, aesthetic, historic, and environmental resources, while satisfying the project's purpose and need. The SAFETEA-LU requirements of providing opportunities for the involvement of the public and participating agencies in the development of a project's purpose and need and it's range of alternatives support the intent of these CSS principles.

SAFETEA-LU includes provisions that recognize and begin to address the conflicts between wildlife and transportation. In summary, early and continual involvement of our agency in ODOT's PDP will offer opportunities for us to cooperatively address these issues. Specifically, we request to be involved in the definition of Purpose and Need, as well as the Alternatives Analysis, in order to be able to offer meaningful input at a stage when modifications to the process are most flexible. Similarly, it is our desire to become involved in ODOT's long range statewide planning process. Again, we thank you for including us ODOT's Project Development Process. We are confident that as we work together we can successfully fulfill the mission of our agencies in an efficient, cost-effective, and responsible manner. If you have questions or concerns please do not hesitate to call me at 614-469-6923 x12.

Sincerely,

Mary Knapp

Mary Knapp, Ph.D.
Field Supervisor

cc: ODNR, DOW, SCEA Unit, Columbus, OH
Ohio Regulatory Transportation Office, Columbus, OH

cc: FHWA

Appendix B

Todd Alexander	B1
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Anonymous #2	B4
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Anonymous #5	B6
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Harvey J. Schach	B91
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Michele L. Slotta	B92
Ricky D. Smith, Cleveland Airport System	B94
Rick Stunek	B101
Scott Sweress	B102
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Jason Therrien	B104
Jerry Sue Thorton, Ph.D., Cuyahoga Community College	B104
Tony	B105
Jerome R. Valco	B106
R. Van Petten	B107
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Andy Vidra	B109
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Dennis J. Kucinich, U.S. House of Representatives	B233
Timothy J. O'Toole, Cleveland Division of Fire	B234
Forest City Enterprises	B235
"Save Our Access" campaign	B249

Todd Alexander
<c.todd.alexander@gmail.com
>
04/21/2009 11:49 PM

To craig.hebebrand@dot.state.oh.us
cc
bcc
Subject Innerbelt

Hello,

I just wanted to send a quick comment with regards to the Ohio Department of Transportation's plans to renovate Cleveland's innerbelt. I believe that the innerbelt is an important aspect of the future vibrancy of downtown Cleveland, and that the project should incorporate design features that encourage people to move back to Cleveland. In my mind this would include features that make bike usage / pedestrian traffic simple, as well as a more holistic approach that promotes growth within the city. 1 2

As a resident of Northeast Ohio I feel that any plans to redesign the innerbelt should be moved forward only after consulting a larger number of stakeholders. 3

Thank you for your time.

Sincerely,

Todd Alexander

WILLIAM E. ALFONSI
INTERIOR DESIGN CONSULTANT
Cell: 269-929-1236
P.O. Box 415, Jamestown, PA 16134

April 22, 200

Greg Hebebrand
Department of Transportation
District 12 5500
Transportation Blvd.
Garfield Heights, Ohio 44125

Dear Greg:
The new Bridge a New Renaissance for Cleveland just maybe the REKINDLE OF CLEVELANDS NATIONAL! PRESENCE!

The Cleveland "Memorial Bridge" I know there is history from when it started on the Cuyahoga River to present. I have a concept the entire bridge should show that history with BRONZE PLAQUES AND MAYBE SOME STATUARY. Lighting to give it the Drama and today, with going green it could be lighted with minim lighting cost. I am a reader of everything new. I am sure with the brilliant engineers today the possibility of making it a New Cleveland Statement would be worth the study and research.

I am sure there are people who can do research that I am not capable of at 86 I am POSITIVE WE CAN CREATE QUITE AN IMPRESSIVE LIST!

Mine are very small: Severance, Bob Feller, Vernon Stouffer, and Cyrus Eaton. Grover Cleveland, Original Indian Reservations on the rivers, the Collage could be created by local Art Students as a contest? Rewards being not only recognition but some free Class hours. A show of the contestant's presentations at the Cleveland Art Museum Maybe the ball park MY CONCEPT THE GREATER THE SHOW, THE GREATER THE WORK ON PRESENATION THE GREATER; THE VALUE, OF THE TOTAL PROJECT. We COULD EVEN HAVE A STATE CLEVELAND WEEK END: CLEVELANDS NEW RENASSIANCE FAIR WITH ALL OF WHAT IS GONG TO HAPPEN BILL BOARDS., PRESENTATIONS OF OPORTUNITES. OPEN HOUSES, AT ALL ATTRACTIONS. I HAVE HAD SEVERAL THOUGHTS OF THE CLEVEALND TRUST BUILDING AT CORNER OF 9TH AND EUCLID TO BE A MONEY MUSIEUM WITH PRESSES THAT ARE OUT OF DATE AND THE HSITORY OF AMERICAN MONEY. . PRINT IT SELL IT; THERE?

MY IDEAS ARE A SMALL CONCEPT OF WHAT COULD BE HERE WE ARE IN THE BEGINNING OF THE 21ST CENTURY AND IT COULD VERY WELL BE OUR NEW "RENNASSIANCE"!!

Who am I started in the field of Interior Design at "Carey W. Sims" in Shaker Heights in 1945 as an Apprentice:

WILLIAM E. ALFONSI
INTERIOR DESIGN CONSULTANT
Cell: 269-929-1236
P.O. Box 415, Jamestown, PA 16134

Studied in Paris After WW2 and Miami in Oxford, Ohio. And other education. At that time there was little to be learned and few places one could afford. I was found my Mr. Mastick from; Mastick's Design Studio at corner of Carnegie and did some Design Projects for Stouffers Restaurants. I have become nationally known in Funeral Home Design and Consultation, Residential Design and Restoration. I am amazing at 86 and still have projects in work.

I would like to comment on the city of Cleveland for it is sad we are not in a more IMPRESSIVE POSITION; IN THE CITIES OF AMERICA. CLEVELAND HAS MORE WEALTH OF ANEMITIES THAT MOST.! A FINE LAKE SHORE WITH; ALMOST, NO ATTRACTIONS. ONE OF THE FINESTS SYMPHONEY'S IN THE WORLD; SEVERENCE HALL; AN AWSOME REPRETORE OF MUSIEUMS ART GALLERIES, THE RENOWN CLEVELAND ART GALLERY, THE ZOO, PLANITARIUM, RAIN FOREST, THE MANY ATTRATIONS I HAVAE NOT LISTED AND CAN NOT REMEMBER. ONE OF THE FINEST HOSPITOLS IN THE WORLD! WORLD CLASS UNIVERSITIES, HIGHER EDUCATION CENTERS, FOOTBALL AND BASEBALL PARKS. I HAVE TRAVELED TO INDIANAPOILIS FOR OVER 50 YEARS. THEIR DOWN TOWN IS AWSOME AND THEY DO NOT HAVE ONE TENTH OF WHAT WE HAVE IN CLEVELAND.
CLEVELAND NEEDS A COMPLETE RENOVATION AND STUDY FOR THE 21ST CENTURY! SOME HOW! ITS LOST ITS "SPIRIT OF COMPETITION" AT ONE TIME WITH" HALLE,HIGBEE. MAY COMPAY, "THE STATLER" THE CLEVELAND HOTEL,OAK ROOM ,AAAAAHH:"PEACOCKS" THE THEATRE AREA AT 9TH The River could have housing,
We have a great air port. WE HAVE IT ALL.. WE NEED A WHOLE NEW "COMMITTEE OF STUDY FOR CLEVELAND "WITH THE NEW Government Programs to get the ECONOMY GOINING AGAIN. LETS HAVE CLEVELAND BE PART OF IT.AGREAT OPPORTUNITY, FOR THE YOUNG, TO CREATE, MANAGE, AND PROVE THEIR DREAMS AND SKILLS. C LEVELAND IS ABSOLUTELY A PLATIMUN MINE OF OPPORTUNITY! Saying golden is not good enough when you have the best there is. LET'S GO FOR IT! HONEST WE DO HAVE IT ALL! LETS LITE THE FIRE OF OUR GREATNESS!
Kindly excuse my grammar and punctuation. You may alter this presentation so it may say it much better than I have. At 86 MY COMPUTER SKILLS ARE IN PRE SCHOOL AND MY MID IS RUNNING FASTER THAN MY FINGERS. I am much better at speaking than writing. My IT IS SO AMAZING TO BE 86 IN NUMBERS ONLY AND HAVE 50 YEAR OLD MIND AND PERCPECTIVE TO DREAM! FOR OUR NATIONS FUTURE! I WOULD CONSIDER IT AN HONOR TO BE PART OF THIS PROJECT AS A CRITIC AND MENTOR.

Yours respectfully
William E.Alfonsi

WILLIAM E. ALFONSI
INTERIOR DESIGN CONSULTANT
Cell: 269-929-1236
P.O. Box 415, Jamestown, PA 16134

Just so you know I sent a copy to the P.D. Too

April 22, 2009

The Plain Dealer Plaza
1801 Superior Ave.
Cleveland, Aave.

President and Publisher
Terrance C.Z. Egger

Dear Sir:

I have written a letter to Greg Heberand, Department of Transportation in reference to the new bridge.

I have great hopes it will be impressive enough for your paper to print the article.

I have had a great interest in the city my career started there. I have had very little Very little contact with news papers in my 86 years of life so: There could be the Fact, my protocol is in correct if that is the fact I APOLIGIZE TO THOSE WHO I MAY, HAVE OFFENDED.

Your s respectfully
William E. Alfonsi

Over HALF a Century National Reputation

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Blinds • Wall Coverings • Carpet, Furniture Accessories

SPWebmaster@dot.state.oh.us 05/21/2009 04:54 PM	To	Craig.Hebebrand@dot.state.oh.us
	cc	
	bcc	
	Subject	Innerbelt Plan Public Comment Form

Comments: As a participant in the Innerbelt Project process from it's inception, I have observed the decision-making and the technical work which has resulted in the preferred alternative which is the the subject of the Innerbelt Draft Environmental Impact Study (DEIS). My PERSONAL views as a citizen of Cuyahoga County are that there are substantive deficiencies and questions regarding the Project development process and the Project recommendations. These are fully detailed in a separate public comment sent via US mail are are incorporated herein. I request these comments and questions be incorporated in the official public comment record and receive a complete response. 1 2

Name:: Paul Alsenas

Street: 8384 Settlers Passage

City: Brecksville

State: OH

Zip Code: 44141

Email:: palsenas@aol.com

why are you proposing to re Divert two traffic To less [illegible]. why not build [illegible] For people [illegible] Cleveland if Desired.

Anonymous #1

77510

CUYAHOGA COUNTY
PLANNING
COMMISSION

323 W Lakeside Avenue • Suite 400 • Cleveland, Ohio 44113-1009 • 216/443-3700 • FAX 216/443-3737
e-mail: cpc@planning.co.cuyahoga.oh.us / web site: planning.co.cuyahoga.oh.us / TDD: 1-800-750-0750

June 10, 2009

Mr. Craig Hebebrand
ODOT District 12
5500 Transportation Boulevard
Garfield Heights, Ohio 44125

RE: Letter of Support for the *Northeast Ohio Areawide Coordinating Agency Transportation/Water Quality Advisory Council (NOACA TRANSWAC) Comments Concerning the Draft Innerbelt Environmental Impact Statement*

Dear Mr. Hebebrand,

Please accept this letter on behalf of the Cuyahoga County Planning Commission as our pledge of full support for the comments made by the NOACA Transportation/Water Quality Advisory Council (TRANSWAC) concerning the Draft Environmental Impact Statement for the Cleveland Innerbelt Project.

The Cuyahoga County Planning Commission understands that there will be a significant amount of storm water runoff from the proposed Innerbelt project which will have adverse impacts on water quality in Lake Erie and the Cuyahoga River. TRANSWAC's literature review suggests that runoff from highways with high traffic counts produce higher concentrations of pollutants then that compared with typical urban runoff. As a result, the Best Management Practices currently part of ODOT's Location & Design Manual may not be sufficient for this unique situation and; therefore, it is important that ODOT consider a wider range of treatment options. It is our position that the Environmental Impact Statement (EIS) for this project should fully address this concern and all potential water quality concerns, especially those presented by the NOACA TRANSWAC.

The Purpose and Need Statement for the Innerbelt project includes a goal of protecting and enhancing the natural environment; therefore, the planning and design for this project should consider methods which enhance the existing drainage patterns and improve water quality along the lakefront. It is our understanding that the Innerbelt project consists of a total reconstruction of the road and associated road right-of-way. In order to protect and enhance our vital natural resources, we strongly recommend storm water treatment for the entire

site rather than only treatment for newly paved or newly separated storm water. Treatment of the full project area during construction will be less costly than trying to design for retrofit treatment later.

We strongly urge ODOT to consider the comments provided by the NOACA TRANSWAC and fully address all concerns in the final EIS.

Sincerely,

Paul Alsenas
Director

Attachment: NOACA Transportation/Water Quality Advisory Council Comments Concerning the Draft Innerbelt Environmental Impact Statement.

Cc: Bill Watkins; NOACA TRANSWAQ
Andy Vidra; NOACA
Lester Stumpe; NEORSD

B 3a

Please do NOT close down access to Downtown Cleveland. We need to keep it as open as possible to keep Cleveland economically vibrant and competitive. A Southern alternative is highly preferable. 1 2

Anonymous #2

Cleveland Innerbelt Plan Public Hearing
PUBLIC COMMENT FORM
April 21, 2009

CLEVELAND INNERBELT PLAN

Copies of today's presentation and this form will be available on the Project website.
Visit www.innerbelt.org and select the "Innerbelt Plan" logo.

1. *What are your comments regarding the Cleveland Innerbelt Plan as proposed?*

Please pave, repair and Fix the sidewalks and empty lots all along West 15th Street Between Kenilworth & Auburn Ave. It's ONLY Been 50 years that this UNPAVED EYESORE Has Been Left UnATTended To By ODOT SINCE the DAY they tore the Houses DOWN To Build (That My Father and Brothers & Family Witnessed First hand.)

If you need additional space, please use the back of this form.

2. *To help us document comments and forward future Project information, please provide:*

Name _____

Address _____

City _____ State _____ Zip Code _____

Telephone Number _____

Email Address _____

Complete this form and return to ODOT by 5 p.m. on May 21, 2009 for consideration in the Final Environmental Impact Study.

Mail or fax to:
Ohio Department of Transportation, District 12
ATTN: Craig Hebebrand
5500 Transportation Blvd.
Garfield Heights, OH 44116
Fax: 216-584-2279

Or complete this form on the Internet at:
www.innerbelt.org and select the "Innerbelt Plan" logo.

Anonymous #3

77510

The Innerbelt. OUR House and ALL My neighbors ALong thi Street Put up with ENOUGL Noise, dirt, Mud and Vibration from these Lots and the Free. Way itself AL Ready. Isn't it time to PAVe these Lots? How many times do we have to request this?

Anonymous #4

SPWebmaster@dot.state.oh.us
04/21/2009 10:37 AM

To Craig.Hebebrand@dot.state.oh.us
cc
bcc
Subject Innerbelt Plan Public Comment Form

Comments: Whatever design is chosen, please don't obstruct the view of the water and landscape from motorists. Without any mountains nearby, there are only a few expansive views motorists can enjoy -- and this is one of them. Cleveland's water views are a true value to the city, and they shouldn't be obfuscated by concrete walls or barely see-through screens. It would be a missed opportunity otherwise. From a psychological perspective, a bridge with a view presents an inviting, expansive city, whereas an enclosed, viewless bridge presents a city that is insular and antiquated. Choose a view! Thanks for listening. I'm a former Northeast Ohio resident, but travel to Cleveland often.

SPWebmaster@dot.state.oh.us
04/21/2009 10:35 AM

To Craig.Hebebrand@dot.state.oh.us
cc
bcc
Subject Innerbelt Plan Public Comment Form

Comments: When will ODOT clean up all the trees and undergrowth along I-71 leading up to the innerbelt bridge? Theres garbage and trees and all kinds of overgrown mess along this stretch.

City: cleveland

State: ohio

Zip Code: 44113

Anonymous #5

Cleveland Innerbelt Plan Public Hearing

INNERBELT

Public Comment Form

April 21, 2009

1. What are your comments regarding the Cleveland Innerbelt Plan as proposed?

My name is Fred L. Backus and I am the owner of the building located at 2150 West 15th Street Cleveland, Ohio (parcel # 700-A WL). This building has been slated to be razed for the new Innerbelt Plan project. My business T.I.G. Welding Specialties, Inc. has been located in this building for over 35 years.

However, when ODOT sent people over to appraise my building, their conclusions were nothing short of unbelievable to me.

The appraisal stated that the value of the land was greater without my building, therefore my building was worth $0.00. And since my building is located on land owned by Scranton – Averell Inc., all money paid by ODOT would go to the land owner and nothing to the building owner.

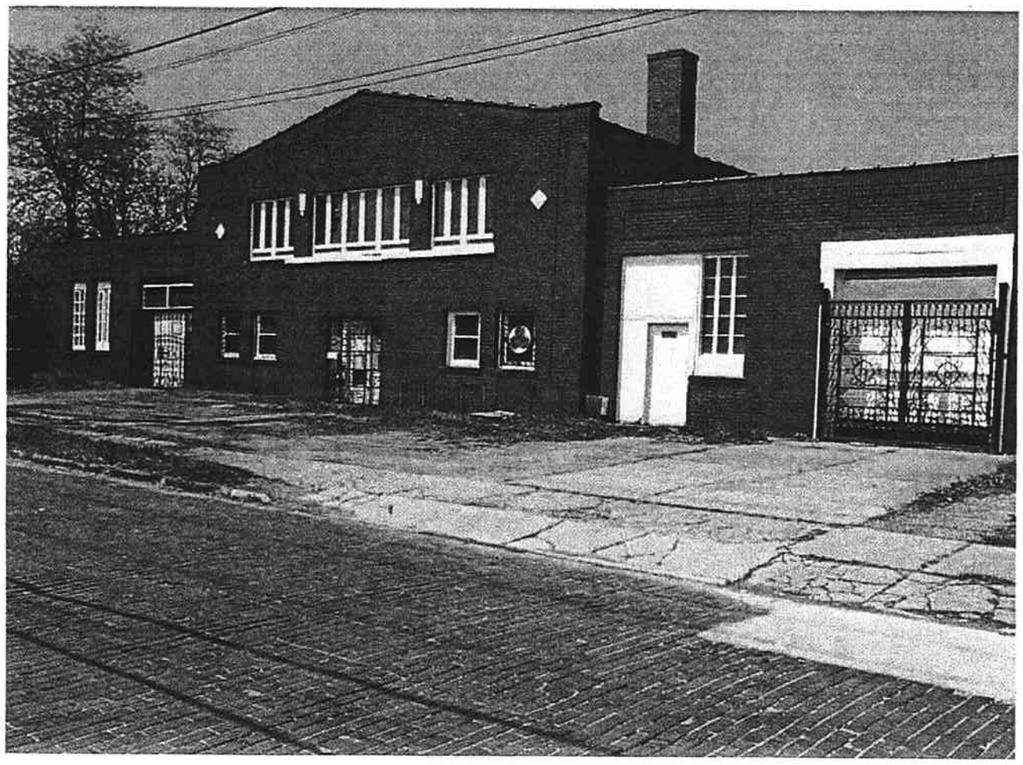
I find it hard to believe that ODOT would treat a 45 year business this way. The building was very well maintained with a 25 year roof and structural steel supports on all main pillars and most ceiling joists (see enclosed photos). I also have a 5-year land lease with Scranton – Averell and did not wish to move.

With zero money to acquire or even put a down payment on a comparable building, my company will be out of business and my seven employees jobless. I know my business will have to be moved soon, so I would like to resolve this as soon as possible. But with an offer of $0.00 I would have no choice but to wait until the court decides how much my building is worth.

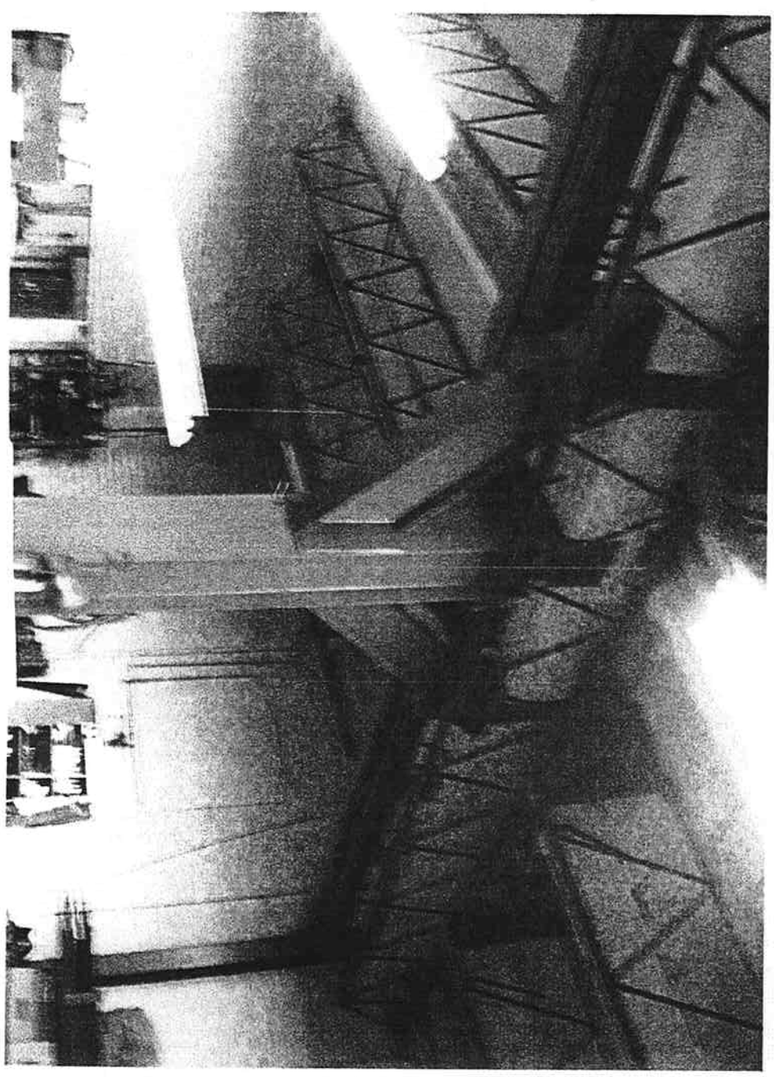
To be fair to ODOT, you have committed to a new appraisal of my building and will pay all moving expenses to a new building. I can only hope a new method is used in this appraisal that will be fair to the building owner and not just the land owner.

2. To help us document comments and forward future Project information, please provide:

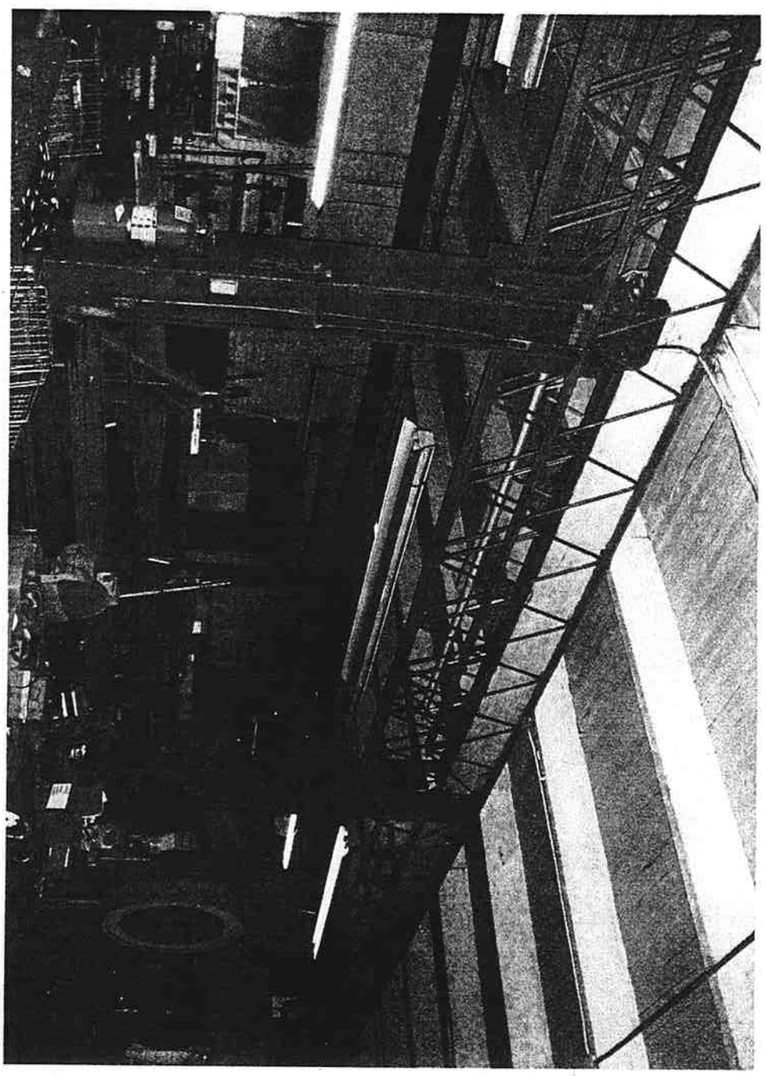
Name: Fred L. Backus
Address: 2150 West 15th Street
City: Cleveland State: Ohio Zip Code: 44113
Telephone Number: 216 621-1763 Fax Number: 216 621-6417
Email Address: ant.sweet@yahoo.com



TIG WELDING SPECIALTIES, INC.
2150 West 15th Street
CLEVELAND, OHIO 44113



TIG WELDING SPECIALTIES, INC.
2150 West 15th Street
CLEVELAND, OHIO 44113



"Jamie Baker"
<JBaker@stclairsuperior .org>
03/20/2009 10:35 AM

To <Craig.Hebebrand@dot.state.oh.us>
cc "Greg Peckham" <gpeckham@clevelandpublicart.org>, <alenkabanco@sbcglobal.net>
bcc
Subject RE: Cleveland Urban Core Projects - April 2, 2009 Meeting Notice

Hi Craig - we are working on a public art project for Kirtland Park. During our deliberations yesterday, someone brought up the park being used as an innerbelt construction staging area. Do you know the timing of this? We are trying to determine if it is necessary to scrap / or put on hold the public art project.
-Jamie

From: Craig.Hebebrand@dot.state.oh.us [mailto:Craig.Hebebrand@dot.state.oh.us]
Sent: Fri 3/20/2009 10:16 AM
Subject: Cleveland Urban Core Projects - April 2, 2009 Meeting Notice

Dear Stakeholder:

The Ohio Department of Transportation (ODOT) invites you to attend the Cleveland Urban Core Projects Advisory Committee Meeting on Thursday, April 2, 2009 from 9:00 AM to 11:30 AM at the offices of the Northeast Ohio Areawide Coordinating Agency, 1299 Superior Avenue, Cleveland, Ohio. The purpose of this meeting will be to provide an update on the status of the Cleveland Innerbelt Project.

Please be advised that the Draft Environmental Impact Statement (DEIS) was approved by the Federal Highway Administration on March 2, 2009 and that ODOT will hold a Public Hearing on Tuesday, April 21, 2009 from 4:00 PM to 8:00 PM at Annunciation Greek Orthodox Church, 2187 West 14th Street, Cleveland, Ohio. The DEIS Public Comment period will close at 5:00 PM on May 21, 2009.

Please visit the Cleveland Innerbelt Project Website at www.innerbelt.org for more information. If you have questions regarding the above referenced meeting, please do not hesitate to ask.

Respectfully,

Craig K. Hebebrand, P.E.

Ohio Department of Transportation, District 12
5500 Transportation Boulevard, Garfield Heights, Ohio 44125

Craig
Hebebrand/Production/D12/O
DOT
03/20/2009 12:04 PM

To "Jamie Baker" <JBaker@stclairsuperior.org>
cc alenkabanco@sbcglobal.net, "Greg Peckham" <gpeckham@clevelandpublicart.org>
bcc
Subject RE: Cleveland Urban Core Projects - April 2, 2009 Meeting Notice

Jamie,

There is no temporary or permanent work in Kirtland Park. Kirtland Park is not being considered for use as a construction staging area. Please proceed with your efforts. Good Luck!

Respectfully,

Craig K. Hebebrand, P.E.

Ohio Department of Transportation, District 12
5500 Transportation Boulevard, Garfield Heights, Ohio 44125

Telephone: (216) 584-2113; Facsimile: (216) 584-3508

E-Mail: craig.hebebrand@dot.state.oh.us

"Jamie Baker" <JBaker@stclairsuperior.org>

"Jamie Baker"
<JBaker@stclairsuperior .org>
03/20/2009 10:35 AM

To <Craig.Hebebrand@dot.state.oh.us>
cc "Greg Peckham" <gpeckham@clevelandpublicart.org>, <alenkabanco@sbcglobal.net>
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Respectfully,

Craig K. Hebebrand, P.E.

Ohio Department of Transportation, District 12
5500 Transportation Boulevard, Garfield Heights, Ohio 44125

Telephone: (216) 584-2113; Facsimile: (216) 584-3508

E-Mail: craig.hebebrand@dot.state.oh.us

May 18, 2009

Craig Hebebrand
ODOT District 12
5500 Transportation Blvd.
Garfield Heights, OH 44125

RE: Comments of David Beach on Draft Environmental Impact Statement, Cleveland Innerbelt

Dear Craig:

Please accept these comments for the Draft Environmental Impact Statement (DEIS) for the Cleveland Innerbelt project. I submit these comments as someone who has been involved in the Innerbelt planning since the beginning as a member of the Scoping Committee. I also live and work in the City of Cleveland and will be affected personally by the Innerbelt project.

My comments address the following issues:

- Deficiencies in the project purpose and need 1
- Failure to consider transportation demand-management solutions 2
- Failure to address stormwater pollution and water quality 3
- Failure to implement a complete-streets solution that includes bicycles 4

Each of these issues is explained in detail below. Most were included in my previous comments dated February 23, 2007 (see Attachment A). Thus, I am still expecting that ODOT and FHWA will address these critical issues in a timely manner, as is required by the NEPA process. This is the biggest infrastructure project in Cleveland history, and we must have the most sustainable design solution possible.

Deficiencies in the project purpose and need 1

The DEIS states: "The purpose of the Cleveland Innerbelt action is to rehabilitate and reconstruct the Innerbelt Freeway system, and to address operational, design, safety, and access shortcomings that severely impact the ability of the Innerbelt Freeway system to function acceptably."

While this may have become ODOT's narrow purpose, it was never the sole purpose of community representatives who endured the many years of planning meetings about the Innerbelt. The community started with a larger, more hopeful vision of how the reconstruction of the Innerbelt could heal the urban wounds created when the Interstate highways slashed through Cleveland neighborhoods years ago. That is why, meeting after meeting, they talked about design objectives that would improve quality of place and the potential for economic redevelopment — objectives such as caps over the highway to reconnect the urban fabric of downtown, streetscape improvements throughout the Innerbelt corridor, greenspace enhancements, downtown housing, transit and bike improvements, and improved methods to buffer neighborhoods from the noise and pollution of the highway. And that is why so many people advocated the construction of a new signature bridge over the Cuyahoga River. They dreamt that the largest infrastructure project in Cleveland history could build something wonderful and inspiring. They wanted to do something transformative — something that would move Cleveland into the 21st century.

Instead, we now have a project focused on basic maintenance of the status quo — a project to perpetuate mid-20th century infrastructure almost a decade into the 21st century. Millions of square feet of pavement and bridge decks will be rebuilt, but this won't heal the old wounds. It won't enhance the character of the city. It won't make our transportation system more sustainable. In short, it will do little to change the dynamics of a city in trouble.

ODOT's own study of economic development impacts of the billion-dollar Innerbelt project found that the project will result in only 175 additional jobs in Cuyahoga County in 2035. It is truly astonishing that one could invest so much money for so little return. The fact that the study only considered the economic changes resulting from the "difference in travel performance between a No Build scenario and the scenario that includes the Cleveland Innerbelt improvements" is further indication of ODOT's exclusive focus on the movement of traffic through Cleveland, not the city as a real place and setting for economic activity. (There was another study focused on anticipated economic impacts in the MidTown area, and it concluded "that there would be no substantial negative economic impacts on the MidTown area as a result of the project, based upon the access changes." What are we to make of such a statement? Does it mean that, instead of anticipating positive economic impacts, we should just be glad that the project won't hurt the city too much?)

Thus, the purpose of this project shows a profound lack of vision and needs to be rewritten. I suggest the following: The purpose of the Cleveland Innerbelt action is to rebuild 1950s, automobile-centric transportation infrastructure to enhance quality of place in downtown Cleveland and surrounding neighborhoods, promote more sustainable transportation alternatives, and reduce traffic congestion by reducing the need to commute.

Failure to consider transportation demand-management solutions as part of a full range of alternatives 2

The DEIS states on page ES-2: "Approximately 85 percent of the traffic using the Innerbelt Freeway has a destination within the study area during the AM peak period or an origin within the study area during the PM peak period."

This is a key statistic. It means that the traffic congestion problem that this project seeks to reduce is largely an issue of people commuting in and out of downtown. Thus, this is a perfect situation for demand-management strategies. Throughout the Innerbelt planning process I asked for such strategies to be included in the project and offered successful examples, such as the Atlantic Station development in Atlanta (http://www.epa.gov/dced/topics/atlantic_steel.htm). However, to my knowledge such strategies were never fully considered. The DEIS contains no analysis of potential demand-management strategies as one of the alternatives for the Innerbelt, even though they could have been the most cost-effective, most sustainable solutions. This is a huge omission.

A number of demand-management strategies could reduce peak-hour traffic congestion, including flex-time programs, telecommuting, transit incentives, and bicycle facility improvements. One of the best strategies could be a downtown housing development program. Early in the scoping process I suggested that the goal should be to provide more opportunities for people to live close to downtown jobs. Housing studies have shown that a large percentage of downtown residents work there and walk to work. This translates to fewer commuters at peak hours. Thus, one of the best ways — and the most sustainable way — to reduce traffic congestion is to promote downtown housing. This also would be one of the best investments for the long-term health of the city. Transportation funds could support redevelopment in many creative ways, such as land assembly, city street improvements, and the building of parking structures. The concept would be to view these investments as transportation control measures that help meet the region's transportation goals. Air quality concerns will make such strategies even more important in the coming years, as our region will have a hard time meeting new ozone standards. Demand management will also help reduce carbon emissions. Thus, demand management could reduce many kinds of harmful environmental impacts, in addition to helping to create a more vibrant city.

The EIS for the Innerbelt must include transportation demand-management strategies as one of the major alternatives considered. Failure to do so would violate guidance from the Council on Environmental Quality requiring that a full spectrum of alternatives be considered.

Failure to address stormwater pollution 3

Given the significant amount of stormwater from the proposed Innerbelt project that will discharge to Cleveland's highly valued lakefront or to the Cuyahoga River, water

resource impacts should be thoroughly explored in the Innerbelt DEIS process. Unfortunately, the DEIS falls far short of this goal.

I would like to echo the comments on this issue that were discussed recently at the NOACA TRANSWAC committee. The deficiencies noted in the DEIS included: 1) inadvertent misrepresentation, 2) failure to provide appropriate background information, 3) failure to respond to issues raised, and 4) failure to appropriately document issues.

Specifically, the following issues should be addressed:

1) The issue of potential violations of Lake Erie water quality standards should be thoroughly discussed. Lacking more specific or more representative data, the data and findings previously provided by the TRANSWAC committee should be incorporated into this discussion. The EIS should describe the existing water quality issues of the near shore areas of Lake Erie and the expected impact of current and new discharges of Innerbelt stormwater to Lake Erie near shore areas. ODOT should request that Ohio EPA and other agencies with water quality management responsibilities review this supplemental information to determine whether the final project discharges will comply with all water quality requirements of Ohio law.
2) The EIS should clearly state the estimated amount and percentage of the Innerbelt runoff which currently discharges to Lake Erie, the Cuyahoga River, and the centralized treatment facilities of NEORSD. As available, the same estimates should be provided for Innerbelt drainage system after reconstruction.
3) The EIS should evaluate the potential to treat its Innerbelt direct stormwater discharges as a move toward achievement of the TMDL targets set for the Cuyahoga River and current water quality standards.
4) The EIS should clearly explain the process for determining the current regulatory requirements for stormwater discharges from the Innerbelt. This discussion should include an explanation of how requirements are determined and where application of ODOT's best management practices would still result in a violation of Ohio water quality standards.
5) The EIS should evaluate a wide range of options for treatment of stormwater from the Innerbelt. This evaluation should include treatment of some or all of the Innerbelt discharge in NEORSD's central treatment facility. This option should be considered as an alternative to the separation strategy that ODOT has discussed in the draft EIS. Other options beyond BMPs should also be considered.
6) The public record should acknowledge TRANSWAC's request to ODOT and NEORSD to consider alternative ways to evaluate the cost and benefits of centralized treatment, lacking a rate structure for treatment by NEORSD.
7) The EIS should acknowledge NEORSD's letter of June 22, 2007, and consider the approach and data provided in that letter in assessing the costs and benefits of centralized treatment in NEORSD facilities.
8) The EIS should show pollutant loading changes that would occur as a result of the separation strategy proposed in the draft EIS. The EIS should estimate the additional stormwater load that would be added to Lake Erie and to the Cuyahoga River. The potential for violations of water quality standards as a result of increased loads should be considered. To the extent that reductions in combined sewer loads are used as a justification for separation, planned improvements through NEORSD's Long Term Control Plan should be considered. Additionally, consideration should be given to the cost effectiveness of sizing NEORSD facilities to accommodate ODOT's loads. Example calculations on the impact of separation were provided to ODOT as part of TRANSWAC comments on ODOT's Innerbelt BMP report. The calculations show that separation could result in greater loads to receiving waters.
9) The EIS should address the issue of the need to provide right of way space for the installation of Best Management Practices where applicable.
10) The EIS should address the issue that the project, as a total reconstruction of the Innerbelt, should consider options to provide treatment for 100% of the pavement of the project rather then simply providing treatment for newly paved or newly separated stormwater.
11) The EIS should provide a responsiveness summary to indicate how it addressed comments made as a result of comments received on the Level 1 Ecological Survey and also on the Innerbelt Storm Water Best Management Practice report.
12) The EIS should discuss the development of project specific procurement specifications for water quality issues and stormwater management. Also, consideration should be given to the development of special allocations and contingency funds specific to water quality and stormwater management issues.
13) In its comments of March 20, 2006, TRANSWAC asked that the Innerbelt project consider designing elements of the drainage system to provide for hazardous spill containment and for precise measurement of stormwater loads. The draft EIS does not discuss the containment of hazardous spills nor is there any pledge made to provide monitoring chambers to allow for precise measurement of future stormwater loads.
14) FHWA and ODOT should meet with stakeholders and agencies interested in water quality and stormwater management issues to solicit assistance and to consult on a schedule to address draft EIS deficiencies. These meetings should also discuss comprehensive EIS commitments to protect water quality and consider supplemental EIS processes to compensate for issues that can not be fully addressed in the next EIS document.

Considerable work will be needed to produce a final EIS which mitigates for missing background information, identifies and evaluates management options, and has received the value of stakeholder review and input. FHWA and ODOT should quickly meet with stakeholder and agencies interested in water quality and stormwater management issues to solicit assistance and to consult on a schedule to address deficiencies. This would also be an opportunity to discuss comprehensive EIS commitments and supplemental EIS processes to compensate for issues that may not be fully addressed in the next EIS document.

Finally, one possible reason that the ODOT Project Development Process and the DEIS have not given proper attention to stormwater problems is that the project's purpose and need statement does not make clear that environmental protection is included as a project purpose and need. The project's purpose and need statement should be revised to make it clear that the Innerbelt project is expected to result in improved management of Innerbelt air quality and water quality environmental issues.

Failure to implement a complete-streets solution that includes bicycles 4

The DEIS states: "During project development for the Cleveland Innerbelt project, the public input process raised the concept of bicycle/pedestrian accommodation on the Central Viaduct Bridge alignment. The issue was considered and determined to not be practical…" The DEIS goes on to explain ODOT's reasons for inaction related to cost, need, and safety.

However, these are the same reasons that I and other bicycle advocates have disputed before. In a letter to ODOT on December 12, 2006 (see Attachment B), I explained that ODOT's facts and analysis were flawed — and that it is indeed very possible to provide equal accommodation for bicycles and pedestrians over the Flats. Moreover, providing a creatively designed bike-ped link on the Innerbelt bridge would be an inspiring thing to do. It could become a new tourist attraction for Cleveland.

Accommodating bikes and pedestrians on highway and bridge projects is no longer an experimental idea. It is being done as a matter of course in other states. At least 27 interstate highway bridges have bike lanes.

We have compiled extensive web resources on how bike lanes have been incorporated into highways across the nation. Please see:
http://www.gcbl.org/transportation/bikes/bike-lane-on-innerbelt-bridge

Additionally, the FHWA has released "Bicycling and Pedestrian Guidance" documentation that details what funding can be used, and how to incorporate bike lanes into interstate highway projects (http://www.fhwa.dot.gov/environment/bikeped/bp-guid.htm).

The DEIS violates current law and ignores current best practices when is says that bikes cannot be accommodated on the Innerbelt bridge.

In sum, the Innerbelt project is one of the most significant infrastructure projects in Cleveland history – a project that will shape our city for years to come. Unfortunately, the DEIS contains serious flaws and omissions. At this late date, I hope that these flaws can finally be corrected so the project will not be delayed. At some point ODOT and FHWA must understand that this project must be about more than just moving vehicles through Cleveland.

Thank you for the opportunity to submit comments.

Respectfully,

David Beach
Director
GreenCityBlueLake Institute
1 Wade Oval Dr.
Cleveland, OH 44106
216-231-4600, x3366
dbeach@cmnh.org

Attachment A
Innerbelt EIS comments submitted by David Beach on February 23, 2007

February 23, 2007

Craig Hebebrand
ODOT District 12
5500 Transportation Blvd.
Garfield Heights, OH 44125

RE: Comments for Draft Environmental Impact Study, Cleveland Innerbelt

Dear Craig:

Please accept these comments for the Draft Environmental Impact Study (DEIS) for the Cleveland Innerbelt project. I submit these comments as someone who has been involved in the Innerbelt planning since the beginning and was a member of the Scoping Committee.

First, I would like to reinforce comments made at the Urban Core Committee meeting on February 1, 2007, about the long list of concerns from the Scoping Committee that still have not been addressed. As you recall, in early 2004 the Scoping Committee allowed the Innerbelt planning process to move forward only with the explicit condition that numerous concerns would be fully studied and addressed. The Cleveland City Planning Commission was tasked to track these concerns, and the Scoping Committee requested that it withhold final approval for the Innerbelt project unless the concerns were adequately addressed. The Planning Commission accepted this responsibility with Resolution DRC 03-201 (copy attached). The resolution summarizes most of the concerns that were raised by the numerous stakeholders involved in the scoping process. I request that this list of concerns be addressed in the DEIS.

Second, I would like to reiterate my previous comments relating to demand-side management opportunities, stormwater issues, and accommodation of non-motorized transportation modes on the Central Viaduct Bridge. On February 12, 2004, I wrote to you about these issues (copy of letter attached) as follows:

> Demand-side management by promoting downtown housing
>
> One of our fundamental beliefs is that transportation is really a land-use issue. Good land-use planning can reduce the demand for transportation by locating destinations in close proximity. And reducing the demand for transportation should be a top priority. Transportation is costly – economically and environmentally. The less transportation we consume to have access to what we need, the better.
>
> We can help accomplish this by making sure that transportation investments support smart development. In the case of the Innerbelt project, this can mean supporting downtown housing strategies. The goal should be to provide more opportunities for people to live close to downtown jobs. Housing studies have shown that a large percentage of downtown residents work there and walk to work. This translates to fewer commuters at peak hours. Thus, one of the best ways — and the most sustainable way — to reduce traffic congestion is to promote downtown housing. This also would be one of the best investments for the long-term health of the city. Transportation funds could support redevelopment in many creative ways, such as land assembly, city street improvements, and the building of parking structures. The concept would be to view these investments as transportation control measures (TCM) that help meet the region's transportation goals. Air quality concerns will make such strategies even more important in the coming years, as our region will have a hard time meeting the new 8-hour ozone standards.
>
> In sum, the Innerbelt project offers a great opportunity to evaluate the potential for facilitating new development in the city while reducing peak-hour congestion on the highway system. Indeed, it would be irresponsible not to study the potential for demand reduction as part of this major project.
>
> Stormwater
>
> In recent years, people in Greater Cleveland have become aware that stormwater pollution is now the biggest threat to water quality. The concerns have grown as more people have realized the potential for greater public access to the lakefront and the Cuyahoga River.
>
> Since a major contributor to the stormwater problem is runoff from transportation facilities, it is essential for the Innerbelt project to address this issue. Consequently, we strongly endorse the February 9 letter of the Northeast Ohio Regional Sewer District, which calls for comprehensive stormwater management to be an integral part of the Innerbelt project.
>
> The Central Viaduct Bridge as a complete street
>
> We request that when improving the Central Viaduct Bridge, ODOT make it a "complete street" by including facilities that accommodate pedestrians, bicyclists, and other non-motorized traffic. Providing this non-motorized connection will create new transportation choices that are affordable, nonpolluting, and conducive for public health by providing physical

activity. This facility will safely accommodate existing pedestrian traffic on the bridge between Tremont and downtown. It will also link downtown destinations directly to the planned Ohio & Erie Canal Towpath Trail, a major regional economic development initiative and non-motorized transportation corridor.

Compared to this Central Viaduct connection, all existing non-motorized transportation options between these points impose a large penalty in travel time, distance, and elevation change.

We note that the Federal transportation law also encourages, and perhaps requires, non-motorized travel to be accommodated in Federal-aid projects.

EcoCity Cleveland endorses the Burgess & Niple design for a two-way pedestrian/bicycle path on the north side of the Central Viaduct, and we urge ODOT to include it within the scope of work for the Cleveland Innerbelt project.

Over the past three years, I have worked with many other stakeholders to try to persuade ODOT to address these three issues — demand-side management, stormwater, and reasonable accommodation. But our pleas have been largely ignored. Therefore, I request that these issues now be addressed as part of the EIS process. This is appropriate, since the issues relate to environmental quality and the sustainability of the transportation system.

The Innerbelt project is one of the most significant infrastructure projects in Cleveland history, and I look forward to continuing to work with ODOT to make it the best possible project for the health and sustainability of the city.

Sincerely

David Beach
Executive Director
EcoCity Cleveland

Attachment B
Comments on Innerbelt bike facilities submitted to ODOT on December 12, 2006

December 12, 2006

Mr. Howard Wood
ODOT Deputy Director of Planning
1980 W. Broad Street
Columbus, Ohio 43223

Re: Cleveland Central Viaduct Bridge bike/pedestrian path – Round 2

Dear Deputy Director Wood:

Thank you for your letter of November 17, which responded to our request that a bike/pedestrian facility be included on the rehabilitated Innerbelt Central Viaduct Bridge in Cleveland. While I appreciate the time you took to provide a detailed response, I still don't think that you took our request seriously. Instead of thinking seriously about how it might be possible to accommodate non-motorized travel on the bridge, you seem to have been instructed to rule out the possibility from the start. Thus, your letter displayed ODOT's unfortunate and unfounded prejudice that cycling and walking are not legitimate means of city travel and will never be a significant part of urban transportation in Ohio.

I would like to respond to your points one by one.

Requirements for accommodating bicycles and pedestrians
In your letter you say, "Federal law and policy, and ODOT policy, compel us to consider bicycle and pedestrian facilities on bridges, where they can be accommodated at a reasonable cost." We agree on this requirement, but it seems we disagree on whether such accommodation can be achieved on the Central Viaduct at a reasonable cost.

What is a "reasonable cost" in this case? Federal policy says the cost is reasonable if it's less than 20 percent of the total cost of the project. Therefore, if the Central Viaduct Bridge is a $300 million project, Federal policy says that ODOT should budget up to $60 million to accommodate bicycle and pedestrian travel.

That's a lot of money, and I would not advocate spending all $60 million on a single bike lane on the bridge (see our cost estimate below). But this number provides a sense of the scale of investment ODOT should be routinely considering to develop a more multi-modal transportation system. In this case, perhaps ODOT should consider a package of alternative transportation facilities on and around the bridge, including a bike/pedestrian facility on the bridge, completion of the Towpath Trail in the Flats, improved pedestrian environments in Tremont and downtown, transit improvements, etc.

The important point is that ODOT needs to expand its view of reasonable accommodation. Non-motorized travel facilities are not afterthoughts to tack onto a project if there's a little funding left over. They should be integral parts of all projects and funded appropriately.

Cost of accommodating bicycles and pedestrians on the Central Viaduct Bridge
Your letter states that the cost of adding a bicycle/pedestrian facility to the bridge would be $21-23 million, including the cost of approach ramps at each end. But your estimate seems to assume the construction of a totally new facility on a new bridge. That's **not** what I recommended.

Since ODOT is proposing to rehabilitate the existing bridge for eastbound traffic (in addition to building a new, westbound bridge alongside), I recommended incorporating a bike facility into this existing bridge. There would be plenty of room, since the one-way bridge will need to carry fewer traffic lanes. And the bike/pedestrian lane could re-use the existing E. 9th and Abbey ramps, which would no longer be used by motorized traffic.

A ballpark estimate for constructing a new deck on an old bridge is $75/sf (much lower than the $350/sf estimate you provided for a new bridge). If the bike/pedestrian lane is roughly 4,000 feet long and 15 feet wide, then the cost would be $4.5 million (assuming you can re-use the existing ramps).

This seems like a reasonable cost in the context of the huge Innerbelt project, and the concept certainly merits further study.

Existence of alternative travel routes for bicycles and pedestrians
You state that there is not a compelling need to accommodate bicycles on the Central Viaduct because there are other bike facilities over the Cuyahoga Valley, such as the Lorain-Carnegie Bridge and Detroit-Superior Bridge. It's true that there are alternate routes, but these routes force you to go out of your way and are not connected to other non-motorized travel facilities. In contrast, the Central Viaduct route would be connected directly to the busy Towpath Trail in Tremont (once it's completed), offering several million cyclists a year the opportunity to go straight downtown instead of descending into the Flats where they would confront large trucks, steep hills, and broken pavement. In addition to providing this direct linkage, this is a unique opportunity to create a visitor attraction for the city.

While the quantitative distances of your proposed alternates may not require significant additional travel time for a cyclist, they are certainly a burden for pedestrians and those in wheelchairs. And the travel experience on your proposed alternative routes is qualitatively inferior to a separate pedestrian/bike facility, with narrow bridge roadway and complicated intersections that mix non-motorized travel with high car and truck traffic volumes.

You also say that the highway bridges with bike lanes that I offered as examples (the Golden Gate Bridge in San Francisco and the Cooper River Bridge in Charleston) are not good analogies for our situation in Cleveland because they are the only water crossings for many miles. First of all, I offered these examples not to argue about need but as design examples—illustrations of how bike lanes could be easily integrated onto a bridge carrying high volumes of traffic. And second, I could cite other examples, such as Pittsburgh, where there are multiple water crossings for non-motorized travel.

Winter maintenance of bicycle/pedestrian facility on the Innerbelt Bridge
Your letter expresses concerns that: a) ODOT does not have the equipment or staffing to de-ice and plow a bicycle/pedestrian lane on the bridge; and b) snow plows clearing traffic lanes would throw snow and ice on to the non-motorized facility, creating a dangerous situation for cyclists and pedestrians.

My response to the first concern is to ask, why doesn't ODOT have equipment and staffing to maintain such bike lanes? Bicyclists and pedestrians deserve the same high level of service that ODOT provides to automobiles. Every winter, bridges over highways throughout Northeast Ohio are impassable to bicyclists and pedestrians because the berms and sidewalks are not cleared (or they are used to store piles of snow plowed from the road). ODOT and local governments that plow roads need to address this.

The solution to the second concern is easy. Just tell the drivers of snow plow trucks to slow down when crossing the bridge so they don't blast snow and ice across the bike lane.

Regarding winter and bicycling: It's a myth that Great Lakes weather prevents widespread cycling for transportation. Cities such as Minneapolis and Toronto, with colder weather than Cleveland, achieve high levels of cycling year-round.

Police patrol and emergency medical service concerns
You also have a concern about policing and emergency medical response for a bicycle/pedestrian facility on the bridge. This is really a matter of design. You seem to envision the facility as a long cave of vandal fencing running the length of the bridge, so one would be trapped and isolated once entering at one end.

In contrast, I envision an open facility without ugly fencing, similar to the designs I have showed you. Users would be visible to all the passing traffic and police, so the facility would be a busy, public place not at all conducive to criminal activity. The barrier separating the bikeway from traffic lanes (like a jersey barrier) could have small gaps at intervals to allow emergency personnel to access the facility from the breakdown lane of the bridge. Or the bikeway could be wide enough to permit emergency vehicles to drive on it.

Moreover, if your logic about the danger of long bike facilities were followed, we would never have non-motorized trail facilities at all. Instead, we have found that it's okay for trails to run through remote places. The facilities don't attract criminals, and emergency services are accommodated successfully.

Homeland security considerations
To prevent terrorist attacks on critical parts of the nation's infrastructure like the Innerbelt's Central Viaduct Bridge, you say that the Department of Homeland Security has advised ODOT to minimize access of people around the bridge. You conclude: "The position of a bicycle/pedestrian facility on this structure is in almost direct contradiction to this guidance…"

Let's be serious. If terrorists really want to blow up the bridge, it's rather unlikely that they will transport the explosives on a bike across the top of the bridge in full view. Moreover, the presence of a non-motorized facility would probably enhance security by enabling more law-abiding citizens to be out on the bridge watching for terrorists.

If there can be a bike/pedestrian path on the Golden Gate Bridge, perhaps the most iconic bridge in America, or on Charleston's Cooper River Bridge over a major seaport, then I'm sure the security issues can be worked out for our bridge in Cleveland.

ODOT assistance to other Cleveland-area bike facilities
Your letter claims that "ODOT has been very supportive of other bicycle and pedestrian projects in the region," such as the Detroit-Superior Bridge Promenade, Euclid Corridor bike lane, West Shoreway bikeway, and the Towpath Trail extension.

Are you joking?! ODOT fought the first two projects every step of the way. It took extraordinary efforts by the City of Cleveland, nonprofit organizations like Cleveland Public Art and EcoCity Cleveland, and others to overcome ODOT resistance and get these important projects done. Regarding the Euclid Corridor bike lane, ODOT simply could not imagine how bike lanes could ever work on an urban street, even though such lanes are in routine use in cities throughout North America. The ODOT attitude seemed to be: "We've never done this in Ohio, and we're not going to start now."

On the West Shoreway, ODOT has been supportive and deserves credit for implementing the transformation of a highway into a city boulevard. This is a major step forward. But it is not something that ODOT would have done on its own initiative. It was a top economic development priority of the Cleveland business community and the City of Cleveland. And it was a bargaining chip: the city got the West Shoreway in return for not demanding much out of the larger Innerbelt rehabilitation project.

On the Towpath Trail extension, ODOT is assisting with several small segments of the trail where it is convenient to do so in the context of other road projects. But I see little evidence that ODOT is a champion of this important regional initiative. The Towpath Trail is taking forever to complete because supporters have to piece together funding from small grants from numerous local, state, and federal sources. If ODOT were a champion of transportation alternatives, the trail could have been completed years ago.

Overall, ODOT has a weak record of supporting bike and pedestrian projects in urban areas. In some cases, ODOT is the main obstacle to progress. So it's not just the Central Viaduct bike facility that you oppose. There is a general antipathy toward non-motorized travellers. ODOT doesn't want to acknowledge them as a legitimate part of our urban transportation system.

Summary
Thanks for allowing me to discuss this Central Viaduct Bridge project with you. I still hope that ODOT will take a positive approach and really try to make a bike/pedestrian facility work as part of this big project. A well designed facility could be affordable and would become an exciting asset for the region.

In addition, I'd like to say that our exchange has been interesting to me because it illuminates larger issues about ODOT's culture and the future of transportation in Ohio. For 50 years, ODOT has made Ohio less and less sustainable by building a transportation system that forces people to drive cars more and more. In order to respond to climate change, the end of cheap oil, and air pollution problems, we need to rethink transportation in fundamental ways. In large part this will mean re-allocating transportation funds to promote the redevelopment of cities and town centers where people can access what they need without having to get on the highway. ODOT's mission will have to be less about increasing mobility by motor vehicles and more about supporting the development of sustainable communities.

Recently, I have been encouraged by policy statements about infrastructure and the redevelopment of cities coming out of the Strickland transition process. Perhaps we can hope for a different set of priorities to emerge from ODOT in the coming years. I would be happy to provide more information about what a 21st century vision of sustainable transportation could be like. Thanks again for your interest.

Sincerely,

David Beach
Executive Director

cc: Craig Hebebrand, Robert Brown, Cleveland City Planning Commission members, Paul Alsenas, Steven Litt, Tom Breckenridge

QUADRANGLE

Cleveland's Downtown Academic District

April 21, 2009

Mr. Craig Hebebrand
Innerbelt Project Manager
Ohio Department of Transportation, District 12
5500 Transportation Boulevard
Cleveland, Ohio 44115-5308

Re: Draft Environmental Impact Statement Comments for April 21, 2009 Public Hearing

Dear Mr. Hebebrand:

The following Quadrangle member institutions have had the opportunity to review the Draft Environmental Impact Statement as approved on March 3, 2009 and wish to provide written comment for the April 21, 2009 public meeting:

- Applewood Centers Inc.
- Brothers Printing
- The Chilcote Company
- Cleveland Postal Employees Credit Union
- Cleveland State University
- Cuyahoga Community College
- Cuyahoga Metropolitan Housing Authority
- Mental Health Services
- The Ohio Educational Credit Union
- St. Vincent Charity Hospital
- The Salvation Army
- Trinity Cathedral
- United States Postal Service
- Visiting Nurse Association Healthcare Partners of Ohio

It is difficult to determine which of the alignment alternatives considered have greater or lesser impacts on local traffic patterns and level of service resulting from modifications to access patterns in the Quadrangle area. The Draft EIS fails to recognize the secondary and cumulative impacts of the access modifications. The document fails to consider context and intensity of changes and makes generalized statements about having no impact without providing data to support the conclusions. The *Draft Access Modification Study* referenced in Section 4.2.3 Neighborhoods/Community Access was neither provided as an exhibit to the Draft EIS nor could it be found in the archived reports on the ODOT website. 1 2

Many issues raised by the Quadrangle during meetings and by official correspondence have not been discussed in the Draft EIS. Additional consideration should be given to using enhancement measures to help better fit the project into the environment. This would include the improvements to local roadways that will now become major thoroughfares channeling increased traffic volumes to relocated entrance and exit ramps. This should include enhancements that improve urban design aesthetics and the pedestrian realm. It should be remembered that mitigation must be considered for all impacts, regardless of significance in accordance with existing FHWA policy. 3 4

The Quadrangle will provide detailed written comments prior to the May 21, 2009 deadline as part of the public comment record. For the sake of brevity in the referenced public meeting, the following is a summary of the major issues:

1. The Environmental Consequences section completely ignores the impacts of the Northern Alignment on the Cuyahoga Community College (Tri-C) District Administration Building located at 700 Carnegie Avenue. The only reference in the Draft EIS concerns "commercial and institutional" land-uses located along Carnegie Avenue. 5
   - Tri-C loses nearly 50 percent of its parking at this location.

7751 B17

   - Northern Alignment is closer to the Tri-C District Administration Building and has potential noise and vibration impacts to the occupants of the building that we believe exceed FHWA allowable limits.
2. East 9th Street southbound is redesigned to be restricted to one lane south of Carnegie Avenue. This may not be sufficient capacity to handle outbound traffic from the Gateway sports complex destined for Broadway and I-77 south. 6
3. All traffic destined for I-77 south from Public Square and Gateway is channeled to East 30th Street and Orange Avenue. The elimination of the eastbound Orange Avenue connector to Woodland Avenue (US 422) between East 30th and East 37th Streets may create traffic bottlenecks during the PM peak and after special events. 7
4. East 30th Street becomes a major north-south corridor linking Upper Euclid Avenue to the I-77 interchange at East 30th Street and Orange Avenue. Increased traffic along East 30 Street creates traffic bottlenecks at several major intersections between Broadway and Euclid Avenue. 8
5. The Quadrangle continues to insist that the RTA East 34th Street/Campus Rapid Transit Station be re-located to East 30th Street with Loop bus service extended to the proposed new station location. Pedestrian facilities need to be improved in this transit zone between Broadway and Community College Boulevard. Enhancements such as this will help better fit the Cleveland Innerbelt Project into the changed environment. 9
6. The location of a retaining wall at Ohio Educational Credit Union will result in the loss of at least 22 parking spaces in its back parking lot. The construction limit negatively impacts more parking spaces and the traffic flow for the back lot. The exit ramp from I-77 north is closer to the headquarters building and may increase noise and vibration. 10
7. Cuyahoga Community College Boulevard no longer connects to East 14th Street, affecting many bus routes and access to St. Vincent Charity Hospital from Playhouse Square. All traffic is now directed north on East 22nd Street, which also serves as the redirected off-ramp for Carnegie Avenue. 11
8. St. Vincent Charity Hospital will lose over 50 parking spaces in an area where there is already insufficient parking available. 12
9. Cedar Avenue continues to end in a cul-de-sac although a new Cedar Avenue extension is connected to Carnegie Avenue at approximately East 27th Street. 13
10. Former ODOT Director Gordon Proctor promised the Quadrangle that the Trench retaining walls would be constructed in a way to support future caps over East 22nd Street. The Draft EIS only says that the final design would "consider" caps. The Final EIS should commit to this enhancement project. Caps should be considered essential enhancements over East 22nd Street, Carnegie, Prospect and Euclid Avenues to help better fit the Cleveland Innerbelt Project into the extended college campus environment linking Tri-C and Cleveland State University and its adjacent neighborhoods. 14
11. The elimination of the I-90 eastbound exit ramp at Broadway Avenue is still a concern. 15

Sincerely,

William C. Beckenbach
Executive Director

QUADRANGLE

Cleveland's Downtown Academic District

May 19, 2009

Mr. Craig K. Hebebrand
Project Manager
Ohio Department of Transportation, District 12
5500 Transportation Boulevard
Cleveland, Ohio 44125-5308

Re: Draft Environmental Impact Statement

Dear Mr. Hebebrand:

The following Quadrangle member institutions believe there still remain several outstanding concerns that have not been successfully addressed in the Draft Environmental Impact Statement as approved on March 3, 2009:

- Applewood Centers Inc.
- Brothers Printing
- The Chilcote Company
- Cleveland Postal Employees Credit Union
- Cleveland State University
- Cuyahoga Community College
- Cuyahoga Metropolitan Housing Authority
- Mental Health Services
- The Ohio Educational Credit Union
- St. Vincent Charity Hospital
- The Salvation Army
- Trinity Cathedral
- United States Postal Service
- Visiting Nurse Association Healthcare Partners of Ohio

These concerns have arisen resulting from our own independent assessment of potential environmental impacts. Accordingly, the Quadrangle wishes to document these concerns and highlight how changes to the Innerbelt and changing traffic patterns in the area will impact member institutions. Specific issues of concern for Quadrangle institutions are as follows:

Cuyahoga Community College Administration Building Impacts:

We continue to express serious concern regarding the likely impacts on the Cuyahoga Community College (Tri-C) Administration Building at 700 Carnegie Avenue. The proposed northern alignment, by bringing bridge and roadway structures closer to the College's Administration Building, will have visual and noise impacts. Tri-C has conducted an independent assessment of the noise impacts and found that the future condition exceeds FHWA noise standards. Suitable mitigation strategies should be developed to maintain or improve the current ambient noise levels adjacent to the Administration Building.

In addition, the ODOT plan would cause the loss of over 50 parking spaces out of 105 total spaces due to the bridge approach alignment and retaining structures.

St. Vincent Charity Hospital Access:

The ODOT Plan continues to eliminate the existing Cuyahoga Community College Avenue extension ramps between East 14th/East18th and East 22nd Street. This eliminates the linkages between the Quadrangle and Playhouse Square Districts affecting many bus routes and access to and from St. Vincent Charity Hospital. The Quadrangle continues to express opposition to the elimination of this connection. This connection retains a critical element of the City's original street grid and ties together two of the City's most important and most vital downtown development districts.

Same issues as 4/21/09 letter with expanded discussion

In addition St. Vincent Charity Hospital will lose over 50 parking spaces in an area where there is already insufficient parking available.

Orange/Woodland Connector:

We are puzzled by the elimination of the Orange Avenue connector to Woodland Avenue east at East 30th/34th Street because it would appear that this design concept was adopted without any consultation with area stakeholders. This change affects all truck movements to the Food Terminals and other commercial activities located along Woodland Avenue (US 422). An eastbound truck no longer has a straight eastbound move through the East 30th Street intersection. Trucks would have to turn left at East 30th Street from Orange Avenue and then turn right onto Woodland Avenue from East 30th Street.

The elimination of the connector may create traffic bottlenecks during the PM peak and after special events in the Gateway District.

Ohio Educational Credit Union Impacts:

The DEIS shows the I-77 north Exit Ramp to East 22nd Street at Central Avenue taking out the southwest corner of the Ohio Educational Association Credit Union's rear parking lot. The Credit Union has 112 parking spaces with 54 in the front of the building and 58 in the back. The retaining wall will eliminate at least 22 spaces from the back parking lot. Further the construction limit negatively impacts more spaces and the traffic flow for the back lot

The exit ramp from I-77 north is much closer to the headquarters building and may increase noise and vibration.

Capping of the Trench:

The Quadrangle views itself as an integrated part of Downtown Cleveland and desires to reduce the actual and perceived separation from the central city posed by the Innerbelt Trench. The Quadrangle has presented a transportation improvement plan to the ODOT Aesthetics Committee and consultant team that essentially recommends the extension of the city street grid through the trench area by adding caps over the trench. The DEIS states that the final design will be "considered" during detail design. The Quadrangle wants to be assured that the Trench and retaining wall structure will be designed and constructed to support a freeway cap or deck between East 22nd Street and Carnegie Avenue.

Reconnecting the Quadrangle to Downtown:

There are considerable needs for improvements to East 30th Street and other local roadways to accommodate unanticipated changes to driver's travel patterns and route selections as a result of the changes to the Innerbelt system of interchanges. With other neighboring stakeholders, we are concerned about the ability of the local roadway system to respond to peak and special event traffic movements to destination in the Quadrangle and the southern area of downtown, particularly traffic oriented to CSU's Wolstein Center, St. Vincent Charity Hospital, Tri-C's Metropolitan Campus theaters and Trinity Cathedral with the Quadrangle proper and Gateway sports arenas and stadium and playhouse Square theaters immediately adjoin the district to the west and north.

Public Transit Improvements:

The new Center for the Innovation in the Arts, Rock-and-Roll Hall of Fame Archives and other Quadrangle member institutions such as Tri-C and Cleveland State University (CSU) will benefit from proximity to the Greater Cleveland Regional Transit Authority (RTA) Red, Blue and Green lines. The Quadrangle has repeatedly requested as part of traffic impact mitigation strategies that ODOT collaborate with RTA and the City to study the relocation of the East 34th Street rapid transit station to east 30th Street and the enhancement of pedestrian and bus connections between the new rapid transit station and The Quadrangle member institutions along the East 30th Street Corridor. The Quadrangle continues to express concern that this needed traffic impact mitigation strategy is being ignored. Improved access to

Quadrangle institutions by means of public transit improves the quality of life for transit dependent residents and improves the level of visitor experience for visitors to the region.

I-90 East to Broadway Exit Ramp:

The elimination of I-90 east exit ramps at Broadway Avenue (US 422 east) still creates significant truck safety and traffic operations impacts in the core of the Quadrangle District. Modifying the I-90 east Ontario exit and adding an I-90 east exit ramp to East 9th Street south will probably create a new truck operating hazard. The severe angle of the East 9th Street south exit ramp and the blind approach into East 9th Street, which is a single lane southbound, creates a conflict between exiting trucks and cars and southbound East 9th Street traffic, particularly from trucks wishing to turn left at Orange Avenue, US 422 East. Moreover, East 9th Street is the primary path for cars exiting Jacobs Field and Quicken Loans Arena destined for the I-77 south entrance ramp located at East 30th and Orange Avenue. We are concerned there is insufficient roadway capacity on East 9th Street south and the introduction of a new conflict with exiting traffic from I-90 east is counter to the purpose and need expressed by ODOT. We are opposed to the Broadway ramp modification as drawn and suggest that the I-90 east Broadway exit be restored.

Conclusion:

It is difficult to determine which of the alignment alternatives considered have greater or lesser impacts on local traffic patterns and level of service resulting from modifications to access patterns in the Quadrangle area. The Draft EIS fails to recognize the secondary and cumulative impacts of the access modifications. The *Draft Access Modification Study* referenced in Section 4.2.3 Neighborhoods/Community Access was neither provided as an exhibit to the Draft EIS nor found in the archived reports on the ODOT website.

Many issues raised by the Quadrangle during meetings and by official correspondence have not been discussed in the Draft EIS. Additional consideration should be given to using enhancement measures to help better fit the project into the environment. This would include the improvements to local roadways that will now become major thoroughfares channeling increased traffic volumes to relocated entrance and exit ramps. This should include enhancements that improve urban design aesthetics and the pedestrian realm. Mitigation must be considered for all impacts, regardless of significance in accordance with existing FHWA policy.

Sincerely,

THE QUADRANGLE, INC.

William C. Beckenbach
Executive Director

CC: Quadrangle Board
Frank G. Jackson, Mayor City of Cleveland
Phyllis E. Cleveland, City Council Ward 5
Joe Cimperman, City Council Ward 13

Jocelynn Clemings/Administration /D12/ ODOT
04/03/2009 01:38 PM

To Craig Hebebrand/Production/D12/ODOT@ODOT
cc
bcc
Subject Fw: Innerbelt Highway Project

ODOT FEEDBACK			
NAME	Norm Beznoska	SUBJECT	Highway Project
COMPANY NAME		CONTACT ASAP	YES
TELEPHONE	440-554-4043	DATE	3/29/2009 1:40:25 PM
FAX		LOCAL ADDR	192.168.3.140
AREA	CUYAHOGA	REMOTE ADDR	192.168.3.220
EMAIL	norm_bez@yahoo.com		
REFERRER	http://www.dot.state.oh.us/projects/ClevelandUrbanCoreProjects/Innerbelt/Pages/default.aspx		
BROWSER	Mozilla/4.0 (compatible; MSIE 8.0; Windows NT 5.1; Trident/4.0; .NET CLR 1.0.3705; .NET CLR 1.1.4322; Media Center PC 4.0)		
COMMENTS	Re the Innner Belt FIASCO project, who in the he HELL do you people at the Ohio Dept of Tyranny think you are, shutting down our city (Cleveland) and public access to our downtown? Haven't you already done enough to CLOSE DOWN Cleveland? And you wonder "why" we, the people, who pay your $#@! salaries think ODOT is lower than whale shit? We have had it with millions of dollars in "contractor theft and bribes", business as usual with your contractors, and ODOT bureaucratic BS! I hope I make my self clear , so even you YOU can understand that we have had it with ODOT and ALL government agencies that think they can run roughshod over the people and taxpayers of Ohio? You p---s away BILLIONS of our tax dollars so we can have a "BRIDGE and HIGHWAY to NOWHERE!" Because, thanks to ODOT, we won't be able to get into downtown Cleveland to watch the Indians, Cavs, Browns or conduct business! And, by the time ODOT finishes, there wil be 2-3 times cost over-runs, won't there? What geniuses!		

Cleveland Innerbelt Plan Public Hearing
PUBLIC COMMENT FORM
April 21, 2009

CLEVELAND INNERBELT PLAN
OHIO DEPARTMENT OF TRANSPORTATION

Copies of today's presentation and this form will be available on the Project website.
Visit www.innerbelt.org and select the "Innerbelt Plan" logo.

1. *What are your comments regarding the Cleveland Innerbelt Plan as proposed?*

The bridge and on-ramp at Carnegie and Ontario, near the Fire Museum and the adjacent fire station, should be moved as far away from these properties as possible. Please make every effort to do this as this would be an improvement ~~[illegible]~~ maintaining the use and views of this historic site. (MY GOD IS IT CLOSE—TOO ~~close~~ CLOSE!)

If you need additional space, please use the back of this form.

2. *To help us document comments and forward future Project information, please provide:*

Name SCOTT CARPENTER
Address 10424 CLIFTON BLVD.
City CLEVELAND State OHIO Zip Code 44102
Telephone Number (216) 262-1723
Email Address carpenterdesign@mac.com

Complete this form and return to ODOT by 5 p.m. on May 21, 2009 for consideration in the Final Environmental Impact Study.

Mail or fax to:
Ohio Department of Transportation, District 12
ATTN: Craig Hebebrand
5500 Transportation Blvd.
Garfield Heights, OH 44116
Fax: 216-584-2279

Or complete this form on the Internet at:
www.innerbelt.org and select the
"Innerbelt Plan" logo.

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B 20

Jeffrey Champion
<championjeffrey @yahoo.com>
04/17/2009 12:18 PM

To craig.hebebrand@dot.state.oh.us
cc
bcc
Subject Downtown

Craig how do you get thru the city with your plan? I hope your there when the Indians play and a concert at the Jake and your on Prospect or Carnegie. Freeways will move but city traffic will be at a stand still. Time to rethink exits & entrance

Brad Chase
<bchase@cmnh.org>
04/27/2009 04:43 PM

To craig.hebebrand@dot.state.oh.us
cc
bcc
Subject Comments on Innerbelt Plan

April 27, 2009

Dear Mr. Hebebrand,

Please find my comments on the proposed Innerbelt Plan, specifically the bridge portion.

The Missouri Bicycle Federation has put together an extensive list of interstate bridges that accommodate bike traffic. These include:

I80 in San Francisco
I278 in New York City
I279 in Pittsburgh
I494 in Minneapolis
I95 in Washington, D.C.
I90 in Chicago
I5 and I205 in Portland, Oregon.

At least 27 interstate highway bridges have bike lanes. Why not Cleveland? I want this region to remain competitive, attract new businesses and residents, and respond to climate change and air quality concerns. I want Cleveland to be on this list, not only because it is important to the region's competitiveness and quality of life, but it is paramount to provide Greater Clevelanders with choices on how to travel. Accommodating bikes and pedestrians on highway and bridge projects is no longer an experimental idea. It is being done as a matter of course in other states.

Even Winston-Salem, NC has committed to building bike lanes on an I40 bridge. That region's comprehensive plan recognizes that federal law requires bicycles and pedestrians to be accommodated on all new or renovated bridge deck structures.

Additionally, the FHWA has released "Bicycling and Pedestrian Guidance" documentation that details what funding can be used, and how to incorporate bike lanes into interstate highway projects. Website: http://www.fhwa.dot.gov/environment/bikeped/bp-guid.htm

If Pittsburgh, Minneapolis and Winston-Salem are incorporating bike lanes, and the Federal government is doing much of the leg work on how to build and fund bike lanes, why isn't ODOT doing this as standard policy in 2009?

I ask that ODOT:

1) Build transportation infrastructure that serves the needs of the community for the next 50 years by including bicycling and pedestrian accommodations on the Innerbelt Bridge AND
2) Follow federal law requiring bike lanes on new bridge projects.

Thanks,
Brad Chase

4-21-09

Dear Mr. Hebebrand

why not build the new bridge above the existing bridge, as in the area where Rt 176 divides heading into cleveland and I-90 to Toledo. I would think this would save money, time, and existing Cleveland businesses.

Dominic J. Chillemi
Rocky River

Cleveland Innerbelt Plan Public Hearing
PUBLIC COMMENT FORM
April 21, 2009

CLEVELAND INNERBELT PLAN
OHIO DEPARTMENT OF TRANSPORTATION

Copies of today's presentation and this form will be available on the Project website.
Visit www.innerbelt.org and select the "Innerbelt Plan" logo.

1. *What are your comments regarding the Cleveland Innerbelt Plan as proposed?*

Side walls barriers replace by up to 6' high, built on steel rails instead of concrete walls. The walls, which I had notice all over the area, are crumbling unto traffic, driving under bridges and/or bypasses. This condition could be a hazard to drivers - and the replacing could be money saving and long lasting and easy to replace.

If you need additional space, please use the back of this form.

2. *To help us document comments and forward future Project information, please provide:*

Name Moses Cintron
Address 3636 Erin Avenue
City Cleveland State Ohio Zip Code 44113-4902
Telephone Number 216-544-3096
Email Address

Complete this form and return to ODOT by 5 p.m. on May 21, 2009 for consideration in the Final Environmental Impact Study.

Mail or fax to:
Ohio Department of Transportation, District 12
ATTN: Craig Hebebrand
5500 Transportation Blvd.
Garfield Heights, OH 44116
Fax: 216-584-2279

Or complete this form on the Internet at:
www.innerbelt.org and select the
"Innerbelt Plan" logo.

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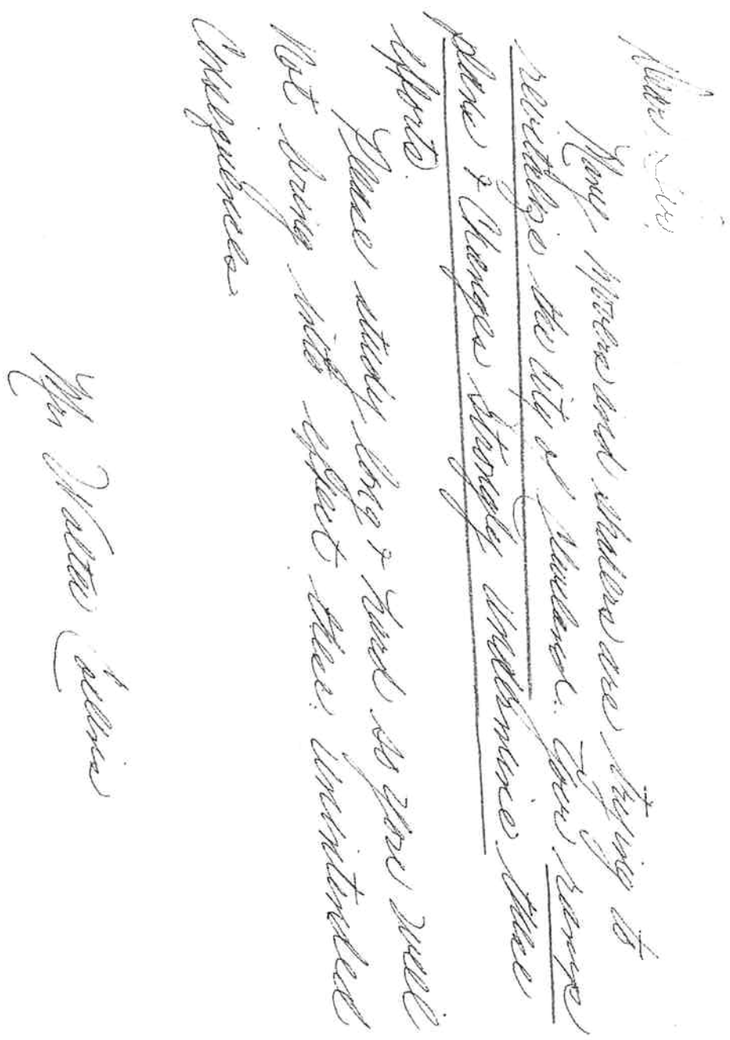

You can't stop a speeding ODOT

An agency blind to anything but pavement is about to run over downtown

THOMAS BIER

The feds have given their OK to the environmental impact of the Ohio Department of Transportation's planned reconstruction of the Inner Belt. The appalling attack on Cleveland's downtown and the businesses and institutions in the Midtown Corridor out to and including University Circle continues.

Principal items in this debacle involve closing the ramps at Prospect Avenue, closing the Carnegie Avenue ramp (you'll exit at East 22nd Street instead), and closing the Interstate 77 exit at East Ninth Street (you'll exit at East 30th Street/Woodland Avenue instead).

That's all. ODOT's position from Day One has been "no problem" — as if those major changes would have no negative impact on city streets.

Over the past six years, there have been numerous ODOT presentations to the public and opportunities for affected parties to comment. Other than the Jackson administration (but not Cleveland City Council), I can't recall a single person speaking in favor of the ODOT plan. Business leaders, representatives of our medical institutions, the Cleveland Indians (boy, will Gateway be affected) have all said, essentially, "This is crazy. How can this be?"

It can be because ODOT says it will be.

ODOT's position is that too many accidents occur on the Inner Belt as traffic weaves in and out. But before ODOT came along with its plan, was there an outcry from any corner (hospital emergency rooms, City Hall, auto insurance companies, the public) that something had to be done about the unsafe Inner Belt? I don't think so.

It is apparent that highway traffic engineering is what rules ODOT, not thoughtful engagement among the engineers and the parties who would be affected by what the engineers have in mind. What matters is the highway, period.

That is evident in ODOT's Project Development Process, the 14 steps ODOT goes through in planning and implementing a major project such as the Inner Belt construction. In that process, "identifying impacts to the local street system as a result of proposed [ramp] changes" hardly qualifies as an afterthought. That critical step is positioned in the fine print of Step 6.

The engineers knew long before Step 6 what they wanted to do with the Inner Belt and had all kinds of technical analyses to back them up. The affected parties had only their knowledge of how traffic actually moves and their sense of how it would be affected by the ramp changes — which, in the face of ODOT's technicality, meant nothing.

The public meetings and associated discussions were essentially sham events. Political correctness required them. (It must have been excruciating for the engineers to sit through them.)

The ODOT mentality brings to mind Wall Street. The Wall Street wizards created ways — very technical, very analytical — of distributing and obviating investment risk to the point where it simply disappeared (until the cards collapsed).

Now the ODOT wizards have their very technical, very analytical studies of traffic on and near the Inner Belt, which they use to obviate risk and counter those who say, "What you want to do may very well cause major damage to downtown and the economic heart of the city." Response: It can't happen.

ODOT is an empire that simply does what it wants to do. (I wonder if it even takes orders from the governor.) As Cleveland and other Ohio cities struggle against immense odds to have a viable future, that kind of ODOT simply worsens the odds.

On Tuesday, April 21, the final event for commenting on the plan will be held. Don't bother, folks; it's all a sham. You'd be better off going to the Indians game. They're playing Kansas City.

Bier is an executive-in-residence at the Levin College of Urban Affairs, Cleveland State University.

PUBLIC COMMENT

Let your voice be heard

What: A public hearing to discuss the Inner Belt Project's draft environmental impact statement.
Where: Annunciation Greek Orthodox Church, 2187 West 14th St., Cleveland.
When: 4 to 8 p.m. Tuesday, April 21.
Details: Comments at the meeting and those submitted to the Ohio Department of Transportation by Thursday, May 21, will be considered in a final environmental statement. They may be sent to Craig Hebebrand at the Ohio Department of Transportation District 12, 5500 Transportation Blvd., Garfield Heights, OH 44125. The draft environment statement is posted at www.innerbelt.org.

— Karen Farkas

INSIDE: The National Surface Transportation Infrastructure Financing Commission was charged by Congress to break the gridlock on paying for roads. **66**

COMMISSIONERS
Jimmy Dimora
Timothy F. Hagan
Peter Lawson Jones

April 21, 2009

Ohio Department of Transportation
District 12
5500 Transportation Blvd.
Garfield Heights, OH 44125

Re: Cleveland Innerbelt Bridge

On behalf of the Cuyahoga County Board of Commissioners, Tim Hagan, Jimmy Dimora and Peter Lawson Jones, I would like to express the county's unequivocal support for the Northern Alignment Plan proposed by the Ohio Department of Transportation and supported by the leadership of the City of Cleveland.

Much time and consideration has been given to the proposed northern alignment and it is believed that this is the most prudent, efficacious approach to maintaining stability and economic vitality in downtown Cleveland as well as keeping all sides of the city and county connected and the traffic freely flowing.

Sincerely,

James Corrigan
Government Relations Officer
Cuyahoga County

Office of Health and Human Services, 1219 Ontario Street,Room 424, Cleveland, Ohio 44113
(216) 443-7032, Fax (216) 443-5884, Ohio Relay Service 711

106

77510 B 24

Kevin Cronin <kevin.cronin.ohio@gmail.com>
04/06/2009 06:12 PM

To "craig.hebebrand" <craig.hebebrand@dot.state.oh.us>
cc
bcc
Subject ClevelandBikes Comments on the Stimulus Projects

Mr: Director: Attached is a letter sent on the ODOT stimulus projects, supplemented by our analysis of the deficiencies of last year's Innerbelt proposals, which was sent earlier to Governor Strickland and ODOT. I am resending it to you so that it may be included in the formal public comments to the Innerbelt plan for stimulus funds. In the event you have questions or comments, please do not hesitate to cntact me.
Thanks.

Kevin Cronin
ClevelandBikes : When ClevelandBikes, Cleveland Benefits!
www.clevelandbikes.org

Kevin Cronin, Attorney at Law
The Brown Hoist Building
4403 Saint Clair Avenue
Cleveland, Ohio 44103-1125

Ph: 216.377.0615 or 216.374.7578
Fx: 216.881.3928

Stimulus Needs to Inclue Cycling Followup (Strickland, 4 09).doc

Kevin Cronin, *Attorney at Law*
The Brown Hoist Building
4403 Saint Clair Avenue
Cleveland, Ohio 44103-1125
Phone: 216.377.0615

The Honorable Ted Strickland
Governor of the State of Ohio
Columbus, Ohio

April 1, 2009

Dear Honorable Governor:

You deserve tremendous credit for the announcements regarding economic stimulus, transportation priorities and investment in Northeast Ohio. The Northeast Ohio projects, the Innerbelt and planning for the Opportunity Corridor, are critical priorities and the cycling community has been pleased to have been productively engaged with the Ohio Department of Transportation on these projects for years. While we appreciate the progress, we also not that important details are yet unknown, including issues of cyclist and pedestrian access to bridges and other improvements to advance cycling and walking to provide Ohioans with healthy transportation options.

The cycling community was pleased to assist in passage of the stimulus plan, encouraging support for cycling and pedestrian infrastructure to rebuild neighborhoods, promote cycling to reduce health care costs, increase employment productivity and business success. Investing in cycling and pedestrian transportation infrastructure has a strong stimulative impact and offers a "big bang for the buck" for modest public investment. While the ODOT "Opportunity Corridor" funding supports planning, which will present additional opportunities to address cycling and pedestrian access in a meaningful way, the Innerbelt Project and the bridge are presented as "shovel ready," without adequate details. The absence of clear direction on the role for cycling and pedestrian access demonstrates that, contrary to a variety of federal directives, the project is not in a correct, final form, and even further from the "shovel-ready" status called for by the innovative federal plan of the President and Congress

As notes in prior communications, the financial value of improved mobility, measured by fuel savings, greenhouse gas reductions, and business and individual health care savings, ranges between $10-65 billion, outstripping any public spending costs in creating a bicycling and walking transportation infrastructure. Modest increases in bicycling and walking could lead to an annual reduction of 70 billion miles of car travel, with higher increases cutting as much as 200 billion miles per year. The decreased auto travel represent savings for Ohio businesses and individuals, equal to cutting oil dependence and greenhouse gas emissions from passenger vehicles by 3-8%.

Cycling is not a "fringe" activity, but an important transportation option. 20% of Americans used a bicycle for transportation in the 30 days measured in the Census Bureau Household Survey. Bicycling is the second most preferred form of transportation after the automobile, ahead of public transportation (Bureau of Transportation Statistics, October 2000 Omnibus Household Survey). Cyclists have always cared about good roads and effective transportation, initiating the "good roads" movement in the 19th century, before there were cars, calling for quality roads to serve the economy and population of a growing nation. Cyclists are ready, again, to help support the 21st century needs of our neighborhoods. However, the level of detail to incorporate cycling and pedestrian roles are both disappointing and, contrary to the requirements that should have guided ODOT progress. Investing in active transportation is a fiscally responsible step to recreate thriving neighborhoods, fully consistent with the needs of Northeast Ohio and the federal stimulus goals.

The cycling community is prepared to engage in steps to correct the gaps and assist in shaping the infrastructure projects to reflect local needs. I have attached a response, previously filed with the Ohio Department of Transportation, reflecting the deficiencies of the Innerbelt Bridge plans, for your reference. If you have questions, comments or need additional information, please do not hesitate to contact me.

Sincerely,

Kevin Cronin

ClevelandBikes, a volunteer administered 501(C)(3) charitable organization, is committed to advancing all forms of bicycling for health, transportation and recreation for the region's residents.

I recently had the opportunity to review a July memo from Howard Wood, Deputy Director of Planning, to Craig Hebebrand, Innerbelt Project Manager, outlining their basis for declining to incorporate bicycle and pedestrian accommodation into the Innerbelt Bridge Project. I believe several of the points to be inaccurate and warrant comment.

As you may know, ClevelandBikes is a 501(c)(3) organization founded in 2003, to advance and promote all forms of bicycling as economical and healthful recreation, sport and transportation. ClevelandBikes is a broad, volunteer-driven coalition. Members include cycling clubs, retail stores, certified instructors, government and nonprofit staff and interested members of the public. ClevelandBikes volunteers also publish *Crankmail*, the thousand-copy monthly cycling newsletter, which serves as the "The Voice of Cyclists in Northeast Ohio.

The Woods Memo essentially raises two points:

- Cyclists and pedestrians have alternative routes, namely the Detroit-Superior Bridge, the Lorain-Carnegie Bridge and the West 3rd St./Flats roadway; and
- Low cycling and pedestrian demand does not warrant the additional investment. While the memo does not identify the research supporting the conclusory statements, the memo does reference inclement weather for 25% of the year as a rationale.

2

With regard to point one, the Woods memo exaggerates the value and suitability of the alternatives.

The Flats roadway is an unsafe route, with a very high volume of trucks, often broken pavement, poor lighting and, in winter, very limited visibility and limited non-road options for pedestrians. I consider it contradictory that the Woods Memo asks cyclists and pedestrians to share the road in the flats and on the bridges, despite the trucks and traffic, while resisting the creation of a separate, barrier-marked pedestrian and cycling area for the Innerbelt Bridge.

The City deserves tremendous credit for the plan and execution of efforts to create a more "bike friendly" environment on the Lorain-Carnegie and Detroit-Superior Bridges. However, even the staunchest advocates will recognize these plans were laudable retro-fit plans. By contrast, a well-designed cycling and pedestrian opportunity on a new signature bridge would generate substantial enthusiasm and use. The Innerbelt Bridge Project represents an extraordinary opportunity to get things right, right from the start. This is an opportunity that should not exclude pedestrians and cyclists.

The availability of alternatives hasn't prevented cyclist and pedestrian accommodation in other cities. While I understand there are 15-20 highway bridges with cycling and pedestrian access, I would particularly point out cycling access on the 495/I-95 bridges in the Washington, DC area, despite multiple cycling and pedestrian routes on other bridges into the District of Columbia.

With regard to point two, bicycle and pedestrian accommodation on the Innerbelt Bridge would stand up to cost-benefit analysis, but ODOT should be open about the basis of their rationale.

- During the summer public sessions, ODOT posted cost ranges it considered to be acceptable for all bridge options, yet successful cyclist and pedestrian accommodation has already been acknowledged to be well below these acceptable cost ranges.

- Inclimate weather is an unavoidable issue and an inadequate reason for asking pedestrians and cyclists to accept one outdoor route over another.

- I also considered it unusual that the Woods Memo would proceed to design features for any cycling and pedestrian accommodation, concluding that some sort of cage structure would be needed to keep pedestrians and cyclists safe. I am unwilling to agree that such a feature is required from a safety standpoint. Further, I think a "cage" solution would be unsuccessful from a design standpoint and one I wouldn't recommend. Further still, I believe a cage would be aesthetically contradictory, given the repeated emphasis on design and the goal of creating a "signature" bridge. However, if ODOT conducts adequate review and proposes a "cage" as its best solution, I would encourage a public review and opportunity to weigh-in, similar to the design and aesthetics reviews for bridge options held during the summer.

In conclusion, if a bridge is to be a "signature" element, it should be enjoyed by everyone, including pedestrians and cyclists, not just those driving out of town on this structure for westbound traffic. Pedestrians and cyclists, more likely to be residents than the highway through traffic, deserve to be able to enjoy the facility too.

When ClevelandBikes, Cleveland *Benefits!*

Protect

ODOT Fails to ~~Address~~ The Health and Safety of Cyclists, and Denies Pedestrian and Cyclist Access to the Bridge, Contrary to Federal Transportation Regulations.

The cycling community was pleased to assist in passage of the stimulus plan, as cycling and pedestrian infrastructure can rebuild our economy and our neighborhoods. The cycling community has done its part, but ODOT did not meet its obligations. Federal law and regulations, 23 U.S.C. 134 and 49 U.S.C. 5303 (a), 23 CFR 450.300, acknowledges the desire to increase cycling and walking:

> sets forth the national policy that the MPO designated for each urbanized area is to carry out a continuing, cooperative, and comprehensive multimodal transportation planning process ... to serve the needs of people and freight (including accessible pedestrian walkways and bicycle transportation facilities) and foster economic growth and development, while minimizing transportation-related fuel consumption and air pollution.

ODOT fails to meet their responsibilities to cyclists and pedestrians and are far from the "shovel-ready" status called for by the innovative federal plan of the President and Congress.

4

23 CFR 652.5 establishes that "[t]he safe accommodation of pedestrians and bicyclists should be given full consideration during the development of Federal-aid highway projects, and during the construction of such projects." (g) (1) "Bicycle transportation facilities and pedestrian walkways shall be considered, where appropriate, in conjunction with all new construction and reconstruction of transportation facilities, except where bicycle and pedestrian use are not permitted .... (2) Transportation plans and projects shall provide due consideration for safety and contiguous routes for bicyclists and pedestrians."

Threatening Cyclist Safety on Approved Bike Lanes:
By closing highway exits in the manner they have done, the ODOT proposal will increase street congestion, the level of harmful pollutants and provide less safety for cyclists, including areas where cyclists are encouraged to ride, under the county approved bike plan. If the ODOT plan is approved, it will put more cars and trucks on streets like the approved bikeway of Superior, as well as the highway feeder streets of E. 24th, E. 30th and E. 55th St., raising a number of concerns for cyclist and pedestrian safety.

1

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Some of the risks:

- ***More and heavier trucks,*** with their longer stopping distances;
- ***Harmful diesel fuel emissions*** shift health burdens to cyclists and pedestrians on or along the road;
- Fewer highway access and exit will create ***longer and more frequent idling*** at the exits and along feeder streets, decreasing air quality for cyclists and pedestrians on or along the road; and
- ***Reducing the area bike plan's already limited routes north and south in the central city***, as congestion worsens.

Denying Bridge Access to Cyclists and Pedestrians:
Pedestrian and cyclist access to the bridge represents an important economic and commercial concern for Cleveland and its residents. **23 USC § 217 (e)** establishes: "In any case where a highway bridge deck being replaced or rehabilitated with Federal financial participation is located on a highway on which bicycles are permitted to operate at each end of such bridge, and the Secretary determines that the safe accommodation of bicycles can be provided at reasonable cost as part of such replacement or rehabilitation, then such bridge shall be so replaced or rehabilitated as to provide such safe accommodations."

2

By contrast, ODOT says bicycle and pedestrian accommodation on the bridge is unnecessary as cyclists and pedestrians have alternative routes and low cycling and pedestrian demand, particularly due to NE Ohio weather, does not warrant the investment. ***ODOT exaggerates the value and suitability of the alternatives:***

- ***The Flats roadway is an unsafe route***, with a very high volume of trucks, broken pavement, poor lighting and, in winter, very limited visibility and limited non-road options for pedestrians.
- ***The Lorain-Carnegie and Detroit-Superior Bridges accommodations were laudable retro-fit plans, but a well-designed cycling and pedestrian opportunity on a new Innerbelt Bridge Project represents an extraordinary opportunity to get things right, right from the start.***
- ***The availability of alternatives hasn't prevented cyclist and pedestrian accommodation in other cities.*** There are 15-20 highway bridges with cycling and pedestrian access.
- ***Bicycle and pedestrian accommodation on the Innerbelt Bridge would stand up to cost-benefit analysis.*** Last summer, ODOT posted cost ranges it considered to be acceptable for all bridge options, yet successful cyclist and pedestrian accommodation has already been acknowledged to be well below these acceptable cost ranges.

Cycling Provides a Big Bang for a Comparatively Low Level Of Investment: The financial value of improved mobility, measured by fuel savings, greenhouse gas reductions, and business and individual health care savings, ranges between $10-65 billion, outstripping any public spending costs in creating a bicycling and walking transportation infrastructure. Modest increases in bicycling and walking could lead to an annual reduction of 70 billion miles of car travel, with higher increases cutting as much as 200 billion miles per year. The decreased auto travel represent savings for Ohio businesses and individuals, equal to cutting oil dependence and greenhouse gas emissions from passenger vehicles by 3-8%.

Section 102(2)(D) of NEPA requires the responsible agency to "study, develop, and describe appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources."

The review of the impact and opportunity to advance cycling and pedestrian interests is hardly "rigorous" and often not even present. ODOT has not conducted an "exploration and an objective evaluation of the environmental impacts of all reasonable alternative actions, particularly those that might enhance environmental quality or avoid some or all of the adverse environmental effects."

Investing in active transportation is a fiscally responsible step to recreate thriving neighborhoods, fully consistent with the needs of Northeast Ohio and the federal stimulus goals. The cycling community is prepared to engage in steps to correct the gaps and assist in shaping the infrastructure projects to reflect local needs. However, as it presently stands, the ODOT plan is not "shovel ready."

Kevin Cronin, Attorney at Law (volunteer with Cleveland Bikes)
The Brown Hoist Building
4403 Saint Clair Avenue
Cleveland, Ohio 44103-1125

Ph: 216.377.0615 or 216.374.7578
Email: kevin.cronin.ohio@gmail.com

Cleveland Bikes
Cleveland Bikes
501c3 not for profit organization committed to advancing all forms of cycling as healthy recreation, sport and transportation

3

B 28

Cleveland Innerbelt Plan Public Hearing
PUBLIC COMMENT FORM
April 21, 2009

CLEVELAND INNERBELT PLAN

Copies of today's presentation and this form will be available on the Project website.
Visit www.innerbelt.org and select the "Innerbelt Plan" logo.

1. *What are your comments regarding the Cleveland Innerbelt Plan as proposed?*

I support the Cleveland Innerbelt Plan as proposed after carefully considering all of the plans. I believe that it is the best design for the safe and efficient movement of traffic. I agree with the elimination of a few ramps to prevent the excessive weaving of traffic, and the plan does provide some kind of access to and from all of the streets that need it. This plan reflects what the driving public expects from modern highway design.

If you need additional space, please use the back of this form.

2. *To help us document comments and forward future Project information, please provide:*

Name DAVID H. DAAMS
Address 4621 E. 131st ST., #106
City GARFIELD HEIGHTS State OHIO Zip Code 44105-7128
Telephone Number 216-663-2375 until 2:00 PM
Email Address

Complete this form and return to ODOT by 5 p.m. on May 21, 2009 for consideration in the Final Environmental Impact Study.

Mail or fax to:
Ohio Department of Transportation, District 12
ATTN: Craig Hebebrand
5500 Transportation Blvd.
Garfield Heights, OH 44116
Fax: 216-584-2279

Or complete this form on the Internet at:
www.innerbelt.org and select the "Innerbelt Plan" logo.

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SPWebmaster @dot.state.oh.us
04/21/2009 07:06 PM

To Craig.Hebebrand@dot.state.oh.us
cc
bcc
Subject Innerbelt Plan Public Comment Form

Comments: Why not make a 2 level bridge, the upper level as a bypass over downtown and would funnel travic that just needs to travel from east to west side, or visa versa, without needing access to downtown exits. This would alleviate a lot of innerbelt congestion. We have a 271 bypass for the same reason & it does help.

Name:: Wendy Dalton

Street: 5828 Clearview Drive

City: Parma Hts

State: Ohio

Zip Code: 44130

Email:: wdrnc@cox.net

Lora DiFranco <lora.difranco @gmail.com>
04/21/2009 04:52 PM

To craig.hebebrand@dot.state.oh.us
cc
bcc
Subject interbelt bridge - sustainability

Hi Craig,

I use the Interbelt Bridge almost every day and I think the new one should include more downtown exits and bike lanes. This would reduce traffic and encourage sustainable transportation choices. 1 2

Lora DiFranco

SPWebmaster@dot.state.oh.us
04/21/2009 09:04 AM

To Craig.Hebebrand@dot.state.oh.us
cc
bcc
Subject Innerbelt Plan Public Comment Form

Comments: Closing the Carnegie and Prospect ramps will be detrimental to Midtown Cleveland. We have many clients come to the Kidney Foundation of Ohio office and closing the ramps will detour them from coming to our office and getting the help they need. If a clear cut route is not easy for them to access, many people will not come downtown.

Name:: Kelly Dowling

Street: 2831 Prospect Avenue

City: Cleveland

State: Ohio

Zip Code: 44115

Email:: kdowling@kfohio.org

Cleveland Innerbelt Plan Public Hearing
PUBLIC COMMENT FORM
April 21, 2009

CLEVELAND INNERBELT PLAN

Copies of today's presentation and this form will be available on the Project website.
Visit www.innerbelt.org and select the "Innerbelt Plan" logo.

1. *What are your comments regarding the Cleveland Innerbelt Plan as proposed?*

1) I prefer the Southern Alternative 1
2) The Opportunity Corridor Project should be built first. 2
Economically, you cannot start a 15 year Artery project
And ~~cut~~ cut off access to University Circle / Clinic Area
3) Please Refer to WWW. GCBL, ORG and the issue
Regarding the Addition of a bike lane. It makes sense 3
4) There needs to be more emphisis on a wholistic Transportation
System (Road, Rail, bike, bus, Feet). We need to plan for 4
future Transportation demand not Todays.

If you need additional space, please use the back of this form.

2. *To help us document comments and forward future Project information, please provide:*

Name Jon Eckerle
Address 11850 Edgewater #308
City Cleveland State OH Zip Code 44107
Telephone Number 440-381-1944
Email Address JEckerle@GMail.Com

Complete this form and return to ODOT by 5 p.m. on May 21, 2009 for consideration in the Final Environmental Impact Study.

Mail or fax to:
Ohio Department of Transportation, District 12
ATTN: Craig Hebebrand
5500 Transportation Blvd.
Garfield Heights, OH 44116
Fax: 216-584-2279

Or complete this form on the Internet at:
www.innerbelt.org and select the "Innerbelt Plan" logo.

B 30

77510

Craig Hebebrand /Production /D12/O DOT
04/29/2009 07:27 AM

To "James Fazzino" <jfazzino@maingatecleveland.org>
cc
bcc
Subject RE: Broadway/I-490 Ramp Closings

Dear Mr. Fazzino,

The direct connection between EB Orange and EB Woodland has been eliminated and drivers will be required to turn left onto East 30th St and then right on to Woodland. Similarly the direct connection from WB Woodland to WB Orange has also been eliminated and drivers will be required to turn left onto East 22nd St and then right on to Orange.

The first change is done to allow for improvements in the operation of the exit ramp from NB I-77 to Woodland Ave. Under the existing conditions, drivers exiting on this ramp must first stop at the crossover (EB Orange to EB Woodland) and then yield to traffic on WB Woodland before reaching the signalized intersection at East 30th St. Under the proposed conditions, drivers exiting on this ramp would enter Woodland (EB or WB) via a single signalized intersection.

The second change is done to allow improvements in the operation of the exit ramp from NB I-77 to East 9th St. Under the existing conditions, drivers exiting on this ramp are directed to SB East 14th St and then must turn right on to WB Orange and then right again to reach NB East 9th St. Under the proposed conditions, drivers existing on this ramp would exit immediately after the Woodland exit (discussed above). This new ramp would then cross under I-77 through the existing underpass and would become WB Orange (at East 22nd St). Drivers would then have the option to turn right on to East 22nd St, East 14th St or East 9th St or staying on Orange, which becomes Broadway (at East 9th St), which becomes Ontario (at Carnegie Ave).

If you have any further questions, please do not hesitate to ask.

Respectfully,

Craig K. Hebebrand, P.E.

Ohio Department of Transportation, District 12
5500 Transportation Boulevard, Garfield Heights, Ohio 44125

Telephone: (216) 584-2113; Facsimile: (216) 584-3508

E-Mail: craig.hebebrand@dot.state.oh.us

"James Fazzino" <jfazzino@maingatecleveland.org>

"James Fazzino " <jfazzino @maingateclevela nd.org>
04/28/2009 04:50 PM

To <Craig.Hebebrand@dot.state.oh.us>
cc
Subject RE: Broadway/I-490 Ramp Closings

Mr. Hebebrand,

"James Fazzino " <jfazzino @maingatecleveland .org>
04/28/2009 04:50 PM

To <Craig.Hebebrand@dot.state.oh.us>
cc
bcc
Subject RE: Broadway/I-490 Ramp Closings

Mr. Hebebrand,

Upon looking at the slides (6-7 of 51) that you suggested I have another question. It looks as though with this plan, the Eastbound underpass/access road from EB Orange to EB Woodland has been eliminated. It looks as though EB Orange will become dedicated to SB I-77 after East 30th St. If this is the case, how will traffic move from EB Orange to Woodland Ave.? Will all drivers be required to turn left at E. 30th and then right onto Woodland? If this is so, why has this underpass been eliminated and what benefit will it have for drivers to make two additional turns to be on Woodland Ave.? Please respond at your convenience.

James V. Fazzino
Jfazzino@maingatecleveland.org
Maingate Business Development Corporation
3800 Orange Avenue, Cleveland, Ohio 44115
Phone: 216-881-7111 / Fax: 216-432-3763
www.maingatecleveland.org

From: Craig.Hebebrand@dot.state.oh.us [mailto:Craig.Hebebrand@dot.state.oh.us]
Sent: Tuesday, April 28, 2009 3:27 PM
To: James Fazzino
Subject: RE: Broadway/I-490 Ramp Closings

Mr. Fazzino,

There are no plans to close either the I-490 entrance from or exit to Broadway.

The entrance ramp from Broadway to I-77 southbound (located south of I-490) will be replaced with the one-way frontage road and drivers will be directed down the frontage road to the Pershing entrance ramp to I-77 southbound.

The entrance ramp from Broadway to I-77 southbound (located south of I-90) will be closed and drivers will be directed down Orange Ave to the E 30th St entrance ramp to I-77 southbound.

The exit ramp from I-90 eastbound to Broadway will be relocate to southbound East 9th St.

It is possible that you may have misheard the reference to one of these ramp or it is also possible that I may have misstated something. I have not yet received the transcript from the public hearing, but I will review for an misstatements that might have been made.

If you have further questions, please do not hesitate to ask.

Respectfully,

Craig K. Hebebrand, P.E.

Ohio Department of Transportation, District 12
5500 Transportation Boulevard, Garfield Heights, Ohio 44125

Telephone: (216) 584-2113; Facsimile: (216) 584-3508

E-Mail: craig.hebebrand@dot.state.oh.us

"James Fazzino" <jfazzino@maingatecleveland.org>

04/28/2009 03:11 PM

To <Craig.Hebebrand@dot.state.oh.us>
cc
Subject RE: Broadway/I-490 Ramp Closings

Mr. Hebebrand,

ODOT has no plans to close these two ramps, even apart from the Innerbelt plan? At the meeting on April 21, 2009, the closure was mentioned. Please clarify.

Thank you,

James V. Fazzino
Jfazzino@maingatecleveland.org
Maingate Business Development Corporation
3800 Orange Avenue, Cleveland, Ohio 44115
Phone: 216-881-7111 / Fax: 216-432-3763
www.maingatecleveland.org

From: Craig.Hebebrand@dot.state.oh.us [mailto:Craig.Hebebrand@dot.state.oh.us]
Sent: Tuesday, April 28, 2009 3:01 PM
To: James Fazzino
Subject: Re: Broadway/I-490 Ramp Closings

Dear Mr. Fazzino,

The Cleveland Innerbelt Project does not close either of two ramps in question (I-490 eastbound exit to Broadway and Broadway entrance to I-490 westbound).

For general information on the Cleveland Innerbelt Project, use the following link:

http://www.dot.state.oh.us/projects/ClevelandUrbanCoreProjects/Innerbelt/Pages/default.aspx

For information on the Draft Environmental Impact Statement, use the following link:

http://www.dot.state.oh.us/projects/ClevelandUrbanCoreProjects/Innerbelt/Pages/DraftEnvoronmentalImpactStatement.aspx

For a graphic showing the proposed improvements in the vicinity of the I-77/I-490 interchange, use the following link (see sheet 6 of 51):

http://www.dot.state.oh.us/projects/ClevelandUrbanCoreProjects/Innerbelt/DEIS/Exhibit%20A.pdf

If you have any additional questions, please do not hesitate to ask.

Respectfully,

Craig K. Hebebrand, P.E.

Ohio Department of Transportation, District 12
5500 Transportation Boulevard, Garfield Heights, Ohio 44125

Telephone: (216) 584-2113; Facsimile: (216) 584-3508

E-Mail: craig.hebebrand@dot.state.oh.us

"James Fazzino" <jfazzino@maingateCleveland.org>

04/28/2009 02:39 PM

To <craig.hebebrand@dot.state.oh.us>
cc
Subject Broadway/I-490 Ramp Closings

I am writing on behalf of the Maingate Business Development Corporation, which encompasses a five square mile region southeast of downtown Cleveland including the Eastbound exit ramp from I-490 to Broadway Avenue and the Westbound entrance ramp to I-490 from Broadway Avenue. We here at Maingate and many of our members and businesses located in this area are concerned with the closure of the aforementioned access points to and from I-490. Please provide me with details of this part of the innerbelt plan (timeline, purpose, need, etc.) or please direct me to where I can find this information for review. It is nearly impossible to find anything related to these closures on ODOT's website or in the updated innerbelt plan. 2

Thank you,

James V. Fazzino
Jfazzino@maingatecleveland.org
Maingate Business Development Corporation
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"Folk, Jim"
<JFOLK@indians.com>
04/21/2009 03:46 PM

To <Jocelynn.Clemings@dot.state.oh.us>
cc <Craig.Hebebrand@dot.state.oh.us>
bcc
Subject Tonight's Meeting

Jocelynn,
With threatening weather for tonight's game, it is doubtful that I will be able to make the Public Meeting this evening.
While I still hold some reservations about the Carnegie Avenue exit in the Trench, I am supportive of the balance of ODOT's proposals as I have seen and understand them. I think that ODOT has done a very solid job in addressing nearly all of the numerous issues, and particularly the plans for the replacement Bridge. I look forward to seeing the "signature" design elements. 1 2 3
Thanks,
Jim

Jim Folk
Vice President of Ballpark Operations
CLEVELAND INDIANS
2401 Ontario
Cleveland, OH 44115-4003
216-420-4566
216-420-4567 (fax)
jfolk@indians.com

SPWebmaster @dot.state.oh.us
05/20/2009 02:41 PM

To Craig.Hebebrand@dot.state.oh.us
cc
bcc
Subject Innerbelt Plan Public Comment Form

Comments: Craig, The Innerbelt Plan as proposed may accomplish many of the traffic safety and interstate congestion reduction benefits targeted; however, it is unfortunate that this near $2 billion investment appears to offer little to actually improve Cleveland as anything other than the sum of its roadway infrastructure. The Draft Environmental Impact Statement speaks only briefly of Land Use and Development Impacts as if having no or only minor negative impacts are somehow adequate validation for construction of the project as conceived. Potential major positive opportunities were evidently not a part of the study scope and may not have been adequately foreseen by Cleveland's Comprehensive Plan and as such are not documented. The following three general questions are for your consideration: Assuming the northern alignment of the new WB Central Viaduct is the right alternative, why not relocate EB I-90 to this alignment as well? The current approach seems to consume a lot of land with a substantial zone of ground in Tremont and in the flats between the bridges with limited potential. This negates potential positive aspects of the realignment. (Also I am not sure why we would not build one new bridge and have it over with – a single new alignment would support this possibility or allow for phasing foundation or other construction for a future second span which could then be built "off-line" for MOT considerations.) Secondly, with reference to Figure 4-12, could the East Shoreway be downgraded from limited access to allow for at-grade signalized intersections, eliminating the need for extensive ramps, numerous bridges, frontage roads,and the additional right of way required to soften the Innerbelt Curve? Maintaining this short high speed highway form I-90 to the Rock and Roll Hall of Fame seems unnecessary, particularly in light of the Lakefront West project. Converting the entire Shoreway to an urban boulevard (without grade separated intersections, pedestrian tunnels, etc.) would seem to offer significant opportunities for redeveloping and reconnecting Cleveland's lakefront by eliminating roadways as obstacles and eliminating the need for redundant marginal roads and other excess infrastructure. Does further discussion of relocating the Port support this opportunity? I am not sure why this may not have been included in the original Innerbelt project planning. Lastly, again with reference to Figure 4-12, the Central Interchange already imposes a big footprint and the proposed project appears to increase this footprint. The proposed changes appear focused on adjusting the existing geometrics rather than contemplating a better solution. As the northern alignment already forces construction with retaining walls, could the Interchange incorporate single point interchanges or a continuation of the Trench to the Cuyahoga River to truly reduce the impacts of the project? At a minimum, could ramp alignments be critically reviewed to ensure that they closely align with the mainline, avoid loops, avoid excessive length, or are configured to meet local street intersections wherever possible? While a northern bridge alignment may have merits a more southern interchange alignment also seems beneficial from a Land Use standpoint in respect to the Gateway investments. A hybrid "Option A-B" could generate broader support, but would require bolder and more creative thinking for the Interchange than simply enlarging the loops. Not only would a reduced footprint reduce right of way and other project impacts, it may reduce construction and maintenance costs as well while again presenting opportunities for redevelopment. More specifically: Exhibit A, Sheets B and C – Consolidating the EB and WB alignments would seem to free up significant amounts of space, lessening the project impact, and actually creating redevelopment opportunities throughout Tremont and the flats. Exhibit A, Sheet B – A straight WB exit ramp to Fairfield in lieu of the loop ramp with a local road connection back to Abbey would significantly reduce the impact to this area. Exhibit A, Sheet C – An approach to the realignment of Commercial Road that eliminates the need to maintain the "dogbone" remnant of the existing road with 2 cul de sacs should be pursued to reduce the impacts to this area. The depicted configuration has much unusable land and excess public infrastructure which might be avoided by negotiating access easements or otherwise preserving access to parcels fronting old Commercial Road. Exhibit A, Sheet C – Is there an alignment that would avoid crossing the EB I90 to E 9th Street exit loop with the WB I90 to SBI77 exit? This seems like a lot of infrastructure. Exhibit A, Sheet C – Is there a design alternative that would avoid the EB I90 exiting loop ramps? Could both E 9th Street and Ontario Street be served from a single loop exiting from I90? Exhibit A, Sheet C – Is there an alignment of NB I-77 to EB I-90 that would avoid impacts to the institutions. Exhibit A, Sheets C, G – Why is Community Avenue and East 14th Street separated? This seems to lead to excess ramp lengths and a lack of connectivity. Exhibit A, Sheets C, G – Could the EB I90 to Central Ave ramp be fitted more closely to the mainline? With the mainline realigned to the north additional take to the south seems unnecessary. Exhibit A, Sheet D – Why are there two exit ramps from WB I-90 to E 26th Street? Exhibit A, Sheet E – A reconceived Shoreway may accommodate a diamond interchange rather than free flow ramps, significantly reducing impacts in this area, reducing construction costs, and creating redevelopment opportunities. This could be a much more inviting entry point to downtown for traffic from the east without flyover ramps, confusing marginal roads, and overall excess pavement. Exhibit A, Sheet G – The Woodland Ave on ramp to I-77 NB seems to set up a weave with the I-77 exit to Community Avenue. Exhibit A, Sheet G – The NB I-77 ramp to East 22nd Street seems a little excessive. Could this link simply occur via Woodland? Could Woodland extend to 14th and 9th Streets? Thank you for considering the above comments, both "big picture" and "design adjustments" in preparation of the Final EIS.

Name:: Carl Frey

Street: 418 Longbeach Parkway

City: Bay Village

State: Ohio

Zip Code: 44140

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18

SPWebmaster@dot.state.oh.us
04/16/2009 12:54 PM

To Craig.Hebebrand@dot.state.oh.us
cc
bcc
Subject Innerbelt Plan Public Comment Form

Comments: Central Viaduct Bridge: This is the opportunity to make an architectural statement with a landmark bridge. Redefine the skyline with this new bridge. Don't look for an easy way out with a bland, non-descript bridge. Define the future of Cleveland with a well designed bridge that will be recognizable around the world.

Name:: David Furyes

Street: 1436 Wyandotte Ave

City: Lakewood

State: Ohio

Zip Code: 44107

Email:: tifosi@ameritech.net

Cleveland Innerbelt Plan Public Hearing
PUBLIC COMMENT FORM
April 21, 2009

CLEVELAND INNERBELT PLAN
OHIO DEPARTMENT OF TRANSPORTATION

Copies of today's presentation and this form will be available on the Project website.
Visit www.innerbelt.org and select the "Innerbelt Plan" logo.

1. *What are your comments regarding the Cleveland Innerbelt Plan as proposed?*

I SUPPORT THE PLAN AS PROPOSED.

If you need additional space, please use the back of this form.

2. *To help us document comments and forward future Project information, please provide:*

Name PAUL GLUCK
Address 29222 LINCOLN RD.
City BAY VILLAGE State OH Zip Code 44140
Telephone Number 440-835-9037
Email Address paul-gluck@sbcglobal.net

Complete this form and return to ODOT by 5 p.m. on May 21, 2009 for consideration in the Final Environmental Impact Study.

Mail or fax to:
Ohio Department of Transportation, District 12
ATTN: Craig Hebebrand
5500 Transportation Blvd.
Garfield Heights, OH 44116
Fax: 216-584-2279

Or complete this form on the Internet at:
www.innerbelt.org and select the
"Innerbelt Plan" logo.

B 35

77510

SPWebmaster @dot.state.oh.us
04/21/2009 04:10 PM

To Craig.Hebebrand@dot.state.oh.us
cc
bcc
Subject Innerbelt Plan Public Comment Form

Comments: Your plan to get rid of the Carnegie and Prospect Innerbelt exits/entrances is terrible. There are many owner occupied businesses and non profits that rely on easy access from the freeway. Getting off at E22 is difficult due to the extra lights and traffic. Going to Chester is worse due to the traffic and lights to get to Carnegie. Your plan will encourage businesses to move away from Cleveland. Business is based on how easy is it to get to the location. You will make it hard.

Name:: Rick Greiner

Street: 31765 Burlwood Dr

City: Solon

State: OH

Zip Code: 44139

Email:: rgreiner@sbcglobal.net

SPWebmaster @dot.state.oh.us
04/28/2009 11:17 PM

To Craig.Hebebrand@dot.state.oh.us
cc
bcc
Subject Innerbelt Plan Public Comment Form

Comments: Please make sure you add some of the design esthetics, is there any hope of some decking? Also I have some concern that the two bridges do not match in some respects. We seem to have to many varying design elements going on with the sound barriers and the colors on bridges. Can ODOT get some consistency and then maintain it across all areas? Any chance of working in irrigation systems for adjacent landscaping? As for some of the negativity, just shake your head do good job for us.

Name:: Michael Hirz

Street: 16300 Van Aken

City: Shaker Heights

State: oh

Zip Code: 44120

Email:: mjhirz@ameritech.net

SPWebmaster@dot.state.oh.us
05/21/2009 03:14 PM

To Craig.Hebebrand@dot.state.oh.us
cc
bcc
Subject Innerbelt Plan Public Comment Form

Comments: 1) I do not feel that the construction of an additional bridge is ideal for the city or the property owners involved and urge O.D.O.T. to abandon the idea. 2) As a compromise, I would consider having the existing Innerbelt Bridge reconstructed and expanded to eight lanes plus express lanes. 3) The best idea that accommodates the present and future is a new Innerbelt bridge over the current alignment that A) accommodates highway traffic and B) a rail transit system. 4) Further, I want a bi-level bridge that has eight lanes of traffic, plus express lanes with accommodations for pedestrians and bi-cyclists on the upper level and a rail system on the second. As a reference, see Lorain-Carnegie Hope Memorial Bridge. 5) Noise barrier walls should not be built unless requested. 6) Access to Carnegie and Prospect must be maintained.

1
2
3
4

Name:: Franklyn P. Kellogg

Street: 5 Trolleyview Drive

City: Olmsted Falls,

State: Ohio

Zip Code: 44138-3007

Email:: telephone: (440) 235-8699

DENNIS J. KUCINICH
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2445 RAYBURN HOUSE OFFICE BUILDING
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PARMA, OH 44129
(440) 845-2707

Congress of the United States
House of Representatives
www.kucinich.house.gov

CHAIRMAN,
SUBCOMMITTEE ON DOMESTIC POLICY

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

COMMITTEE ON EDUCATION AND LABOR

May 21, 2009

Mr. Craig Hebebrand
Innerbelt Study Project Manager
Ohio Department of Transportation
5500 Transportation Boulevard
Cleveland, Ohio 44125-5396

Dear Mr. Hebebrand:

As part of the process prescribed by the National Environmental Policy Act of 1970 (NEPA), I respectfully submit these comments on the Ohio Department of Transportation's (ODOT) Draft Environmental Impact Statement (DEIS) for the Interstate 90 Innerbelt. The two areas of concern I will address are (1) the I-90 Bridge; and (2) the "Trench."

The I-90 Bridge

I strongly support the rebuilding of the Innerbelt Bridge. However, ODOT needs to pay for the property it takes or intends to take. Since 2005, the owner of Cleveland Cold Storage (CCS) has been waiting for an offer of a Fair Market Value after ODOT initially declared its lack of interest in the building for Innerbelt reconstruction. As soon as ODOT reversed itself and declared its need for CCS, the owner has not been able to sell or make constructive use of the building. One person should never have to pay a disproportionate share of the cost for a public works project. This is the idea behind our Constitution's 5th Amendment, which prohibits the government from depriving a person of "life, liberty, or property, without due process of law, nor shall private property be taken for public use without just compensation." As much as this bridge needs rebuilding, as urgent a matter this is, and as much as I support the quick rebuilding of the Innerbelt bridge, I will not support the use of federal dollars for a public works project to be disproportionately built on the shoulders of one individual. I strongly urge ODOT to immediately resolve this matter which has been on its docket for 4 years too long.

1

The "Trench"

The part of the Innerbelt which provides motorists access to Downtown Cleveland and the many residential, commercial and industrial districts, is referred to in the DEIS as the "Trench." Ingress and egress points to the Innerbelt from all the major avenues of Downtown Cleveland, including Carnegie, Prospect, Chester, Payne, Superior, St. Clair, and Lakeside, keep businesses and residents connected with our nation's transportation system.

Access is the key to economic development and revitalization. ODOT understands this point in Lorain County where two new access points are being constructed along I-90 where new commercial districts are sprouting up on recently sold and subdivided farms. Because of Cleveland's difficult financial climate, we can not afford to lose businesses and residents. But this is exactly what will happen if ODOT moves ahead with a plan which cuts off direct access at Cleveland's major avenues. Another alternative which does not close off access is needed for ODOT's full environmental and engineering analysis, such as the plan being presented by the Cuyahoga County Planning Commission.

2

Alternatively, I would support a major repaving of the Innerbelt "Trench" with no structural changes. To ensure better safety along this segment, the speed limit could be lowered. This might be seen as an inconvenience to some cross-country travelers. However, it is a small price to pay for the preservation of Downtown Cleveland, its residents and businesses, especially when there are alternative routes such as I-80 and I-480 for the cross-country traveler.

3
4

Therefore, I strongly oppose using federal money to speed up the deterioration of Cleveland's economic vitality. I look forward to a full analysis of the County Planning alternative and an alternative which maintains all access to Downtown Cleveland and lowers the speed limit along the "Trench" as ODOT works toward a Final Environmental Impact Statement.

Sincerely,

Dennis J. Kucinich

Dennis J. Kucinich
Member of Congress

DJK:mg

SPWebmaster @dot.state.oh.us
04/06/2009 05:09 PM

To Craig.Hebebrand@dot.state.oh.us
cc
bcc
Subject Innerbelt Plan Public Comment Form

1

Comments: As a business owner who depends on getting our delivery people as well as our employees in and out of downtown as quickly as possible, this plan makes absolutely no sense. Having no entrance to Carnegie will force my west side drivers and employees to exit at E. 22nd, and the backup due to the lack of other exits will add time to what is otherwise an easy and quick trip to our building on Carnegie. From the east the approach will be a complete disaster with only Chester available. The backup alone will be unprecedented, but the attempt to navigate the north/south city streets to Carnegie will be horrible. It already takes 10 minutes to get from Carnegie to Chester on the north/south streets because of the timing of the lights and the two lane streets. Forcing everyone off on Chester, even with additional north/south access will cause enormous back ups. God forbid there would be an accident or breakdown or heavy snowfall on the ramp! There is no one I've spoken with who believes this plan has any chance of being beneficial to the city. Most people are incredulous. The Innerbelt was designed to bring people into the city of Cleveland, not funnel them through and out. This plan will assure that there is no reason to come to downtown or midtown by the freeways, and people will stay away in droves, including employees. The State should be more interested in encouraging development in downtown and midtown Cleveland rather than stifling it. I realize that the Innerbelt as it is now does not conform to today's standard of highway construction or safety. It wasn't built today, the city wasn't built today, and the people who work, visit, and live here have become accustomed to the convenience of the Innerbelt as it is. We do not see safety issues as we do not see accidents on the Innerbelt. In fact we see more accidents at the corners of Carnegie and 30th and 36th than on the Innerbelt. You cannot plan in a vacuum. You must consider that a city has grown up around the Innerbelt as it is and to restrict access to that city will most certainly have the opposite effect; the city will shrink and quickly die. Please reconsider the plan for the Innerbelt and do not restrict or remove the existing entrances and exits. Thank you for your understanding.

2

Name:: Robert Lash

Street: 2111 East 36 Street

City: Cleveland

State: Ohio

Zip Code: 44115

Email:: rob@moskeydental.com

SPWebmaster@dot.state.oh.us
04/21/2009 02:10 PM

To Craig.Hebebrand@dot.state.oh.us
cc
bcc
Subject Innerbelt Plan Public Comment Form

Not Regarding Innerbelt Project

Comments: Here are my thoughts and ideas about these 3 projects. Project #1: Opportunity Corridor: Problems: As every Clevelander knows who drives into downtown. I-90, 490, I-77, I-71 and The East/West Shore Way are a mad house during rush hour traffic. Not only are the downtown workers trying to go to and from work. But, we also have to contend with the out of state travelers and over the road truckers passing through our beautiful city. I think a Interstate Opportunity Corridor would serve the public better than a Boulevard. Here are some reasons why. 1. With The New Opportunity Boulevard. You have a lot of 490 traffic exiting at E 55th. I would think that that traffic would clog up a boulevard. (Look at 55th and 490 now during rush hour. It's a traffic jam daily.). Plus a Opportunity Corridor Boulevard will end at University Circle. Thus, giving no access to points east. 2. Opening a Opportunity Corridor Boulevard does nothing to end the "Through Traffic" that travels through our downtown Interstate System. Choking it daily. Here is what I say we do with the Opportunity Corridor Project: I think by doing this. You will be solving other traffic flow problems into downtown. Extend I-490 along the old Northfolk Southern rail lines up behind University Circle. Then head north at the Old Conrail lines into Collinwood reconnecting at I-90 around the Eddy/ E. 152nd area. By creating a Interstate Opportunity Corridor up through University Circle and Collinwod back onto I-90. You would. 1. Be creating a downtown Cleveland bypass. That alone would alleviate "Through Traffic" along I-90, I-77, I-71 into downtown. 2. Be placing entrance/exit ramps at strategic points like University Circle. You would provide quicker emergency response times to the hospitals. 3. Be making it easier to access the museums and hospitals. Thus, creating new patients and foot traffic into the University Circle area. 4. Creating greater access to the east side cities. We all know. More foot traffic means more jobs. Which means more money in the depressed areas. Which means more future devolpement. (maybe that new medical mart?) Where do we get the land needed? The areas east of 55th along the tracks up through University Circle into Collinwood is very depressed right now. Crime ravages the neighborhoods daily. Foreclosures and abandoned property has made the areas blighted and unsafe. This is what I say we do to get the land needed. Instead of tearing down these foreclosed houses or having them go up in flames in different areas of the city. Why don't Cuyahoga County use their Land Bank to trade with people owning property needed for a Opportunity Interstate Corridor. Or, even have HUD involved on the land swaps. I'm sure alot of hard working families and senoirs would like to get out of the depressed and crime ridden areas of the east side for the greener pastures of the west. Of course, purchase or eminent domain those who do not want to play ball on the project. I really don't think a lot is needed to make this project work. Land is depressed and railway right a ways are already in the areas. If all else fails build a few tunnels and bridges.
---------- Project #2: Replacement of the I-90 Bridge, I-71 and I-77 Ending at the new 490/90/Opportunity Corridor Who has seen the ugliness of the bridges of the i-90/I-71/I-490(s) into downtown from below? They are rusted and just plain out right an eyesore. I think they bring down the alour of the city How about when a accident on I-90 & I-71 east or west bound closes the lanes until emergency crews re-open the hiway. Or, How about trying to leave downtown during a blinding snow storm. This is what I say we do. Instead of I-90 running through downtown. 1. Have I-90 continue along the new I-490/I-71/I-77/Opportunity Corridor. (again alleviating downtown "Through Traffic" 2. Tear down the I-90 bridge(s) from the I-90/I-71Merge to dead man's curve. Fill in what's left over and reclaim the land for office buildings, parks or whatever. (no replacement bridge needed) 3. End I-71 and I-90 into the downtown area at the now present 490/I-90/I-71 merge. But, re-use the I-71/I-90 merge north to feed local traffic only onto Ontario street or other south western areas of the city. 4. Place strategic entrance/exit ramps to feed local traffic into the Steel Yard Commons/Tremont/West 14th and areas. 5. Extend East 9th and others south to the new 490/90/Opportunity Corridor and create entrance and exit ramps for said roads. (Sure we may have to drive a few more blocks. But, with traffic cops in downtown. Traffic flows in and out fine. It's the interstates that clog up.) 6. End I-77 at the new 490/90/Opportunity Corridor. Making I-77 north of 490/90 heavy vehicle traffic access into downtown.(18 wheelers, cranes & ect.). 7. Make everything else LOCAL traffic ONLY into downtown. No Need to go through downtown if "Through Traffic" can bypass the city using a new I-90/I-490/Opportunity Corridor. Leaving the other main routes open to local traffic. 8. Build new RTA Light Rail lines & Park & Ride lots around the SteelYard Commons Area. Hopefully, cutting down on the number of vehicles coming into downtown daily. Thus, bringing in more traffic to the Tremont and Steelyard Commons area. ---------- Project #3: West Shore Way Sewer Project and Boulevard. Ok, I just read in the past few weeks that. The city will be doing a study and replacement of sewer lines around the west Shore Way area. Effectlively closing lanes of the Shore Way. Why not start the Boulevard project as well? Why fix and pave everything after the sewer project is completed. Only, to rip it back up in a few years to make the Shore Way a boulevard? This is what I say we do: Wait till the new I-90/I-490/Opportunity Corridor is open then. 1. Do the Shore Way Sewer/Boulevard project's together. 2. End the west side Shore Way at west 3rd. Allowing for local traffic only to north western areas of downtown. 3. End the east side Shore Way at dead mans curve. Allowing for local traffic only to north eastern areas of downtown. ---------- So, in closing. I think the Opportunity Project is the most important piece of the puzzle. Lets get it built and bypass downtown all together. Then the next piece of the puzzle, The I-90 bridge replacement and/or tear down. Then the next piece of the puzzle,- The Shore Way Sewer Project and Boulevard. After completion of all three projects, We will have 4 or 5 main arties ending into downtown. NOT passing through it. A New East and West Shore Way Boulevard. And a Opportunity Corridor bypassing downtown and giving access to University Circle Thank You, Chris Lebiedz (lee-bits) 216-341-5198

Not regarding Innerbelt.

Name:: CHRIS LEBIEDZ

Street: 3993 EAST 42ND STREET

City: NEWBURGH HEIGHTS

State: OHIO

Zip Code: 44105

Mark Carpenter/Planning/D12/ODOT
05/14/2009 12:53 PM

To plee@nthconsultants.com
cc Craig Hebebrand/Production/D12/ODOT@ODOT, Tim Hill/Environmental/CEN/ODOT@ODOT
bcc
Subject Fw: Central Viaduct - Geotechnical Records

Mr Lee:

I apologize for taking so long to get you the information requested at the April 21st Public Hearing for the Cleveland Innerbelt project.

Below is a link to our FTP site with all of our Geotechnical Records:

ftp://ftp.dot.state.oh.us/pub/Districts/D12/Production/PID77332/

There is a spread sheet with all of the documents listed and linked called 'CentralViaductRecordKeeper.xls' in the root directory. If it asks for a name and password, just click on Anonymous and leave password blank, and click 'open'.

If you have any questions, contact me at (216) 584-2089 or by replying to this e-mail.

Thank you,

Mark Alan Carpenter, P.E.
District 12 Environmental Engineer
(216) 584-2089

SPWebmaster@dot.state.oh.us
04/21/2009 10:23 AM

To Craig.Hebebrand@dot.state.oh.us
cc
bcc
Subject Innerbelt Plan Public Comment Form

Comments: I think that the closing of the Carnegie and Prospects ramps will be to the detriment of the Mid-Town Corridor. We depend on these ramps to provide quick and easy access to not only our jobs, but to appointments in the ares. Shutting down these ramps will cause lost time due to further travel. I think that it is a very bad idea to close these ramps.

Name:: Brandi M. Leslie

Street: 2831 Prospect Avenue

City: Cleveland

State: OH

Zip Code: 44106

Email:: bleslie@epilepsyinfo.org

Cleveland Innerbelt Plan Public Hearing
PUBLIC COMMENT FORM
April 21, 2009

CLEVELAND INNERBELT PLAN
OHIO DEPARTMENT OF TRANSPORTATION

Copies of today's presentation and this form will be available on the Project website.
Visit www.innerbelt.org and select the "Innerbelt Plan" logo.

1. *What are your comments regarding the Cleveland Innerbelt Plan as proposed?*

The Southern route for a new bridge is NOT acceptable to the Fremont neighborhood

If you need additional space, please use the back of this form.

2. *To help us document comments and forward future Project information, please provide:*

Name DEANE MALAKER

Address 622 LITERARY RD.

City CLEV State OH Zip Code 44113

Telephone Number

Email Address adeane622@yahoo.com

Complete this form and return to ODOT by 5 p.m. on May 21, 2009 for consideration in the Final Environmental Impact Study.

Mail or fax to:
Ohio Department of Transportation, District 12
ATTN: Craig Hebebrand
5500 Transportation Blvd.
Garfield Heights, OH 44116
Fax: 216-584-2279

Or complete this form on the Internet at:
www.innerbelt.org and select the
"Innerbelt Plan" logo.

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Cuyahoga Community College

May 19, 2009

Ms. Craig Hebebrand
Project Manager
Ohio Department of Transportation, District 12
5500 Transportation Boulevard
Garfield Heights, Ohio 44125

Re: Cleveland Innerbelt Project Impacts on Cuyahoga Community College

Dear Mr. Hebebrand:

We have reviewed the Draft Environmental Impact Statement (DEIS) for the Cleveland Innerbelt Project. Included in this letter are comments documenting impacts related to Cuyahoga Community College (Tri-C).

The District Administration Building is located at 700 Carnegie Avenue. It is obvious the proposed Northern Alignment now brings the bridge and roadway structures much closer to the District Administration Building. These changes will have a devastating impact on the facilities and the college as a whole.

The closer proximity of the freeway will have visual, noise and vibration impacts on Tri-C's headquarters. We have conducted an independent assessment of the noise impacts on the Administration Building and have found that the future condition exceeds FHWA noise standards. Attached for your information is a copy of the noise assessment, which we would want to include as part of the official record of our comments. 1

We are especially concerned about the loss of approximately 50 percent of the current parking spaces at our headquarters. Parking is currently very constrained and limited. Losing approximately half of the existing spaces because of the right-of-way widening renders this site unusable as a college headquarters facility. And a loss of those valuable spaces also reduces potential parking income derived from special and sporting events at Quicken Loans Arena and Progressive Field. The parking revenue generated by these spaces goes directly into the College's Foundation Scholarship Fund, which makes college possible for many students who cannot afford a college education. 2

We are also concerned about the temporary but very disruptive impacts that will occur during the bridge construction work. This will surely include the additional loss of all on-site parking as well as very annoying construction noise and vibration. The loss of all on-site parking would require providing off-site parking and transportation for employees and visitors to the District Headquarters. 3

Facilities, and Capital Construction
District Administrative Services
700 Carnegie Avenue
Cleveland, Ohio 44115-2878
216•987•4702 Fax 216•987•4848

If ODOT truly intends to start construction in early 2010 as has been reported, the college has very limited time to implement any construction project that would keep our headquarters operations functioning without the undue noise and disruption caused by both temporary and permanent impacts on the Tri-C property. Please keep in mind that all the key administrators of the college are located in this facility so any major disruption would have a very devastating effect on the entire college. Consequently, we must continue to express serious concerns regarding the significant impacts of the Northern Alignment on the Tri-C District Administration Building.

In the spirit of civic mindedness, we would be very happy to begin discussions on impact mitigation strategies and/or fair and just compensation for the Administration Building and its property. We agree the Innerbelt Bridge needs to be replaced as soon as possible. But the College needs to be treated fairly and dealt with promptly so we can also achieve the educational goals that the Governor has set for our institution. 4

The DEIS did not adequately examine or address the secondary impacts to traffic patterns on local roads resulting from access modifications within the area of potential effect, which includes East 9th Street, East 30th Street and Orange Avenue. The Draft Access Modification Study referenced in the DEIS was not available as a technical reference exhibit to the DEIS. We raise these concerns because they affect the District Headquarters and Tri-C Metropolitan Campus. 5 6

The Northern Alignment restricts southbound East 9th Street to one lane south of Carnegie Avenue. With East 9th Street being the primary path for southbound I-77 traffic from the Gateway sports complex, this restricted highway width would cause East 9th Street to be severely congested after special events. 7

The Northern Alignment relies on East 30th Street as a north-south access route to and from I-77, which will likely result in increased traffic volumes on East 30th Street through the heart of our Tri-C Metropolitan Campus. East 30th Street may become a major north-south corridor as a direct consequence of this new access to I-77. The Tri-C campus spans East 30th Street and students regularly cross this street on foot. Increased traffic volume on East 30th Street will make the campus less pedestrian friendly and will undermine potential pedestrian linkages to planned College expansion on Community College Boulevard west of East 30th Street. 8

We are further concerned about the bottleneck conditions that currently exist on East 30th Street between Community College Boulevard and Carnegie. We believe that the long-planned widening of this roadway segment would mitigate the current and future congestion on East 30th Street and improve connections between the College and the broader community. 9

The Northern Alignment also requires all southbound I-77 motorists exiting Downtown Cleveland from Public Square and the sports complexes at Gateway to use Ontario/Orange Avenues to East 30th Street. We are concerned about the elimination of the Orange Avenue connector to Woodland Avenue east at East 30th/34th Street. This change affects truck movements to the Food Terminals and other commercial activities located along Woodland Avenue. An eastbound truck no longer has a straight eastbound move through the East 30th Street intersection. Trucks must now turn left at East 30th Street from Orange Avenue and then turn right onto Woodland Avenue from east 30th Street. We are opposed to the elimination of this connector and propose that it be restored. 10

East 30th Street also functions as a significant public transit zone providing ready access to the Metropolitan Campus using Greater Cleveland Regional Transit Authority (RTA) rapid transit services and bus lines operating on Broadway. The RTA rapid transit station at East 34th Street is no longer served by Campus Loop buses. We believe that the new Center for the Creative Arts Building, which includes the Rock-and-Roll Hall of Fame Library and Archives would benefit from a re-located rapid transit station and extension of Loop bus services. We request that ODOT collaborate with RTA and the City or Cleveland to study the relocation of the East 34th Street rapid transit station to East 30th Street and the enhancement of pedestrian and bus as part of traffic impact mitigation strategies. To date we have not seen any efforts to develop a comprehensive traffic impact mitigation strategy for this project. 11

Tri-C is currently completing a new $30 million Center for Creative Arts building on the Metropolitan Campus facing Woodland Avenue and I-77. The new ODOT highway improvements at that location include the construction of a major retaining wall just across the street from this new facility. We would request that ODOT strongly consider the inclusion of public art on that wall to support and enhance this major educational asset for the Cuyahoga County community. 12

In addition to the specific concerns of Tri-C expressed above, we also share some concerns with other neighboring stakeholders. We are concerned about the ability of the local roadway system to respond to peak and special event traffic movements, particularly traffic oriented to Cleveland State University's Wolstein Center, St. Vincent Charity Hospital, Cuyahoga Community College Metropolitan Campus, Trinity Cathedral, Gateway and Playhouse Square districts. 13

Thank you for your attention to these comments.

Sincerely,

Peter Mac Ewan
Vice President

cc: The Honorable Frank G. Jackson, Mayor of Cleveland
Jolene Molitoris, Director, Ohio Department of Transportation
Bonnie Teeuwen, Deputy Director, ODOT District 12
William Beckenbach, Executive Director, The Quadrangle
Dr. Jerry Sue Thornton, President, Cuyahoga Community College
Dr. Craig Foltin, Executive Vice President, Cuyahoga Community College
Claire Rosacco, Vice President, Cuyahoga Community College

AECOM
605 Third Avenue, New York NY 10158
T 212.973.2900 F 212.697.2329 www.aecom.com

Memorandum

Date: April 14, 2009

To: Mr. Ken Sislak

From: Tom Herzog

Subject: Cuyahoga Community College Administration Building
- Response to Draft EIS on Noise Mitigation

Attached is the "Traffic Noise and Vibration Impact Assessment" report that was initially submitted on August 8, 2006 for the Cuyahoga Community College to address traffic noise impacts from the Innerbelt Central Interchange Improvement Study.

- Based on our analysis conducted almost 3 years ago, future traffic noise levels at the Cuyahoga Community College (Tri-C) Administration Building on Carnegie Avenue are predicted to exceed the Ohio Department of Transportation's (ODOT) noise abatement criteria (NAC) under the Innerbelt Interchange Study, Build Alternative in 2025.
- Specifically, a future traffic noise level of 78 dBA from the I-90 Westbound onramp and the I-90 mainline lanes is predicted to exceed the ODOT noise abatement criterion of 72 dBA for exterior receivers such as schools and other institutional land uses (Category 'C').
- Similarly, a future traffic noise level of 52 dBA from the I-90 Westbound onramp and the I-90 mainline lanes is also predicted to exceed (or approach within 1 decibel) the ODOT noise abatement criterion of 52 dBA for interior receivers such as schools and other interior land uses (Category 'E').
- As a result, the Tri-C Administration Building qualifies to be considered for noise abatement as a "special land-use" under the ODOT *Highway Noise Policy* (Environmental Services Office, July 1, 2005).
- The AECOM traffic noise study was done using future volumes in the Design Year 2025. The EIS traffic analysis was done using even higher future volumes in the Design Year 2035.
- Alternative abatement measures that may be considered include either a noise barrier or sound insulation.
  - A 500-foot noise barrier along the I-90 westbound lanes is predicted to effectively shield the Tri-C Administration Building from future traffic noise. [A noise barrier along the I-90 westbound onramp, however, is not expected to be as effective due to the lower elevation and grade of that roadway.]
  - Alternatively, sound insulation may include installation of supplemental interior window panels (to increase the acoustical properties of the southeast-facing windows) or providing acoustical drapes for the affected rooms. [Other sound insulation options, such as central air conditioning, double-paned windows and solid-core doors, have already been installed at the Administration Building.]

- The Tri-C Administration Building should be considered as a "special land-use" under the ODOT *Highway Noise Policy* because it is a multi-use property that is used for both administrative and educational purposes.
- According to the ODOT *Highway Noise Policy*, "There is no cost reasonableness criterion for "special land-uses". The ODOT will consider noise abatement for all Special Land Uses on a case by case basis."

However, the ODOT *Highway Noise Policy* clearly states that alternative mitigation measures for "special land-uses", such as churches, libraries, meeting rooms and schools, "consideration is limited to classrooms, libraries, and auditoriums (sanctuaries) with exterior windows or exterior doors facing the roadway" only [*Noise Policy*, Section III (3), pg. 12]. Furthermore, ODOT "will not offer insulation as a noise abatement measure" for structures that already benefit from central air conditioning, double-paned windows or solid-core doors. Finally, although ODOT must consider abatement measures for all predicted noise impacts, they are not necessarily required to install mitigation measures.

For example, since the predicted peak-hour interior noise level of 52 dBA is only one decibel above the Category 'E' threshold (approach within 1 decibel of the 52-dBAcriterion), this exceedance would not be considered as severe as other sites where predicted traffic noise levels exceed the criteria by 4-5 decibels.

Traffic Noise and Vibration Impact Assessment

At

Cuyahoga Community College

From the

Innerbelt Central Interchange Improvement Study

Cleveland, Ohio

Prepared for:

DISTRICT ADMINISTRATIVE SERVICES
700 Carnegie Avenue
Cleveland, Ohio 44115-2878

Prepared by:

DMJM HARRIS
1300 East 9th Street, Suite 1215
Cleveland, Ohio 44114

August 2006

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Executive Summary

A noise and vibration assessment was prepared to document potential traffic impacts at Cuyahoga Community College (Tri-C) as result of the Innerbelt Central Interchange improvements. A modeling assessment was conducted in accordance with ODOT's noise policy using the most current FHWA Traffic Noise Model Version 2.5. Vibration impacts from heavy trucks and buses were evaluated using the FTA ground-borne vibration modeling guidelines. Traffic data were developed based on recent ODOT counts as well as predicted future peak-hour volumes. The results of the noise and vibration assessments are summarized below.

Under the Build Alternative, which includes several modifications to the existing roadways, predicted maximum peak-hour Leq(h) noise levels of 72 dBA at the new Center for Innovation in the Arts and 78 dBA at the Administration Building are predicted to exceed the ODOT noise abatement criteria of 71 and 66 dBA, respectively. However, there are no exterior land-uses at either the District Administration Building or the proposed Center for Innovation in the Arts. As a result, the FHWA interior noise criterion of 51 dBA is more appropriate to evaluate noise impacts from future traffic under the Build Alternative. An interior peak-hour Leq(h) noise level of 52 dBA predicted at the Administration Building exceeds the FHWA interior threshold limit of 51 dBA. However, the predicted Leq(h) noise level of 46 dBA at the Center for Innovation in the Arts does not exceed the criterion. Therefore, mitigation measures should be investigated to eliminate future impacts predicted at the District Administration Building.

Vibration from rubber-tired vehicles along highways does not typically contribute to minor cosmetic damage or even an annoyance except for receivers that directly abut a highway corridor or are 'coupled' to the roadway structure. The predicted vibration levels of 50 and 59 VdB at the District Administration Building and the proposed Center for Innovation in the Arts, respectively, are well below the FTA threshold of cosmetic damage of 95 VdB or the threshold of annoyance of 75 VdB. Furthermore, based on the types of structures at each receiver (steel frame commercial buildings), the distance at which an impact would occur from trucks traveling at 60 mph is only 10 feet. Therefore, no vibration impacts are predicted at the Tri-C receivers from traffic under the proposed Central Interchange improvements.

Noise barriers were investigated along the on ramps and highway mainlines to reduce the impacts predicted at the Administration Building. However, the barrier dimensions required to achieve a noise reduction of 5 dBA (as required by ODOT to be acoustically effective or 'reasonable') is predicted to substantially exceed the cost-effectiveness threshold of $25,000. Therefore, alternative mitigation measures are recommended including 'quiet pavement' such as rubberized asphalt, elimination or relocation of roadway expansion joints along elevated structures and extended heights of roadway crash walls (e.g., Jersey barriers) along both the right-of-way and the median of I-90 in the vicinity of the Administration Building.

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1. Introduction

As part of the Innerbelt Central Interchange improvement study, a noise and vibration assessment was prepared to document existing and future predicted noise levels from vehicular traffic at noise-sensitive receivers at Cuyahoga Community College (Tri-C). All aspects of the noise assessment were prepared in accordance with the Ohio Department of Transportation's (ODOT) noise policy, *Standard Procedure for Analysis and Abatement of Highway Traffic Noise*[1]. The ODOT noise guidelines have been approved by the Federal Highway Administration (FHWA) and conform to federal regulation 23 CFR 772, *Procedures for Abatement of Highway Traffic Noise and Construction Noise*[2] and the federal highway traffic noise guidance[3].

2. Modeling Methodology

The FHWA Traffic Noise Model (TNM Version 2.5) was used to predict existing and future noise levels for the Central Interchange improvements. TNM computes highway traffic noise at select receiver locations and models the effects of, and aids in the design of highway noise barriers. The FHWA considers it a state-of–the-art approach for estimating traffic noise. To obtain maximize traffic noise levels, the following modeling assumptions were utilized for three analysis conditions: Existing Condition in 2003 and the future No Build and Build Alternatives in 2025.

- As shown in **Figures 1 and 2**, two receiver sites were selected for analysis including the Tri-C District Administration Building along Carnegie Avenue and the new Center for Innovation in the Arts proposed at the Metropolitan Campus along Woodland Avenue. The Humanities Building was evaluated under the Existing Condition only;
- Peak-hour or design hourly volumes (DHV) were used to represent the maximum traffic volume during a one-hour period. DHV were developed from annual average daily traffic (AADT) using a 10 percent persistence factor;
- Future traffic volumes were developed using a ½ percent annual growth rate for highways and ramps;
- Observed free flow speeds were used to be representative of off-peak periods when traffic is not congested;
- Maximum truck percentages of 8.8 percent (split equally between medium and heavy duty trucks) were used based on an annual average day; and,
- Three FHWA-defined vehicle types were included in the noise modeling analysis: automobiles (vehicles with two axles and four wheels), medium trucks (vehicles with two axles and six wheels) and heavy trucks (vehicles with three or more axles).

The data obtained during the noise-monitoring program, which consists of measured noise levels and concurrent traffic data, was used for model validation at each of the selected receiver locations. Comparison between predicted and measured values was used as a basis for verifying assumptions used in the traffic noise prediction model. The results of the noise validation exercise are described in detail in the Appendix.

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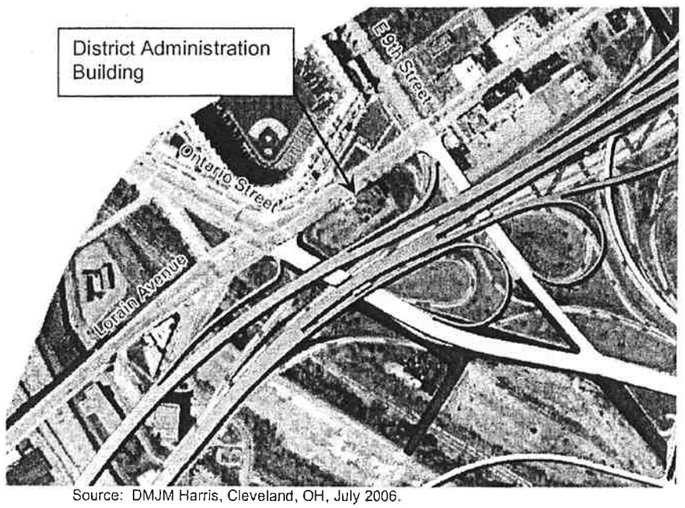
[1] *Standard Procedure for Analysis and Abatement of Highway Traffic Noise*, Standard Procedures No. 417-001(SP), Columbus, OH, July 1, 2005.

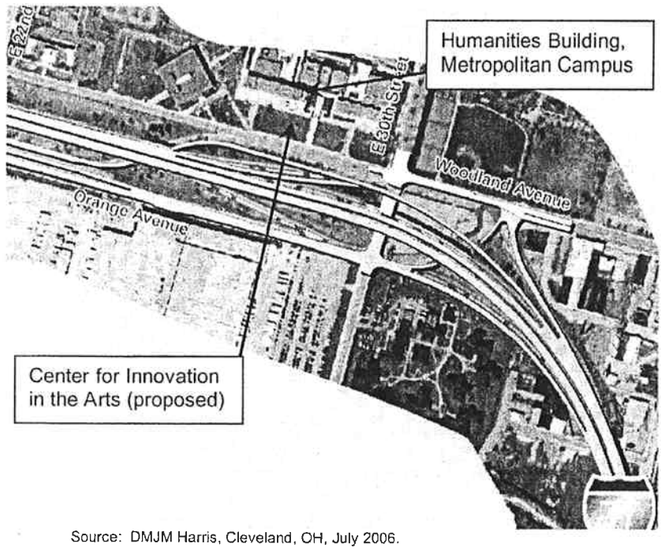
[2] "Procedures for Abatement of Highway Traffic Noise and Construction Noise", 23 CFR Part 772, Federal Highway Administration, US DOT, Washington, DC, August 11, 1997.

[3] *Highway Traffic Noise Analysis and Abatement Policy and Guidance*, Federal Highway Administration, US Department of Transportation, Washington, DC, June 1995.



Source: DMJM Harris, Cleveland, OH, July 2006.

Figure 1: Schematic of the Tri-C District Administration Building and the Proposed Innerbelt Central Corridor Improvements



Source: DMJM Harris, Cleveland, OH, July 2006.

Figure 2: Schematic of the Tri-C Humanities Building at the Metropolitan Campus and the Proposed Innerbelt Central Corridor Improvements

3. Results of the Noise Modeling Assessment

A noise impact occurs when project noise levels meet either the absolute or relative ODOT criterion. Absolute noise impacts occur when the predicted noise level under the Build Alternative exceeds the established noise abatement criteria level (such as 66 dBA for residences and other Category B receivers). A relative impact occurs when the predicted noise level under the Build Alternative is 10 dBA or greater than the existing ambient noise level.

Existing Condition

Peak-hour equivalent noise levels (Leq(h) of 76 and 68 dBA were respectively predicted for the District Administration Building and the Humanities Building at the Metropolitan Campus under the Existing Condition. These levels are dominated by mixed traffic along the I-90 and I-77 mainline roadways adjacent to each of the Tri-C receiver sites.

No Build Condition

Compared to the Existing Condition, traffic volumes are expected to increase almost 12% under the No Build Alternative. As a result, future noise levels under the No Build Condition are expected to remain the same at the Administration Building. A peak-hour Leq(h) noise level of 72 dBA is predicted at the new Center for Innovation in the Arts.

Build Alternative

Under the Build Alternative, which includes several modifications to the existing roadways as shown in **Figures 1 and 2**, predicted maximum Leq(h) noise levels are predicted to be the same at the new Center for Innovation in the Arts (72 dBA) and significantly higher at the Administration Building (78 dBA). The 2-dBA increase at the Administration Building under the Build Alternative, which represents an almost 60 percent increase in the traffic noise energy, is due almost entirely to the shift in the I-90 westbound mainline traffic lanes 50-100 feet closer. As shown in **Table 1**, each of the future noise levels is predicted to exceed the respective ODOT noise abatement criteria of 66 dBA (for Category 2 receivers) and 71 dBA for Category C receivers). No exceedances of the ODOT relative criterion of greater than 10 dBA are predicted.

However, there are no exterior land-uses at either the District Administration Building or the proposed Center for Innovation in the Arts. As a result, the FHWA Category E criterion of 51 dBA is more appropriate to evaluate noise impacts from future traffic under the Build Alternative. As shown in **Table 1**, an interior Leq(h) noise level of 52 dBA predicted at the Administration Building exceeds the Category E threshold limit of 51 dBA. However, the predicted Leq(h) noise level of 46 dBA at the Center for Innovation in the Arts does not exceed the criterion. Therefore, mitigation measures should be investigated to eliminate future impacts predicted at the District Administration Building.

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Table 1: Summary of Existing and Future Noise Levels Predicted at the Tri-C Campus

Receiver	FHWA	Distance to	Leq(h) Noise Level (in dBA)[1]			
Description	Category	Highway (ft)	Existing	No Build	Build	Criteria
District Administration Building - Exterior	C	150	**76**	**76**	**78**	*71*
District Administration Building - Interior	E	150	50	50	**52**	*51*
Humanities Building (Metro Campus) - Exterior	B	300	**68**	NA[3]	NA	*66*
Humanities Building (Metro Campus) - Interior	E	300	42	NA	NA	*51*
Center for Innovation in the Arts (future) - Exterior	B	75	NA[2]	**72**	**72**	*66*
Center for Innovation in the Arts (future) - Interior	E	75	NA	46	46	*51*

1 Peak hour equivalent noise levels, or Leq(h), are reported for the 2003 Existing Condition, and the ODOT Central Interchange 2025 future No Build and Build Alternatives.
2 NA means not applicable. The Center for Innovation in the Arts is not an existing facility.
3 NA means not applicable. The existing Humanities Building will be shielded by the new Center for Innovation in the Arts.
NB: Noise levels shown in **bold text** indicate an exceedance of the ODOT noise abatement criteria.
Source: DMJM Harris, Cleveland, OH, August 2006.

4. Results of the Vibration Modeling Assessment

Unlike noise, vibration from rubber-tired vehicles along highways does not typically contribute to annoyance, let alone even minor cosmetic damage. However, for uneven roadways with heavy truck traffic located very close to sensitive receivers (such as at the Administration Building), there is a potential for impact. Therefore, the Federal Transit Administration's (FTA)[4] guidelines were used to predict ground-borne vibration impacts from heavy truck and bus passbys along the existing and relocated I-90 mainline and on ramp. Specifically, the ground-borne vibration curve for rubber-tired vehicles was used to predict root mean square (RMS) vibration levels at each of the selected receiver locations. The vibration levels from heavy truck passbys, which are reported in vibration decibels (VdB), were adjusted based on the FTA guidelines and other field observations for the existing and future conditions (such as type of structure and receiver floor height). The predicted vibration levels were compared with the FTA impact criterion of 75 VdB for non-residential receivers to determine the onset of impact since there are no comparable FHWA vibration evaluation criteria.

As shown in **Table 2**, ground-borne vibration levels from heavy truck passbys range from 24 VdB at the Humanities Building, to 50 VdB at the Administration Building 2nd floor offices, to 54 VdB at the ground floor of the Administration Building, to 59 VdB at the proposed Center for Innovation in the Arts. All of these levels are well below the FTA threshold of annoyance of 75 VdB for Category 3 receivers such as schools and meeting rooms. Therefore, no exceedances of the FTA vibration criteria are predicted under the Build Alternative at either the Administration Building or the Center for Innovation in the Arts.

[4] *Transit Noise and Vibration Impact Assessment, Final Report*, Federal Transit Administration, USDOT, Washington, DC, April 1995.

Table 2: Summary of Ground-Borne Vibration Levels Predicted at the Tri-C Campus

Receiver	FTA	Distance to	Speed	Vibration	FTA
Description	Category	Highway (ft)	(mph)	(VdB)	Criterion
District Administration Building - Ground Floor	3	150	60	54	75
District Administration Building - 2nd Floor Offices	3	150	60	50	75
Humanities Building - Existing Condition	3	300	60	24	75
Center for Innovation in the Arts (proposed) - Future Condition	3	75	60	59	75

Source: DMJM Harris, Cleveland, OH, August 2006.

5. Construction Impact Assessment

Noise levels from construction activities from the proposed Innerbelt Central Interchange improvements, although temporary, could create a nuisance condition at nearby sensitive receivers such as Tri-C. Exposure to excessive noise and vibration levels varies depending on the types of construction activity and the types of equipment used for each stage of work. For example, heavy machinery, the major source of noise in construction, is oftentimes stationary at one location for weeks. Project construction activities may include roadbed construction, replacement of elevated structures, utility relocation and on- and off-ramp demolition and reconstruction.

Construction typically occurs during daylight hours when the Tri-C buildings are normally occupied. Although other community noise collectively contributes to higher ambient noise levels during the daytime period, sensitivity to construction noise is a concern especially for impulse equipment such as jack hammers and pile drivers. Several mitigation measures are recommended in Section 6 to eliminate or minimize the severity and the duration of potential construction impacts at various sites along the project corridor.

6. Mitigation Assessment

Operational Noise and Vibration

As a result of the predicted exceedances of the ODOT noise abatement criteria, a detailed noise barrier analysis was conducted to determine barrier walls that are both 'reasonable and feasible' with the ODOT evaluation criteria. For example, for a Type 1 barrier to be feasible, it must provide a minimum of 5 dBA reduction for all first row 'benefited' receivers. Similarly, a barrier must cost less than $25,000 per benefited receiver in order to be considered cost-effective or reasonable.

Due to the existing and future proposed roadway alignments and the location of the selected Tri-C receivers, noise barriers are not predicted to be reasonable under the ODOT guidelines because the total cost of the barriers exceeds the $25,000 threshold limit. At the District Administration Building, for example, the cumulative benefit of placing two 500-foot noise barriers along the East 9th Street on ramp at 18 feet tall and along the East 14th Street on ramp at 12 feet tall (in order to achieve the 5-decibel reduction) would cost over $260,000 based on

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the ODOT recommended material cost of $17.50 per square foot. Similarly at the proposed Center for Innovation in the Arts, two noise barriers with a combined length of almost 1,600 feet with the optimized heights ranging from 4-14 feet at a cost of over $186,000 would only achieve a maximum reduction of 3 dBA. Higher barrier heights would provide only marginal noise reduction benefit at a much higher cost due to the law of diminishing returns. Therefore, because noise barriers would not be considered a reasonable option based on the proposed roadway configurations, alternative mitigation measures are recommended.

Several alternative mitigation measures are available that could be incorporated into the future roadway designs to minimize the impact on the closet noise-sensitive Tri-C buildings. The following design features are recommended to reduce noise impacts at the District Administration Building and to reduce noise and vibration levels at the Metropolitan Campus' proposed Center for Innovation in the Arts:

- Utilize "quiet pavement" on all roadway surfaces in the vicinity of noise sensitive receivers such as Tri-C rather than standard dense-graded hot mix asphalt. Quiet pavement, which include rubberized asphalt used exclusively in Arizona and open-graded friction courses (OGFC) used throughout Europe, reduce overall traffic noise 3-8 decibels depending on the type of asphalt and whether one or two layers are used. In general, the smaller the nominal maximum size of the aggregate in the mix, the quieter the pavement. Additionally, by increasing air voids within asphalt pavement such as OGFC, they absorb more sound energy thereby reducing the overall tire-pavement noise. Although the noise reduction benefits of quiet pavement decrease slightly over time, pavement life is typically longer than standard asphalt. For example, the pavement life of rubberized asphalt used in Arizona is typically 8-12 years compared to 6-9 years for traditional asphalt.
- Maintain smooth roadway surfaces along all roadways closest to the Tri-C buildings. The smoothness of the roadway surface is critical in the mitigation of noise and vibration from moving vehicles. Roughness of the roadway surfaces can be eliminated by proper maintenance and periodical resurfacing of roads, thereby reducing noise levels by up to 10 decibels and vibration by up to 5 decibels.
- Eliminate or strategically relocate expansion joints from elevated ramps away from the Tri-C buildings. Expansion joints lead to excessive impulsive noise and vibration caused by the irregular surfaces. Excessive noise and vibration due to expansion joints may also be minimized by placing them on an angle or by specifying the serrated type rather than joints with right-angle edges.
- Install maximum allowable height Jersey barriers (e.g., 6 feet rather than 4 feet) along the right of way and the median of elevated roadway sections to shield tire-pavement noise at the affected noise-sensitive receivers. This would be particularly effective along I-90, since most offices are eye level with the mainline traffic.

Other additional architectural elements, such as utilizing triple-glazed windows with a rated transmission loss of over 30 dBA or increasing ventilation air flow rates to 'mask' the traffic noise, are not part of this scope. These will be investigated as part of the interior acoustical assessment prepared separately by the architectural design consultant.

Construction Noise and Vibration

To minimize temporary noise and vibration construction impacts that are expected at each of the Tri-C receiver locations, several "good housekeeping" practices are recommended. For example, noise and vibration control measures that could be incorporated into the construction process include the following:

- conducting all construction activities during the nighttime between 7 PM and 7 AM;
- erecting temporary noise barriers between noisy activities and noise-sensitive Tri-C buildings;
- using sonic/vibratory pile-drivers rather than impact pile-driving near noise-sensitive Tri-C buildings;
- establishing equipment and material staging areas away from sensitive Tri-C buildings;
- re-routing construction traffic along roadways that minimize impacts along Woodland and Carnegie Avenues;
- utilizing alternative construction methods that avoid impact pile driving near Tri-C buildings. Whenever possible, use drilled piles or sonic/vibratory pile drivers to reduce excessive vibration; and,
- requiring contractors to use Best Available Control Technologies (BACT) to limit excessive vibration.

Additionally, it should be specified in the Memorandum of Understanding (MOU) between the project proponent and the community that provisions (such as quarterly noise control plans) be included in the plans and specifications that require contractors to make every reasonable effort to minimize construction noise through temporary abatement measures such as work-hour controls and proper maintenance of muffler systems.

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Appendix A: Baseline Noise Monitoring Program

A.1. Monitoring Methodology

A baseline noise-monitoring program was conducted to determine the existing background levels at select Tri-C buildings. Background noise levels were measured continuously at the following two locations to determine the current impact from existing traffic along I-77 and I-90 highway mainlines and off ramps as well as nearby local roadways:

1. District Administration Building – 700 Carnegie Avenue
2. Metropolitan Campus, Humanities Building – Woodland Avenue.

The noise-monitoring program measured one-hour equivalent sound levels (or Leq) during the loudest period of the day that coincides with typical administrative and classroom activities. Noise levels were measured during both the morning and evening peak-hour traffic periods at each of the select receiver locations.

At the District Administration Building, interior and exterior noise levels were measured simultaneously to determine the transmission loss from the current windows. Interior noise levels at the District Administration Building were measured since there are no exterior uses (such as lunch or general seating areas) at this location.

The sound level meters that were used on this project meet or exceed the ANSI Standards for Type I accuracy and quality. Specifically, Brüel & Kjær Models 2236 were used for the noise measurements. The monitoring procedures followed the guidelines detailed in the Federal Highway Administration's document, *Measurement of Highway-Related Noise*[5].

A.2. Monitoring Results

The results of the noise monitoring program are summarized in **Table A.1** and shown graphically in **Figure A.1**. Except for the evening peak periods between 4-6 PM when noise levels are lower due to slowed traffic and congestion, ambient noise levels at the District Administration Building and the Metropolitan Campus Buildings along Woodland Avenue are dominated by free flowing traffic along I-90 and I-77, respectively. Maximum observed 1-hour equivalent noise levels (or Leq(h)) ranged from 68 dBA at the Metropolitan Campus Humanities Building approximately 350 feet from the I-77 northbound lanes to 74 dBA at the District Administration Building only 100 feet from the I-90 on ramp. The observed maximum interior noise level of 48 dBA at the District Administration Building (Office #328), which is 26 decibels lower than the corresponding exterior levels, is typical of well insulated double-glazed non-operable windows.

Additionally, observed maximum noise levels (or Lmax) from heavy trucks along the interstates ranged from 67 dBA at the Metropolitan Campus to 88 dBA at the District Administration Building. These instantaneous Lmax levels occurred during braking when the exhaust from the heavy truck diesel engines is the loudest during irregular traffic conditions (e.g., sudden stops).

[5] *Measurement of Highway-Related Noise*, FHWA-PD-96-046, Federal Highway Administration, US DOT, Cambridge, MA, May 1996.

Table A.1: Summary of Baseline Noise Levels Measured at the Tri-C Campus

Receiver	Distance to	1-hour Leq(h) Noise Level (in dBA)		
Description	Highway (ft)	Max	Min	Median
District Administration Building – Outdoors	150	74	68	73
District Administration Building – Indoors	150	48	42	47
Metropolitan Campus, Humanities Building	300	68	57	64

Source: DMJM Harris, Cleveland, OH, June 2006.

A.3. Traffic Noise Spectra

The observed frequency spectra of the highway noise measured at Cuyahoga Community College on June 27-28, 2006 is shown graphically in **Figure A.2**.

Figure A.2 shows several frequency spectra for mixed highway traffic including the following:

- A-wgt_Metro_Campus represents the average A-weighted noise level of 64 dBA at the Humanities Building at the Tri-C Metropolitan Campus;
- A-wgt_ Admin_Bldg represents the average A-weighted noise level of 73 dBA at the District Administration Building;
- LIN_Metro_Campus represents the average un-weighted or linear noise level of 72 dB at the Humanities Building at the Tri-C Metropolitan Campus; and,
- LIN_Admin_Bldg represents the average un-weighted or linear noise level of 83 dBA at the District Administration Building.

Based on observed vehicle mix ratios along I-77 and I-90, passenger cars accounted for 94 percent of the total traffic volumes during the peak- and peak-shoulder periods.

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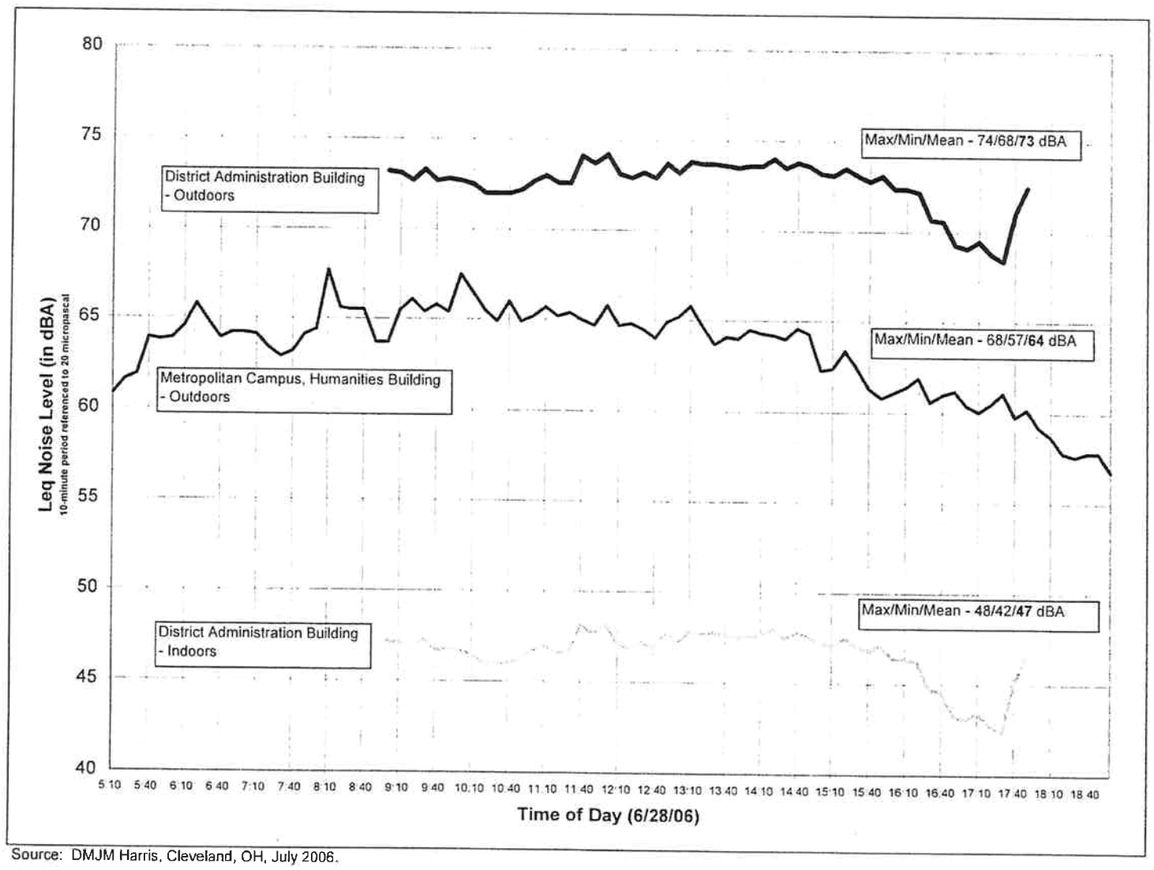
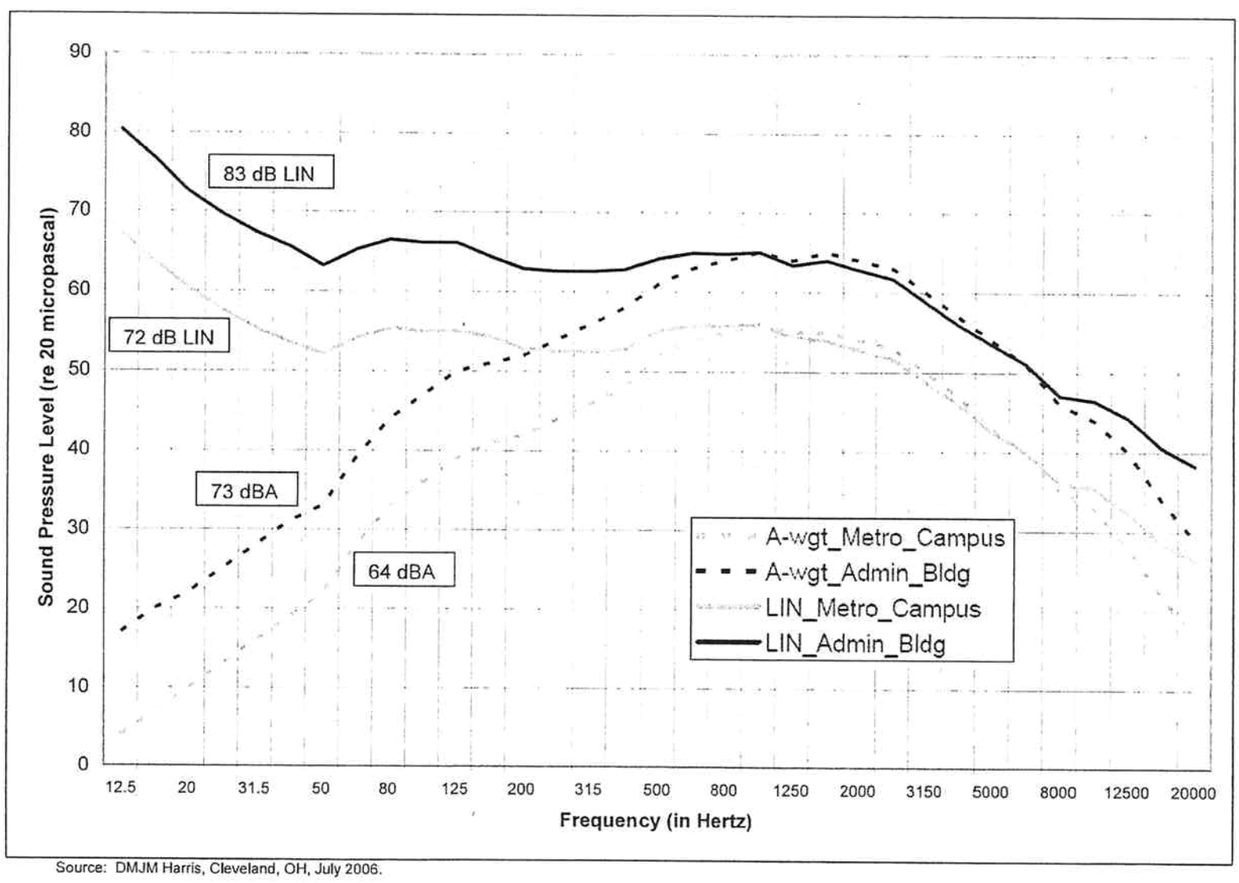


Source: DMJM Harris, Cleveland, OH, July 2006.

Figure A.1: Graphical Summary of the Noise Monitoring Results Observed at the Tri-C Campus on June 28, 2006



Source: DMJM Harris, Cleveland, OH, July 2006.

Figure A.2: Traffic Noise Spectra Observed at the Tri-C Campus on June 28, 2006

Appendix B: ODOT Innerbelt Study Traffic Projections

B.1. Input Traffic Data

Several data input items were solicited to develop peak-hour traffic volumes and speeds for each of the three FHWA vehicle types: automobiles (CARS), medium trucks (MT) and heavy trucks (HT). Traffic data, such as AADT traffic volumes, peak-hour K-factors, vehicle mix percentages and average travel speeds, were developed from the following sources:

- "Cuyahoga County 2003 Traffic AADT Map", Ohio Department of Transportation, Office of Technical Services, Traffic Monitoring Section, ODOT.Traffic.Counts@dot.state.oh.ou, (614) 466-3727.
- "Cuyahoga County Highway Traffic Counts", Northeast Ohio Areawide Coordinating Agency (NOACA), December 2004.
- Innerbelt 2025 Peak Hour Traffic Maps, Ohio Department of Transportation, February 2006.
- 2003 Traffic Survey Reports (24-Hour Average Volumes), Ohio Department of Transportation, http://www.dot.state.oh.us/techservsite/offceorg/traffmonit/, July 2006.

The traffic volumes and speeds utilized for the TNM modeling assessment are summarized in **Table B.1**.

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Table B.1: Summary of TNM Traffic Input Data

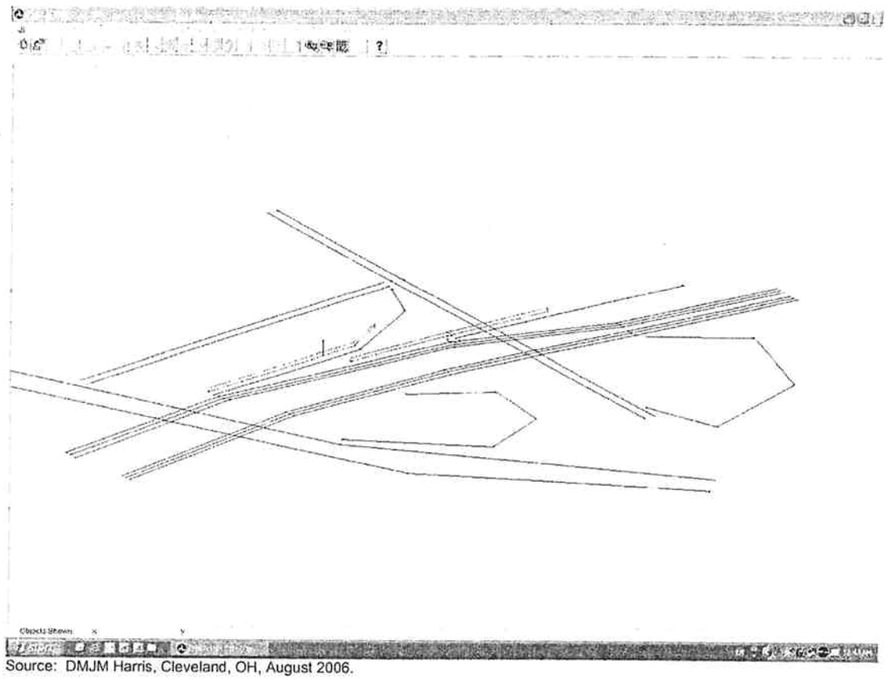
Receiver	Roadway	Number	----- 2003 EX -----			------2025 NB -----			------2025 BD------			Speed
ID	Description	of Lanes	CARS	MT	HT	CARS	MT	HT	CARS	MT	HT	(mph)
R1	I90, west of 9th St.	6	1,516	73	73	1,692	82	82	1,692	82	82	60
R1	I90, east of 9th St.	6	1,954	94	94	2,180	105	105	2,180	105	105	60
R1	on ramp, 9th St	1	595	29	29	664	32	32	664	32	32	30
R1	on ramp, 14th St	1	196	9	9	219	11	11	219	11	11	30
R1	off ramp, 9th St	1	736	36	36	822	40	40	822	40	40	30
R1	off ramp, Broadway	1	2,291	111	111	2,557	123	123	2,557	123	123	30
R1	9th St NB, north of Carnegie	1	1,634	79	79	1,824	88	88	1,824	88	88	45
R1	9th St SB, north of Carnegie	1	605	29	29	675	33	33	502	24	24	45
R1	9th St NB, south of Carnegie	1	1,422	69	69	1,587	77	77	1,724	83	83	45
R1	9th St SB, south of Carnegie	1	57	3	3	64	3	3	119	6	6	45
R1	Broadway NB, north of I90	1	1,871	90	90	2,088	101	101	2,389	115	115	50
R1	Broadway NB, south of I90	1	1,234	60	60	1,377	66	66	1,204	58	58	50
R1	Broadway SB, north of I90	1	605	29	29	675	33	33	492	24	24	50
R1	Broadway SB, south of I90	1	360	17	17	401	19	19	492	24	24	50
R1	Carnegie EB	1	793	38	38	885	43	43	948	46	46	40
R1	Carnegie WB	1	335	16	16	374	18	18	648	31	31	40
R2	I77	6	1,208	58	58	1,348	65	65	1,348	65	65	60
R2	on ramp, Woodland Av.	1	307	15	15	343	17	17	343	17	17	30
R2	off ramp, Orange Av.	1	225	11	11	251	12	12	251	12	12	30
R2	Woodland 1-6	3	150	7	7	167	8	8	182	9	9	45
R2	Woodland 7-10	2	611	29	29	675	33	33	716	35	35	45
R2	Orange Ave.	1	937	45	45	976	47	47	1,104	53	53	45
R2	off ramp, Woodland/Broadway	1	112	5	5	179	9	9	179	9	9	45

Source: DMJM Harris, Cleveland, OH, June 2006.

Appendix C: FHWA Traffic Noise Model Results

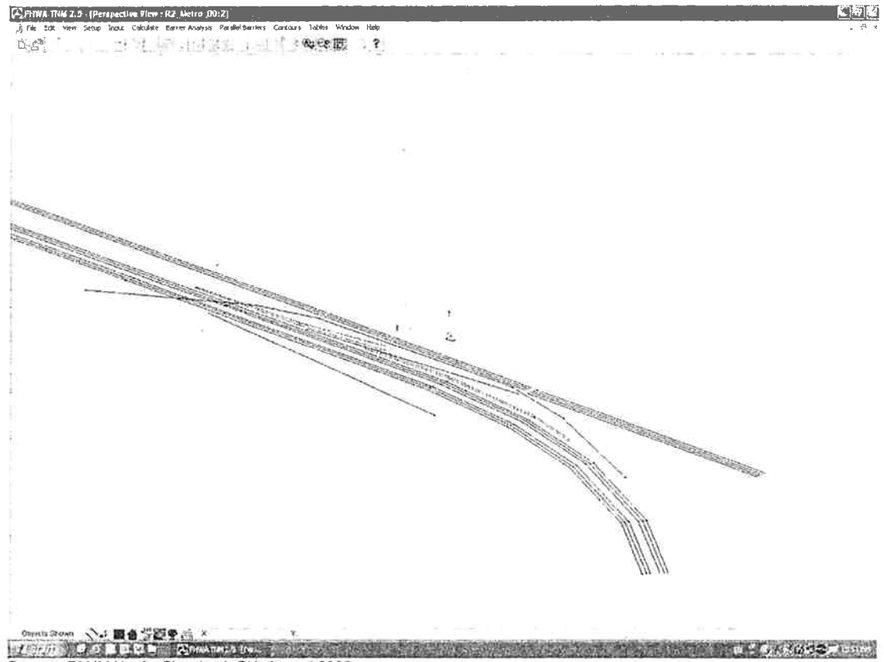
C.1. Schematics of TNM Geometric Model

The schematics of FHWA traffic noise model geometry including traffic links, receivers and noise barriers are shown in **Figure C.1** for the District Administration Building and **Figure C.2** for the Center for Innovation in the Arts under the Innerbelt proposed Build Alternative.



Source: DMJM Harris, Cleveland, OH, August 2006.

Figure C.1: Schematic of TNM Geometric Model at the District Administration Building



Source: DMJM Harris, Cleveland, OH, August 2006.

Figure C.2: Schematic of TNM Geometric Model at the Metropolitan Campus

Appendix D: TNM Validation Results

D.1. Observed Traffic Conditions

During one of the noise measurement periods, concurrent traffic volumes, vehicle mix and average travel speeds were observed and recorded for TNM model validation. The observed traffic data observed during these periods are summarized in **Table D.1**.

Table D.1: Summary of Observed Traffic Conditions during Noise Monitoring Period

Receiver		Hourly Traffic Volumes by Vehicle Category[1]					Speed
Description	Roadway	CARS	MT	HT	BUS	MC	(mph)
District Administration Building[2]	I-90 EB	10,000	100	300	30	5	50
	I-90 WB	4,000	210	250	25	0	60
Humanities Building (Metro Campus)[3]	I-77 SB	2,300	40	100	0	0	55
	I-77 NB	3,100	90	200	20	0	55
	On ramp to I-77 NB	150	15	15	0	0	30
	Woodland Avenue	400	20	20	0	0	35

1 Normalized hourly traffic counts were tabulated for each of the observed FHWA vehicle categories including automobiles (CARS), medium trucks (MT), heavy trucks (HT), buses (BUS) and motorcycles (MC).
2 Traffic observations were conducted at the District Administration Building on June 28, 2006 from 9:15-9:25 AM.
3 Traffic observations were conducted at the Metropolitan Campus, Humanities Building on June 28, 2006 from 10:20-10:30 AM.
Source: DMJM Harris, Cleveland, OH, August 2006.

D.2. Results of Model Validation Exercise

The results of the model validation exercise are summarized in **Table D.2**. According to the ODOT guidelines, if the measured and predicted noise levels are within 3 dBA, they are considered validated. As shown in **Table D.2**, both of the validation exercises resulted in differences of less than 2 dBA indicating a very good match between the actual observed roadway network and the modeled equivalent network developed in the TNM software.

Table D.2: Summary of FHWA Traffic Noise Model Validation Exercise

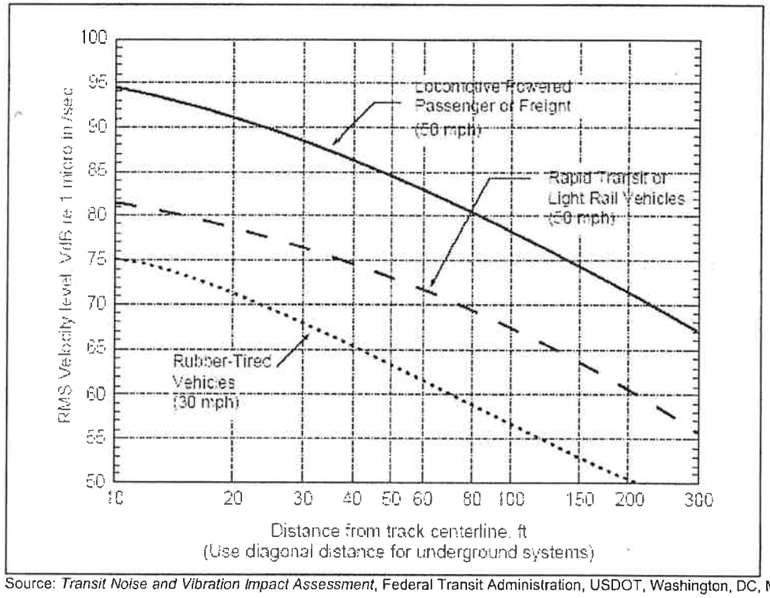
Receiver	Distance to	Leq(h) Noise Level (in dBA)		
Description	Highway (ft)	Measured	Predicted	Difference
District Administration Building	150	73.1	74.5	1.4
Humanities Building (Metro Campus)	300	65.5	65.4	-0.1

Source: DMJM Harris, Cleveland, OH, August 2006.

Appendix E: Vibration Support Data

E.1. Vibration Source Information

Since the FHWA does not evaluate vibration from highway vehicles, the FTA reference levels and modeling guidelines were utilized to predict future vibration impacts from heavy trucks. The ground surface vibration curves developed for the FTA and included in their modeling guidelines[6] are summarized in **Figure E.1** for rubber-tired vehicles such as buses and heavy trucks.



Source: *Transit Noise and Vibration Impact Assessment*, Federal Transit Administration, USDOT, Washington, DC, May 2006.

Figure E.1: FTA Generalized Ground Surface Vibration Curves

[6] *Transit Noise and Vibration Impact Assessment, Final Report*, Federal Transit Administration, USDOT, Washington, DC, April 1995.

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May 18, 2009

Craig Hebebrand
ODOT District 12
5500 Transportation Blvd.
Garfield Heights, OH 44125

RE: Comments of Meagan Mauter on Draft EIS for the Cleveland Innerbelt

Dear Craig:

Thank you for the opportunity to provide comments on the draft Environmental Impact Statement (EIS) for the Innerbelt project.

I have sought to investigate areas in which the subject EIS does not conform with the language of the NEPA statues. There are three key areas where the draft EIS conflicts with NEPA regulations. First, the draft EIS insufficiently addresses the impacts of the Innerbelt project on stormwater quality. Second, the draft EIS fails to investigate alternatives of stormwater management or present options for mitigating water quality impacts due to stormwater runoff. Finally, the draft EIS misrepresents or fails to document the extensive debate around issues of stormwater management and water quality protection that have already been raised during the project development phase. Because the draft EIS product seem to be in such substantial deviation from the NEPA statues I have sought clarification from both the Council on Environmental Quality and the Federal Department of Transportation.

1
2
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I have had the opportunity to review the draft EIS for the Cleveland Innerbelt project and particularly to focus on the issues of water quality protection and stormwater management. In this process I have reviewed the comments which were approved by the NOACA Transportation Advisory Committee. These comments cover a variety of Issues that should have been addressed in the draft EIS and certainly should be addressed in the final EIS. I have adopted and incorporated , sometimes with modification, many of the NOACA comments as my own.

The third section of these comments includes a statement that I delivered to the NOACA Transportation Advisory Committee on 5/15/2009. This statement advocates for the adoption of the NOACA comments mentioned above by the TAC committee, as well as proposing environmental mediation as an avenue for ensuring the conclusion of the EIS process in a timely manner. I am asking that these comments be incorporated into the public record for this project.

The final section of these comments is adapted from the section of the Council on Environmental Quality's "Citizens Guide to NEPA" that addresses protocol for environmental mediation. I strongly encourage ODOT to adopt the environmental mediation process for this Innerbelt project and meet the environmental commitments outlined at the conclusion of these comments.

Non-Compliance with NEPA regulations

1) **The draft EIS fails to adequately address the impacts of stormwater discharge to near-shore areas of Lake Erie. NEPA regulations Sec. 1502.15 require discussion of the effected environment.**

Sec. 1502.15 Affected environment.

The environmental impact statement shall succinctly describe the environment of the area(s) to be affected or created by the alternatives under consideration. The descriptions shall be no longer than is necessary to understand the effects of the alternatives. Data and analyses in a statement shall be commensurate with the importance of the impact, with less important material summarized, consolidated, or simply referenced. Agencies shall avoid useless bulk in statements and shall concentrate effort and attention on important issues. Verbose descriptions of the affected environment are themselves no measure of the adequacy of an environmental impact statement.

Further, Section 1502.16 require analysis of the environmental consequences of the proposed action should the proposal be implemented.

The discussion will include the environmental impacts of the alternatives including the proposed action, any adverse environmental effects which cannot be avoided should the proposal be implemented, the relationship between short-term uses of man's environment and the maintenance and enhancement of long-term productivity, and any irreversible or irretrievable commitments of resources which would be involved in the proposal should it be implemented.

Section 1502.16 lists eight mandatory areas of discussion, including point (h)

(h) Means to mitigate adverse environmental impacts (if not fully covered under Sec. 1502.14(f)).

2) **The draft EIS fails to investigate alternatives of stormwater management or present options for mitigating water quality impacts due to stormwater runoff.**

In addition to the NEPA statues cited above, The Council on Environmental Quality has provided additional guidance that suggests that alternative for mitigation for environmental impacts should be discussed in the EIS. Specifically in a document entitled "NEPA's Forty Most Asked Questions" a response is provide for the question of the scope of mitigation measures that must be discussed in an EIS. The answer quoted is as follows:

"The mitigation measures discussed in an EIS must cover the range of impacts of the proposal. The measures must include such things as design alternatives that would

decrease pollution emissions, construction impacts, esthetic intrusions, as well as relocation assistance, possible land use controls that could be enacted, and other possible efforts. Mitigation measures must be considered even for impacts that by themselves would not be considered "significant." Once the proposal itself if considered as a whole to have significant effects, all of its specific effects on the environment (whether or not "significant") must be considered, and mitigation measures must be developed where it is feasible to do so."

Sections 1502.14(f), 1502.16(h) and 1508.14 of the Environmental Quality Improvement Act of 1970 are cited in support of the answer.

The deficiencies of discussion around stormwater management are detailed in subsequent sections of these draft EIS comments.

3) **The draft EIS misrepresents or fails to document the extensive debate around issues of stormwater management and water quality protection that have already been raised during the project development phase. The requirements for such reporting are included in** *Sec. 102 [42 USC 4332]* **of Title I of the NEPA act.**

Prior to making any detailed statement, the responsible Federal official shall consult with and obtain the comments of any Federal agency which has jurisdiction by law or special expertise with respect to any environmental impact involved. Copies of such statement and the comments and views of the appropriate Federal, State, and local agencies, which are authorized to develop and enforce environmental standards, shall be made available to the President, the Council on Environmental Quality and to the public as provided by section 552 of title 5, United States Code, and shall accompany the proposal through the existing agency review processes;

... if there is any disagreement on such impacts, [the responsible officials are required to] prepare a written assessment of such impacts and views for incorporation into such detailed statement.

By not documenting local concerns around the impact of this Innerbelt project to stormwater quality and stormwater management issues, the draft EIS may have limited the discussion and consideration of design alternatives by other cooperating agencies on the State and Federal levels. Furthermore, inadequate documentation may have inhibited the ability of the local public to become aware of environmental issues and design alternatives surrounding stormwater management.

I expect reporting requirements on the Final EIS to comply with regulations for documenting public comments as outlined in CEQ NEPA Regulations, 40 C.F.R. §§ 1501.4(b), 1506.6(b) and CEQ NEPA Regulations, 40 C.F.R. §§ 1506.6, 1508.10.

NOACA Comments, Adopted As My Own:

Given the significant amount of storm water from the proposed Innerbelt project that will discharge to Cleveland's highly valued lakefront or to the Cuyahoga River, water resource impacts should be thoroughly explored in the Innerbelt Environmental Impact Statement (EIS) process. According to one ODOT estimate provided to the TRANSWAC committee, 33% of the drainage of the Innerbelt project (some 111 acres) goes directly to Lake Erie. A study prepared by TRANSWAC provides a literature review and summarizes local data to show the potential that storm water discharges from the project could violate Lake Erie water quality standards and add pollutant loads to the Cuyahoga River.

The EIS should address the issues raised by the TRANSWAC report and its referenced technical documents and provide a full discussion of the current and potential water quality impacts of discharges from the Innerbelt facility. Particularly, ODOT and FHWA as lead agencies are encouraged to collaborate with the various cooperating and participating agencies of the EIS process to evaluate the issues which TRANSWAC has raised and to determine appropriate responses to mitigate water quality impacts. ODOT should collaborate with Ohio EPA to clearly explain the respective roles of storm water permits and water quality standards water quality in assuring project compliance with all water quality requirements of Ohio law. A commitment should be made to conduct an equivalent supplemental EIS review process in an extended time frame if the above processes cannot be completed with out causing a delay in the issuance of a final Environmental Impact Statement.

Evidence exists that the existing Innerbelt discharge may have deleterious effects on the receiving waters of Lake Erie and the Cuyahoga River. Yet, current Ohio EPA storm water permits and the draft EIS would suggest that ODOT need only provide treatment for additional impermeable surfaces or newly separated storm water. As the Innerbelt project represents a total reconstruction, the EIS should consider the costs and benefits of providing storm water treatment for the entire project.

Because of the potential water quality concerns, the need to be proactive in fully protecting Cleveland's waterfront resource, and the unique opportunity that is attendant with a major reconstruction of drainage facilities, storm water management options should not be limited to ODOT's standard list of Best Management Practices. (ODOT notes that their list of storm water quality Best Management Practices represents their process, which is meant to keep ODOT in compliance with existing Ohio EPA regulations. This BMP list includes: exfiltration trenches, extended detention and retention basins, bioretention cells, infiltration trenches, infiltration basins, constructed wetlands, manufactured systems, and vegetated biofilters.) The EIS should discuss the costs and benefits of the full range of storm water management options and establish a framework for the selection of options. This evaluation should include consideration of treatment of Innerbelt discharges in the Northeast Ohio Regional Sewer District's central treatment facilities.

The NOACA/TRANSWAC role as a participating agency should be clarified. The EIS should discuss the work of the TRANSWAC along side of other consulting committees in Chapter 5. The EIS should note and respond to issues of past TRANSWAC and TRANSWAC member comments provided in response to the Level 1 Ecological Survey, EIS scoping, and the Innerbelt Storm Water Best Management Report.

Specific Comments

1) The issue of potential violations of Lake Erie water quality standards should be thoroughly discussed. Lacking more specific or more representative data, the data and findings previously provided by the TRANSWAC committee should be incorporated into this discussion. The EIS should describe the existing water quality issues of the near shore areas of Lake Erie and the expected impact of current and new discharges of Innerbelt storm water to Lake Erie near shore areas. ODOT should request that Ohio EPA and other agencies with water quality management responsibilities review this supplemental information to determine whether the final project discharges will comply with all water quality requirements of Ohio law.
2) The EIS should clearly state the estimated the amount and percentage of the Innerbelt runoff which currently discharges to Lake Erie, the Cuyahoga River, and the centralized treatment facilities of NEORSD. As available, the same estimates should be provided for Innerbelt drainage system after reconstruction.
3) The EIS should evaluate the potential to treat its Innerbelt direct storm water discharges as a move toward achievement of the TMDL targets set for the Cuyahoga River and current water quality standards.
4) The EIS should clearly explain the process for determining the current regulatory requirements for storm water discharges from the Innerbelt. This discussion should include an explanation of how requirements are determined where application of ODOT's best management practices would still result in a violation of Ohio water quality standards.
5) The EIS should evaluate a wide range of options for treatment of storm water from the Innerbelt. This evaluation should include treatment of some or all of the Innerbelt discharge in NEORSD's central treatment facility. This option should be considered as an alternative to the separation strategy that ODOT has discussed in the draft EIS. Other options beyond BMPs should also be considered.
6) The public record should acknowledge TRANSWAC's request to ODOT and NEORSD to consider alternative ways to evaluate the cost and benefits of centralized treatment lacking a rate structure for treatment by NEORSD.
7) The EIS should acknowledge NEORSD's letter of June 22, 2007 and consider the approach and data provided in that letter in assessing the costs and benefits of centralized treatment in NEORSD facilities.
8) The EIS should show pollutant loading changes that would occur as a result of the separation strategy proposed in the draft EIS. The EIS should estimate the additional storm water load that would be added to Lake Erie and to the Cuyahoga River. The potential for violations of water quality standards as a result of increased loads should be considered. To the extent that reductions in combined sewer loads are used as a justification for separation, planned improvements through NEORSD's Long Term Control Plan should be considered. Additionally, consideration should be given to the cost effectiveness of sizing NEORSD facilities to accommodate ODOT's loads. Example calculations on the impact of separation were provided to ODOT as part of TRANSWAC comments on ODOT's Innerbelt BMP report. The calculations show that separation could result in greater loads to receiving waters.
9) The EIS should address the issue of the need to provide right of way space for the installation of Best Management Practices where applicable.
10) The EIS should address the issue that the project, as a total reconstruction of the Innerbelt, should consider options to provide treatment for 100% of the pavement of the project rather then simply providing treatment for newly paved or newly separated storm water.
11) The EIS should provide a responsiveness summary to indicate how it addressed comments made as a result of comments received on the Level 1 Ecological Survey and also on the Innerbelt Storm Water Best Management Practice report.
12) The EIS should discuss the development of project specific procurement specification for water quality issues and storm water management. Also, consideration should be given to the development of special allocations and contingency funds specific to water quality and storm water management issues.
13) The project's Purpose and Need statement should be revised to make it clear that the Innerbelt project should consider and is expected to result in improved management of Innerbelt air quality and water quality environmental issues.
14) In its comments of March 20, 2006 TRANSWAC asked that the Innerbelt project consider designing elements of the drainage system to provide for hazardous spill containment and for precise measurement of storm water loads. The draft EIS does not discuss the containment of hazardous spills nor is there any pledge made to provide monitoring chambers to allow for precise measurement of future storm water loads.
15) FHWA and ODOT should meet with stakeholders and agencies interested in water quality and storm water management issues to solicit assistance and to consult on a schedule to address draft EIS deficiencies. These meetings should also discuss comprehensive EIS commitments to protect water quality and consider supplemental EIS processes to compensate for issues that can not be fully addressed in the next EIS document.

Personal Statement to the NOACA Transportation Advisory Committee on 5/15/2009 Submitted as Comments to thee Draft EIS

First I would like to thank Chairman Gils and the rest of the NOACA TAC committee for allowing me to provide a comment concerning transportation and water quality.

My name is Meagan Mauter and I am a native Clevelander currently pursing a doctorial degree in Environmental Engineering at Yale University. This summer I decided to return to Cleveland to work on developing a consortium of organizations researching urban ecology and biophilic urban design. We will be applying for federal

grant money to fund this research, and given my interest and expertise in water quality and public policy, I will be advising the center's research in these areas.

In this capacity, and I currently volunteering with the GCBL institute to investigate stormwater management for the Cleveland Innerbelt project. As I familiarized myself with the interstate development project as a model of transportation planning in NE Ohio, I became concerned about the manner in which stormwater management is being addressed in the Environmental Impact statement process.

I am aware that one of the items on your agenda today deals with the submission of comments on the Innerbelt draft EIS, and Andy Vidra of the NOACA staff was kind enough to provide me a copy of this document. Although I am new to this debate, I would like to share some of my thoughts on this issue. I will begin my comments from the perspective of an environmental engineer, but I will conclude on a more personal note as a young professional considering whether to re-establish roots in the Cleveland community.

As an environmental engineer familiar with the EIS process, I am concerned that the draft EIS statement 1) insufficiently addresses the impacts of the Innerbelt project on stormwater quality and fails to present options for mitigating these impacts 2) misrepresents or fails to document the extensive debate around issues of stormwater management and water quality protection that have already been raised during the project development phase.

Chapter 4 of the draft EIS purports to discuss environmental impacts to aquatic resources and stormwater quality. Chapter 4 asserts that the proposed plan has no anticipated impact on stream or lake water quality. Yet, according to one ODOT estimate provided to the TRANSWAC committee, 33% of the drainage of the Innerbelt project (some 111 acres) goes directly to Lake Erie. Given the large drainage area and the high-traffic volume anticipated on the Innerbelt, I find it surprising that ODOT would not make a more substantial effort in evaluating the environmental impacts on water quality.

The stormwater section, in particular, inadequately addresses feasible design alternatives and any improvement to water quality stemming from these design alternatives. There is no mention of the design alternative in which stormwater run-off is treated using conventional wastewater treatment techniques. The draft EIS mentions the possibility of a storm water separation strategy but neglects to evaluate how the implementation of such a system would alter stormwater quality and aquatic resources. My understanding is that EISs are required by law to address all feasible design alternatives and the environmental impact associated with each of these alternatives.

Finally, ODOT mentions that best management practices (BMPs) will provide guidance in project design. I am concerned that these BMPs alone are insufficient to protect water quality, and that by simply defaulting to BMPs ODOT is avoiding their responsibility to thoroughly and publicly weigh impacts associated with different design alternatives.

This brings me to my second issue with the EIS statement, namely that Chapter 5 of the draft EIS fails to adequately document significant discussions of water quality and stormwater management issues raised during the design phase. Judging solely from the TRANSWAC comments up for approval today, it appears that there have been a number of discussions around stormwater quality issues that are not noted in a section specifically dedicated to summarizing the public record. The purpose of this section is both to document discussion and debate for decision purposes, as well as to help people (like myself), who wish to learn about and weight in on the project.

The comments up to this point represent my opinion as an environmental engineer, as well as the opinions of Green City Blue Lake who I am representing here today. In addition to concern over water quality issues, GCBL is frustrated by the failure of ODOT to analyze strategies to reduce traffic demand as part of the alternative analysis for the Innerbelt project. Also of concern is the failure of the project to provide for the significant integration of bicycle paths as part of the Innerbelt project.

My next comments will be given wearing the hat of a young professional contemplating establishing a career and sinking roots into this community. As I interviewed for jobs in Cleveland this past spring I was struck by the number of organizations committed to advancing sustainability in their sector of business or community development. Much of my work this summer will be in helping to pull these many organizations together under an umbrella center to look closely at urban ecology in a shrinking urban center.

My personal belief is that reversing perceptions of Cleveland as a polluted city on a burning river is a critical first step in reducing urban flight and attracting young, environmentally conscious people to the Northeast Ohio. I hope that City leaders understand the intimate connection between water quality and public health, lakefront property values, and regional identity. As NOACA committee members you have a role both in ensuring that region's transportation needs are met AND in stewarding projects that protect the environment and promote a new era of sustainable design. I am not yet convinced that area leaders fully understand the connections between environmental sustainability and population sustainability in the region.

I have reviewed the comments that your TRANSWAC group has recommended and I strongly agree that these critical issues should be addressed in the final EIS. Of broader concern to me is the disturbing question of why these issues were not more thoroughly addressed in the draft EIS. Given the importance of the Innerbelt project and the importance of environmental protection and sustainability to the Cleveland area, I am wondering if there are additional steps that could be taken to avoid setting up a win/lose conflict, particularly in light of short timeline for stimulus package funding available for this project? How can we ensure that the final EIS is responsive to substantive environmental issues? The possibility of engaging in the process of environmental mediation involving a neutral but NEPA experienced third party is one alternative. The Environmental Law and Policy center in Chicago, for example, would be a qualified organization. The U. S. Institute for Environmental Conflict Resolution is another source recommended as an environmental mediator in the Citizen guide to the NEPA process.

So again, I strongly recommend the TRANSWAC comments for adoption by the committee, but also encourage NOACA to consider the additional step of engaging with ODOT and FHWA in a process of environmental mediation. Some of the apparent conflicts seem to be resolvable disagreements over what the NEPA statues require be considered in an EIS. I suggest that this is a reasonable step to avoid the potential future scenario of a challenge to a final environmental impact statement that could potentially delay this critical project.

I appreciate your allowing me to share my thoughts with this committee. Thank you

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meagan.mauter@yale.edu

From The Council on Environmental Quality's "Citizens Guide to NEPA": Third Party Environmental Mediation

Given the importance of the Innerbelt project and the importance of environmental protection and sustainability to the Cleveland area, and particularly in light of short timeline for stimulus package funding available for this project, I propose the process of third party environmental mediation for the Innerbelt project.

If, for some reason, you believe that the process ahead may be particularly contentious or challenging, given a past history of community conflict or deeply divided interests, consider raising with the lead agency the possibility of designing a collaborative process with outside assistance. One source of such assistance is the U.S. Institute for Environmental Conflict Resolution. Located in Tucson, Arizona, as part of the Morris K. Udall Foundation, the Institute is a Federal entity that offers neutral environmental conflict resolution design, facilitation, education, training, and mediation. Anyone, whether in or out of government, can call the Institute and ask to speak to a professional staff person to discuss the potential for the Institute's involvement in a proposed federal action.

Expected Commitments in the Final EIS

Environmental commitments are a way to address the significant gap in environmental impact assessment and analysis work remaining to fulfill the requirements of the NEPA process given the short time frame for the production of a final EIS. The development of environmental commitments would best be accomplished via a third party mediation process. Issues that must be addressed include scope and schedule for:

1) Assessment of existing water quality conditions of near shore areas of Lake Erie and the Cuyahoga River.
2) Conduct quantitative sampling and data analysis, along side a review of existing scientific literature, to determine likely Innerbelt stormwater quality characteristics.
3) Development of stormwater management alternatives.
4) Cost-Benefit analysis of stormwater treatment options.
5) Commitment to ongoing research to develop improved stormwater BMPs that address the specific water quality issues of Innerbelt runoff.

Thank you for the opportunity to submit comments.

Respectfully,

Meagan S. Mauter, M.E.E., M.S., M.Phil.
Ph.D. Candidate in Environmental Engineering
Yale University
3044 Corydon Rd.
Cleveland Hts., OH

SPWebmaster@dot.state.oh.us
05/19/2009 11:19 PM

To Craig.Hebebrand@dot.state.oh.us
cc
bcc
Subject Innerbelt Plan Public Comment Form

Comments: May 18, 2009 Craig Hebebrand ODOT District 12 5500 Transportation Blvd. Garfield Heights, OH 44125 RE: Comments of Meagan Mauter on Draft EIS for the Cleveland Innerbelt Dear Craig: Thank you for the opportunity to provide comments on the draft Environmental Impact Statement (EIS) for the Innerbelt project. I have sought to investigate areas in which the subject EIS does not conform with the language of the NEPA statues. There are three key areas where the draft EIS conflicts with NEPA regulations. First, the draft EIS insufficiently addresses the impacts of the Innerbelt project on stormwater quality. Second, the draft EIS fails to investigate alternatives of stormwater management or present options for mitigating water quality impacts due to stormwater runoff. Finally, the draft EIS misrepresents or fails to document the extensive debate around issues of stormwater management and water quality protection that have already been raised during the project development phase. Because the draft EIS product seem to be in such substantial deviation from the NEPA statues I have sought clarification from both the Council on Environmental Quality and the Federal Department of Transportation. I have had the opportunity to review the draft EIS for the Cleveland Innerbelt project and particularly to focus on the issues of water quality protection and stormwater management. In this process I have reviewed the comments which were approved by the NOACA Transportation Advisory Committee. These comments cover a variety of Issues that should have been addressed in the draft EIS and certainly should be addressed in the final EIS. I have adopted and incorporated , sometimes with modification, many of the NOACA comments as my own. The third section of these comments includes a statement that I delivered to the NOACA Transportation Advisory Committee on 5/15/2009. This statement advocates for the adoption of the NOACA comments mentioned above by the TAC committee, as well as proposing environmental mediation as an avenue for ensuring the conclusion of the EIS process in a timely manner. I am asking that these comments be incorporated into the public record for this project. The final section of these comments is adapted from the section of the Council on Environmental Quality's "Citizens Guide to NEPA" that addresses protocol for environmental mediation. I strongly encourage ODOT to adopt the environmental mediation process for this Innerbelt project and meet the environmental commitments outlined at the conclusion of these comments. Non-Compliance with NEPA regulations 1) The draft EIS fails to adequately address the impacts of stormwater discharge to near-shore areas of Lake Erie. NEPA regulations Sec. 1502.15 require discussion of the effected environment. Sec. 1502.15 Affected environment. The environmental impact statement shall succinctly describe the environment of the area(s) to be affected or created by the alternatives under consideration. The descriptions shall be no longer than is necessary to understand the effects of the alternatives. Data and analyses in a statement shall be commensurate with the importance of the impact, with less important material summarized, consolidated, or simply referenced. Agencies shall avoid useless bulk in statements and shall concentrate effort and attention on important issues. Verbose descriptions of the affected environment are themselves no measure of the adequacy of an environmental impact statement. Further, Section 1502.16 require analysis of the environmental consequences of the proposed action should the proposal be implemented. The discussion will include the environmental impacts of the alternatives including the proposed action, any adverse environmental effects which cannot be avoided should the proposal be implemented, the relationship between short-term uses of man's environment and the maintenance and enhancement of long-term productivity, and any irreversible or irretrievable commitments of resources which would be involved in the proposal should it be implemented. Section 1502.16 lists eight mandatory areas of discussion, including point (h) (h) Means to mitigate adverse environmental impacts (if not fully covered under Sec. 1502.14(f)). 2) The draft EIS fails to investigate alternatives of stormwater management or present options for mitigating water quality impacts due to stormwater runoff. In addition to the NEPA statues cited above, The Council on Environmental Quality has provided additional guidance that suggests that alternative for mitigation for environmental impacts should be discussed in the EIS. Specifically in a document entitled "NEPA's Forty Most Asked Questions" a response is provide for the question of the scope of mitigation measures that must be discussed in an EIS. The answer quoted is as follows: "The mitigation measures discussed in an EIS must cover the range of impacts of the proposal. The measures must include such things as design alternatives that would decrease pollution emissions, construction impacts, esthetic intrusions, as well as relocation assistance, possible land use controls that could be enacted, and other possible efforts. Mitigation measures must be considered even for impacts that by themselves would not be considered "significant." Once the proposal itself if considered as a whole to have significant effects, all of its specific effects on the environment (whether or not "significant") must be considered, and mitigation measures must be developed where it is feasible to do so." Sections 1502.14(f), 1502.16(h) and 1508.14 of the Environmental Quality Improvement Act of 1970 are cited in support of the answer. The deficiencies of discussion around stormwater management are detailed in subsequent sections of these draft EIS comments. 3) The draft EIS misrepresents or fails to document the extensive debate around issues of stormwater management and water quality protection that have already been raised during the project development phase. The requirements for such reporting are included in Sec. 102 [42 USC 4332] of Title I of the NEPA act. Prior to making any detailed statement, the responsible Federal official shall consult with and obtain the comments of any Federal agency which has jurisdiction by law or special expertise with respect to any environmental impact involved. Copies of such statement and the comments and views of the appropriate Federal, State, and local agencies, which are authorized to develop and enforce environmental standards, shall be made available to the President, the Council on Environmental Quality and to the public as provided by section 552 of title 5, United States Code, and shall accompany the proposal through the existing agency review processes; … if there is any disagreement on such impacts, [the responsible officials are required to] prepare a written assessment of such impacts and views for incorporation into such detailed statement. By not documenting local concerns around the impact of this Innerbelt project to stormwater quality and stormwater management issues, the draft EIS may have limited the discussion and consideration of design alternatives by other cooperating agencies on the State and Federal levels. Furthermore, inadequate documentation may have inhibited the ability of the local public to become aware of environmental issues and design alternatives surrounding stormwater management. I expect reporting requirements on the Final EIS to comply with regulations for documenting public comments as outlined in CEQ NEPA Regulations, 40 C.F.R. §§ 1501.4(b), 1506.6(b) and CEQ NEPA Regulations, 40 C.F.R. §§ 1506.6, 1508.10. NOACA Comments, Adopted As My Own:

Given the significant amount of storm water from the proposed Innerbelt project that will discharge to Cleveland's highly valued lakefront or to the Cuyahoga River, water resource impacts should be thoroughly explored in the Innerbelt Environmental Impact Statement (EIS) process. According to one ODOT estimate provided to the TRANSWAC committee, 33% of the drainage of the Innerbelt project (some 111 acres) goes directly to Lake Erie. A study prepared by TRANSWAC provides a literature review and summarizes local data to show the potential that storm water discharges from the project could violate Lake Erie water quality standards and add pollutant loads to the Cuyahoga River. The EIS should address the issues raised by the TRANSWAC report and its referenced technical documents and provide a full discussion of the current and potential water quality impacts of discharges from the Innerbelt facility. Particularly, ODOT and FHWA as lead agencies are encouraged to collaborate with the various cooperating and participating agencies of the EIS process to evaluate the issues which TRANSWAC has raised and to determine appropriate responses to mitigate water quality impacts. ODOT should collaborate with Ohio EPA to clearly explain the respective roles of storm water permits and water quality standards water quality in assuring project compliance with all water quality requirements of Ohio law. A commitment should be made to conduct an equivalent supplemental EIS review process in an extended time frame if the above processes cannot be completed with out causing a delay in the issuance of a final Environmental Impact Statement. Evidence exists that the existing Innerbelt discharge may have deleterious effects on the receiving waters of Lake Erie and the Cuyahoga River. Yet, current Ohio EPA storm water permits and the draft EIS would suggest that ODOT need only provide treatment for additional impermeable surfaces or newly separated storm water. As the Innerbelt project represents a total reconstruction, the EIS should consider the costs and benefits of providing storm water treatment for the entire project. Because of the potential water quality concerns, the need to be proactive in fully protecting Cleveland's waterfront resource, and the unique opportunity that is attendant with a major reconstruction of drainage facilities, storm water management options should not be limited to ODOT's standard list of Best Management Practices. (ODOT notes that their list of storm water quality Best Management Practices represents their process, which is meant to keep ODOT in compliance with existing Ohio EPA regulations. This BMP list includes: exfiltration trenches, extended detention and retention basins, bioretention cells, infiltration trenches, infiltration basins, constructed wetlands, manufactured systems, and vegetated biofilters.) The EIS should discuss the costs and benefits of the full range of storm water management options and establish a framework for the selection of options. This evaluation should include consideration of treatment of Innerbelt discharges in the Northeast Ohio Regional Sewer District's central treatment facilities. The NOACA/TRANSWAC role as a participating agency should be clarified. The EIS should discuss the work of the TRANSWAC along side of other consulting committees in Chapter 5. The EIS should note and respond to issues of past TRANSWAC and TRANSWAC member comments provided in response to the Level 1 Ecological Survey, EIS scoping, and the Innerbelt Storm Water Best Management Report. Specific Comments 1) The issue of potential violations of Lake Erie water quality standards should be thoroughly discussed. Lacking more specific or more representative data, the data and findings previously provided by the TRANSWAC committee should be incorporated into this discussion. The EIS should describe the existing water quality issues of the near shore areas of Lake Erie and the expected impact of current and new discharges of Innerbelt storm water to Lake Erie near shore areas. ODOT should request that Ohio EPA and other agencies with water quality management responsibilities review this supplemental information to determine whether the final project discharges will comply with all water quality requirements of Ohio law. 2) The EIS should clearly state the estimated the amount and percentage of the Innerbelt runoff which currently discharges to Lake Erie, the Cuyahoga River, and the centralized treatment facilities of NEORSD. As available, the same estimates should be provided for Innerbelt drainage system after reconstruction. 3) The EIS should evaluate the potential to treat its Innerbelt direct storm water discharges as a move toward achievement of the TMDL targets set for the Cuyahoga River and current water quality standards. 4) The EIS should clearly explain the process for determining the current regulatory requirements for storm water discharges from the Innerbelt. This discussion should include an explanation of how requirements are determined where application of ODOT's best management practices would still result in a violation of Ohio water quality standards. 5) The EIS should evaluate a wide range of options for treatment of storm water from the Innerbelt. This evaluation should include treatment of some or all of the Innerbelt discharge in NEORSD's central treatment facility. This option should be considered as an alternative to the separation strategy that ODOT has discussed in the draft EIS. Other options beyond BMPs should also be considered. 6) The public record should acknowledge TRANSWAC's request to ODOT and NEORSD to consider alternative ways to evaluate the cost and benefits of centralized treatment lacking a rate structure for treatment by NEORSD. 7) The EIS should acknowledge NEORSD's letter of June 22, 2007 and consider the approach and data provided in that letter in assessing the costs and benefits of centralized treatment in NEORSD facilities. 8) The EIS should show pollutant loading changes that would occur as a result of the separation strategy proposed in the draft EIS. The EIS should estimate the additional storm water load that would be added to Lake Erie and to the Cuyahoga River. The potential for violations of water quality standards as a result of increased loads should be considered. To the extent that reductions in combined sewer loads are used as a justification for separation, planned improvements through NEORSD's Long Term Control Plan should be considered. Additionally, consideration should be given to the cost effectiveness of sizing NEORSD facilities to accommodate ODOT's loads. Example calculations on the impact of separation were provided to ODOT as part of TRANSWAC comments on ODOT's Innerbelt BMP report. The calculations show that separation could result in greater loads to receiving waters. 9) The EIS should address the issue of the need to provide right of way space for the installation of Best Management Practices where applicable. 10) The EIS should address the issue that the project, as a total reconstruction of the Innerbelt, should consider options to provide treatment for 100% of the pavement of the project rather then simply providing treatment for newly paved or newly separated storm water. 11) The EIS should provide a responsiveness summary to indicate how it addressed comments made as a result of comments received on the Level 1 Ecological Survey and also on the Innerbelt Storm Water Best Management Practice report. 12) The EIS should discuss the development of project specific procurement specification for water quality issues and storm water management. Also, consideration should be given to the development of special allocations and contingency funds specific to water quality and storm water management issues. 13) The project's Purpose and Need statement should be revised to make it clear that the Innerbelt project should consider and is expected to result in improved management of Innerbelt air quality and water quality environmental issues. 14) In its comments of March 20, 2006 TRANSWAC asked that the Innerbelt project consider designing elements of the drainage system to provide for hazardous spill containment and for precise measurement of storm water loads.

The draft EIS does not discuss the containment of hazardous spills nor is there any pledge made to provide monitoring chambers to allow for precise measurement of future storm water loads. 15) FHWA and ODOT should meet with stakeholders and agencies interested in water quality and storm water management issues to solicit assistance and to consult on a schedule to address draft EIS deficiencies. These meetings should also discuss comprehensive EIS commitments to protect water quality and consider supplemental EIS processes to compensate for issues that can not be fully addressed in the next EIS document. Personal Statement to the NOACA Transportation Advisory Committee on 5/15/2009 Submitted as Comments to thee Draft EIS First I would like to thank Chairman Gils and the rest of the NOACA TAC committee for allowing me to provide a comment concerning transportation and water quality. My name is Meagan Mauter and I am a native Clevelander currently pursing a doctorial degree in Environmental Engineering at Yale University. This summer I decided to return to Cleveland to work on developing a consortium of organizations researching urban ecology and biophilic urban design. We will be applying for federal grant money to fund this research, and given my interest and expertise in water quality and public policy, I will be advising the center's research in these areas. In this capacity, and I currently volunteering with the GCBL institute to investigate stormwater management for the Cleveland Innerbelt project. As I familiarized myself with the interstate development project as a model of transportation planning in NE Ohio, I became concerned about the manner in which stormwater management is being addressed in the Environmental Impact statement process. I am aware that one of the items on your agenda today deals with the submission of comments on the Innerbelt draft EIS, and Andy Vidra of the NOACA staff was kind enough to provide me a copy of this document. Although I am new to this debate, I would like to share some of my thoughts on this issue. I will begin my comments from the perspective of an environmental engineer, but I will conclude on a more personal note as a young professional considering whether to re-establish roots in the Cleveland community. As an environmental engineer familiar with the EIS process, I am concerned that the draft EIS statement 1) insufficiently addresses the impacts of the Innerbelt project on stormwater quality and fails to present options for mitigating these impacts 2) misrepresents or fails to document the extensive debate around issues of stormwater management and water quality protection that have already been raised during the project development phase. Chapter 4 of the draft EIS purports to discuss environmental impacts to aquatic resources and stormwater quality. Chapter 4 asserts that the proposed plan has no anticipated impact on stream or lake water quality. Yet, according to one ODOT estimate provided to the TRANSWAC committee, 33% of the drainage of the Innerbelt project (some 111 acres) goes directly to Lake Erie. Given the large drainage area and the high-traffic volume anticipated on the Innerbelt, I find it surprising that ODOT would not make a more substantial effort in evaluating the environmental impacts on water quality. The stormwater section, in particular, inadequately addresses feasible design alternatives and any improvement to water quality stemming from these design alternatives. There is no mention of the design alternative in which stormwater run-off is treated using conventional wastewater treatment techniques. The draft EIS mentions the possibility of a storm water separation strategy but neglects to evaluate how the implementation of such a system would alter stormwater quality and aquatic resources. My understanding is that EISs are required by law to address all feasible design alternatives and the environmental impact associated with each of these alternatives. Finally, ODOT mentions that best management practices (BMPs) will provide guidance in project design. I am concerned that these BMPs alone are insufficient to protect water quality, and that by simply defaulting to BMPs ODOT is avoiding their responsibility to thoroughly and publicly weigh impacts associated with different design alternatives. This brings me to my second issue with the EIS statement, namely that Chapter 5 of the draft EIS fails to adequately document significant discussions of water quality and stormwater management issues raised during the design phase. Judging solely from the TRANSWAC comments up for approval today, it appears that there have been a number of discussions around stormwater quality issues that are not noted in a section specifically dedicated to summarizing the public record. The purpose of this section is both to document discussion and debate for decision purposes, as well as to help people (like myself), who wish to learn about and weight in on the project. The comments up to this point represent my opinion as an environmental engineer, as well as the opinions of Green City Blue Lake who I am representing here today. In addition to concern over water quality issues, GCBL is frustrated by the failure of ODOT to analyze strategies to reduce traffic demand as part of the alternative analysis for the Innerbelt project. Also of concern is the failure of the project to provide for the significant integration of bicycle paths as part of the Innerbelt project. My next comments will be given wearing the hat of a young professional contemplating establishing a career and sinking roots into this community. As I interviewed for jobs in Cleveland this past spring I was struck by the number of organizations committed to advancing sustainability in their sector of business or community development. Much of my work this summer will be in helping to pull these many organizations together under an umbrella center to look closely at urban ecology in a shrinking urban center. My personal belief is that reversing perceptions of Cleveland as a polluted city on a burning river is a critical first step in reducing urban flight and attracting young, environmentally conscious people to the Northeast Ohio. I hope that City leaders understand the intimate connection between water quality and public health, lakefront property values, and regional identity. As NOACA committee members you have a role both in ensuring that region's transportation needs are met AND in stewarding projects that protect the environment and promote a new era of sustainable design. I am not yet convinced that area leaders fully understand the connections between environmental sustainability and population sustainability in the region. I have reviewed the comments that your TRANSWAC group has recommended and I strongly agree that these critical issues should be addressed in the final EIS. Of broader concern to me is the disturbing question of why these issues were not more thoroughly addressed in the draft EIS. Given the importance of the Innerbelt project and the importance of environmental protection and sustainability to the Cleveland area, I am wondering if there are additional steps that could be taken to avoid setting up a win/lose conflict, particularly in light of short timeline for stimulus package funding available for this project? How can we ensure that the final EIS is responsive to substantive environmental issues? The possibility of engaging in the process of environmental mediation involving a neutral but NEPA experienced third party is one alternative. The Environmental Law and Policy center in Chicago, for example, would be a qualified organization. The U. S. Institute for Environmental Conflict Resolution is another source recommended as an environmental mediator in the Citizen guide to the NEPA process. So again, I strongly recommend the TRANSWAC comments for adoption by the committee, but also encourage NOACA to consider the additional step of engaging with ODOT and FHWA in a process of environmental mediation. Some of the apparent conflicts seem to be resolvable disagreements over what the NEPA statues require be considered in an EIS. I suggest that this is a reasonable step to avoid the potential future scenario of a challenge to a final environmental impact statement that could potentially

delay this critical project. I appreciate your allowing me to share my thoughts with this committee. Thank you From The Council on Environmental Quality's "Citizens Guide to NEPA": Third Party Environmental Mediation Given the importance of the Innerbelt project and the importance of environmental protection and sustainability to the Cleveland area, and particularly in light of short timeline for stimulus package funding available for this project, I propose the process of third party environmental mediation for the Innerbelt project. If, for some reason, you believe that the process ahead may be particularly contentious or challenging, given a past history of community conflict or deeply divided interests, consider raising with the lead agency the possibility of designing a collaborative process with outside assistance. One source of such assistance is the U.S. Institute for Environmental Conflict Resolution. Located in Tucson, Arizona, as part of the Morris K. Udall Foundation, the Institute is a Federal entity that offers neutral environmental conflict resolution design, facilitation, education, training, and mediation. Anyone, whether in or out of government, can call the Institute and ask to speak to a professional staff person to discuss the potential for the Institute's involvement in a proposed federal action. Expected Commitments in the Final EIS Environmental commitments are a way to address the significant gap in environmental impact assessment and analysis work remaining to fulfill the requirements of the NEPA process given the short time frame for the production of a final EIS. The development of environmental commitments would best be accomplished via a third party mediation process. Issues that must be addressed include scope and schedule for: 1) Assessment of existing water quality conditions of near shore areas of Lake Erie and the Cuyahoga River. 2) Conduct quantitative sampling and data analysis, along side a review of existing scientific literature, to determine likely Innerbelt stormwater quality characteristics. 3) Development of stormwater management alternatives. 4) Cost-Benefit analysis of stormwater treatment options. 5) Commitment to ongoing research to develop improved stormwater BMPs that address the specific water quality issues of Innerbelt runoff. Thank you for the opportunity to submit comments. Respectfully, Meagan S. Mauter, M.E.E., M.S., M.Phil. Ph.D. Candidate in Environmental Engineering Yale University 3044 Corydon Rd. Cleveland Hts., OH 44118 meagan.mauter@yale.edu

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May 21, 2009

Mr. Craig K. Hebebrand
Cleveland Urban Core Projects Manager
Ohio Department of Transportation, District 12
5500 Transportation Boulevard
Cleveland, Ohio 44125-5308

Re: Cleveland Innerbelt Project & Proposed Central Interchange Improvements -- Draft Environmental Impact Statement

Dear Mr. Hebebrand:

We are writing to express our overall support for the above-captioned Cleveland Innerbelt project, but also the wish to articulate a series of concerns that this area's businesses and institutional community have with certain components of the project's proposed Central Interchange changes and additions. Maingate Business Development Corporation represents and plans for the over 450 industrial, manufacturing, transportation, distribution, and numerous other business & commerce interests in this key 5-square-mile economic area (see the attached Maingate Membership Area – Map A) – just southeast of Downtown Cleveland and running west down into the Cuyahoga Valley, south to the Bessemer Avenue corridor, and east to the Woodhill Road/East 93rd Street area. While we are largely supportive of this major, critically needed program and investment, concerns have arisen resulting from our own independent assessment of potential environmental impacts.

As you know, the Innerbelt artery, particularly the numerous, complex access & egress components of the I-77, I-90, I-71, I-490 Central Interchange, provide absolutely vital transportation linkages and accessibility from our area to the Interstate Highway System -- which is a crucial reason our Maingate establishments do business in this area and remain competitive in what they do. Even seemingly minor changes to the Interchange's entrance & exit ramp system, the supporting local roadway connections, and new traffic patterns here will have enormous impact on this competitiveness and our resulting economic health & job growth for decades to come. Consequently, we wish to go on record to the Federal Highway Administration regarding several project components of concern and possible mitigating thoughts and solutions.

We have done an extensive review of ODOT's Draft Environmental Impact Statement (Draft EIS), had meetings with ODOT District 12 project staff engineers, and received your very informative & detailed presentation to the Maingate constituency at the community meeting held in our district on May 19th. (Enclosed as Attachment B, please find a copy of Maingate Business Development Corporation's listing of its understating of all proposed changes, eliminations, improvements, additions, etc. for the Central Interchange as supplied to that May 19th public meeting).

After our review, the organization and its member businesses have the following remaining outstanding concerns which we believe have not yet been successfully addressed in the Draft EIS as approved on March 3, 2009.

Elimination of Key Downtown Access/Entrance Ramps to I-77 Southbound:

The ODOT Plan proposes to eliminate several current critical access ramps from the Downtown/Northeast Maingate quadrant onto I-77 Southbound, including the entrance ramps at East 9th Street and at Ontario/Broadway Avenue. All of the traffic wishing to access I-77 Southbound will be diverted to the Maingate area at the on-ramp located just southeast of the intersection at Orange Avenue and East 30th Street. The diversions from these earlier Downtown access points over to the lone Orange/East 30th Street entrance ramp may create enormous traffic bottlenecks along eastbound Orange Avenue and on northbound & southbound East 30th Street. Empirically, just from the recent temporary ramp closings done for the Innerbelt Bridge repairs, evidence of this backed-up traffic on Orange Avenue, especially in front of the Main U.S. Postal Facility, has been experienced regularly during rush-hour evening traffic periods and after special events from Downtown, especially from the Gateway District. (Enclosed please find a May 21, 2009 communiqué from the Transportation Department of the U.S. Postal Service at 2400 Orange Avenue detailing the Main Post Office's concerns regarding this proposed

Maingate Business Development Corporation is a non-profit 501(c)(3) organization

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elimination, as well as the elimination of the Underpass Connector from westbound Woodland Ave. to westbound Orange Ave.).

We recognize that coinciding improvements to take place along Orange Avenue, such as the pulling back of the I-77 eastbound Orange Avenue exit ramp away from the Orange/East 30th Street intersection, will reduce current merging conflicts, and help this capacity and smooth movement to some degree. Nonetheless, we remain concerned that there is insufficient roadway capacity on Orange Avenue, entrance ramp capacity, and merging capabilities onto I-77 South to justify the elimination of all of the proposed Downtown I-77 South access ramps. Thus, we request that at least one of these Downtown entrance ramps to I-77 South be restored.

We would propose also that ODOT look into possibly acquiring adjoining land for modifying/widening eastbound Orange Avenue an additional one or two lanes to help augment Orange Avenue's capacity as one additional solution. 2

We understand that new improved left-turn, etc. traffic signalization will be instituted for the above-described changes but also strongly recommend that ODOT study and re-consider the institution of double left-turn lanes for Orange Avenue onto northbound East 30th Street, and consider double left-turn lanes for southbound East 30th Street onto the I-77 South entrance ramp (as opposed to keeping a dormant "painted median" in the center East 30th Street southbound). 3

Orange Eastbound to Woodland Eastbound I-77 Underpass/Connector:

Attendant to the above eliminations, we remain extremely concerned with the proposed elimination of the Orange Avenue (eastbound) underpass/connector to Woodland Avenue (eastbound) at East 30th/34th Street because it would appear that this design concept would adversely affect area stakeholders. This change affects all truck movements to the distribution businesses in and around the Maingate Wholesale Food District, the Northern Ohio Food Terminal and many other commercial businesses and activities located along Woodland Avenue (US 422) and beyond. An eastbound truck would no longer have a straight eastbound move through the East 30th Street intersection and on through to Woodland Avenue eastbound. Trucks would have to turn left at East 30th Street from Orange Avenue and then turn right onto Woodland Avenue from East 30th Street. 4

We remain concerned that ODOT's proposed major change here from the smooth underpass connector to the above-described multiple right-angle-turns solution will result in severe congestion, as well as safety issues at this intersection. As discussed we strongly recommend that, at the very least, a new, far wider turning radius be implemented at the southeast corner curbline of the East 30th St. and Woodland Avenue intersection to provide smoother access for the major large-truck traffic which will have to make these maneuvers onto Woodland Avenue eastbound. 5

Again, as it will be combined with the elimination of the aforementioned Downtown I-77 entrance ramps, we believe that the elimination of this underpass connector may create unacceptable bottlenecks and safety problems at the confluence of Orange Avenue, East 30th Street, and the I-77 South entrance ramp, especially during the peak PM commuter time and after special events leaving the Gateway district. 6

I-90 East to Broadway Exit Ramp:

The elimination of I-90 east exit ramps at Broadway Avenue (US 422 east) creates significant truck safety concerns and impacts traffic operations in the northeast quadrant of Maingate. Modifying the I-90 east Ontario exit and adding an I-90 east exit ramp to East 9th Street south could create a new truck operating hazard. The severe angle of the East 9th Street south exit ramp and the blind approach onto East 9th Street, which is a single lane southbound, creates a conflict between exiting trucks and cars, and southbound East 9th Street traffic, particularly from trucks wishing to turn left at Orange Avenue, US 422 East. Moreover, East 9th Street is the primary path for cars exiting Progressive Field and Quicken Loans Arena destined for the I-77 South entrance ramp located at East 30th and Orange Avenue. There may be insufficient roadway capacity on East 9th Street southbound and the introduction of a new conflict with exiting traffic from I-90 7 8

east which is of concern. We are opposed to the Broadway ramp modification as proposed and request that the I-90 east Broadway exit be restored.

Public Transit Improvements:

We are in agreement with the ongoing assessment of our neighbors, The Quadrangle, Inc., contiguous area educational institutions such as Cuyahoga Community College - Metro Campus (Tri-C), Cleveland State University (CSU), and Cuyahoga Metropolitan Housing Authority (CMHA), that these institutions, as well as the Maingate employment's high volume transit users, need much better proximity & access to the Greater Cleveland Regional Transit Authority (GCRTA) Red, Blue and Green lines. The Quadrangle has long requested, as part of traffic impact mitigation strategies – and Maingate joins this request - that ODOT collaborate with GCRTA and the City of Cleveland to study the relocation of the underutilized and isolated East 34th Street rapid transit station to East 30th Street & Broadway and the enhancement of pedestrian and bus connections between the new rapid transit station and institutions along the East 30th Street Corridor and businesses in Maingate located to the south and east. This needed transportation impact mitigation strategy is being ignored. Improved access to and from a rapid station at East 30th Street will increase transit ridership, reduce pollution, and improve the quality of life for our transit-dependent employees, businesses, residents and institutional visitors from the region. 9

Conclusion:

It is extremely difficult to determine solely ourselves which of the modifications chronicled above have greater or lesser impacts on local traffic patterns and level of service throughout the Maingate area. We do observe, however, that the Draft EIS basically fails to recognize the secondary and cumulative impacts of several of the above-described access modifications, particularly on routes such as Orange Avenue eastbound and East 30th Street north & south bound. The *Draft Access Modification Study* referenced in Section 4.2.3 Neighborhoods/Community Access was neither provided as an exhibit to the Draft EIS nor found in the archived reports on the ODOT website. 10 11

As discussed, and articulated in the context above, additional convincing traffic evidence and/or modeling should be provided and/or performed to demonstrate how these measures will fit and perform within the local environment. This would include the improvements to local roadways that will now become more strained thoroughfares channeling increased traffic volumes to relocated entrance and exit ramps. There should also be included proposed enhancements that improve urban design aesthetics and the pedestrian realm. Impact and mitigation in all of these areas should be considered in accordance with existing FHWA policy. 12 13

We thank you for your attention and ODOT District 12's inclusion of this statement and the attached comments and exhibits into the Draft EIS.

Sincerely,

MAINGATE BUSINESS DEVELOPMENT CORPORATION

Michael J. May
Executive Director

cc: Frank G. Jackson, Mayor - City of Cleveland
Phyllis Cleveland, Cleveland City Councilperson - Ward 5
Anthony Brancatelli, Cleveland City Councilperson - Ward 12
Maingate Board of Trustees & Maingate Voting Member Businesses

Enclosures: - MAP A - Maingate Membership Area
- Attachment A - Maingate List of proposed ODOT Central Interchange plans
- Attachment B - United States Postal Service Statement, May 21, 2009

B 63

ATTACHMENT A

May 19, 2009

CLEVELAND INNERBELT PROJECT
CENTRAL INTERCHANGE

Freeway Access Changes to and from the MAINGATE Service Area

Northbound I-77

- Bridge over I-490 widened to 3 Northbound Lanes
- Pershing Avenue Exit Ramp (unchanged) to turn both East Bound or West Bound
- Broadway Avenue Exit Ramp (unchanged) to turn both NW or SE
- East 55th St. Exit Ramp (unchanged) to turn both North Bound or South Bound
- To I-490 West and leading to I-71 (unchanged)
- From I-490 to I-77 North -- 2 Lanes Deck/Bridge for Trucks
- East 55th St. Entrance Ramp to I-77 North (eliminated)

- Woodland Avenue Exit Ramp, (basically unchanged) to turn both East Bound or West Bound (New Traffic Light) (at-grade crossovers eliminated)
- Woodland Avenue/East 30th St. Entrance Ramp (basically unchanged). No West Bound movement on Woodland west of East 30th Street.

- Underpass connecting West Bound Woodland Ave. to West Bound Orange Ave. (eliminated)
- Orange Avenue Exit Ramp to West Bound Orange only (New Long Ramp – to replace above-captioned Underpass and to allow turns North at East 22nd St., East 14th St. and East 9th St.)

- East 14th/ East 18th /East 22nd Streets Exit Ramp (unchanged)

- To I-90 East (basically unchanged)

Southbound I-77

- Bridge Over I-490 widened to 3 Southbound Lanes
- Broadway Avenue Entrance Ramp (eliminated)
- Broadway Frontage Road to Pershing Ave. Entrance Ramp (New)
- Pershing Avenue Entrance Ramp (unchanged)

- East 55th St. Exit (unchanged) to turn both North Bound or South Bound
- East 55th St. Entrance (unchanged)

- East 14th St. Entrance Ramp (unchanged)
- East 21st St. Entrance Ramp (unchanged)

- East 9th Entrance Ramp (just south of I-90) (eliminated) I-90 East Connector Ramp to I-77 South (eliminated) ALL TRAFFIC DIVERTED to ORANGE AVE. / EAST 30th ST. Entrance Ramp Back-up Volumes on Orange Avenue East Bound
- Orange Avenue / East 30th St. Entrance Ramp (2 Lanes merging to 1 at Freeway) **** HIGHER VOLUME ONLOADING TRAFFIC ****

- Orange Avenue - East 30th St. Exit Ramp (eliminated)
- Orange Avenue / East 30th St. Replacement Exit Ramp (New – Earlier Ramp)

- Underpass connecting East Bound Orange Ave. to East Bound Woodland Ave. (eliminated) TURNING LEFT (North) on EAST 30th and RIGHT (East) on WOODLAND AVE (To Be 2-Way)

Eastbound I-490

- Broadway Avenue Exit Ramp (unchanged) to turn both North Bound or South Bound
- East 55th St. Exit (unchanged) to turn both North Bound or South Bound
- To I-77 North (unchanged)
- To I-77 South (unchanged)

Westbound I-490

- Broadway Avenue Entrance Ramp (unchanged)
- To I-71 Northbound & Southbound (unchanged)

Eastbound I-90

- Ontario Street Exit Ramp (New) North Bound only
- East 9th Street Exit Ramp (New) South Bound to Ontario/Orange Ave. and to turn both East Bound or West Bound or continue across Ontario/Orange to New Broadway Connector.(existing connector to Broadway Avenue Southeast Bound) INCREASED TRAFFIC on EAST BOUND ORANGE AVENUE
- East 9th Street Exit Ramp (New) North Bound only
- East 22nd Street Exit (New) at Central Avenue
- Broadway Exit Ramp (eliminated) – traffic re-routed to New E. 9th St. South Bound for access to New Broadway/Commercial Rd. Hill Connector)

Westbound I-90

- East 14th Street Entrance Ramp (upgraded but location unchanged)
- East 9th Street Entrance Ramp (location unchanged, but will be positioned to access new West bound span over Cuyahoga River)
- Carnegie Entrance Ramp (west of Ontario St.) to access new West Bound Span over Cuyahoga River (New)
- Merge Ramp (beginning at Chester Ave.) to I-77 Southbound / Exit Ramp to Orange Ave. crossing over East Bound Exits to East 9th St. and East 22nd St. (New)

MAP & CHART COLOR KEY:

- SOUTHBOUND I-77, WESTBOUND I-90, SOUTHBOUND I-71
- NORTHBOUND I-77, EASTBOUND I-90, NORTHBOUND I-71
- TO BE UPGRADED / IMPROVED
- TO BE ELIMINATED
- AREAS OF CONCERN
- MAINGATE MEMBERSHIP / SERVICE AREA

MAINGATE BUSINESS DEVELOPMENT CORPORATION
3800 Orange Avenue, Cleveland, OH 44115
Phone: 216-881-7111
www.maingatecleveland.org

We are requesting your attendance to:

Ohio Department of Transportation (ODOT) District 12's Presentation of:

The Cleveland Inner Belt Project Central Interchange Changes

Tuesday, May 19th
6:00 pm to 8:00 pm
At
United Steel Workers Local 979 Hall
3421 Independence Rd. , Cleveland, Ohio

Dear Maingate Business,

We are inviting all Maingate area businesses to attend a very important meeting with officials of the Ohio Department of Transportation (ODOT) to understand and discuss all elements of the massive, planned Inner Belt Improvement Project which is in its final stages of design for submission to the Federal Highway Administration for approval.

As you may have read and heard, Cleveland, through ODOT, is embarking on a major overhaul of the entire Inner Belt system costing over $750 million which will entail not only two new key bridges over the Cuyahoga River Valley and improving Dead Man's Curve, but also making numerous changes (i.e. ramp changes & closings, access road changes, etc.) to the "Central Interchange" of I-77, I-71, I-90 and I-490, which provides critical highway access to all of the businesses and institutions of the Maingate area.

Maingate Business Development Corporation has studied ODOT's plan and the Environmental Impact Statement being prepared for submission to the FHA in June, and has concerns about a number of the planned ramp closings and city street effects which could occur. We want your opinions & suggestions regarding these proposed changes made directly to ODOT's Inner Belt Project Manager, Craig Hebebrand, and engineering staff who will be presenting all details of the project.

The event will be held at United Steel Workers Local Union hall located at 3421 Independence Road (see map attached).

We look forward to your involvement at this critical event.

Michael J. May, Executive Director

Maingate Business Development Corporation is a non-profit 501(c)(3) organization.

2400 ORANGE AVENUE
ROOM 277
CLEVELAND, OHIO 44101-9997
PHONE # (216) 443-4419
FAX # (216) 443-4714

UNITED STATES POSTAL SERVICE

Fax

To: Michael J. May — From: T. Holland S.D.O. U.S. Postal Svc.
Executive Director

Fax: 216-432-3763 — Pages: 2

Phone: 216-881-7111 — Date: 5/21/09

Re: — CC:

☑ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

• Comments:

ATTACHMENT B

B 65

I-77 Closings/30th Street/Orange Avenue

To whom it may concern:

After close consideration and discussion we have included our concerns having attended the ODOT meeting Tuesday evening.

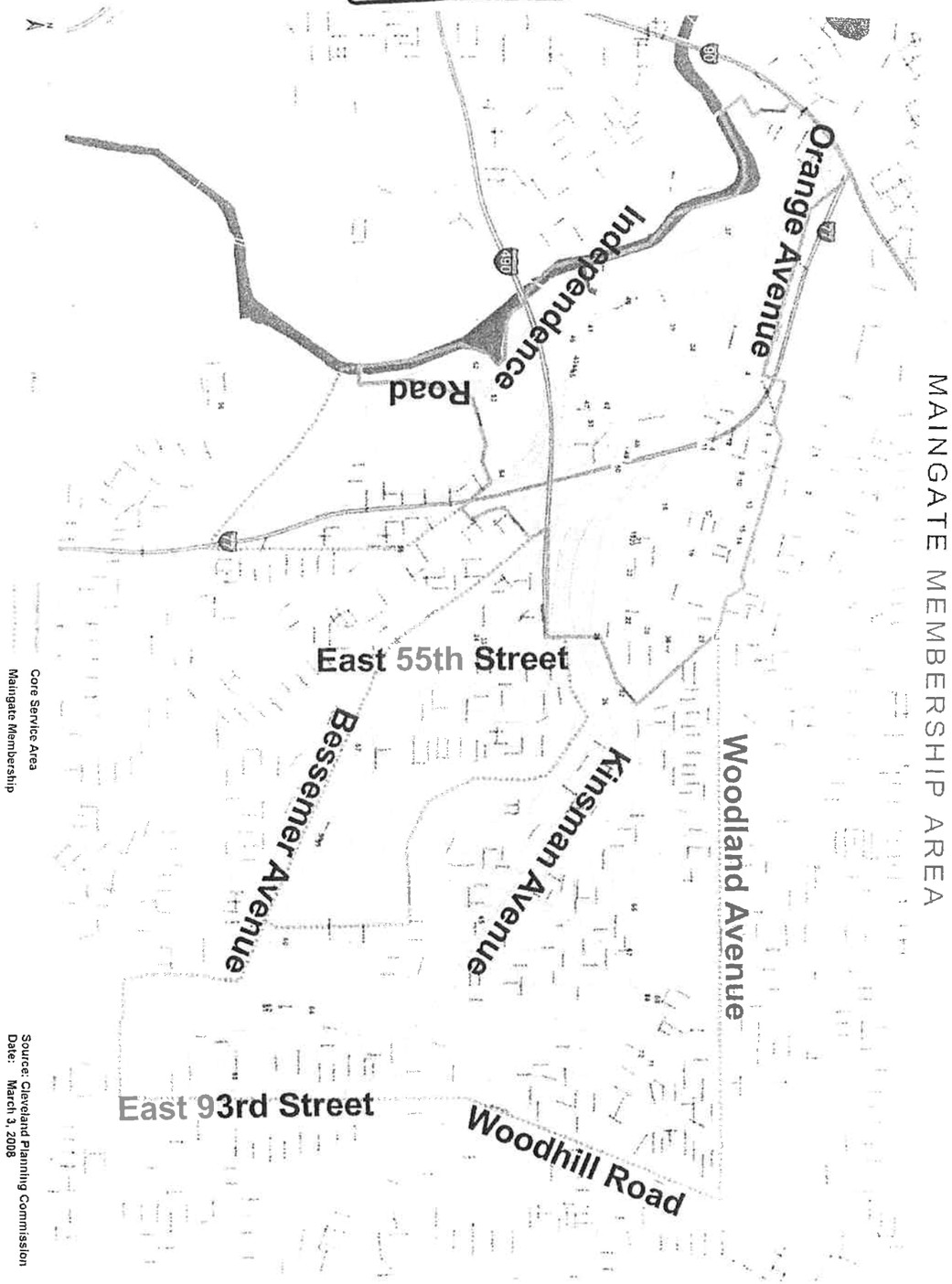
The Postal Service generates a great deal of tractor-trailer operation in this area, closing ramps and streets near and close to the post office will generate more traffic, making conditions ripe for accidents and other unsafe acts. The only way this proposal seems feasible would be if the Post Office moved to another site.

Underpass connecting West Bound Woodland Ave. to West Bound Orange Ave. elimination: The Postal Service is not in favor of closing this ramp. Tractor-trailers will be unable to negotiate the sharp turns, especially 45 and 48 foot trailers.

Underpass connecting East Bound Orange Ave. to East Bound Woodland Ave. elimination: Not in favor of changing the ramp on Orange Avenue, the street is already overburdened with traffic. To increase the traffic constitutes a major unsafe condition. Congestion would increase due to the time for a tractor trailer to maneuver the swing in order to turn. This would cause a traffic back up for vehicles wishing to make the left hand turn.

ATTACHMENT B

MAP A



"Alec McClennan "
<alec@whygoodnature .com>
04/17/2009 07:30 AM
Please respond to
<alec@whygoodnature.com>

To <craig.hebebrand@dot.state.oh.us>
cc
bcc
Subject I 90 Cleveland Bridge

Craig,

As a Civil (Transportation) Engineer who has never actually practiced engineering, I'm glad to know that you'll be handling our innerbelt instead of me. Wouldn't want to drive over a bridge I built!

I understand that your job is to help people move safely and quickly from point A to point B. Looking at the proposal for the Cleveland innerbelt though makes it seem like little consideration is being paid to how that road affects our city and our neighborhoods. Hope you can find a way to work with some City Planners and leaders who understand how 90 affects our city to come up with a compromise that is both safe and good for Cleveland. Bike lanes would be great. Access to city roads is crucial. Hope you can help improve Cleveland, rather than contribute to its decline. 1 2,3

Thanks for your hard work, I'm sure this isn't an easy issue.

Regards,

Alec McClennan
216-570-5346 cell

Protected by www.Spam-Stop.com {BINVtCayIMcEME8AhI}

carol1970@aol.com
04/17/2009 12:05 AM

To craig.hebebrand@dot.state.oh.us
cc
bcc
Subject Inner Belt Bridge Project

Having followed the arguments presented in the Plain Dealer for over a year I am persuaded that the closing of the Carnegie exit would be very detrimental to the revival of Cleveland's downtown. Please listen to the recommendations of representative from Blue Lake/Green City and to the criticisms Stephen Litt of the Plain Dealer and revise your plans accordingly. I live in Chagrin Falls (actually in Bainbridge) but when I am out of the area and people ask where I am from I always answer, `Cleveland.' Thank you for taking my recommendation seriously as I know many people share my view. Caroline McClennan (Mrs. Morton)

Cleveland Innerbelt Plan Public Hearing
PUBLIC COMMENT FORM
April 21, 2009

CLEVELAND INNERBELT PLAN
OHIO DEPARTMENT OF TRANSPORTATION

Copies of today's presentation and this form will be available on the Project website.
Visit www.innerbelt.org and select the "Innerbelt Plan" logo.

1. *What are your comments regarding the Cleveland Innerbelt Plan as proposed?*

PLEASE PLACE THE NEW SPANS CLOSE TO THE ORIGINAL SPAN IN ORDER TO REDUCE OVERALL FOOTPRINT.

THANK YOU.

If you need additional space, please use the back of this form.

2. *To help us document comments and forward future Project information, please provide:*

Name Jim McClure

Address 2470 CANAL ROAD

City CLE State OHIO Zip Code 44113

Telephone Number 216-621-6901

Email Address

Complete this form and return to ODOT by 5 p.m. on May 21, 2009 for consideration in the Final Environmental Impact Study.

Mail or fax to:
Ohio Department of Transportation, District 12
ATTN: Craig Hebebrand
5500 Transportation Blvd.
Garfield Heights, OH 44116
Fax: 216-584-2279

Or complete this form on the Internet at:
www.innerbelt.org and select the
"Innerbelt Plan" logo.

77510 B 68

Calendar Entry
Meeting

☐ Notify me ☐ Mark Private ☐ Pencil In

Subject	Cleveland Innerbelt - FOREST CITY ENTREPRISES, INC
When	Starts Thu 04/30/2009 08:00 AM Ends Thu 04/30/2009 09:00 AM 1 hour ☐ Specify a different time zone
Invitees	Invited: The following invitees have been invited Required (to): Dale Schiavoni/Planning/D12/ODOT@ODOT, Neil Mohney, rmavec@city.cleveland.oh.us, Robert Brown
Chair	Craig Hebebrand/Production/D1
Where	Location: ODOT District 12 - I Room Reserved: No rooms or resour reserved
Categorize	
Scheduler	Click to see Invitee status
Description	Mr. Neil Mohney and Mr. K.C. Yasmer to present Forest City Enterprises alternative concept for the Central Interchange (Ontario Street and East 9th Street Interchanges).

FOREST CITY | COMMERCIAL GROUP

50 Public Square
Suite 1000-B
Cleveland, Ohio 44113-2221
216.621.6060 phone
216.574.4240 fax
www.forestcity.net

K.C. Yasmer
Development Associate
Commercial Development
216.416.3394 direct
216.212.5199 mobile
kyasmer@forestcity.net

FOREST CITY

50 Public Square
Suite 1100
Cleveland, Ohio 44113-2267
216.621.6060 phone
216.241.9740 fax
www.forestcity.net

Neil Mohney
Executive Coordinator
Forest City Enterprises, Inc
216.416.3851 direct
216.496.3800 mobile
neilmohney@forestcity.net

Cleveland Innerbelt

Purpose of Construction

The Cleveland Innerbelt Project initially resulted from the need to address deteriorating bridges and pavements on the Innerbelt Freeway. The bridges and roadway pavements of the Innerbelt Freeway are approaching the end of their useful lives. Therefore, there is a need to replace or rehabilitate the bridges and roadway pavements.

ODOT's Alternative A

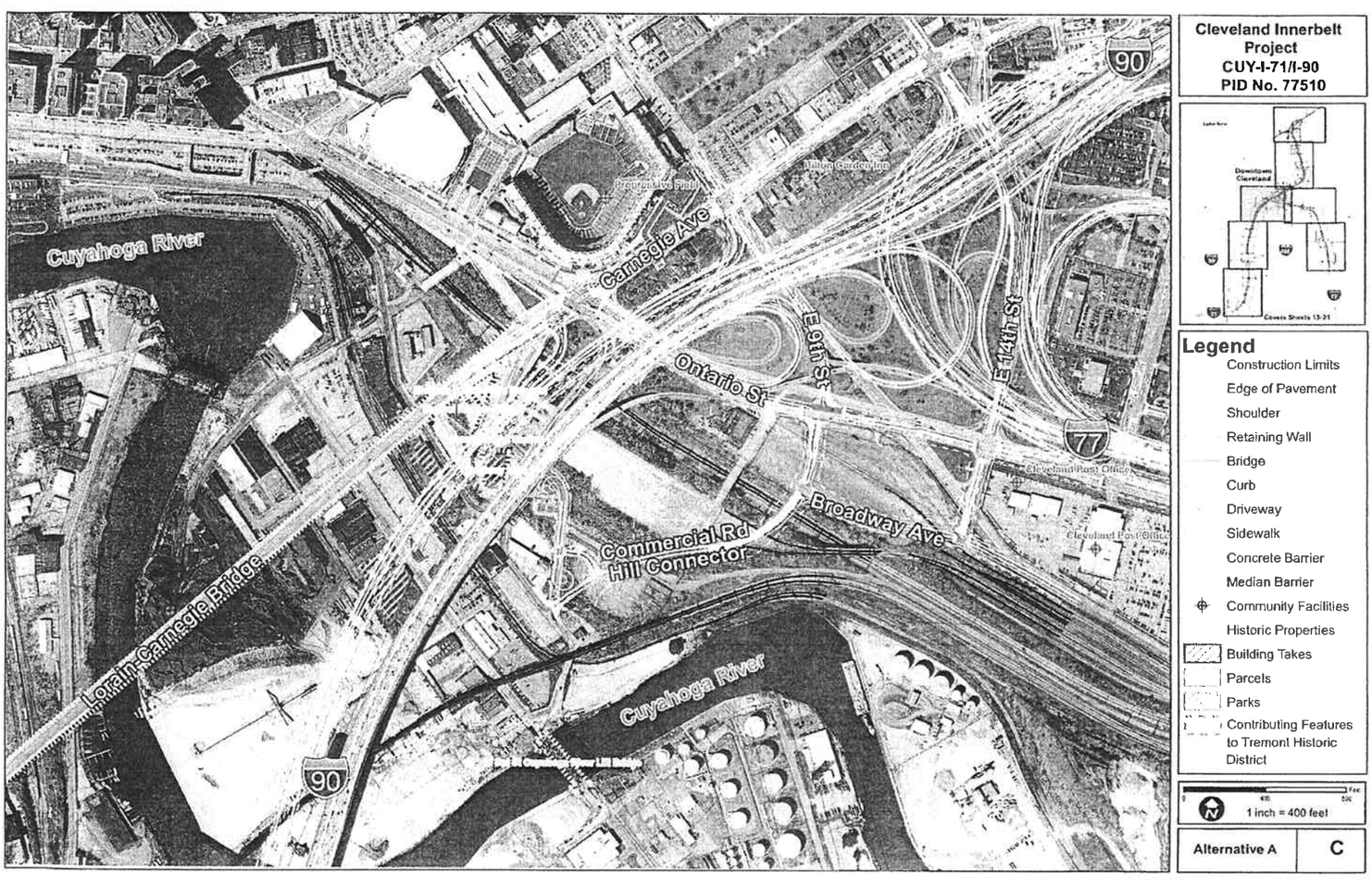
- Construction of Westbound bridge $465M
- Rehabilitation of existing bridge into Eastbound bridge $295M
- Build Time: 4-7 years
- Lengths of bridges: High lifetime maintenance costs
- Hinders economic growth of Cleveland by consuming valuable acreage of West 3rd Peninsula
- Severe traffic congestion during 4-7 year construction

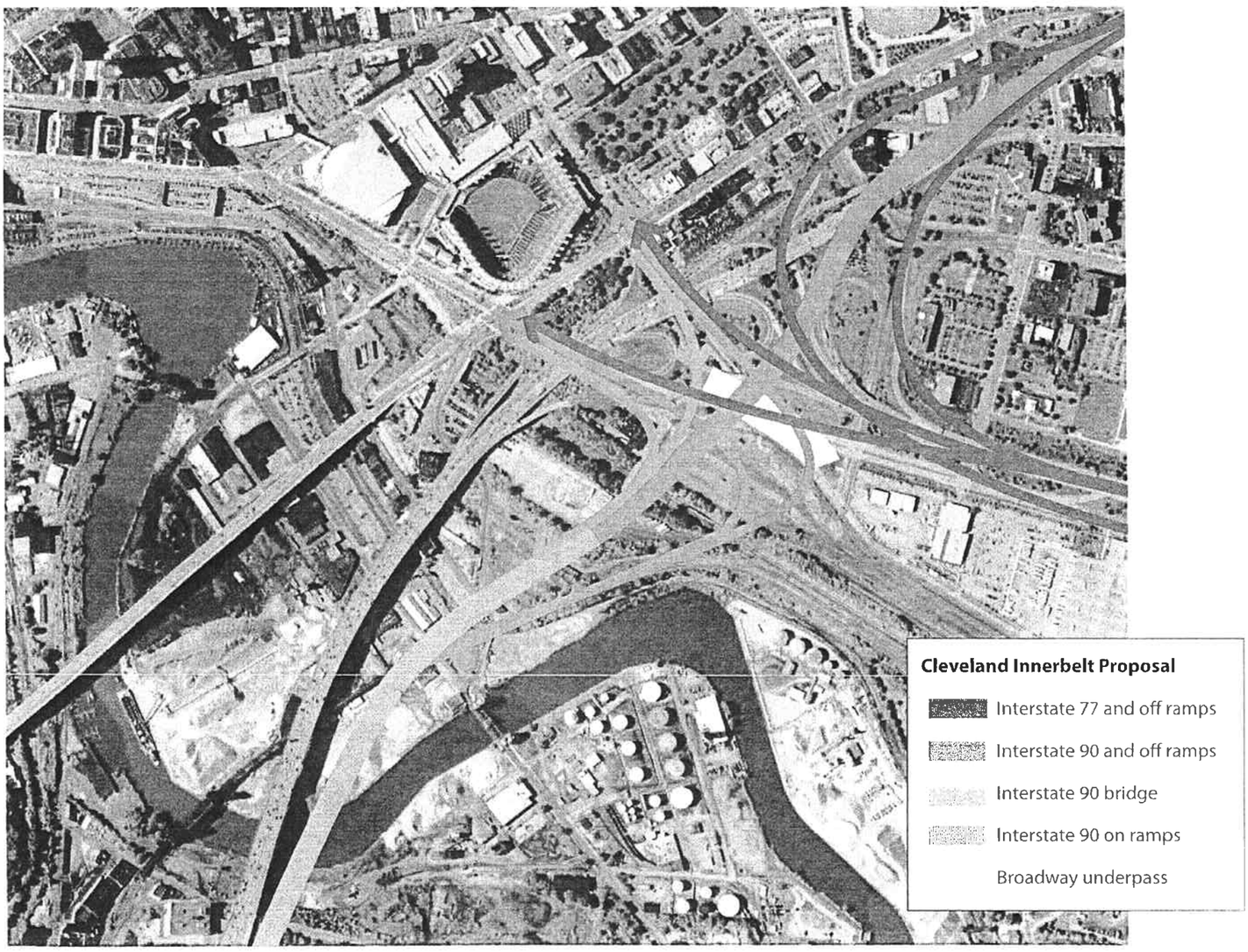
Southern Alignment

- Off-line Construction of West/Eastbound bridges $500M until tie-in point
  - $260M savings
- Build time: 3 years
- Decreased Lengths and Elevations of bridges:
  - Reduction of building materials
  - Reduction of lifetime maintenance costs
  - Increased visibility of Cleveland
- Promotes Economic Growth of Cleveland:
  - Increased acreage use of West 3rd Peninsula
  - Increased development opportunities in Tremont

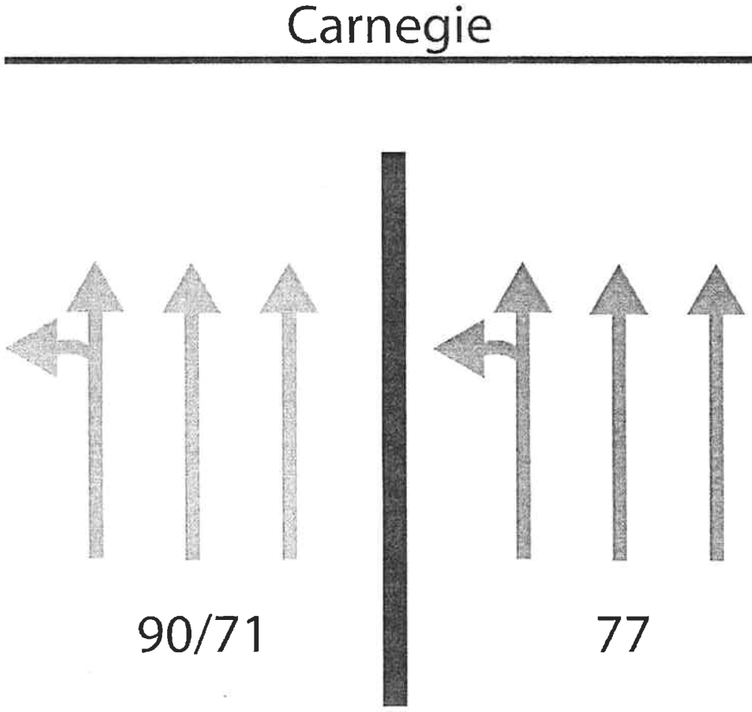
Southern Alignment (continued)

- Ontario, East 9th, East 14th Street exit/entrance ramps maintain good traffic flow
- No impact to Tremont's Greek Church or Sokolowski's Inn
- Minimal building "takes" (most land is vacant)
- Reduction of severe traffic congestion:
  - Driver Education
- $260M of savings can be applied to Opportunity Corridor
- Opportunities for light/high-speed rail
- Cleveland's opportunity to become national example of Intermodal Transportation




Cleveland Innerbelt Proposal
Interstate 77 and off ramps
Interstate 90 and off ramps
Interstate 90 bridge
Interstate 90 on ramps
Broadway underpass

B 72


Carnegie
90/71
77

Cleveland Innerbelt Plan Public Hearing
PUBLIC COMMENT FORM
April 21, 2009

Copies of today's presentation and this form will be available on the Project website.
Visit www.innerbelt.org and select the "Innerbelt Plan" logo.

1. *What are your comments regarding the Cleveland Innerbelt Plan as proposed?*

DO NOT CLOSE UNIVERSITY ROAD BETWEEN WEST 11TH AND SCRANTON. THIS PROVIDES IMPATAINT ACCESS FOR TREMONT RESIDENTS

If you need additional space, please use the back of this form.

2. *To help us document comments and forward future Project information, please provide:*

Name GLENN MURRAY

Address 2495 WEST 11TH. STREET

City CLEVELAND State OH. Zip Code 44113

Telephone Number 216- 241-5825

Email Address

Complete this form and return to ODOT by 5 p.m. on May 21, 2009 for consideration in the Final Environmental Impact Study.

Mail or fax to:
Ohio Department of Transportation, District 12
ATTN: Craig Hebebrand
5500 Transportation Blvd.
Garfield Heights, OH 44116
Fax: 216-584-2279

Or complete this form on the Internet at:
www.innerbelt.org and select the
"Innerbelt Plan" logo.

77510 B 73

April 21, 2009

Craig Hebebrand
Ohio Department of Transportation
District 12
5500 Transportation Blvd.
Garfield Heights, Ohio 44125

Dear Mr Hebebrand,

As you are aware, the original construction of the Innerbelt and ODOT's lackadaisical maintenance of the bridge and related rights-of-way in subsequent years have been a continual headache for the Tremont Neighborhood. The Innerbelt construction project represents a new hope for the people of Tremont that ODOT can open a new chapter in quality urban streetscape design, stewardship of its rights-of-way, and proper maintenance of its infrastructure. To this end, I offer the following recommendations for incorporation into the design of this project.

1. Three of the four main gateways into Tremont are underpasses at Kenilworth, Fairfield and Abbey avenues. The additional travel lanes will nearly double the length of these underpasses. These underpasses are currently dismal, litter strewn, graffiti tagged, ill maintained, dark and dusty. They are frequented by vagrants. The character of these underpasses must be safe and inviting for pedestrian and bicyclists traversing from one part of the Tremont neighborhood to the other, and include inviting lighting and art. 1

2. The underpass at Abbey Avenue is currently unpaved, unfenced and ill lit. It is a popular site for illegal dumping of construction debris and tires, and a hangout for vagrants. This area should be utilized as covered parking and a trailhead to the adjacent Towpath Trail with a scenic overlook to the Cuyahoga River Valley and downtown. As appropriate for the Towpath Trail, a separate multi-purpose path must be included within the proposed public right-of-way. Work in this area must include necessary shoreline and hillside stabilization to insure the long term stability of both the new and existing bridges. The area under the bridge and related ramps should be paved to control the blowing dust problems and provide parking for neighborhood events. It should also be fenced and gated with attractive ornamental fencing to control unauthorized access and eliminate illegal dumping. The underside of the bridge and support structure should include neighborhood specific art and artistic lighting. 2 2a

3. University Road between West 11th and Scranton Road should remain open. Tremont should not suffer the loss of this amenity simply because closing it will make building the new bridge a little easier for ODOT. Keeping University Road intact helps Tremont's restaurant businesses by providing simple, quick access from downtown into Tremont. The direct access to Tremont afforded by University Road must remain to make redevelopment of the vacant Ferry Cap Screw building and the former Scaravelli Marina site viable. University road will help lessen congestion on Tremont surface streets caused by the new innerbelt on/off ramp location at Fairfield. 3

4. ODOT must implement a maintenance plan to monitor and remove graffiti, stop illegal dumping and otherwise maintain the underpasses and no-man's-land under the viaduct. If my house were tagged with graffiti, I would have it cleaned within a week. What possible excuse can ODOT have for letting graffiti remain for over two years? 4

5. ODOT must expedite the purchase and demolition of the derelict cold storage building at 2000 West 14th Street. This abandoned building is not properly boarded and has been subject to frequent arson fires. Vagrants and trespassers frequently enter the dangerous structure which is subject to frequent gang related graffiti. This build is a hazard to public safety and it is inexcusable that ODOT has allowed this condition to remain unabated this long. 5

6. The road widening will place traffic 12 feet closer to existing churches and houses. The visual impacts and those related to noise, vibration and light from roadway fixtures located 12 feet closer to property lines must be fully identified and appropriate mitigating measures presented as part of the final environmental documentation of this component of ODOT's Recommended Alternative. Shielded lighting should be mounted at lower heights to minimize light pollution and spillage into adjacent residential areas. Sound barriers must be high quality and aesthetically appealing, especially on the neighborhood side. 6 7 8

7. Currently people walk between the Tremont neighborhood and downtown using the emergency walkway along the Central Viaduct. Reconstruction of the Central Viaduct must accommodate pedestrian/bike paths linking downtown and the Tremont neighborhood. This is easily accomplished considering ODOT's proposal to convert the existing 8 lane bridge to 5 eastbound lanes, leaving 3 unused lanes, one of which will be dedicated to bicycles and pedestrians without additional construction. 9

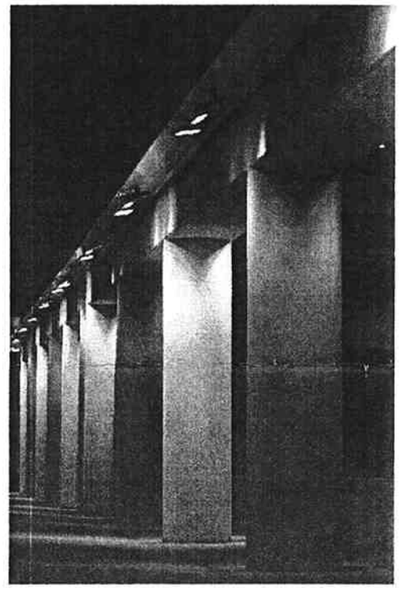
8. The impacts of any ramp modifications to Greek Orthodox Church of the Annunciation and the Tremont Neighborhood must be fully identified and appropriate mitigating measures presented as part of the final environmental documentation of this component of ODOT's Recommended Alternative. The alignment of the exit ramp to Abbey from I-90 west should be configured to maximize development of property along Abbey Avenue and West 15 th Street. The local street network including Train Avenue must remain intact. 10 11 12

9. All aspects of transportation modifications associated with the Innerbelt must enhance the visual quality of this area and create a signature gateway identity in terms of the design of structures, including bridges and retaining walls, landscaping and infrastructure lighting. Impacts of storm water runoff from the transportation modifications associated with the Innerbelt must be identified and mitigating measures identified as part of the final environmental documentation for each component of ODOT's Recommended Alternative 13 14

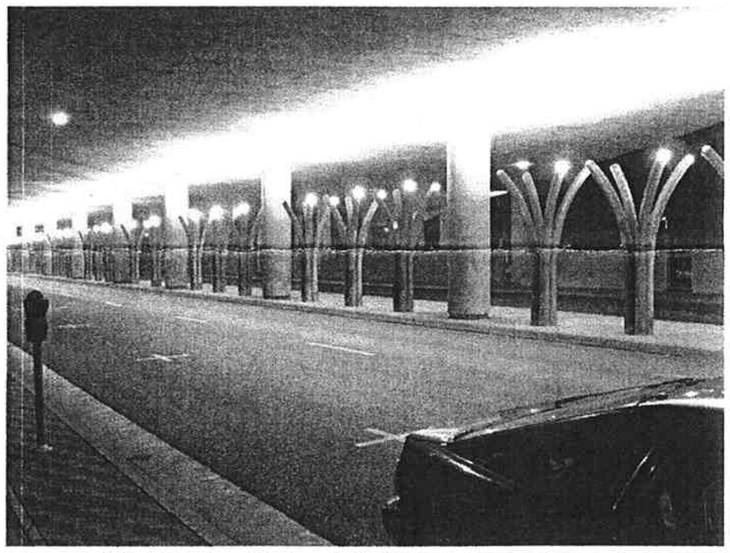
Thank you for your time,

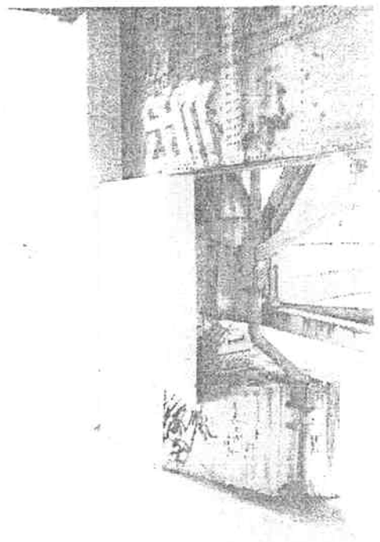
Lynn Murray and Glenn Murray
2495 West 11th. Street
Cleveland, OH
44113

CC: Mayor Frank Jackson, Michael Armstrong FHWA, Councilman Joe Cimperman, Director of Planning Bob Brown, ODOT Transportation Director Jolene Molitoris,

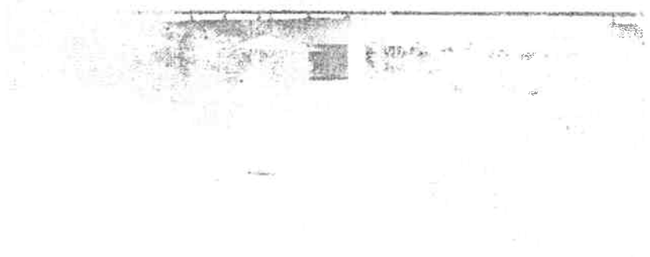


EXAMPLES OF INVITING, CREATIVELY LIT AND ARTISTICALLY DESIGNED UNDERPASSES

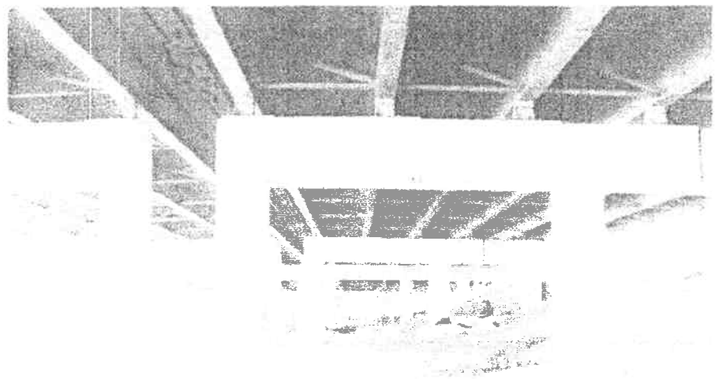




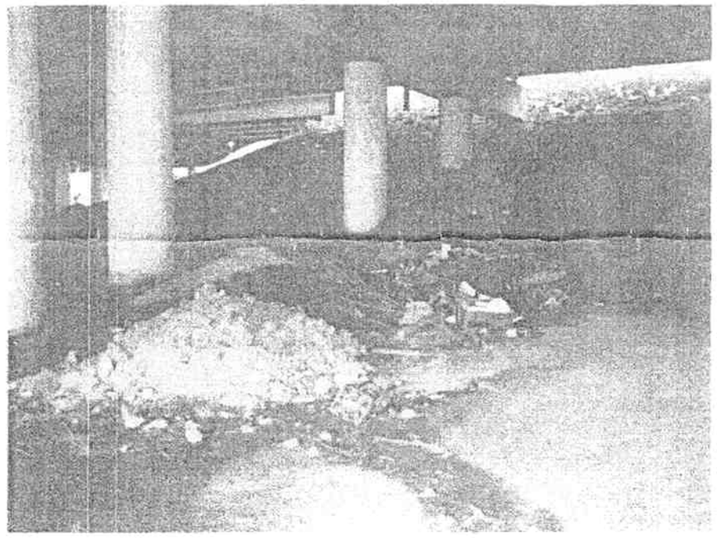
THESE PHOTOS OF GRAFITTI ON THE INNERBELT BRIDGE WERE TAKEN IN 2007. AFTER TWO YEARS THIS GRAFITTI STILL HAS NOT BEEN PAINTED OVER BY ODOT.



GATEWAY TO CLEVELAND STILL MARRED BY GRAFITTI TWO YEARS LATER.



THESE PHOTOS SHOW ILLEGAL DUMPING, EROSION, VAGRANTS AND VANDALISM UNDER INNERBELT VIADUCT BETWEEN FAIRFIELD AND ABBEY AVENUES IN TREMONT.



SPWebmaster@dot.state.oh.us
04/06/2009 03:05 PM

To Craig.Hebebrand@dot.state.oh.us
cc
bcc
Subject Innerbelt Plan Public Comment Form

Comments: The innerbelt trench project that will eliminate the Carnegie and Prospect exits will cause massive back-ups. This is an ill conceived design and does not take into consideration the economic impact that this will cause to the businesses in the area. The problems this design will cause on the surface streets will be extensive. I realize that the trench portion of the project is about 10 years away. If the trench project moves forward as currently designed, I expect to be moving our business out ot the Midtown area. My company employees 128 persons and we expect to at least double employment by the start of this project. I firmly believe that your projections that the Chester exit will be handle the volume are totally inaccurate. 1 2 3

Name:: Dan Neubert

Street: 2900 Carnegie Ave

City: Cleveland

State: Ohio

Zip Code: 44115

Email:: dneubert@1-888-ohiocomp.com

Betsy Nosse <tccase@ameritech.net>
04/06/2009 09:44 AM
Please respond to tccase@ameritech.net

To Craig Hebebrand <craig_hebebrand@dot.state.oh.us>
cc
bcc
Subject Innerbelt Project impact on Travelers Custom Case @2261 East 14th Street

Good morning, Mr. Hebebrand,
On 2/26/2007, we spoke w/ you & Mr. Daugherty re: our properties' inclusion in the"take" list for this project. At that time I explained that we use all 3 floors of the building for an active light manufacturing business and lease the contiguous parcel as a parking lot. This continues to be the case.

At that time you indicated that we were on the list for a "curb return" but that the encroachment was "so minor" that you would consider pulling it to " the west and south" to avoid impacting us.

We heard no more about this since then. However, we are now in receipt of 2 notices of public hearings on this project, which suggests that we remain on the take list. Please advise. The financial and business disruption implications of this situation in the currently depressed economy of our city causes us great concern -

Cordially,
Betsy Nosse

Betsy Nosse
Business Manager
Travelers Custom Case
2261 East 14th Street
Cleveland, OH 44115
PH: 216.621.8447
FAX: 216.861.5696
** Please visit our Website: **www.travelerscustomcase.com** **

Craig Hebebrand /Production /D12/ ODOT
04/06/2009 01:10 PM

To tccase@ameritech.net
cc Craig Hebebrand <craig_hebebrand@dot.state.oh.us>, Dan Dougherty/Production/D12/ODOT@ODOT, Mark Carpenter/Planning/D12/ODOT@ODOT
bcc
Subject Re: Innerbelt Project impact on Travelers Custom Case @2261 East 14th Street

Dear Ms. Nosse,

As previously discussed, the improvements to the East 14th St intersection with Carnegie Ave will be designed to avoid the existing Travelers Custom Case building (2261 East 14th St).

If you have any questions regarding this matter or if you require any additional information , please do not hesitate to ask.

Respectfully,

Craig K. Hebebrand, P.E.

Ohio Department of Transportation, District 12
5500 Transportation Boulevard, Garfield Heights, Ohio 44125

Telephone: (216) 584-2113; Facsimile: (216) 584-3508

E-Mail: craig.hebebrand@dot.state.oh.us

Betsy Nosse <tccase@ameritech.net>

Betsy Nosse <tccase@ameritech.net>

Betsy Nosse <tccase@ameritech .net>
04/06/2009 09:44 AM
Please respond to tccase@ameritech.net

To Craig Hebebrand <craig_hebebrand@dot.state.oh.us>
cc
Subject Innerbelt Project impact on Travelers Custom Case @2261 East 14th Street

Good morning, Mr. Hebebrand,
On 2/26/2007, we spoke w/ you & Mr. Daugherty re: our properties' inclusion in the"take" list for this project. At that time I explained that we use all 3 floors of the building for an active light manufacturing business and lease the contiguous parcel as a parking lot. This continues to be the case.

At that time you indicated that we were on the list for a "curb return" but that the encroachment was "so minor" that you would consider pulling it to " the west and south" to avoid impacting us.

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Cordially,
Betsy Nosse

Betsy Nosse
Business Manager
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2261 East 14th Street
Cleveland, OH 44115
PH: 216.621.8447
FAX: 216.861.5696
** Please visit our Website: **www.travelerscustomcase.com** **

Taft/

Taft Stettinius & Hollister LLP
200 Public Square, Suite 3500 / Cleveland, OH 44114-2302 / Tel: 216 241 2838 / Fax: 216 241 3707 / www.taftlaw.com
Cincinnati / Cleveland / Columbus / Dayton / Indianapolis / Northern Kentucky / Phoenix / Beijing

STEPHEN M. O'BRYAN
216-706-3896
sobryan@taftlaw.com

May 8, 2009

Craig K. Hebebrand
Project Manager, District 12
Ohio Department of Transportation
5500 Transportation Boulevard
Garfield Heights, Ohio 44125

Re: MidTown Cleveland, Inc.

Dear Craig:

Did ODOT submit an Access Modification Study to the FHWA in February 2007? Is it available for public review? If it is, could you please provide me with a copy. Has it been approved by the FHWA? Please advise at your earliest convenience.

Thank you for your consideration relative to this matter.

Very truly yours,

Stephen M. O'Bryan

SMO:cp

80207315.1

Craig Hebebrand /Production /D12/ ODOT
05/11/2009 03:43 PM

To sobryan@taftlaw.com
cc
bcc Cathy Cola Perkins/ChiefLegal/CEN/ODOT@ODOT; Heather Sullivan/ChiefLegal/CEN/ODOT@ODOT; Jocelynn Clemings/Administration/D12/ODOT@ODOT; Larry Hoffman/Environmental/CEN/ODOT@ODOT; Tom Pannett/ChiefLegal/CEN/ODOT@ODOT; Tim Hill/Environmental/CEN/ODOT@ODOT; James Young/RoadwayEng/CEN/ODOT@ODOT
Subject Request for Information

Dear Mr. O'Bryan,

ODOT anticipates that the FHWA will complete the review of the Access Modification Study (a.k.a. Interchange Justification Study) by the end of this month (May 2009).

As per your request a copy of the document has been uploaded to the ftp site. Please use the following link to access the ftp site and download requested document:

ftp://ftp.dot.state.oh.us/pub/Districts/D12/Production/TAFT/

Please advise once you have successfully downloaded the document.

If you have any questions regarding this matter, or if you required any additional information, please do not hesitate to ask.

Respectfully,

Craig K. Hebebrand, P.E.

Ohio Department of Transportation, District 12
5500 Transportation Boulevard, Garfield Heights, Ohio 44125

Telephone: (216) 584-2113; Facsimile: (216) 584-3508

E-Mail: craig.hebebrand@dot.state.oh.us

"O'Bryan, Stephen M."
<sobryan@taftlaw.com>
Sent by: "Parise, Carol L."
<cparise@taftlaw.com>

05/12/2009 04:39 PM

To "Craig.Hebebrand@dot.state.oh.us"
<Craig.Hebebrand@dot.state.oh.us>
cc
bcc
Subject RE: Request for Information

Please call me regarding this e-mail. Thanks. Steve

Taft /

Carol L. Parise / Legal Assistant
Taft Stettinius & Hollister LLP
200 Public Square, Suite 3500
Cleveland, Ohio 44114-2302
Tel: 216.241.2838 • Fax: 216.241.3707
Direct: 216.706.3943
www.taftlaw.com / cparise@taftlaw.com

From: Craig.Hebebrand@dot.state.oh.us [mailto:Craig.Hebebrand@dot.state.oh.us]
Sent: Monday, May 11, 2009 3:45 PM
To: O'Bryan, Stephen M.
Subject: Request for Information

Dear Mr. O'Bryan,

ODOT anticipates that the FHWA will complete the review of the Access Modification Study (a.k.a. Interchange Justification Study) by the end of this month (May 2009).

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Respectfully,

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Ohio Department of Transportation, District 12
5500 Transportation Boulevard, Garfield Heights, Ohio 44125

Telephone: (216) 584-2113; Facsimile: (216) 584-3508

E-Mail: craig.hebebrand@dot.state.oh.us

"O'Bryan, Stephen M."
<sobryan@taftlaw.com>
05/13/2009 06:25 PM

To "Craig.Hebebrand@dot.state.oh.us" <Craig.Hebebrand@dot.state.oh.us>
cc
bcc
Subject RE: Cleveland Innerbelt - Response to Inquiry

When was DEIS submitted for review and approval? Was it available to the public before Mar. 2009? Thanks for your prompt response. Does your response confirm that an original Access Mod. Study was submitted in Feb. 2007? Was it available to the public or was the Mar 2009 Interchange Justification Study the first available one?

2

Taft /

Stephen M. O'Bryan / Attorney
Taft Stettinius & Hollister LLP
200 Public Square, Suite 3500
Cleveland, Ohio 44114-2302
Tel: 216.241.2838 • Fax: 216.241.3707
Direct: 216.706.3896 • Cell: 216.470.2494
www.taftlaw.com / sobryan@taftlaw.com

From: Craig.Hebebrand@dot.state.oh.us [mailto:Craig.Hebebrand@dot.state.oh.us]
Sent: Wednesday, May 13, 2009 4:53 PM
To: O'Bryan, Stephen M.
Cc: Parise, Carol L.
Subject: Cleveland Innerbelt - Response to Inquiry

Dear Mr. O'Bryan:

Please find below a portion of the September 4, 2007 e-mail that you referenced in our telephone conversation from earlier today.

Revisions to the schedule are noted below the original response and are shown in **BOLD** and designated with today's date **2009-05-13**:

1. Rollout of Alternatives Report (Dec. 2005):
2007-09-04 - Conceptual Alternative Study (August 11, 2006).

2. EIS (Dec. 2005):
2007-09-04 - See #13.

3. Public comment period on ODOT Recommended Alternatives (Dec. 2005-Jan. 2006):
2007-09-04 - Public Comment Period for Conceptual Alternative Study (August 11, 2006 to March 5, 2007). ODOT continues to accept public comments on all aspects of the project.

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5. FWHA approval of Access Modification Study (Apr. 2006):
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2009-05-13 - (June 2009) - FHWA Conditional Approval of Interchange Justification Study (f.k.a. Access Modification Study)
2009-05-13 - (August 2009) - FHWA Final Approval with #16.

6. Circulation of preliminary environmental impacts made public (Jul. 2006):
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2009-05-13 - (March 3, 2009)

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2007-09-04 - (March 29, 2007).

12. Availability of Access Modification Study (Spring 2007):
2007-09-04 - (January 2008).
2009-05-13 - (March 2, 2009)

13. Availability of Draft Environmental Impact Statement (Spring 2007):
2007-09-04 - (January 2008).
2009-05-13 - (March 20, 2009)

14. Public hearing on Draft Environmental Impact Statement (Summer 2007):
2007-09-04 - (March 2008).
2009-05-13 - (April 21, 2009)

15. Availability of Final Environmental Impact Statement:
2007-09-04 - (Summer/Fall 2008).
2009-05-13 - (July 2009)

16. Record of Decision:
2007-09-04 - (Fall 2008).
2009-05-13 - (August 2009)

17. Certified Traffic:
2009-05-13 - Certified (January 25, 2007) - Re-certified (July 7, 2008)

If you have any questions regarding this matter or if you require any additional information , please do not hesitate to ask.

Respectfully,

Craig K. Hebebrand, P.E.

Ohio Department of Transportation, District 12
5500 Transportation Boulevard, Garfield Heights, Ohio 44125

Telephone: (216) 584-2113; Facsimile: (216) 584-3508

E-Mail: craig.hebebrand@dot.state.oh.us

Craig
Hebebrand /Production /D12/O
DOT
05/13/2009 04:53 PM

To sobryan@taftlaw.com
cc cparise@taftlaw.com
bcc
Subject Cleveland Innerbelt - Response to Inquiry

Dear Mr. O'Bryan:

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2009-05-13 - (August 2009)

17. Certified Traffic:
2009-05-13 - Certified (January 25, 2007) - Re-certified (July 7, 2008)

If you have any questions regarding this matter or if you require any additional information , please do not hesitate to ask.

Respectfully,

Craig K. Hebebrand, P.E.

Ohio Department of Transportation, District 12
5500 Transportation Boulevard, Garfield Heights, Ohio 44125

Telephone: (216) 584-2113; Facsimile: (216) 584-3508

E-Mail: craig.hebebrand@dot.state.oh.us

Craig Hebebrand /Production /D12/O DOT
05/14/2009 10:32 AM

To "O'Bryan, Stephen M." <sobryan@taftlaw.com>
cc
bcc
Subject RE: Cleveland Innerbelt - Response to Inquiry

Mr. O'Bryan:

The following is offered in response to your inquiry :

When was DEIS submitted for review and approval?

The DEIS was submitted to the FHWA for review on August 29, 2007. The DEIS was approved by FHWA on March 3, 2009.

Was it available to the public before Mar. 2009?

The approved DEIS was made available to the public on March 20, 2009.

Does your response confirm that an original Access Mod. Study was submitted in Feb. 2007?

Yes, the draft AMS was submitted to the FHWA for review on February 7, 2007.

Was it available to the public or was the Mar 2009 Interchange Justification Study the first available one?

The final IJS (f.k.a. AMS) was submitted to the FHWA on March 2, 2009, at which time it also made was available to the public.

Respectfully,

Craig K. Hebebrand, P.E.

Ohio Department of Transportation, District 12
5500 Transportation Boulevard, Garfield Heights, Ohio 44125

Telephone: (216) 584-2113; Facsimile: (216) 584-3508

E-Mail: craig.hebebrand@dot.state.oh.us

"O'Bryan, Stephen M." <sobryan@taftlaw.com>

"O'Bryan, Stephen M." <sobryan@taftlaw.com>
05/13/2009 06:25 PM

To "Craig.Hebebrand@dot.state.oh.us" <Craig.Hebebrand@dot.state.oh.us>
cc
Subject RE: Cleveland Innerbelt - Response to Inquiry

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the first available one?

Taft /

Stephen M. O'Bryan / Attorney
Taft Stettinius & Hollister LLP
200 Public Square, Suite 3500
Cleveland, Ohio 44114-2302
Tel: 216.241.2838 • Fax: 216.241.3707
Direct: 216.706.3896 • Cell: 216.470.2494
www.taftlaw.com / sobryan@taftlaw.com

From: Craig.Hebebrand@dot.state.oh.us [mailto:Craig.Hebebrand@dot.state.oh.us]
Sent: Wednesday, May 13, 2009 4:53 PM
To: O'Bryan, Stephen M.
Cc: Parise, Carol L.
Subject: Cleveland Innerbelt - Response to Inquiry

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Respectfully,

Craig K. Hebebrand, P.E.

Ohio Department of Transportation, District 12
5500 Transportation Boulevard, Garfield Heights, Ohio 44125

Telephone: (216) 584-2113; Facsimile: (216) 584-3508

E-Mail: craig.hebebrand@dot.state.oh.us

SPWebmaster@dot.state.oh.us
04/20/2009 04:22 PM

To Craig.Hebebrand@dot.state.oh.us
cc
bcc
Subject Innerbelt Plan Public Comment Form

Comments: Before you start such an extensive project like this, you should take into account the effect on businesses in the area. As experienced with the Euclid Avenue project, you know how many businesses were adversely affected. Some long-standing businesses went out of business due the the lack of accessibility because of the construction project of RTA. We are in tough economic times--you need to take this part into account, and allow for business relocation/ and or compensation! I am just a citizen, but you need to take this message in serious consideration. I would like to hear your thoughts on this. Sincerely, Arlene Olson

Name:: arlene olson

Street: 66 maple cliff Drive

City: Avon Lake

State: OH

Zip Code: 44012

Email:: arlene_olson@jumo.com

SPWebmaster@dot.state.oh.us
05/06/2009 04:03 PM

To Craig.Hebebrand@dot.state.oh.us
cc
bcc
Subject Innerbelt Plan Public Comment Form

Comments: Removal of the exit on I90 East to Carnegie Ave. is a serious mistake. It is one of the most vital arteries connecting to University Circle and the Heights areas. I along with a majority of motorists heading to those areas will be forced to exit on E22nd and go through 2 additional lights to get to Carnegie eastbound. This is ridiculous!!! The planners obviously do not live in the area or commute to University Circle or the Cleveland Clinic!!! If there are too many exits, eliminate the E 22nd exit instead. It is a much less traveled side street. Please take this suggestion seriously; you will be adding hours of commute time annual to those of us that travel to University Circle daily, as more congested interestions at E22nd (less safety). The Carnegie exit has always been one of the better planned exits that merges off slowly and always has been safe (unlike some that have sharp turns and short merge times). Please reconsider for us Clevelanders!!! Thanks. Your reply would be appreciated as well.

Name:: Patrick Paoletta

Street: 1705 Cumberland Rd.

City: Cleveland Heights

State: OH

Zip Code: 44118

Email:: patrick.paoletta@firstmerit.com

Central Cadillac
HUMMER

May 1, 2009
Our 67th Year

Craig K. Hebebrand, R.E.
ODOT District 12
5500 Transportation Blvd.
Garfield Heights, OH 44125

Re: 2618, 2640, and 2801 Carnegie Avenue

Dear Craig:

As you know, we own the above three buildings and the attached vacant land, most of which is used for parking. We attended your April 21st meeting at the Annunciation Greek Orthodox Church where you reviewed the Innerbelt project and we again voiced our strong objection to your Preferred Alternative Plan. We have also spent some time reviewing your plan shown on Attachment A 23 and 24 of the Draft Environmental Impact Statement and would like to further strongly object to your plans for the Midtown Connector which will run by and through our property.

We will start with 2618 and 2640 Carnegie Avenue on the south side of the street. Both of these buildings are leased to retail tenants that are using the space to conduct their business. Cedar Avenue was to have dead-ended and the connection to Carnegie was needed for ingress and egress, but now you are showing that Cedar will remain open to 22nd Street. We question why you need the Midtown Connector to extend to Cedar; it could end at Carnegie Avenue. This extension will take our building at 2618 Carnegie, leaving a small building and surface parking that can only be accessed off the new road. The building at 2640 Carnegie loses most of its parking and its egress to Carnegie and thus becomes unusable for any retail business. Additionally, most of our employees park in the lot that is between 2640 Carnegie and Cedar Avenue, which will be about 50% consumed by the new roadway. These changes will render almost all the property on the south side of Carnegie Avenue we own as worthless and it will leave us with considerably less employee parking.

All of the property on the north side of Carnegie (2801) is used for our automobile agency. We are assuming the yellow dashed line represents a temporary construction easement and is property we will get back after construction. If we are wrong and this is a permanent property line, you are taking the northwest corner of our service department. We use the north parking lot for our customers' service and body shop vehicles, where we rely on close access for ease of staging repair work and final pick up by our customers. Your plans show you taking more than half the lot and would most likely require us to build a two-level parking structure to operate. We rely on a clockwise traffic flow, which utilizes the west driveway. Your plan, as drawn, would eliminate that drive and necessitate a complete change in the way we move traffic through our facility. It would also necessitate some type of barrier to protect the northwest corner of our building and raises real questions about adequate fire lane and emergency egress

2801 Carnegie Avenue • Cleveland, Ohio 44115 • (216) 861-5800 • Fax: (216) 861-5857
www.centralcadillac.com • www.centralhummer.com

B 85

Craig Hebebrand /Production /D12/O DOT
06/10/2009 01:11 PM

To arlene_olson@jumo.com
cc
bcc
Subject Cleveland Innerbelt Project

Dear Ms Olson,

Thank you for your comment on the Cleveland Innerbelt Project. Please be advised that ODOT will work with the City of Cleveland to maintain access to the local businesses throughout the reconstruction of the Cleveland Innerbelt. This will include identifying and communicating alternative route options to the local businesses, their customers and suppliers.

If you have any questions regarding this response, or if you require any additional information, please do not hesitate to ask.

Respectfully,

Craig K. Hebebrand, P.E.

Ohio Department of Transportation, District 12
5500 Transportation Boulevard, Garfield Heights, Ohio 44125

Telephone: (216) 584-2113; Facsimile: (216) 584-3508

E-Mail: craig.hebebrand@dot.state.oh.us

B 85a

Craig Hebebrand /Production /D12/O DOT
06/10/2009 01:32 PM

To patrick.paoletta@firstmerit.com
cc
bcc
Subject Cleveland Innerbelt Project

Dear Mr. Paoletta,

Thank you for your comments on the Cleveland Innerbelt Project. The Cleveland Innerbelt Project proposes to consolidate the East 22nd St and Carnegie Ave exit ramps. By locating the new exit ramp at East 22nd St, access to both East 22nd St (direct) Carnegie Ave (indirect via East 22nd St) can be maintained. In addition by locating the new exit ramp at East 22nd St it allows the ramp carrying traffic to East 22nd St and Carnegie Ave to pass above the ramp carrying I-77 NB to I-90 EB, eliminate one of the most problematic weaves in the corridor.

If you have any questions regarding this response, or if you require any additional information, please do not hesitate to ask.

Respectfully,

Craig K. Hebebrand, P.E.

Ohio Department of Transportation, District 12
5500 Transportation Boulevard, Garfield Heights, Ohio 44125

Telephone: (216) 584-2113; Facsimile: (216) 584-3508

E-Mail: craig.hebebrand@dot.state.oh.us

—— Forwarded by Craig Hebebrand/Production/D12/ODOT on 06/10/2009 01:19 PM ——

SPWebmaster @dot.state.oh.us
05/06/2009 04:03 PM

To Craig.Hebebrand@dot.state.oh.us
cc
Subject Innerbelt Plan Public Comment Form

Comments: Removal of the exit on I90 East to Carnegie Ave. is a serious mistake. It is one of the most vital arteries connecting to University Circle and the Heights areas. I along with a majority of motorists heading to those areas will be forced to exit on E22nd and go through 2 additional lights to get to Carnegie eastbound. This is ridiculous!!! The planners obviously do not live in the area or commute to University Circle or the Cleveland Clinic!!! If there are too many exits, eliminate the E 22nd exit instead. It is a much less traveled side street. Please take this suggestion seriously; you will be adding hours of commute time annual to those of us that travel to University Circle daily, as more congested interestions at E22nd (less safety). The Carnegie exit has always been one of the better planned exits that merges off slowly and always has been safe (unlike some that have sharp turns and short merge times). Please reconsider for us Clevelanders!!! Thanks. Your reply would be appreciated as well.

from our property. We now have an emergency exit onto Prospect Avenue at the northwest corner of our property.

Most all customer traffic from our building exits onto Carnegie Avenue from the west side of our building. When a traffic light is installed at Carnegie Avenue and the new Midtown Connector, it will make exiting our property for eastbound traffic very difficult, if not impossible.

Moving the Midtown Connector to the west so it is closer to I-90 could reduce some of the problems your plan poses to our business. Additionally, you could give us a part of the existing northbound entrance ramp if it was built up to the Carnegie Avenue grade for extra parking. There could also be extra right-of-way property on the south side of Carnegie that may be able to give us access to the parking area to the west of 2618 Carnegie. Does the Midtown Connector really need to go through to Cedar Avenue? There is very little east/west traffic on Cedar Avenue now.

The plan you are showing will seriously impact our business operation. We would like to open dialogue with you as soon as possible since we are already in discussions with General Motors as to the viability of our location due to the impending closure of the ramps on either side of our business.

Please let me know when we can meet to discuss these changes.

Sincerely yours,

Frank H. Porter, Jr.
President

FHP/kc
2009-015

cc: Michael Armstrong, FHA
Jim Haviland, Midtown Cleveland

Cleveland Innerbelt Plan Public Hearing
PUBLIC COMMENT FORM
April 21, 2009

CLEVELAND INNERBELT PLAN

Copies of today's presentation and this form will be available on the Project website.
Visit www.innerbelt.org and select the "Innerbelt Plan" logo.

1. *What are your comments regarding the Cleveland Innerbelt Plan as proposed?*

I believe that the changing of exits & entrances through the Truck Area will result in businesses leaving the Area. Our Business Relies on customer being able to access our store + we also rely on Drive by Traffic for visibility. By closing these exit the negative economic effect will be much greater than any gains.

If you need additional space, please use the back of this form.

2. *To help us document comments and forward future Project information, please provide:*

Name GREG Puntel - Audio Craft
Address 3915 Carnegie Ave
City Cleveland State OH Zip Code 44115
Telephone Number 216 431 7300
Email Address GPuntel@AudioCraft.com

Complete this form and return to ODOT by 5 p.m. on May 21, 2009 for consideration in the Final Environmental Impact Study.

Mail or fax to:
Ohio Department of Transportation, District 12
ATTN: Craig Hebebrand
5500 Transportation Blvd.
Garfield Heights, OH 44116
Fax: 216-584-2279

Or complete this form on the Internet at:
www.innerbelt.org and select the
"Innerbelt Plan" logo.

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Cleveland Innerbelt Plan Public Hearing
PUBLIC COMMENT FORM
April 21, 2009

Copies of today's presentation and this form will be available on the Project website.
Visit www.innerbelt.org and select the "Innerbelt Plan" logo.

1. *What are your comments regarding the Cleveland Innerbelt Plan as proposed?*

The over all project is badly needed...

But... it is going to be a disaster for our Retail Business (Audio Craft Co Inc at 3915 Carnegie Ave since 1973). 1

I believe Cleveland need Carnegie Exits entrance as a main interest of university Circle/clinic/ect. 2

The selected recomendation will drive us out of Down Town Cleveland.

If you need additional space, please use the back of this form.

2. *To help us document comments and forward future Project information, please provide:*

Name Wayne T. Puntel

Address 3915 Carnegie Ave A. distster-f

City Cleveland State Ohio Zip Code 44115

Telephone Number 216-431-7300

Email Address WTP@audiocraft.com

Complete this form and return to ODOT by 5 p.m. on May 21, 2009 for consideration in the Final Environmental Impact Study.

Mail or fax to:
Ohio Department of Transportation, District 12
ATTN: Craig Hebebrand
5500 Transportation Blvd.
Garfield Heights, OH 44116
Fax: 216-584-2279

Or complete this form on the Internet at:
www.innerbelt.org and select the
"Innerbelt Plan" logo.

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B 87

Cleveland Innerbelt Plan Public Hearing
PUBLIC COMMENT FORM
April 21, 2009

Copies of today's presentation and this form will be available on the Project website.
Visit www.innerbelt.org and select the "Innerbelt Plan" logo.

1. *What are your comments regarding the Cleveland Innerbelt Plan as proposed?*

The Central Interchange appears to be a large expanse of land with no unique architectural details or pedestrian-friendly greenspace. Adding these elements may improve the perception of connectivity between properties to the north (i.e. Progressive Field) and properties to the south (post office and Tri-C). Maybe an environmental theme (air, water, land) can be displayed in this space. Please get input from artists and/or educators, Thanks!

If you need additional space, please use the back of this form.

2. *To help us document comments and forward future Project information, please provide:*

Name Audre Puskorius

Address 6500 Belmere Drive

City Parma State Ohio Zip Code 44129

Telephone Number (216) 780-1661

Email Address audre123@gmail.com

Complete this form and return to ODOT by 5 p.m. on May 21, 2009 for consideration in the Final Environmental Impact Study.

Mail or fax to:
Ohio Department of Transportation, District 12
ATTN: Craig Hebebrand
5500 Transportation Blvd.
Garfield Heights, OH 44116
Fax: 216-584-2279

Or complete this form on the Internet at:
www.innerbelt.org and select the
"Innerbelt Plan" logo.

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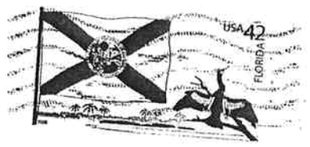
R

Why do we need two bridges?
Cleveland already has the Main-Storey-
the Hi-level- Carnegie + 480 bridges.
Build one bridge large enough -
demolish the old bridge. Two
bridges would be a massive
waste of money.

Marilyn P. Rhein
21695 Kenwood Ave
Rocky River Ohio 44116

440-331-8052

CLEVE OH 441
31 MAR 2009PM 7 T



Mr. Craig Hebebrand
Ohio Department of Transportation
- District 12 -
5500 Transportation Blvd
Garfield Hts Ohio 44125

44125+5306

SPWebmaster @dot.state.oh.us
04/02/2009 03:54 PM

To Craig.Hebebrand@dot.state.oh.us
cc
bcc
Subject Innerbelt Plan Public Comment Form

Comments: As a business owner on the near west side of Cleveland, we use the Innerbelt almost daily to access customers and suppliers in the Midtown area, as well as the near east side of town. I think eliminating existing access ramps in the Trench is a terrible idea. It will certainly cause us to burn more gas and slow down ,if not kill the business we do in that neighborhood. I have traveled the Innerbelt and I90 east to I271 during morning and afternoon rush hour for years, and find the drive from Deadman's Curve to I271 much more dangerous (and delayed by accidents) than what I encounter in the Trench.Clevelanders are smart enough to drive that section of road safely. Don't change it. 1 2

Name:: Michael Resch

Street: 3900 Trent Ave.

City: Cleveland

State: Oh.

Zip Code: 44109

Email:: mresch@valvepros.com

COMMENT SHEET

Cleveland Innerbelt Project

Draft Environmental Impact Statement

What are your comments regarding the Cleveland Innerbelt Project as currently proposed? GREATE NO BOTTEL NECKS IN FLOW OF TRANSPORTATION.

If you need additional space, please use the back of this form.

To help us document comments and forward future project information, please provide:

Name BARRY RISNER
Address 375 W THIRD ST 3/C
City MANS OH Zip code 44903
Telephone Number (optional) 419 612 2640 MISLAID
E-mail Address RISNER

Complete and return comments by May 21, 2009 for consideration in the Final Environmental Impact Statement.

Or complete on the web at: www.innerbelt.org **and select the "Cleveland INNERBELT PLAN" logo.**

Mail to: **Craig Hebebrand, Innerbelt Project Manager**
5500 Transportation Boulevard
Garfield Heights, Ohio 44125
Or Fax to: **(216) 584-2279**

B 88 a

"DesertFox 3" <desertfox3@netzero.net>
05/10/2009 05:19 PM

To <craig.hebebrand@dot.state.oh.us>
cc
bcc
Subject Cleveland Urban Core Projects Website Comments (Inner Belt Bridge)

Innerbelt bridge, function over appearance?

Mr. Hebebrand,

I know we are 'Ohio Proud' to be using the massive amounts of salt that are being used, wouldn't it be better to putting moneys into a self contained steam deck heating system rather than apparence features such as tacky figurines?

Just imagine on all the future repairs that could be saved, instead of putting it on a 'high sodium' diet every winter. I wonder how these costly figurines will look in 10 years standing proudly over crumbling concrete & rust... (Very appropriate for Cleveland?). By the time they get the second phase (replacing the existing bridge) of this finished, it will soon be time to start repairing (or rebuilding) the one they have yet to build... bad enough we have some of the worst roads in the country. (3 sets of ball joints, 3 wheel bearings, 2 pairs of shocks in 4 years?... yeah it keeps the economy rolling, eh?)

I currently live near Ohio 2, the salt runoff is leeching into my basement via the walls, floor & through the garage floor, destroying the concrete. Something that eats concrete like this really can't be good for the environment either.

Craig Rommel
Mentor

SPWebmaster @dot.state.oh.us
04/22/2009 12:00 PM

To Craig.Hebebrand@dot.state.oh.us
cc
bcc
Subject Innerbelt Plan Public Comment Form

Comments: I have two Idea suggestions for the INNER belt Bridge design for your consideration. #1) for the Inner Belt Bridge my Design envisions the outer shoulder lane planted with vegetation. According to what I have read in the PD, that would entail going from 5 lanes of traffic to 4 or with the dual bridge completion 8 lanes of traffic instead of 10. Framing the roadbed with a garden landscape above the flats creates an elevated park that is an original concept for the bridge design to work with the chosen structural plan and provides Cleveland with a signature bridge design. Also the elevated park concept could introduce a pedestrian or bicycle lane aspect? But the main point is an opportunity to incorporate an elevated green space over the flats. Idea #2 Envisions an observation tower engineered at the center point of the completed bridge. The observation tower bridges over the bridge and thus creates a new icon of city center located in the flats. The observation tower creates a new nexus that invites a residential development possibilities on either side of the river. This concept creates a unifying symbol to "Bridge" the east/west identity divide...this concept could also become "the Sculptural Component"... a structure at the center point rising over the bridge, the mid-point joining the East and West.

Name:: Daniel Rothenfeld

Street: 13401 Lakeshore Blvd#4

City: Bratenahl

State: Ohio

Zip Code: 44110

Email:: wonderfeld@yahoo.com

Hard Hatted Women
Public Hearing on ODOT's Cleveland Innerbelt Plan
April 21, 2009

The reconstruction of the Cleveland Innerbelt will bring much-needed jobs to thousands of Clevelanders. These jobs will pay good, family-supporting wages, pumping millions of dollars into the local economy.

Statewide, it is estimated that Ohio will receive nearly $800 million in federal stimulus funds for transportation projects, saving or creating at least 21,257 Ohio jobs. The Innerbelt Plan ensures that a large portion of those jobs will be right here in Cleveland. In fact, 25% of the American Recovery and Reinvestment Act funds that will be spent on Ohio transportation projects will be spent on the Cleveland Innerbelt project.

As our city faces an unemployment rate higher than any in the last 22 years, we can't afford to let this opportunity get away.

HARD HATTED WOMEN
Opportunities for Women. Solutions for You.

Terri Burgess Sandu
Executive Director

4220 Prospect Avenue
Cleveland, Ohio 44103

PHONE 216-861-6500 EXT. 204
CELL PHONE 216-502-0587
FAX 216-861-7204
EMAIL tsandu@hardhattedwomen.org
WEB www.hardhattedwomen.org

The mission of Hard Hatted Women is to empower women to achieve economic independence by creating workplace diversity in trade and technical careers.

Cleveland Innerbelt Plan Public Hearing
PUBLIC COMMENT FORM
April 21, 2009

CLEVELAND INNERBELT PLAN

Copies of today's presentation and this form will be available on the Project website.
Visit www.innerbelt.org and select the "Innerbelt Plan" logo.

1. *What are your comments regarding the Cleveland Innerbelt Plan as proposed?*

* Need Access to 90 E 37 From Ontario.

If you need additional space, please use the back of this form.

2. *To help us document comments and forward future Project information, please provide:*

Name: Charles Scarnelli
Address: 1619 Stmkmen Ave
City: Cleveland State: Zip Code: 44113
Telephone Number: 216 272-1808
Email Address: Scarnellis@AOL.com

Complete this form and return to ODOT by 5 p.m. on May 21, 2009 for consideration in the Final Environmental Impact Study.

Mail or fax to:
Ohio Department of Transportation, District 12
ATTN: Craig Hebebrand
5500 Transportation Blvd.
Garfield Heights, OH 44116
Fax: 216-584-2279

Or complete this form on the Internet at:
www.innerbelt.org and select the "Innerbelt Plan" logo.

B 90

77510

1100 Carnegie L.P.

Hilton Garden Inn – Cleveland Downtown
1100 Carnegie Ave Suite 300
Cleveland, Ohio 44115
216-696-6350 * 216-696-6351 – fax
jschach@roadrunner.com

April 23, 2009

Ohio Department of Transportation, District 12
Attn: Craig Hebebrand
5500 Transportation Blvd
Garfield Height, Ohio 44116
Fax: 216-584-2279

Craig,

As the General Partner for the Hilton Garden Inn Cleveland Downtown we would like to make a couple of comments regarding the Cleveland Innerbelt Plan as proposed.

On Carnegie Ave between E14th and E9th we want to make sure there are not physical barriers installed that would not allow turning from the west bound Carnegie AVE into E13th Street or the Hilton Garden Inn at what was E12th Street our main entry to the Hotel. 1

The property owners over the years have created a small retail district between E14th and E9th Street and we have concerns over four East bound lanes on Carnegie and two West bound lanes on the North side. Traffic going West bound will have to negotiate four lanes of East bound traffic to enter the businesses on the South Side of Carnegie Ave. We would prefer to have the road marked with three lanes East and West bound with a center turning lane. 2

Thank you for your consideration on this matter for our main entry to the Hilton Garden Inn – Cleveland Downtown.

Jay Schach
General Partner

COMMENT SHEET

Cleveland Innerbelt Project

Draft Environmental Impact Statement

What are your comments regarding the Cleveland Innerbelt Project as currently proposed?

Hilton Garden Inn Cleve Downtown needs are left turn on Carnegie to enter E/12th St MAIN ENTRANCE TO HOTEL PARKING YOUR PLANS SHOW MEDIAN ISLAND ON CARNEGIE.

If you need additional space, please use the back of this form.

To help us document comments and forward future project information, please provide:

Name HARVEY J. SCHACH GEN'L PARTNER HGT
Address 1100 CARNEGIE AVE
City CLEVELAND OH Zip code 44115
Telephone Number (optional) 216-978-9219
E-mail Address

Complete and return comments by May 21, 2009 for consideration in the Final Environmental Impact Statement.

Or complete on the web at: www.innerbelt.org **and select the "Cleveland INNERBELT PLAN" logo.**

Mail to: **Craig Hebebrand, Innerbelt Project Manager**
5500 Transportation Boulevard
Garfield Heights, Ohio 44125

Or Fax to: **(216) 584-2279**

B 91

"Slotta, Michele L." <Michele.Slotta@alcoa.com>
05/19/2009 08:55 AM

To <craig.hebebrand@dot.state.oh.us>
cc "Videmsek, Michael A." <Michael.Videmsek@alcoa.com>
bcc
Subject Cleveland Innerbelt Project

Mr. Hebebrand,

We were not able to attend the recent meeting held to discuss the plans for the Innerbelt Project, but have some questions regarding this project.

Tempcraft is located between 38Th and 40th on the south Marginal. From the information available online it looks the area surrounding or property and possible parts of our property will be affected by this project. We would like some details regarding how our property will be affected.

Please feel free to call me or Mike Videmsek, Plant Manager 216-272-7843 to review this project in more detail.

Thank You,

Michele L. Slotta
Controller
Howmet - Tempcraft
3960 South Marginal Road
Cleveland, Ohio 44114
Office - (216) 361-5228
Fax - (216) 391-5096
Cell - (216) 403-5562

SPWebmaster@dot.state.oh.us
05/20/2009 02:33 PM

To Craig.Hebebrand@dot.state.oh.us
cc
bcc
Subject Innerbelt Plan Public Comment Form

Comments: We are located on the south Margin between 38th & 40th Street. Our temperature controlled dock is located on 38th street. We currently use the parking lot located across from the dock (The Mounted Police) for the trucks to be able to back into the dock. In the newest proposal for the Innerbelt Project it looks like the access to 38th street will be significantly changed. We would like to review the details of the proposal and how it will affect our business. We would also be open to review what are the other alternatives. the

Name:: Tempcraft (Michele Slotta)

Street: 3960 South Marginal Rd

City: Cleveland

State: OH

Zip Code: 44114

Email:: michele.slotta@alcoa.com

Craig Hebebrand /Production /D12/ODOT
05/20/2009 05:23 PM

To "Slotta, Michele L." <Michele.Slotta@alcoa.com>
cc "Videmsek, Michael A." <Michael.Videmsek@alcoa.com>
bcc rnbrown@city.cleveland.oh.us; Dan Dougherty/Production/D12/ODOT@ODOT; Mark Carpenter/Planning/D12/ODOT@ODOT; Jocelynn Clemings/Administration/D12/ODOT@ODOT
Subject Re: Cleveland Innerbelt Project

Dear Ms. Slotta,

Thank you for your inquiry regarding the Cleveland Innerbelt Project.

It is anticipated that ODOT will eventually need to acquire temporary right-of-way near the northwest corner of your parking lot during the time that South Marginal Road and East 38th Street are under construction.

ODOT will work with Tempcraft and the City of Cleveland in the future to determine the best way to handle access to your loading dock along East 38th St. The City of Cleveland successfully managed a similar situation along South Waterloo Road between East 152nd St and East 185th St.

Please visit the project website at: www.innerbelt.org for additional information and project updates.

If you have any further questions regarding this matter or if you require any additional information, please do not hesitate to ask.

Respectfully,

Craig K. Hebebrand, P.E.

Ohio Department of Transportation, District 12
5500 Transportation Boulevard, Garfield Heights, Ohio 44125

Telephone: (216) 584-2113; Facsimile: (216) 584-3508

E-Mail: craig.hebebrand@dot.state.oh.us

"Slotta, Michele L." <Michele.Slotta@alcoa.com>

"Slotta, Michele L." <Michele.Slotta@alcoa.com>
05/19/2009 08:55 AM

To <craig.hebebrand@dot.state.oh.us>
cc "Videmsek, Michael A." <Michael.Videmsek@alcoa.com>
Subject Cleveland Innerbelt Project

Mr. Hebebrand,

We were not able to attend the recent meeting held to discuss the plans for the Innerbelt Project, but have some questions regarding this project.

Tempcraft is located between 38Th and 40th on the south Marginal. From the information available online it looks the area surrounding or property and possible parts of our property will be affected by this project. We would like some details regarding how our property will be affected.

Please feel free to call me or Mike Videmsek, Plant Manager 216-272-7843 to review this project in more detail.

Thank You,

Michele L. Slotta
Controller
Howmet - Tempcraft
3960 South Marginal Road
Cleveland, Ohio 44114
Office - (216) 361-5228
Fax - (216) 391-5096
Cell - (216) 403-5562

CLEVELAND
AIRPORT SYSTEM

CLE CLEVELAND HOPKINS INTERNATIONAL AIRPORT

BKL CLEVELAND BURKE LAKEFRONT AIRPORT

May 20, 2009

Sent Via Overnight Delivery and Messenger Delivery

Mr. Craig K. Hebebrand, PE, Project Manager
Ohio Department of Transportation, District 12
5500 Transportation Boulevard
Garfield heights, OH 44125

Mr. Herman Rodrigo, Office Director
Federal Highway Administration, Ohio Division
200 North High Street
Columbus, OH 43215-2048

Subject: City of Cleveland Department of Port Control Comments on FHWA
OH-EIS-09-01-D---Cleveland Innerbelt Project Draft Environmental Impact Statement

Dear Messrs. Hebebrand and Rodrigo:

In your roles as joint lead agencies for the proposed project involving the Cleveland Innerbelt (see project name above), the Federal Highway Administration (FHWA) and the Ohio Department of Transportation (ODOT) published on April 8, 2009 a Draft Environmental Impact Statement (DEIS) for public comment for this project.

The City of Cleveland Department of Port Control (DPC) is the public entity assigned by the City of Cleveland Charter as the responsible agency for the operation, maintenance and improvement of Cleveland Hopkins International Airport (CLE); Burke Lakefront Airport (BKL—see first exhibit attached) and various City-owned harbor properties located in Cleveland.

The DPC has reviewed the subject document and believes it to be fundamentally deficient in its responsibilities under the National Environmental Policy Act (NEPA) related to its omission of disclosure of negative impacts of the proposed project on BKL.

The DPC's concerns with the project and its proposed impacts have been communicated to FHWA and ODOT over a series of meetings and e-mail messages occurring over a period of months beginning in 2007, continuing through the early months of 2008, and culminating in a meeting involving the parties at ODOT's District 12 office located in Garfield Heights in June, 2008. We have been awaiting further communication from both of your agencies regarding the serious negative impacts on BKL that were reiterated by DPC representatives in that meeting but, as of this writing, thus far have received none.

In our review of the project appearing in the above noted DEIS, it is the DPC's determination that propose project has not been altered from its earlier versions, iterations or conceptual plans in a material enough manner to include avoidable impacts of BKL and, in those cases where impacts to BKL may be unavoidable, the DEIS does not in any sufficient or acceptable manner address the methods that FHWA and ODOT plan to compensate the City and BKL for the taking of its airport property. Compensation or mitigation for property takings is required under NEPA and in the federal Uniform Relocation and Real Property Act.

Therefore, the DPC believes the aspects of the DEIS that purport to address impacts on BKL are not sufficient, do not meet the joint agencies' responsibilities under NEPA, and the project must be further reconfigured before the FHWA publishes an Final EIS (FEIS), or moves forward to the issuance of a Record of Decision (ROD). As you will note, we are providing a copy of these comments to the Federal Aviation Administration (FAA) as well, in its role as a participating agency in this publication.

BACKGROUND:

Burke Lakefront Airport (BKL) is the primary general aviation reliever to Cleveland Hopkins International (CLE) and is an essential element of the Cleveland Airport System. BKL accommodated over 80,000 annual flights which otherwise would migrate to other Northeast Ohio Airports, primarily CLE. In September 2007, Mayor Frank G. Jackson concluded a comprehensive analysis of BKL's needs, and announced that BKL would remain open, and would be improved via a variety of initiatives, including an updated master plan for the facility. The results of this master plan update were forwarded to the FAA in late 2007 and it is presently being reviewed by that agency.

In a series of meetings and e-mail exchanges occurring in late 2007 and through June 2008, DPC representatives communicated to ODOT (and to the FHWA official in attendance at the June 2008 meeting) that the improvements propose by the joint agencies to the Innerbelt that involved modification to the roadways in the vicinity of BKL would have serious detrimental effects on BKL daily operations (i.e. an intrusion into the Airport only aircraft hold pad, which is used by jet aircraft while taxiing to the BKL runways for departure); as well as the potential development or currently premium open space within

Cleveland Hopkins International Airport
5300 Riverside Drive
P.O. Box 81009
Cleveland, OH 44181-0009
USA
1 216 265 6000

Cleveland Burke Lakefront Airport
1501 North Marginal Road
Cleveland, OH 44114-3759
1 216 781 6411

clevelandairport.com

BKL airport property that is designated for future aviation -related development. There are no additional areas of BKL that are amenable to these types of development, so any intrusion of project such as the proposed realigned Innerbelt would have serious negative impacts on BKL's ability to continue to fulfill its role in the Cleveland Airport System and equally importantly, in the FAA "National Plan of Integrated Airport Systems (NPIAS). Therefore, the Preferred Alternative is inconsistent with both the local plan for BKL, and by inference with the FAA's NPIAS, which assumes a functional BKL long into the future.

FHWA and ODOT have proposed a dual-purpose project of essential repairs or replacement of the Innerbelt Bridge located over the Cleveland Flats, as well as proposed reconfiguration of a section of the Innerbelt in the "Dead Man's Curve"/ Interstate 71 area. The bridge rehabilitation or replacement has no discernible impact on BKL, and therefore the DPC has no comment on that portion of the proposed project.

However, the proposed road realignments would have serious negative impacts on existing BKL operations, as well as consume a large portion of the extremely limited open space area on the North Marginal Road side of BKL. This open space is essential to BKL's future economic viability and development potential. 2

In this DEIS the FHWA and ODOT have not altered the proposed alignment of the Innerbelt roadways sufficiently to avoid impacts on BKL.

DPC notified both ODOT an FHWA of these serious impacts as recently as June 2008, and asked the agencies to revise their project alternative for the roadway realignment. A meeting was held between DPC and FHWA/ODOT where an alternative roadway alignment was mutually developed to avoid impacts to BKL. District 12 Management officials of ODOT were involved in these discussions, and assisted in the creation of the alternative alignment. In this June 2008 meeting with ODOT's Bonnie Teeuwen, DPC was advised that ODOT would no longer entertain alternatives to their original proposal that would restore developable land to the BKL property should the proposed FHWA/ODOT go forward.. In that same meeting, DPC representatives advised the FHWA official in attendance that if FHWA should continue with their proposed project in its present form, without adopting an apparent "win-win" realignment that was mutually conceived, and if the DEIS did not include the alternative alignment as mitigation for the proposed intrusion into BKL, then the DPC would be forced to challenge the findings of their DEIS to protect the City's interest in the viability of BKL. Therefore, we submit our comments appearing herein, and within Attachment "A" to this correspondence.

Since that June 2008 meeting, and until the release of the DEIS to the public on April 8, 2009 neither FHWA nor ODOT had contacted the City to advise us of any changes to the original proposed alignment of the project. The FHWA and ODOT now have released the DEIS, and the FHWA/ODOT Preferred Alternative for the Innerbelt Project appears to include minor changes to the realignment that would minimize the direct intrusion of the roadway into the aircraft hold pad, but the revised alignment is not sufficient to avoid major negative impacts on BKL. Impacts still remain to the existing operation of the BKL aircraft hold pad, the diminishment of the development potential of existing airport property, and the associated value of airport property.

Project's Negative Impact on Existing BKL Operations:
Based on the exhibits contained in the DEIS for the Cleveland Innerbelt Project, North Marginal Road would enter BKL airport property south of the eastern edge of Airport property and intrude into the BKL airfield, remaining on airport property for a distance of approximately 1,190 linear feet and exit BKL airport property at a point due south of Taxiway E. This alignment will impact the only operational aircraft hold apron for aircraft queuing for departure on the adjacent runway. The associated alignment of the airport security fence and on-airport perimeter road also would have to be reconfigured to parallel the northern right-of-way of North Marginal Road.

The depth of penetration of the roadway system onto airport property would be approximately 106 feet and the point of greatest penetration would be approximately 248 feet west of the existing aircraft hold pad. (Please see attached exhibit, Preferred Alternative A in the DEIS, illustrating the intrusion into BKL). The proposed layout places the on-airport roadway approximately 49 feet from the hold pad at its closest point and would require the development of a blast fence approximately 34 feet from the closest portion of the existing hold pad. However, please note that the detailed alignment exhibits presented in the DEIS do not provide a clear delineation of the portion of the Airport Access Roadway closest to the airport hold apron (Exhibits 32 & 33 from the DEIS). The only exhibit we have that depicts this area is DEIS Alternative A, Exhibit E, and it appears to match the layout that was provided to DPC in June of 2008. 3

Please note that while the utilization of the existing hold pad would not be adversely affected by the reconfigured alignment, a blast fence would be required in order to maintain the operational functionality of the aircraft hold pad and protect motor vehicles from jet blast exhaust. Therefore, the statements appearing on page 4-40 of the DEIS that "No impacts to aviation are anticipated" and that "There will be no impacts on airport operations," are not accurate. It would be the responsibility of FHWA and /or ODOT to fund the design and development of the blast fence to FAA and DPC specifications, in order 3

for this statement to be true. None of these necessary prerequisite mitigation efforts are proposed for inclusion on ODOT's project as it appears in the DEIS. Without inclusion of the mitigation in the DEIS, FHWA and ODOT will not be able to access federal grant funds to cover the costs of the procurement and installation of a jet blast fence. 3

Therefore, the statement appearing in the DEIS in Section 4.2.10 "Other Transportation Modes of the in Study Area" ---"Burke Lakefront Airport" and "Environmental Consequences": are both factually incorrect and moreover insufficient in the content requirement of a DEIS under NEPA.

Project's Negative Impact on BKL Future Development:
The second major consideration, which was noted in previous reviews by the DPC of the proposed roadway plans, and not accurately addressed in the FHWA/ODOT DEIS, relates to the direct loss of property required by the proposed roadway realignment and the impact that the alignment of the road would have on properties that lie immediately adjacent to the airport property required for the road realignments.

Despite the adjustments that have been made since the original concept developed by the agencies dating back several years, the current proposed layout appearing in the DEIS does not negate (or significantly mitigate) the adverse impacts on the development viability and value of the limited property available for aviation related development at BKL. The fact that (1) BKL already has a significantly constrained inventory of property for aviation related facility development; and (2) the announcement by the City that the airport would remain open, is resulting in a subsequent upsurge in inquiries from businesses interested in developing aviation related facilities at the airport, which results in the need to maintain the viability of property fronting North Marginal Road for airport facilities. This point has been clearly noted in the previous meetings with representatives of ODOT and the situation has not changed (See third exhibit, October 2007 Airport Layout and Future Development Plan for BKL). 2

Based on the proposed roadway realignment appearing in the DEIS, approximately 2 acres of property would be required to accommodate the actual relocation of North Marginal Road, the associated sidewalk, and the relocation of the on-airport perimeter roadway. However, this does not accurately represent the true and full impact of the proposal. What is not recognized by FHWA and ODOT in the DEIS is the fact that their impact to BKL extends beyond the 2 acres required for road construction. Development potential of an additional 3 acres of land lying adjacent to the proposed roadway alignment (beyond the 2 acres specifically noted by ODOT as required for the alignment) is adversely impacted and in some cases functionally negated by the roadway geometry and the resulting parcel configuration of the remaining land parcels after the roadway is constructed. Thus, the impact of even the revised roadway alignment encompasses approximately 5 acres of an already limited developable land area. This point has been clearly and definitively made and discussed with ODOT in previous coordination meetings, but the issue is not included in the DEIS document.

In early 2008, ODOT officials identified the option to reconfigure the interchange connecting the Cleveland Memorial Shoreway to South Marginal Road to reduce the significant adverse impact that the initial configuration had on BKL as one means of offsetting the impact of their proposed I-90 reconfiguration. (See attached exhibit.) DPC evaluated the proposal at ODOT's request and found that this reconfiguration would result in an acceptable means for the City to recapture developable land on BKL, thereby offsetting the negative impact on development that would result from ODOT's intrusion on to airport property. The Preferred Alternative in the DEIS should have studied this additional feature, and included it within the DEIS (and any subsequent FEIS or ROD), and required mitigation for what now appears to be an unrecognized, and uncompensated, property taking at BKL. In any event, the type and amount of compensation that would be due to BKL would need to be reflective of the cost of the lost property in the larger context of the essential nature of this property to the overall future development viability at BKL. This situation is not addressed in the DEIS. 4

CONCLUSION:

While the proposed layout delineated in the DEIS somewhat reduces the level of impact on BKL from the original proposal, there remains significant and adverse impacts to the inventory of developable land acreage available to BKL. As noted, these impacts are associated with the acreage being committed to the proposed roadway realignment, along with negating the development viability (essentially inverse condemnation) of property between the realigned roadway and Taxiway G. The reduction of developable land area has a direct and very real economic impact to the airport and to its long term viability as a key corporate reliever for Cleveland Hopkins International Airport. These impacts and the costs associated with these impacts are real and must be fully considered by FHWA and ODOT. The agencies are required by federal law to disclose any adverse impacts of their proposed project in the DEIS. The DEIS released by the agencies on April 8, 2009 fails to do so.

If the proposed roadway alignment, identified as the Preferred Alternative in the DEIS, is approved for construction, ODOT would need to compensate the City for approximately 5 acres of property that has been committed for aviation-related facility development, as

shown on the BKL Airport Layout Plan, and the resulting loss in potential revenues from this property. The inclusion in the proposed project of the reconfiguration of the section of the Shoreway which would restore lost land to BKL would could be considered adequate mitigation of adverse impact of the project under NEPA, and the City of Cleveland would certainly further consider this revised version of the proposed project.

If you have any questions or concerns about any statement contained within this document, please contact me at 216-265-6022.

Sincerely,

Ricky D. Smith
Director of Airports
City of Cleveland---Department of Port Control

cc: Mayor Frank G. Jackson, City of Cleveland
Federal Aviation Administration-Detroit Airports District Office

B 97

ATTACHMENT A

CITY OF CLEVELAND DEPARTMENT OF PORT CONTROL COMMENTS ON FHWA/ODOT DRAFT ENVIRONMENTAL IMPACT STATEMENT *(CUY-90-INNERBELT, PID NO. 77510)*

RE: POTENTIAL TO IMPACT BURKE LAKEFRONT AIRPORT (BKL)

In addition to the comments appearing in DPC correspondence dated May 20, 2009 please accept these additional comments regarding specific sections within the DEIS.

EXECUTIVE SUMMARY

1. Actions Required from Other State and Federal Agencies

In the DEIS Executive Summary, page ES-13 and the DEIS page 6-2, *Actions Required from Other State and Federal Agencies*, neither the FAA nor the City of Cleveland (owner of BKL) are listed. The DEIS states that the Airport Access Road would need to be reconfigured/ redesigned and the information depicted on Exhibit E for Alternative A shows the realignment of North Marginal Road, and the construction of a concrete barrier on airport property. ***Therefore, both the FAA and the City of Cleveland (airport sponsor) should be included in the listing of actions required from other agencies. The Cleveland Airport System would need to submit a land release to the FAA for review and approval.***

5

FAA approval is required to release the airport sponsor from any one of the obligations carried on the land, in land transfer and grant agreements or for a total release to permit the sale or disposal. The FAA requires any release, modification, reformation, or amendment of an airport agreement be fully documented and be in accordance with FAA Order 5190.6A, *Airport Compliance Requirements*, dated October 2, 1989, because it represents a material alteration of an important contractual relationship that is governed by statutes and which affects the measure of benefits to the public from the operation of a civil airport. All costs associated with any potential land release should be borne by the project proponents, FHWA and ODOT, and should be included within the project cost estimates, and recognized in the DEIS.

2. Impacts to Burke Lakefront Airport with the Preferred Alternative (A)

Page ES-10, *Identification of Preferred Alternative*, references Table 4-39 in the DEIS (pages 4-57 to 4-62). This table summarizes the factors used in the selection of the FHWA's recommended Preferred Alternative, Alternative A. BKL is referenced twice in this summary table; once in the discussion of the *Innerbelt Access* and again in the discussion of *Other Transportation Modes*.

INNERBELT ACCESS: In Table 4-39 under the heading of Purpose and Need, *Innerbelt Access*, the Airport Access Road is listed as a local street that would need to be reconfigured/redesigned. The Airport Access Road is not a local public road, but instead is an on-airport service road for airport vehicle use only.

6

As depicted on Exhibit E for Alternative A, it appears that the realignment of North Marginal Road and a concrete barrier would be constructed on airport property. This exhibit also shows that the Airport Access Road would be realigned to the north and closer to the existing hold pad at the end of Runway 24R. While the use of the hold pad may not be adversely affected by the realignment of the Airport Access Road, a blast fence (or some type of jet blast barrier) would be needed to maintain the operational functionality of the

hold pad in relation to its proximity to the realigned Airport Access Road. ***Therefore, the reconfiguration/redesign of North Marginal Road on airport property would require the approval of an FAA land release and the reconfiguration/redesign of the Airport Access Road would require mitigation in the form of a blast fence to minimize or eliminate the potential impact of jet blast to traffic on this roadway. All costs associated with these actions would be part of the FHWA/ODOT project and should be borne at one hundred percent by the joint agencies.*** 3

OTHER TRANSPORTATION MODES: In Table 4-39 (pages 4-57 to 4-62) under the heading of *Affected Environment and Environmental Consequences, Other Transportation Modes,* it is stated there would be no impacts to airport operations. In Section 4.2.10 Other Transportation Modes, page 4-40, the property impacts within the limits of BKL are disclosed as are the coordination activities initiated with ODOT, FHWA, and the City of Cleveland.

The DEIS concludes that "*the only impacts are land acquisition within areas planned for landside economic development within their long range plan. The airport will be compensated for property in accordance with real estate acquisition procedures.*" The DEIS does not address the opportunity cost for the development value of the property being acquired. Any reduction in the amount of airport property available for aviation-related facility development significantly and adversely impacts the development viability and value of BKL. Additionally, the DEIS does not disclose that the FAA is required to approve a land release[1] for the transfer or disposal of airport-owned property. This action should be included in the discussion of Actions Required from Other State and Federal Agencies, in both the Executive Summary and the DEIS. The information presented in the DEIS demonstrated fundamental lack of understanding of Airport operations, Cleveland Airport System operations; and the essential nature of the property in question to the future viability of BKL. Any taking of property at BKL must be mitigated by making available an equivalent area and use of property for future development. A proposal to realign a portion of State Rout 2 that presently intrudes into the BKL airport area could be considered adequate compensation for the taking of airport property. The realignment to State Route 2 should be included as part of the promised project, and full cost of the realignment bore by FHWA and ODOT for mitigation purposes. 2 5

Appendix E

Agency Coordination

In Appendix E of the DEIS, *Agency Coordination*, BKL is listed as one of the agencies contacted during the FHWA environmental process. A 2007 letter from FHWA to the FAA Detroit Airports District Office is provided in Appendix E. In this letter, dated July 25, 2007, FHWA extends an invitation to the FAA to become a participating agency with the FHWA and ODOT in the development of the EIS for the Cleveland Innerbelt project. This letter further asks that the FAA respond to FHWA in writing with an acceptance or denial of the invitation prior to August 29, 2007. *No response letter from the FAA was contained in Appendix E.* 7

Table 5-3 on page 5-9 of the DEIS, *Agency Responses to SAFETEA-LU Coordination* summarizes the correspondence between the Cleveland Airport System and ODOT. As of the ODOT letter, dated May 27, 2008, ODOT committed to revising the design of the

Innerbelt Curve alignment to reduce the footprint into airport property. ODOT noted that this change would eliminate impacts to any areas used for airport operations. Copies of these agency coordination letters are contained in Appendix E of the DEIS.

Despite the commitments contained in the agency coordination correspondence, Table 4-39 of the DEIS (under the heading of Purpose and Need, *Innerbelt Access*) states that the airport Access Road is one of the local streets that would need to be reconfigured/ redesigned. As depicted on Exhibit E for Alternative A, it appears that the Airport Access Road would be realigned to the north and closer to the hold pad at the end of Runway 24R. ***The Airport Access Road is located on airport property and this roadway realignment project is not a project depicted on the BKL Airport Layout Plan.***

Further, in Section 2.2.5 Innerbelt Freeway Access, page 2-12 of the DEIS, the reconfiguration and redesign of the Airport Access Road is not mentioned. ***The scope and intent of this portion of the project needs to be clarified and clearly stated.*** 8

The DEIS also states in Section 4.2.10, page 4-40, *Burke Lakefront Airport*, that coordination activities between ODOT, FHWA, and the City of Cleveland were initiated for the property impacts to BKL. ***This statement also requires clarification. Will the realignment of North Marginal Road and the concrete barrier be constructed outside airport property? If the realignment of N. Marginal Road would require the acquisition of BKL property, the FAA would be required to approve a land release for the transfer or disposal of airport-owned property.***

Environmental Consequences

Page 4-22, ***Land Use and Development***, should acknowledge that the proposed project is not consistent with the BKL Master Plan. [4th paragraph under 4.2.2, second sentence – 'relocation' is misspelled.] ← E

Page 4-29, ***Property Impacts and Relocation***, should disclose the land needed to be acquired from the airport and the impact it has to the airport's long term development.

Page 4-38, ***Local Economic Impacts***, should discuss the reduction of developable land area and the economic impact to BKL and the long term viability of BKL as a reliever for Cleveland Hopkins International Airport (CLE).

Page 4-40 discusses the impacts to Other Transportation Modes. The only disclosed impact to BKL is land acquisition. The DEIS should disclose the potential economic and operational impacts to BKL.

- ECONOMIC IMPACT: Any FHWA alternative that would reduce the developable BKL acreage creates a direct economic impact to the airport and its long term viability as a key corporate reliever for CLE. BKL has a significantly constrained inventory of property which is needed for aviation-related development. BKL requires the revenue generated from on-airport development to support itself. The loss of potentially developable on-airport land reduces the prospect of future revenue generation.

- OPERATIONAL IMPACT: The proposed realignment of the Airport Access Road moves it in close proximity to the hold pad at the end of Runway 24R. A blast fence would need to be constructed between and the realigned Airport Access Road, N. Marginal Road and the hold pad to maintain the operational functionality of the hold pad.

B 98

- Based on the preliminary ODOT drawings, North Marginal Road would enter, and remain on airport property for a distance of approximately 1,250 linear feet; starting slightly east of the Runway 24R aircraft hold pad and extending to the west of the hold pad. The airport security fence and Airport Access Road would also need to be realigned to be parallel to the northern right of way of N. Marginal Road.

- North. Marginal Road, as depicted in the ODOT plans, would pass within approximately nine feet of the southwest corner of the Runway 24R hold pad. Several issues arise as a result of the proximity of both the on and off-airport roadways to the aircraft hold pad.

  1. Aircraft jet blast from run-up and taxi thrust would affect surface traffic on the realigned Airport Access Road and N. Marginal Road due to their proximity to the hold pad and the typical aircraft operations that occur in this area.

     With the proposed roadway realignments as depicted on Exhibit E for Alternative A the construction of a blast fence, using FAA airport design standards (AC 150/5300-13 *Airport Design*), would affect the functional utility and viability of the hold pad. The required location of a blast fence could reduce the available hold pad area by 10-15 feet along the western two-thirds of the current hold pad. (Note: The design a jet blast fence would need to factor in the velocities of aircraft up to and including the B737-700 BBJ variant.)

     Using FAA airport design standards, the FHWA DEIS analysis should disclose whether a blast fence for mitigation is a viable option and if it could be constructed in the land area available.

  2. The realigned roadways, security fencing, and blast fence would need to be reviewed using FAA airport design standards (AC 150/5300-13 *Airport Design*) and take into consideration the critical aircraft types using BKL and the relationship between existing taxiway centerlines and fixed or moveable objects.

     Aircraft types: BKL operations have historically consisted of Group III aircraft (i.e, Gulfstream G550, Bombardier Global Express, B737-700 versions of the Boeing Business Jet, other 737 derivatives, and DC9-30 aircraft).

     Separation distances: for Group III aircraft, 152 feet must be maintained from one taxiway centerline to another parallel taxiway/taxilane centerline; and 93 feet must be maintained from a taxiway centerline to a fixed of moveable object.

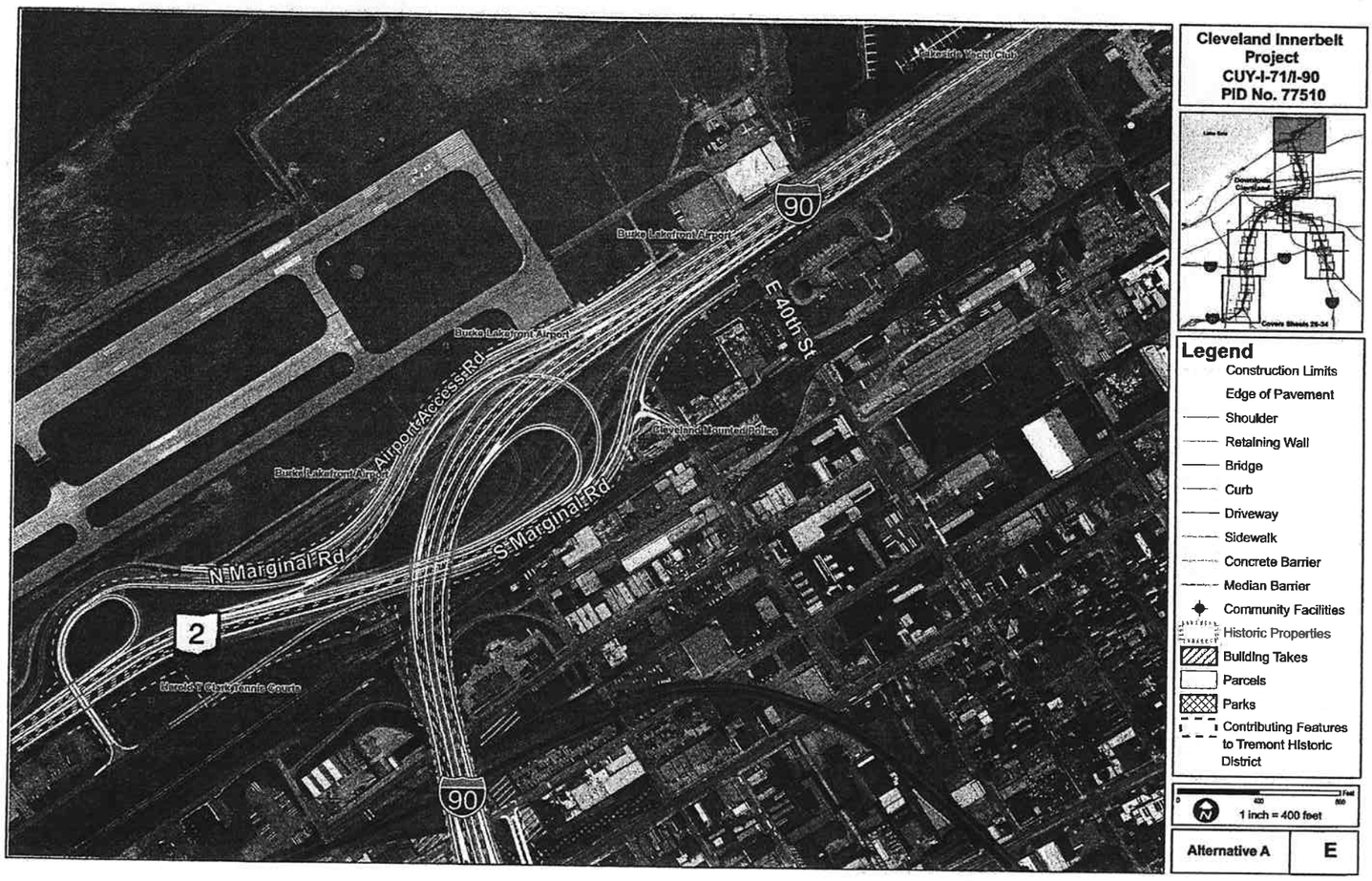
     Using FAA airport design standards, the FHWA DEIS analysis should disclose whether the utility and viability of the hold pad would be affected by the proposed project, and if so, what mitigation would be recommended.

Page 4-40, under the heading of *Burke Lakefront Airport* – 2nd sentence – change 'coordination' to 'coordinated'.] ← E

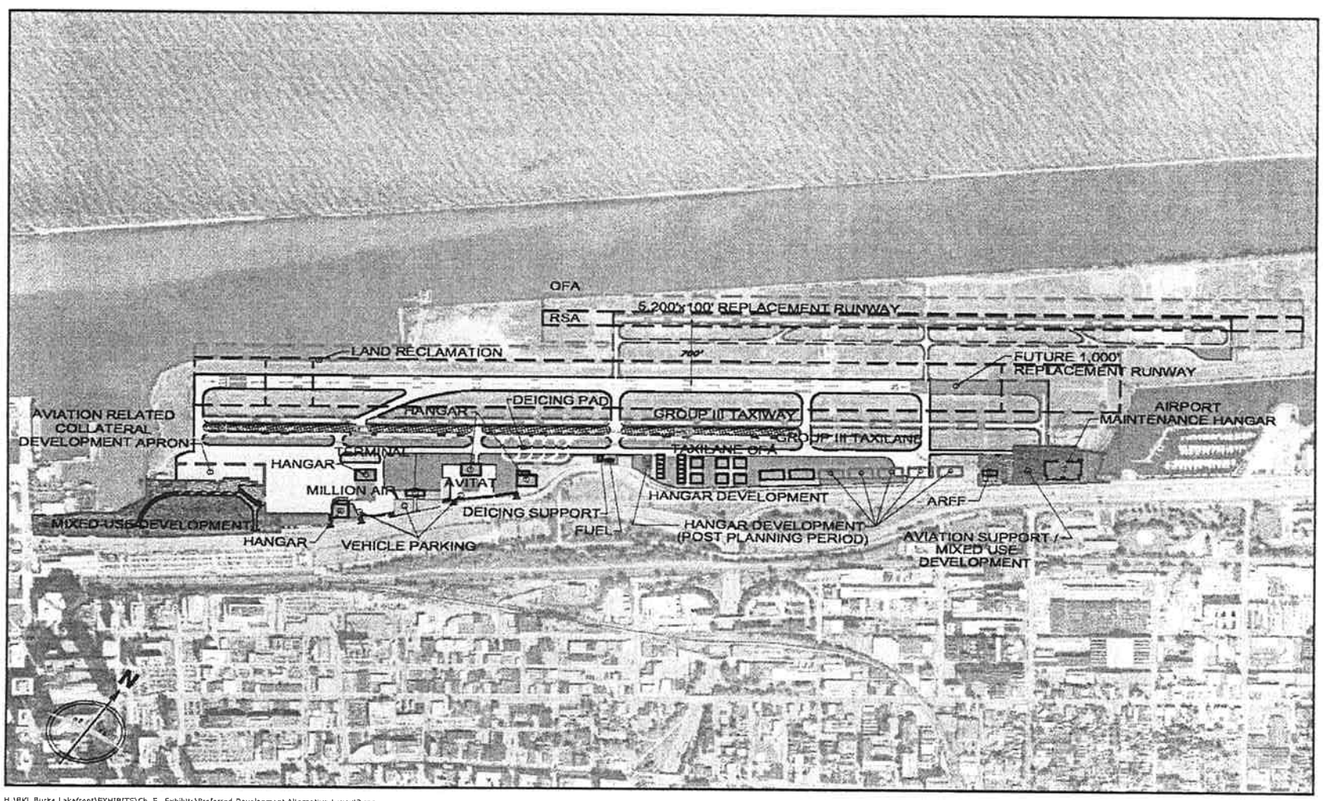
Page 4-47, ***Secondary and Cumulative Impacts***, mentions the BKL Airport Master Plan. No cumulative impacts were disclosed in relation to BKL. This section should describe how acquiring BKL land for the FHWA proposed project would impact the proposed planned

development described in the Master Plan. The proposed project would require purchase of two acres of land from BKL. This acquisition would severely impact the development potential of the airport not only because of the loss of two acres, but also on the development potential of the adjacent on-airport acreage.

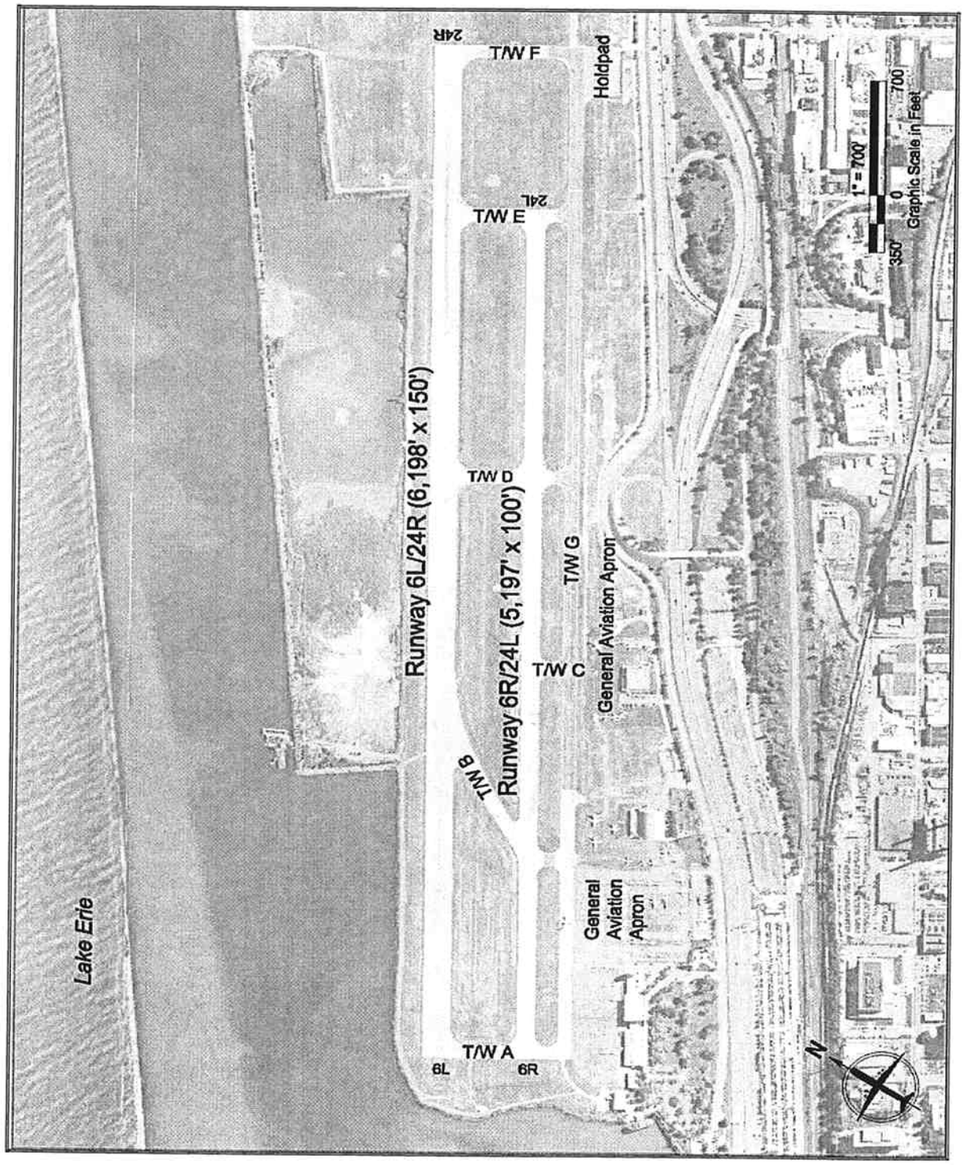
B 99



BURKE LAKEFRONT AIRPORT – MASTER PLAN UPDATE
RECOMMENDED DEVELOPMENT PLAN



H:\BKL Burke Lakefront\EXHIBITS\Ch_5_ Exhibits\Preferred Development Alternative-Layout2.jpg



BURKE LAKEFRONT AIRPORT – MASTER PLAN UPDATE
EXISTING CONDITIONS

October 2007

SPWebmaster @dot.state.oh.us
04/13/2009 01:45 PM

To Craig.Hebebrand@dot.state.oh.us
cc
bcc
Subject Innerbelt Plan Public Comment Form

Comments: In reviewing the plans for the complete reconstruction of the I-77/I-71/I-90 Central Interchange in Cleveland, it is hard to imagine that you are going to completely eliminate access to the center of downtown from those coming in from the south. But apparently that is your plan. Why would I even go downtown any more when I have to exit at East 30th Street? I'm certain I'm not the only one who feels this way. I'm also certain there are other parts of the plan that will have a negative economic impact on the area. Can ODOT even consider anything other than the flow of traffic? And who is calling for this major project? What is the impetus behind this massive waste of money? 1 2 3,4

Name:: Rick Stunek

Street: 9985 Barr Rd

City: Brecksville

State: OH

Zip Code: 44141

Email:: rstunek@forbeschocolate.com

B 101

"Scott Sweress " <store1544@theupsstore .com > 04/21/2009 10:58 AM

To <craig.hebebrand@dot.state.oh.us>
cc <pbritt@clevelandcitycouncil.com>
bcc
Subject att pbritt,craig

Thank you,
Scott Sweress
The UPS Store
16781 Chagrin Blvd
Shaker Heights, Ohio 44120
Phone: 216-921-5500
Fax: 216-921-0204

From: Scott Sweress [mailto:store1544@theupsstore.com]
Sent: Tuesday, April 21, 2009 9:27 AM
To: 'craig.hebebrand@dot.state.oh.us'
Subject: Bridge

My design idea is a treble class and bass class front and back of the bridge. It denotes music for the Rock and Roll Hall of Fame.

Thank you,
Ruby Taylor
15415 2 rear
Kinsman rd
Cleveland Ohio 44120
2166243686

Cleveland Innerbelt Plan Public Hearing
PUBLIC COMMENT FORM
April 21, 2009

CLEVELAND INNERBELT PLAN

Re: April 21, 2009

Copies of today's presentation and this form will be available on the Project website.
Visit www.innerbelt.org and select the "Innerbelt Plan" logo.

1. *What are your comments regarding the Cleveland Innerbelt Plan as proposed?*

I am interested in my idea be purchased With money from You and the monies from this project The historic idea of a treble Cleff & Bass Cleff with a plaque Attached or not stating the bridge to the history Rock & roll in American & the world (right here in Cleveland Ohio) the symbols front & back both ends of bridge could be made of steel and become part of the bridge email was sent previously

If you need additional space, please use the back of this form.

2. *To help us document comments and forward future Project information, please provide:*

Name: signed Nellie Ruby Taylor Nellie Ruby Taylor AKA Ruby Taylor
Address: 15415 apt # 2 Rear Kinsman Rd
City: Cleveland State: Ohio Zip Code: 44120
Telephone Number: 216-624-3686 or 216 2
Email Address: NO email from UPS Shaker & Received was sent by you on April 21, 20

Complete this form and return to ODOT by 5 p.m. on May 21, 2009 for consideration in the Final Environmental Impact Study.

Mail or fax to:
Ohio Department of Transportation, District 12
ATTN: Craig Hebebrand
5500 Transportation Blvd.
Garfield Heights, OH 44116
Fax: 216-584-2279

Or complete this form on the Internet at:
www.innerbelt.org and select the "Innerbelt Plan" logo.

CC. was sent to Mayor Jackson & City Council (Bri

Shaker- In - Residence Gallery
Stephanie Tubbs Jones Community Building

Featuring:

"Expressions of Life"

Oil Paint & a Variety of Medium

Artwork By:

Ruby Taylor

April 5 – May 2, 2009

B 102

"Scott Sweress" <store1544@theupsstore.com>
04/21/2009 09:27 AM

To <craig.hebebrand@dot.state.oh.us>
cc
bcc
Subject Bridge

My design idea is a treble class and bass class front and back of the bridge. It denotes music for the Rock and Roll Hall of Fame.

Thank you,
Ruby Taylor

SPWebmaster@dot.state.oh.us
04/06/2009 06:23 PM

To Craig.Hebebrand@dot.state.oh.us
cc
bcc
Subject Innerbelt Plan Public Comment Form

Comments: As a business owner in the MidTown neighborhood, I am firmly against the closure of the Prospect and Carnegie exits. The amount of traffic that flows through these exits and onto side streets is vital to the commercial success of the area. As a business owner, I rely on these exits for multiple purposes including deliveries, client and employee routing. Closing them would have devastating economic consequences to the neighborhoods surrounding East of Downtown.

Name:: Jason Therrien

Street: 3635 Perkins Ave.

City: Cleveland

State: Ohio

Zip Code: 44114

Email:: jason@thundertech.com

B 104

April 16, 2009

Ms. Bonnie Teeuwen
Deputy Director
Ohio Department of Transportation, District 12
5500 Transportation Boulevard
Garfield Heights, Ohio 44125

Re: Innerbelt Project Impacts on Cuyahoga Community College (Tri-C)
District Administration Building

Dear Ms. Teeuwen:

Cuyahoga Community College has been following the progress of your Innerbelt Project and especially the possible effects it could have on it and other members of the Quadrangle. The past efforts that ODOT has made to help address our concerns are greatly appreciated, and we look forward to working cooperatively on this continually changing project. We have recently become aware of the detailed changes caused by the new bridge design and more specifically the realignment of the I-90 freeway at our District Administration Building, located at 700 Carnegie Avenue.

On February 23, 2009, we had a meeting with Craig Hebrebrand and Daniel Dougherty from ODOT. They met with Peter Mac Ewan, Tri-C Vice President of Facilities Development & Operations; Bill Beckenbach, Executive Director of the Quadrangle; and our transportation planning consultant. They reviewed the most recent plans for replacing the I-90 Central Viaduct over the Cuyahoga River. The meeting was very informative and productive.

Based on information provided, it is obvious that the proposed northern realignment now brings the roadway structures much closer to our District Administration Building. These changes will have a devastating effect on our facility and the college as a whole. The closer proximity of the freeway will have visual, noise and vibration impacts on Tri-C's headquarters. We have conducted an independent assessment of the noise impacts on the Administration Building and have found that the future condition exceeds FHWA noise standards. We will include these findings during the public comment period for the Draft Environmental Impact Statement so they can be recorded as part of the official record. 1

We are also especially concerned about the loss of approximately 50 percent of the current parking spaces at our headquarters. As your staff can tell you, parking is already very constrained and limited at this site. Losing approximately half of the existing spaces because of the right-of-way widening renders this site unusable as a college headquarters facility. Furthermore, the loss of those valuable spaces will reduce parking income derived from special events at Quicken Loans Arena and Progressive Field, which goes directly into the College's Foundation Scholarship Fund. These scholarships make college possible for many students who cannot afford a college education. 2

The College is also concerned about the temporary, but very disruptive, activities that will occur during the construction work. This would surely include the additional loss of all on-site parking, as well as very annoying construction noise and vibration. Add to this the cost of providing off-site parking and transportation for employees to and from the building. 3

Office of the President
District Administrative Services
700 Carnegie Avenue
Cleveland, Ohio 44115-2878
216•987•4851 Fax 216•987•4895

If ODOT truly intends to start construction in early 2010 as was reported, the college has very limited time to formulate and implement any construction projects or relocation strategies that would keep our headquarters in full operation. Please keep in mind that the key administrators of the college are located in this facility so a major disruption would have a devastating effect on the entire college. Consequently, we must continue to express serious concerns regarding the significant impacts of the proposed new northern bridge alignment serving I-90 west and I-71 south traffic on the Tri-C District Administration Building.

In the spirit of cooperation, I would be very happy to begin discussions on impact mitigation strategies and/or fair and just compensation for the Administration Building and its property. We agree that the Innerbelt Bridge needs to be replaced as soon as possible. But the College must be treated fairly so that we can also achieve the educational goals that the Governor has set for our institution. My office will be in touch with you soon to set up a meeting. 4

Thank you for your attention to this matter.

Sincerely,

Jerry Sue Thornton

Jerry Sue Thornton, Ph.D.
President

cc: The Honorable Ted Strickland, Governor, State of Ohio
The Honorable George V. Voinovich, United States Senate
The Honorable Sherrod Brown, United States Senate
The Honorable Marcia Fudge, United States House of Representatives
The Honorable Lee Fisher, Lieutenant Governor of Ohio
The Honorable Shirley Smith, Ohio Senate, District 21
The Honorable Sandra Williams, Ohio House of Representatives, District 11
The Honorable Jimmy Dimora, Cuyahoga County Commissioner
The Honorable Timothy F. Hagan, Cuyahoga County Commissioner
The Honorable Peter Lawson Jones, Cuyahoga County Commissioner
The Honorable Frank G. Jackson, Mayor of Cleveland
The Honorable Joe Cimperman, City Council Ward 13
The Honorable Phyllis Cleveland, City Council Ward 5
Chancellor Eric Fingerhut, Ohio Board of Regents
Ms. Jolene Molitoris, Director, Ohio Department of Transportation
Mr. William Beckenbach, Executive Director, The Quadrangle
Dr. Craig Folltin, Executive Vice President, Cuyahoga Community College
Mr. Peter Mac Ewan, Vice President, Cuyahoga Community College
Ms. Claire Rosacco, Vice President, Cuyahoga Community College

B 105

SPWebmaster @dot.state.oh.us
04/21/2009 05:28 AM

To Craig.Hebebrand@dot.state.oh.us
cc
bcc
Subject Innerbelt Plan Public Comment Form

Comments: Cleveland needs a bridge that will put the city back on the map and that lets the rest of the country and world know that Cleveland is back. With a great innerbelt bridge and infrastructure, people and businesses will take more notice and invest in the city again. A superior bridge and innerbelt system can make Cleveland a national destination along with our new convention center and medical mart project. A Mediocre bridge will results in mediocre results, let's do something amazing with this project to prove our cities worth.

Name:: tony

State: ohio

Zip Code: 44133

Email:: kajflkadjfla@aim.com

THE OHIO EDUCATIONAL CREDIT UNION
2554 EAST 22ND STREET
P.O. BOX 93079
CLEVELAND, OHIO 44101-5079
(216) 621-6296 • 1-800-552-6328

May 19, 2009

Mr. Craig Hebrebrand
Project Manager
Ohio Department of Transportation, District 12
5500 Transportation Boulevard
Garfield Heights, Ohio 44125

Re: Comments for inclusion in the Final Environmental Impact Statement – Cleveland Innerbelt Project

Dear Mr. Hebrebrand:

The purpose of this letter is to respond to the revised Draft Environmental Impact Statement (DEIS) for the Cleveland Innerbelt Project presented at the public hearing on April 9, 2009.

The Ohio Educational Credit Union continues to express serious concern regarding the negative impact to its Corporate Headquarters building located at 2554 East 22nd Street from the alignment of the Northbound (NB) I-77 ramp to East 22nd Street/Community College Boulevard (DEIS Exhibit A-19 and B-19). 1

The alignment of the NB I-77 ramp to East 22nd Street/Community College Boulevard eliminates at least 22 of the 58 parking spaces in the rear of the building. The remaining 36 parking spaces in the rear of the building are not sufficient to meet the needs of the individuals that regularly work in the building. The 54 parking spaces in the front of the building are not sufficient to cover the 22 lost spaces and the current needs of consumers (members) that utilize the Credit Union and its meeting facilities. 1

In addition to the loss of parking spaces, the alignment brings the roadway very close to the building structure which will have noise and vibration impacts on the Credit Union headquarters. 2

The DEIS references the Central Interchange Refinements (pages 3-15 and 3-16) that address the loss of circulation through the drive-through located at the Credit Union building, however it does not address the negative impact from the continued loss of parking spaces. 1

The issues identified in this letter have been raised by the Credit Union and The Quadrangle during meetings and official correspondence. Additional consideration needs to be given to altering the NB I-77 ramp to East 22nd Street/Community College Boulevard to mitigate the negative impact to Credit Union Corporate Headquarter building located at 2554 East 22nd Street.

Sincerely,

Jerome R. Valco
Chief Executive Officer

Cc: William Beckenbach, Quadrangle Executive Director
Phyllis E. Cleveland, City Council Ward 5
Frank G. Jackson, Mayor City of Cleveland

Office of
R. Van Petten,
AIA,
Architect

11 May 2009

Ohio Department of Transportation, District 12
5500 Transportation Boulevard
Garfield Heights, Ohio 44125

Attn: Mr. Craig Hebebrand:

Public Comment:

CLEVELAND INNERBELT PROJECT

Ladies and Gentlemen:

I attended your Public Hearing presentation of the Alternatives, April 21, 2009. I appreciated viewing the larger scale drawings, other background materials and Mr. Hebebrand's very fast-paced presentation of the Preferred Alternative design features. Clearly considerable effort has gone into responding to the many concerns, previously expressed, and I greatly appreciate and commend your efforts.

I also listened attentively to the many comments expressed at this public hearing. I noted that the largest number of concerns related to the "*Trench*" area and the access to and from the adjacent area and the downtown. Particularly, distress was expressed regarding the lack of access to and from Carnegie Avenue.

I tend to share many of these views. Given the strength and depth of these concerns I believe it would be imprudent for the Ohio Department of Transportation to ignore them.

Therefore I am witting to offer a few suggestions specifically related to the Carnegie Avenue access:

- From Interstate 90, eastbound, it would appear to be relative simple to create a ramp from the spur you have already indicated, bringing it up to grade with an exit to Carnegie, eastbound, near the location of the existing access. It would appear that this turning could be accommodated easily and would go a long way to making the area more accessible. If you do nothing else, I'd strongly recommend this relative simple change.

- From Carnegie Avenue westbound to Interstate 90, the plan as presented seems to suggest access from Carnegie at East 22nd and/or East 21st Street. I think that this exit is

Continued on next page ... →

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Cleveland, Ohio 44114
Tel: 216-928-2828
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close enough to the Midtown area that it would work OK. Maybe this exit could be beefed-up a bit to ease access from Carnegie to the Innerbelt. Again, not a big change being suggested here

- From Interstate 90, westbound, it's not so easy. I'd suggest that you consider eliminating the loop access from Chester to 90, westbound and then create an exit from 90, westbound coming up past Prospect Avenue to grade near Carnegie. I believe this would require that you strengthen the Midtown Connector on the west side as a collector for Chester, Euclid, and Prospect before accessing Interstate 90, westbound.

- From Carnegie Avenue eastbound to Interstate 90, it would appear you could extend the Midtown Connector, east side, to Carnegie creating a better flowing collector road and also, to find a place to drop it down to the Innerbelt around or near the Chester Avenue underpass. Appropriate signage would be critical here.

Obviously, I am not a highway planner and working with your very small diagrams is difficult, at best. Never-the-less it would appear that the plan could provide some options and flexibility to better meet the concerns, objectives and requirements of the various users in Midtown and other east side areas.

I hope and trust that you will give these concerns appropriate consideration.

Yours sincerely,

R. Van Petten, AIA, Architect

Sent via e-mail with hardcopy via mail

Office of R. Van Petten, AIA, Architect
815 Superior Avenue, Suite 1207, Cleveland, Ohio 44114
216 928 2828
FAX 928 2829

B 107

Istvan V V
<istvanvv@yahoo.com>
04/27/2009 05:23 PM

To craig.hebebrand@dot.state.oh.us
cc
bcc
Subject INNERBELT BRIDGE DESIGN

Please consider and remit to the proper persons.

These attached bridge designs will guarantee that Cleveland will stand out amongst cities.
They will guarantee recognition. They are not typical old-fashioned boring designs.
They are refreshing and new. They will make Cleveland rock.

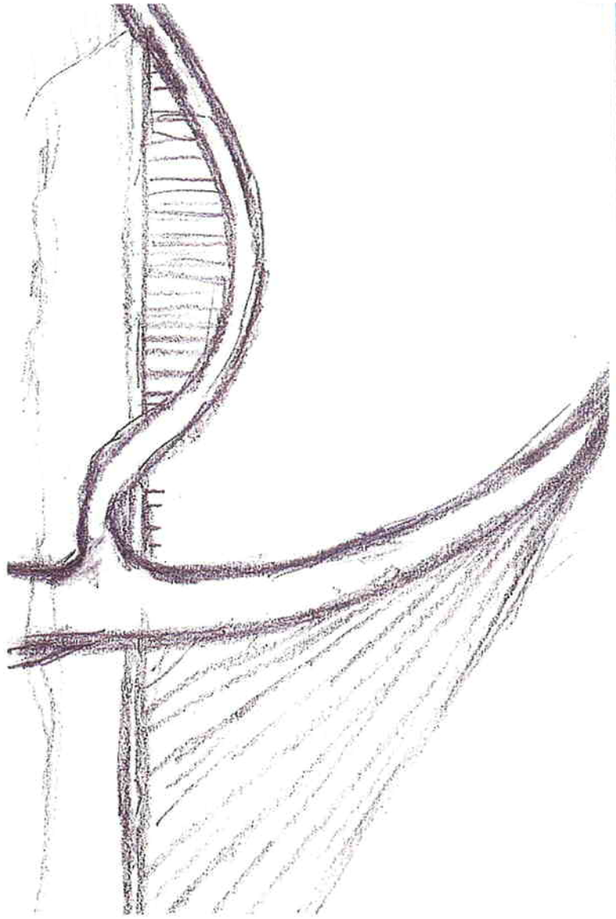
1.) Mythical emergence design.
2.) Advanced spring-steel thermo chromic.

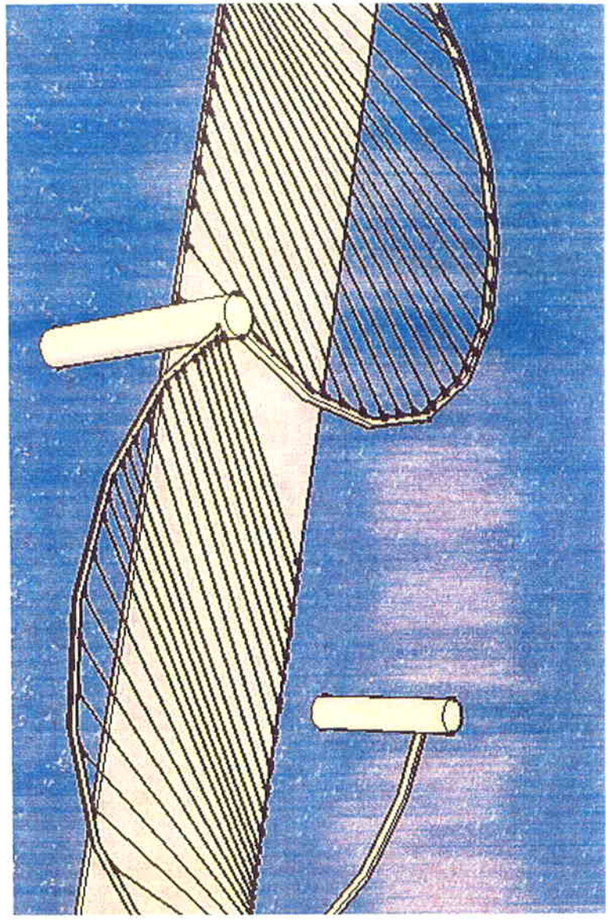
Designs can be purchased at a very reasonable cost.

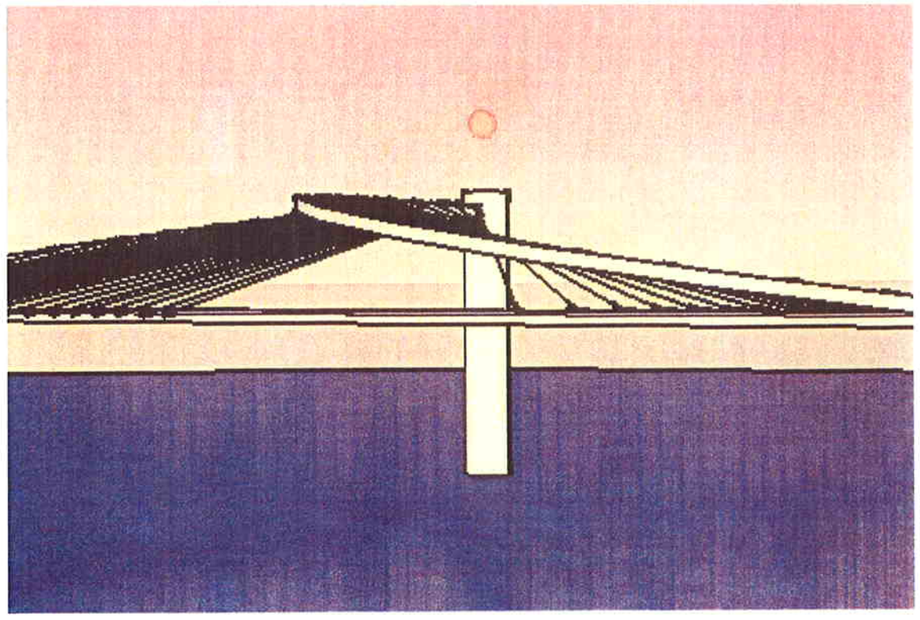
Thank you,

Istvan van Vianen
Istvan Advanced Architectural Design

istvan1.jpg istvan2a.jpg istvan2b.jpg







B 108

bb vargo
<vargobb@hotmail.com>
04/19/2009 08:12 PM

To <craig.hebebrand@dot.state.oh.us>
cc
bcc
Subject Innerbelt project

Good morning Mr. Hebebrand,

I am writing in response to a couple of issues regarding this project.

I feel it would be unfortunate to close the Carnegie exit on the innerbelt. I have lived in Cleveland all my life and have used this exit more than any other because of its direct access to the Cleveland Clinic and University Circle neighborhoods. It would be a shame to get rid of this exit because it is so popular. 1

As far as investing in sustainable urban redevelopment, what better way than to incorporate bicycle lanes in the bridge design? It would encourage a healthier, cleaner mode of transportation. Cleveland would stand out as being progressive in its thinking and a model for emulation. If you can do it, I urge you to incorporate bicycle lanes. 2

Sincerely,

Bonita Vargo, M.S.

B 109

SPWebmaster@dot.state.oh.us
05/19/2009 01:04 PM

To Craig.Hebebrand@dot.state.oh.us
cc
bcc
Subject Innerbelt Plan Public Comment Form

Comments: The following comments were drafted by the NOACA Transportation/Water Quality Advisory Council (TRANSWAC)and approved for submission by The NOACA Transportation Advisory Committee (TAC). NOACA Transportation/Water Quality Advisory Council (TRANSWAC) Comments Concerning the Draft Innerbelt Environmental Impact Statement May 7, 2009 General Issues Given the significant amount of storm water from the proposed Innerbelt project that will discharge to Cleveland's highly valued lakefront or to the Cuyahoga River, water resource impacts should be thoroughly explored in the Innerbelt Environmental Impact Statement (EIS) process. According to one ODOT estimate provided to the TRANSWAC committee, 33% of the drainage of the Innerbelt project (some 111 acres) goes directly to Lake Erie. A study prepared by TRANSWAC provides a literature review and summarizes local data to show the potential that storm water discharges from the project could violate Lake Erie water quality standards and add pollutant loads to the Cuyahoga River. The EIS should address the issues raised by the TRANSWAC report and its referenced technical documents and provide a full discussion of the current and potential water quality impacts of discharges from the Innerbelt facility. Particularly, ODOT and FHWA as lead agencies are encouraged to collaborate with the various cooperating and participating agencies of the EIS process to evaluate the issues which TRANSWAC has raised and to determine appropriate responses to mitigate water quality impacts. ODOT should collaborate with Ohio EPA to clearly explain the respective roles of storm water permits and water quality standards water quality in assuring project compliance with all water quality requirements of Ohio law. A commitment should be made to conduct an equivalent supplemental EIS review process in an extended time frame if the above processes cannot be completed with out causing a delay in the issuance of a final Environmental Impact Statement. Evidence exists that the existing Innerbelt discharge may have deleterious effects on the receiving waters of Lake Erie and the Cuyahoga River. Yet, current Ohio EPA storm water permits and the draft EIS would suggest that ODOT need only provide treatment for additional impermeable surfaces or newly separated storm water. As the Innerbelt project represents a total reconstruction, the EIS should consider the costs and benefits of providing storm water treatment for the entire project. Because of the potential water quality concerns, the need to be proactive in fully protecting Cleveland's waterfront resource, and the unique opportunity that is attendant with a major reconstruction of drainage facilities, storm water management options should not be limited to ODOT's standard list of Best Management Practices. (ODOT notes that their list of storm water quality Best Management Practices represents their process, which is meant to keep ODOT in compliance with existing Ohio EPA regulations. This BMP list includes: exfiltration trenches, extended detention and retention basins, bioretention cells, infiltration trenches, infiltration basins, constructed wetlands, manufactured systems, and vegetated biofilters.) The EIS should discuss the costs and benefits of the full range of storm water management options and establish a framework for the selection of options. This evaluation should include consideration of treatment of Innerbelt discharges in the Northeast Ohio Regional Sewer District's central treatment facilities. The NOACA/TRANSWAC role as a participating agency should be

This electronic submission essentially duplicates TRANSWAC. Refer to NOACA/TRANSWAC comments for key points.

clarified. The EIS should discuss the work of the TRANSWAC along side of other consulting committees in Chapter 5. The EIS should note and respond to issues of past TRANSWAC and TRANSWAC member comments provided in response to the Level 1 Ecological Survey, EIS scoping, and the Innerbelt Storm Water Best Management Report. Specific Comments 1) The issue of potential violations of Lake Erie water quality standards should be thoroughly discussed. Lacking more specific or more representative data, the data and findings previously provided by the TRANSWAC committee should be incorporated into this discussion. The EIS should describe the existing water quality issues of the near shore areas of Lake Erie and the expected impact of current and new discharges of Innerbelt storm water to Lake Erie near shore areas. ODOT should request that Ohio EPA and other agencies with water quality management responsibilities review this supplemental information to determine whether the final project discharges will comply with all water quality requirements of Ohio law. 2) The EIS should clearly state the estimated the amount and percentage of the Innerbelt runoff which currently discharges to Lake Erie, the Cuyahoga River, and the centralized treatment facilities of NEORSD. As available, the same estimates should be provided for Innerbelt drainage system after reconstruction. 3) The EIS should evaluate the potential to treat its Innerbelt direct storm water discharges as a move toward achievement of the TMDL targets set for the Cuyahoga River and current water quality standards. 4) The EIS should clearly explain the process for determining the current regulatory requirements for storm water discharges from the Innerbelt. This discussion should include an explanation of how requirements are determined where application of ODOT's best management practices would still result in a violation of Ohio water quality standards. 5) The EIS should evaluate a wide range of options for treatment of storm water from the Innerbelt. This evaluation should include treatment of some or all of the Innerbelt discharge in NEORSD's central treatment facility. This option should be considered as an alternative to the separation strategy that ODOT has discussed in the draft EIS. Other options beyond BMPs should also be considered. 6) The public record should acknowledge TRANSWAC's request to ODOT and NEORSD to consider alternative ways to evaluate the cost and benefits of centralized treatment lacking a rate structure for treatment by NEORSD. 7) The EIS should acknowledge NEORSD's letter of June 22, 2007 and consider the approach and data provided in that letter in assessing the costs and benefits of centralized treatment in NEORSD facilities. 8) The EIS should show pollutant loading changes that would occur as a result of the separation strategy proposed in the draft EIS. The EIS should estimate the additional storm water load that would be added to Lake Erie and to the Cuyahoga River. The potential for violations of water quality standards as a result of increased loads should be considered. To the extent that reductions in combined sewer loads are used as a justification for separation, planned improvements through NEORSD's Long Term Control Plan should be considered. Additionally, consideration should be given to the cost effectiveness of sizing NEORSD facilities to accommodate ODOT's loads. Example calculations on the impact of separation were provided to ODOT as part of TRANSWAC comments on ODOT's Innerbelt BMP report. The calculations show that separation could result in greater loads to receiving waters. 9) The EIS should address the issue of the need to provide right of way space for the installation of Best Management Practices where applicable. 10) The EIS should address the issue that the project, as a total reconstruction of the Innerbelt, should consider options to provide treatment for 100% of the pavement of the project rather then simply providing treatment for newly paved or newly separated storm water. 11) The EIS should provide a responsiveness summary to indicate how it addressed comments made as a result of comments received on the Level 1 Ecological Survey and also on the Innerbelt Storm Water Best Management Practice report. 12) The EIS should discuss the development of project specific procurement specification for water quality issues and storm water management. Also, consideration should be given to the development of special allocations and contingency funds specific to water quality and storm water management issues. 13) The project's Purpose and Need statement should be revised to make it clear that the Innerbelt project should consider and is expected to result in improved management of Innerbelt air quality and water quality environmental issues. 14) In its comments of March 20, 2006 TRANSWAC asked that the Innerbelt project consider designing elements of the drainage system to provide for hazardous spill containment and for precise measurement of storm water loads. The draft EIS does not discuss the containment of hazardous spills nor is there any pledge made to provide monitoring chambers to allow for precise measurement of future storm water loads. 15) FHWA and ODOT should meet with stakeholders and agencies interested in water quality and storm water management issues to solicit assistance and to consult on a schedule to address draft EIS deficiencies. These meetings should also discuss comprehensive EIS commitments to protect water quality and consider supplemental EIS processes to compensate for issues that can not be fully addressed in the next EIS document.

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05/19/2009 01:14 PM

To Craig.Hebebrand@dot.state.oh.us
cc
bcc
Subject Innerbelt Plan Public Comment Form

Comments: This submittal is an addendum to the comments submitted by the NOACA TRANSWAC. Accounting of Key Public Participation Dates and Products Relevant to Water Quality Protection and Stormwater Management Issues for the Cleveland Innerbelt Project – Includes Communication Efforts by TRANSWAC and TRANSWAC members Item Date Description Location in the Draft EIS.* 1 03/14/2003 NEORSD meeting with C. Hebebrand, ODOT; NEORSD identified water quality as a Innerbelt project concern and encouraged long range coordinated efforts via management of Innerbelt stormwater. Not referenced 2 04/03/2003 Email from Craig Hebebrand to L. Stumpe, NEORSD (assurance that the current goals of the Innerbelt project where inclusive of the goal "protect and enhance water quality") Not referenced; copy of correspondence not provided in EIS appendices. 3 02/09/2004 Erwin Odeal, NEORSD, letter to ODOT (request that ODOT Innerbelt planning comprehensively consider stormwater management issues) Referenced in App. E; copy of correspondence not provided in EIS appendices. 4 03/20/2006 Key TRANSWAC Report identifying water quality concerns and identifying 11 issues that should be addressed in the planning process Referenced in App. E; copy of correspondence not provided in EIS appendices. 5 04/21/2006 ODOT statement on Innerbelt stormwater issues Referenced in App. E; copy of correspondence not provided in EIS appendices. 6 8/16/2006 Letter from D. Lastovka ODOT to F. Greenland NEORSD; Project assumptions identified. Question asked about ongoing fee for treatment under the option that ODOT would direct a first flush to NEORSD for treatment. Noted in Chapter 5, Referenced in App. E and copy of letter provided in EIS appendices 7 10/16/2006 Letter from F. Greenland, NEORSD to D. Lastovka, ODOT; stating that the District has not yet made a determination about the basic fee structure for the stormwater management program that NEORSD is developing Noted in Chapter 5, Referenced in App. E and copy of letter provided in EIS appendices 8 11/20/2006 Letter from D. Lastovka, ODOT to F. Greenland, NEORSD; ODOT expresses intent to investigate separation strategy where hydraulically appropriate. Noted in Chapter 5, Referenced in App. E and copy of letter provided in EIS appendices 9 01/12/2007 ODOT response to TRANSWAC's 03/20/06 report Referenced in App. E copy of correspondence not provided in EIS appendices. 10 03/05/2007 L. Stumpe as TRANSWAC work group chair, comments on EIS scoping issues. Comments identify that ODOT's formal response of 01/12/2007 do not address the issues of the 03/20/2006 repot by TRANSWAC for purposes of the EIS. Referenced as a public comment in Chapter 5; copy of cover letter correspondence is provided in EIS app. F. Comments and attachments requested to be made part of record are not included. 11 04/08/2007 L. Stumpe, Chair, Innerbelt TRANSWAC work group comments on Level I Ecological Survey Report. Particular note is made that the report fails to address Lake Erie impacts. Not referenced; copy of correspondence not provided in EIS appendices. 12 04/10/2007 NOACA/ TRANSWAC request to ODOT to include various analysis of stormwater management as a part of the EIS. Request for cost/benefit analysis of centralized treatment of first flush in NEORSD centralized facilities. Not referenced; copy of correspondence not provided in EIS appendices. 13 5/27/2007 Recap of 4/26/07 meeting between NEORSD and ODOT concerning collection system details. Not referenced; copy of correspondence not provided in EIS appendices. 14 5/29/2007 Letter from D. Lastovka, ODOT, to F. Greenland, NEORSD; recap of discussions of 4/26/07 meeting including information about specific CSO discharges Noted in Chapter 5, Referenced in App E and copy of letter provided in EIS appendices 15 06/22/2007 NEORSD letter to ODOT suggesting approach and cost data to assist in evaluation of cost and benefits of centralized treatment for first flush treatment option Not referenced; copy of correspondence not provided in EIS appendices. 16 07/25/2008 TRANSWAC comments on ODOT's stormwater management BMP report Not referenced; copy of correspondence not provided in EIS appendices. * Presents or absence base upon a review of EIS compact disk provided by ODOT. Files of in participation appendices that cover correspondence dates were searched. (Appendices E&F) ** Table author --L Stumpe: 5/11/09

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City: Cleveland

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Email:: avidra@mpo.noaca.org

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05/20/2009 12:38 PM

To Craig.Hebebrand@dot.state.oh.us
cc
bcc
Subject Innerbelt Plan Public Comment Form

Comments: This attachment contains all documents referred to in the NOACA TRANSWAC submittal of May 19, 2009. Accounting of Key Public Participation Dates and Products Relevant to Water Quality Protection and Stormwater Management Issues for the Cleveland Innerbelt Project – Includes Communication Efforts by TRANSWAC and TRANSWAC members Item Original Date Description Location in the Draft EIS.* 1 03/14/2003 NEORSD meeting with C. Hebebrand, ODOT; NEORSD identified water quality as a Innerbelt project concern and encouraged long range coordinated efforts via management of Innerbelt stormwater. Not referenced 2 04/03/2003 Email from Craig Hebebrand to L. 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Stumpe as TRANSWAC work group chair, comments on EIS scoping issues. Comments identify that ODOT's formal response of 01/12/2007 do not address the issues of the 03/20/2006 repot by TRANSWAC for purposes of the EIS. Referenced as a public comment in Chapter 5; copy of cover letter correspondence is provided in EIS app. F. Comments and attachments requested to be made part of record are not included. 11 Resubmitted as comment on Draft EIS 04/08/2007 L. Stumpe, Chair, Innerbelt TRANSWAC work group comments on Level I Ecological Survey Report. Particular note is made that the report fails to address Lake Erie impacts. Not referenced; copy of correspondence not provided in EIS appendices. 2 of 80 12 Resubmitted as comment on Draft EIS 04/10/2007 NOACA/ TRANSWAC request to ODOT to include various analysis of stormwater management as a part of the EIS. Request for cost/benefit analysis of centralized treatment of first flush in NEORSD centralized facilities. Not referenced; copy of correspondence not provided in EIS appendices. 13 5/29/2007 Letter from D. Lastovka, ODOT, to F. Greenland, NEORSD; recap of discussions of 4/26/07 meeting including information about specific CSO discharges Noted in Chapter 5, Referenced in App E and copy of letter provided in EIS appendices 14 Resubmitted as comment on Draft EIS 06/22/2007 NEORSD letter to ODOT suggesting approach and cost data to assist in evaluation of cost and benefits of centralized treatment for first flush treatment option Not referenced; copy of correspondence not provided in EIS appendices. 15 Resubmitted as comment on Draft EIS 07/25/2008 TRANSWAC comments on ODOT's stormwater management BMP report Not referenced; copy of correspondence not provided in EIS appendices. * Presents or absence base upon a review of EIS compact disk provided by ODOT. File folders in participation appendices that cover correspondence dates were searched. (Draft EIS Appendices E&F) ** Table author --L Stumpe: 5/11/09, minor corrections 5/19/09 3 of 80 4 of 80 5 of 80 See attached document relative to my thoughts on an environmental goal. Lester Stumpe Manager of Watershed Programs, Policy and Technical Support Phone: 216-881-6600 Ext. 830 Fax: 216-881-6603 Email: stumpeL@neorsd.org >>> "Craig Hebebrand" 03/19/03 09:43AM >>> Lester, At the March 10, 2003 Scoping Committee meeting you suggested that consideration be given to modifying the Goals and Objectives to specifically include Water Quality. While the Goal and Objectives for the Cleveland Innerbelt Study do not specifically mention Water Quality, they do include (see below) the broader objective to "preserve and enhance the natural environment." Please advise if you consider this more general objective to be sufficient to address your concerns. If not, I would ask you to offer a proposal to revise the Goals & Objectives. Goal V Environment Environmental impacts are often considered as a consequence of the construction of transportation facilities. This goal considers resource usage from fuel consumption to land uses. It also considers impacts to valued community resources such as residential areas, historic structures and districts, parks, or special population groups. While this goal category may have limited performance measures, it is extensively supplemented by the environmental impact evaluations conducted as part of the environmental studies for specific projects. Objectives 1. Preserve, protect, and expand parks and open space throughout the corridor (lakefront, the river, and within the neighborhoods) 2. Adhere to Executive Order 12898 on Environmental Justice 3. Protect historic resources 4. Provide for business relocation within the study area 5. Protect and enhance the natural environment 6. Improve and enhance lighting 7. Include environmental considerations within the life-cycle cost analysis Please note that I believe that the existing general objective is sufficient and would suggest that your concerns might best be addressed through the mutual development of appropriate performance measures related specifically to Water Quality. If you have any questions regarding this matter or if you require any additional information, please do not hesitate to ask. Respectfully, Craig K. Hebebrand, P.E., Ohio Department of Transportation, District 12 5500 Transportation Boulevard, Garfield Heights, Ohio 44125 Telephone: (216) 581-2333, Ext.409/NEW Facsimile: (216) 584-3508 E-Mail: craig.hebebrand@dot.state.oh.us 6 of 80 ATTACHMENT Craig, I thought about trying to incorporate the objectives that I envision in this new goal with existing Goal V. While I would be willing to try, I felt that it would muddle the intent particularly at the early stage of discussion. Goal --- Reduce and mitigate impacts of highway run off and habitat disruption Transportation replacement and/or re-construction projects offer the opportunity to construct facilities that have less environmental impacts then current systems. Decreased water quality impacts and improved habitat features (including

decreased wildlife mortality incidents and increase compatibility with surrounding urban features) are two areas in which significant gains may be possible. Transportation replacement and/or re-construction projects also offer the opportunity to provide mitigation for the direct impacts of the transportation system that cannot be eliminated by context-sensitive design processes. The intent of this goal is to identify at the earliest possible juncture the steps that can be taken to meet the stated objectives. Identifying issues and possible actions may be a factor in developing and/or refining transportation options at the planning level. Consideration of environmental enhancement opportunities in the MIS phase will also allow the transportation planning process to consider the potential project costs associated with environmental measures and will help assure that the recommend plan identifies any options that should be considered in additional depth in the next phases of the transportation planning process. Measures of performance to evaluate planning level options against this goal are likely to be more qualitative then quantitative in nature. This general goal is consistent with NOACA transportation planning principles that call for transportation project to result in enhancements to the natural environment. Objectives 1. Create and/or consider planning level options with the objective of minimizing and/or treating the pollutant loads that are created by stormwater run off from the highway corridor. 2. Create and/or consider planning level options with the objective of minimizing transportation related spills that might damage the ecology of area water resources. Identify any particular merits of transportation options to capture or otherwise minimize the impacts of spilled hazardous materials. 3. Evaluate at a planning level the opportunities and costs to provide long term environmental mitigation for the impacts of the transportation project that cannot be eliminated. 4. Consider opportunities, benefits and urban compatibility issues for natural habitat improvements associated with transportation options and potential environmental mitigation projects. The existing environmental goal for the Inner belt study is as follows Goal V Environment Environmental impacts are often considered as a consequence of the construction of transportation facilities. This goal considers resource usage from fuel consumption to land uses. It also considers impacts to valued community resources such as residential areas, historic structures and districts, parks, or special 7 of 80 population groups. While this goal category may have limited performance measures, it is extensively supplemented by the environmental impact evaluations conducted as part of the environmental studies for specific projects. Objectives 1. Preserve, protect, and expand parks and open space throughout the corridor (lakefront, the river, and within the neighborhoods) 2. Adhere to Executive Order 12898 on Environmental Justice 3. Protect historic resources 4. Provide for business relocation within the study area 5. Protect and enhance the natural environment 6. Improve and enhance lighting 7. Include environmental considerations within the life-cycle cost analysis 8 of 80 9 of 80 10 of 80 11 of 80 Finding and Recommendations Report of the Transwac Innerbelt Work Group 3/20/2006 Transwac Innerbelt Work Group Findings: 1. There is reasonable evidence to suggest that untreated runoff from the Innerbelt may have deleterious effects on the aquatic and ecological health of the Cuyahoga River, and nearshore waters of Lake Erie. Attachment A provides supporting documentation for this conclusion. 2. The Department of Transportation for the State of Washington and CALTRAN have developed models for assessment of water quality impacts which may prove useful in more specifically assessing the impacts on water quality of the proposed Innerbelt facility. (Representative materials documenting these processes are assembled at an ftp site developed by the Transwac work group.) 3. Engineering decisions regarding the Innerbelt drainage systems and the treatment of runoff are likely to affect the feasibility of future options to provide for high levels of treatment of storm water, should new treatment requirements be determined necessary. 4. A substantial portion of the Innerbelt project will be constructed on elevated structures. This creates special problems related to storm water runoff management, and requires careful consideration in the planning and design of these structures. (It is noted that the National Cooperative Highway Research Program report "Assessing the Impact of Bridge Deck Runoff Contaminants in Receiving Waters" provides detailed guidance for assessing impacts and developing runoff management programs.) 5. The Greater Cleveland Community is embarking on a major capital program to control combined sewer overflows and is in the process of establishing new standards to control storm water for development and redevelopment projects as a measure to protect the ecological health of the area water resources. Recommendations for the Conduct of the Innerbelt Project Development Process: 1. The Project Development Process (PDP) is encouraged to evaluate the likely environmental impacts (i.e., water quality and aquatic ecological impacts) attributable to highway runoff and develop storm water management practices that are responsive to the particular environmental concerns of the applicable receiving waters. 2. In as much as untreated runoff from the proposed Innerbelt facility appears to have the potential to cause environmental harm and may result in the violation of water quality standards the PDP should consider treatment of all runoff from the reconstructed facility, as opposed to only providing treatment for volumes of 12 of 80 runoff associated with new pavement area. Design events used to calculate runoff volume should be based upon controlling requirements considering both Ohio's general storm water permit and the need to prevent violations of Ohio Water Quality Standards. 3. The PDP should consider potential long-term treatment needs for storm water in selecting design alternatives for the drainage of the Innerbelt facility. Some drainage options may limit opportunities for providing additional treatment for storm water runoff, should a higher level of treatment be determined as necessary in the future. 4. The PDP is encouraged to consider the specific characteristics of Innerbelt runoff as well as proposed passive best management practices in evaluation of alternative storm water management strategies. 5. It is recommended that the options evaluated for treatment of storm water include, but not be limited to the following: a) Detention and/or retention facilities above or below grade utilizing current or future green space near the Lakefront. b) Tie-in of all or part of the runoff to the improved combined sewer storage facilities which being designed by the Northeast Ohio Regional Sewer District. 6. The management and treatment of runoff should be considered as an integral part of preliminary engineering for any new or reconstructed bridges crossing the Cuyahoga River. Containment of hazardous material spill should also be assessed. 7. For any proposed direct discharges of storm water to receiving waters or to separate storm sewer systems that subsequently discharge to receiving waters, preliminary engineering should begin planning for monitoring chambers that will facilitate the monitoring of highway runoff. Planning for any such discharge points should also consider provisions to assist in containing hazardous material spills. 8. ODOT is encourage to provide for at least two review points for interaction with the TRANSWAC Innerbelt work group prior to the completion of the drafts for the environmental documents for the project. 9. If the PDP concludes that the treatment of storm water runoff called for by permit or by the need to prevent a violation of water quality standards is not feasible, such a finding should be supported by an engineering cost feasibility study demonstrating that treatment is not feasible. A format for an engineering cost feasibility study is provided at the above noted ftp site. 13 of 80 10. As highway storm water runoff may affect water quality at various parks including portions of the Cleveland Lakefront State Park, the PDP should consider

any applicable requirement of the Federal Highway Administration's Section 4(f) policy. This policy may suggest the need for specific studies or impose certain requirements on the management of storm water. 11. As key stakeholders, Ohio EPA and ODNR should be encouraged to fully engage in the review of PDP step reports, as well as project environmental documents to evaluate whether or not proposed storm water management practices are protective of receiving water resources. 14 of 80 Attachment A: Review of Water Quality Environmental Impact Concerns The purpose of this document is to review the data developed by the Innerbelt work group, focusing on the question of whether the storm water runoff from the current and proposed Innerbelt facility has a reasonable potential to cause harm to the Cuyahoga River and the lakefront area of Lake Erie. This review was not meant to be exhaustive nor intended to fully evaluate the impact of Innerbelt storm water runoff. Rather, the purpose of this document is to aid in making a determination of the need for a more detailed analysis of likely water quality impacts as a part of the ODOT Project Development Process. Four topics are considered in this document: 1. The summary findings of a literature review undertaken by the United States Geological Survey for the Federal Highway Administration, documenting the impacts of highway runoff on the ecological health of aquatic communities. 2. Summarization of the findings of the Cuyahoga River RAP Stage 1 report concerning local water resource impairments. The particular focus of this review is on the findings related to eutrophication and impairments to the benthic community. 3. Summarization of the Lower Cuyahoga TMDL, which sets targets for the Lower Cuyahoga for total phosphorus levels. 4. Comparison of published values for pollutant in highway runoff quality with Ohio water quality criteria. 1. Literature Review of Water Quality Impacts of Highway Runoff A comprehensive literature review of the impacts of highway runoff was conducted by the USGS for the U.S. Department of Transportation. The report, "Assessing Biological Effects from Highway-Runoff Constituents," was released in 1999. (Open-File Report 99-240). This report reviews 44 articles and published papers incorporating fieldwork from 1970 through 1996. The last paragraph of the Summary of this document is provided below. "A review of 44 reports on the biological effects of highway runoff on local ecosystems reveals several information gaps. The use of different methods from study to study and a general lack of sufficient documentation preclude making quantitative comparisons among different studies using the existing data. Qualitatively, the literature indicates that constituents from highway runoff and from highway-runoff sediments deposited in receiving waters near the highway are found in the tissues of aquatic biota, and that these sources may affect the diversity and productivity of biological communities, even though bioassays would suggest that highway runoff is not often toxic to aquatic biota. To provide the quantitative information needed, it is necessary to obtain information using standard methods, and to document study results in a manner that will be useful for a national or regional synthesis." 2. Cuyahoga River Remedial Action Plan Stage 1 Report The Cuyahoga River Remedial Action Plan in its Stage 1 report concluded that relative to the impairment of Eutrophication the Navigation Channel of the Cuyahoga River is 15 of 80 "Probably Impaired" and that the near shore area of Lake Erie is "Impaired." The Lower Cuyahoga is listed as "Probably Impaired" due to a lack of an adequate database on which to base a more definitive conclusion. Additionally, the Stage 1 report concluded that the benthic community is "Possibly Impaired" in the Navigation Channel and "Impaired" in the near shore area of Lake Erie. The "Possibly Impaired" determination reflects that existing studies note problems: however, at that time there were no clear standards applicable to the navigation channel on which to base a more definitive determination. As a part of the procedure of making a determination of impairment for the benthic community, the Stage 1 process prepared separate technical reports on the benthic communities in the Cuyahoga River and in the Cleveland Harbor and near shore areas. The Cleveland Harbor and near shore benthic reports reference several studies conducted during the period 1976 through 1989. 3. Ohio EPA TMDL Report for the Lower Cuyahoga Ohio EPA's September 2003 Total Maximum Daily Load Report found that the lower 7.2 miles of the Cuyahoga River are in non-attainment of water quality standards. Causes of impairment are listed as organic enrichment, habitat alteration, priority pollutant organics, metals, other organics, and oil and grease. The report concluded that "Phosphorus is the limiting nutrient in the Cuyahoga River system." The report sets a TMDL target at 0.12mg/L and calls for a 48% reduction of current phosphorus loading levels for non-point runoff sources. In appendix L the report notes that Cuyahoga River is targeted as a significant contributor to the enrichment conditions of nearshore of Lake Erie. 4. Highway Runoff Pollutant Values Compared to Ohio Water Quality Criteria Ohio EPA sets water quality criteria for designated waters of the state. For example, the agency has established aquatic life uses for the Lower Cuyahoga river and for Lake Erie. Numerical criteria are found in ORC 3745-1-07. One example of criteria are the numeric allowable limits for concentrations of pollutants within the mixing zones created by a direct discharge. These Inside Mixing Zone Maximum (IMZM) criteria were developed to prevent acute lethality to aquatic life, and accordingly they are applicable for any individual sample rather than for an average of samples. The Outside Mixing Zone Maximum (OMZM) criteria are similarly applicable to individual samples. Compliance with the OMZM criteria involves determining the pollutant concentrations of the available dilution water and the amount of mixing which occurs. For the purpose of this analysis, the review was limited to heavy metals commonly found in highway runoff. Exhibit 1 is a table comparing literature values for highway runoff pollutant levels with Ohio EPA established criteria for IMZMs and OMZMs. Criteria are established for both total metal concentrations and dissolved metal concentrations. Comparison of these published values with Ohio EPA criteria suggests that untreated Innerbelt runoff, to the extent that is similar in reported literature pollutant values, may result in violations of water quality criteria if discharged untreated to Lake Erie or the Cuyahoga River. 16 of 80 Exhibit 1 ---referenced in Attachment A to the 3/20/06 "Findings and Recommendations" Report of the Transwac Work Group TOTAL RECOVERABLE METALS CRITERIA Hardness Copper Lead Zinc Cadmium 100 mg/L hardness 100 mg/L hardness 100 mg/L hardness 100 mg/L hardness IMZM OMZM IMZM OMZM IMZM OMZM IMZM OMZM mg/L Micrograms/L Micrograms/L Micrograms/L Micrograms/L Ohio EPA water quality criteria* Total recoverable concentrations 28 14 240 120 240 120 9 4.5 For the parameters noted the Ohio criteria values are the same for the Ship Channel and Lake Erie Sansalone et.al. (Feb. 1997) 5 events Cincinnati Event mean Conc. Min 52 43 x 31 459 x 5 x Max 92 325 x 97 15,244 x 11 x Milwaukee 1970s Three sites Average Total Event Mean Conc. Min 75 x * Note 1 336 x 11 x Max 155 x * Note1 465 x 29 x * Note 1-- High values due to lead in gas (738 to 1457) FHWA-PD-96-032 (June 1996) & FHWA-RD-88-006 (April 1990) Urban highway sites with Average Daily Traffic Values over 30,000 Event Median Concentrations median site 52 54 x 400 x 329 x highest 10% 119 x 1,562 x 564 x Lowest 10% 25 x 102 192 x IMZM --- Inside Mixing Zone Maximum criteria OMZM --- Outside Mixing Zone Maximum criteria * Water quality critiera values are determined by an equation in which hardness is an independent variable. Higher criteria would be higher for elevated hardness values. Lower values of hardness lessen allowable metal concentrations. For

example a hardness value of 50 mg/l might decrease allowable values in the above table by a factor in the range of 2. Format Notes "x" denotes potential problem with Outside Mixing Zone Maximum criteria Bolded denotes that values are greater then the IMZM criteria 17 of 80 Exhibit 1 (continued) DISSOLVED METALS CRITERIA Hardness Copper Lead Zinc Cadmium 100 mg/L hardness 100 mg/L hardness 100 mg/L hardness 100 mg/L hardness IMZM OMZM IMZM OMZM IMZM OMZM IMZM OMZM mg/L Micrograms/L Micrograms/L Micrograms/L Micrograms/L Ohio EPA water quality criteria* Dissolved 27 13 190 97 230 120 8.5 4.3 For the parameters noted the criteria values are the same for the Ship Channel and Lake Erie Sansalone et.al. 5 events Cincinnati Dissolved fraction translator (mean from 4 events) 0.524 0.279 0.771 0.662 Event mean Conc. Adjusted** Min 52 23 x 9 354 x 3 Adjusted** Max 92 170 x 27 11753 x 7 x FHWA-PD-96-032 (June 1996) & FHWA-RD-88-006 (April 1990) Urban highway sites with Average Daily Traffic Values over 30,000 Dissolved fraction translator 0.4 0.1 0.4 Adjusted** median site 52 22 x 40 132 x Adjusted** highest 10% 48 x 156 x 226 x Adjusted** Lowest 10% 10 10 77 NOTES IMZM --- Inside Mixing Zone Maximum criteria OMZM --- Outside Mixing Zone Maximum criteria * Water quality critiera values are determined by an equation in which hardness is an independent variable. Higher criteria would be higher for elevated hardness values. Lower values of hardness lessen allowable metal concentrations. For example a hardness value of 50 mg/l might decrease allowable values in the above table by a factor in the range of 2. ** Adjusted values were obtained by multiplying the total metals data by fractional values that the report suggests as representative of souble portion of the total metals concentration. The fractional value is listed in the table as the "dissolved fraction translator". Format Notes "x" denotes potential problem with Outside Mixing Zone Maximum criteria Bolded denotes that values are greater then the IMZM criteria lastumpe 3/20/06 18 of 80 Lester Stumpe, P.E.; 3044 Corydon Rd. Cleveland Heights, Ohio 44118 216-321-2566 Lesmnmjus@gmail.com March 5, 2007 Ohio Department of Transportation 5500 Transportation Blvd. Garfield Heights, Ohio 44125 Att: Cleveland Innerbelt Project Manager The substance of this comment is to address ideas around the handling of stormwater runoff from the proposed Innerbelt facility. In summary, I encourage ODOT to vigorously assess the potential impacts of stormwater runoff on the water resources that will receive these discharges as an element of the Draft Environmental Impact Statement. Further, I urge ODOT to fully weigh alternatives for treating stormwater runoff in the draft EIS document. This should include assessment of potential alternative treatment technology as well as an assessment of the environmental benefits of providing treatment of all of the runoff that emanates from the Innerbelt facility. These recommendations are amplified by the attached analysis document. The substance of my comments are structured around the response that ODOT provided for the Findings and Recommendations report dated March 20, 2006 prepared by the Transwac Work group and subsequently submitted to ODOT on behalf of NOACA. As elements of this comment letter I incorporate both the original Transwac Findings and Recommendation report and the ODOT response as attachments. I believe that it is critical that they be made part of the public record of the Draft Environmental Impact Statement. It is my intent that the recommendations of the analysis be considered as comments and suggested direction to ODOT, and as applicable FHWA, by the undersigned. While providing comments, I am also requesting an extension of the period for inclusion of public comments for incorporation into the draft EIS for at least an additional 30 days. In support of this request I note that a critical ODOT Innerbelt document, the Level 1 Ecological Survey Report, is just now in the process of being released to the public. To my knowledge it is not yet available on the ODOT Innerbelt internet site. Logically, scoping of the draft EIS would be greatly enhanced by the benefit of public comment on this ecological report which was developed to help inform the EIS scoping process. Additionally, the requested extension of public comment period would also allow for the NOACA Transwac subcommittee to meet to collectively evaluate and provide comment to ODOT. Finally, an extension of the comment period would allow the Lead Agencies in preparation of the EIS to identify appropriate cooperating and participating agencies as in compliance with Sec. 6002 of SafetyLU. To my knowledge these invitations have not yet been extended. Additional time would allow agencies that are identified, either as 19 of 80 cooperating or participating agencies, to add comments to the record for use in preparation of the draft environmental impact statement. Due to storm conditions NOACA was forced to cancel a recently scheduled Transwac subcommittee meeting which was anticipated to have worked to develop comments to ODOT. Further, NOACA has very recently been advised by ODOT that it is not anticipate granting an extension of the comment period. Facing the prospect that the comment deadline might not be extended NOACA staff advised member of the Transwac committee to submit individual comments. At this late juncture this situation results in the need to submit comments as an individual citizen. Sincerely, Lester Stumpe Copies: Erwin J. Odeal, Northeast Ohio Regional Sewer District Craig Hebebrand, ODOT District 12 Dave Lastovka, ODOT District 12 Mike Armstrong, FHWA David Snyder, FHWA Howard Maier, Northeast Ohio Area Wide Coordination Agency 20 of 80 Comments and Recommended Direction Pertaining to the Assessment of Innerbelt Environmental Impacts and Design of Innerbelt Stormwater Facilities (Note the following comments are formatted to be consistent with Transwac Subcommittee Finds and Recommendations report dated 3/20/06 (Attachment A) and ODOT's response dated 1/12/07 (Attachment B)) 1) Transwac's first recommendation was to request ODOT to investigate the specific likely environmental impacts of Innerbelt runoff. (Transwac made this recommendation after a literature review, which concluded that there is the potential for Innerbelt runoff to cause violations of water quality standards. (An ftp site was established for the Transwac Subcommittee, and is available to ODOT (a subcommittee member), which contains over 40 pertinent document addressing water quality impacts and context sensitive transportation planning. An index of documents at this ftp site is included as Attachment C) ODOT's response does not dispute the findings of the Transwac work group's report showing the potential harm to aquatic resources and the possible violations of water quality standards. Rather, the focus of ODOT's response appears to derive from current regulatory requirements as established by Ohio' s General Construction permit. However, having a limited focus on regulatory requirements runs the risk of producing poor public policy. Just as regulatory requirements are not the driving force for many of the design decisions for a reconstructed Innerbelt, they should not be the only consideration in treatment of stormwater runoff. It should be taken into consideration that the planning and design work done as a part of this project will fix drainage patterns that will likely have significant consequences for lakefront water quality for the next 100 years. Additionally, it is to be noted that the supplemental material supporting the project's Purpose and Need Statement included the goal of protecting and enhancing the natural environment. ODOT suggests that its direction on stormwater treatment is largely set by ODOT policy related to requirements of Ohio's General Construction permit. However, this permit was not designed for, and can not be expected to provide, adequate guidance for long-range planning processes involving protection of water quality. For example, by permit terms, Storm Water Pollution

Prevention Plans (SWP3s) identifying selected BMPs do not need to be developed for potential review by Ohio EPA until 21 days prior to commencing construction. Further, although the general Construction Permit contains provisions affirming the need for post-construction discharges to comply with water quality standards and includes a provision for reopening a permit on the basis of evidence indicating potential impacts on water quality, reopening is not a common practice. Provided that a Storm Water Pollution Prevention Plan (SWP3) has been prepared, there is the presumption that water quality standards will be protected. Thus any action pertaining to a post-construction discharge would only likely occur after construction of the project and subsequent monitoring which demonstrated a violation. While this 21 of 80 approach may be reasonable as a regulatory policy, it does not seem appropriate as guidance for the public' s billion dollar investment in Innerbelt reconstruction. The Plan Development Process (PDP) and the National Environmental Policy Act (NEPA) procedures are the appropriate forums for deliberative processes to consider the long-term view of proper management of stormwater discharges to high value urban water resources. But these processes must be informed with adequate data. In particular Transwac encouraged an assessment of the specific potential impacts of Innerbelt runoff on the Cuyahoga and Lake Erie. There is some uncertainty regarding ODOT's written response that "in summary the PDP involves a considerable amount of documentation of water quality and aquatic ecological impacts." Most recently, ODOT has suggested that these issues would be addressed in the Ecological Survey Report. That report dated 2/16/2007 and received by the Transwac work group 2/28/07 does contain a discussion of the lower Cuyahoga and Ship Channel and includes statements about impact. A preliminary review of the report identifies two notable points. First, the report does not provide any substantive discussion of the aquatic resources or impacts to the near shore waters of Lake Erie. Second, the report does not address the concerns raised by the Transwac report, particularly that runoff discharges have the potential to be responsible for violations of Ohio's water quality standards. It is recommended that the Ecological Survey Report be revised to include the two noted deficiencies. (Note that other comments may be generated after substantive review of the document.) Further, these issues should be addressed in the draft Environmental Impact statement. The point of the ODOT PDP process is to incrementally develop information in early steps to help define the study needs of successive steps. The environmental impacts of stormwater were raised as an issue very early in the process and reiterated at the end of Step 4 in the PDP process. Along the way ODOT has been encouraged to include environmental work to evaluate the specific impact of stormwater runoff in the study scope for the Step 5 process. Due to lack of preliminary information on the potential impact of discharges on Lakefront water quality future planning steps run the risk of being less well informed. In summary there remains a strong need for ODOT to investigate the specific likely environmental impacts of Innerbelt runoff on the specific receiving water resources and in particularly near-shore areas of Lake Erie. Further, if ODOT moves aggressively, there is time to inform the decision making process. ODOT should engage Transwac and pertinent stakeholder agencies in transparent deliberations on this issue. As a first step ODOT is encouraged to make available to the Transwac committee the list of intended agency reviewers to allow Transwac to provide information to and engage in conversation with these agencies on the issues of environmental assessment and stormwater runoff impacts. 22 of 80 2) Transwac's second recommendation was for ODOT to consider treatment of all of the runoff from the Innerbelt facility, to avoid environmental harm, and to assure compliance with water quality standards. ODOT's response states that it will consider providing for BMP treatment for 100% of the runoff from the Innerbelt facility. This is a positive step. However, the treatment of 100% of the runoff is not sufficient if the end result does not provide the level of treatment that is required to avoid harm to water resources, and assure compliance with water quality standards and other regulatory requirements. ODOT's other responses suggest that they will make BMP choices from a limited menu. This limited approach raises the issue of the adequacy of the options that will be evaluated. ODOT suggests that it does not have a regulatory requirement to provide treatment for all of the runoff from the Innerbelt. This may be true. Nevertheless, ODOT has a responsibility to consider whether a strong environmental case can be made for providing a high level of treatment for all of the runoff as a part of its PDP process and the NEPA environmental review process. Engineering experience suggests that providing for full treatment of the runoff at the time of complete reconstruction will be less costly then trying to design for retrofit treatment later. ODOT is encouraged to take a broader view of its responsibilities in the PDP in order to develop solutions that seek the highest value for the citizens of the state regardless of permit requirements. For example, the state of Washington has a developed guidance on when a highway reconstruction project is substantial enough to warrant provision of treatment of all of the runoff from a facility. (Reference: Chapter 5, Washington State, Highway Runoff Manual M 31-16) 3) The third Transwac request was that ODOT consider potential future long-term needs for stormwater treatment in the selection of designs for Innerbelt drainage. In response, ODOT states that it cannot determine what future treatment levels will be required. One of the purposes of the ODOT PDP, the NEPA process, and the Transwac review process is to encourage long term planning that necessarily weighs uncertain outcomes. It would be truly unfortunate if, for lack of consideration of the potential future treatment needs, ODOT designed a drainage system that would work against future potential treatment options. In considering drainage systems ODOT should consider the potential future long-term needs for stormwater treatment. Additionally, the response errs in assuming that the project treatment requirements it sites in its response are only controlled by policies developed to in response to Ohio's General Construction permit. Further, while it is appropriate for ODOT to consider the most current EPA policy at the time of the final design, certain options may have closed for lack of identification of identification of needs at an earlier point. ODOT should reconsider its position and undertake a more proactive analysis. 23 of 80 4) The fourth Transwac comment was intended to encourage consideration of specific characteristics of Innerbelt runoff in selection of proposed treatment practices. ODOT states that it believes that the Innerbelt runoff is typical of urban runoff. In contrast, the Transwac literature review suggests that runoff from highways with high traffic counts has a higher concentration of certain pollutants when compared with typical urban runoff. (See Exhibit 1 of Attachment A of the Transwac report.) If ODOT has different data / information suggesting otherwise it should provide the data and discuss its conclusions. ODOT provides insightful information in noting that the shoulders for the new facility will have a width that facilitates shoulder sweeping. If ODOT is suggesting that shoulder sweeping is an important and effective strategy in combination with other BMPs, then it should develop and present a reasoned sweeping routine with consideration for the range of weather conditions that will be experienced by the Innerbelt facility. Based upon this intended routine, ODOT should estimate the level of pollution reduction that it hopes to achieve. The expected quality of Innerbelt runoff and in particular metals concentrations should be described and compared to Ohio Water Quality Standards in the Draft Environmental Impact Statement. 5) Transwac's fifth recommendation was to suggest two options for treatment that relate to the

unique opportunities attendant with the project site. These including integrating treatment with green space along the lakeshore and connecting to NEORSD facilities. ODOT's response is twofold. Earlier in the response letter and here again, ODOT suggested that a decision has been made to pursue a stormwater separation strategy. It seems inappropriate that ODOT would announce a decision to pursue a stormwater separation strategy without providing an engineering analysis to show the value of the option, and without soliciting public input on this decision through the PDP process and in the project's environmental documents. Again, it is noted that Transwac has made a recommendation that the drainage system should be designed with consideration for enhanced future treatment options. ODOT should consider Transwac's suggestions for stormwater treatment as a part of the draft Environmental Impact Statement document. ODOT's letter suggests that removing stormwater will result in lower pollution loads to the receiving water as opposed to discharging to the combined sewer system. Yet ODOT does not provide justification or reference to a study to support this claim. In certain cases, removal of contaminated stormwater from combined sewer system may lead to higher pollutant loadings. Given the Transwac demonstrated potential for high metals concentrations in Innerbelt runoff, this possibility requires close examination. The calculation to determine which strategy yields the lowest pollutant loads is dependent upon the level of treatment that is provided for the pollutants of concern, before and after 24 of 80 the proposed removal from the regional treatment system. This calculation should be presented in the Draft Environmental Impact Statement. Further, ODOT continues to suggest it can meet its regulatory requirements by selecting BMPs from a pre-screened inventory of BMPs that are listed in its Location and Drainage (L & D) manual. It is unclear why ODOT asserts it does not need to consider other possibilities, particularly when dealing with post-construction runoff that could cause violations of water quality standards, and when other unique options are available for treatment of stormwater. It is well known that ODOT has been in discussion with Ohio EPA regarding identification of effective BMPs as a way of facilitating compliance with the provision of the General Construction permit. It is likely that these identified options include favorable choices for the majority of ODOT's transportation projects. However, these negotiations do not constitute rule-making and do not override the provisions in other environmental regulations or the provisions of the General Construction permit, which speak to maintenance of water quality standards where there is the potential for violations. For example, the Construction permit notes the primacy of water quality standards and requires the selection and implementation of BMPs to reduce pollutants and ensure compliance with Ohio's water quality standards rule. 6) Transwac's sixth comment asked ODOT to consider treatment of runoff and the potential for containment of spills in the design of new or reconstructed bridges. ODOT's response confirms its intent to consider the Cuyahoga TMDL goals in considering the treatment of runoff from the projects bridges. However, the response is silent on the matter of designing to address the hazards associated with spills. ODOT should consider spill containment as part of the bridge design effort and should discuss the issue in the draft Environmental Impact Statement. 7) Transwac's seventh request asked that the drainage design engineers consider features that promote environmental monitoring and containment of spills. ODOT asserts that its standard manholes and inlet structures provide adequate access for any necessary future monitoring. The response fails to address the idea of providing an integrated system that addresses spill containment. Further, the point of the comment is not to provide adequate access; rather, it was a request to consider features that facilitate accurate flow monitoring and safe and representative sample collection. Standard engineering practice to meet these goals has evolved well beyond providing standard manholes. Future monitoring needs should be a consideration in Innerbelt drainage design. ODOT should identify its intent to perform environmental monitoring of runoff in the Environmental Impact Statement. 25 of 80 Additionally, ODOT's response continues a pattern by noting that there are no specific regulatory requirements for monitoring. Again, the PDP should not be driven by the minimum that is needed to meet regulatory requirements. 8) Transwac's eighth comment encouraged two meetings with the Transwac Innerbelt work group prior to the completion of the drafts for the environmental documents for the project. The lack of anticipated key materials and reports has so far frustrated this goal. ODOT is encouraged to share with Transwac the scope of work for both the Step 6 PDP document and the draft environmental impact statement. Transwac's input should be sought in development of these documents. To facilitate development NOACA should be invited to be an official "Participating Agency" in the development of the Environmental Impact Statement. 9) Transwac's ninth comment addressed the potential issue that cost could be a factor in determining feasibility in selecting treatment options to prevent violations of water quality standards. We provided reference to a format for cost feasibility studies to demonstrate the necessary tradeoffs, should cost become a significant factor. ODOT's response to this recommendation discounts the possibility that cost could potentially be a factor in selection of treatment options. However, previous comment responses suggest that ODOT only intends to consider the limited set of BMPs in its L&D manual. The Transwac report makes the case for consideration of a wider range of treatment options. Some of these options could involve significant cost. Accordingly, the Transwac provided reference to the suggested format for cost feasibility studies may ultimately prove helpful. 10) Transwac's tenth comment addressed the need to determine the applicability of the FHWA's 4(f) policy. ODOT's response clarifies that FHWA is in charge of making a 4(f) determination. Transwac should be advised as to whether ODOT has shared the specific request for a 4(f) determination with the FHWA. Also, Transwac should be informed of when FHWA would make such a determination. Finally, the applicability of Section 4(f) should be discussed in the draft Environmental Impact Statement. To the extent that it is applicable the information and assessments required by 4(f) should be part of the Draft Environmental Impact Statement. Unfortunately, the lack of a timely response may already impacts the ability of the Lead EIS agencies to gather appropriate information concerning this issue for timely consideration. 26 of 80 11) Transwac's eleventh comment focused on the need to encourage the full engagement of stakeholder agencies in review of the PDP Step reports and the environmental documents. ODOT pledges to engage stakeholder agencies in development of the Ecological Survey Report, this pledge should extends to receiving input on the development and review of the project's other PDP documents, including the project's environmental documents to satisfy NEPA requirements. It is critical that in the process of involving these agencies be fully transparent and that these agencies be fully informed of the specific concerns that have been raised by the Transwac Subcommittee. It is noted that these agencies were not copied on the ODOT response letter to Transwac. Particularly, there is a need to engage a range of stakeholder agencies to consider the question of the appropriate level of protection of Cleveland's unique and highly valued water resources. ODOT should adopt this broader view of the protection of Cleveland's water resources. las:3/05/07 27 of 80 Finding and Recommendations Report of the Transwac Innerbelt Work Group 3/20/2006 Transwac Innerbelt Work Group Findings: 1. There is reasonable evidence to suggest that untreated runoff from the Innerbelt may have deleterious effects on the aquatic and ecological health of the Cuyahoga River, and nearshore waters of Lake

Erie. Attachment A provides supporting documentation for this conclusion. 2. The Department of Transportation for the State of Washington and CALTRAN have developed models for assessment of water quality impacts which may prove useful in more specifically assessing the impacts on water quality of the proposed Innerbelt facility. (Representative materials documenting these processes are assembled at an ftp site developed by the Transwac work group.) 3. Engineering decisions regarding the Innerbelt drainage systems and the treatment of runoff are likely to affect the feasibility of future options to provide for high levels of treatment of storm water, should new treatment requirements be determined necessary. 4. A substantial portion of the Innerbelt project will be constructed on elevated structures. This creates special problems related to storm water runoff management, and requires careful consideration in the planning and design of these structures. (It is noted that the National Cooperative Highway Research Program report "Assessing the Impact of Bridge Deck Runoff Contaminants in Receiving Waters" provides detailed guidance for assessing impacts and developing runoff management programs.) 5. The Greater Cleveland Community is embarking on a major capital program to control combined sewer overflows and is in the process of establishing new standards to control storm water for development and redevelopment projects as a measure to protect the ecological health of the area water resources. Recommendations for the Conduct of the Innerbelt Project Development Process: 1. The Project Development Process (PDP) is encouraged to evaluate the likely environmental impacts (i.e., water quality and aquatic ecological impacts) attributable to highway runoff and develop storm water management practices that are responsive to the particular environmental concerns of the applicable receiving waters. 2. In as much as untreated runoff from the proposed Innerbelt facility appears to have the potential to cause environmental harm and may result in the violation of water quality standards the PDP should consider treatment of all runoff from the reconstructed facility, as opposed to only providing treatment for volumes of 28 of 80 runoff associated with new pavement area. Design events used to calculate runoff volume should be based upon controlling requirements considering both Ohio's general storm water permit and the need to prevent violations of Ohio Water Quality Standards. 3. The PDP should consider potential long-term treatment needs for storm water in selecting design alternatives for the drainage of the Innerbelt facility. Some drainage options may limit opportunities for providing additional treatment for storm water runoff, should a higher level of treatment be determined as necessary in the future. 4. The PDP is encouraged to consider the specific characteristics of Innerbelt runoff as well as proposed passive best management practices in evaluation of alternative storm water management strategies. 5. It is recommended that the options evaluated for treatment of storm water include, but not be limited to the following: a) Detention and/or retention facilities above or below grade utilizing current or future green space near the Lakefront. b) Tie-in of all or part of the runoff to the improved combined sewer storage facilities which being designed by the Northeast Ohio Regional Sewer District. 6. The management and treatment of runoff should be considered as an integral part of preliminary engineering for any new or reconstructed bridges crossing the Cuyahoga River. Containment of hazardous material spill should also be assessed. 7. For any proposed direct discharges of storm water to receiving waters or to separate storm sewer systems that subsequently discharge to receiving waters, preliminary engineering should begin planning for monitoring chambers that will facilitate the monitoring of highway runoff. Planning for any such discharge points should also consider provisions to assist in containing hazardous material spills. 8. ODOT is encourage to provide for at least two review points for interaction with the TRANSWAC Innerbelt work group prior to the completion of the drafts for the environmental documents for the project. 9. If the PDP concludes that the treatment of storm water runoff called for by permit or by the need to prevent a violation of water quality standards is not feasible, such a finding should be supported by an engineering cost feasibility study demonstrating that treatment is not feasible. A format for an engineering cost feasibility study is provided at the above noted ftp site. 29 of 80 10. As highway storm water runoff may affect water quality at various parks including portions of the Cleveland Lakefront State Park, the PDP should consider any applicable requirement of the Federal Highway Administration's Section 4(f) policy. This policy may suggest the need for specific studies or impose certain requirements on the management of storm water. 11. As key stakeholders, Ohio EPA and ODNR should be encouraged to fully engage in the review of PDP step reports, as well as project environmental documents to evaluate whether or not proposed storm water management practices are protective of receiving water resources. 30 of 80 Attachment A: Review of Water Quality Environmental Impact Concerns The purpose of this document is to review the data developed by the Innerbelt work group, focusing on the question of whether the storm water runoff from the current and proposed Innerbelt facility has a reasonable potential to cause harm to the Cuyahoga River and the lakefront area of Lake Erie. This review was not meant to be exhaustive nor intended to fully evaluate the impact of Innerbelt storm water runoff. Rather, the purpose of this document is to aid in making a determination of the need for a more detailed analysis of likely water quality impacts as a part of the ODOT Project Development Process. Four topics are considered in this document: 1. The summary findings of a literature review undertaken by the United States Geological Survey for the Federal Highway Administration, documenting the impacts of highway runoff on the ecological health of aquatic communities. 2. Summarization of the findings of the Cuyahoga River RAP Stage 1 report concerning local water resource impairments. The particular focus of this review is on the findings related to eutrophication and impairments to the benthic community. 3. Summarization of the Lower Cuyahoga TMDL, which sets targets for the Lower Cuyahoga for total phosphorus levels. 4. Comparison of published values for pollutant in highway runoff quality with Ohio water quality criteria. 1. Literature Review of Water Quality Impacts of Highway Runoff A comprehensive literature review of the impacts of highway runoff was conducted by the USGS for the U.S. Department of Transportation. 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To provide the quantitative information needed, it is necessary to obtain information using standard methods, and to document study results in a manner that will be useful for a national or regional synthesis." 2. Cuyahoga River Remedial Action Plan Stage 1 Report The Cuyahoga River Remedial Action Plan in its Stage 1 report concluded that relative to the impairment of Eutrophication the Navigation Channel of the Cuyahoga River is 31 of 80

"Probably Impaired" and that the near shore area of Lake Erie is "Impaired." The Lower Cuyahoga is listed as "Probably Impaired" due to a lack of an adequate database on which to base a more definitive conclusion. Additionally, the Stage 1 report concluded that the benthic community is "Possibly Impaired" in the Navigation Channel and "Impaired" in the near shore area of Lake Erie. The "Possibly Impaired" determination reflects that existing studies note problems: however, at that time there were no clear standards applicable to the navigation channel on which to base a more definitive determination. As a part of the procedure of making a determination of impairment for the benthic community, the Stage 1 process prepared separate technical reports on the benthic communities in the Cuyahoga River and in the Cleveland Harbor and near shore areas. The Cleveland Harbor and near shore benthic reports reference several studies conducted during the period 1976 through 1989. 3. Ohio EPA TMDL Report for the Lower Cuyahoga Ohio EPA's September 2003 Total Maximum Daily Load Report found that the lower 7.2 miles of the Cuyahoga River are in non-attainment of water quality standards. Causes of impairment are listed as organic enrichment, habitat alteration, priority pollutant organics, metals, other organics, and oil and grease. The report concluded that "Phosphorus is the limiting nutrient in the Cuyahoga River system." The report sets a TMDL target at 0.12mg/L and calls for a 48% reduction of current phosphorus loading levels for non-point runoff sources. In appendix L the report notes that Cuyahoga River is targeted as a significant contributor to the enrichment conditions of nearshore of Lake Erie. 4. Highway Runoff Pollutant Values Compared to Ohio Water Quality Criteria Ohio EPA sets water quality criteria for designated waters of the state. For example, the agency has established aquatic life uses for the Lower Cuyahoga river and for Lake Erie. Numerical criteria are found in ORC 3745-1-07. One example of criteria are the numeric allowable limits for concentrations of pollutants within the mixing zones created by a direct discharge. These Inside Mixing Zone Maximum (IMZM) criteria were developed to prevent acute lethality to aquatic life, and accordingly they are applicable for any individual sample rather than for an average of samples. The Outside Mixing Zone Maximum (OMZM) criteria are similarly applicable to individual samples. Compliance with the OMZM criteria involves determining the pollutant concentrations of the available dilution water and the amount of mixing which occurs. For the purpose of this analysis, the review was limited to heavy metals commonly found in highway runoff. Exhibit 1 is a table comparing literature values for highway runoff pollutant levels with Ohio EPA established criteria for IMZMs and OMZMs. Criteria are established for both total metal concentrations and dissolved metal concentrations. Comparison of these published values with Ohio EPA criteria suggests that untreated Innerbelt runoff, to the extent that is similar in reported literature pollutant values, may result in violations of water quality criteria if discharged untreated to Lake Erie or the Cuyahoga River. 32 of 80 Exhibit 1 ---referenced in Attachment A to the 3/20/06 "Findings and Recommendations" Report of the Transwac Work Group TOTAL RECOVERABLE METALS CRITERIA Hardness Copper Lead Zinc Cadmium 100 mg/L hardness 100 mg/L hardness 100 mg/L hardness 100 mg/L hardness IMZM OMZM IMZM OMZM IMZM OMZM IMZM OMZM mg/L Micrograms/L Micrograms/L Micrograms/L Micrograms/L Ohio EPA water quality criteria* Total recoverable concentrations 28 14 240 120 240 120 9 4.5 For the parameters noted the Ohio criteria values are the same for the Ship Channel and Lake Erie Sansalone et.al. (Feb. 1997) 5 events Cincinnati Event mean Conc. Min 52 43 x 31 459 x 5 x Max 92 325 x 97 15,244 x 11 x Milwaukee 1970s Three sites Average Total Event Mean Conc. Min 75 x * Note 1 336 x 11 x Max 155 x * Note1 465 x 29 x * Note 1-- High values due to lead in gas (738 to 1457) FHWA-PD-96-032 (June 1996) & FHWA-RD-88-006 (April 1990) Urban highway sites with Average Daily Traffic Values over 30,000 Event Median Concentrations median site 52 54 x 400 x 329 x highest 10% 119 x 1,562 x 564 x Lowest 10% 25 x 102 192 x IMZM --- Inside Mixing Zone Maximum criteria OMZM --- Outside Mixing Zone Maximum criteria * Water quality critiera values are determined by an equation in which hardness is an independent variable. Higher criteria would be higher for elevated hardness values. Lower values of hardness lessen allowable metal concentrations. For example a hardness value of 50 mg/l might decrease allowable values in the above table by a factor in the range of 2. Format Notes "x" denotes potential problem with Outside Mixing Zone Maximum criteria Bolded denotes that values are greater then the IMZM criteria 33 of 80 Exhibit 1 (continued) DISSOLVED METALS CRITERIA Hardness Copper Lead Zinc Cadmium 100 mg/L hardness 100 mg/L hardness 100 mg/L hardness 100 mg/L hardness IMZM OMZM IMZM OMZM IMZM OMZM IMZM OMZM mg/L Micrograms/L Micrograms/L Micrograms/L Micrograms/L Ohio EPA water quality criteria* Dissolved 27 13 190 97 230 120 8.5 4.3 For the parameters noted the criteria values are the same for the Ship Channel and Lake Erie Sansalone et.al. 5 events Cincinnati Dissolved fraction translator (mean from 4 events) 0.524 0.279 0.771 0.662 Event mean Conc. Adjusted** Min 52 23 x 9 354 x 3 Adjusted** Max 92 170 x 27 11753 x 7 x FHWA-PD-96-032 (June 1996) & FHWA-RD-88-006 (April 1990) Urban highway sites with Average Daily Traffic Values over 30,000 Dissolved fraction translator 0.4 0.1 0.4 Adjusted** median site 52 22 x 40 132 x Adjusted** highest 10% 48 x 156 x 226 x Adjusted** Lowest 10% 10 10 77 NOTES IMZM --- Inside Mixing Zone Maximum criteria OMZM --- Outside Mixing Zone Maximum criteria * Water quality critiera values are determined by an equation in which hardness is an independent variable. Higher criteria would be higher for elevated hardness values. Lower values of hardness lessen allowable metal concentrations. For example a hardness value of 50 mg/l might decrease allowable values in the above table by a factor in the range of 2. ** Adjusted values were obtained by multiplying the total metals data by fractional values that the report suggests as representative of souble portion of the total metals concentration. The fractional value is listed in the table as the "dissolved fraction translator". Format Notes "x" denotes potential problem with Outside Mixing Zone Maximum criteria Bolded denotes that values are greater then the IMZM criteria lastumpe 3/20/06 34 of 80 35 of 80 36 of 80 37 of 80 38 of 80 39 of 80 40 of 80 41 of 80 42 of 80 Document list for reports at ftp site established for Transwac Current as of 3/05/07 Item # Report or Item Identifier Document file name Published by Notes 0 Post Construction Storm Water Management Interim Policy—volume 2 revisions 00~Abstracts and Summaries for Innerbelt Work Group ODOT Sept 2003 1 Post Construction Storm Water Management Interim Policy 01~ODOT post construction policy ODOT Sept 2003 2 1/20/06 Update of ODOT Location and Design Manual 02~Location and Design Manual 1.20.06 update ODOT Jan 2, 2006 3 Is Highway Runoff A Serious Problem 03~Is Highway runoff a serious problem From: FHWA web site April 2003 4 Highway Runoff and Water Quality Impacts 04~East-west gateway coordinating on Stormwater East-West Gateway Coordinating Council—I believe this a California Agency August 2000 5 Pollutant Loadings and Impacts from Highway Stormwater Runoff: 05~FHWA-RD-88-006 FHWA April 1990 43 of 80 Volume I: Design Procedure 6 Pollutant Loadings and Impacts from Highway Stormwater Runoff: Volume, III: Analytical Investigation And Research Report 06~FHWA-RD-88-008 FHWA April 1990 7 Chapter 2 of Evaluation and management of highway runoff water quality: 07~National Highway Runoff–Coordination with Environmental Agencies and the Public (an HTML document) Federal

Highway Administration Final Report FHWA-PD-96- 032, 480 p. 1996 Young, G.K., Stein, S., Cole, P., Kammer T., Graziano, Bank F., 8 A Review of Semivolatile and Volatile Organic Compounds in Highway Runoff and Urban Stormwater 08~Review of Semivolatile and Volatile Organic Compounds: OFR98-409 U.S. Geological Survey &U.S. Department of the Interior 1998 9 Assessing Biological Effects from Highway-Runoff Constituents 09~Assessing Biological Effects: OFR99-240 U.S. Geological Survey &U.S. Department of the Interior 1999 44 of 80 Item # Report or Item Identifier Document file name Published by Notes 10 Volume I – Technical Issues for Monitoring Highway Runoff and Urban Stormwater 10~Technical Issues for Monitoring—Volume 1 EP03-054 U.S. Geological Survey & U.S. Department of the Interior 2003 The National Highway Runoff Data and Methodology Synthesis 11 Volume II --National Highway Runoff Water-Quality Data and Methodology Synthesis, -Project Documentation 11~National Highway Runoff—Project Documentation—Volume 2 EP03-055 U.S. Geological Survey The National Highway Runoff Data and Methodology Synthesis 9/30/2001 12 FHWA Stormwater BMP ultra urban 12~FHWA Stormwater BMP ultra urban FHWA FHWA web site 13 2005 guidance on 4 f policy 13~Final 4(f) PP 3-1-05 FHWA Office of Planning, Environment and Realty 2005 14 ODOT Project Development Process PDPcomplete_1104.pdf ODOT Nov. 2004 15 Section 204 of ODOT Project Development Process 15~Section 204 from PDPcomplete_1104 ODOT Nov 2004 16 NPDES Permit No 16~Darby StormWater OEPA Dec 2005 45 of 80 OHC100001: General Permit for Discharges of Storm Water Associated with Construction Activity Located within the Big Darby Creek Watershed Draft FS_December 2005 17 Picture of Darby Creek Watershed 17~Darby StormWater Draft GP Attachment A OEPA Dec 2005 18 Authorization for StormWater Discharges Associated with Construction Activity within DCW under the NPDES 18~Darby StormWater Draft GP OEPA Dec 2005 19 Supplemental Specification: OEPA authorization for Stormwater Discharges associated with construction activity under NPDES 19~Ohio EPA Permit OEPA April 2003 Item # Report or Item Identifier Document file name Published by Notes 20 Selected Material from Stage 1 RAP reports 20~ Selected Material from Stage 1 RAP reports Cuyahoga River Remedial Action Plan Coordinating Committee June 1992 21 First Flush Phenomenon 21~ First Flush Phenomenon California Department of August 2005 46 of 80 Characterization Characterization Transportation, Division of Environmental Analysis 22 Storm Water Monitoring and BMP Development Status Report 22~CALTRANS Storm Water Monitoring and BMP Development Status Report CALTRANS Nov 2004 23 Review of Contaminants and Toxicity Associated with Particles in StormWater Runoff 23~CALTRANS Review of Contaminants and Toxicity CALTRANS August 2003 24 Stormwater Pollution Prevention Plan, Water Pollution Control Program, Construction Site BMPs Guide 24~Project Planning and Design Guide—PPDG— with revisions 7.26.05 CALTRANS Sept 2002, reprint April 2003 25 Guidelines for the Preparation of the Preliminary Environmental Analysis Report 25~PEAR manual CALTRANS Dec 2001 26 Appendix E of the Storm Water Data Report Project Planning and Design Guide 26~ Appendix E of the Revised PPDG CALTRANS May 2005 27 Appendix E of the Storm Water Data Report Project 27~Work in Progress Appendix E of the Revised PPDG CALTRANS May 2005 47 of 80 Planning and Design Guide with comments and deletions marked 28 WSDOT Highway Runoff Manual for 2005 28~WSDOT Highway Runoff Manual— WSDOT 2006 29 Water Use Designations and Statewide Criteria, OAC 3745-1-07 29~OAC 3745-1-07--Water Quality Standards Ohio Administrative Code Dec 2002 Item # Report or Item Identifier Document file name Published by Notes 30 Highway Runoff Water Quality Research 30~Cazenas-FHWAHighway Runoff Presentation FHWA Dec 2003 31 NCHRP Report 521: Identification of Research Needs Related to Highway Runoff Management 31~NCHRP 521— Identification of Research Needs Transportation Research Board of the National Academies 2004 32 NCHRP Report 474: Assessing the Impacts of Bridge Deck Runoff Contaminants in Receiving Waters: Volume 2— Practitioner's Handbook 32~NCHRP 474 —impacts of Bridge Deck Runoff— Practitioner's Handbook Transportation Research Board of the National Academies 2002 33 Selections from "Continuous 33~ Continuous Deflective Separation WEF 1997 48 of 80 Deflective Separation: Its Mechanism and Applications" 34 Presentation of The Nature and Control of Urban Storm Water— A Physical-Chemical Perspective 34~Sansalone-- The Nature and Control of Urban Storm Water Sansalone, from the Civil and Environmental Engineering Department at Louisiana State University Nov 2001 35 Sansalone and Teng— In Situ Partial Exfiltration of Rainfall Runoff. 1: Quality and Quantity Attenuation 35~Sansalone and Teng— In Situ Partial Exfiltration of Rainfall Runoff Journal of Environmental Engineering Sept 2004 36 Design of Road Culverts for Fish Passage, 2003 update 36~WSDOT Design of Road Culverts for Fish Passage Washington Department of Fish and Wildlife 2003 37 Upcoming revisions to the 3/2004 WSDOT Highway Runoff Manual for 2005, Appendix 3A 37~WSDOT HRM—2005 Pending Draft Appendix 3A WSDOT March 2005 Item # Report or Item Identifier Document file name Published by Notes 40 Upcoming revisions to the 3/2004 WSDOT Highway Runoff Manual for 2005, Chapter 3 40~WSDOT HRM—2005 Pending Draft Ch. 3 Stormwater Planning and Design WSDOT March 2005 49 of 80 41 WSDOT Hydraulic Manual 41~ WSDOT Hydraulic Manual WSDOT March 2005 42 Statement on Cleveland Innerbelt Strom Water Issues 42~ODOT Statement of Storm Water ODOT April 2006 43 NOACA's Transwac Committee Findings and Recommendations report 43~Transwac WG Findings and Recommendations NOACA Transwac Work Group; Approved by the NOACA Transportation Advisory Committee May 19, 2006 March 20,2006 44 ODOT response to Transwac Findings and Recommendations report 44~ODOT response to Transwac Findings and Recommendations Report ODOT January 12, 2007 45 Level 1 Ecological Survey Report Cleveland Innerbelt Project 45~ESR Final ODOT Feb 16,2007 50 of 80 51 of 80 Comments for: LEVEL I ECOLOGICAL SURVEY REPORT CLEVELAND INNERBELT PROJECT 1) Applicability of Ohio's General Construction Permit to selection of storm water treatment methods Ohio's General Construction permit was not designed for, and can not be expected to provide adequate guidance for long-range planning processes involving protection of water quality. For example, by permit terms Storm Water Pollution Prevention Plans (SWP3s) identifying selected BMPs do not need to be developed for potential review by Ohio EPA until 21 days prior to commencing construction. Clearly these kinds of conditions are not appropriate to provide guidance for current engineering work for a project that may cost as much as a billion dollars, will not be completed for more then 15 years, and sets drainage patterns that may affect lakefront water quality for decades. The General Construction permit does contain provisions to allow Ohio EPA to issue an individual permit. Specifically, Part 4A contains the following provision: "If there is evidence indicating potential or realized impacts on water quality due to any storm water discharge associated with construction activity covered by this permit, the permittee of such discharge may be required to obtain coverage under an individual permit or an alternative general permit in accordance with Part I.C of this permit or the permit may be modified to include different limitations and/or requirements." Ohio EPA should be engaged to discuss whether an individual permit would be appropriate for the Cleveland Innerbelt project and if so to explore potential options for the

permit's timing and substantive requirements. 2) Applicability of the Section 4(f) The Innerbelt project should trigger a review of impacts regulated by the Section 4(f) process. Two cases should be considered. A) The first case is the possibility that water pollution from the proposed direct discharge to Lake Erie could affect the water quality of the East 55th Street Marina, an element of the Cleveland Lakefront State Park. This may potentially constitute a constructive use of 4(f) property. B) The second case is based upon the potential cumulative impact of failing to provide for aggressive storm water treatment when properties draining to the Lakefront are redeveloped or reconstructed. A "large portion" of the natural drainage that would affect lakefront water quality is intercepted by combined sewers and treated at regional facilities. However, something in the range of 2000 acres of Cleveland Lakefront properties, including significant acreage of roadway surface, is believed to directly discharge to Lake Erie. Failure to provide for aggressive storm water treatment, when these properties are re-developed or reconstructed, is likely to have a cumulative negative impact on the anticipated public uses of the Cleveland Lake Front Planning 52 of 80 District. By virtue of the public's ownership of these lands and their current projected use in the time frame of the Innerbelt project, Cleveland Lakefront property in public ownership should be evaluated as 4(f) properties. In evaluating the substantive nature of the impact of storm water discharges, attention should be given to the hours of potential water quality impairment caused by repeated storm discharges of varying magnitude. 3) Consideration of Coastal Zone management requirements In considering appropriate pollution controls for Innerbelt storm water consideration should be given to the Ohio Coastal Nonpoint Pollution Control Program Plan. 4) The following comments are referenced to specific sections of the Level I Ecological Survey Report – Cleveland Innerbelt Project. Place Section Excerpt Draft Transwac Comments Hardcopy Page iv, 1st comment (Executive Summary Section, paragraph 2) EXECUTIVE SUMMARY "Field surveys of the study area were conducted in June, July and August of 2005. Aquatic, terrestrial, and wetland resources, as well as endangered species were investigated. The Cuyahoga River is the only aquatic resource in the study area. No direct operational or construction impacts on aquatic resources are expected." At the very minimum: 1) Reconstruction of the Innerbelt facility will renew the pollution source of highway runoff for the life of the project. 2) Direct discharges of stormwater during construction of the roadway and new bridges could have a water quality impact on both Lake Erie and the Cuyahoga. 3) Without changes in drainage patterns stormwater runoff from the Innerbelt facility will have an ongoing operational impact on the Cuyahoga River and Lake Erie. Hardcopy Page iv, 2nd comment (Executive Summary Section, paragraph 4) EXECUTIVE SUMMARY "A wetland delineation investigation was conducted within study area boundaries. No wetlands or other waters of the U.S. (other than the Cuyahoga River) were identified within study area boundaries. Therefore, no impacts to wetlands or other waters of the U.S. are expected." Figure A on page 4 clearly shows that the study area boundary includes Lake Erie. Even the mapped corridor touches Lake Erie. Clearly, the impacts to Lake Erie should be considered so that, to the best of our knowledge, the plan is to maintain some form of the existing Lake Erie discharge. Executive Summary EXECUTIVE SUMMARY The report does not consider the potential impacts of a stormwater discharge on the Cleveland Lake Front State park. To the extent that this represents a constructive use, the Sec (4)(f) policy would apply and would require certain study efforts be undertaken. 53 of 80 Hardcopy Page 3 (Section I, Subsection A, part 2) Continued from previous page 2. Purpose and Need "The Purpose and Need statement for the Cleveland Innerbelt Project was completed in April 2003. The Purpose and Need Statement identified four categories in which transportation improvements are necessary and will become critical as traffic and congestion continues to increase. These four categories are: (1) physical condition (Section 3.1-B & N Report), (2) safety (Section 3.2-Step 5 Report), (3) operational performance (Section 3.3-B & N Report), (4) access (Section 3.4-B & N Report). The categories are discussed below. Additional detail regarding the Purpose and Need for the Project may be found at: www.innerbelt.org/Innerbelt/Docutments/P urpose%20and%20Need.pdf." The Purpose and Need Statement is supplemented by materials at the referenced website. Supplemental materials identify the goal of enhancing and protecting the natural environment. If there is a need to assure a complete consideration of alternatives for the treatment of stormwater in the draft EIS enhanced treatment of Innerbelt stormwater, runoff should be added to the purpose and need statement. Hardcopy Page 8 (Section I, Subsection A, part 3) Study Area Description and Description of Alternatives 1) Descriptions of alternatives should include descriptions of alternatives for stormwater treatment. In particular, the report should consider the potential rightof- way that might be useful for stormwater management. Transwac has previously suggested that some stormwater management might be accomplished at the northern-most end of the project. There may also be an opportunity to accomplish some pollution reduction in the right of way which will be used as a part of flattening the curve where the Innerbelt transitions to Lake Shore Blvd and I-90. 2) Previous correspondence with the Transwac Work Group suggests that at least a tentative decision has been made to separate stormwater. If this is the case, the logic for this should be presented and discussed somewhere in the report. 3) The report should consider the ability to obtain or use current right of way to install ultra-urban BMPs which have been identified by USEPA. Newer emerging technologies for treatment of stormwater should be considered. 54 of 80 4) Alternatives for treatment of bridge runoff from both the proposed new bridge and the reconstructed bridge should be discussed. Hardcopy Page 15 (Section I, Subsection B) B. STUDY OBJECTIVES "This Ecological Survey Report documents the findings of a detailed field investigation to characterize the study area's aquatic, terrestrial and wetland resources and endangered species, and to determine the project's impact on these resources. Specific study objectives were to: (□) Identify and evaluate the significance of aquatic, terrestrial and wetland resources and endangered species which may be directly or indirectly affected by the proposed Cleveland Innerbelt Project; (□) Comply with state and federal requirements and policies ensuring that wetland resources and endangered species are taken into account as part of the overall project development and decision process; (□) Evaluate any river, stream and/or wetland identified within the study area by utilizing the most current versions of the Qualitative Habitat Evaluation Index (QHEI) and the Headwater Habitat Evaluation Index (HHEI) and the Ohio Rapid Assessment Method (ORAM). Objectives should include 1) Evaluation of impacts on Lake Erie water quality should be added as an objective. 2) Evaluations of stormwater runoff impacts on uses planned for the Cleveland Lakefront. Hardcopy Page 16 (Section II, Subsection A) METHODS A. AQUATIC RESOURCES "The ODOT Ecological Manual (ODOT, 2005) sets requirements for data collection in aquatic systems. For streams where the drainage area upstream of the project location is greater than 200 mi2, full aquatic biological sampling is not required; a QHEI may be performed is possible (Rankin, 1989). Water quality and biological data for projects containing large streams may be extracted from published sources. The Cuyahoga River has a drainage area greater than 200 mi2 upstream of the project area, thus full sampling is not required for this project." 1) Any potential contributions to the impairments as identified by the Lake Erie LaMP should be considered. 2) Any potential contributions to the impairments as

identified by the Cuyahoga River Remedial Action plan should be considered. The RAP "Area of Concern" includes the Cuyahoga River and the nearshore areas of Lake Erie. 3) Methods should include evaluation of any impact on the goals and protection requirements established for the near shore areas of Lake Erie as an element of the Ohio Coastal Management Program. 4) An estimated range of pollutant concentrations should be developed based upon projected traffic density prior to the 55 of 80 Continued from previous page application of any BMPs to determine worst case discharge concentrations. These concentrations should be compared to Ohio Water Quality Standards to determine if there is a potential for the Innerbelt runoff to cause or contribute to a violation of water quality standards. Hardcopy Page 17 (Section III, Subsection B, paragraph 2) B. TOPOGRAPHY AND DRAINAGE "The Cleveland Innerbelt Project lies within the Lake Erie Coastal Zone Management Area. The Ohio Coastal Management Program (OCMP) oversees the management, use, conservation and development of the coastal area within the State of Ohio. Therefore, ODOT will need to contact the Ohio Department of Natural Resources, Office of Coastal Management prior to commencement of the Cleveland Innerbelt Project construction." The Office of Coastal Management should be involved in review of the subject document and in early discussions regarding EIS review of alternatives for stormwater management. Hardcopy Page 20 (Section IV, Subsection A, paragraph 1, sentences 1—3) A. AQUATIC ECOLOGY 1. Existing Literature Description of the River "The Cuyahoga River is the sole aquatic feature mapped in the study area. The Cuyahoga watershed drains 813 mi2. From its headwaters in northern Geauga County, the Cuyahoga flows generally south to the Kent and Akron area." Figure A shows that Lake Erie is a mapped feature of the study area. Chapter 4 should be revised to include a section dealing with the nearshore areas of Lake Erie. Hardcopy Page 21 (Section IV, Subsection A, paragraph 4) Summary of Recent Water Quality Studies In summarizing, water quality studies the report should consider the Stage 1 report of the Cuyahoga RAP. Water quality data and reports by the Northeast Ohio Regional Sewer District should also be consulted. Hardcopy Page 22 (Section IV, Subsection A, paragraph 10) Summary of Recent Water Quality Studies "Aquatic plants require a host of nutrients for proper growth. Perhaps the two most important are nitrogen and phosphorus. Excessive concentrations of nitrogen and phosphorus are found in the lower Cuyahoga. It is important to note that aquatic plants require a fairly specific ration of nitrogen to phosphorus for normal growth, generally around 7:1. Because 1) The TMDL for the Lower Cuyahoga also establishes limits for indicator bacteria. Highway runoff can, in some cases, be a significant source of bacterial contaminates. 2) As a discharge direct to Lake Erie is being considered, Nitrogen may be a significant nutrient in evaluating runoff impacts 56 of 80 both nutrients are essential, growth is generally limited by the nutrients present at the lowest concentration that is present at the shortest supply. In aquatic systems where the N:P ratio is greater than 10:1, phosphorus is the limiting nutrient. The average N:P ratio in the lower Cuyahoga was 19.5:1 in 2000, indicating phosphorus is the limiting nutrient in this system. The import for pollution management is that reductions in nitrogen would not likely result in changes in the biological indicators of eutrophication until phosphorus is first reduced. The TMDL for the lower Cuyahoga focuses on phosphorus reduction." Hardcopy Page 23 (Section IV, Subsection A, paragraph 17) Continued from previous page Aquatic Summary "The TMDL for the lower Cuyahoga lists several causes of impairment that could conceivably be related to highway runoff. These include metals, other inorganic materials and oil and grease. However, it is doubtful that the interstate system in and near the study area makes substantial contributions to loads of these materials that reach the Cuyahoga. Cleveland occupies approximately 25,666 acres, with approximately 19,737 acres in the high density urban area. Estimates indicate approximately 87% of the city consists of impervious cover, roughly 17,000 acres. Total existing paved area within the entire Innerbelt project area is 96 acres, or approximately 0.5% of the total impervious surface within the urban core of Cleveland. The Innerbelt is surrounded by a massive amount of impervious surface within the urban core of Cleveland. Given the urban, paved nature of the center of Cleveland, and the small contribution the Innerbelt project makes to this total, it is unlikely that the Innerbelt alone makes a substantial contribution to the total pollutant load in the Cuyahoga." 1) Following control of the combined sewer load which is scheduled in the same time frame as construction of portions of the Innerbelt, urban runoff will constitute a significant portion of the load discharged directly to Lake Erie. The impact of urban runoff occurs as a result of the cumulative impact of many discharges which may not by themselves be significant. This requires that all sources be considered for stormwater management. 2) The Ecological survey should estimate both the concentration and the pollutant load represented by current Innerbelt runoff. This information should be compared with water resource impairments. 57 of 80 Hardcopy Page 30, 1st comment (Section V, Subsection A, paragraph 4, sentences 1, 2,& 3) V. IMPACTS ASSESSMENT A. AQUATIC RESOURCES "It is important to note that the primary causes of impairment in the lower Cuyahoga River watershed are organic enrichment, nutrient enrichment, low instream dissolved oxygen, toxicity, sedimentation, and habitat degradation. Nutrient enrichment and organic enrichment are closely tied to each other in the Total Maximum Daily Load (TMDL) river segment. Due to the large number of Combined Sewer Overflows (CSOs) and sewage treatment plants in the TMDL subwatershed area, both appear as sources of non-attainment." The TMDL report finds that pollutants from all named sources including urban runoff contribute to non-attainment. The fact that the TMDL establishes targeted reductions sewage treatment plants and CSOs should be noted. Specifically, the NEORSD Long Term Control Plan is recommended for the control of CSOs. WWTR plant discharges are target for specific phosphorus reductions. A general target is also established for other nonpoint sources, which would include urban and highway runoff. Hardcopy Page 30, 3rd comment (Section V, Subsection A, paragraph 4, sentence 4) V. IMPACTS ASSESSMENT A. AQUATIC RESOURCES "The remaining nutrients, at this time, are believed to be associated with phosphorus." The thought intended to be conveyed by this sentence needs to be expanded/clarified. Hardcopy Page 30, 4th comment (Section V, Subsection A, paragraph 5, sentences 1 and 2) V. IMPACTS ASSESSMENT A. AQUATIC RESOURCES "Urban runoff is identified in the final TMDL report for the lower Cuyahoga River as a source of water quality impairment in the watershed. The report identifies specific pollutants of concern in storm water discharges for MS4s involving phosphorus and fecal coliform." The specific reduction target for phosphorus should be noted Hardcopy Page 30, 5th comment (Section V, Subsection A, paragraph 6, sentences 3) V. IMPACTS ASSESSMENT A. AQUATIC RESOURCES "While highway runoff is assumed to be part of the urban runoff/storm sewers category, the report does not name transportation facilities as a "significant contributor" to the problems from a TMDL perspective." Clarity is sacrificed in an attempt to use wording to verbally minimize the contribution of highway runoff. The matter is actually quite straight forward. Highway runoff is a component of urban runoff and urban runoff is identified as a significant contributor to problems. 58 of 80 Hardcopy Page 30, 6th comment (Section V, Subsection A, paragraph 6, sentences 5) V. IMPACTS ASSESSMENT A. AQUATIC RESOURCES "Along Cleveland Harbor front, discharges from existing CSOs, storm sewers,

dredging, and lack of habitat are primary sources of pollutants of concerns and causes of impairment." The "Cleveland Harbor front" should be defined as it is used in this paragraph. The source of this conclusion should be identified and the strength of the conclusion should be discussed. It should be noted that highway runoff is a component of wet weather discharges to the Cleveland Harbor front. Hardcopy Page 30, 7th comment (Section V, Subsection A, paragraph 7) V. IMPACTS ASSESSMENT A. AQUATIC RESOURCES "Given the extended time frame envisioned to complete all of the construction in this corridor, it is anticipated that many, if not all, of the Innerbelt construction contract groups will be constructed under a future NPDES Construction General Permit. ODOT will continue to work with the Ohio EPA to ensure that the BMPs selected for the linear transportation environment are appropriate, effective and maintainable." According to the Ohio General Construction permit BMP's are to be selected to assure maintenance of Ohio's water quality standards. Hardcopy Page 30, 8th comment (Section V, Subsection A, paragraph 8, sentence 1) V. IMPACTS ASSESSMENT A. AQUATIC RESOURCES "In addition, ODOT is preparing a Separation Feasibility Study, as a means of assessing both the water quantity and water quality issues related to ODOT runoff currently being collected and conveyed by the North East Ohio Regional Sewer District combined system in the Central Interchange and Innerbelt Curve portions of the project." This discussion should be expanded with more details of the scope of this study and the expected date of completion for this work. What water quality issues will be discussed that are not covered in the subject Level 1 Survey? Will the Separation Feasibility Study be sent to collaborating agencies for review as a part of the draft EIS process? Hardcopy Page 30, 9th comment (Section V, Subsection A, paragraph 8, sentence 2) V. IMPACTS ASSESSMENT A. AQUATIC RESOURCES "ODOT will also apply the current policy to address storm water runoff associated with the Central Viaduct Bridge portion of the project." What "policy" is being referred to in this sentence? The applicability of the "policy" to particular circumstances should be discussed. In previous discussions and correspondence with the Transwac Subcommittee reference has been made to a policy that derives from the Ohio General Construction Permit. It would appear that the policy would not be controlling if application of the policy results in a violation of water quality standards. Further in this case the application of any "policy" would only be appropriate after a showing thru the EIS process that the policies application will 59 of 80 appropriately consider the publics interest in environmental protection as required by NEPA. 60 of 80 61 of 80 62 of 80 63 of 80 64 of 80 65 of 80 COMMENTS FOR CLEVELAND INNERBELT CORRIDOR STORM WATER BEST MANAGEMENT PRACTICE REPORT 8/17/07 INTRODUCTION The subject report as a tool to consider BMPs may does not appear to be fulfilling a particular policy or regulatory requirement. Accordingly, the report could be viewed as a preliminary engineering report which provides background information as a precursor to a design effort. In this situation, there is wide latitude in defining the level of detail which is appropriate. The subject report typically limits itself to providing guidance in the selection and design of appropriate storm water management practices. It should be acknowledged that the report does a good job in pulling together a substantial amount of information which is relevant to the design and selection process. The following comments are prepared in the context of the belief that specific environmental and water quality concerns should be addressed at a reasonably early juncture in the planning process, certainly prior to the publication of a draft Environmental Impact Statement for the project. Unfortunately the subject report, at least at this draft stage, misses an opportunity to go deeper then a cursory look at water quality issues. Had it done so, its guidance to designers in the selection of BMPs may have been significantly different. In addition it may have pointed up the need to consider issues such as planning for right-of-way for storm water management prior to the design phase. The public record for the project has previously made the case that ODOT should take into account specific concerns related to the receiving water bodies and the unique opportunities to provide a storm water management approach that will have flexibility to care for these important resources for the long term. To generate effective solutions that will meet these goals ODOT is encouraged to engage in a level of analysis that goes well beyond the requirement of the applicable current general storm water permit or the standard practices as defined in its own current Location and Drainage manual. OVERVIEW COMMENTS 1. The stated purpose of the subject document is to present proposed BMP practices. The purpose statement presupposes that following the application of appropriate BMPs, storm water discharges will not cause or contribute to the violation of water quality standards. In reality, where there is an expectation that water quality standards would be compromised, additional measures beyond BMPs are required to comply with Ohio Water Quality Standards. The public record for this project has raised the issue of DRAFT 66 of 80 potential violations of water quality standards related to heavy metals in both dissolved and solid forms. The public record has also cited scientific literature, which raises the potential that the combined characteristic of high-traffic count highway runoff may have general harmful effects on receiving water quality. Further ODOT's letter to NEORSD of May 29th, 2007, provided in Appendix W of the report, notes the intent to install BMPs to address water quality requirements. Despite documented water quality concerns and ODOT's pledge this report has given very little consideration to specific issues of water quality in selection of BMPs. It should be noted that the report does is several places acknowledge the existence of a Total Maximum Daily Load report (TMDL) for the lower Cuyahoga. However, even for this issue the report fails to identify specific goals which would appear to be applicable to the project. Lacking specific goals for pollutants of concern, the report does not factor into its BMP recommendations the specific pollutant removal capabilities of BMP options. 2. NEORSD acknowledges that there may be areas where removal of drainage from the combined sewer system might represent the highest value option depending on a number of case specific factors. For example, separating out highway storm water may be the most cost-effective solution to reducing combined sewer overflows in some instances. During the preparation of its Long Term Control Plan, NEORSD did not have the benefit of understanding what changes to the highway system were anticipated or possible. The potential to use storm water to create environmental features such as a constructed wetland might be also present an important opportunity which weights in favor of separation of storm water from the combined sewer system. The assessment of environmental benefits, however, requires the consideration of a number of factors. The report's approach of claiming environmental benefit simply by virtue of reduction of hydraulic load to a combined sewer system is overly simplistic as a standard for guiding selection of BMPs. In some cases storm water separation may be a wise choice, because in specific instances it might represent the most cost effective way to reduce the pollutant load on the environment. In other cases the Long Term Control Plan proposed by NEORSD may be the most effective approach to reducing the pollutant load seen by the environment both for separate storm sewered areas currently going to the system and also for separate storm sewered areas not presently discharging to NEORSD. Attachment A was prepared to help illustrate some of the key variables that would affect an assessment of which option results in the smallest pollution load to the environment. The standard for comparison is discharge to NEORSD's proposed system as

specified in its Long Term Control Plan. (i.e., Limiting CSOs to 4 discharges per year.) It is assumed that additional capacity would be added to the collection and storage system for any new storm water sources to meet the same level of capture efficiency. As shown by these example calculations, key variables include the capture efficiency of the combined sewer system, the capture efficiency of the alternate system which would provide treatment of separate storm water, the relative difference in pollution loads represented by combined sewage and storm water runoff and the respective treatment efficiencies of NEORSD's central treatment facilities and the storm water treatment that would be provided for Innerbelt runoff. The calculations show that that the outcome is somewhat specific to the pollutant being considered. Still, important generalizations can be discovered in these simple calculations. Particularly, these calculations suggest that for metals and a number DRAFT 67 of 80 of typical conventional pollutants the separate storm water treatment efficiencies would have to be quite high (for example in the range of 65 to 70% range) to result in an equivalently low pollution burden to the environment even if the new separate storm water treatment system is credited for 100% capture of all wet weather flows. Such high levels of removal are not typical for many storm water BMP practices. Some value in favor of separate treatment might be claimed where there is a lag between treatment of storm water that would be provided by new Innerbelt treatment facilities and construction of particular elements of NEORSD's proposed system. But even in this case calculation should be done as the high removal efficiency of NEORSD's treatment facilities may outweigh the treatment efficiency of a selected BMP enough to compensate for the combined sewer overflow that would result by adding storm water flow to the existing collection system. Further, in some cases it would appear that options exist to design highway drainage facilities to regulate or transfer some or all of the flow from separate sewer systems only after construction of new NEORSD storage facilities are complete if they lag ODOT project construction.. 3. Both ODOT and NEORSD have been encouraged by the TRANSWAC work group of the NOACA Transportation Advisory Committee to cooperate in analysis of the option of using NEORSD's collection system and centralized treatment system as a storm water management tool for area's not currently connected to the system. (This could include full or first flush capture.) Early in this process ODOT identified its need to be able to project future charges for water management for discharges to NEORSD's centralized collection system. NEORSD noted that it does not presently have a storm water charge structure and in fact has yet to make basic decision would greatly affect any future rate structure. This past summer, NEORSD provided a letter to ODOT suggesting an approach that might assist ODOT in estimating the cost-effectiveness of storm water management via discharge to central treatment facilities. Particularly, NEORSD suggested that the matter be approached by conducting a "present value" analysis for various treatment options without consideration for which pubic agency would be paying for the cost of treatment. The logic is that collectively our respective agencies should be concerned with the overall lowest cost for the public independent of how public revenues are collected. To further this suggested approach NEORSD provided both specific cost data and approaches for obtaining other cost data which could be used in a "present value" analysis. Unfortunately it appears that ODOT has chosen not to consider the cost effectiveness of treatment via discharge to centralized facilities where separate storm water is not already being handled in this manner. While we acknowledge that centralized treatment may be more costly then other storm water management options, both costs and the benefits of the reduction of pollutants provided by centralized treatment of storm water should be considered for specific cases. 4. The report could be improved by adding a planning level estimate of potential increases in drainage area for each of the drainage segments identified in the report. 5. The report could give more attention to the matter of phosphorus reduction where there is an anticipation of separation and discharge to the Cuyahoga River. The Cuyahoga DRAFT 68 of 80 TMDL sets targets for phosphorus reductions for non-point and storm water discharges. Accordingly it would be appropriate for ODOT to consider at this planning stage how treatment of highway run off can help to achieve TMDL goals. There is a presumption in the TMDL report that current and future storm water regulations will result in appropriate phosphorous loading reductions. At the current planning stage this would logically involve development of a planning level estimate of current and projected phosphorus loads along with an analysis of storm water management treatment options that are capable of achieving the goals of phosphorous reduction. 6. The report does not clearly summarize those areas where options to make changes in current drainage patterns will potentially impact local sewers. The report could also do a better job of identifying the issues that changes in drainage patterns might present for the City of Cleveland. Identifying these issues now would be valuable to the City's current asset management efforts. For example, ODOT actions to separate certain pipes from the combined sewer system would likely result in storm water quality management requirements for areas of Cleveland. It could also raise the issue of whether adjacent drainage areas should also be converted from combined to separate sewers. An ODOT plan to construct new (perhaps larger outlet pipes) offers an opportunity for the City to consider complementary changes in its upstream system. Perhaps there is a need for additional capacity to solve upstream flooding problems. Conversely, there may be areas where the best overall solution for storm water management involves joint efforts between ODOT and Cleveland to direct separate storm water or at least the first flush of storm water to the central combined sewer system. 7. Potential solutions to direct storm water to the Cuyahoga River may present special challenges and opportunities. An early consideration of these challenges and opportunities is appropriate as various entities are actively seeking to improve the water quality and surrounding environment of the Cuyahoga. The report identifies land below the proposed new Central Viaduct Bridge for the joint purposes of construction access and subsequent storm water management. Bio-retention cells were mentioned as potential appropriate innovative technologies for this location. It appears that wetland treatment was ruled out as not practical "upfront" due to lack of space and cost. The potential value of bio-retention areas and wetland treatment for several other project drainage areas should be reconsidered. First, the need to achieve water quality goals may require these more aggressive forms of storm water management. Second there may be appropriate space that should be considered for these technologies. For example the "Tregate" district of the Cuyahoga Valley Initiative is within a reasonable distances of potential storm water discharges from proposed improvements for the central interchange and all three I-77 improvement drainage catchments. Further, the Cuyahoga Valley initiative has specifically targeted the Tregate district as an appropriate place for naturalfeature storm water treatment. It is recommended that ODOT enter into early discussions with environmental planning water resource management agencies to explore possibilities for projects which would assist in meeting storm water management goals and help to create desirable environmental features. DRAFT 69 of 80 9. The report widely recommends exfiltration trenches as stand alone BMP storm water treatment technology. Exfiltration trenches appear to be a new or experimental technology. Given the report's recommendations heavy reliance on this technology the report should discuss the mechanisms and expected effectiveness of this technology in removal of pollutants which are expected to

occur in highway runoff. 10. The subject report does not discuss non-structural approaches to minimize the pollutant load form the project. It would seem that non-structural approaches, such as advanced sweeping and deicing measures, should be considered along side structural approaches as a complementary management measures. The provision of non-structural might appropriately influence the selection of structural BMPs. EXECUTIVE SUMMARY COMMENTS Page E-2 In Table ES-1, under "Potential Best Management Practices Identified" Comment: The study fails to adequately consider connection of current separate sewer areas to the combined sewer. The alternative of capture of the first flush of separate storm run off should also be considered Page E-3 Comment: The study seems to have focused on the narrow objective of reducing hydraulic stresses to minimize overflows. NEORSD has developed an independent plan with this same objective. ODOT should be concerned with the large perspective of choosing an appropriate level of treatment which result in appropriate treatment of pollutant loads from it facility. SECTION 1 COMMENTS Page 1 First paragraph, first sentence: The objective of the report is to ….present proposed project Stormwater Best Management Practice (BMP) Comment: A major theme of these comments and of previous work by the TRANSWAC work group has been to encourage consideration of appropriate storm water management to address water quality of concerns. In doing so ODOT may have to look beyond what it considers Best Management practices. While the focus of the general permit covering ODOT's discharges is on Best Management Practices, sections of the permit also clearly establish that the NPDES permit is not the final authority where water quality is at issue. Additionally, ODOT should consider the larger context of this project. Treatment of stormwater should be selected in consideration of the opportunities to provide protection to the lakefront and the Cuyahoga. Consideration should also be given to the creation of environmental features which would add value to the community. SECTION 3.1 COMMENTS DRAFT 70 of 80 Page 15 Decisions Box: Bullet 1: Comment: The report suggests that NEORSD's Long Term Control Plan (LTCP) contains no system capacity information. In fact extensive sewer system modeling was done as a part of development of the LTCP with the purpose of developing system capacity information and identifying new system elements. Is this a matter of attribution of different meanings to the term "system capacity"? Page 15 Bullet 3: Comment: As noted in our general comments and elsewhere it is inappropriate for ODOT to solely focus on improvements to the "combined sewer system" or "reduction of combined sewer overflows". These are also objectives of a planned major improvement embodied in the LTCP. NEORSD appreciates ODOT's cooperation in identifying costeffective ways to accomplish these objectives. However, ODOT is also encouraged to focus on the cumulative impact of its project and the contribution the project make to addressing water quality issues. Page 15 Bullet 3 in the Decision box: Comment: The report notes the close cooperation that will be needed between ODOT and NEORSD during the design phase. Particularly, it it noted that ODOT should plan to work closely with the District staff including the CSO program management team to ascertain proposed benefits and impacts of ODOT action or proposed alternatives. Page 17 Fourth bullet, the third sub-bullet suggests that OEPA regulatory criteria were considered as part of the strategy of developing BMP recommendations: Comment: The report does not address the potential role of water quality standards and provides only a cursory analysis of the contributions that the project will make towards TMDL reduction goals. Comment: The selection of BMPs should be influenced by the ability of the BMP to address pollutants which are of concern for the particular receiving water body. Page 17 Third paragraph: Comment: Additional discussion of the relations between the various flow charts should be provided either here or in Appendix K for improved clarity. Page 18 First paragraph, second sentence notes suggest that in agreement with Ohio EPA BMP selection no longer requires that a feasibility study be performed in support of the BMP selection. A letter from Ohio EPA in Appendix E is referenced. DRAFT 71 of 80 Comment: The referenced letter does not address whether or not feasibility is appropriate in support of BMP selection. Regardless of ODOT's standard policy, it would appear that the complexity of the Innerbelt project, the value of the resource being protected, the existence of TMDL goals, the potential for the project to result in violations of water quality standards, the heavy reliance on the new or experimental technology of exfiltration trenches, and the opportunity to create environmental features all suggest the appropriateness of a feasibility study in the selection of BMPs. SECTION 3.2 COMMENTS Page 21 Figure 6 – Final Project Approach for BMP Selection: Comment: The approach as shown in the table does not take into account the role of Water Quality Standards. Neither does the approach consider the net impact of removal of drainage from the combined sewer system or the potential timing of removal. The desired level of service for municipal separate storm sewer systems does not appear to have been considered. Page 22 First paragraph/bullet on page, third sentence: Comment: The lack of discussion regarding the role of water quality standards is noticeably absent. The goals set by the TMDL for phosphorous reduction are not discussed here or elsewhere in the report. Page 22 Third bullet second sentence: identified to have value to be separated from combined sewer systems. Comment: As previously state the report does not support its statements of "value" with environmental burden estimates or a cost-effectiveness analysis for alternatives. Page 22 Fourth bullet: Comment: The text here references Section 4.4 as providing some detail on the requirements of the Cuyahoga TMDL. Section 4.4 does not provide applicable details. In particular, there is no discussion of the reduction goals applicable to storm water discharges. SECTION 4.1 COMMENTS Page 24 First paragraph, first sentence: Comment: Replace typo "R" in "BMPR" with "s". Comment: Ohio Water Quality Standards should be noted as a potential driver in BMP selection. DRAFT 72 of 80 SECTION 4.4 COMMENTS Page 27 Fifth paragraph: Non-regulatory heading Comment: "Non-regulatory" may not be the most appropriate descriptor for TMDL goals. The goals for phosphorus reduction in the TMDL are part of Ohio's State Water Quality Management Plan. Further, there is a presumption that current regulatory programs, for example storm water permitting will result in the achievement of TMDL goals. At the same time there is an expectation that dischargers and regulating authorities will be evaluating actions to achieve TMDL goals at various decision mileposts. SECTION 5.1 COMMENTS Page 29 First paragraph regarding the cost of NEORSD' s Long Term Control Plan.(LTCP) Comment: The most recent cost estimate for implementation of the LTCP is $2.3 billion as opposed to the 1.6 billion noted in the report. Also note that the LTCP calls only few separation projects. Sewer separation needs to be carefully assessed to assure that it results in positive environmental benefits. SECTION 5.2 COMMENTS Page 30 Second paragraph: Comment: In describing the evaluation process and discussing NEORSD system capacity the report does not make a distinction between the current system and NEORSD' s proposed Long Term Control Plan. Acknowledgement that implementation of the LTCP will dramatically increase system capacity would be appropriate. Comment: This paragraph may be the only point at which the report acknowledges that separation of storm water from current centralized treatment system needs to consider water quality concerns at the new outfalls. However, the report does no further investigations along these lines. Further, the report does not investigate the potential that discharge points not now connected to the central system may now

or under the expanded project carry pollutions loads which would raise water quality concerns. The report does not consider connection of drainage areas that are now separate where water quality concerns may be at issue. Page 31 Fifth bullet "step 7": Comment: Again ODOT seeks to attribute value simply to the reduction of hydraulic loading and presumed resulting decrease in CSO volume without consideration of the impact of its decision on the annual loading DRAFT 73 of 80 as seen by the receiving water body or other factors of environmental benefit. SECTION 5.3 COMMENTS Page 37 Subsection 5.3.2, first paragraph has The CSO control strategy recommends separating ….. Comment: Suggest clarification by noting that it is NEORSD's Long Term Control Plan that is the basis for the recommendation. Page 37 The CSO 235 Information box suggest their in no LTCP for control of CSO 235 Comment: The District's March 25th 2005 LTCP call for construction of the Canal Avenue in-line storage system, a Stone Levee storage tank, and upgrades to the Stone Levee pump station and regulator E-24 to provide appropriate controls. Page 39 Subsection 5.3.3, Third sub-bullet suggests that one option would be to provide a storm only pipe with in the project right-or-way. "NEORSD would need to determine how to convey flows to the shoreline Tunnel." Comment: NEORSD records indicate that the District currently owns an existing conveyance sewer within the right-of-way for the wet weather discharge of regulator E-09. Perhaps the comment is meant to suggest that NEORSD might choose to route E-09 flows to the Shoreline Tunnel and CSO 098 by an alternative conveyance system. Comment: Two logical options are not considered. Consideration should be given to capture of the first flush of runoff from the trench area in NEORSD's proposed Shoreline Tunnel. SECTION 5.6 COMMENTS Page 44 Subsection 5.6.1, first paragraph, second bullet, last sentence: ODOT's drainage design methods and criteria will govern Comment: The need to coordinate with the City of Cleveland where upstream Cleveland flows are involved is noted elsewhere in the report but would probably be appropriately mentioned here as well. SECTION 6 COMMENTS Page 45 Preliminary BMP Stormwater Project Drainage Information Comment: Planning level estimates of current and future drainage area estimate are not included in the report but may be important in selection of appropriate treatment measures. SECTION 6.4 COMMENTS DRAFT 74 of 80 Page 52 Central Interchange/I-77 Approach/I-77 Drainage Comment: Suggest coordination with the Cuyahoga Valley Initiative to investigate whether area is available for detention or wetland treatment as an option to discharge through Kingsbury Run culvert to the Cuyahoga. SECTION 7 OVERVIEW COMMENT Table 10 of Section 7 suggests that the report's analysis would consider the possibility of connecting currently separate sewered areas to the centralized combined sewer area as a form of storm water management. The option of connection of currently separate sewered areas only for capture of a first flush of storm water is not mentioned as an option. The chapter goes on to develop criteria to be use in making decisions about storm water management. Water quality concerns/issues are not listed as a criteria to be considered in selection of storm water management treatment options. The report does not contain discussion or data related to the application of suggested criteria to arrive at stormwater management recommendations. Further, there is no discussion of why initially mentioned options, such as connection to area's centralized treatment facility, were not carried forward as a viable option. SECTION 7.2 COMMENTS Page 57 First paragraph: Comment: Add bullets "Water Quality Concerns" and "Opportunities for environmental features." Comment: The potential for spill of hazardous materials and impact those spills might have on treatment units and the receiving waters should be a factor in selection of stormwater treatment options for this project. Page 58 Table 10, Comment: Other criteria such as receiving water quality regulations/issues/concerns and effect on net loading of pollutants would be appropriate criteria to add to this table. Comment: For the option "Discharge to local combined system" it does not seem logical to list Waste Water Treatment Plant capacity as a concern. The flows from most local systems of any size are controlled by regulating structures prior to the plant. Comment: The option of "Discharge to NEORSD interceptors" needs further explanation to distinguish this as an option different from "Discharge into a system upstream of NEORSD regulator. Page 59 First paragraph, second bullet, fourth sentence: word choice "are" . Comment: Consider "include." rather then "are" DRAFT 75 of 80 Page 59 First paragraph, third bullet, fourth sentence: where ODOT could have a positive impact within the combined sewer system (i.e., potentially reduce the number of overflow events). Comment: As previously noted creating separate sewer discharges to reduce CSOs may or may not benefit the environment in comparison with other alternatives. Page 59 First paragraph, fifth bullet: Will right-of-way be purchased. . Comment: ODOT should consider purchase of right-of-way for environmental controls as opposed to the limited case of consideration of environmental controls in right-of-way purchased for other project reasons. Treatment options should not be limited soley by their suitability for the existing or proposed right-of-way for construction purposes. SECTION 7.4 COMMENTS Page 64 First paragraph Comment: Overall report clarity might be enhanced by making a distinction between BMP treatment methods and other levels of treatment which may be needed to address water quality issues. Page 64 First paragraph, fourth bullet, first sentence Comment: The potential for separate sewer discharges to cause violations of water quality standards should be noted and considered as a design constraint. SECTION 7.5 COMMENTS Page 66 Supplemental Information for System Inventory and Connection/Separation Options Comment: It appears as though the two bullet points above this section actually belong in this section. Page 67 Discussion of criteria for determining whether to separate stormwater runoff from combined sewer areas. Comment: While TMDL requirements are noted, assuring compliance with Water Quality Standards is not noted. Also selection should consider the need to protect the specific features of the receiving waters. Comment: As previously noted creating separate sewer discharges to reduce CSOs may or may not benefit the environment in comparison with other alternatives. Comment: The report identifies potential criteria but does not document how these criteria were applied to arrive at the recommendations of the report. DRAFT 76 of 80 Page 73 Subsection 7.5.3 Comment: The option of discharging storm water to the combined sewer system as identified in Sec 7.2 is dropped from the scenario list without justification or mention. Page 73 Subsection 7.5.3, third paragraph, bullet section Comment: Table 16 would be improved if the constraints presented on this page where given a number and identified in Table 16. Page 74 Subsection 7.5.3, second paragraph: Comment: First flush capture of storm water for centralized treatment should be considered. Page 74 Subsection 7.5.3, fourth paragraph, first sentence: Comment: "Up front" elimination of certain technologies for cost or other constraints may not be appropriate considering the goals of the TMDL and the need to protect water quality standards. Comment: Constructed wetlands should be considered as a possible option at the mouth of Kingsbury Run. SECTION 8 COMMENTS Page 92 First paragraph, first bulleted section discussing design conclusions: Comment: Consider should be given to designing the drainage system to isolate or clean up hazardous material spills. Comment: The inclusion of structures appropriate for separate storm water sampling and accurate flow metering should be noted as a design consideration. TABLE 15 COMMENTS Page 7 of 7 General notes: Comment: The note G under "General Notes" seems to be designed to identify specific drainage areas where quantity

issues may be a factor. While the table does not appear to make use this footnote, doing so could provide some very helpful summary information. A general note identify where interaction with the Cleveland will be needed might also be a helpful feature. TABLE 16 COMMENTS Page 1 Drainage Area and BMP comments: Comment: The notes discuss potential limitations in the use of ramp infield areas for BMPs. It would be helpful for the report to identify what BMPs have been allowed in in-field areas. DRAFT 77 of 80 Comment: The notes suggest that below grade detention may not be feasible near Lake Erie. More justification should be given for this statement. Note that the standard in-right-of-way drainage conveyance system can itself be designed to create detention volume. Supplement parallel storage pipes could also be considered. Previous comments by the NOACA TRANSWAC work group recommended consideration of pumping to above grade storage which could be covered. This alternative does not appear to have been considered. DRAFT 78 of 80 ATTACHMENT A TO COMMENTS ON ODOT BMP REPORT --page 1 Scenario: 97% capture of wet weather flows by future CSO collection system CSO pollutant strength is estimated at 2.5 times that of stormwater (See note 3) Assumes that if new stormwater area is added to the combined sewer system appropriate storage volume will be provided to maintain 97% capture NEORSD treatment plant pollutant removal efficiency is estimated at 70% (See note 3) Treatment efficiency for separate stormwater treatment assumed to be 60% (see note 1) Assumes the same delivery volume and hydraulics from the separate and combined sewer catchment (see note 2) ENTRY OF DATA ASSUMPTIONS: Fractional loss Fraction capture fraction removed fraction not removed Capture efficiency 0.03 0.97 Treatment efficiency NEORSD centralized system 0.7 0.3 Stormwater treatment 0.6 0.4 A1-CSO B1-Storm ototal flow C1-storm added to combined Relative strength 2.5 1 Not Applica 1.75 1 1 2 Not Applicable Assume capture efficiency for separate stormwater treatment at 100% LOAD CALCULATIONS: System A1 is a combined sewer system; the environmental burden is estimated as follows: 1 0.03 2.5 + 1 0.97 0.3 2.5 = 0.8025 pounds volume units (million gallons) fraction Not captured relative concentrat ion (lbs per million gallons) volume units (million gallons) fraction captured fraction not removed by treatment relative concentrat ion (lbs per million gallons) 0.075 0.7275 System B1 provides treatment of separate stormwater, pollutant strength is only 1/2 that of combined sewage, the envir. burden is estimated as follows: 1 0 1 + 1 1 0.4 1 0.4 pounds volume units (million gallons) Not captured relative concentrat ion (lbs per million gallons) volume units (million gallons) fraction captured fraction not removed by treatment relative concentrat ion (lbs per million gallons) = Adding the load from system A1 and B1 gives an estimate of the total load to the environment. For this scenario the result is: 1.2025 pounds 2 0.03 1.75 + 2 0.97 0.3 1.75 = 1.1235 pounds volume units (million gallons) fraction Not captured relative concentrat ion of combined waste stream (lbs per million gallons) volume units (million gallons) fraction captured fraction not removed by treatment relative concentrat ion of combined waste stream (lbs per million gallons) 0.105 1.0185 CONCLUSIONS: The load to the envir.from systems A1 plus B1 is 1.2025 pounds Compared to the load from system C1 of 1.1235 pounds In this example the load to the environment would be 6.5% less by treating the separate storm water in the combined sewer system -0.0657 System C1 is created by adding the storm water of B1 to sytem A1 (the combined sewer system) and increasing system capacity to provide the same capture as system A1. The environmental load burden is estimated as follows: Relative volume units Note 1: This analysis assumes a treatment efficiency of 60% for the separate stormwater treatment system. This is a high level of efficiency even for BMPs which rely on significant water detention. Significant water detention is not the general direction of BMPs proposed for the Innerbelt project. Note 2: Changing the relative volume of combined sewage vs separate storm water will change the percentage value generated in comparing the two systems. However it does not change which alternative yields the lowest environmental load to the environment. In the above specific scenario the higher the ration of stormwater to CSO the more dramatic the difference. Note 3: The relative strength of combined sewage vs urban stormwater runoff was generated form data collected for the Phase 2 Southerly facilities plan. See page two of this attachment. The efficiency of NEORSD treatment plant was estimated by looking at typicaly performance data for the Easterly treatment plant. Some of this data is also on page two of this attachment DRAFT 79 of 80 ATTACHMENT A TO COMMENTS ON ODOT BMP REPORT --page 2 RELATIVE STRENGTH OF CSO VERSUS PURE STORMWATER DRAINAGE FROM URBAN AREA Calculation of relative strenght using data from Southerly Phase 2 Facility Plan Cd Cr Cu NH3 Pb TP TSS Zn CSO 3.13 73 43.7 0.78 48.7 0.61 102 117 Storm 1.76 24 25.6 0.33 43.2 0.22 31.7 44.7 Relative strength 1.78 3.04 1.71 2.36 1.13 2.77 3.22 2.62 2.33 Conclusion: Two is a good estimate of relative strength if E coli is not considered ANALYSIS OF EASTERLY PLANT REMOVAL EFFICIENCY FOR METALS FROM MONTHLY PLANT 4500 REPORTS Metals data in micrograms per liter. Phosphorus data in milligrams per liter Cd, Cd fractional removal Cr Cr fractional removal Cu Cu fractional removal Pb Pb fractional removal TP TP fractional removal Zn Zn fractional removal 1/07 Average Raw 1.0 14 36 14.0 2.25 106 1/07 Average Final 0.5 1.2 9.8 0.1 0.38 0.83 23 0.50 0.91 0.73 0.99 0.78 2/07 Average Raw 0.0 16 40 15.0 2.72 130 2/07 Average Final 1.0 1.3 10.6 0.0 0.49 0.82 25 #DIV/0! 0.92 0.74 1.00 0.81 3/07 Average Raw 0.0 12 33 16.0 1.85 90 3/07 Average Final 0.7 1.7 9.5 0.0 0.33 0.82 32 #DIV/0! 0.86 0.71 1.00 0.64 4/07 Average Raw 1.0 19 43 7.0 2.05 120 4/07 Average Final 0.3 1.3 12.6 0.1 0.57 0.72 22 0.70 0.93 0.71 0.99 0.82 5/07 Average Raw 0.0 16 48 5.0 2.63 98 5/07 Average Final 0.3 0.5 10.2 0.0 0.51 0.81 18 #DIV/0! 0.97 0.79 1.00 0.82 6/07 Average Raw 2.0 15 47 15.0 2.66 114 6/07 Average Final 0.4 0.7 8.8 0.0 0.36 0.86 23 0.80 0.95 0.81 1.00 0.80 7/07 Average Raw 0.0 46 43 13.0 2.54 92 7/07 Average Final 0.2 0.7 9.1 0.0 0.51 0.80 17 #DIV/0! 0.98 0.79 1.00 0.82 8/07 Average Raw 1.0 17 41 22.0 2.06 86 8/07 Average Final 0.3 1.1 9.9 0.2 0.42 0.80 34 0.70 0.94 0.76 0.99 0.60 9/07 Average Raw 0.0 16 40 11.0 2.76 83 9/07 Average Final 0.2 0.6 7.7 0.0 0.49 0.82 15 #DIV/0! 0.96 0.81 1.00 0.82 10/07 Average Raw 1.0 16 44 0.0 2.72 110 10/07 Average Fina 0.2 1.7 8.8 0.0 0.51 0.81 18 0.80 0.89 0.80 #DIV/0! 0.84 11/07 Average Raw 0.0 19 56 16.0 2.18 111 11/07 Average Fina 0.3 2.2 11.4 0.4 0.47 0.78 22 #DIV/0! 0.88 0.80 0.98 0.80 12/07 Average Raw 5.0 18 36 7.0 1.85 95 12/07 Average Fina 0.3 2.2 12.4 0.4 0.33 0.82 26 Yearly Ave. 0.94 0.88 0.66 0.94 0.81 0.73 For E. coli use 99% reduction is a conservative estimate of treatment plant performance CONCLUSION Use an overall removal eff. of 70% for analysis of pollutant reductions applicable to highway drainage, other then E. coli LAStumpe 3/12/08 DRAFT 80 of 80

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Subject Inner Belt

Dear Mr. Hebebrand
As a business owner in MidTown Cleveland I am writing this letter to formally state my objections to the plans to close the Carnegie Avenue access ramp. This proposed closure would starve off access to not only MidTown but also the businesses relying on this major traffic route (including mine), major health care organizations located in University Circle and the eastern suburbs. During the last meeting I attended safety was cited as a major reason for closure but I have NEVER in my twenty six years in Cleveland seen an accident at the ramp. The issues lie in the poor planning of the I-77 connection to the inner belt south of the Carnegie ramp. I am sure that with the talent you have at your disposal you can make the project work with a Carnegie ramp included. Please listen to us as we are raising our unified voice for a reason. MidTown works as an entity ONLY if we have clear access otherwise we will wither like so many other closed off and isolated business communities. This closure will act as a bypass not as a connector!

1

2

Dick Warren
Chief Executive Officer
Warren Chaney Office Furniture, Inc.
A Female Business Enterprise

3200 Euclid Avenue, Cleveland, Ohio 44115
p. (216) 391-3337 x 210 | f. (216) 391-3338
e. rwarren@wcof.net | w. www.wcof.net

Cleveland Innerbelt Plan Public Hearing
PUBLIC COMMENT FORM
April 21, 2009

CLEVELAND INNERBELT PLAN

Copies of today's presentation and this form will be available on the Project website.
Visit www.innerbelt.org and select the "Innerbelt Plan" logo.

1. *What are your comments regarding the Cleveland Innerbelt Plan as proposed?*

- Sorry to see you still want to cul-de-sac CEDAR ... too bad ... interups All roads lead to public II ... except ...

If you need additional space, please use the back of this form.

2. *To help us document comments and forward future Project information, please provide:*

Name Kurt C. Weaver

Address _____

City _____ State _____ Zip Code _____

Telephone Number _____

Email Address akw.inc.@sbcglobal.net

Complete this form and return to ODOT by 5 p.m. on May 21, 2009 for consideration in the Final Environmental Impact Study.

Mail or fax to:
Ohio Department of Transportation, District 12
ATTN: Craig Hebebrand
5500 Transportation Blvd.
Garfield Heights, OH 44116
Fax: 216-584-2279

Or complete this form on the Internet at:
www.innerbelt.org and select the
"Innerbelt Plan" logo.

77510 B 129

SPWebmaster@dot.state.oh.us
04/21/2009 12:12 PM

To Craig.Hebebrand@dot.state.oh.us
cc
bcc
Subject Innerbelt Plan Public Comment Form

Comments: Building a new bridge of this magnitude is a once in a lifetime opportunity to leave an indelible mark on Cleveland. Please do everything you can to make sure it is aesthetically pleasing and a landmark that Northeast Ohio can be proud of. This particular bridge will be seen from every angle by both pedestrians as well as vehicle traffic. Cleveland has an eclectic mix of bridges that cross our beautiful river, so almost anything goes as long as it is unique. I like the idea of large sculptures or large steel arches to tie into our past. The key will be the attention to details and respecting how our community will interact with the bridge, both physically, visually and emotionally. Everyone traveling on I-90 east and west will use this new monument to the spirit of Cleveland. Let's make it something special.

Name:: Christopher Weigand

Street: 8006 Summersweet Trail

City: Sagamore Hills

State: Ohio

Zip Code: 44067

Email:: chrisweigand@roadrunner.com

SPWebmaster@dot.state.oh.us
04/21/2009 05:18 PM

To Craig.Hebebrand@dot.state.oh.us
cc
bcc
Subject Innerbelt Plan Public Comment Form

Comments: The Innerbelt bridge need people work on now not later.. Put some people to work.. many birdge companys out thier are going under.. most bridge builder need work and they are union.. The steel mills and ford are done in this town..we soon we be a town were people travel threw not vist it.. Man up Odot and get on the state from reasearch to do bridge work... Get the goverment to pay for it.. tell them it going to fall down.. it is going to fall down if you do get on the job and get the job going.. 1, 2

Name:: rev will

Street: 523 san't clair

City: cleveland

State: ohio

Zip Code: 44070

Email:: revwill75@yahoo.com

Cleveland Innerbelt Plan Public Hearing
PUBLIC COMMENT FORM
April 21, 2009

CLEVELAND INNERBELTPLAN
OHIO DEPARTMENT OF TRANSPORTATION

Copies of today's presentation and this form will be available on the Project website.
Visit www.innerbelt.org and select the "Innerbelt Plan" logo.

1. *What are your comments regarding the Cleveland Innerbelt Plan as proposed?*

Too much money spent reducing Afternoon Congestion! As surveys show: morning time is valued 3 times higher (& as Sun acts on Pollutants best at noon, 8/10 of Smog is Morning). The I-71 "metro curve" is thus most important. I understand you looked at completing I-71-to-I-90-to Shoreway & it hit Too many houses [the "Westinghouse Curve"]. But given These expenses — & houses lost to foreclosure - Look Again. P.S. look at a couple of Rush-Hour Direction Lanes not just 10-lane monstrosities. 1 2 3

If you need additional space, please use the back of this form.

2. *To help us document comments and forward future Project information, please provide:*

Name Charles Wilson
Address 550 E. Pleasant Valley Road
City Seven Hills State OHIO Zip Code 44131
Telephone Number 216-524-4521
Email Address custerwilsonaa@aol.com

Complete this form and return to ODOT by 5 p.m. on May 21, 2009 for consideration in the Final Environmental Impact Study.

Mail or fax to:
Ohio Department of Transportation, District 12
ATTN: Craig Hebebrand
5500 Transportation Blvd.
Garfield Heights, OH 44116
Fax: 216-584-2279

Or complete this form on the Internet at:
www.innerbelt.org and select the
"Innerbelt Plan" logo.

B 130

77510

Cleveland Innerbelt Plan Public Hearing
PUBLIC COMMENT FORM
April 21, 2009

CLEVELAND INNERBELT PLAN

Copies of today's presentation and this form will be available on the Project website.
Visit www.innerbelt.org and select the "Innerbelt Plan" logo.

1. *What are your comments regarding the Cleveland Innerbelt Plan as proposed?*

Re: E.9 CARNEGIE (The Innerbelt SB ramp from E. 9th) 4

TO I-90 EB PLAN AS Cleveland's "MAIN DRAG" is EAST 9TH, a MAJOR relief would be to bring The E.9TH "on" ramp from NORTH of (that is to say: to "BRIDGE OVER") Carnegie

my suggestion

bypasses the highest Carbon-monoxide source Downtown — indicating this Stoplight causes the single most loss of Time Downtown. As Gateway made several cross-streets from the EAST, STOP DEAD AT EAST 9TH, eliminating the Lights would empty the street as far back up E.9TH at Prospect Ave.

If you need additional space, please use the back of this form.

2. *To help us document comments and forward future Project information, please provide:*

Name Charles Wilson

Address 550 E. PLEASANT Valley Rd

City Seven Hills State Ohio Zip Code 44131

Telephone Number 216-524-4521

Email Address custerwilsonaa@aol.com

Complete this form and return to ODOT by 5 p.m. on May 21, 2009 for consideration in the Final Environmental Impact Study.

Mail or fax to:
Ohio Department of Transportation, District 12
ATTN: Craig Hebebrand
5500 Transportation Blvd.
Garfield Heights, OH 44116
Fax: 216-584-2279

Or complete this form on the Internet at:
www.innerbelt.org and select the
"Innerbelt Plan" logo.

77510 B 131

SPWebmaster@dot.state.oh.us
05/21/2009 12:51 PM

To Craig.Hebebrand@dot.state.oh.us
cc
bcc
Subject Innerbelt Plan Public Comment Form

Comments: AS the South Bridge option is inferior to the North by so VERY little ... PROPOSED: the SOUTH BRIDGE splits EARLIER (shortly after crossing the River) -- a group of all 3 exiting lanes comng off (for Ontario, E. 9th, and E14th/and/18th-to-Carnegie), bending Right and then sweeping back WEST. Note these ramps curve COUNTERCLOCKWISE, not clockwise as at present. >> This allows an additional entry, leaving in fact well OVER the 2000 feet for a "weave" >> say coming from E. 18th and/or 9th & entering NORTHBOUND at a spot 2000 feet prior to the entry of I-77 Northbound) (this ramp is a clockwise turn) This is the much-desired RELIEF VALVE for the South half of Downtown -- SOOOO NEEDED because of the Baseball Stadium & two Arenas there. It cures the BIGGEST problem with this design -- the overload in the South half of town. PLEASE do not sluff this off. I was after all ASKED, at the meeting, to submit any design to solve this problem, that did not violate Federal Law. Your people said you wanted to, & discussed a whole bunch that didn't work -- but they sdidn't work because of LACK OF SPACE. In fact, you might even fit a 2nd extra off-ramp: 2000 feet after the split: going to Orange -- Southbound (unlike today, the proposed offramps have no Southbound feed ... but the real value of that is: a secondary split off this ramp gives a SECOND CHANCE ramp, continuing over Orange Ave. & either joining the E.18th option OR can just feed into 1 or more of the 3 major Streets, directly (Ontario, E.9, E.14/18), going NORTH ie, INTO downtown. In a day or so I'll likely have a crude sketch of this posted at myspace.com/custerwilson. Thank You, Charles Wilson

Name:: Charles Wilson

Street: 550 E. Pleasant Valley Rd.

City: Seven Hills

State: Ohio

Zip Code: 44131

Email:: custerwilsonaa@aol.com

SPWebmaster @dot.state.oh.us
05/21/2009 04:50 PM

To Craig.Hebebrand@dot.state.oh.us
cc
bcc
Subject Innerbelt Plan Public Comment Form

Comments: In anticipation of traffic delays, O.D.O.T. and Greater Cleveland Regional Transit Authority should coordinate an effort for commuter traffic relief. Further, let this be the occasion to institute the Cleveland and (city of) Lorain commuter train proposed, by N.O.A.C.A. Carnegie and Prospect Avenues must be kept directly accessible as now from Interstate 90. An additional bridge must not be built off the present right-of-way. Rebuild and replace the existing bridge on the existing right-of-way. Accommodate all modes of travel: automobile, commuter rail, pedestrian, and bicycle with the new bridge. A double or triple-level bridge is ideal. Overbuild the bridge so we don't meet again for this issue for 100 years. Remember the words of the late Frank Lloyd Wright. He said, "The human race built most nobly when limitations were greatest and therefore, when most was required of imagination, in order to build at all. Limitations seemed to have always been the best friends of architecture."

1 2 3 4 5 6

Name:: Jason Worcester

Street: 34290 Lorain Rd, No. 1T

City: North Ridgeville,

State: Ohio

Zip Code: 44039-4238

Email:: tracfone1000@hotmail.com

B 132

Saving History
Saving Lives!

Our Mission
Our mission is to provide a first-class regional fire museum and education center to dramatically increase fire safety programming and reduce the numbers of fire deaths and injuries in Northeast Ohio. It is also to preserve the history of the fire service by collecting historically significant fire-related material, and preserving our historic building, formerly the Cleveland Fire Alarm Office and Station #28.

310 Carnegie Avenue
Cleveland, Ohio 44115
216.664.6312

www.wrfmc.com

* Honorary Chairman
** Executive Director

The Western Reserve
FIRE MUSEUM
and Education Center

April 28, 2009

Mr. Craig Hebebrand
Project Manager, Innerbelt Project
Ohio Department of Transportation
5500 Transportation Boulevard
District 12
Garfield Heights, Ohio 44125

Subject: I-71 Cleveland Innerbelt bridge and the Western Reserve Fire Museum and Education Center

Dear Mr. Hebebrand

I am writing to express concern about the location of the new bridge in relation to the Western Reserve Fire Museum and Education Center, an existing building at 310 Carnegie Avenue, Cleveland, Ohio. Our building is a unique historic property and is a City of Cleveland Landmark. We are in the process of restoring it and have already committed significant resources including installation of an elevator, exterior stone restoration, and demolishing and replacing the floor on the first level. We have over one thousand members in our organization and are looking forward to providing fire safety training and education to the Northeast Ohio community.

We are concerned that the current bridge design places the new bridge too close to our historic facility. We were told at one time if a suspension bridge was approved it would have to be placed near to our building because of engineering issues. We were also told that the space between the new and old bridge was needed to accommodate a third bridge, which was planned for the future and would replace the original 1950s span. Since neither of these plans is being implemented we do not understand why the new bridge alignment cannot be planned further away from our historic site.

The closer the new bridge is to our building, the harder it will be for school busses to access the site, parking we will be dramatically reduced, and road noise will become an ever present nuisance. Equally important, the close proximity of the bridge and on-ramp will limit our ability to create the historic roadway and overlook that was proposed. In addition, our building faces south and the lack of separation from the new bridge will dramatically diminish the appearance of our building, obstructing views of its primary and richest architectural features along its south side. Most important, the location and elevation of the on-ramp directly in front of the building will likely hamper and may make it impossible to maneuver some historic apparatus into the Fire Museum.

It is my understanding that one requirement of the overall project is to enhance affected adjacent areas and buildings. Given this mandate, we strongly urge ODOT to reconsider its projected bridge placement in the immediate area of 310 Carnegie Avenue. We request that the new bridge and on-ramp be located as far to the south as is reasonably possible, making sure not to hamper access to and from our site, operations at our building or the fire station next door.

Our museum has been engaged in the various forums offered by ODOT. Our project director, Scott Carpenter, will be representing us at the next public meeting and will continue to express our concerns about ODOT's current plan.

Very truly yours,

John A. Zangerle, President

C.C.
Representative Barbara Boyd
Robert Brown
U.S. Senator Sherrod Brown
Representative Armond Budish
Representative Michael DeBose
Representative Timothy DeGeeter
Representative Matthew Dolan
Commissioner Jimmy Dimora
Representative Mike Foley
Congresswoman Marcia Fudge
Senator Timothy Grendell
Commissioner Timothy Hagan
Anne Hill
Mayor Frank Jackson
Commissioner Peter Lawson Jones
Bob Kaiser
Congressman Dennis Kucinich
Representative Josh Mandel
Senator Dale Miller
Representative Eugene Miller
Senator Thomas Patton
Representative Michael Skindell
Senator Shirley Smith
Chief Paul Stubbs
Bonnie Teeuwen
Senator Nina Turner
Representative Sandra Williams
Representative Kenneth Yuko
U.S. Senator George Voinovich

Cleveland City Council

B133

NOACA Transportation/Water Quality Advisory Council (TRANSWAC)
Comments Concerning the Draft Innerbelt Environmental Impact Statement

May 7, 2009

General Issues

Given the significant amount of storm water from the proposed Innerbelt project that will discharge to Cleveland's highly valued lakefront or to the Cuyahoga River, water resource impacts should be thoroughly explored in the Innerbelt Environmental Impact Statement (EIS) process. According to one ODOT estimate provided to the TRANSWAC committee, 33% of the drainage of the Innerbelt project (some 111 acres) goes directly to Lake Erie. A study prepared by TRANSWAC provides a literature review and summarizes local data to show the potential that storm water discharges from the project could violate Lake Erie water quality standards and add pollutant loads to the Cuyahoga River.

The EIS should address the issues raised by the TRANSWAC report and its referenced technical documents and provide a full discussion of the current and potential water quality impacts of discharges from the Innerbelt facility. Particularly, ODOT and FHWA as lead agencies are encouraged to collaborate with the various cooperating and participating agencies of the EIS process to evaluate the issues which TRANSWAC has raised and to determine appropriate responses to mitigate water quality impacts. ODOT should collaborate with Ohio EPA to clearly explain the respective roles of storm water permits and water quality standards water quality in assuring project compliance with all water quality requirements of Ohio law. A commitment should be made to conduct an equivalent supplemental EIS review process in an extended time frame if the above processes cannot be completed with out causing a delay in the issuance of a final Environmental Impact Statement.

Evidence exists that the existing Innerbelt discharge may have deleterious effects on the receiving waters of Lake Erie and the Cuyahoga River. Yet, current Ohio EPA storm water permits and the draft EIS would suggest that ODOT need only provide treatment for additional impermeable surfaces or newly separated storm water. As the Innerbelt project represents a total reconstruction, the EIS should consider the costs and benefits of providing storm water treatment for the entire project.

Because of the potential water quality concerns, the need to be proactive in fully protecting Cleveland's waterfront resource, and the unique opportunity that is attendant with a major reconstruction of drainage facilities, storm water management options should not be limited to ODOT's standard list of Best Management Practices. (ODOT notes that their list of storm water quality Best Management Practices represents their process, which is meant to keep ODOT in compliance with existing Ohio EPA regulations. This BMP list includes: exfiltration trenches, extended detention and retention basins, bioretention cells, infiltration trenches, infiltration basins, constructed wetlands, manufactured systems, and vegetated biofilters.) The EIS should discuss the

costs and benefits of the full range of storm water management options and establish a framework for the selection of options. This evaluation should include consideration of treatment of Innerbelt discharges in the Northeast Ohio Regional Sewer District's central treatment facilities.

The NOACA/TRANSWAC role as a participating agency should be clarified. The EIS should discuss the work of the TRANSWAC along side of other consulting committees in Chapter 5. The EIS should note and respond to issues of past TRANSWAC and TRANSWAC member comments provided in response to the Level 1 Ecological Survey, EIS scoping, and the Innerbelt Storm Water Best Management Report.

Specific Comments

1) The issue of potential violations of Lake Erie water quality standards should be thoroughly discussed. Lacking more specific or more representative data, the data and findings previously provided by the TRANSWAC committee should be incorporated into this discussion. The EIS should describe the existing water quality issues of the near shore areas of Lake Erie and the expected impact of current and new discharges of Innerbelt storm water to Lake Erie near shore areas. ODOT should request that Ohio EPA and other agencies with water quality management responsibilities review this supplemental information to determine whether the final project discharges will comply with all water quality requirements of Ohio law.
2) The EIS should clearly state the estimated the amount and percentage of the Innerbelt runoff which currently discharges to Lake Erie, the Cuyahoga River, and the centralized treatment facilities of NEORSD. As available, the same estimates should be provided for Innerbelt drainage system after reconstruction.
3) The EIS should evaluate the potential to treat its Innerbelt direct storm water discharges as a move toward achievement of the TMDL targets set for the Cuyahoga River and current water quality standards.
4) The EIS should clearly explain the process for determining the current regulatory requirements for storm water discharges from the Innerbelt. This discussion should include an explanation of how requirements are determined where application of ODOT's best management practices would still result in a violation of Ohio water quality standards.
5) The EIS should evaluate a wide range of options for treatment of storm water from the Innerbelt. This evaluation should include treatment of some or all of the Innerbelt discharge in NEORSD's central treatment facility. This option should be considered as an alternative to the separation strategy that ODOT has discussed in the draft EIS. Other options beyond BMPs should also be considered.
6) The public record should acknowledge TRANSWAC's request to ODOT and NEORSD to consider alternative ways to evaluate the cost and benefits of centralized treatment lacking a rate structure for treatment by NEORSD.
7) The EIS should acknowledge NEORSD's letter of June 22, 2007 and consider the approach and data provided in that letter in assessing the costs and benefits of centralized treatment in NEORSD facilities.
8) The EIS should show pollutant loading changes that would occur as a result of the separation strategy proposed in the draft EIS. The EIS should estimate the additional storm water load that would be added to Lake Erie and to the Cuyahoga River. The potential for violations of water quality standards as a result of increased loads should be considered. To the extent that reductions in combined sewer loads are used as a justification for separation, planned improvements through NEORSD's Long Term Control Plan should be considered. Additionally, consideration should be given to the cost effectiveness of sizing NEORSD facilities to accommodate ODOT's loads. Example calculations on the impact of separation were provided to ODOT as part of TRANSWAC comments on ODOT's Innerbelt BMP report. The calculations show that separation could result in greater loads to receiving waters.
9) The EIS should address the issue of the need to provide right of way space for the installation of Best Management Practices where applicable.
10) The EIS should address the issue that the project, as a total reconstruction of the Innerbelt, should consider options to provide treatment for 100% of the pavement of the project rather then simply providing treatment for newly paved or newly separated storm water.
11) The EIS should provide a responsiveness summary to indicate how it addressed comments made as a result of comments received on the Level 1 Ecological Survey and also on the Innerbelt Storm Water Best Management Practice report.
12) The EIS should discuss the development of project specific procurement specification for water quality issues and storm water management. Also, consideration should be given to the development of special allocations and contingency funds specific to water quality and storm water management issues.
13) The project's Purpose and Need statement should be revised to make it clear that the Innerbelt project should consider and is expected to result in improved management of Innerbelt air quality and water quality environmental issues.
14) In its comments of March 20, 2006 TRANSWAC asked that the Innerbelt project consider designing elements of the drainage system to provide for hazardous spill containment and for precise measurement of storm water loads. The draft EIS does not discuss the containment of hazardous spills nor is there any pledge made to provide monitoring chambers to allow for precise measurement of future storm water loads.
15) FHWA and ODOT should meet with stakeholders and agencies interested in water quality and storm water management issues to solicit assistance and to consult on a schedule to address draft EIS deficiencies. These meetings should also discuss comprehensive EIS commitments to protect water quality and consider supplemental EIS processes to compensate for issues that can not be fully addressed in the next EIS document.

Accounting of Key Public Participation Dates and Products Relevant to Water Quality Protection and Stormwater Management Issues for the Cleveland Innerbelt Project – Includes Communication Efforts by TRANSWAC and TRANSWAC members

2

Item	Original Date	Description	Location in the Draft EIS.*
1	03/14/2003	NEORSD meeting with C. Hebebrand, ODOT; NEORSD identified water quality as a Innerbelt project concern and encouraged long range coordinated efforts via management of Innerbelt stormwater.	**Not** referenced
2	04/03/2003	Email from Craig Hebebrand to L. Stumpe, NEORSD (assurance that the current goals of the Innerbelt project where inclusive of the goal "protect and enhance water quality")	**Not** referenced; copy of correspondence not provided in EIS appendices.
3 Resubmitted as comment on Draft EIS	02/09/2004	Erwin Odeal, NEORSD, letter to ODOT (request that ODOT Innerbelt planning comprehensively consider stormwater management issues)	Referenced in App. E; copy of correspondence not provided in EIS appendices.
4 Resubmitted as comment on Draft EIS	03/20/2006	Key TRANSWAC Report identifying water quality concerns and identifying 11 issues that should be addressed in the planning process	Referenced in App. E; copy of correspondence not provided in EIS appendices.
5	04/21/2006	ODOT statement on Innerbelt stormwater issues	Referenced in App. E; copy of correspondence not provided in EIS appendices.
6	8/16/2006	Letter from D. Lastovka ODOT to F. Greenland NEORSD; Project assumptions identified.	Noted in Chapter 5, Referenced in App. E and copy of letter provided in EIS
		Question asked about ongoing fee for treatment under the option that ODOT would direct a first flush to NEORSD for treatment.	appendices
7	10/16/2006	Letter from F. Greenland, NEORSD to D. Lastovka, ODOT; stating that the District has not yet made a determination about the basic fee structure for the stormwater management program that NEORSD is developing	Noted in Chapter 5, Referenced in App. E and copy of letter provided in EIS appendices
8	11/20/2006	Letter from D. Lastovka, ODOT to F. Greenland, NEORSD; ODOT expresses intent to investigate separation strategy where hydraulically appropriate.	Noted in Chapter 5, Referenced in App. E and copy of letter provided in EIS appendices
9	01/12/2007	ODOT response to TRANSWAC's 03/20/06 report	Referenced in App. E copy of correspondence not provided in EIS appendices.
10 Resubmitted as comment on Draft EIS	03/05/2007	L. Stumpe as TRANSWAC work group chair, comments on EIS scoping issues. Comments identify that ODOT's formal response of 01/12/2007 do not address the issues of the 03/20/2006 repot by TRANSWAC for purposes of the EIS.	Referenced as a public comment in Chapter 5; copy of cover letter correspondence is provided in EIS app. F. Comments and attachments requested to be made part of record are not included.
11 Resubmitted as comment on Draft EIS	04/08/2007	L. Stumpe, Chair, Innerbelt TRANSWAC work group comments on Level I Ecological Survey Report. Particular note is made that the report fails to address Lake Erie impacts.	**Not** referenced; copy of correspondence not provided in EIS appendices.

B 135

12 Resubmitted as comment on Draft EIS	04/10/2007	NOACA/ TRANSWAC request to ODOT to include various analysis of stormwater management as a part of the EIS. Request for cost/benefit analysis of centralized treatment of first flush in NEORSD centralized facilities.	**Not** referenced; copy of correspondence not provided in EIS appendices.
13	5/29/2007	Letter from D. Lastovka, ODOT, to F. Greenland, NEORSD; recap of discussions of 4/26/07 meeting including information about specific CSO discharges	Noted in Chapter 5, Referenced in App E and copy of letter provided in EIS appendices
14 Resubmitted as comment on Draft EIS	06/22/2007	NEORSD letter to ODOT suggesting approach and cost data to assist in evaluation of cost and benefits of centralized treatment for first flush treatment option	**Not** referenced; copy of correspondence not provided in EIS appendices.
15 Resubmitted as comment on Draft EIS	07/25/2008	TRANSWAC comments on ODOT's stormwater management BMP report	**Not** referenced; copy of correspondence not provided in EIS appendices.

* Presents or absence base upon a review of EIS compact disk provided by ODOT. File folders in participation appendices that cover correspondence dates were searched. (Draft EIS Appendices E&F)
** Table author --L Stumpe: 5/11/09, minor corrections 5/19/09

B 136

Water Quality Considerations for Lakefront and Shoreway Reconstruction

3/14/03
2:00 PM to 3:30 PM
NEORSD Administrative Offices
3826 Euclid Ave

Purpose: Information gathering and sharing to develop a long term cooperative relationship to improve consider water quality and ecological aspects of lakefront planning/ reconstruction efforts

Anticipated Attendees

Craig Hebebrand -- ODOT

Darnell Brown or Tom Marsalis – Cleveland DWPC

Debby Berry --- Lakefront Project

Linda Henrichsen - Cleveland - Planning Department

Erwin Odeal- NEORSD

Lester Stumpe - NEORSD

Frank Greenland - NEORSD

Agenda

Meeting Agenda	Lester Stumpe	5
Outline of Issues and presentation of current information	Lester Stumpe	15
• Understanding the current sewer system		
• Understanding potential impacts from separate storm sewer areas		
General discussion Q/A regarding potential impacts	General discussion ---- All	10
What tools are available to assess the issues	Lester Stumpe	15
Discussion regarding tools and potential efforts	General discussion ---- All	15
Review/develop action agenda for future work	General discussion ---- All	15

Additional Information

Special notes:

Mail From: "Craig Hebebrand" <Craig.Hebebrand@dot.state.c

File Edit View Actions Tools Window Help

Close Reply Forward

Mail | Properties | Personalize | Message Source

From: "Craig Hebebrand" <Craig.Hebebrand@dot.state.oh.us>
To: StumpeL.AdministrationPO.AdministrationDOM
CC: "Dave.Lastovka@dot.state.oh.us".GWIA.GWIADOM
Subject: Cleveland Innerbelt Study - Water Quality

Lester,

Please be advised that I have some concerns regarding your submission.

The objectives you listed appear to have more to do with revising the planning process, than with establishing goals and objectives that are specific to the Cleveland Innerbelt Study. Please be advised that the existing Goals and Objectives already identify the community's desire to "protect and enhance the natural environment." This would include the desire to "protect and enhance water quality" as well.

Please understand that the Ohio Department of Transportation continues to pursue the identification of "reasonable and responsible" actions to protect and improve water quality. I also believe that the District Office has clearly demonstrated ODOT's commitment to cooperate with the NEORSD, and other local government agencies, in resolving stormwater issues (Chevrolet Branch and Kerruish Park).

Rather than continue to debate the merits of your submission, I would respectfully request that we instead focus our joint attention on identifying specific water quality/water quantity issues directly related to the Innerbelt Freeway and attempt to work together to identify effective, efficient and practical solutions that will allow us to achieve the objective of protecting and enhancing the water quality. Please advise if you are willing to do so. Thank you.

If you have any questions or concerns regarding this matter, please do not hesitate to contact me.

Respectfully,

Craig K. Hebebrand, P.E.,

Ohio Department of Transportation, District 12
5500 Transportation Boulevard, Garfield Heights, Ohio 44125
Telephone: (216) 581-2333, Ext.409/NEW Facsimile: (216) 584-3508
E-Mail: craig.hebebrand@dot.state.oh.us

B 137

See attached document relative to my thoughts on an environmental goal.

Lester Stumpe
Manager of Watershed Programs, Policy and Technical Support
Phone: 216-881-6600 Ext. 830
Fax: 216-881-6603
Email: stumpeL@neorsd.org

>>> "Craig Hebebrand" <Craig.Hebebrand@dot.state.oh.us> 03/19/03 09:43AM >>>
Lester,

At the March 10, 2003 Scoping Committee meeting you suggested that consideration be given to modifying the Goals and Objectives to specifically include Water Quality. While the Goal and Objectives for the Cleveland Innerbelt Study do not specifically mention Water Quality, they do include (see below) the broader objective to "preserve and enhance the natural environment." Please advise if you consider this more general objective to be sufficient to address your concerns. If not, I would ask you to offer a proposal to revise the Goals & Objectives.

Goal V Environment

Environmental impacts are often considered as a consequence of the construction of transportation facilities. This goal considers resource usage from fuel consumption to land uses. It also considers impacts to valued community resources such as residential areas, historic structures and districts, parks, or special population groups. While this goal category may have limited performance measures, it is extensively supplemented by the environmental impact evaluations conducted as part of the environmental studies for specific projects.

Objectives
1. Preserve, protect, and expand parks and open space throughout the corridor (lakefront, the river, and within the neighborhoods)
2. Adhere to Executive Order 12898 on Environmental Justice
3. Protect historic resources
4. Provide for business relocation within the study area
5. Protect and enhance the natural environment
6. Improve and enhance lighting
7. Include environmental considerations within the life-cycle cost analysis

Please note that I believe that the existing general objective is sufficient and would suggest that your concerns might best be addressed through the mutual development of appropriate performance measures related specifically to Water Quality.

If you have any questions regarding this matter or if you require any additional information, please do not hesitate to ask.

Respectfully,

Craig K. Hebebrand, P.E.,

Ohio Department of Transportation, District 12
5500 Transportation Boulevard, Garfield Heights, Ohio 44125
Telephone: (216) 581-2333, Ext.409/NEW Facsimile: (216) 584-3508
E-Mail: craig.hebebrand@dot.state.oh.us

ATTACHMENT

Craig,

I thought about trying to incorporate the objectives that I envision in this new goal with existing Goal V. While I would be willing to try, I felt that it would muddle the intent particularly at the early stage of discussion.

Goal --- Reduce and mitigate impacts of highway run off and habitat disruption

Transportation replacement and/or re-construction projects offer the opportunity to construct facilities that have less environmental impacts then current systems. Decreased water quality impacts and improved habitat features (including decreased wildlife mortality incidents and increase compatibility with surrounding urban features) are two areas in which significant gains may be possible. Transportation replacement and/or re-construction projects also offer the opportunity to provide mitigation for the direct impacts of the transportation system that cannot be eliminated by context-sensitive design processes. The intent of this goal is to identify at the earliest possible juncture the steps that can be taken to meet the stated objectives. Identifying issues and possible actions may be a factor in developing and/or refining transportation options at the planning level. Consideration of environmental enhancement opportunities in the MIS phase will also allow the transportation planning process to consider the potential project costs associated with environmental measures and will help assure that the recommend plan identifies any options that should be considered in additional depth in the next phases of the transportation planning process. Measures of performance to evaluate planning level options against this goal are likely to be more qualitative then quantitative in nature. This general goal is consistent with NOACA transportation planning principles that call for transportation project to result in enhancements to the natural environment.

Objectives

1. Create and/or consider planning level options with the objective of minimizing and/or treating the pollutant loads that are created by stormwater run off from the highway corridor.
2. Create and/or consider planning level options with the objective of minimizing transportation related spills that might damage the ecology of area water resources. Identify any particular merits of transportation options to capture or otherwise minimize the impacts of spilled hazardous materials.
3. Evaluate at a planning level the opportunities and costs to provide long term environmental mitigation for the impacts of the transportation project that cannot be eliminated.
4. Consider opportunities, benefits and urban compatibility issues for natural habitat improvements associated with transportation options and potential environmental mitigation projects.

The existing environmental goal for the Inner belt study is as follows

Goal V Environment

Environmental impacts are often considered as a consequence of the construction of transportation facilities. This goal considers resource usage from fuel consumption to land uses. It also considers impacts to valued community resources such as residential areas, historic structures and districts, parks, or special

population groups. While this goal category may have limited performance measures, it is extensively supplemented by the environmental impact evaluations conducted as part of the environmental studies for specific projects.

Objectives

1. Preserve, protect, and expand parks and open space throughout the corridor (lakefront, the river, and within the neighborhoods)
2. Adhere to Executive Order 12898 on Environmental Justice
3. Protect historic resources
4. Provide for business relocation within the study area
5. Protect and enhance the natural environment
6. Improve and enhance lighting
7. Include environmental considerations within the life-cycle cost analysis

Northeast Ohio Regional Sewer District
Protecting Your Health and Environment

February 9, 2004

Mr. David Coyle
District Deputy Director
Ohio Department of Transportation, District 12
5500 Transportation Boulevard
Cleveland, Ohio 44125

Dear Mr. Coyle:

A strong and varied transportation infrastructure has long been recognized as one of the strongest assets of the Greater Cleveland Area. We are excited to work with the Ohio Department of Transportation and area stakeholders to further improve the transportation system via improvements to the Cleveland Innerbelt and connecting projects.

We note that our water resources, particularly Cleveland's lakefront, are also increasingly being recognized as dominant assets of the region. Accordingly, large investments of public dollars are being made to protect and restore the area's water resources. For instance, NEORSD anticipates spending between $1.3 billion to $1.5 billion to control Combined Sewer Overflows (CSOs) in its service area. Additionally, the City of Cleveland is doing extensive renewal planning to capitalize on a cleaned-up waterfront. But CSOs are not the only problem. Stormwater runoff, including highway runoff, is one of the significant lakefront pollution sources. If all major sources of pollution, including highway runoff, are not addressed in a comprehensive and coordinated fashion, large public investments for pollution control will not achieve the optimum result of a cleaner, more usable lakefront.

The Innerbelt project planning process represents a critical point in time for community representatives and public officials to affirm that projects involving public investments must address both existing and new sources of project-related pollution that affect Cleveland's lakefront and other valued regional water resources. For the Innerbelt project, this would likely include addressing the problem of runoff from current pavement area and controlling stormwater pollution from the new elements of the Innerbelt project. As the Innerbelt project is in the early planning phases, we are aware that studies have not been conducted to determine the impacts of runoff from either the current or proposed highway infrastructure. As well, the cost of treating these sources of stormwater is not yet known. We understand that much of the work to balance cost and benefits of pollution control will be done in the forthcoming project phases of preliminary engineering and environmental assessment.

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Given the potentially significant costs of pollution abatement we suggest that it is beneficial to discuss funding sources at the earliest possible juncture. Fortunately, the Transportation Equity Act for the 21st Century (TEA-21) provides for federal participation in the cost of environmental restoration and pollution abatement projects using Surface Transportation Funds (STP). The Federal Highway Administration's fact sheet on TEA-21 STP funds identifies that eligible activities specifically include "environmental restoration and pollution abatement projects, including retrofit or construction of stormwater treatment facilities (limited to 20% of the total cost of 3R-type transportation projects)."

As you are aware, because comprehensive stormwater management is a new and developing discipline in Ohio, regulatory requirements and programs are not fully developed. The result is a significant project management challenge for such a large project as reconstruction of the Cleveland Innerbelt. Further, regulatory requirements are not the only measure of prudent cost-effective decision-making for stormwater management, pollution abatement, and environmental restoration work. As a result, we feel there will be a continuing need to consult and dialogue with the community with respect to decisions regarding the appropriate level of environmental controls.

In an effort to build consensus around the issues of comprehensive stormwater management and pollution abatement, we suggest the following steps:

1) Assure that abatement of existing stormwater sources of pollution is well documented as an objective of the Innerbelt project. Include this objective in the project's official Purpose and Need Statement to the extent that doing so will help to maximize the eligibility of abatement and environmental restoration activities for cost sharing using STP funds or other state or federal funds and communicate this important need to stakeholders.

2) Assure that the environmental assessment phase of the project development is adequately scoped and funded to provide a database from which to make sound decisions regarding pollution abatement, to identify environmental restoration opportunities, and to provide for comprehensive management of stormwater runoff.

3) Collaborate with stakeholders to develop and evaluate a range of options for stormwater management and potential environmental restoration activities. Include options to control project related pollutants (from both existing and new sources) to levels which support identified or anticipated community uses of the lakefront, recognizing that these levels may not currently be defined as regulatory requirements.

Mr. David Coyle
February 9, 2004
Page 3

4) Take reasonable steps to advocate and secure the eligibility of pollution abatement and environmental restoration activities to use STP funds and other potential state or federal funding opportunities. Communicate to the stakeholders roles they can play to support this process.

5) Identify opportunities for pollution abatement and environmental restoration activities that could be effectively coordinated with the Innerbelt project but which might not be eligible for state and federal funding support.

In crafting our suggestion we have tried to draw on the principles of strong public involvement, regional collaboration, and community consensus building. On this note, it is appropriate to recognize the outstanding efforts by your office throughout the Cleveland Innerbelt Study in the aforementioned areas. Your commitment to an inclusive process gives us assurance that you will continue to work with the community to address the issues that we have raised and to forge consensus as the project moves forward.

Additionally, as a partner in maintenance and enhancement of the region's infrastructure we are happy to meet with you to share our data on stormwater and to coordinate our pollution abatement projects with your plans for Innerbelt transportation improvements. We believe that close collaboration can be important in our joint efforts to help build a vibrant and attractive community.

Sincerely,

Erwin J. Odeal
Executive Director

las/nas

Finding and Recommendations Report of the Transwac Innerbelt Work Group
3/20/2006

Transwac Innerbelt Work Group Findings:

1. There is reasonable evidence to suggest that untreated runoff from the Innerbelt may have deleterious effects on the aquatic and ecological health of the Cuyahoga River, and nearshore waters of Lake Erie. Attachment A provides supporting documentation for this conclusion.
2. The Department of Transportation for the State of Washington and CALTRAN have developed models for assessment of water quality impacts which may prove useful in more specifically assessing the impacts on water quality of the proposed Innerbelt facility. (Representative materials documenting these processes are assembled at an ftp site developed by the Transwac work group.)
3. Engineering decisions regarding the Innerbelt drainage systems and the treatment of runoff are likely to affect the feasibility of future options to provide for high levels of treatment of storm water, should new treatment requirements be determined necessary.
4. A substantial portion of the Innerbelt project will be constructed on elevated structures. This creates special problems related to storm water runoff management, and requires careful consideration in the planning and design of these structures. (It is noted that the National Cooperative Highway Research Program report "Assessing the Impact of Bridge Deck Runoff Contaminants in Receiving Waters" provides detailed guidance for assessing impacts and developing runoff management programs.)
5. The Greater Cleveland Community is embarking on a major capital program to control combined sewer overflows and is in the process of establishing new standards to control storm water for development and redevelopment projects as a measure to protect the ecological health of the area water resources.

Recommendations for the Conduct of the Innerbelt Project Development Process:

1. The Project Development Process (PDP) is encouraged to evaluate the likely environmental impacts (i.e., water quality and aquatic ecological impacts) attributable to highway runoff and develop storm water management practices that are responsive to the particular environmental concerns of the applicable receiving waters.

2. In as much as untreated runoff from the proposed Innerbelt facility appears to have the potential to cause environmental harm and may result in the violation of water quality standards the PDP should consider treatment of all runoff from the reconstructed facility, as opposed to only providing treatment for volumes of

runoff associated with new pavement area. Design events used to calculate runoff volume should be based upon controlling requirements considering both Ohio's general storm water permit and the need to prevent violations of Ohio Water Quality Standards.

3. The PDP should consider potential long-term treatment needs for storm water in selecting design alternatives for the drainage of the Innerbelt facility. Some drainage options may limit opportunities for providing additional treatment for storm water runoff, should a higher level of treatment be determined as necessary in the future.

4. The PDP is encouraged to consider the specific characteristics of Innerbelt runoff as well as proposed passive best management practices in evaluation of alternative storm water management strategies.

5. It is recommended that the options evaluated for treatment of storm water include, but not be limited to the following:
   a) Detention and/or retention facilities above or below grade utilizing current or future green space near the Lakefront.
   b) Tie-in of all or part of the runoff to the improved combined sewer storage facilities which being designed by the Northeast Ohio Regional Sewer District.

6. The management and treatment of runoff should be considered as an integral part of preliminary engineering for any new or reconstructed bridges crossing the Cuyahoga River. Containment of hazardous material spill should also be assessed.

7. For any proposed direct discharges of storm water to receiving waters or to separate storm sewer systems that subsequently discharge to receiving waters, preliminary engineering should begin planning for monitoring chambers that will facilitate the monitoring of highway runoff. Planning for any such discharge points should also consider provisions to assist in containing hazardous material spills.

8. ODOT is encourage to provide for at least two review points for interaction with the TRANSWAC Innerbelt work group prior to the completion of the drafts for the environmental documents for the project.

9. If the PDP concludes that the treatment of storm water runoff called for by permit or by the need to prevent a violation of water quality standards is not feasible, such a finding should be supported by an engineering cost feasibility study demonstrating that treatment is not feasible. A format for an engineering cost feasibility study is provided at the above noted ftp site.

10. As highway storm water runoff may affect water quality at various parks including portions of the Cleveland Lakefront State Park, the PDP should consider any applicable requirement of the Federal Highway Administration's Section 4(f) policy. This policy may suggest the need for specific studies or impose certain requirements on the management of storm water.

11. As key stakeholders, Ohio EPA and ODNR should be encouraged to fully engage in the review of PDP step reports, as well as project environmental documents to evaluate whether or not proposed storm water management practices are protective of receiving water resources.

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Attachment A: Review of Water Quality Environmental Impact Concerns

The purpose of this document is to review the data developed by the Innerbelt work group, focusing on the question of whether the storm water runoff from the current and proposed Innerbelt facility has a reasonable potential to cause harm to the Cuyahoga River and the lakefront area of Lake Erie. This review was not meant to be exhaustive nor intended to fully evaluate the impact of Innerbelt storm water runoff. Rather, the purpose of this document is to aid in making a determination of the need for a more detailed analysis of likely water quality impacts as a part of the ODOT Project Development Process.

Four topics are considered in this document:

1. The summary findings of a literature review undertaken by the United States Geological Survey for the Federal Highway Administration, documenting the impacts of highway runoff on the ecological health of aquatic communities.
2. Summarization of the findings of the Cuyahoga River RAP Stage 1 report concerning local water resource impairments. The particular focus of this review is on the findings related to eutrophication and impairments to the benthic community.
3. Summarization of the Lower Cuyahoga TMDL, which sets targets for the Lower Cuyahoga for total phosphorus levels.
4. Comparison of published values for pollutant in highway runoff quality with Ohio water quality criteria.

1. Literature Review of Water Quality Impacts of Highway Runoff

A comprehensive literature review of the impacts of highway runoff was conducted by the USGS for the U.S. Department of Transportation. The report, "Assessing Biological Effects from Highway-Runoff Constituents," was released in 1999. (Open-File Report 99-240). This report reviews 44 articles and published papers incorporating fieldwork from 1970 through 1996. The last paragraph of the Summary of this document is provided below.

> "A review of 44 reports on the biological effects of highway runoff on local ecosystems reveals several information gaps. The use of different methods from study to study and a general lack of sufficient documentation preclude making quantitative comparisons among different studies using the existing data. Qualitatively, the literature indicates that constituents from highway runoff and from highway-runoff sediments deposited in receiving waters near the highway are found in the tissues of aquatic biota, and that these sources may affect the diversity and productivity of biological communities, even though bioassays would suggest that highway runoff is not often toxic to aquatic biota. To provide the quantitative information needed, it is necessary to obtain information using standard methods, and to document study results in a manner that will be useful for a national or regional synthesis."

2. Cuyahoga River Remedial Action Plan Stage 1 Report

The Cuyahoga River Remedial Action Plan in its Stage 1 report concluded that relative to the impairment of Eutrophication the Navigation Channel of the Cuyahoga River is "Probably Impaired" and that the near shore area of Lake Erie is "Impaired." The Lower Cuyahoga is listed as "Probably Impaired" due to a lack of an adequate database on which to base a more definitive conclusion. Additionally, the Stage 1 report concluded that the benthic community is "Possibly Impaired" in the Navigation Channel and "Impaired" in the near shore area of Lake Erie. The "Possibly Impaired" determination reflects that existing studies note problems: however, at that time there were no clear standards applicable to the navigation channel on which to base a more definitive determination. As a part of the procedure of making a determination of impairment for the benthic community, the Stage 1 process prepared separate technical reports on the benthic communities in the Cuyahoga River and in the Cleveland Harbor and near shore areas. The Cleveland Harbor and near shore benthic reports reference several studies conducted during the period 1976 through 1989.

3. Ohio EPA TMDL Report for the Lower Cuyahoga

Ohio EPA's September 2003 Total Maximum Daily Load Report found that the lower 7.2 miles of the Cuyahoga River are in non-attainment of water quality standards. Causes of impairment are listed as organic enrichment, habitat alteration, priority pollutant organics, metals, other organics, and oil and grease. The report concluded that "Phosphorus is the limiting nutrient in the Cuyahoga River system." The report sets a TMDL target at 0.12mg/L and calls for a 48% reduction of current phosphorus loading levels for non-point runoff sources. In appendix L the report notes that Cuyahoga River is targeted as a significant contributor to the enrichment conditions of nearshore of Lake Erie.

4. Highway Runoff Pollutant Values Compared to Ohio Water Quality Criteria

Ohio EPA sets water quality criteria for designated waters of the state. For example, the agency has established aquatic life uses for the Lower Cuyahoga river and for Lake Erie. Numerical criteria are found in ORC 3745-1-07. One example of criteria are the numeric allowable limits for concentrations of pollutants within the mixing zones created by a direct discharge. These Inside Mixing Zone Maximum (IMZM) criteria were developed to prevent acute lethality to aquatic life, and accordingly they are applicable for any individual sample rather than for an average of samples. The Outside Mixing Zone Maximum (OMZM) criteria are similarly applicable to individual samples. Compliance with the OMZM criteria involves determining the pollutant concentrations of the available dilution water and the amount of mixing which occurs. For the purpose of this analysis, the review was limited to heavy metals commonly found in highway runoff. Exhibit 1 is a table comparing literature values for highway runoff pollutant levels with Ohio EPA established criteria for IMZMs and OMZMs. Criteria are established for both total metal concentrations and dissolved metal concentrations. Comparison of these published values with Ohio EPA criteria suggests that untreated Innerbelt runoff, to the extent that is similar in reported literature pollutant values, may result in violations of water quality criteria if discharged untreated to Lake Erie or the Cuyahoga River.

TOTAL RECOVERABLE METALS CRITERIA

			Hardness	Copper 100 mg/L hardness IMZM		Copper 100 mg/L hardness OMZM		Lead 100 mg/L hardness IMZM		Lead 100 mg/L hardness OMZM		Zinc 100 mg/L hardness IMZM		Zinc 100 mg/L hardness OMZM		Cadmium 100 mg/L hardness IMZM		Cadmium 100 mg/L hardness OMZM	
			mg/L	Micrograms/L				Micrograms/L				Micrograms/L				Micrograms/L			
Ohio EPA water quality criteria*																			
Total recoverable concentrations				28		14		240		120		240		120		9		4.5	
For the parameters noted the Ohio criteria values are the same for the Ship Channel and Lake Erie																			
Sansalone et.al. (Feb. 1997)		5 events																	
Cincinnati																			
Event mean Conc.	Min		52	**43**		x		31				**459**		x		5		x	
	Max		92	**325**		x		97				**15,244**		x		**11**		x	
Milwaukee 1970s		Three sites																	
Average Total Event Mean Conc.	Min			**75**		x		* Note 1				**336**		x		**11**		x	
	Max			**155**		x		* Note1				**465**		x		**29**		x	
* Note 1-- High values due to lead in gas (738 to 1457)																			
FHWA-PD-96-032 (June 1996) & FHWA-RD-88-006 (April 1990)																			
Urban highway sites with Average Daily Traffic Values over 30,000																			
Event Median Concentrations	median site		52	**54**		x		**400**		x		**329**		x					
	highest 10%			**119**		x		**1,562**		x		**564**		x					
	Lowest 10%			25		x		102				192		x					

IMZM — Inside Mixing Zone Maximum criteria
OMZM — Outside Mixing Zone Maximum criteria

* Water quality critiera values are determined by an equation in which hardness is an independent variable. Higher criteria would be higher for elevated hardness values. Lower values of hardness lessen allowable metal concentrations. For example a hardness value of 50 mg/l might decrease allowable values in the above table by a factor in the range of 2.

Format Notes
"x" denotes potential problem with Outside Mixing Zone Maximum criteria
Bolded denotes that values are greater then the IMZM criteria

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Exhibit 1 (continued)

DISSOLVED METALS CRITERIA

			Hardness	Copper 100 mg/L hardness IMZM		Copper 100 mg/L hardness OMZM		Lead 100 mg/L hardness IMZM		Lead 100 mg/L hardness OMZM		Zinc 100 mg/L hardness IMZM		Zinc 100 mg/L hardness OMZM		Cadmium 100 mg/L hardness IMZM		Cadmium 100 mg/L hardness OMZM	
			mg/L	Micrograms/L				Micrograms/L				Micrograms/L				Micrograms/L			
Ohio EPA water quality criteria*																			
Dissolved				27		13		190		97		230		120		8.5		4.3	
For the parameters noted the criteria values are the same for the Ship Channel and Lake Erie																			
Sansalone et.al.		5 events																	
Cincinnati																			
Dissolved fraction translator (mean from 4 events)				0.524				0.279				0.771				0.662			
Event mean Conc.																			
Adjusted**	Min		52	23		x		9				**354**		x		3			
Adjusted**	Max		92	**170**		x		27				**11753**		x		7		x	
FHWA-PD-96-032 (June 1996) & FHWA-RD-88-006 (April 1990)																			
Urban highway sites with Average Daily Traffic Values over 30,000																			
Dissolved fraction translator				0.4				0.1				0.4							
Adjusted**	median site		52	22		x		40				132		x					
Adjusted**	highest 10%			**48**		x		156		x		**226**		x					
Adjusted**	Lowest 10%			10				10				77							

NOTES

IMZM — Inside Mixing Zone Maximum criteria
OMZM — Outside Mixing Zone Maximum criteria

* Water quality critiera values are determined by an equation in which hardness is an independent variable. Higher criteria would be higher for elevated hardness values. Lower values of hardness lessen allowable metal concentrations. For example a hardness value of 50 mg/l might decrease allowable values in the above table by a factor in the range of 2.

** Adjusted values were obtained by multiplying the total metals data by fractional values that the report suggests as representative of souble portion of the total metals concentration. The fractional value is listed in the table as the "dissolved fraction translator".

Format Notes
"x" denotes potential problem with Outside Mixing Zone Maximum criteria
Bolded denotes that values are greater then the IMZM criteria

lastumpe 3/20/06

Lester Stumpe, P.E.; 3044 Corydon Rd. Cleveland Heights, Ohio 44118
216-321-2566 Lesmnmjus@gmail.com

March 5, 2007

Ohio Department of Transportation
5500 Transportation Blvd.
Garfield Heights, Ohio 44125

Att: Cleveland Innerbelt Project Manager

The substance of this comment is to address ideas around the handling of stormwater runoff from the proposed Innerbelt facility. In summary, I encourage ODOT to vigorously assess the potential impacts of stormwater runoff on the water resources that will receive these discharges as an element of the Draft Environmental Impact Statement. Further, I urge ODOT to fully weigh alternatives for treating stormwater runoff in the draft EIS document. This should include assessment of potential alternative treatment technology as well as an assessment of the environmental benefits of providing treatment of all of the runoff that emanates from the Innerbelt facility. These recommendations are amplified by the attached analysis document.

The substance of my comments are structured around the response that ODOT provided for the Findings and Recommendations report dated March 20, 2006 prepared by the Transwac Work group and subsequently submitted to ODOT on behalf of NOACA. As elements of this comment letter I incorporate both the original Transwac Findings and Recommendation report and the ODOT response as attachments. I believe that it is critical that they be made part of the public record of the Draft Environmental Impact Statement. It is my intent that the recommendations of the analysis be considered as comments and suggested direction to ODOT, and as applicable FHWA, by the undersigned.

While providing comments, I am also requesting an extension of the period for inclusion of public comments for incorporation into the draft EIS for at least an additional 30 days. In support of this request I note that a critical ODOT Innerbelt document, the Level 1 Ecological Survey Report, is just now in the process of being released to the public. To my knowledge it is not yet available on the ODOT Innerbelt internet site. Logically, scoping of the draft EIS would be greatly enhanced by the benefit of public comment on this ecological report which was developed to help inform the EIS scoping process. Additionally, the requested extension of public comment period would also allow for the NOACA Transwac subcommittee to meet to collectively evaluate and provide comment to ODOT.

Finally, an extension of the comment period would allow the Lead Agencies in preparation of the EIS to identify appropriate cooperating and participating agencies as in compliance with Sec. 6002 of SafetyLU. To my knowledge these invitations have not yet been extended. Additional time would allow agencies that are identified, either as

cooperating or participating agencies, to add comments to the record for use in preparation of the draft environmental impact statement.

Due to storm conditions NOACA was forced to cancel a recently scheduled Transwac subcommittee meeting which was anticipated to have worked to develop comments to ODOT. Further, NOACA has very recently been advised by ODOT that it is not anticipate granting an extension of the comment period. Facing the prospect that the comment deadline might not be extended NOACA staff advised member of the Transwac committee to submit individual comments. At this late juncture this situation results in the need to submit comments as an individual citizen.

Sincerely,

Lester Stumpe

Copies:
Erwin J. Odeal, Northeast Ohio Regional Sewer District
Craig Hebebrand, ODOT District 12
Dave Lastovka, ODOT District 12
Mike Armstrong, FHWA
David Snyder, FHWA
Howard Maier, Northeast Ohio Area Wide Coordination Agency

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Comments and Recommended Direction Pertaining to the Assessment of Innerbelt Environmental Impacts and Design of Innerbelt Stormwater Facilities

(Note the following comments are formatted to be consistent with Transwac Subcommittee Finds and Recommendations report dated 3/20/06 (Attachment A) and ODOT's response dated 1/12/07 (Attachment B))

1) Transwac's first recommendation was to request ODOT to investigate the specific likely environmental impacts of Innerbelt runoff. (Transwac made this recommendation after a literature review, which concluded that there is the potential for Innerbelt runoff to cause violations of water quality standards. (An ftp site was established for the Transwac Subcommittee, and is available to ODOT (a subcommittee member), which contains over 40 pertinent document addressing water quality impacts and context sensitive transportation planning. An index of documents at this ftp site is included as Attachment C)

ODOT's response does not dispute the findings of the Transwac work group's report showing the potential harm to aquatic resources and the possible violations of water quality standards. Rather, the focus of ODOT's response appears to derive from current regulatory requirements as established by Ohio's General Construction permit. However, having a limited focus on regulatory requirements runs the risk of producing poor public policy. Just as regulatory requirements are not the driving force for many of the design decisions for a reconstructed Innerbelt, they should not be the only consideration in treatment of stormwater runoff. It should be taken into consideration that the planning and design work done as a part of this project will fix drainage patterns that will likely have significant consequences for lakefront water quality for the next 100 years. Additionally, it is to be noted that the supplemental material supporting the project's Purpose and Need Statement included the goal of protecting and enhancing the natural environment.

ODOT suggests that its direction on stormwater treatment is largely set by ODOT policy related to requirements of Ohio's General Construction permit. However, this permit was not designed for, and can not be expected to provide, adequate guidance for long-range planning processes involving protection of water quality. For example, by permit terms, Storm Water Pollution Prevention Plans (SWP3s) identifying selected BMPs do not need to be developed for potential review by Ohio EPA until 21 days prior to commencing construction. Further, although the general Construction Permit contains provisions affirming the need for post-construction discharges to comply with water quality standards and includes a provision for reopening a permit on the basis of evidence indicating potential impacts on water quality, reopening is not a common practice. Provided that a Storm Water Pollution Prevention Plan (SWP3) has been prepared, there is the presumption that water quality standards will be protected. Thus any action pertaining to a post-construction discharge would only likely occur after construction of the project and subsequent monitoring which demonstrated a violation. While this

approach may be reasonable as a regulatory policy, it does not seem appropriate as guidance for the public's billion dollar investment in Innerbelt reconstruction.

The Plan Development Process (PDP) and the National Environmental Policy Act (NEPA) procedures are the appropriate forums for deliberative processes to consider the long-term view of proper management of stormwater discharges to high value urban water resources. But these processes must be informed with adequate data. In particular Transwac encouraged an assessment of the specific potential impacts of Innerbelt runoff on the Cuyahoga and Lake Erie.

There is some uncertainty regarding ODOT's written response that "in summary the PDP involves a considerable amount of documentation of water quality and aquatic ecological impacts." Most recently, ODOT has suggested that these issues would be addressed in the Ecological Survey Report. That report dated 2/16/2007 and received by the Transwac work group 2/28/07 does contain a discussion of the lower Cuyahoga and Ship Channel and includes statements about impact. A preliminary review of the report identifies two notable points. First, the report does not provide any substantive discussion of the aquatic resources or impacts to the near shore waters of Lake Erie. Second, the report does not address the concerns raised by the Transwac report, particularly that runoff discharges have the potential to be responsible for violations of Ohio's water quality standards. It is recommended that the Ecological Survey Report be revised to include the two noted deficiencies. (Note that other comments may be generated after substantive review of the document.) Further, these issues should be addressed in the draft Environmental Impact statement.

The point of the ODOT PDP process is to incrementally develop information in early steps to help define the study needs of successive steps. The environmental impacts of stormwater were raised as an issue very early in the process and reiterated at the end of Step 4 in the PDP process. Along the way ODOT has been encouraged to include environmental work to evaluate the specific impact of stormwater runoff in the study scope for the Step 5 process. Due to lack of preliminary information on the potential impact of discharges on Lakefront water quality future planning steps run the risk of being less well informed.

In summary there remains a strong need for ODOT to investigate the specific likely environmental impacts of Innerbelt runoff on the specific receiving water resources and in particularly near-shore areas of Lake Erie. Further, if ODOT moves aggressively, there is time to inform the decision making process. ODOT should engage Transwac and pertinent stakeholder agencies in transparent deliberations on this issue. As a first step ODOT is encouraged to make available to the Transwac committee the list of intended agency reviewers to allow Transwac to provide information to and engage in conversation with these agencies on the issues of environmental assessment and stormwater runoff impacts.

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2) Transwac's second recommendation was for ODOT to consider treatment of all of the runoff from the Innerbelt facility, to avoid environmental harm, and to assure compliance with water quality standards.

ODOT's response states that it will consider providing for BMP treatment for 100% of the runoff from the Innerbelt facility. This is a positive step. However, the treatment of 100% of the runoff is not sufficient if the end result does not provide the level of treatment that is required to avoid harm to water resources, and assure compliance with water quality standards and other regulatory requirements. ODOT's other responses suggest that they will make BMP choices from a limited menu. This limited approach raises the issue of the adequacy of the options that will be evaluated.

ODOT suggests that it does not have a regulatory requirement to provide treatment for all of the runoff from the Innerbelt. This may be true. Nevertheless, ODOT has a responsibility to consider whether a strong environmental case can be made for providing a high level of treatment for all of the runoff as a part of its PDP process and the NEPA environmental review process. Engineering experience suggests that providing for full treatment of the runoff at the time of complete reconstruction will be less costly then trying to design for retrofit treatment later.

ODOT is encouraged to take a broader view of its responsibilities in the PDP in order to develop solutions that seek the highest value for the citizens of the state regardless of permit requirements. For example, the state of Washington has a developed guidance on when a highway reconstruction project is substantial enough to warrant provision of treatment of all of the runoff from a facility. (Reference: Chapter 5, Washington State, Highway Runoff Manual M 31-16)

3) The third Transwac request was that ODOT consider potential future long-term needs for stormwater treatment in the selection of designs for Innerbelt drainage.

In response, ODOT states that it cannot determine what future treatment levels will be required. One of the purposes of the ODOT PDP, the NEPA process, and the Transwac review process is to encourage long term planning that necessarily weighs uncertain outcomes. It would be truly unfortunate if, for lack of consideration of the potential future treatment needs, ODOT designed a drainage system that would work against future potential treatment options. In considering drainage systems ODOT should consider the potential future long-term needs for stormwater treatment.

Additionally, the response errs in assuming that the project treatment requirements it sites in its response are only controlled by policies developed to in response to Ohio's General Construction permit. Further, while it is appropriate for ODOT to consider the most current EPA policy at the time of the final design, certain options may have closed for lack of identification of identification of needs at an earlier point. ODOT should reconsider its position and undertake a more proactive analysis.

4) The fourth Transwac comment was intended to encourage consideration of specific characteristics of Innerbelt runoff in selection of proposed treatment practices.

ODOT states that it believes that the Innerbelt runoff is typical of urban runoff. In contrast, the Transwac literature review suggests that runoff from highways with high traffic counts has a higher concentration of certain pollutants when compared with typical urban runoff. (See Exhibit 1 of Attachment A of the Transwac report.) If ODOT has different data / information suggesting otherwise it should provide the data and discuss its conclusions.

ODOT provides insightful information in noting that the shoulders for the new facility will have a width that facilitates shoulder sweeping. If ODOT is suggesting that shoulder sweeping is an important and effective strategy in combination with other BMPs, then it should develop and present a reasoned sweeping routine with consideration for the range of weather conditions that will be experienced by the Innerbelt facility. Based upon this intended routine, ODOT should estimate the level of pollution reduction that it hopes to achieve.

The expected quality of Innerbelt runoff and in particular metals concentrations should be described and compared to Ohio Water Quality Standards in the Draft Environmental Impact Statement.

5) Transwac's fifth recommendation was to suggest two options for treatment that relate to the unique opportunities attendant with the project site. These including integrating treatment with green space along the lakeshore and connecting to NEORSD facilities.

ODOT's response is twofold. Earlier in the response letter and here again, ODOT suggested that a decision has been made to pursue a stormwater separation strategy. It seems inappropriate that ODOT would announce a decision to pursue a stormwater separation strategy without providing an engineering analysis to show the value of the option, and without soliciting public input on this decision through the PDP process and in the project's environmental documents. Again, it is noted that Transwac has made a recommendation that the drainage system should be designed with consideration for enhanced future treatment options. ODOT should consider Transwac's suggestions for stormwater treatment as a part of the draft Environmental Impact Statement document.

ODOT's letter suggests that removing stormwater will result in lower pollution loads to the receiving water as opposed to discharging to the combined sewer system. Yet ODOT does not provide justification or reference to a study to support this claim. In certain cases, removal of contaminated stormwater from combined sewer system may lead to higher pollutant loadings. Given the Transwac demonstrated potential for high metals concentrations in Innerbelt runoff, this possibility requires close examination. The calculation to determine which strategy yields the lowest pollutant loads is dependent upon the level of treatment that is provided for the pollutants of concern, before and after

the proposed removal from the regional treatment system. This calculation should be presented in the Draft Environmental Impact Statement.

Further, ODOT continues to suggest it can meet its regulatory requirements by selecting BMPs from a pre-screened inventory of BMPs that are listed in its Location and Drainage (L & D) manual. It is unclear why ODOT asserts it does not need to consider other possibilities, particularly when dealing with post-construction runoff that could cause violations of water quality standards, and when other unique options are available for treatment of stormwater.

It is well known that ODOT has been in discussion with Ohio EPA regarding identification of effective BMPs as a way of facilitating compliance with the provision of the General Construction permit. It is likely that these identified options include favorable choices for the majority of ODOT's transportation projects. However, these negotiations do not constitute rule-making and do not override the provisions in other environmental regulations or the provisions of the General Construction permit, which speak to maintenance of water quality standards where there is the potential for violations. For example, the Construction permit notes the primacy of water quality standards and requires the selection and implementation of BMPs to reduce pollutants and ensure compliance with Ohio's water quality standards rule.

6) Transwac's sixth comment asked ODOT to consider treatment of runoff and the potential for containment of spills in the design of new or reconstructed bridges.

ODOT's response confirms its intent to consider the Cuyahoga TMDL goals in considering the treatment of runoff from the projects bridges. However, the response is silent on the matter of designing to address the hazards associated with spills. ODOT should consider spill containment as part of the bridge design effort and should discuss the issue in the draft Environmental Impact Statement.

7) Transwac's seventh request asked that the drainage design engineers consider features that promote environmental monitoring and containment of spills.

ODOT asserts that its standard manholes and inlet structures provide adequate access for any necessary future monitoring. The response fails to address the idea of providing an integrated system that addresses spill containment. Further, the point of the comment is not to provide adequate access; rather, it was a request to consider features that facilitate accurate flow monitoring and safe and representative sample collection. Standard engineering practice to meet these goals has evolved well beyond providing standard manholes. Future monitoring needs should be a consideration in Innerbelt drainage design. ODOT should identify its intent to perform environmental monitoring of runoff in the Environmental Impact Statement.

Additionally, ODOT's response continues a pattern by noting that there are no specific regulatory requirements for monitoring. Again, the PDP should not be driven by the minimum that is needed to meet regulatory requirements.

8) Transwac's eighth comment encouraged two meetings with the Transwac Innerbelt work group prior to the completion of the drafts for the environmental documents for the project.

The lack of anticipated key materials and reports has so far frustrated this goal. ODOT is encouraged to share with Transwac the scope of work for both the Step 6 PDP document and the draft environmental impact statement. Transwac's input should be sought in development of these documents. To facilitate development NOACA should be invited to be an official "Participating Agency" in the development of the Environmental Impact Statement.

9) Transwac's ninth comment addressed the potential issue that cost could be a factor in determining feasibility in selecting treatment options to prevent violations of water quality standards. We provided reference to a format for cost feasibility studies to demonstrate the necessary tradeoffs, should cost become a significant factor.

ODOT's response to this recommendation discounts the possibility that cost could potentially be a factor in selection of treatment options. However, previous comment responses suggest that ODOT only intends to consider the limited set of BMPs in its L&D manual. The Transwac report makes the case for consideration of a wider range of treatment options. Some of these options could involve significant cost. Accordingly, the Transwac provided reference to the suggested format for cost feasibility studies may ultimately prove helpful.

10) Transwac's tenth comment addressed the need to determine the applicability of the FHWA's 4(f) policy.

ODOT's response clarifies that FHWA is in charge of making a 4(f) determination. Transwac should be advised as to whether ODOT has shared the specific request for a 4(f) determination with the FHWA. Also, Transwac should be informed of when FHWA would make such a determination. Finally, the applicability of Section 4(f) should be discussed in the draft Environmental Impact Statement. To the extent that it is applicable the information and assessments required by 4(f) should be part of the Draft Environmental Impact Statement. Unfortunately, the lack of a timely response may already impacts the ability of the Lead EIS agencies to gather appropriate information concerning this issue for timely consideration.

11) Transwac's eleventh comment focused on the need to encourage the full engagement of stakeholder agencies in review of the PDP Step reports and the environmental documents.

ODOT pledges to engage stakeholder agencies in development of the Ecological Survey Report, this pledge should extends to receiving input on the development and review of the project's other PDP documents, including the project's environmental documents to satisfy NEPA requirements. It is critical that in the process of involving these agencies be fully transparent and that these agencies be fully informed of the specific concerns that have been raised by the Transwac Subcommittee. It is noted that these agencies were not copied on the ODOT response letter to Transwac. Particularly, there is a need to engage a range of stakeholder agencies to consider the question of the appropriate level of protection of Cleveland's unique and highly valued water resources. ODOT should adopt this broader view of the protection of Cleveland's water resources.

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Finding and Recommendations Report of the Transwac Innerbelt Work Group
3/20/2006

Transwac Innerbelt Work Group Findings:

1. There is reasonable evidence to suggest that untreated runoff from the Innerbelt may have deleterious effects on the aquatic and ecological health of the Cuyahoga River, and nearshore waters of Lake Erie. Attachment A provides supporting documentation for this conclusion.
2. The Department of Transportation for the State of Washington and CALTRAN have developed models for assessment of water quality impacts which may prove useful in more specifically assessing the impacts on water quality of the proposed Innerbelt facility. (Representative materials documenting these processes are assembled at an ftp site developed by the Transwac work group.)
3. Engineering decisions regarding the Innerbelt drainage systems and the treatment of runoff are likely to affect the feasibility of future options to provide for high levels of treatment of storm water, should new treatment requirements be determined necessary.
4. A substantial portion of the Innerbelt project will be constructed on elevated structures. This creates special problems related to storm water runoff management, and requires careful consideration in the planning and design of these structures. (It is noted that the National Cooperative Highway Research Program report "Assessing the Impact of Bridge Deck Runoff Contaminants in Receiving Waters" provides detailed guidance for assessing impacts and developing runoff management programs.)
5. The Greater Cleveland Community is embarking on a major capital program to control combined sewer overflows and is in the process of establishing new standards to control storm water for development and redevelopment projects as a measure to protect the ecological health of the area water resources.

Recommendations for the Conduct of the Innerbelt Project Development Process:

1. The Project Development Process (PDP) is encouraged to evaluate the likely environmental impacts (i.e., water quality and aquatic ecological impacts) attributable to highway runoff and develop storm water management practices that are responsive to the particular environmental concerns of the applicable receiving waters.

2. In as much as untreated runoff from the proposed Innerbelt facility appears to have the potential to cause environmental harm and may result in the violation of water quality standards the PDP should consider treatment of all runoff from the reconstructed facility, as opposed to only providing treatment for volumes of

runoff associated with new pavement area. Design events used to calculate runoff volume should be based upon controlling requirements considering both Ohio's general storm water permit and the need to prevent violations of Ohio Water Quality Standards.

3. The PDP should consider potential long-term treatment needs for storm water in selecting design alternatives for the drainage of the Innerbelt facility. Some drainage options may limit opportunities for providing additional treatment for storm water runoff, should a higher level of treatment be determined as necessary in the future.

4. The PDP is encouraged to consider the specific characteristics of Innerbelt runoff as well as proposed passive best management practices in evaluation of alternative storm water management strategies.

5. It is recommended that the options evaluated for treatment of storm water include, but not be limited to the following:
   a) Detention and/or retention facilities above or below grade utilizing current or future green space near the Lakefront.
   b) Tie-in of all or part of the runoff to the improved combined sewer storage facilities which being designed by the Northeast Ohio Regional Sewer District.

6. The management and treatment of runoff should be considered as an integral part of preliminary engineering for any new or reconstructed bridges crossing the Cuyahoga River. Containment of hazardous material spill should also be assessed.

7. For any proposed direct discharges of storm water to receiving waters or to separate storm sewer systems that subsequently discharge to receiving waters, preliminary engineering should begin planning for monitoring chambers that will facilitate the monitoring of highway runoff. Planning for any such discharge points should also consider provisions to assist in containing hazardous material spills.

8. ODOT is encourage to provide for at least two review points for interaction with the TRANSWAC Innerbelt work group prior to the completion of the drafts for the environmental documents for the project.

9. If the PDP concludes that the treatment of storm water runoff called for by permit or by the need to prevent a violation of water quality standards is not feasible, such a finding should be supported by an engineering cost feasibility study demonstrating that treatment is not feasible. A format for an engineering cost feasibility study is provided at the above noted ftp site.

10. As highway storm water runoff may affect water quality at various parks including portions of the Cleveland Lakefront State Park, the PDP should consider any applicable requirement of the Federal Highway Administration's Section 4(f) policy. This policy may suggest the need for specific studies or impose certain requirements on the management of storm water.

11. As key stakeholders, Ohio EPA and ODNR should be encouraged to fully engage in the review of PDP step reports, as well as project environmental documents to evaluate whether or not proposed storm water management practices are protective of receiving water resources.

Attachment A: Review of Water Quality Environmental Impact Concerns

The purpose of this document is to review the data developed by the Innerbelt work group, focusing on the question of whether the storm water runoff from the current and proposed Innerbelt facility has a reasonable potential to cause harm to the Cuyahoga River and the lakefront area of Lake Erie. This review was not meant to be exhaustive nor intended to fully evaluate the impact of Innerbelt storm water runoff. Rather, the purpose of this document is to aid in making a determination of the need for a more detailed analysis of likely water quality impacts as a part of the ODOT Project Development Process.

Four topics are considered in this document:

1. The summary findings of a literature review undertaken by the United States Geological Survey for the Federal Highway Administration, documenting the impacts of highway runoff on the ecological health of aquatic communities.
2. Summarization of the findings of the Cuyahoga River RAP Stage 1 report concerning local water resource impairments. The particular focus of this review is on the findings related to eutrophication and impairments to the benthic community.
3. Summarization of the Lower Cuyahoga TMDL, which sets targets for the Lower Cuyahoga for total phosphorus levels.
4. Comparison of published values for pollutant in highway runoff quality with Ohio water quality criteria.

1. Literature Review of Water Quality Impacts of Highway Runoff

A comprehensive literature review of the impacts of highway runoff was conducted by the USGS for the U.S. Department of Transportation. The report, "Assessing Biological Effects from Highway-Runoff Constituents," was released in 1999. (Open-File Report 99-240). This report reviews 44 articles and published papers incorporating fieldwork from 1970 through 1996. The last paragraph of the Summary of this document is provided below.

> "A review of 44 reports on the biological effects of highway runoff on local ecosystems reveals several information gaps. The use of different methods from study to study and a general lack of sufficient documentation preclude making quantitative comparisons among different studies using the existing data. Qualitatively, the literature indicates that constituents from highway runoff and from highway-runoff sediments deposited in receiving waters near the highway are found in the tissues of aquatic biota, and that these sources may affect the diversity and productivity of biological communities, even though bioassays would suggest that highway runoff is not often toxic to aquatic biota. To provide the quantitative information needed, it is necessary to obtain information using standard methods, and to document study results in a manner that will be useful for a national or regional synthesis."

2. Cuyahoga River Remedial Action Plan Stage 1 Report

The Cuyahoga River Remedial Action Plan in its Stage 1 report concluded that relative to the impairment of Eutrophication the Navigation Channel of the Cuyahoga River is

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"Probably Impaired" and that the near shore area of Lake Erie is "Impaired." The Lower Cuyahoga is listed as "Probably Impaired" due to a lack of an adequate database on which to base a more definitive conclusion. Additionally, the Stage 1 report concluded that the benthic community is "Possibly Impaired" in the Navigation Channel and "Impaired" in the near shore area of Lake Erie. The "Possibly Impaired" determination reflects that existing studies note problems: however, at that time there were no clear standards applicable to the navigation channel on which to base a more definitive determination. As a part of the procedure of making a determination of impairment for the benthic community, the Stage 1 process prepared separate technical reports on the benthic communities in the Cuyahoga River and in the Cleveland Harbor and near shore areas. The Cleveland Harbor and near shore benthic reports reference several studies conducted during the period 1976 through 1989.

3. Ohio EPA TMDL Report for the Lower Cuyahoga

Ohio EPA's September 2003 Total Maximum Daily Load Report found that the lower 7.2 miles of the Cuyahoga River are in non-attainment of water quality standards. Causes of impairment are listed as organic enrichment, habitat alteration, priority pollutant organics, metals, other organics, and oil and grease. The report concluded that "Phosphorus is the limiting nutrient in the Cuyahoga River system." The report sets a TMDL target at 0.12mg/L and calls for a 48% reduction of current phosphorus loading levels for non-point runoff sources. In appendix L the report notes that Cuyahoga River is targeted as a significant contributor to the enrichment conditions of nearshore of Lake Erie.

4. Highway Runoff Pollutant Values Compared to Ohio Water Quality Criteria

Ohio EPA sets water quality criteria for designated waters of the state. For example, the agency has established aquatic life uses for the Lower Cuyahoga river and for Lake Erie. Numerical criteria are found in ORC 3745-1-07. One example of criteria are the numeric allowable limits for concentrations of pollutants within the mixing zones created by a direct discharge. These Inside Mixing Zone Maximum (IMZM) criteria were developed to prevent acute lethality to aquatic life, and accordingly they are applicable for any individual sample rather than for an average of samples. The Outside Mixing Zone Maximum (OMZM) criteria are similarly applicable to individual samples. Compliance with the OMZM criteria involves determining the pollutant concentrations of the available dilution water and the amount of mixing which occurs. For the purpose of this analysis, the review was limited to heavy metals commonly found in highway runoff. Exhibit 1 is a table comparing literature values for highway runoff pollutant levels with Ohio EPA established criteria for IMZMs and OMZMs. Criteria are established for both total metal concentrations and dissolved metal concentrations. Comparison of these published values with Ohio EPA criteria suggests that untreated Innerbelt runoff, to the extent that is similar in reported literature pollutant values, may result in violations of water quality criteria if discharged untreated to Lake Erie or the Cuyahoga River.

TOTAL RECOVERABLE METALS CRITERIA

		Hardness	Copper 100 mg/L hardness IMZM		OMZM	Lead 100 mg/L hardness IMZM		OMZM	Zinc 100 mg/L hardness IMZM		OMZM	Cadmium 100 mg/L hardness IMZM		OMZM
		mg/L	Micrograms/L			Micrograms/L			Micrograms/L			Micrograms/L		
Ohio EPA water quality criteria*														
Total recoverable concentrations			28		14	240		120	240		120	9		4.5
For the parameters noted the Ohio criteria values are the same for the Ship Channel and Lake Erie														
Sansalone et.al. (Feb. 1997)	5 events													
Cincinnati														
Event mean Conc.	Min	52	**43**		x	31			**459**		x	5		x
	Max	92	**325**		x	97			**15,244**		x	**11**		x
Milwaukee 1970s	Three sites													
Average Total Event Mean Conc.	Min		**75**		x	* Note 1			**336**		x	**11**		x
	Max		**155**		x	* Note1			**465**		x	**29**		x
* Note 1– High values due to lead in gas (738 to 1457)														
FHWA-PD-96-032 (June 1996) & FHWA-RD-88-006 (April 1990)														
Urban highway sites with Average Daily Traffic Values over 30,000														
Event Median Concentrations	median site	52	**54**		x	**400**		x	**329**		x			
	highest 10%		**119**		x	**1,562**		x	**564**		x			
	Lowest 10%		25		x	102			192		x			

IMZM — Inside Mixing Zone Maximum criteria
OMZM — Outside Mixing Zone Maximum criteria

* Water quality critiera values are determined by an equation in which hardness is an independent variable. Higher criteria would be higher for elevated hardness values. Lower values of hardness lessen allowable metal concentrations. For example a hardness value of 50 mg/l might decrease allowable values in the above table by a factor in the range of 2.

Format Notes
"x" denotes potential problem with Outside Mixing Zone Maximum criteria
Bolded denotes that values are greater then the IMZM criteria

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Exhibit 1 (continued)

DISSOLVED METALS CRITERIA

		Hardness	Copper 100 mg/L hardness IMZM		OMZM	Lead 100 mg/L hardness IMZM		OMZM	Zinc 100 mg/L hardness IMZM		OMZM	Cadmium 100 mg/L hardness IMZM		OMZM
		mg/L	Micrograms/L			Micrograms/L			Micrograms/L			Micrograms/L		
Ohio EPA water quality criteria*														
Dissolved			27		13	190		97	230		120	8.5		4.3
For the parameters noted the criteria values are the same for the Ship Channel and Lake Erie														
Sansalone et.al.	5 events													
Cincinnati														
Dissolved fraction translator (mean from 4 events)			0.524			0.279			0.771			0.662		
Event mean Conc.														
Adjusted**	Min	52	23		x	9			**354**		x	3		
Adjusted**	Max	92	**170**		x	27			**11753**		x	7		x
FHWA-PD-96-032 (June 1996) & FHWA-RD-88-006 (April 1990)														
Urban highway sites with Average Daily Traffic Values over 30,000														
Dissolved fraction translator			0.4			0.1			0.4					
Adjusted**	median site	52	22		x	40			132		x			
Adjusted**	highest 10%		**48**		x	156		x	**226**		x			
Adjusted**	Lowest 10%		10			10			77					

NOTES

IMZM — Inside Mixing Zone Maximum criteria
OMZM — Outside Mixing Zone Maximum criteria

* Water quality critiera values are determined by an equation in which hardness is an independent variable. Higher criteria would be higher for elevated hardness values. Lower values of hardness lessen allowable metal concentrations. For example a hardness value of 50 mg/l might decrease allowable values in the above table by a factor in the range of 2.

** Adjusted values were obtained by multiplying the total metals data by fractional values that the report suggests as representative of souble portion of the total metals concentration. The fractional value is listed in the table as the "dissolved fraction translator".

Format Notes
"x" denotes potential problem with Outside Mixing Zone Maximum criteria
Bolded denotes that values are greater then the IMZM criteria

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OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 12, 5500 TRANSPORTATION BLVD., GARFIELD HEIGHTS, OHIO 44125

January 12, 2007

Mr. Lester Stumpe
Chairman, Transwac Innerbelt Work Group
c/o Northeast Ohio Regional Sewer District
3900 Euclid Avenue
Cleveland, Ohio 44115

RE: CUY-Innerbelt Corridor, PID 77510; Reply to Transwac Innerbelt Work Group Comments

Dear Mr. Stumpe:

Reference is made to the March 20, 2006 "Findings and Recommendations Report of the Transwac Innerbelt Work Group. Our design team has reviewed the above document and provided responses after each bullet point.

We thank you for your Work Group's interest in the Innerbelt project. We look forward to a good working relationship as we continue on this important infrastructure project.

Respectfully,

Dale Schiavoni, P.E.
Planning and Programming Administrator

c: Howard Maier, NOACA
John Hosek, NOACA
Jim Gills, Lake County Engineer (Chair NOACA Transwac Subcomittee)
Frank Greenland, NEORSD
Bruce Mansfield, Burgess and Niple
Mark McCabe, URS
Rober Parker, Michael Baker, Jr.
David Riley, ODOT Central Office - Hydraulics
Rob Lang, ODOT Central Office – Office of Environemental Services
Bill Cody, ODOT Central Office – Office of Environemental Services
John Motl, ODOT D-12 Planning
Mike Kubek, ODOT D-12 Production
Craig Hebebrand, ODOT D-12 Production
David Lastovka, ODOT D-12 Production
Mike Moriarty, ODOT D-12 Production
file (PID 77510)

Finding and Recommendations Report of the Transwac Innerbelt Work Group
3/20/2006

ODOT Comments 01/12/2007

Transwac Innerbelt Work Group Findings:

1. There is reasonable evidence to suggest that untreated runoff from the Innerbelt may have deleterious effects on the aquatic and ecological health of the Cuyahoga River, and nearshore waters of Lake Erie. Attachment A provides supporting documentation for this conclusion.
2. The Department of Transportation for the State of Washington and CALTRAN have developed models for assessment of water quality impacts which may prove useful in more specifically assessing the impacts on water quality of the proposed Innerbelt facility. (Representative materials documenting these processes are assembled at an ftp site developed by the Transwac work group.)
3. Engineering decisions regarding the Innerbelt drainage systems and the treatment of runoff are likely to affect the feasibility of future options to provide for high levels of treatment of storm water, should new treatment requirements be determined necessary.
4. A substantial portion of the Innerbelt project will be constructed on elevated structures. This creates special problems related to storm water runoff management, and requires careful consideration in the planning and design of these structures. (It is noted that the National Cooperative Highway Research Program report "Assessing the Impact of Bridge Deck Runoff Contaminants in Receiving Waters" provides detailed guidance for assessing impacts and developing runoff management programs.)
5. The Greater Cleveland Community is embarking on a major capital program to control combined sewer overflows and is in the process of establishing new standards to control storm water for development and redevelopment projects as a measure to protect the ecological health of the area water resources.

Recommendations for the Conduct of the Innerbelt Project Development Process:

1. The Project Development Process (PDP) is encouraged to evaluate the likely environmental impacts (i.e., water quality and aquatic ecological impacts) attributable to highway runoff and develop storm water management practices that are responsive to the particular environmental concerns of the applicable receiving waters.

ODOT – The project will be developed within the current regulatory structure, which requires the use of post construction storm water best management practices(BMPs). These BMPs are designed to minimize the impact of highway runoff on the applicable receiving waters.

The PDP involves development of an environmental document to satisfy NEPA. To support the environmental document, an Ecological Survey Report will be prepared which describes

the aquatic, terrestrial, wetland, and endangered species resources of the project and potential impacts to these resources. In addition, ODOT will coordinate the ecological aspects of this project with the Ohio Department of Natural Resources, US Fish & Wildlife Service, US Army Corps of Engineers, and Ohio EPA. This coordination will also determine if a Section 404 permit and a Section 401 Water Quality Certification are required.

Additionally, a draft Stormwater Separation Feasibility Study was submitted to NEORSD on April 10, 2006 to discuss the interaction of the existing and proposed I-90 storm sewer system with the existing Cleveland/NEORSD combined sewer system. ODOT is pursuing a storm water separation strategy that will attempt to remove existing I-90 stormwater from the existing combined sewer system. (where hydraulically appropriate) It is theorized that removing I-90 stormwater from the existing combined sewer system should help NEORSD improve its combined sewer overflow control program, thus improving water quality for the Cleveland Lakefront area. Stormwater removed from the combined sewer system would be treated using conventional stormwater BMPs. The final version of this study will include a summary table which includes recommended BMPs for delineated project drainage areas.

In summary, the PDP involves a considerable amount of documentation of water quality and aquatic ecological impacts and coordination with various resource agencies as well as the issue of complying with the applicable Ohio EPA storm water permits.

2. In as much as untreated runoff from the proposed Innerbelt facility appears to have the potential to cause environmental harm and may result in the violation of water quality standards the PDP should consider treatment of all runoff from the reconstructed facility, as opposed to only providing treatment for volumes of runoff associated with new pavement area. Design events used to calculate runoff volume should be based upon controlling requirements considering both Ohio's general storm water permit and the need to prevent violations of Ohio Water Quality Standards.

ODOT - The General Construction Permit prescribes the installation and maintenance of BMPs aimed at water quality concerns expected from typical runoff. Highway runoff from the Innerbelt is typical. The permit does not prescribe effluent monitoring and limits, but instead relies on BMPs as an appropriate and efficient method to handle the level of pollutants in typical runoff.

The project will be designed to meet the requirements of the Ohio EPA's General Construction Permit. It is anticipated that future versions of the Ohio EPA's General Construction Permit will be issued in 2008 and 2013. The Cleveland Innerbelt projects are anticipated to begin construction in 2009, but are not anticipated to be completed until at least 2025. It is anticipated that the design of the Cleveland Innerbelt stormwater BMPs will comply with the current policy in place at the time of final design.

More specifically, the current ODOT policy requires the treatment of 20% of the water quality volume for areas of existing pavement and 100% for areas of new pavement. Project areas with both existing and new pavement areas will be designed to treat a weighted average of the water quality volume.

ODOT will consider the feasibility of providing BMP treatment for 100% of the pavement area, which is not currently required by the OEPA permit. Key considerations will be the initial capital cost for providing additional BMPs, along with the increase in the on-going operation and maintenance costs for these additional BMPs.

3. The PDP should consider potential long-term treatment needs for storm water in selecting design alternatives for the drainage of the Innerbelt facility. Some drainage options may limit opportunities for providing additional treatment for storm water runoff, should a higher level of treatment be determined as necessary in the future.

ODOT - It is not possible to project, at this time, what future treatment levels will be required.

In our August 16, 2006 letter to NEORSD, we discussed the concept of having the Innerbelt's "first flush" enter the NEORSD system. Since a "first flush" storm sewer system will have to convey larger flows away from the combined sewer system, it is anticipated that the needed storm sewer pipe infrastructure for a separate storm sewer system, and a system that conveys a "first flush" to the combined sewer system, will have similar initial capital costs. The department has determined that the installation and maintenance of transportation appropriate BMPs is advantageous rather then relying on unknown treatment costs through the NEORSD. Additionally, this strategy should result in reduced storm water entering the combined sewer system, which should have a positive impact on one of our region's greatest challenges, combined sewer overflows.

As noted above, the project will be designed to meet the requirements of the Ohio EPA's General Construction Permit. It is anticipated that future versions of the Ohio EPA's General Construction Permit will be issued in 2008 and 2013. The Cleveland Innerbelt projects are anticipated to begin construction in 2009, but are not anticipated to be completed until at least 2025. It is anticipated that the design of the Cleveland Innerbelt stormwater BMPs will comply with the current policy in place at the time of final design.

The location of many of the proposed Innerbelt storm sewers will be driven by ODOT hydraulic design criteria and existing outlet location. Certainly the effective drainage of the Cleveland Innerbelt is paramount to the safety of the public traveling at highway speeds.

4. The PDP is encouraged to consider the specific characteristics of Innerbelt runoff as well as proposed passive best management practices in evaluation of alternative storm water management strategies.

ODOT – ODOT believes that the runoff from the Cleveland Innerbelt is typical of "urban" runoff. The BMPs selected for use on this project will be appropriate for this environment. ODOT has worked closely with Ohio EPA for the past two years to develop post construction storm water BMPs specifically for linear transportation projects. It is important to note that all installed BMPs must meet numerous criteria. (buildable, fundable, maintainable, effective, safely remove water from a high speed facility, etc.) ODOT has

committed approximately $1 million in research money to study the operation, maintenance, and effectiveness of ODOT's BMPs for linear transportation projects.

Additionally, the Cleveland Innerbelt mainline pavement is currently being designed to have a minimum inside and outside shoulder width of 12'. This shoulder width is a design (safety) requirement due to the amount of truck traffic in the corridor. These shoulder widths will enable ODOT to sweep dirt and debris from the shoulders without having to close a traveled lane. At the present time, due to the existing narrow shoulders, the only reasonable times to close lanes on I-90 through the Innerbelt is evenings and weekends. This change of allowing ODOT maintenance crews to sweep the I-90 shoulders without having to close a traveled lane should result in more frequent shoulder sweepings since this work can be completed during normal work shifts. Regular shoulder sweeping will have dramatic effect on the long term performance of any stormwater BMP that are installed in this corridor.

5. It is recommended that the options evaluated for treatment of storm water include, but not be limited to the following:
   a) Detention and/or retention facilities above or below grade utilizing current or future green space near the Lakefront.
   b) Tie-in of all or part of the runoff to the improved combined sewer storage facilities which being designed by the Northeast Ohio Regional Sewer District.

ODOT – Although the Department is pursuing a storm water separation strategy, it is likely that some areas of the project will continue to be connected to the existing combined sewer system. These areas will receive stormwater treatment through the NEORSD system. For the remaining separate storm sewer areas, the design team will consider all of the BMPs in the L&D Manual. Key design criteria (such as elevation, safety, maintainability, right of way, future Cleveland economic development initiatives) will be utilized to screen these BMPs. Again, it must be noted that removing water from the pavement surface is essential to the safety of high speed traffic.

6. The management and treatment of runoff should be considered as an integral part of preliminary engineering for any new or reconstructed bridges crossing the Cuyahoga River. Containment of hazardous material spill should also be assessed.

ODOT – The project team is aware of the existing TMDL for the Lower Cuyahoga River and will consider it during the design of the BMPs for the Central Viaduct bridges (both the new I-90 WB bridge, and the rehabilitated I-90 EB bridge, and the ultimate replacement I-90 EB bridge)

7. For any proposed direct discharges of storm water to receiving waters or to separate storm sewer systems that subsequently discharge to receiving waters, preliminary engineering should begin planning for monitoring chambers that will facilitate the monitoring of highway runoff. Planning for any such discharge points should also consider provisions to assist in containing hazardous material spills.

ODOT – There are no regulatory requirements for monitoring chambers. Monitoring chambers can be considered, although standard ODOT manholes and inlet structures will provide adequate access for any needed future monitoring.

8. ODOT is encourage to provide for at least two review points for interaction with the TRANSWAC Innerbelt work group prior to the completion of the drafts for the environmental documents for the project.

ODOT – The Transwac group can review the Step 6 assessment of BMPs, upon its completion. Additionally the Transwac group will be encouraged to review the project's draft environmental impact statement.

9. If the PDP concludes that the treatment of storm water runoff called for by permit or by the need to prevent a violation of water quality standards is not feasible, such a finding should be supported by an engineering cost feasibility study demonstrating that treatment is not feasible. A format for an engineering cost feasibility study is provided at the above noted ftp site.

ODOT – At this time it is not anticipated that BMP implementation will be considered "not feasible".

10. As highway storm water runoff may affect water quality at various parks including portions of the Cleveland Lakefront State Park, the PDP should consider any applicable requirement of the Federal Highway Administration's Section 4(f) policy. This policy may suggest the need for specific studies or impose certain requirements on the management of storm water.

ODOT -_FHWA makes that the 4(f) determination for this project. ODOT will consult with FHWA on any 4(f) issues and such issues will be described in the environmental document.

11. As key stakeholders, Ohio EPA and ODNR should be encouraged to fully engage in the review of PDP step reports, as well as project environmental documents to evaluate whether or not proposed storm water management practices are protective of receiving water resources.

ODOT – ODOT continues to work closely with Ohio EPA and ODNR on the development of transportation appropriate BMPs.

Attachment A: Review of Water Quality Environmental Impact Concerns

The purpose of this document is to review the data developed by the Innerbelt work group, focusing on the question of whether the storm water runoff from the current and proposed Innerbelt facility has a reasonable potential to cause harm to the Cuyahoga River and the lakefront area of Lake Erie. This review was not meant to be exhaustive nor intended to fully evaluate the impact of Innerbelt storm water runoff. Rather, the purpose of this document is to aid in making a determination of the need for a more detailed analysis of likely water quality impacts as a part of the ODOT Project Development Process.

Four topics are considered in this document:

1. The summary findings of a literature review undertaken by the United States Geological Survey for the Federal Highway Administration, documenting the impacts of highway runoff on the ecological health of aquatic communities.
2. Summarization of the findings of the Cuyahoga River RAP Stage 1 report concerning local water resource impairments. The particular focus of this review is on the findings related to eutrophication and impairments to the benthic community.
3. Summarization of the Lower Cuyahoga TMDL, which sets targets for the Lower Cuyahoga for total phosphorus levels.
4. Comparison of published values for pollutant in highway runoff quality with Ohio water quality criteria.

1. Literature Review of Water Quality Impacts of Highway Runoff

A comprehensive literature review of the impacts of highway runoff was conducted by the USGS for the U.S. Department of Transportation. The report, "Assessing Biological Effects from Highway-Runoff Constituents," was released in 1999. (Open-File Report 99-240). This report reviews 44 articles and published papers incorporating fieldwork from 1970 through 1996. The last paragraph of the Summary of this document is provided below.

> "A review of 44 reports on the biological effects of highway runoff on local ecosystems reveals several information gaps. The use of different methods from study to study and a general lack of sufficient documentation preclude making quantitative comparisons among different studies using the existing data. Qualitatively, the literature indicates that constituents from highway runoff and from highway-runoff sediments deposited in receiving waters near the highway are found in the tissues of aquatic biota, and that these sources may affect the diversity and productivity of biological communities, even though bioassays would suggest that highway runoff is not often toxic to aquatic biota. To provide the quantitative information needed, it is necessary to obtain information using standard methods, and to document study results in a manner that will be useful for a national or regional synthesis."

2. Cuyahoga River Remedial Action Plan Stage 1 Report

The Cuyahoga River Remedial Action Plan in its Stage 1 report concluded that the Navigation Channel of the Cuyahoga River is "Probably Impaired" and that the nearshore area of Lake Erie is "Impaired." The Lower Cuyahoga is listed as "Probably Impaired" due to a lack of an adequate database on which to base a more definitive conclusion. Additionally, the Stage 1 report concluded that the benthic community is "Possibly Impaired" in the Navigation Channel and "Impaired" in the nearshore area of Lake Erie. The "Possibly Impaired" determination reflects that existing studies note problems, however, at that time there were no clear standards applicable to the navigation channel on which to base a more definitive determination. As a part of the procedure of making a determination of impairment for the benthic community, the Stage 1 process prepared separate technical reports on the benthic communities in the Cuyahoga River and in the Cleveland Harbor and nearshore areas. The Cleveland Harbor and nearshore benthic reports reference several studies conducted during the period 1976 through 1989.

3. Ohio EPA TMDL Report for the Lower Cuyahoga

Ohio EPA's September 2003 Total Maximum Daily Load Report found that the lower 7.2 miles of the Cuyahoga River are in non-attainment of water quality standards. Causes of impairment are listed as organic enrichment, habitat alteration, priority pollutant organics, metals, other organics, and oil and grease. The report concluded that "Phosphorus is the limiting nutrient in the Cuyahoga River system." The report sets a TMDL target at 0.12mg/L and calls for a 48% reduction of current phosphorus loading levels for non-point runoff sources. In appendix L the report notes that Cuyahoga River is targeted as a significant contributor to the enrichment conditions of nearshore of Lake Erie.

4. Highway Runoff Pollutant Values Compared to Ohio Water Quality Criteria

Ohio EPA sets water quality criteria for designated waters of the state. For example, the agency has established aquatic life uses for the Lower Cuyahoga river and for Lake Erie. Numerical criteria are found in ORC 3745-1-07. One example of criteria are the numeric allowable limits for concentrations of pollutants within the mixing zones created by a direct discharge. These Inside Mixing Zone Maximum (IMZM) criteria were developed to prevent acute lethality to aquatic life, and accordingly they are applicable for any individual sample rather than for an average of samples. The Outside Mixing Zone Maximum (OMZM) criteria are similarly applicable to individual samples. Compliance with the OMZM criteria involves determining the pollutant concentrations of the available dilution water and the amount of mixing which occurs. For the purpose of this analysis, the review was limited to heavy metals commonly found in highway runoff. Exhibit 1 is a table comparing literature values for highway runoff pollutant levels with Ohio EPA established criteria for IMZMs and OMZMs. Criteria are established for both total metal concentrations and dissolved metal concentrations. Comparison of these published values with Ohio EPA criteria suggests that untreated Innerbelt runoff, to the extent that is similar in reported literature pollutant values, may result in violations of water quality criteria if discharged untreated to Lake Erie or the Cuyahoga River.

Document list for reports at ftp site established for Transwac

Current as of 3/05/07

Item #	Report or Item Identifier	Document file name	Published by	Notes
0	Post Construction Storm Water Management Interim Policy—volume 2 revisions	00~Abstracts and Summaries for Innerbelt Work Group	ODOT	Sept 2003
1	Post Construction Storm Water Management Interim Policy	01~ODOT post construction policy	ODOT	Sept 2003
2	1/20/06 Update of ODOT Location and Design Manual	02~Location and Design Manual 1.20.06 update	ODOT	Jan 2, 2006
3	Is Highway Runoff A Serious Problem	03~Is Highway runoff a serious problem	From: FHWA web site	April 2003
4	Highway Runoff and Water Quality Impacts	04~East-west gateway coordinating on Stormwater	East-West Gateway Coordinating Council—I believe this a California Agency	August 2000
5	Pollutant Loadings and Impacts from Highway Stormwater Runoff:	05~FHWA-RD-88-006	FHWA	April 1990

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	Volume I: Design Procedure			
6	Pollutant Loadings and Impacts from Highway Stormwater Runoff: Volume, III: Analytical Investigation And Research Report	06~FHWA-RD-88-008	FHWA	April 1990
7	Chapter 2 of Evaluation and management of highway runoff water quality:	07~National Highway Runoff–Coordination with Environmental Agencies and the Public (an HTML document)	Federal Highway Administration Final Report FHWA-PD-96-032, 480 p.	1996 Young, G.K., Stein, S., Cole, P., Kammer T., Graziano, Bank F.,
8	A Review of Semivolatile and Volatile Organic Compounds in Highway Runoff and Urban Stormwater	08~Review of Semivolatile and Volatile Organic Compounds: OFR98-409	U.S. Geological Survey &U.S. Department of the Interior	1998
9	Assessing Biological Effects from Highway-Runoff Constituents	09~Assessing Biological Effects: OFR99-240	U.S. Geological Survey &U.S. Department of the Interior	1999

Item #	Report or Item Identifier	Document file name	Published by	Notes
10	Volume I – Technical Issues for Monitoring Highway Runoff and Urban Stormwater	10~Technical Issues for Monitoring—Volume 1 EP03-054	U.S. Geological Survey & U.S. Department of the Interior	2003 The National Highway Runoff Data and Methodology Synthesis
11	Volume II --National Highway Runoff Water-Quality Data and Methodology Synthesis, -Project Documentation	11~National Highway Runoff—Project Documentation—Volume 2 EP03-055	U.S. Geological Survey	The National Highway Runoff Data and Methodology Synthesis 9/30/2001
12	FHWA Stormwater BMP ultra urban	12~FHWA Stormwater BMP ultra urban	FHWA	FHWA web site
13	2005 guidance on 4 f policy	13~Final 4(f) PP 3-1-05	FHWA Office of Planning, Environment and Realty	2005
14	ODOT Project Development Process	PDPcomplete_1104.pdf	ODOT	Nov. 2004
15	Section 204 of ODOT Project Development Process	15~Section 204 from PDPcomplete_1104	ODOT	Nov 2004
16	NPDES Permit No	16~Darby StormWater	OEPA	Dec 2005

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	OHC100001: General Permit for Discharges of Storm Water Associated with Construction Activity Located within the Big Darby Creek Watershed	Draft FS_December 2005		
17	Picture of Darby Creek Watershed	17~Darby StormWater Draft GP Attachment A	OEPA	Dec 2005
18	Authorization for StormWater Discharges Associated with Construction Activity within DCW under the NPDES	18~Darby StormWater Draft GP	OEPA	Dec 2005
19	Supplemental Specification: OEPA authorization for Stormwater Discharges associated with construction activity under NPDES	19~Ohio EPA Permit	OEPA	April 2003
Item #	**Report or Item Identifier**	**Document file name**	**Published by**	**Notes**
20	Selected Material from Stage 1 RAP reports	20~ Selected Material from Stage 1 RAP reports	Cuyahoga River Remedial Action Plan Coordinating Committee	June 1992
21	First Flush Phenomenon	21~ First Flush Phenomenon	California Department of	August 2005

	Characterization	Characterization	Transportation, Division of Environmental Analysis	
22	Storm Water Monitoring and BMP Development Status Report	22~CALTRANS Storm Water Monitoring and BMP Development Status Report	CALTRANS	Nov 2004
23	Review of Contaminants and Toxicity Associated with Particles in StormWater Runoff	23~CALTRANS Review of Contaminants and Toxicity	CALTRANS	August 2003
24	Stormwater Pollution Prevention Plan, Water Pollution Control Program, Construction Site BMPs Guide	24~Project Planning and Design Guide—PPDG—with revisions 7.26.05	CALTRANS	Sept 2002, reprint April 2003
25	Guidelines for the Preparation of the Preliminary Environmental Analysis Report	25~PEAR manual	CALTRANS	Dec 2001
26	Appendix E of the Storm Water Data Report Project Planning and Design Guide	26~ Appendix E of the Revised PPDG	CALTRANS	May 2005
27	Appendix E of the Storm Water Data Report Project	27~Work in Progress Appendix E of the Revised PPDG	CALTRANS	May 2005

	Planning and Design Guide with comments and deletions marked			
28	WSDOT Highway Runoff Manual for 2005	28~WSDOT Highway Runoff Manual—	WSDOT	2006
29	Water Use Designations and Statewide Criteria, OAC 3745-1-07	29~OAC 3745-1-07--Water Quality Standards	Ohio Administrative Code	Dec 2002
Item #	**Report or Item Identifier**	**Document file name**	**Published by**	**Notes**
30	Highway Runoff Water Quality Research	30~Cazenas-FHWA-Highway Runoff Presentation	FHWA	Dec 2003
31	NCHRP Report 521: Identification of Research Needs Related to Highway Runoff Management	31~NCHRP 521—Identification of Research Needs	Transportation Research Board of the National Academies	2004
32	NCHRP Report 474: Assessing the Impacts of Bridge Deck Runoff Contaminants in Receiving Waters: Volume 2—Practitioner's Handbook	32~NCHRP 474 —impacts of Bridge Deck Runoff—Practitioner's Handbook	Transportation Research Board of the National Academies	2002
33	Selections from "Continuous	33~ Continuous Deflective Separation	WEF	1997

	Deflective Separation: Its Mechanism and Applications"			
34	Presentation of The Nature and Control of Urban Storm Water—A Physical-Chemical Perspective	34~Sansalone-- The Nature and Control of Urban Storm Water	Sansalone, from the Civil and Environmental Engineering Department at Louisiana State University	Nov 2001
35	Sansalone and Teng—In Situ Partial Exfiltration of Rainfall Runoff. 1: Quality and Quantity Attenuation	35~Sansalone and Teng—In Situ Partial Exfiltration of Rainfall Runoff	Journal of Environmental Engineering	Sept 2004
36	Design of Road Culverts for Fish Passage, 2003 update	36~WSDOT Design of Road Culverts for Fish Passage	Washington Department of Fish and Wildlife	2003
37	Upcoming revisions to the 3/2004 WSDOT Highway Runoff Manual for 2005, Appendix 3A	37~WSDOT HRM—2005 Pending Draft Appendix 3A	WSDOT	March 2005
Item #	**Report or Item Identifier**	**Document file name**	**Published by**	**Notes**
40	Upcoming revisions to the 3/2004 WSDOT Highway Runoff Manual for 2005, Chapter 3	40~WSDOT HRM—2005 Pending Draft Ch. 3 Stormwater Planning and Design	WSDOT	March 2005

41	WSDOT Hydraulic Manual	41~ WSDOT Hydraulic Manual	WSDOT	March 2005
42	Statement on Cleveland Innerbelt Strom Water Issues	42~ODOT Statement of Storm Water	ODOT	April 2006
43	NOACA's Transwac Committee Findings and Recommendations report	43~Transwac WG Findings and Recommendations	NOACA Transwac Work Group; Approved by the NOACA Transportation Advisory Committee May 19, 2006	March 20,2006
44	ODOT response to Transwac Findings and Recommendations report	44~ODOT response to Transwac Findings and Recommendations Report	ODOT	January 12, 2007
45	Level 1 Ecological Survey Report Cleveland Innerbelt Project	45~ESR Final	ODOT	Feb 16,2007

April 18, 2007

Timothy M. Hill
Administrator, OES Department
Ohio Department of Transportation
1980 West Broad Street
Columbus, OH 43223

Dear Mr. Hill:

Attached you will find comments on the Level I Ecological Survey Report—Cleveland Innerbelt Project. These comments represent the efforts of an Innerbelt Work Group established by the TRANSWAC subcommittee which reports through the NOACA Transportation Advisory Committee. Our final comments are a reformatted version of the material we emailed you on April 11th. Our earlier email did include some attachment which may be helpful to your agency in making revisions to the subject report.

Because we only recently realized that NOACA would be considered a participating agency and thus allowed to comment on the subject report, we were not able to organize and accomplish the full range of our stated objectives within the time frame allotted. Specifically, we had hoped to have time to discuss issues with other participating agencies prior to finalizing our comments on the subject report. Additionally, we had been expecting to receive a draft engineering report from your agency which discussed specifics concerning the Innerbelt drainage area and included a first look at BMPs which might have further informed our comments. Apparently this draft has been further delayed.

Based upon our phone conversation today it appears that the appropriate thing to do is to submit our comments now as final while continuing to explore ways to collaborate with other participating agencies. We appreciate you efforts to arrange a meeting with the TRANSWAC sub committee in the near future. At this meeting I suggest that we discuss how collaboration between the participating agencies could be accomplish to benefit the draft EIS process and subsequent phases of the EIS.

We look forward to the forthcoming meeting. However, do not hesitate to contact me if we can be of service prior to the meeting.

Sincerely,

Lester A. Stumpe
Chair, Innerbelt Work Group

Comments for:

LEVEL I ECOLOGICAL SURVEY REPORT
CLEVELAND INNERBELT PROJECT

1) **Applicability of Ohio's General Construction Permit to selection of storm water treatment methods**

Ohio's General Construction permit was not designed for, and can not be expected to provide adequate guidance for long-range planning processes involving protection of water quality. For example, by permit terms Storm Water Pollution Prevention Plans (SWP3s) identifying selected BMPs do not need to be developed for potential review by Ohio EPA until 21 days prior to commencing construction. Clearly these kinds of conditions are not appropriate to provide guidance for current engineering work for a project that may cost as much as a billion dollars, will not be completed for more then 15 years, and sets drainage patterns that may affect lakefront water quality for decades. The General Construction permit does contain provisions to allow Ohio EPA to issue an individual permit. Specifically, Part 4A contains the following provision:

> "If there is evidence indicating potential or realized impacts on water quality due to any storm water discharge associated with construction activity covered by this permit, the permittee of such discharge may be required to obtain coverage under an individual permit or an alternative general permit in accordance with Part I.C of this permit or the permit may be modified to include different limitations and/or requirements."

Ohio EPA should be engaged to discuss whether an individual permit would be appropriate for the Cleveland Innerbelt project and if so to explore potential options for the permit's timing and substantive requirements.

2) Applicability of the Section 4(f)

The Innerbelt project should trigger a review of impacts regulated by the Section 4(f) process. Two cases should be considered.

A) The first case is the possibility that water pollution from the proposed direct discharge to Lake Erie could affect the water quality of the East 55th Street Marina, an element of the Cleveland Lakefront State Park. This may potentially constitute a constructive use of 4(f) property.

B) The second case is based upon the potential cumulative impact of failing to provide for aggressive storm water treatment when properties draining to the Lakefront are redeveloped or reconstructed. A "large portion" of the natural drainage that would affect lakefront water quality is intercepted by combined sewers and treated at regional facilities. However, something in the range of 2000 acres of Cleveland Lakefront properties, including significant acreage of roadway surface, is believed to directly discharge to Lake Erie. Failure to provide for aggressive storm water treatment, when these properties are re-developed or reconstructed, is likely to have a cumulative negative impact on the anticipated public uses of the Cleveland Lake Front Planning

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District. By virtue of the public's ownership of these lands and their current projected use in the time frame of the Innerbelt project, Cleveland Lakefront property in public ownership should be evaluated as 4(f) properties.

In evaluating the substantive nature of the impact of storm water discharges, attention should be given to the hours of potential water quality impairment caused by repeated storm discharges of varying magnitude.

3) Consideration of Coastal Zone management requirements

In considering appropriate pollution controls for Innerbelt storm water consideration should be given to the Ohio Coastal Nonpoint Pollution Control Program Plan.

4) The following comments are referenced to specific sections of the Level I Ecological Survey Report – Cleveland Innerbelt Project.

Place	Section Excerpt	Draft Transwac Comments
Hardcopy Page *iv*, 1st comment (Executive Summary Section, paragraph 2)	**EXECUTIVE SUMMARY** *"Field surveys of the study area were conducted in June, July and August of 2005. Aquatic, terrestrial, and wetland resources, as well as endangered species were investigated. The Cuyahoga River is the only aquatic resource in the study area. No direct operational or construction impacts on aquatic resources are expected."*	At the very minimum: 1) Reconstruction of the Innerbelt facility will renew the pollution source of highway runoff for the life of the project. 2) Direct discharges of stormwater during construction of the roadway and new bridges could have a water quality impact on both Lake Erie and the Cuyahoga. 3) Without changes in drainage patterns stormwater runoff from the Innerbelt facility will have an ongoing operational impact on the Cuyahoga River and Lake Erie.
Hardcopy Page *iv*, 2nd comment (Executive Summary Section, paragraph 4)	**EXECUTIVE SUMMARY** *"A wetland delineation investigation was conducted within study area boundaries. No wetlands or other waters of the U.S. (other than the Cuyahoga River) were identified within study area boundaries. Therefore, no impacts to wetlands or other waters of the U.S. are expected."*	Figure A on page 4 clearly shows that the study area boundary includes Lake Erie. Even the mapped corridor touches Lake Erie. Clearly, the impacts to Lake Erie should be considered so that, to the best of our knowledge, the plan is to maintain some form of the existing Lake Erie discharge.
Executive Summary	**EXECUTIVE SUMMARY**	The report does not consider the potential impacts of a stormwater discharge on the Cleveland Lake Front State park. To the extent that this represents a constructive use, the Sec (4)(f) policy would apply and would require certain study efforts be undertaken.

Hardcopy Page 3 (Section I, Subsection A, part 2) Continued from previous page	**2. Purpose and Need** *"The Purpose and Need statement for the Cleveland Innerbelt Project was completed in April 2003. The Purpose and Need Statement identified four categories in which transportation improvements are necessary and will become critical as traffic and congestion continues to increase. These four categories are: (1) physical condition (Section 3.1-B & N Report), (2) safety (Section 3.2-Step 5 Report), (3) operational performance (Section 3.3-B & N Report), (4) access (Section 3.4-B & N Report). The categories are discussed below. Additional detail regarding the Purpose and Need for the Project may be found at:* ***www.innerbelt.org/Innerbelt/Docutments/Purpose%20and%20Need.pdf."***	The Purpose and Need Statement is supplemented by materials at the referenced website. Supplemental materials identify the goal of enhancing and protecting the natural environment. If there is a need to assure a complete consideration of alternatives for the treatment of stormwater in the draft EIS enhanced treatment of Innerbelt stormwater, runoff should be added to the purpose and need statement.
Hardcopy Page 8 (Section I, Subsection A, part 3)	**Study Area Description and Description of Alternatives**	1) Descriptions of alternatives should include descriptions of alternatives for stormwater treatment. In particular, the report should consider the potential right-of-way that might be useful for stormwater management. Transwac has previously suggested that some stormwater management might be accomplished at the northern-most end of the project. There may also be an opportunity to accomplish some pollution reduction in the right of way which will be used as a part of flattening the curve where the Innerbelt transitions to Lake Shore Blvd and I-90. 2) Previous correspondence with the Transwac Work Group suggests that at least a tentative decision has been made to separate stormwater. If this is the case, the logic for this should be presented and discussed somewhere in the report. 3) The report should consider the ability to obtain or use current right of way to install ultra-urban BMPs which have been identified by USEPA. Newer emerging technologies for treatment of stormwater should be considered.

		4) Alternatives for treatment of bridge runoff from both the proposed new bridge and the reconstructed bridge should be discussed.
Hardcopy Page 15 (Section I, Subsection B)	**B. STUDY OBJECTIVES** *"This Ecological Survey Report documents the findings of a detailed field investigation to characterize the study area's aquatic, terrestrial and wetland resources and endangered species, and to determine the project's impact on these resources. Specific study objectives were to:* *(•) Identify and evaluate the significance of aquatic, terrestrial and wetland resources and endangered species which may be directly or indirectly affected by the proposed Cleveland Innerbelt Project;* *(•) Comply with state and federal requirements and policies ensuring that wetland resources and endangered species are taken into account as part of the overall project development and decision process;* *(•) Evaluate any river, stream and/or wetland identified within the study area by utilizing the most current versions of the Qualitative Habitat Evaluation Index (QHEI) and the Headwater Habitat Evaluation Index (HHEI) and the Ohio Rapid Assessment Method (ORAM).*	Objectives should include 1) Evaluation of impacts on Lake Erie water quality should be added as an objective. 2) Evaluations of stormwater runoff impacts on uses planned for the Cleveland Lakefront.
Hardcopy Page 16 (Section II, Subsection A)	**METHODS** **A. AQUATIC RESOURCES** *"The ODOT Ecological Manual (ODOT, 2005) sets requirements for data collection in aquatic systems. For streams where the drainage area upstream of the project location is greater than 200 mi^2, full aquatic biological sampling is not required; a QHEI may be performed is possible (Rankin, 1989). Water quality and biological data for projects containing large streams may be extracted from published sources. The Cuyahoga River has a drainage area greater than 200 mi^2 upstream of the project area, thus full sampling is not required for this project."*	1) Any potential contributions to the impairments as identified by the Lake Erie LaMP should be considered. 2) Any potential contributions to the impairments as identified by the Cuyahoga River Remedial Action plan should be considered. The RAP "Area of Concern" includes the Cuyahoga River and the nearshore areas of Lake Erie. 3) Methods should include evaluation of any impact on the goals and protection requirements established for the near shore areas of Lake Erie as an element of the Ohio Coastal Management Program. 4) An estimated range of pollutant concentrations should be developed based upon projected traffic density prior to the

Continued from previous page		application of any BMPs to determine worst case discharge concentrations. These concentrations should be compared to Ohio Water Quality Standards to determine if there is a potential for the Innerbelt runoff to cause or contribute to a violation of water quality standards.
Hardcopy Page 17 (Section III, Subsection B, paragraph 2)	**B. TOPOGRAPHY AND DRAINAGE** *"The Cleveland Innerbelt Project lies within the Lake Erie Coastal Zone Management Area. The Ohio Coastal Management Program (OCMP) oversees the management, use, conservation and development of the coastal area within the State of Ohio. Therefore, ODOT will need to contact the Ohio Department of Natural Resources, Office of Coastal Management prior to commencement of the Cleveland Innerbelt Project construction."*	The Office of Coastal Management should be involved in review of the subject document and in early discussions regarding EIS review of alternatives for stormwater management.
Hardcopy Page 20 (Section IV, Subsection A, paragraph 1, sentences 1—3)	**A. AQUATIC ECOLOGY** **1. Existing Literature** **Description of the River** *"The Cuyahoga River is the sole aquatic feature mapped in the study area. The Cuyahoga watershed drains 813 mi^2. From its headwaters in northern Geauga County, the Cuyahoga flows generally south to the Kent and Akron area."*	Figure A shows that Lake Erie is a mapped feature of the study area. Chapter 4 should be revised to include a section dealing with the nearshore areas of Lake Erie.
Hardcopy Page 21 (Section IV, Subsection A, paragraph 4)	**Summary of Recent Water Quality Studies**	In summarizing, water quality studies the report should consider the Stage 1 report of the Cuyahoga RAP. Water quality data and reports by the Northeast Ohio Regional Sewer District should also be consulted.
Hardcopy Page 22 (Section IV, Subsection A, paragraph 10)	**Summary of Recent Water Quality Studies** *"Aquatic plants require a host of nutrients for proper growth. Perhaps the two most important are nitrogen and phosphorus. Excessive concentrations of nitrogen and phosphorus are found in the lower Cuyahoga. It is important to note that aquatic plants require a fairly specific ration of nitrogen to phosphorus for normal growth, generally around 7:1. Because*	1) The TMDL for the Lower Cuyahoga also establishes limits for indicator bacteria. Highway runoff can, in some cases, be a significant source of bacterial contaminates. 2) As a discharge direct to Lake Erie is being considered, Nitrogen may be a significant nutrient in evaluating runoff impacts

	both nutrients are essential, growth is generally limited by the nutrients present at the lowest concentration that is present at the shortest supply. In aquatic systems where the N:P ratio is greater than 10:1, phosphorus is the limiting nutrient. The average N:P ratio in the lower Cuyahoga was 19.5:1 in 2000, indicating phosphorus is the limiting nutrient in this system. The import for pollution management is that reductions in nitrogen would not likely result in changes in the biological indicators of eutrophication until phosphorus is first reduced. The TMDL for the lower Cuyahoga focuses on phosphorus reduction."	
Hardcopy Page 23 (Section IV, Subsection A, paragraph 17) Continued from previous page	**Aquatic Summary** *"The TMDL for the lower Cuyahoga lists several causes of impairment that could conceivably be related to highway runoff. These include metals, other inorganic materials and oil and grease. However, it is doubtful that the interstate system in and near the study area makes substantial contributions to loads of these materials that reach the Cuyahoga. Cleveland occupies approximately 25,666 acres, with approximately 19,737 acres in the high density urban area. Estimates indicate approximately 87% of the city consists of impervious cover, roughly 17,000 acres. Total existing paved area within the entire Innerbelt project area is 96 acres, or approximately 0.5% of the total impervious surface within the urban core of Cleveland. The Innerbelt is surrounded by a massive amount of impervious surface within the urban core of Cleveland. Given the urban, paved nature of the center of Cleveland, and the small contribution the Innerbelt project makes to this total, it is unlikely that the Innerbelt alone makes a substantial contribution to the total pollutant load in the Cuyahoga."*	1) Following control of the combined sewer load which is scheduled in the same time frame as construction of portions of the Innerbelt, urban runoff will constitute a significant portion of the load discharged directly to Lake Erie. The impact of urban runoff occurs as a result of the cumulative impact of many discharges which may not by themselves be significant. This requires that all sources be considered for stormwater management. 2) The Ecological survey should estimate both the concentration and the pollutant load represented by current Innerbelt runoff. This information should be compared with water resource impairments.

Hardcopy Page 30, 1st comment (Section V, Subsection A, paragraph 4, sentences 1, 2,& 3)	**V. IMPACTS ASSESSMENT** **A. AQUATIC RESOURCES** *"It is important to note that the primary causes of impairment in the lower Cuyahoga River watershed are organic enrichment, nutrient enrichment, low in-stream dissolved oxygen, toxicity, sedimentation, and habitat degradation. Nutrient enrichment and organic enrichment are closely tied to each other in the Total Maximum Daily Load (TMDL) river segment. Due to the large number of Combined Sewer Overflows (CSOs) and sewage treatment plants in the TMDL sub-watershed area, both appear as sources of non-attainment."*	The TMDL report finds that pollutants from all named sources including urban runoff contribute to non-attainment. The fact that the TMDL establishes targeted reductions sewage treatment plants and CSOs should be noted. Specifically, the NEORSD Long Term Control Plan is recommended for the control of CSOs. WWTR plant discharges are target for specific phosphorus reductions. A general target is also established for other nonpoint sources, which would include urban and highway runoff.
Hardcopy Page 30, 3rd comment (Section V, Subsection A, paragraph 4, sentence 4)	**V. IMPACTS ASSESSMENT** **A. AQUATIC RESOURCES** *"The remaining nutrients, at this time, are believed to be associated with phosphorus."*	The thought intended to be conveyed by this sentence needs to be expanded/clarified.
Hardcopy Page 30, 4th comment (Section V, Subsection A, paragraph 5, sentences 1 and 2)	**V. IMPACTS ASSESSMENT** **A. AQUATIC RESOURCES** *"Urban runoff is identified in the final TMDL report for the lower Cuyahoga River as a source of water quality impairment in the watershed. The report identifies specific pollutants of concern in storm water discharges for MS4s involving phosphorus and fecal coliform."*	The specific reduction target for phosphorus should be noted
Hardcopy Page 30, 5th comment (Section V, Subsection A, paragraph 6, sentences 3)	**V. IMPACTS ASSESSMENT** **A. AQUATIC RESOURCES** *"While highway runoff is assumed to be part of the urban runoff/storm sewers category, the report does not name transportation facilities as a "significant contributor" to the problems from a TMDL perspective."*	Clarity is sacrificed in an attempt to use wording to verbally minimize the contribution of highway runoff. The matter is actually quite straight forward. Highway runoff is a component of urban runoff and urban runoff is identified as a significant contributor to problems.

Hardcopy Page 30, 6th comment (Section V, Subsection A, paragraph 6, sentences 5)	**V. IMPACTS ASSESSMENT** **A. AQUATIC RESOURCES** *"Along Cleveland Harbor front, discharges from existing CSOs, storm sewers, dredging, and lack of habitat are primary sources of pollutants of concerns and causes of impairment."*	The "Cleveland Harbor front" should be defined as it is used in this paragraph. The source of this conclusion should be identified and the strength of the conclusion should be discussed. It should be noted that highway runoff is a component of wet weather discharges to the Cleveland Harbor front.
Hardcopy Page 30, 7th comment (Section V, Subsection A, paragraph 7)	**V. IMPACTS ASSESSMENT** **A. AQUATIC RESOURCES** *"Given the extended time frame envisioned to complete all of the construction in this corridor, it is anticipated that many, if not all, of the Innerbelt construction contract groups will be constructed under a future NPDES Construction General Permit. ODOT will continue to work with the Ohio EPA to ensure that the BMPs selected for the linear transportation environment are appropriate, effective and maintainable."*	According to the Ohio General Construction permit BMP's are to be selected to assure maintenance of Ohio's water quality standards.
Hardcopy Page 30, 8th comment (Section V, Subsection A, paragraph 8, sentence 1)	**V. IMPACTS ASSESSMENT** **A. AQUATIC RESOURCES** *"In addition, ODOT is preparing a Separation Feasibility Study, as a means of assessing both the water quantity and water quality issues related to ODOT runoff currently being collected and conveyed by the North East Ohio Regional Sewer District combined system in the Central Interchange and Innerbelt Curve portions of the project."*	This discussion should be expanded with more details of the scope of this study and the expected date of completion for this work. What water quality issues will be discussed that are not covered in the subject Level 1 Survey? Will the Separation Feasibility Study be sent to collaborating agencies for review as a part of the draft EIS process?
Hardcopy Page 30, 9th comment (Section V, Subsection A, paragraph 8, sentence 2)	**V. IMPACTS ASSESSMENT** **A. AQUATIC RESOURCES** *"ODOT will also apply the current policy to address storm water runoff associated with the Central Viaduct Bridge portion of the project."*	What "policy" is being referred to in this sentence? The applicability of the "policy" to particular circumstances should be discussed. In previous discussions and correspondence with the Transwac Subcommittee reference has been made to a policy that derives from the Ohio General Construction Permit. It would appear that the policy would not be controlling if application of the policy results in a violation of water quality standards. Further in this case the application of any "policy" would only be appropriate after a showing thru the EIS process that the policies application will

		appropriately consider the publics interest in environmental protection as required by NEPA.

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NORTHEAST OHIO AREAWIDE COORDINATING AGENCY
Planning For Greater Cleveland
Serving Cuyahoga, Geauga, Lake, Lorain & Medina Counties

April 10, 2007

Ms. Bonnie G. Teeuwen, P.E.
Deputy Director
ODOT District 12
5500 Transportation Blvd
Garfield Hts., OH 44125-5396

Dear Ms. Teeuwen:

The NOACA Transportation/Water Quality Advisory Committee (TRANSWAC) has raised several issues for ODOT to consider as it generates the Environmental Impact Statement for the Cleveland Innerbelt Study. The reconstruction of the Innerbelt will affect local conditions for decades to come. It is imperative that runoff from the roadway and associated structures be managed to the greatest extent possible. Towards that end, the TRANSWAC would like to offer these comments:

1. The TRANSWAC encourages that the range of comprehensive alternatives be evaluated for managing storm water runoff. This would include the feasibility of collecting the first flush runoff and directing it to the Easterly Wastewater Treatment Plant via the combined sewer network maintained by the Northeast Ohio Regional Sewer District.

2. ODOT is encouraged to promptly request a 4(f) determination from the FHWA regarding the Innerbelt Project.

3. The Cuyahoga River Remedial Action Plan and the Coastal Zone Management Program of the Ohio Department of Natural Resources should be contacted to ascertain if any new data sources exist for the lower Cuyahoga River or the nearshore area of Lake Erie. We recommend these entities be asked to assist in the identification of innovative BMPs appropriate for use in the project area.

4. That ODOT work with NEORSD to provide all data and information required for NEORSD to analyze the impact on its collection, treatment and discharge systems and develop the various costs required for ODOT to effectively evaluate the various alternatives related to the first flush runoff as part of the environmental impact statement.

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We recommend that the Environmental Impact Statement address the protection of the critical water resources that receive runoff from the Innerbelt Project. The TRANSWAC encourages ODOT to consider BMPs that go beyond those necessary to meet the minimum requirements of any regulatory program. We agree that all recommendations should be on an intelligent cost-benefit ratio which protects our water resources to the best practical extent.

We have asked NEORSD to work with ODOT to develop costs which ODOT may use to prepare the cost-benefit analysis of alternatives as part of the Environmental Impact Statement. Thank you for your consideration and co-operation.

James R. Gills, P.E., P.S.
Lake County Engineer
Chairperson, NOACA TRANSWAC

AV/rjd/6243e

cc: Craig K. Hebebrand, ODOT
Howard Maier, NOACA
Erwin Odeal, NEORSD

Northeast Ohio Regional
Sewer District
Protecting Your Health and Environment

June 22, 2007

Dave Lastovka
Transportation Engineer 4
Ohio Department of Transportation
5500 Transportation Boulevard
Garfield Heights, Ohio 44125

Dear Mr. Lastovka:

This letter is a follow-up response to past correspondence in which ODOT requested potential charges for treatment of the stormwater that drains from the Innerbelt facility. As we have previously responded, we do not have a stormwater charge at this time, and lacking such we are not able to meaningfully speculate about potential stormwater user charges.

In subsequent discussions and meetings the lack of cost data has been raised as an obstacle to evaluating storm water management options. As a result the TRANSWAC committee made a request to both ODOT and NEORSD to work together to develop an approach to allow cost comparison to be factored appropriately into an alternative evaluation.

Discussions between NEORSD and ODOT led to the idea that providing an estimate of current cost for tunnel capture with subsequent secondary biological treatment would provide the data needed for a present worth analysis of options. The anticipated engineering cost analysis would be simplified and facilitated by the understanding that the public is best served by the most appropriate and cost effective expenditure, whether by ODOT or NEORSD.

As context to this discussion, we understand that ODOT is considering changes to its drainage system which will result in necessary changes to flow rates, captured volume, and potentially changed characteristics of the runoff. However, for the purposes of this response we are assuming that net changes will not affect the above mentioned parameters to the extent that it would require fundamental changes to the philosophy of the District's Long Term Control Plan.

The parameter necessary for a present-worth analysis of the tunnel capture option would include (1) an allocation of cost for the capacity of the tunnel that is reserved for stormwater capture, (2) an estimate of the cost for operation and maintenance of the

tunnel, (3) typical municipal treatment costs, and (4) a planning period for cost analysis. Current cost data for tunnel construction and operation and maintenance of wastewater facilities is available in the literature. However, the data in this letter may be helpful to ODOT in refining appropriate values.

In performing a cost analysis of the tunnel option, some assumption regarding allocation of the capital costs of a tunnel need to be made. Costs could be allocated to Innerbelt stormwater management using the proportion tunnel storage reserved for the Innerbelt in relation to the total tunnel storage. (This could be described as a proportional cost allocation.) As an alternate, cost could be calculated in a way to take some credit for the cost-efficiency of incrementally increasing the diameter of an already large tunnel. (This later approach could be described as an incremental cost allocation.) On the surface, both approaches have merits. However, the logical appeal of the incremental approach is dampened when one realizes that size increases are not dramatic and available cost estimates lack the precision to carefully discern the cost of adding an additional foot to the existing tunnel diameter. (As a point of reference, increasing the tunnel from 24 foot diameter to 25 foot diameter increases the storage volume by approximately 8.5%. The additional volume captured could hold about an inch of storm water captured from 111 acres; which is an estimate of the size of the collection area of the Innerbelt trench.)

We suggest that a cost should be computed to account for the operation and maintenance of the tunnel. (Note: For purposes of the subject analysis we recommend assuming that pumping costs to dewater the tunnel for treatment is considered as a part of treatment costs rather then tunnel operation and maintenance.) Given the scarcity of operating cost data, we suggest that tunnel operation and maintenance costs be allocated based upon the proportion of the reserve tunnel storage to the total tunnel storage. We suggest estimating tunnel Operation and Maintenance as a percentage of initial capital costs. For the cost component of treatment of the captured storm water, we suggest using published operations and maintenance costs for a typical large wastewater treatment authority.

In consideration of the factors discussed above we suggest using the following approach:

A. Assume a straight line depreciation of the tunnel which results in no residual value for the tunnel after 100 years.

B. For tunnel capital costs assume the baseline condition as a 24 foot diameter tunnel constructed in soft ground costing $8,000.00 per linear foot. These values generally correspond to current planning level analysis for the CSO storage tunnel which is proposed to run along the lakeshore to the

NEORSD Easterly Wastewater Treatment plant. (Estimate provided by Richard Switalski, Manager of Sewer Design for NEORSD.)

C. Estimate present-day annual operations and maintenance costs between 0.1% and 0.25% of initial capital costs. Tunnels are thought to have significantly lower maintenance costs as a percentage of their capital costs then the average infrastructure element. However, actual data on operation and maintenance of wastewater tunnels is scarce. One published report concerning a wastewater tunnel in Sidney Australia used an estimate for maintenance costs of close to 0.1% of tunnel capital costs for purposes of its asset management program.

D. Present day cost of treatment for storm water collected is in the range of $612.00 per million gallons treated. This cost value represents the cost of treatment without administrative cost, collection service costs, or debt service. The value was generated by the author using the data base compiled for the 2005 Financial Survey conducted by the National Association of Clean Water Agencies (NACWA). (Note: NEORSD's cost of treatment as reported in the subject survey was lower then the specific value noted above.)

While some refinement may be possible to the above provided values, it is our belief that a cost analysis of tunnel storage and alternative treatment will contain other assumptions that are equally tentative. We recognize that ODOT or its consultant might have values that are more robustly supported with actual experience or literature reference. Such values may be more appropriate then the value that we have provided herein. Additionally, we would be willing to discuss the numbers we provided and our thought regarding methods for a comparative cost analysis.

We continue to believe that an engineering and environmental comparison of treatment options for the Innerbelt storm water will be an important step toward making a decision that balances cost and environmental protection. Please do not hesitate to contact the undersigned if you believe that we can be of further assistance.

Sincerely,

Lester Stumpe
Watershed Program Manager

CC: Jim Gills, NOACA TRANSWAC Chair

COMMENTS FOR CLEVELAND INNERBELT CORRIDOR STORM WATER BEST MANAGEMENT PRACTICE REPORT 8/17/07

INTRODUCTION

The subject report as a tool to consider BMPs may does not appear to be fulfilling a particular policy or regulatory requirement. Accordingly, the report could be viewed as a preliminary engineering report which provides background information as a precursor to a design effort. In this situation, there is wide latitude in defining the level of detail which is appropriate. The subject report typically limits itself to providing guidance in the selection and design of appropriate storm water management practices. It should be acknowledged that the report does a good job in pulling together a substantial amount of information which is relevant to the design and selection process.

The following comments are prepared in the context of the belief that specific environmental and water quality concerns should be addressed at a reasonably early juncture in the planning process, certainly prior to the publication of a draft Environmental Impact Statement for the project. Unfortunately the subject report, at least at this draft stage, misses an opportunity to go deeper then a cursory look at water quality issues. Had it done so, its guidance to designers in the selection of BMPs may have been significantly different. In addition it may have pointed up the need to consider issues such as planning for right-of-way for storm water management prior to the design phase.

The public record for the project has previously made the case that ODOT should take into account specific concerns related to the receiving water bodies and the unique opportunities to provide a storm water management approach that will have flexibility to care for these important resources for the long term. To generate effective solutions that will meet these goals ODOT is encouraged to engage in a level of analysis that goes well beyond the requirement of the applicable current general storm water permit or the standard practices as defined in its own current Location and Drainage manual.

OVERVIEW COMMENTS

1. The stated purpose of the subject document is to present proposed BMP practices. The purpose statement presupposes that following the application of appropriate BMPs, storm water discharges will not cause or contribute to the violation of water quality standards. In reality, where there is an expectation that water quality standards would be compromised, additional measures beyond BMPs are required to comply with Ohio Water Quality Standards. The public record for this project has raised the issue of

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potential violations of water quality standards related to heavy metals in both dissolved and solid forms. The public record has also cited scientific literature, which raises the potential that the combined characteristic of high-traffic count highway runoff may have general harmful effects on receiving water quality. Further ODOT's letter to NEORSD of May 29th, 2007, provided in Appendix W of the report, notes the intent to install BMPs to address water quality requirements. Despite documented water quality concerns and ODOT's pledge this report has given very little consideration to specific issues of water quality in selection of BMPs. It should be noted that the report does is several places acknowledge the existence of a Total Maximum Daily Load report (TMDL) for the lower Cuyahoga. However, even for this issue the report fails to identify specific goals which would appear to be applicable to the project. Lacking specific goals for pollutants of concern, the report does not factor into its BMP recommendations the specific pollutant removal capabilities of BMP options.

2. NEORSD acknowledges that there may be areas where removal of drainage from the combined sewer system might represent the highest value option depending on a number of case specific factors. For example, separating out highway storm water may be the most cost-effective solution to reducing combined sewer overflows in some instances. During the preparation of its Long Term Control Plan, NEORSD did not have the benefit of understanding what changes to the highway system were anticipated or possible. The potential to use storm water to create environmental features such as a constructed wetland might be also present an important opportunity which weights in favor of separation of storm water from the combined sewer system. The assessment of environmental benefits, however, requires the consideration of a number of factors. The report's approach of claiming environmental benefit simply by virtue of reduction of hydraulic load to a combined sewer system is overly simplistic as a standard for guiding selection of BMPs. In some cases storm water separation may be a wise choice, because in specific instances it might represent the most cost effective way to reduce the pollutant load on the environment. In other cases the Long Term Control Plan proposed by NEORSD may be the most effective approach to reducing the pollutant load seen by the environment both for separate storm sewered areas currently going to the system and also for separate storm sewered areas not presently discharging to NEORSD. Attachment A was prepared to help illustrate some of the key variables that would affect an assessment of which option results in the smallest pollution load to the environment. The standard for comparison is discharge to NEORSD's proposed system as specified in its Long Term Control Plan. (i.e., Limiting CSOs to 4 discharges per year.) It is assumed that additional capacity would be added to the collection and storage system for any new storm water sources to meet the same level of capture efficiency. As shown by these example calculations, key variables include the capture efficiency of the combined sewer system, the capture efficiency of the alternate system which would provide treatment of separate storm water, the relative difference in pollution loads represented by combined sewage and storm water runoff and the respective treatment efficiencies of NEORSD's central treatment facilities and the storm water treatment that would be provided for Innerbelt runoff. The calculations show that that the outcome is somewhat specific to the pollutant being considered. Still, important generalizations can be discovered in these simple calculations. Particularly, these calculations suggest that for metals and a number

of typical conventional pollutants the separate storm water treatment efficiencies would have to be quite high (for example in the range of 65 to 70% range) to result in an equivalently low pollution burden to the environment even if the new separate storm water treatment system is credited for 100% capture of all wet weather flows. Such high levels of removal are not typical for many storm water BMP practices. Some value in favor of separate treatment might be claimed where there is a lag between treatment of storm water that would be provided by new Innerbelt treatment facilities and construction of particular elements of NEORSD's proposed system. But even in this case calculation should be done as the high removal efficiency of NEORSD's treatment facilities may outweigh the treatment efficiency of a selected BMP enough to compensate for the combined sewer overflow that would result by adding storm water flow to the existing collection system. Further, in some cases it would appear that options exist to design highway drainage facilities to regulate or transfer some or all of the flow from separate sewer systems only after construction of new NEORSD storage facilities are complete if they lag ODOT project construction..

3. Both ODOT and NEORSD have been encouraged by the TRANSWAC work group of the NOACA Transportation Advisory Committee to cooperate in analysis of the option of using NEORSD's collection system and centralized treatment system as a storm water management tool for area's not currently connected to the system. (This could include full or first flush capture.) Early in this process ODOT identified its need to be able to project future charges for water management for discharges to NEORSD's centralized collection system. NEORSD noted that it does not presently have a storm water charge structure and in fact has yet to make basic decision would greatly affect any future rate structure. This past summer, NEORSD provided a letter to ODOT suggesting an approach that might assist ODOT in estimating the cost-effectiveness of storm water management via discharge to central treatment facilities. Particularly, NEORSD suggested that the matter be approached by conducting a "present value" analysis for various treatment options without consideration for which pubic agency would be paying for the cost of treatment. The logic is that collectively our respective agencies should be concerned with the overall lowest cost for the public independent of how public revenues are collected. To further this suggested approach NEORSD provided both specific cost data and approaches for obtaining other cost data which could be used in a "present value" analysis. Unfortunately it appears that ODOT has chosen not to consider the cost effectiveness of treatment via discharge to centralized facilities where separate storm water is not already being handled in this manner. While we acknowledge that centralized treatment may be more costly then other storm water management options, both costs and the benefits of the reduction of pollutants provided by centralized treatment of storm water should be considered for specific cases.

4. The report could be improved by adding a planning level estimate of potential increases in drainage area for each of the drainage segments identified in the report.

5. The report could give more attention to the matter of phosphorus reduction where there is an anticipation of separation and discharge to the Cuyahoga River. The Cuyahoga

TMDL sets targets for phosphorus reductions for non-point and storm water discharges. Accordingly it would be appropriate for ODOT to consider at this planning stage how treatment of highway run off can help to achieve TMDL goals. There is a presumption in the TMDL report that current and future storm water regulations will result in appropriate phosphorous loading reductions. At the current planning stage this would logically involve development of a planning level estimate of current and projected phosphorus loads along with an analysis of storm water management treatment options that are capable of achieving the goals of phosphorous reduction.

6. The report does not clearly summarize those areas where options to make changes in current drainage patterns will potentially impact local sewers. The report could also do a better job of identifying the issues that changes in drainage patterns might present for the City of Cleveland. Identifying these issues now would be valuable to the City's current asset management efforts. For example, ODOT actions to separate certain pipes from the combined sewer system would likely result in storm water quality management requirements for areas of Cleveland. It could also raise the issue of whether adjacent drainage areas should also be converted from combined to separate sewers. An ODOT plan to construct new (perhaps larger outlet pipes) offers an opportunity for the City to consider complementary changes in its upstream system. Perhaps there is a need for additional capacity to solve upstream flooding problems. Conversely, there may be areas where the best overall solution for storm water management involves joint efforts between ODOT and Cleveland to direct separate storm water or at least the first flush of storm water to the central combined sewer system.

7. Potential solutions to direct storm water to the Cuyahoga River may present special challenges and opportunities. An early consideration of these challenges and opportunities is appropriate as various entities are actively seeking to improve the water quality and surrounding environment of the Cuyahoga. The report identifies land below the proposed new Central Viaduct Bridge for the joint purposes of construction access and subsequent storm water management. Bio-retention cells were mentioned as potential appropriate innovative technologies for this location. It appears that wetland treatment was ruled out as not practical "upfront" due to lack of space and cost. The potential value of bio-retention areas and wetland treatment for several other project drainage areas should be reconsidered. First, the need to achieve water quality goals may require these more aggressive forms of storm water management. Second there may be appropriate space that should be considered for these technologies. For example the "Tregate" district of the Cuyahoga Valley Initiative is within a reasonable distances of potential storm water discharges from proposed improvements for the central interchange and all three I-77 improvement drainage catchments. Further, the Cuyahoga Valley initiative has specifically targeted the Tregate district as an appropriate place for natural-feature storm water treatment. It is recommended that ODOT enter into early discussions with environmental planning water resource management agencies to explore possibilities for projects which would assist in meeting storm water management goals and help to create desirable environmental features.

9. The report widely recommends exfiltration trenches as stand alone BMP storm water treatment technology. Exfiltration trenches appear to be a new or experimental technology. Given the report's recommendations heavy reliance on this technology the report should discuss the mechanisms and expected effectiveness of this technology in removal of pollutants which are expected to occur in highway runoff.

10. The subject report does not discuss non-structural approaches to minimize the pollutant load form the project. It would seem that non-structural approaches, such as advanced sweeping and deicing measures, should be considered along side structural approaches as a complementary management measures. The provision of non-structural might appropriately influence the selection of structural BMPs.

EXECUTIVE SUMMARY COMMENTS

Page E-2 In Table ES-1, under "Potential Best Management Practices Identified"
Comment: The study fails to adequately consider connection of current separate sewer areas to the combined sewer. The alternative of capture of the first flush of separate storm run off should also be considered

Page E-3 **Comment:** The study seems to have focused on the narrow objective of reducing hydraulic stresses to minimize overflows. NEORSD has developed an independent plan with this same objective. ODOT should be concerned with the large perspective of choosing an appropriate level of treatment which result in appropriate treatment of pollutant loads from it facility.

SECTION 1 COMMENTS

Page 1 First paragraph, first sentence: The objective of the report is to ….*present proposed project Stormwater Best Management Practice (BMP)*
Comment: A major theme of these comments and of previous work by the TRANSWAC work group has been to encourage consideration of appropriate storm water management to address water quality of concerns. In doing so ODOT may have to look beyond what it considers Best Management practices. While the focus of the general permit covering ODOT's discharges is on Best Management Practices, sections of the permit also clearly establish that the NPDES permit is not the final authority where water quality is at issue. Additionally, ODOT should consider the larger context of this project. Treatment of stormwater should be selected in consideration of the opportunities to provide protection to the lakefront and the Cuyahoga. Consideration should also be given to the creation of environmental features which would add value to the community.

SECTION 3.1 COMMENTS

Page 15 Decisions Box: Bullet 1:
Comment: The report suggests that NEORSD's Long Term Control Plan (LTCP) contains no system capacity information. In fact extensive sewer system modeling was done as a part of development of the LTCP with the purpose of developing system capacity information and identifying new system elements. Is this a matter of attribution of different meanings to the term "system capacity"?

Page 15 Bullet 3:
Comment: As noted in our general comments and elsewhere it is inappropriate for ODOT to solely focus on improvements to the "combined sewer system" or "reduction of combined sewer overflows". These are also objectives of a planned major improvement embodied in the LTCP. NEORSD appreciates ODOT's cooperation in identifying cost-effective ways to accomplish these objectives. However, ODOT is also encouraged to focus on the cumulative impact of its project and the contribution the project make to addressing water quality issues.

Page 15 Bullet 3 in the Decision box:
Comment: The report notes the close cooperation that will be needed between ODOT and NEORSD during the design phase. Particularly, it it noted that ODOT should plan to work closely with the District staff including the CSO program management team to ascertain proposed benefits and impacts of ODOT action or proposed alternatives.

Page 17 Fourth bullet, the third sub-bullet suggests that OEPA regulatory criteria were considered as part of the strategy of developing BMP recommendations:
Comment: The report does not address the potential role of water quality standards and provides only a cursory analysis of the contributions that the project will make towards TMDL reduction goals.
Comment: The selection of BMPs should be influenced by the ability of the BMP to address pollutants which are of concern for the particular receiving water body.

Page 17 Third paragraph:
Comment: Additional discussion of the relations between the various flow charts should be provided either here or in Appendix K for improved clarity.

Page 18 First paragraph, second sentence notes suggest that in agreement with Ohio EPA BMP selection no longer requires that a feasibility study be performed in support of the BMP selection. A letter from Ohio EPA in Appendix E is referenced.

Comment: The referenced letter does not address whether or not feasibility is appropriate in support of BMP selection. Regardless of ODOT's standard policy, it would appear that the complexity of the Innerbelt project, the value of the resource being protected, the existence of TMDL goals, the potential for the project to result in violations of water quality standards, the heavy reliance on the new or experimental technology of exfiltration trenches, and the opportunity to create environmental features all suggest the appropriateness of a feasibility study in the selection of BMPs.

SECTION 3.2 COMMENTS

Page 21 Figure 6 – Final Project Approach for BMP Selection:
Comment: The approach as shown in the table does not take into account the role of Water Quality Standards. Neither does the approach consider the net impact of removal of drainage from the combined sewer system or the potential timing of removal. The desired level of service for municipal separate storm sewer systems does not appear to have been considered.

Page 22 First paragraph/bullet on page, third sentence:
Comment: The lack of discussion regarding the role of water quality standards is noticeably absent. The goals set by the TMDL for phosphorous reduction are not discussed here or elsewhere in the report.

Page 22 Third bullet second sentence: *identified to have value to be separated from combined sewer systems.*
Comment: As previously state the report does not support its statements of "value" with environmental burden estimates or a cost-effectiveness analysis for alternatives.

Page 22 Fourth bullet:
Comment: The text here references Section 4.4 as providing some detail on the requirements of the Cuyahoga TMDL. Section 4.4 does not provide applicable details. In particular, there is no discussion of the reduction goals applicable to storm water discharges.

SECTION 4.1 COMMENTS

Page 24 First paragraph, first sentence:
Comment: Replace typo "R" in "BMPR" with "s".
Comment: Ohio Water Quality Standards should be noted as a potential driver in BMP selection.

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SECTION 4.4 COMMENTS

Page 27 — Fifth paragraph: *Non-regulatory heading*
Comment: "Non-regulatory" may not be the most appropriate descriptor for TMDL goals. The goals for phosphorus reduction in the TMDL are part of Ohio's State Water Quality Management Plan. Further, there is a presumption that current regulatory programs, for example storm water permitting will result in the achievement of TMDL goals. At the same time there is an expectation that dischargers and regulating authorities will be evaluating actions to achieve TMDL goals at various decision mileposts.

SECTION 5.1 COMMENTS

Page 29 — First paragraph regarding the cost of NEORSD's Long Term Control Plan.(LTCP)
Comment: The most recent cost estimate for implementation of the LTCP is $2.3 billion as opposed to the 1.6 billion noted in the report. Also note that the LTCP calls only few separation projects. Sewer separation needs to be carefully assessed to assure that it results in positive environmental benefits.

SECTION 5.2 COMMENTS

Page 30 — Second paragraph:
Comment: In describing the evaluation process and discussing NEORSD system capacity the report does not make a distinction between the current system and NEORSD's proposed Long Term Control Plan. Acknowledgement that implementation of the LTCP will dramatically increase system capacity would be appropriate.
Comment: This paragraph may be the only point at which the report acknowledges that separation of storm water from current centralized treatment system needs to consider water quality concerns at the new outfalls. However, the report does no further investigations along these lines. Further, the report does not investigate the potential that discharge points not now connected to the central system may now or under the expanded project carry pollutions loads which would raise water quality concerns. The report does not consider connection of drainage areas that are now separate where water quality concerns may be at issue.

Page 31 — Fifth bullet "step 7":
Comment: Again ODOT seeks to attribute value simply to the reduction of hydraulic loading and presumed resulting decrease in CSO volume without consideration of the impact of its decision on the annual loading

as seen by the receiving water body or other factors of environmental benefit.

SECTION 5.3 COMMENTS

Page 37 — Subsection 5.3.2, first paragraph has *The CSO control strategy recommends separating …..*
Comment: Suggest clarification by noting that it is NEORSD's Long Term Control Plan that is the basis for the recommendation.

Page 37 — The CSO 235 Information box suggest their in no LTCP for control of CSO 235
Comment: The District's March 25th 2005 LTCP call for construction of the Canal Avenue in-line storage system, a Stone Levee storage tank, and upgrades to the Stone Levee pump station and regulator E-24 to provide appropriate controls.

Page 39 — Subsection 5.3.3, Third sub-bullet suggests that one option would be to provide a storm only pipe with in the project right-or-way. "NEORSD would need to determine how to convey flows to the shoreline Tunnel."
Comment: NEORSD records indicate that the District currently owns an existing conveyance sewer within the right-of-way for the wet weather discharge of regulator E-09. Perhaps the comment is meant to suggest that NEORSD might choose to route E-09 flows to the Shoreline Tunnel and CSO 098 by an alternative conveyance system.
Comment: Two logical options are not considered. Consideration should be given to capture of the first flush of runoff from the trench area in NEORSD's proposed Shoreline Tunnel.

SECTION 5.6 COMMENTS

Page 44 — Subsection 5.6.1, first paragraph, second bullet, last sentence: *ODOT's drainage design methods and criteria will govern*
Comment: The need to coordinate with the City of Cleveland where upstream Cleveland flows are involved is noted elsewhere in the report but would probably be appropriately mentioned here as well.

SECTION 6 COMMENTS

Page 45 — *Preliminary BMP Stormwater Project Drainage Information*
Comment: Planning level estimates of current and future drainage area estimate are not included in the report but may be important in selection of appropriate treatment measures.

SECTION 6.4 COMMENTS

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Page 52 *Central Interchange/I-77 Approach/I-77 Drainage*
Comment: Suggest coordination with the Cuyahoga Valley Initiative to investigate whether area is available for detention or wetland treatment as an option to discharge through Kingsbury Run culvert to the Cuyahoga.

SECTION 7 OVERVIEW COMMENT

Table 10 of Section 7 suggests that the report's analysis would consider the possibility of connecting currently separate sewered areas to the centralized combined sewer area as a form of storm water management. The option of connection of currently separate sewered areas only for capture of a first flush of storm water is not mentioned as an option. The chapter goes on to develop criteria to be use in making decisions about storm water management. Water quality concerns/issues are not listed as a criteria to be considered in selection of storm water management treatment options. The report does not contain discussion or data related to the application of suggested criteria to arrive at stormwater management recommendations. Further, there is no discussion of why initially mentioned options, such as connection to area's centralized treatment facility, were not carried forward as a viable option.

SECTION 7.2 COMMENTS

Page 57 First paragraph:
Comment: Add bullets "Water Quality Concerns" and "Opportunities for environmental features."
Comment: The potential for spill of hazardous materials and impact those spills might have on treatment units and the receiving waters should be a factor in selection of stormwater treatment options for this project.

Page 58 Table 10,
Comment: Other criteria such as receiving water quality regulations/issues/concerns and effect on net loading of pollutants would be appropriate criteria to add to this table.
Comment: For the option "Discharge to local combined system" it does not seem logical to list Waste Water Treatment Plant capacity as a concern. The flows from most local systems of any size are controlled by regulating structures prior to the plant.
Comment: The option of "Discharge to NEORSD interceptors" needs further explanation to distinguish this as an option different from "Discharge into a system upstream of NEORSD regulator.

Page 59 First paragraph, second bullet, fourth sentence: word choice "*are*" .
Comment: Consider "include." rather then "are"

Page 59 First paragraph, third bullet, fourth sentence: *where ODOT could have a positive impact within the combined sewer system (i.e., potentially reduce the number of overflow events).*
Comment: As previously noted creating separate sewer discharges to reduce CSOs may or may not benefit the environment in comparison with other alternatives.

Page 59 First paragraph, fifth bullet: *Will right-of-way be purchased.* .
Comment: ODOT should consider purchase of right-of-way for environmental controls as opposed to the limited case of consideration of environmental controls in right-of-way purchased for other project reasons. Treatment options should not be limited soley by their suitability for the existing or proposed right-of-way for construction purposes.

SECTION 7.4 COMMENTS

Page 64 First paragraph
Comment: Overall report clarity might be enhanced by making a distinction between BMP treatment methods and other levels of treatment which may be needed to address water quality issues.

Page 64 First paragraph, fourth bullet, first sentence
Comment: The potential for separate sewer discharges to cause violations of water quality standards should be noted and considered as a design constraint.

SECTION 7.5 COMMENTS

Page 66 Supplemental Information for System Inventory and Connection/Separation Options
Comment: It appears as though the two bullet points above this section actually belong in this section.

Page 67 Discussion of criteria for determining whether to separate stormwater runoff from combined sewer areas.
Comment: While TMDL requirements are noted, assuring compliance with Water Quality Standards is not noted. Also selection should consider the need to protect the specific features of the receiving waters.
Comment: As previously noted creating separate sewer discharges to reduce CSOs may or may not benefit the environment in comparison with other alternatives.
Comment: The report identifies potential criteria but does not document how these criteria were applied to arrive at the recommendations of the report.

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Page 73 Subsection 7.5.3
Comment: The option of discharging storm water to the combined sewer system as identified in Sec 7.2 is dropped from the scenario list without justification or mention.

Page 73 Subsection 7.5.3, third paragraph, bullet section
Comment: Table 16 would be improved if the constraints presented on this page where given a number and identified in Table 16.

Page 74 Subsection 7.5.3, second paragraph:
Comment: First flush capture of storm water for centralized treatment should be considered.

Page 74 Subsection 7.5.3, fourth paragraph, first sentence:
Comment: "Up front" elimination of certain technologies for cost or other constraints may not be appropriate considering the goals of the TMDL and the need to protect water quality standards.
Comment: Constructed wetlands should be considered as a possible option at the mouth of Kingsbury Run.

SECTION 8 COMMENTS

Page 92 First paragraph, first bulleted section discussing design conclusions:
Comment: Consider should be given to designing the drainage system to isolate or clean up hazardous material spills.
Comment: The inclusion of structures appropriate for separate storm water sampling and accurate flow metering should be noted as a design consideration.

TABLE 15 COMMENTS

Page 7 of 7 General notes:
Comment: The note G under "General Notes" seems to be designed to identify specific drainage areas where quantity issues may be a factor. While the table does not appear to make use this footnote, doing so could provide some very helpful summary information. A general note identify where interaction with the Cleveland will be needed might also be a helpful feature.

TABLE 16 COMMENTS

Page 1 Drainage Area and BMP comments:
Comment: The notes discuss potential limitations in the use of ramp in-field areas for BMPs. It would be helpful for the report to identify what BMPs have been allowed in in-field areas.

Comment: The notes suggest that below grade detention may not be feasible near Lake Erie. More justification should be given for this statement. Note that the standard in-right-of-way drainage conveyance system can itself be designed to create detention volume. Supplement parallel storage pipes could also be considered. Previous comments by the NOACA TRANSWAC work group recommended consideration of pumping to above grade storage which could be covered. This alternative does not appear to have been considered.

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ATTACHMENT A TO COMMENTS ON ODOT BMP REPORT --page 1

Scenario:

97% capture of wet weather flows by future CSO collection system
CSO pollutant strength is estimated at 2.5 times that of stormwater (See note 3)
Assumes that if new stormwater area is added to the combined sewer system appropriate storage volume will be provided to maintain 97% capture
NEORSD treatment plant pollutant removal efficiency is estimated at 70% (See note 3)
Treatment efficiency for separate stormwater treatment assumed to be 60% (see note 1)
Assumes the same delivery volume and hydraulics from the separate and combined sewer catchment (see note 2)

ENTRY OF DATA ASSUMPTIONS:

		Fractional loss	Fraction capture			fraction removed	fraction not removed
Capture efficiency		0.03	0.97	**Treatment efficiency**	NEORSD centralized system	0.7	0.3
					Stormwater treatment	0.6	0.4
	A1-CSO	B1-Storm c	total flow	C1-storm added to combined			
Relative strength	2.5	1	Not Applica	1.75			
Relative volume units	1	1	2	Not Applicable	**Assume capture efficiency for separate stormwater treatment at 100%**		

LOAD CALCULATIONS:
System A1 is a combined sewer system; the environmental burden is estimated as follows:

1 volume units (million gallons)	0.03 fraction Not captured	2.5 relative concentrat ion (lbs per million gallons)	+	1 volume units (million gallons)	0.97 fraction captured	0.3 fraction not removed by treatment	2.5 relative concentrat ion (lbs per million gallons)	=	0.8025	pounds
		0.075				0.7275				

System B1 provides treatment of separate stormwater, pollutant strength is only 1/2 that of combined sewage, the envir. burden is estimated as follows:

1 volume units (million gallons)	0 Not captured	1 relative concentrat ion (lbs per million gallons)	+	1 volume units (million gallons)	1 fraction captured	0.4 fraction not removed by treatment	1 relative concentrat ion (lbs per million gallons)	0.4	pounds

Adding the load from system A1 and B1 gives an estimate of the total load to the environment. For this scenario the result is: 1.2025 pounds

System C1 is created by adding the storm water of B1 to sytem A1 (the combined sewer system) and increasing system capacity to provide the same capture as system A1. The environmental load burden is estimated as follows:

2 volume units (million gallons)	0.03 fraction Not captured	1.75 relative concentrat ion of combined waste stream (lbs per million gallons) 0.105	+	2 volume units (million gallons)	0.97 fraction captured	0.3 fraction not removed by treatment	1.75 relative concentrat ion of combined waste stream (lbs per million gallons) 1.0185	=	1.1235 pounds

CONCLUSIONS:
The load to the envir.from systems A1 plus B1 is 1.2025 pounds Compared to the load from system C1 of 1.1235 pounds

In this example the load to the environment would be **6.5%** less by treating the separate storm water in the combined sewer system -0.0657

Note 1: This analysis assumes a treatment efficiency of 60% for the separate stormwater treatment system. This is a high level of efficiency even for BMPs which rely on significant water detention. Significant water detention is not the general direction of BMPs proposed for the Innerbelt project.

Note 2: Changing the relative volume of combined sewage vs separate storm water will change the percentage value generated in comparing the two systems. However it does not change which alternative yields the lowest environmental load to the environment. In the above specific scenario the higher the ration of stormwater to CSO the more dramatic the difference.

Note 3: The relative strength of combined sewage vs urban stormwater runoff was generated form data collected for the Phase 2 Southerly facilities plan. See page two of this attachment. The efficiency of NEORSD treatment plant was estimated by looking at typicaly performance data for the Easterly treatment plant. Some of this data is also on page two of this attachment

ATTACHMENT A TO COMMENTS ON ODOT BMP REPORT --page 2

RELATIVE STRENGTH OF CSO VERSUS PURE STORMWATER DRAINAGE FROM URBAN AREA
Calculation of relative strenght using data from Southerly Phase 2 Facility Plan

	Cd	Cr	Cu	NH3	Pb	TP	TSS	Zn	
CSO	3.13	73	43.7	0.78	48.7	0.61	102	117	
Storm	1.76	24	25.6	0.33	43.2	0.22	31.7	44.7	
Relative strength	1.78	3.04	1.71	2.36	1.13	2.77	3.22	2.62	**2.33**

Conclusion: Two is a good estimate of relative strength if E coli is not considered

ANALYSIS OF EASTERLY PLANT REMOVAL EFFICIENCY FOR METALS FROM MONTHLY PLANT 4500 REPORTS
Metals data in micrograms per liter. Phosphorus data in milligrams per liter

	Cd,	Cd fractional removal	Cr	Cr fractional removal	Cu	Cu fractional removal	Pb	Pb fractional removal	TP	TP fractional removal	Zn	Zn fractional removal
1/07 Average Raw	1.0		14		36		14.0		2.25		106	
1/07 Average Final	0.5		1.2		9.8		0.1		0.38	0.83	23	
		0.50		0.91		0.73		0.99				0.78
2/07 Average Raw	0.0		16		40		15.0		2.72		130	
2/07 Average Final	1.0		1.3		10.6		0.0		0.49	0.82	25	
		#DIV/0!		0.92		0.74		1.00				0.81
3/07 Average Raw	0.0		12		33		16.0		1.85		90	
3/07 Average Final	0.7		1.7		9.5		0.0		0.33	0.82	32	
		#DIV/0!		0.86		0.71		1.00				0.64
4/07 Average Raw	1.0		19		43		7.0		2.05		120	
4/07 Average Final	0.3		1.3		12.6		0.1		0.57	0.72	22	
		0.70		0.93		0.71		0.99				0.82
5/07 Average Raw	0.0		16		48		5.0		2.63		98	
5/07 Average Final	0.3		0.5		10.2		0.0		0.51	0.81	18	
		#DIV/0!		0.97		0.79		1.00				0.82
6/07 Average Raw	2.0		15		47		15.0		2.66		114	
6/07 Average Final	0.4		0.7		8.8		0.0		0.36	0.86	23	
		0.80		0.95		0.81		1.00				0.80
7/07 Average Raw	0.0		46		43		13.0		2.54		92	
7/07 Average Final	0.2		0.7		9.1		0.0		0.51	0.80	17	
		#DIV/0!		0.98		0.79		1.00				0.82
8/07 Average Raw	1.0		17		41		22.0		2.06		86	
8/07 Average Final	0.3		1.1		9.9		0.2		0.42	0.80	34	
		0.70		0.94		0.76		0.99				0.60
9/07 Average Raw	0.0		16		40		11.0		2.76		83	
9/07 Average Final	0.2		0.6		7.7		0.0		0.49	0.82	15	
		#DIV/0!		0.96		0.81		1.00				0.82
10/07 Average Raw	1.0		16		44		0.0		2.72		110	
10/07 Average Fina	0.2		1.7		8.8		0.0		0.51	0.81	18	
		0.80		0.89		0.80		#DIV/0!				0.84
11/07 Average Raw	0.0		19		56		16.0		2.18		111	
11/07 Average Fina	0.3		2.2		11.4		0.4		0.47	0.78	22	
		#DIV/0!		0.88		0.80		0.98				0.80
12/07 Average Raw	5.0		18		36		7.0		1.85		95	
12/07 Average Fina	0.3		2.2		12.4		0.4		0.33	0.82	26	
Yearly Ave.		**0.94**		**0.88**		**0.66**		**0.94**		**0.81**		**0.73**

For E. coli use 99% reduction is a conservative estimate of treatment plant performance

CONCLUSION
Use an overall removal eff. of 70% for analysis of pollutant reductions applicable to highway drainage, other then *E. coli*

LAStumpe 3/12/08

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MIDTOWN AND THE CLEVELAND CLINIC'S PUBLIC COMMENT IN OPPOSITION TO DEIS AND THE REMOVAL OF INNERBELT INTERCHANGES AT CARNEGIE AND PROSPECT AVENUES

I. Introduction

This public comment is being filed on behalf of MidTown Cleveland, Inc. and the Cleveland Clinic in opposition to the removal of the Innerbelt Trench interchanges at Carnegie and Prospect Avenues as suggested in the Draft Environmental Impact Statement (hereinafter "DEIS"). MidTown Cleveland, Inc. (hereinafter "MidTown") is a community development corporation representing over 650 businesses with over 18,000 total employees that rely on direct interstate access from Carnegie and Prospect for their livelihood. The Cleveland Clinic is the largest employer in northeastern Ohio with over 39,000 employees, whose viability is dependant upon millions of patients and those employees being able to easily access the hospital campus from the Innerbelt via Carnegie and Prospect.[1]

Discussions regarding the Innerbelt Project between ODOT and both the public and private sector can be characterized by one consistent theme: an impasse between (a) ODOT's predetermined decision, based on a one-track concern for formulaic highway standards, to remove a total of four highway access points from a two-mile stretch of the Innerbelt Trench and (b) the efforts of MidTown, the Cleveland Clinic, and dozens of other MidTown businesses who have testified on the record to prevent the destruction of their

[1] Indeed, with the completion of the Euclid Corridor Project, Euclid has become only a one-lane street each way for access to the Cleveland Clinic's northern entrances. Carnegie is the only four-lane street which intersects its large and growing hospital campus. This document and the attached appendices are being provided for the public record in opposition to the DEIS, and its preferred alternative in the Trench area, which recommends the removal of the Carnegie and Prospect interchanges.

businesses and the loss of jobs that would follow, as well as the degradation to the social and economic vitality of Cleveland's urban core. Instead of engaging the public in an honest and objective search of the most beneficial alternative, ODOT has advanced its own predetermined agenda, which is based solely on freeway operational success, without regard to the business and local community the Innerbelt serves. As a result, ODOT's approach to the Innerbelt Trench section revisits social policies reminiscent of Urban Renewal discarded as destructive so long ago and violates a maxim posited by a Federal District Court:

> "A transportation system, in other words, should be planned to serve the goals of the community; the goals of the community should not be restructured to serve a transportation system." *Movement Against Destruction v. Volpe*, 361 F.Supp. 1360 (D. Md. 1973).

As a result of ODOT's planning and study goal, in direct violation of binding federal case law, the public process and involvement phase of the Innerbelt Project planning has been devoid of objective assessment of alternatives and in violation of the National Environmental Policy Act (hereinafter "NEPA"). See *Burkholder v. Wykle*, 268 F.Supp.2d 835 (N.D. Ohio 2002) (comprehensive "hard look" assessment "mandated by Congress and required by the statute must be timely, and it must be taken objectively and in good faith, not as an exercise in form over substance, and not as a subterfuge designed to rationalize a decision already made"). In fact, ODOT's failure to consider factors other than operational highway standards has caused it to bypass assessment measures required by its own Project Development Process and required under NEPA. As a result of ODOT's procedural failures, ODOT's decisions reflected in the DEIS lack input from an ODOT-

informed and properly engaged public, lack objective assessment of alternatives, and have resulted in flawed decision making.

Given this, the DEIS, unless rejected or modified as suggested herein, will not withstand judicial scrutiny. *See O'Reilly v. U.S. Army Corps. Eng.*, 477 F.3d 225 (5th Cir. 2007). MidTown and the Cleveland Clinic therefore request that the DEIS be disapproved or segmented so as to reconcile ODOT's decisions with the overwhelming objection, voiced through MidTown, the Cleveland Clinic, and hundreds of other businesses and non-profit entities, to the removal of freeway access at Prospect and Carnegie Avenues.

II. Background

MidTown, the Cleveland Clinic, and other stakeholders have opposed the removal of the Carnegie Avenue and Prospect Avenue Innerbelt interchanges throughout the Planning Phase of the Innerbelt Project. Despite substantial public opposition, ODOT filed the DEIS in August of 2007 and selected Preferred Alternative A, a plan that involves the removal of a total of four highway interchanges in a two-mile span of the Innerbelt Trench. Removal of these access points, particularly at Carnegie and Prospect, stands to significantly reduce business vitality and land value of firms in Cleveland's urban core serviced by in the Innerbelt Trench.

The value of highway interchanges and direct highway accessibility is well-known and documented. Results of corporate executive surveys reviewed in *Area Development* demonstrate that highway accessibility "undeniably forms the essential nexus between workers, suppliers, producers, distributors, and markets." Brandon, D.V. Highway Accessibility Underpins Location Decisions. *Area Development*, Aug./Sept. 2008 (online

edition available at http://www.areadevelopment.com/corpSurveyResults/aug08/highway-accessibility-location-decision.shtml?Page=1 (accessed May 17, 2009)). In fact, "[a]t the site level, redundant ingress/egress points" are important "not only to minimize potential barriers to access, but also to ensure access for fire-fighting, emergency medical, police, and other essential services" needed by businesses and also to facilitate commercial traffic. *Id.* As a result, Brandon writes that highway accessibility consistently ranks among the top five in priorities among all site-related factors considered by businesses when choosing a site location. Brandon concludes that "one fact is inescapable: highway accessibility exerts a preponderant influence on the distribution of economic activity throughout the United States." *Id.*

Because highway access is a priority among locational factors, real property near highway interchanges is in high demand, is very valuable, and commands rent premiums. Bollinger, C., Ihlanfeldt, K., Bowes, D. Spatial Variation in Office Rents Within the Atlanta Region. *Urban Studies*, Vol. 35, No. 7, 1097-1118, at 1112 (1998). Indeed highway accessibility was one of the primary reasons Applied Industrial Technologies decided to locate its headquarters in Cleveland near the Innerbelt Trench as opposed to the suburbs. See testimony of Michael Coticchia, Chief Administrative Officer and Vice President of Government Business of Applied Industrial Technologies, at the public hearing on November 17, 2005.

ODOT itself acknowledges in the DEIS that economic development concerns are created and left unresolved by its Preferred Alternative A. In fact, ODOT stated that "key issues" of concern regarding the removal of the Carnegie exit ramp alone included:

> "loss of companies in the MidTown corridor area; a negative impact on the economic development efforts of the neighborhoods; reduced access to the Cleveland Clinic and University Circle; shifting traffic to Chester Avenue from Carnegie Avenue; the negative impact of a traffic incident at the Chester Avenue interchange; and increased congestion on local streets." DEIS at 5.10.

In accordance with these site selection and land valuation realities, hundreds of MidTown businesses and the Cleveland Clinic rely on direct access to the Innerbelt at Carnegie and Prospect Avenues. Furthermore, the success of Cleveland's urban core at the MidTown District, as well as the Cleveland Clinic-University Circle area, relies on the Carnegie and Prospect interchanges. Conceding both of these points, the record states

> "[t]he University Circle area, second only to the [Central Business District] of Cleveland as a regional employment center with over [40,000] jobs, is located 4 miles east of the central business district.... Access between the Innerbelt freeway and the University Circle area is provided at I-90 and Carnegie Avenue/Prospect Avenue interchanges and at I-90 and Chester Avenue interchange on the south end of the Innerbelt Trench."

Conceptual Alternatives Study (the "CAS") at 2.1.4.

Despite Cleveland's otherwise general economic malaise, MidTown, the Cleveland Clinic, and University Circle continue to commit assets to the City and represent unique and significant growth areas that provide jobs, opportunity, and economic benefit to the County and City in taxes and other revenues.

Despite the adverse economic and social consequences that will be thrust upon these areas and institutions by ODOT's pending decision, ODOT has failed to deliver economic impact studies promised to stakeholders or adequately assess the economic impact of the removal of the Carnegie and Prospect Avenue interchanges. ODOT

promised stakeholders that an economic impact study would be performed for the MidTown corridor before preferred alternatives were selected in the planning process. Craig Hebebrand also promised stakeholders at the public hearing held on November 17, 2005, that ODOT would revisit and modify alternatives if the economic impact study demonstrated that further study of the MidTown corridor was warranted because of likely adverse economic impacts in the Trench. Transcript of Public Hearing on November 17, 2005, pages 115-121; see also Letter from Stephen O'Bryan to Craig Hebebrand dated February 15, 2006, attached as Exhibit A.

On behalf of ODOT, Economic Development Research Group ("EDR") and URS released a "draft" economic impact study entitled Economic Effects of the Cleveland Innerbelt Plan Access Changes (see ODOT summary at Exhibit B, hereinafter "Draft Economic Effects Study"). However, an economic impact study performed by MidTown's own expert, George Vredeveld, Ph.D., University of Cincinnati, challenged the methodology and many of the findings of the Draft Economic Effects Study. See Vredeveld Study attached as Exhibit C.

At the public hearing held on February 21, 2006, Gordon Proctor, the then Director of ODOT, admitted that (a) ODOT has been historically unsuccessful with economic analyses, (b) the methodology of the Draft Economic Effects Study needed to be revisited, (c) a finalized economic impact study would be performed, and (d) the public would have an opportunity to give input thereafter. ODOT never produced the promised final economic impact study. As a result, the public had no opportunity to comment on findings of an ODOT-approved economic impact study prior to the selection of Preferred Alternative A. The DEIS states at 4-38 that instead of carrying out its promise, ODOT and FHWA

"decided to use a different approach to resolve the issues." The approach became a nontransparent "negotiation" over traffic models with an undefined "community". DEIS 4-38.

Even if ODOT considered the Draft Economic Effects Study, the study clearly states that, within the area relevant to the Trench, at least two thirds of the projected job losses will be concentrated on Carnegie, Prospect, Superior, and Lakeside Avenues. Draft Economic Effects Study.

In addition, job losses on these same four avenues will be accompanied by a loss of between $5.0 and $5.8 Million in sales by MidTown firms. Draft Economic Effects Study. Thus, even ODOT's consultant agrees that the businesses represented by MidTown and the Cleveland Clinic will experience a loss of jobs and a significant loss in sales. In sum, the Draft Economic Effects Study is wholly inadequate even according to ODOT. By failing to procure an accepted and finalized economic impact study, ODOT failed to adequately assess the economic effect of the Innerbelt Project in the Trench, failed to provide such assessment to the public to allow for feedback, and failed to fulfill its promise to the Cleveland business community generally and MidTown specifically.

ODOT's recognition of the value of highway accessibility to MidTown, the Cleveland Clinic, University Hospitals, and other similarly situated firms is implicit the DEIS. In the Purpose and Needs statement in the DEIS, ODOT cites that "there is a need to maintain and improve access to and from the University Circle area to address current and future access demand." DEIS 2.1.4. In addition, the Purpose and Needs section cited the need for discussion of issues related to access because of "the critical role of the freeway-to-

local street connections." DEIS ES-2. Moreover, the DEIS admits that because 85% of the traffic on the Innerbelt has a destination or origin in the studied area during peak hours, the "interrelationship and connection between the city street grid and the Innerbelt Freeway becomes even more crucial." DEIS ES-2. Ultimately, the DEIS designates as a Project Need "preserv[ing] of the local roadway connectivity function of the Innerbelt Freeway and provid[ing] continued access and mobility to the CBD, adjacent neighborhoods, and commercial/industrial areas...." DEIS ES-2.

Despite ODOT's acknowledgment that such issues must be addressed by the Innerbelt Project and recognition of the need to maintain access to MidTown, the Cleveland Clinic, and University Circle, ODOT selected Preferred Alternative A, which removes the access points at both Carnegie and Prospect Avenues that the DEIS cites as crucial to business growth. ODOT's selection of Preferred Alternative A is thus wholly inconsistent with the stated Project Need to "maintain and improve access to and from University Circle" and to "preserve the local roadway connectivity function of the Innerbelt...." The suggested removal of Carnegie and Prospect interchanges certainly does not meet this "Need." CAS 2.4.1.

Furthermore, and again despite ODOT's recognition of the importance of access to MidTown, the Cleveland Clinic, and University Circle, ODOT's traffic studies failed to account for roughly 4 million cars per year representing traffic of certain business patrons and patients visiting the Cleveland Clinic and University Hospitals. Exhibit D. A study performed by Dr. Mark Rosentraub, Ph.D., Levin College of Urban Affairs, Cleveland State University, on behalf of MidTown and other stakeholders (hereinafter "Rosentraub Study") demonstrated that ODOT's traffic models included only traffic due to inpatient visits and not

also outpatient visits or visits by families of patients. As a result, ODOT failed to consider enormous numbers of vehicles when it represented that all of the traffic currently flowing through exits at Carnegie, Prospect, and Chester Avenues into MidTown could be adequately serviced by a single highway interchange at Chester Avenue.

In addition, ODOT's models were created before significant growth in the operations of the Cleveland Clinic, University Hospitals, and the Stokes VA Hospital were known. Since ODOT performed its traffic studies, the Cleveland Clinic constructed over 3.3 million square feet of new space, including the Miller Pavilion, an enormous complex that required the largest building permit ever issued by the City of Cleveland. University Hospitals also constructed a new cancer center and emergency center. The Cleveland Clinic will also shortly construct a new reference lab that will employ 3,500 new staff. Finally, the Stokes VA Hospital at University Circle will, due to the consolidation of other area VA hospitals, grow to become the fifth largest VA hospital in the nation. The magnitude of this new growth renders ODOT's traffic models and any study based thereupon inapplicable to presently known and demonstrated facts and, again, demonstrates that a single interchange at Chester Avenue will not adequately service the traffic needs of MidTown, the Cleveland Clinic, and University Circle.

While the above failures deprived both the public and decision makers of information needed to (1) satisfy due process and (2) support rational decisions regarding alternatives, ODOT similarly failed to produce and discuss numerous other documents and ignored published processes geared toward informing the public. In a letter to stakeholders dated November 17, 2005 (hereinafter "Hebebrand Letter" (Exhibit E)), Craig Hebebrand, ODOT Project Manager, stated that

> "[a]s we move through the complicated process of reconstructing the Innerbelt, we felt it important to make sure our immediate stakeholders and the general public clearly understand the federal process that remains before us. And, specifically when and how public input correlates with the overall process."

The Hebebrand Letter then lists numerous studies or processes to be performed as part of the public feedback loop required under the federally mandated NEPA process. A comparison of the Hebebrand Letter with a string of two subsequent emails, dated August 30, 2007, and September 4, 2007 (Exhibit F), in which Mr. Hebebrand attempts to explain the non-performance of certain studies and processes shows that seven of the studies or processes outlined in the Hebebrand Letter have not been performed:

1. Final Economic Impact Analysis
2. Meeting with Stakeholders explaining results of Economic Impact Analysis
3. Alternatives Report for the Cleveland Innerbelt
4. Public comment period on the ODOT Recommended Alternative
5. ODOT Response to comments on ODOT Recommended Alternative
6. Circulation of preliminary environmental impact findings to public agencies
7. Public comment period on ODOT Preferred Alternative Impacts

In addition to failing to carry out published and mandated procedures, ODOT did not carry out bona fide negotiations with the community. In fact, when it became known that ODOT planned to remove interchanges at Carnegie and Prospect Avenues, every major constituency in the community came together to voice a unified concern regarding ODOT's plan. Frank Jackson, Mayor of Cleveland, and fourteen other signatories sent J. Richard Capka, Administrator of the Federal Highway Administration, and James G. Beasley,

Director of ODOT, a letter dated November 7, 2007, stating that the "Cleveland community, including government, business, community groups, and major institutions have reached complete consensus in support of [maintaining] a Carnegie Avenue exit ramp" as part of the Innerbelt. Exhibit G. Together, the institutions requesting that a Carnegie exit ramp remain open represent every major business and elected official in the study area. Just a few notable signatories, in addition to the Mayor, expressing the need to maintain the Carnegie Avenue exit include the following:

Timothy Hagan, President, Cuyahoga County Board of Commissioners
Delos Cosgrove, M.D., President, The Cleveland Clinic
Thomas F. Zenty, III, President, University Hospitals
Barbara Snyder, President, Case Western Reserve University
Christopher Ronayne, President, University Circle, Inc.
Michael Schwartz, President, Cleveland State University
James Haviland, Executive Director, MidTown Development Corporation

The Mayor's letter states that the signatories "believe that the omission of [a Carnegie] exit ramp will have significant economic and social impacts on our community." The letter also states that "Carnegie Avenue is a major connector" to the Central Business District, Midtown Corridor, and University Circle and that "it is imperative that direct access be part of the Innerbelt plan." Exhibit G. Neither this letter nor a documented response by the FHWA or ODOT appears in the DEIS or anywhere in the public record as of this date. We trust that now, however, the Mayor's letter will be duly noted.

III. NEPA Requirements and Procedural Review of Environmental Impact Statements.

NEPA requires the filing of an Environmental Impact Statement (hereinafter "EIS") where a major federal action "significantly affects the quality of the human environment." *O'Reilly v. U.S. Army Corps. Eng.*, 477 F.3d 225, 229 (5th Cir. 2007), citing 42 U.S.C. § 4332(2)(C). Federal Regulations require that EISs provide "full and fair disclosure of significant environmental impacts" and "inform decision-makers and the public of reasonable alternatives which would avoid or minimize adverse impacts or enhance the quality of the human environment." 40 C.F.R. §1502.1.

Federal Regulations require that EISs do more than merely justify decisions already made. 40 C.F.R. 1502.2(g). EISs must facilitate an *actual* assessment of the proposed action. *Burkholder v. Wykle*, 268 F.Supp.2d 835 (N.D. Ohio 2002) (comprehensive "hard look" assessment must be more than a mere subterfuge designed to rationalize a decision already made). Indeed, the portion of the EIS analyzing alternatives constitutes "the heart of the environmental impact statement." 40 C.F.R. § 1502.14. Accordingly, an agency is obligated to analyze all available evidence and then articulate a "rational connection between that evidence and its exercise of discretion." *Motor Vehicle Mfrs. Ass'n v. State Farm Mut. Auto. Ins. Co.*, 463 U.S. 29, 43, 103 S.Ct. 2856 (1983).

Courts will set aside agency decisions under NEPA where the record demonstrates that the agency failed to take took a "hard look" at effects on the human environment. *Kleppe v. Sierra Club*, 427 U.S. 390, 410, 96 S.Ct. 2718 (1976). Agency review of alternatives and adverse impacts, however, must also be grounded in "good

faith objectivity." *Piedmont Hts. Civic Club v. Moreland*, 637 F.2d 430, 436 (5th Cir. 1981). More generally, courts overturn agency decisions shown to be arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with the law. *Citizens to Preserve Overton Park, Inc. v. Volpe*, 401 U.S. 402 (1971). Agency decisions are deemed "arbitrary and capricious" where the agency relied upon "'factors that Congress has not intended it to consider, entirely failed to consider an important aspect of the problem, offered an explanation for its decision that runs counter to the evidence before the agency, or is so implausible that it could not be ascribed to difference in view or the product of agency expertise.'" *Audobon Naturalist Soc.*, 524 F.Supp.2d at 660.

In application, courts have held that an agency acts arbitrarily where the agency's administrative record does not contain data to support its conclusions. *See O'Reilly v. U.S. Army Corps. Eng.*, 477 F.3d 225, 231 (5th Cir. 2007). In *O'Reilly*, the court set aside an agency's action where the agency's Environmental Assessment ("EA") cited potentially significant adverse traffic impacts but discussed in only conclusory terms the manner in which mitigation techniques would alleviate the potential problem. *O'Reilly* at 233-34. Notably, the court recognized the fact that, while the EA mentioned that a traffic study would be performed, no such study was performed. *Id.* In short, where there was no data that rationally linked the anticipated adverse impacts with the purported alleviation through mitigation techniques, the agency's decision fell short of the "hard look" requirement and was thus arbitrary and capricious.

An EIS meets these procedural requirements only where "the treatment of alternatives, when judged against a rule of reason, is sufficient to permit a reasoned

choice among the various options." *Florida Keys Citizens Coalition v. U.S. Army Corps. Eng.*, 374 F.Supp.2d 1116, 1151 (N.D. Fla. 2005). Moreover, presentation of alternatives must "*rigorously explore and objectively evaluate* all reasonable alternatives...." 40 C.F.R. §1502.13. However, courts have held that alternatives "that are not significantly distinguishable" or "which have substantially similar consequences" do not constitute alternatives requiring separate analysis under NEPA. *Westlands Water Dist. v. U.S. Dep't Interior,* 376 F.3d 853, 868 (9th Cir. 2004).

IV. ODOT Violated its Published Project Development Process by Failing to Create Promised Reports Necessary for Reasoned Public Input and Federally Required Rational Decision-Making.

Given the failures outlined above, it is evident that ODOT failed to follow its own Project Development Process (hereinafter "PDP"). The PDP prescribes multi-step processes that ensure that information is gathered, presented to the public to allow for public input, and considered objectively in the selection of the best option available. Because ODOT failed to produce numerous informational tools integral to the decision-making process, ODOT has deprived the decision-making process of a rational, documented, and transparent basis upon which decisions could be made regarding the Innerbelt Trench. In view of federal case law regarding NEPA requirements and fundamental due process requirements, ODOT's flawed decisions provide MidTown and the Cleveland Clinic with ample grounds to insist that the DEIS be rejected as to its treatment of the Trench.

A. ODOT's decision not to create an Assessment of Feasible Alternatives document and bypass Step 6 and Concurrence Point 3 of the PDP (i) deprived stakeholders of means to assess and comment upon Preferred Alternative A before its selection and (ii) rendered the record insufficient to inform decision makers.

The Conceptual Alternatives Study ("CAS") states that the CAS "outlines the development, analysis, and decisions of the process to identify a broad range of Conceptual Alternatives" to ultimately yield a list of Feasible Alternatives. CAS 1-1. In addition, the CAS asserts that "[t]he use of this process is directed by the Ohio Department of Transportation (ODOT) and is documented in its Project Development Process (PDP)...." CAS 1-1.

ODOT's PDP, repeated verbatim in the DEIS, clearly emphasizes that the prescribed process will contain "Concurrence Points," each of which represents a "major decision point where input is sought." CAS 1-1; DEIS 1-4. The CAS provides that while the steps are "not perfectly sequential," the "key is that public input is obtained and considered prior to making the decision required at each Concurrence Point." CAS 1-1; DEIS 1-4. Figure 1-1 of the CAS presents the flow chart showing five (5) Concurrence Points for the Innerbelt Project. See also DEIS Figure 1-4. The graphic clearly shows that Concurrence Point 3, Subtitled "Assessment of Feasible Alternatives," coincides with Step 6. CAS 1-2; DEIS 1-4.

Furthermore, Figure 1-1 also clearly shows that Step 6, geared toward the stated goal of "Develop[ing] Feasible Alternatives," requires the production of an Assessment of Feasible Alternatives ("AFA") document. Notably, the AFA is the only document listed for Step 6 or Concurrence Point 3 likely to pertain to the assessment of alternatives and provide a means to inform the public of such an assessment. CAS 1-2; DEIS 1-6.

In addition, the CAS states that the East 22nd St. exit is being suggested as a replacement for the loss of the Carnegie and Prospect Avenue ramps. The CAS also acknowledges that public concerns remain regarding the loss of the Carnegie and Prospect Avenue interchanges and the proposed shift of access to the E. 22nd exit. The report states that the "evaluation of potential impacts associated with the change in access will be further explored during step 6." (CAS 5-13).

However, ODOT decided not to create an AFA document. Certainly, the AFA, if it would have been performed and published, would have produced information relevant to the evaluation of the reliance on the East 22nd ramp. Instead, ODOT opted to skip the preparation of the AFA, and directly prepare a Draft Environmental Impact Statement. CAS 1-4. Notably, the DEIS contains ODOT's selection of a Preferred Alternative, Preferred Alternative A, a selection that was supposed to take place at Step 7 and Concurrence Point 4 after completion of Step 6 and Concurrence Point 3. CAS 1-4.

This failure presents a clear violation of ODOT's own procedure. Even if PDP Steps "are not perfectly sequential" as the PDP states, nothing in ODOT's PDP enables ODOT to wholly eliminate procedural requirements and promised substantive review of critical impacts. More importantly ODOT skipped Concurrence Point 3 and Step 6 and advanced to Concurrence Point 4 and Step 7 without initiating or obtaining the public feedback that is required by the federally regulated planning phase. By doing so, the critical concern regarding the loss of Carnegie and Prospect and the alleged mitigation thereof at East 22nd Street was never publicly documented or vetted before this Preferred Alternative A was chosen.

The failure to provide the public with an AFA has a two-fold effect. First, skipping Step 6 and moving through Concurrence Point 3 deprived stakeholders and the public of crucial information that would allow them to assess the alternatives presented by ODOT. Second, without such critical information, stakeholders or the public had no opportunity to provide ODOT with informed feedback regarding their concerns regarding feasible alternatives, as required by law. In short, the DEIS provides no adequate substitute for the AFA. The DEIS contains a decision at Concurrence Point 4 that, under ODOT's own process, could not be made without input from the public regarding the AFA at Concurrence Point 3.

It is also noteworthy that the assessment of feasible alternatives, logically documented in an AFA process, was necessary for the completion of numerous other ODOT-required processes. As discussed earlier, ODOT promised in Step 6 a final economic impact study as a predicate to or as part of the AFA process. However, no such study was ever completed or published for comment even though the devastating economic impact from the loss of interchange access was and remains today the overriding and unresolved issue in the entire Innerbelt planning process and in the pending DEIS.

Not only did ODOT fail to publish a finalized analysis, but ODOT decided to invoke non-objective means of resolving the concerns regarding the economic impact study. To that end, the DEIS at page 4-38 provides that:

> "ODOT determined that it would be prudent to use a different approach to resolve the issue rather than debating methodologies for the analysis. ODOT concluded that further efforts would be best spent in negotiations with the community regarding their concerns."

Thus, rather than rely on valid, objective methods to (1) rectify the problems with the economic impact study and (2) use information derived from a valid study to transparently assess the best available alternative, ODOT adopted unspecified "negotiation" methods. While certain members of the community may have been involved, the private negotiations are not of record, not transparent, and are unrelated to an objective assessment of the economic impacts certain to result from the loss of access at Carnegie and Prospect Avenues.

When it became clear that ODOT was not going to complete the promised economic impact study, significant members of the Ohio House of Representatives, on April 17, 2007, requested that ODOT complete the same. Exhibit H. Notably, this letter from the Ohio State Representatives does not appear in the public record. ODOT failed to respond to this request by elected leaders as well.

B. ODOT's approval of Preferred Alternative A constitutes an abuse of discretion because the DEIS makes numerous assertions that cannot possibly be substantiated by ODOT's deficient documentation and process.

As one of the clearest examples of ODOT's completely unsupported conclusions, Table 4-39 at page ES-8 in the DEIS makes representations regarding assessment outcomes that ODOT has not substantiated. As discussed above, ODOT Director Gordon Proctor admitted that the economic impact study performed by EDR and URS was not acceptable and that ODOT would procure a finalized study. However, none was ever performed, much less published for comment.

ODOT's own consultant provided ODOT with "lessons" from case studies of the effects of removing direct highway access from urban centers. Exhibit B. One of the case studies provided that replacement of direct highway access with mere local streets led to economic decline in San Francisco's economically vulnerable Chinatown. Another case study of Milwaukee, WI, states that, even where an economically sound area remained economically viable after loss of interchanges, the affected area "has struggled with increases in traffic as through traffic trying to access the freeway is mixing with the local traffic associated with customers and employees trying to reach destinations in the neighborhood." Indeed, the first "lesson" cited by ODOT's consultant advises the following:

> "Evaluate the economic condition of the affected neighborhood. Recognize that ramp mitigation measures cannot eliminate negative impacts associated with already existing economic uncertainty."

Exhibit B.

Despite (a) the lack of an accepted economic impact study and (b) the advice of case studies provided by ODOT's consultants, ODOT nonetheless cited the following as projected characteristics for Preferred Alternative A with regard to assessment of "Economics":

- "Positive regional economic benefits expected due to improved facility, reduced congestion, efficient access.
- Positive economic benefits during construction period.
- Minimal impacts on tax base due to property acquisitions, as many may relocate within the area.
- No substantial negative impacts anticipated in sensitive local areas. Access changes are mitigated."

Table 4-39 (Comparison of Feasible Alternatives), DEIS ES-8.

These representations are unwarranted and unsubstantiated because ODOT did not complete the economic impact study it would need to support statements such as those in Table 4-39. Moreover, contrary to representations in Table 4-39, the Draft Economic Effects Study also projected losses in localized areas, which certainly must be "sensitive areas."

However, these "sensitive areas" in which the Draft Economic Effects Study projects losses in jobs and loss in firm sales are occupied by some of the most significant economic engines within the City of Cleveland. MidTown is supported by and thus represents 650 businesses and stakeholders. The businesses and stakeholders supporting MidTown supply the MidTown District in Cleveland's urban core with roughly 18,000 jobs. In addition, the Cleveland Clinic is the largest employer in Northeast Ohio and the second largest employer in the State of Ohio, providing 39,250 high-quality jobs to health care professionals and other staff that pay, on average, $50,000 per employee. The Cleveland Clinic posted 6% growth in 2008, opened 3.3 million new square feet of space in 2009, and remains on schedule to build a national reference lab that will soon employ an additional 3,500 new staff. U.S. News & World Report has consistently ranked the Cleveland Clinic as the No. 1 heart center in the nation and as one of the top hospitals in the nation.

ODOT's preferred alternative for the Trench, with its closure of Prospect and Carnegie interchanges, will choke off and isolate these employers and hundreds of other major employers from convenient ingress and egress to the interstate freeway, including their employees, customers, and suppliers. The result, as ODOT has

repeatedly been told by significant employers at the few public hearings it has held on this project, is the loss of significant businesses and their related jobs in the City's prime growth areas of MidTown, The Cleveland Clinic and University Circle areas, and downtown generally.

The DEIS asserts at page 4-36 that one of the economic benefits from the project is that "[i]n the year 2035, Cuyahoga County is expected to have an additional 175 jobs due to the Cleveland Innerbelt improvements compared to what would have happened without the improvements." This alleged benefit pales in comparison, however, to the number of jobs that will be lost if ODOT's preferred alternative is approved for the Trench. Many employers such as Applied Industrial Technologies, Dodd Camera, Central Cadillac, and scores of others have already testified for the record that they will either be forced to close, move out of Cleveland, or cut back. Conservatively, this total loss of jobs could exceed 1,000. This does not even take into consideration the negative economic effect on the Cleveland Clinic and the university and cultural community to the east that will result if Carnegie and Prospect interchanges are closed.

ODOT clearly failed to procure crucial informational tools that could support meaningful decisions regarding the Innerbelt Project, especially relating to the economic impact of its decisions for the Trench. ODOT's actions during the Innerbelt Planning Phase thus bear striking resemblance to the impermissible agency actions in *O'Reilly*. Since ODOT failed to obtain an accepted economic impact study to resolve economic impacts cited in the DEIS and nonetheless asserted in the DEIS that both (a) that there are "[n]o substantial negative impacts anticipated in sensitive local areas" under Preferred Alternative A and (b) negative impacts to access will be mitigated, the DEIS

remains unsubstantiated by data and even contrary to supporting documents in ODOT's possession and therefore cannot be approved as a matter of law.

C. The addition of "indirect" access to Midtown through enhancement of "connector" streets is a mitigation technique, not an alternative to loss of direct access to the Innerbelt.

Review of the DEIS quickly reveals that, in clear contravention of Federal Regulations discussed above, ODOT failed to present and consider actual alternatives to the predetermined decision to remove access points at Carnegie and Prospect Avenues. ODOT's characterization of options that all include the loss of interchanges at Carnegie and Prospect Avenues as true alternatives under NEPA is contrary to law. Courts have held that alternatives "that are not significantly distinguishable" or "which have substantially similar consequences" do not constitute alternatives requiring separate analysis under NEPA. *Westlands Water Dist. v. U.S. Dep't Interior,* 376 F.3d 853, 868 (9th Cir. 2004). Thus, the DEIS fails to actually present alternatives that are "significantly distinguishable" where the options all imposed the same hotly contested result: the loss of direct access at Carnegie and Prospect in the Trench segment of the Innerbelt Project.

The fact that ODOT added downstream mitigation techniques like indirect access to Carnegie from East 22nd Street does not make this option an alternative to loss of direct freeway access at Carnegie.[2] The additions of the local connector side streets are also merely mitigation measures, not alternatives, and were implemented to

[2] Let it also be remembered that, as discussed in the section above, "lessons" from case studies presented to ODOT assert that mitigation techniques do not alleviate the loss of direct highway access in areas that are economically vulnerable to begin with.

promote acceptance of the plan predetermined by ODOT long ago. They remain the same with regard to the issue at hand: the loss of direct access from the Innerbelt. Where the fundamental requirement under NEPA is that an agency present and assess alternatives in an EIS, ODOT's insistence on the removal of critical interchanges contravenes the essence of NEPA.

V. ODOT's Section 4(f) justification for opposing or ignoring the consensus community compromise of retaining the Carnegie Avenue exit is contrary to law.

As discussed above, and as expressly stated in Mayor Frank Jackson's letter dated November 7, 2007, every major constituency in Cleveland agreed upon a single compromise solution to preserving the economic and accessibility interests of the community: the retention of an exit ramp at Carnegie Avenue. ODOT justified its rejection to this compromise in the DEIS by asserting that the Juvenile Justice Center stands in the path of such an exit ramp, the Juvenile Justice Center is a property eligible for the National Register of Historic Places, and Section 4(f) prohibits the "use" of such structures. DEIS at 4-49. However, in reality there is no such "prohibition" as Section 4(f) allows such buildings to be "used" for a variety of reasons, including when all other alternatives would cause significant negative social impacts. ODOT's alleged justification under Section 4(f) is thus contrary to law.

A. "Complete avoidance" of Section 4(f) property is not required where alternatives to complete avoidance are "imprudent."

Section 4(f) of the Department of Transportation Act, 49 U.S.C. § 303, prohibits the Secretary of Transportation from approving a highway project that requires the use of a

public park, recreation area, wildlife and waterfowl refuge, or land of an historic site of national, state, or local significance unless

> (1) "there is no prudent and feasible alternative to using the land; and
> (2) the program or project includes all possible planning to minimize harm [to the historic site] resulting from the use."

49 U.S.C. § 303.

Courts recognize that "complete avoidance is not always possible or prudent." *Audobon Naturalist Soc.* at 675-76 (upholding Secretary's decision that complete avoidance of Section 4(f) lands was not prudent). An alternative that will avoid the use of a protected site is imprudent if "there arises 'unusual factors' or 'cost or community disruption' as a result of 'extraordinary magnitudes' which counsel against building a highway along such a route." *Audobon Naturalist Soc.* at 676, citing *Citizens to Preserve Overton Park v. Volpe*, 401 U.S. 402, 411, 91 S.Ct. 814 (1971). At the same time, alternatives that avoid the use of a protected site but that "do not solve or meet transportation needs of a project can be rejected as not prudent." *Audobon Naturalist Soc.* at 677, citing *Hickory Neighborhood Defense League v. Skinner (Hickory II),* 910 F.2d 159, 164 (4th Cir. 1990) (in approving highway project, Secretary may reject as imprudent alternatives that will not solve or reduce existing traffic problems). Thus, as shown in both *Audobon* and *Hickory*, an alternative that allows "complete avoidance" of a protected site is actually imprudent where such an alternative causes the Project to fail to meet the stated purpose and need.

Also, as stated in a letter dated March 26, 2007, from FHWA Administrator J. Richard Capka to U.S. Senator George V. Voinovich (Exhibit I), the FHWA has also set forth seven general reasons why an alternative may be rejected as not prudent. These

reasons include the following:

"1. It does not meet the project purpose and need,

2. It involves extraordinary operational or safety problems,

3. There are unique problems or truly unusual factors present with it,

4. It results in unacceptable and severe adverse social, economic or other environmental impacts,

5. It would cause extraordinary community disruption,

6. It has additional construction costs of an extraordinary magnitude, or

7. There is an accumulation of factors that collectively, rather than individually, have adverse impacts that present unique problems or reach extraordinary magnitudes."

Mr. Capka's letter also states that "[i]f sufficient analysis demonstrates that no alternative to the taking of a Section 4(f) resource is feasible and prudent... [t]he FHWA may then approve the taking of the resource." Exhibit I. Mr. Capka's letter then concludes that, because ODOT studies to date do not show nor have the local officials provided quantifiable information that identify economic impacts to the neighborhood that rise to the extreme levels envisioned by the 'feasible and prudent' standard of Section 4(f)," ODOT's alternative that relies on local roads to mitigate loss of the Carnegie exit is "prudent in that it does not result in any of the seven reasons for rejection." Exhibit I.

In effect, Mr. Capka's opinion is that because ODOT failed to complete the promised economic impact study, this provides ODOT a self-created reason to cite the Juvenile Justice Center as a constraint. It is unclear whether Mr. Capka was aware of ODOT's failure when responding to the Senator's questions, but certainly now ODOT cannot stand behind its self-created failure to provide an economic impact report as justification for

rejecting the Carnegie exit alternative as it does at page 3-15 of the DEIS.

In any case, it would appear to anyone or to any agency – except one with a predetermined bias – that Mayor Jackson's community letter of November 7, 2007, would provide the "quantifiable" input from local officials of the type that rises to the "extreme levels envisioned by Section 4(f)" so as to allow the Carnegie exit alternative.

B. In light of the significant social harm that will arise from removing the Carnegie Avenue exit and ODOT's failure to satisfy ODOT's stated Purpose and Needs, ODOT's avoidance of the Juvenile Justice Center is imprudent.

As discussed at length above, rejecting the Carnegie Avenue exit compromise will destroy the economic vitality of Cleveland's urban core. Alternatives that do not include an exit at Carnegie will choke off traffic necessary to sustain crucial economic engines such as MidTown, the Cleveland Clinic, and the University Circle area. Also, alternatives that do not include a Carnegie Avenue exit will cause the Innerbelt Project to fail to achieve its Purpose and Needs statement, which expressly designated the maintenance and improvement of Innerbelt access and connectivity to local streets as a Project Need.[3] DEIS ES-2.

Because significant negative social and economic effects will result from rejecting the Carnegie Avenue exit compromise, but ODOT nonetheless proceeds in favor of

[3] In addition, the community has plans to build a new Juvenile Justice Center and holds the existing structure in no particular regard that would warrant avoiding more beneficial options. As a Cleveland Plain Dealer editorial stated "[a]lthough some would protest the building's demolition, the diverse group supporting the compromise [including a Carnegie exit] - which includes Mayor Frank Jackson - sees that plan as the best option. Frankly, the juvenile court building is a dump. No reasonable person would object to its disappearance." Exhibit J.

completely avoiding the Juvenile Justice Center, ODOT's position is that Section 4(f) *requires* the complete avoidance of the Juvenile Justice Center. In contrast, as seen in *Audobon* and *Hickory*, the Transportation Secretary should recognize that complete avoidance of the Juvenile Justice Center may not be possible. In fact, *Audobon* and *Hickory* actually suggest that ODOT's rejection of the Carnegie Avenue exit is imprudent.

In addition, the FHWA's own criteria suggest that any alternative that lacks a Carnegie exit and relies instead on local connector streets is imprudent. Indeed, such alternatives violate Criterion 1 by failing to meet the project purpose and need, violate Criterion 4 by promoting unacceptable and severe adverse social and economic impacts, violate Criterion 5 by causing extraordinary disruption to Cleveland's urban core, and violate Criterion 7 by causing traffic congestion on local streets and economic failure of local firms that, collectively, will destroy the social and economic fabric of Cleveland. In sum, alternatives that fail to include an exit ramp at Carnegie Avenue cannot be considered prudent under the full scope of Section 4(f) or the FHWA's own criteria. Where no prudent alternative to the inclusion of a Carnegie Avenue exit exists, the taking of the Juvenile Justice Center to provide for a Carnegie exit is not contrary to the law.

VI. ODOT's Preferred Alternative A fails to achieve ODOT's stated Purpose and Need.

The DEIS states that 85% of the traffic using the Innerbelt Freeway has a destination within the study area during the AM peak period or an origin within the study area during the PM peak period." DEIS ES-2. As a result of this unique travel pattern, the Purpose

and Need section of the DEIS designates one of the Project Needs as being "to preserve the local roadway connectivity function of the Innerbelt Freeway and provide continued access and mobility to the CBD, adjacent neighborhoods, and commercial/industrial areas...." DEIS ES-2.

The DEIS identifies, however, in its Summary of Key Issues related to "Carnegie Access," a litany of concerns including: "loss of companies in the MidTown corridor area; a negative impact on the economic development efforts of the neighborhoods; reduced access to the Cleveland Clinic and University Circle; shifting traffic to Chester Avenue from Carnegie Avenue; the negative impact of a traffic incident at the Chester Avenue interchange; and increased congestion on local streets." DEIS at 5.10. Despite ODOT's acknowledgment of this long list of problems related specifically to the loss of access at Carnegie, ODOT nevertheless recommends the removal of the Carnegie Avenue ramp.

Thus, when the DEIS is read in conjunction with the CAS, it is clear that Preferred Alternative A does not meet the Purpose and Need of providing critical local access and connectivity between the Innerbelt Trench and the CBD to the east, and MidTown, Cleveland Clinic and University Circle. In fact, a close examination of the traffic data provided in ODOT's documents shows that there will be near traffic gridlock imposed upon the local street system at the AM and PM peaks if Preferred Alternative A is built as proposed. First of all, the Interchange Justification Study shows in the "build" situation the following:

1. The intersection at Chester Avenue and East 30th Street fails the LOS standard D as well as the operational standard of a volume to capacity ratio greater than 1.0.

2. The critical intersection of Carnegie Avenue and East 9th Street fails the required volume to capacity ratio.

3. A total of 12 local street intersections, including 4 on Carnegie Avenue, 4 on Chester Avenue, 3 on Superior Avenue, and 1 on Orange do not meet the mandated storage length requirements for proper operation, but supposedly have "additional storage provided upstream."

4. A total of 6 interchanges, including those at Carnegie at Ontario; Carnegie at East 9th Street; Chester at WB I-90/SB MidTown connector; Superior at EB I-90; Woodland at East 30th Street; Broadway at East 9th Street; and Orange Ontario at East 9th Street/Broadway, do not have sufficient storage lengths and none is available upstream.

See Interchange Justification Study at pages 52-58 attached as Exhibit K.

In short, this indicates, and as MidTown's expert engineer, Michael Schweikert, indicated in a report of record (see Exhibit L), that if Preferred Alternative A is built, it will result in the local street system becoming gridlocked at certain times and will create safety hazards by impeding emergency vehicle travel or local Cleveland streets as well and economic devastation throughout Cleveland's urban core.

In addition, it is now clear that ODOT's models did not take into consideration the many projects listed herein that are now being built or are on the drawing boards of the City's great health care institutions such as those at the Cleveland Clinic, University Hospitals and the VA Hospital. In sum, these improvements will account for over 4,000,000 patient trips a year that have not been considered by ODOT's modeling. All of these vehicles will need to utilize all of the above-mentioned local intersections for patients to reach these critical business and health care-related destinations. Moreover, when it is considered that the Euclid Corridor Project, which in effect makes Euclid Avenue a one-lane street each way, was not considered in the model, this future gridlock becomes even more apparent.

Indeed, the Rosentraub Study highlights the degree to which ODOT's study was short-sighted in its approach. Dr. Rosentraub found that, even with Innerbelt access points at both Carnegie and Chester Avenues, the connection between the Innerbelt and University Circle, the Cleveland Clinic, University Hospitals, and the VA Hospital will result in a "transportation bottleneck." Rosentraub Study at ii. This bottleneck will cause long delays in travel and stifle the economic growth of the medical institutions that drive much of Cleveland's economy. *Id.* As a result, Rosentraub asserts that an entirely different "reliever" highway, namely, an extension of Interstate 490 located to the south of the existing Interstate 90 (otherwise known as "Opportunity Corridor"), will be required. *Id.* As the Rosentraub Study states, the inclusion of a reliever highway such as a completed Interstate 490 would remove roughly 3,500 cars per day from the Innerbelt and place them along the I-490 alternative. *Id.*

Thus, ODOT's proposed reduction in interchanges within the Trench and its Preferred Alternative A will not come close to alleviating traffic concerns and will impose wide-scale operational failure on the Innerbelt Trench and Cleveland's local streets. Thus, the Rosentraub Study indicates that it is critical to maintain all Trench interchanges including exit ramps at *both* Carnegie and Chester as well as to construct Opportunity Corridor. ODOT's proposal to relieve congestion in the Trench through removal of yet more interchanges (at Carnegie) and its complete reliance on the Chester Avenue exit is faulty and contrary to the Purpose and Needs of the Innerbelt Project even on an operational level.

VII. Conclusion

A. In light of the significant negative social impacts that attend the loss of Innerbelt access points at Prospect Avenue and Carnegie Avenue, MidTown and the Cleveland Clinic request that ODOT pursue the Minimum Build alternative plus a Carnegie Avenue exit ramp, after all future projects and improvements are constructed.

The "Minimum Build" alternative plus an exit ramp at Carnegie Avenue presents a proper balance between operational standards and social utility. First, as one would expect, and as shown in the DEIS, the preservation of the Innerbelt access points that accompanies the Minimum Build alternative causes no impact to the human environment. DEIS, ES-4 through ES-11. Second, the Minimum Build alternative plus an exit ramp at Carnegie Avenue would allow the Trench to be properly aligned with the much needed reconstruction of the Central Viaduct and Innerbelt Curve segments. Third, the exit at Carnegie Avenue would provide the Innerbelt access so vital to businesses in Cleveland's urban core. Finally, as the DEIS states, election of the Minimum Build would save $50 Million in taxpayer dollars. In short, the balance between operational standards and high social utility and fiscal responsibility that would be struck by selecting the Minimum Build alternative plus an exit ramp at Carnegie Avenue warrants selection of such an alternative over the socially, economically, and financially unacceptable Preferred Alternative A.

B. In the event that the Minimum Build alternative plus a Carnegie exit is not selected, ODOT must segment the Innerbelt Project, proceed with approval of the Central Viaduct and Innerbelt Curve sections, and reassess the removal of access points at Carnegie Avenue and Prospect Avenue.

1. Federal Law clearly permits segmentation of highway construction projects.

Case law presents countless examples in which transportation departments attempt to segment a roadway project into small units in order to avoid the requirement of having to perform an entire EIS. Generally, where NEPA requires EISs for only major federal actions, transportation departments have attempted to avoid the EIS requirements by segmenting roadway projects into units that fall below the "major federal action" threshold. *See Swain v. Brinegar*, 542 F.2d 364 (7th Cir. 1976) (enjoining highway project where Department failed to file EIS for 2 of 3 project segments); *San Antonio Conservation Soc. V. Texas Hwy. Dep't*, 446 F.2d 1013 (5th Cir. 1971) (enjoining project where Department improperly segmented project to avoid Section 4(f) determinations); but see *Save Barton Creek Assoc. v. Fed. Hwy. Admin.*, 950 F.2d 1129 (5th Cir. 1992) (segmentation proper where segments had independent utility).

In such cases, the public commonly allege that the segmentation was improper. Regardless of the exact facts in such actions, however, actions seeking to prevent segmentation all effectively seek to prevent transportation departments from carrying out projects without first assessing the likely impacts. While ODOT's decision places MidTown and the Cleveland Clinic in the unique legal position of seeking segmentation rather than opposing it, MidTown and the Cleveland Clinic share the same goal with all parties seeking modification of ODOT plans: a process that most enables them, through information gathering and objective assessment, to protect their community from ill-conceived changes at the hands of a transportation department.

2. **Courts analyze the propriety of segmentation under a four-factor test.**

Not only can highway projects be segmented, but the courts set forth a four-factor test to allow objective, consistent determination of whether segmentation of a roadway project is permissible. The test requires that the proposed segment (1) have logical termini, (2) have substantial independent utility, (3) not foreclose the opportunity to consider alternatives, and (4) not irretrievably commit federal funds for closely related projects. *O'Reilly v. U.S. Army Corps Eng.*, 477 F.3d 225, 237 (5th Cir. 2007).

3. **Under this test, segmentation of the Trench from the Central Viaduct and the Innerbelt Curve is permissible.**

The CAS states that the "Innerbelt Trench conceptual alternatives can connect to any of the Innerbelt Curve and Central Interchange conceptual alternatives." (CAS 5.10). ODOT's assertion demonstrates that the project meets the four-factor test set forth in *O'Reilly*. More specifically, the Trench can be segmented from the Central Viaduct and Innerbelt Curve because (1) the Trench segment has logical termini, allowing for modification without disruption of the surrounding segments; (2) the Trench has its own utility independent of the Central Viaduct and Innerbelt Curve that also allows for separate and later review of the Trench without disruption to the surrounding segments; (3) segmentation of the Trench still allows the opportunity to consider alternatives; and (4) segmentation of the Trench will not irretrievably commit federal funds for surrounding segments.

Given all of the above, and since the newly instituted Opportunity Corridor Project is proposed to be built by 2017, whereas expenditures in the Trench are not scheduled until

2019, there is practical reason for segmenting out and considering later any proposed improvements in the Trench. First of all, the Opportunity Corridor will take approximately 40% of the vehicles off of the Innerbelt, if and when it is approved and built, and thus whether improvements in the Trench may be necessary after its construction is "up in the air" at this time. Thus, for this and for all of the other reasons set forth herein, there is good reason to segment the Trench and not approve it now, and to review and study it after the Central Viaduct, Innerbelt Curve, and Opportunity Corridor are constructed and after all of the improvements and all of the economic development projects by the hospitals as set forth herein are constructed. To approve it now based on this record would be inappropriate, arbitrary, and disastrous to the businesses and institutions submitting this report and to the City of Cleveland.

MidTown Cleveland, Inc.

By: James A. Hairland

Title: Executive Director

Date: May 21, 2009

The Cleveland Clinic

By: [signature]

Title: Chief Government Relations Officer

Date: May 21, 2009

Taft Stettinius & Hollister LLP

By: Stephen M. O'Bryan
Stephen M. O'Bryan
M. Casey Swemba
Attorneys for MidTown Cleveland, Inc.

Date: May 21, 2009

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Appendix

1. Exhibit A: Letter from Stephen O'Bryan to Craig Hebebrand dated February 15, 2006.

2. Exhibit B: ODOT summary of draft economic impact study entitled Economic Effects of the Cleveland Innerbelt Plan Access Changes ("Draft Economic Effects Study").

3. Exhibit C: Vredeveld Study.

4. Exhibit D: Rosentraub Study.

5. Exhibit E: Hebebrand Letter.

6. Exhibit F: Hebebrand emails dated August 30, 2007, and September 4, 2007.

7. Exhibit G: Letter from Mayor Frank Jackson and other signatories to J. Richard Capka, Administrator of the FHWA, and James G. Beasley, Director of ODOT, dated November 7, 2007.

8. Exhibit H: Letter from members of The Ohio House of Representatives, dated April 17, 2007, requesting that ODOT complete an economic impact study.

9. Exhibit I: Letter from FHWA Administrator J. Richard Capka to U.S. Senator George V. Voinovich dated March 26, 2007.

10. Exhibit J: Plain Dealer Editorial entitled "Fix Cleveland's Inner Belt, but keep the Carnegie Ramps."

11. Exhibit K: Interchange Justification Study (pages 52-58).

12. Exhibit L: Traffic engineering report by Michael Schweikert.

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February 15, 2006

Via E-Mail and Hand Delivery

Mr. Craig K. Hebebrand
Project Manager, District 12
Ohio Department of Transportation
5500 Transportation Boulevard
Garfield Heights, Ohio 44125

Re: MidTown Cleveland, Inc.

Dear Mr. Hebebrand:

I write to request information, prior to the upcoming February 21, 2006, public meeting, relating to the status of the economic impact report that is being prepared by the Boston consultant, EDR Group. It is this report which you stated at the Public Hearing on November 17, 2005, that would be used by ODOT to balance freeway safety with adverse economic impact in the Trench due to loss of access. You also stated if the economic impact report warranted same, ODOT would have to continue to study and go back to the drawing board to mitigate impacts. See Transcript of Public Hearing, pages 115-121. As of this writing no report has been issued.

In addition, I have several questions about the methodology and input being gathered by these consultants. First of all, I was very disappointed to hear that they only intended to conduct six to ten face-to-face meetings with affected owners in the area. My understanding is that this is all they have conducted. My understanding of the purpose of the November 17th Public Hearing was to bring together all the affected owners to hear ODOT's status report and to allow these owners to provide input to ODOT for purposes of their "go forward" analysis, which is required by Federal law. It seems curious to me why the Boston consultant was not present at the Public Hearing to hear this input first hand from the many affected businesses and other property owners. Why weren't they there to have face-to-face discussions with the many people who took the time to come to the Public Hearing to provide the ODOT-requested input? It would seem that a truly thorough and unbiased economic impact report would require same.

My client, MidTown Cleveland, Inc., and the other community groups that were involved in the written survey that was sent out by the EDR Group also have serious questions regarding the methodology and substance of that survey. Namely:

1. While the survey was dated November 28, 2005, and requested a return by December 15, 2005, many of my client's stakeholders did not receive the survey until the second week of December leaving little or no time to complete same by the stated deadline. When we requested the possibility of a written notification of an extension, given these mailing and time problems, MidTown was told that while the deadline was arbitrary no written extension date could be provided.

2. The main areas of concern which you said publicly was being studied "an economic impact analysis of the changes of the Innerbelt Trench "(Transcript, page 5)" were not clearly delineated on the survey. Indeed, the preferred alternative map was so small as to be nearly unintelligible and useless. It did not focus on the changes to access in the Trench and for all practical purposes provided little or no specific foundation for the important issues at hand.

3. While you have refused to share your exact contact list with us, we believe that the list that was used is highly suspect. We understand that for some areas Dun & Bradstreet information was used, which is not updated or reliable for this purpose. Also many of our stakeholders indicated that a generic contact person was listed on the survey, thus leading to a lack of response in many instances.

4. The survey is incomplete and imprecise in many ways, namely, no specific questions are asked respecting ingress and egress on Carnegie or Prospect; no income tax or payroll questions are included.

5. Finally, when MidTown heard that many stakeholders had not received a copy of this survey and offered to help by providing copies to them, you refused and indicated that you did not want third party assistance.

While we have heard informally that EDR Group considers the response to their survey to have been low, this should come as no surprise to them or anyone else given these circumstances. Thus, we ask are we going to be receiving the valid, reliable and comprehensive survey you promised?

Additional questions regarding the survey arise due to comments made by Mr. Chase at the Public Hearing and the Planning Commission Meeting the next day, wherein he indicated that EDR Group was requesting additional traffic information for purposes of their report. We would be interested in knowing what additional information was sent to them after the Public Hearing. Given the fact that the preferred alternative has been changed again, which our client was made aware of by a February 7, 2006, e-mail, how will this change affect or impact the economic impact report? Has the resultant change in traffic patterns been taken into consideration by EDR Group?

Finally, from a Federal Law standpoint, I am very concerned about the process since at the November 17, 2005, Public Hearing you publicly indicated on a written handout that the timetable ODOT was going to use is as follows:

- Rollout of the Alternatives Report for the Cleveland Innerbelt – December 2005
  A full report will be available via www.innerbelt.org, and at branches of the Cleveland Public Library which will outline ODOT's Recommended Alternative. ODOT will receive public comment on this report.

- Economic Impact Analysis – December 2005
  Analysis will be available from ODOT as to potential economic impacts of the Preferred Alternative, specifically as related to proposed changes to the Innerbelt Trench. ODOT and the City will hold a meeting with stakeholders to explain the Analysis results and seek input.

- Public comment period on the ODOT Recommended Alternative – December 2005 through January 2006.

- ODOT to begin to address public comments on ODOT Recommended Alternative – January 2006.

- ODOT to submit Access Modification Study to FHWA – February 2006
  A technical report that provides detailed operational analysis of the proposed traffic revision to the transportation network.

See attached handout dated November 17, 2005.

As noted earlier, given the partially noticed revised Preferred Alternative plan which MidTown received on February 7th and the fact that the economic impact report has not been issued, how can significant public input be provided if ODOT has not adhered to its publicly declared process? As attorney for MidTown Cleveland, Inc., I would respectfully request answers to the above-referenced questions as soon as possible. Thank you for your anticipated cooperation.

Very truly yours,

Stephen M. O'Bryan
Attorney for MidTown Cleveland, Inc.

SMO/cp
Enclosures
cc: James A. Haviland

1.7 Economic Impacts

Economic Effects of Access Change

This section summarizes the results of a report entitled Economic Effects of the Cleveland Innerbelt Plan Access Changes (March, 2006). Copies of the report are on file for public review at the ODOT District 12 office.

This study was conducted in response to public comments and concerns regarding potential economic impacts to nearby communities that may be associated with proposed project-related access changes. The study included an analysis of likely impacts on employment and sales at firms in the study area and an estimation of changes in transportation costs for firms and workers in the study area.

For all of the build alternatives, changes to access points are occur predominantly in the northern half of the project area known as the Trench and the Innerbelt Curve, where the freeway is below grade. Within the Trench section, the mainline of the build alternatives is shifted to the east and the number of ramps reduced for safety and operation purposes. Ramps to be removed are at Lakeside Avenue, St. Clair Avenue, Prospect Avenue, and Carnegie Avenue.

For this analysis, the study area was restricted to the following: E. 18th to E. 55th between Cedar Avenue and the Lakefront; from Cedar Avenue to just south of I-77 between Gardner Court and E. 30th; from E. 55th to Addison Road from Star Avenue to the lakeside; and the rectangular area from E. 55th to E. 79th between Chester Avenue and Cedar Avenue (Figure 1.7-1). These are the neighborhoods where the build alternatives would remove on- and off-ramps, changing freeway access, travel times, and through traffic volumes and patterns.

For the most part, study area boundaries coincide with those of the three local community development corporations (CDCs): MidTown Cleveland, St. Clair-Superior Development Corporation, and the Quadrangle. There is, however, one notable difference between the CDC and study area boundaries: the portion of St. Clair-Superior east of E. 55th was excluded as vehicles in these areas will continue to access the Innerbelt via E. 55th and will not experience reduced freeway access.

Three sets of findings are presented in this study. The first set examines the implications of changes in traffic volumes and patterns (i.e., "pass-by traffic") on business sales and employment in the affected areas. The effects of changes in pass-by traffic are examined for two options associated with the build alternatives. The first option, which includes direct freeway access to Payne Avenue, is referred to as "With Payne Access". The second option, which has no direct freeway access to Payne Avenue, is referred to as "Without Payne Access".

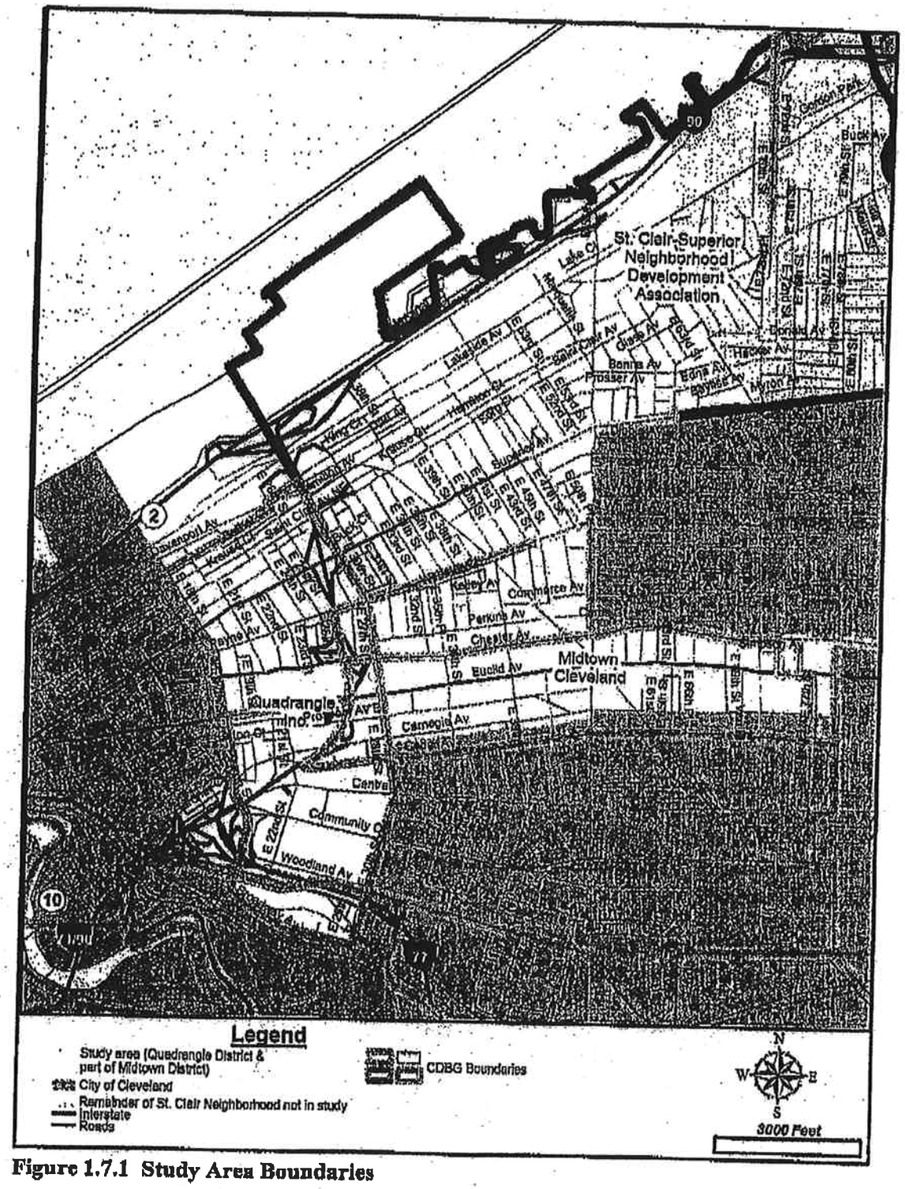

Figure 1.7.1 Study Area Boundaries

Table 1.7-1 Characteristics of Study Area Firms

Characteristic	Number	Percent
Number of Employees		
1 or more	1319	65%
0 or unknown	706	35%
SIC Identified?		
Yes	1391	69%
No	634	31%
Firm Size		
0 or unknown	706	35%
1-2	423	21%
3-9	466	23%
10-24	264	13%
25-99	120	6%
100+	46	2%
Sector		
Construction	75	5%
Manufacturing	172	12%
Transportation	63	5%
Wholesale and Retail Trade	312	22%
FIRE	79	6%
Services	648	47%
Other	42	3%

Table 1.7-2 Distribution of Firms and Employees in the Study Area

Sector	% of Firms	% of Employees
Construction	5%	5%
Manufacturing	12%	21%
Transportation	5%	7%
Wholesale and Retail Trade	22%	12%
FIRE	6%	2%
Services	47%	51%
Other	3%	3%

The second set of findings examines the implications of changes in travel times and costs for commuters and firms in the study area. The travel times used in this portion of the analysis coincide with expected changes associated with the "With Payne Access" option. Both sets of results are for the year 2025.

The third set of findings is based on case studies of ramp closings in other neighborhoods in the United States. These case studies are used to provide information on expected and actual impacts of ramp closings and mitigation measures that have been used in other locales.

Methodology

Using data from Dun and Bradstreet (D&B) and lists of businesses compiled by local community development corporations (CDCs), an initial estimate of a maximum of 2,025 businesses and civic organizations was made for the study area. The final project database contains information on approximately 1,350 firms and organizations, which collectively employ about 31,000 persons.

Characteristics of the 2,025 firms initially identified as potentially located in the study area are summarized in Table 1. The data in that table show that approximately one-third of firms have zero or an unknown number of employees and one-third did not have information on industry sector (as captured by Standard Industrial Classification (SIC) code). Firms that were identified through Dun and Bradstreet (D&B) usually contained employment estimates and SIC codes, while those identified only by the CDCs did not (In many cases, of course, firms identified by the CDCs were also found in the D&B database.). Of the firms found in D&B, 91 had "0" employment, indicating that they are sole proprietorships.

The data in Table 1.7-1 also show that of firms with employment estimates, the vast majority have fewer than 10 employees; and only 8% have 25 or more employees. The table also reveals the importance to the study area economy of the service and wholesale and retail trade sectors: 47% of firms identify their primary activity as services and 22% wholesale or retail trade. More important than the number of firms represented by each sector is the number of persons employed by each sector.

As Table 1.7-2 shows, with the exceptions of manufacturing and trade, the proportion of study area firms in each sector is similar to the proportion of employment in that sector. Manufacturing firms, however, provide 21% of study area employment but account for just 12% of firms, while firms in retail and wholesale trade account for just 12% of employees despite representing 22% of the study area's firms. These disparities in firm versus employment counts are due to high average employment per firm in manufacturing and the preponderance of small firms in the retail portion of the trade sector.

The second set of results looks at changes in firm and worker transportation costs resulting from the changes in travel times expected under the "With Payne Access" option. These results translate expected changes in travel times into changes in travel costs for affected parties. These results address concerns that firms and workers in the affected areas will face higher costs because of proposed changes.

The first set of calculations translates changes in vehicles volumes and patterns into changes in employment and sales at businesses in the study area. The first step in this estimate is development of "pass-by dependence" measures, which capture the portion of a firm's sales that can be attributed to pass-by traffic, for each of the 1,350 firms and organizations in the project database. This measure provides an estimate of each firm's employment that is "dependent" on pass-by traffic and thus "at-risk" if pass-by traffic volumes decline. For example, fast food restaurants are generally highly dependent on pass-by traffic, while manufacturers of specialized equipment generally are not.

Table 1.7-3 presents the estimated impacts of changes in pass-by traffic under the "With Payne Access" and "Without Payne Access" options. Under both options, the analysis shows a loss in jobs in those sections of the study area expected to experience a decline in pass-by traffic and a slightly larger job gain in the sections of the study area that will see an increase in pass-by traffic. Overall, there will be a slight gain in employment, payroll, and sales in the study area under both the "With Payne Access" and "Without Payne Access" options.

Under both options, the largest impact is on Saint Clair Avenue, which is estimated to gain 32 jobs under the "With Payne Access" option and 44 jobs under the "Without Payne Access" option. The large impact on Saint Clair Avenue is the result of two factors: a projected increase in pass-by traffic on the avenue and a high level of pass-by dependent employment (about 12% of total employment) on the avenue. This results in large expected increases in economic activity under both alternatives.

Superior Avenue is also expected to experience a net gain of about 10 jobs under both options. However, the net positive number should not mask the fact that some firms on the avenue are expected to lose jobs under both options. The losses at these firms (10 to 11 jobs) will be more than offset by expected gains at other firms on the avenue, but the analysis still does project that some firms on Superior Avenue will lose jobs.

Firms on Carnegie Avenue are also expected to lose jobs under both options. For firms on Carnegie Avenue, job losses are expected to be larger under the "With Payne Access" option (-12 jobs) than under the "Without Payne Access" (-5 jobs) option. There is expected to be no net change in employment on Prospect Avenue under either option; in both cases, expected jobs losses (of 3 jobs under the "With Payne Access" option and 4 jobs under the "Without Payne Access" option) are expected to be offset by gains at other firms on avenue.

The study area is heavily industrial relative to the national norm. Across the US, about 12.5% of employment is in manufacturing (compared to 21% in the study area) and over 17% is in retail and wholesale trade (compared to just 12% in the study area).[1] The composition of activity in the study area has implications for the likely impact of proposed changes on the study area: sales and employment tend to be much more sensitive to pass-by traffic counts at retail firms than at manufacturing firms. As such, areas with a smaller proportion of retail firms are likely to experience proportionately smaller economic impacts from changes in traffic volume and patterns.

Interviews

During the course of this study, phone interviews were conducted with firms and other stakeholders, including directors of the St. Clair-Superior, MidTown, University Circle, and Quadrangle CDCs; Cleveland Neighborhood Development Coalition; a hospital; a local research organization; the City of Cleveland's economic development department; and the Director of City Planning for Cleveland. These interviews provided background on conditions in the city and the affected neighborhoods; information on the nature of business activity in the affected neighborhoods, possible effects on sales and employment, perceptions of businesses and other stakeholders of likely impacts, and possible actions needed to mitigate any perceived impacts. Findings from these interviews were used to shape the questions included in the survey.

Survey

In early December, 2005, surveys were mailed to approximately 2,025 firms and organizations in the study area. The survey was used to gather information about firm characteristics (e.g., industry type, number of employees), in-house freight and service vehicles, use of outside trucking and parcel services, and reliance on the Innerbelt by the firm and its employees. The list of firms to be surveyed was developed using business names and addresses purchased from D&B; and lists provided by the Midtown, St. Clair Superior, and Quadrangle CDCs and a real estate interest in Midtown.

Of the 2,025 surveys mailed, 281 were returned with information that was used in this study. This translates into a return rate of over 15%

Results

The first set of results examines the impact of the build alternatives on business activity (employment, sales, and payroll) in the study area. These estimates are intended to address concerns regarding the impacts of proposed access changes on local businesses. Specifically, there is concern that firms in areas that lose direct access to ramps will experience reductions in pass-by traffic that will result in lower sales and employment at these firms. Firms that are subject to reductions in economic activity due to changes in traffic volumes are generally referred to as "at-risk businesses". Analysis of the effects of access changes on "at-risk businesses" was performed for the "With Payne Access" and "Without Payne Access" options.

[1] Data on the composition of US economic activity is calculated from data from 2003 County Business Patterns, which showed 113,398,043 jobs in the US in March 2003, of which 14,132,020 were in manufacturing; 14,867,825 were in retail trade; and 5,863,860 were in wholesale trade

Overall, the modeling shows a net increase in the study area of 75 jobs under the "With Payne Access" option and a net increase in the study area of 78 jobs in the "Without Payne Access" option. The net increase (+75) in jobs in the "With Payne Access" option is expected to be accompanied by an increase of $16.2M in sales and $1.4M in payroll.[2] The net increase (+78) in jobs in the "Without Payne Access" option is expected to be accompanied by an increase of $16.9M in sales and $1.5M in payroll.

Under both options, job loss and net job gain are minimal relative to the roughly 30,000 people employed in the study area. Though small, the losses are concentrated: under both alternatives, at least two-thirds of jobs losses are projected to happen on Superior, Carnegie, Prospect, or Lakeside Avenues. Job losses on these four avenues are likely to be accompanied by a loss of about $5.0M in sales under the "Without Payne Access" option and a loss of about $5.8M in sales under the "With Payne Access" option.

Transportation and Commuting Costs

In addition to the expected economic impact of changes in traffic volume, the build alternatives would affect travel times--and therefore travel costs—in the study area. Changes in travel times are only expected on weekdays during two-hour morning and afternoon peak travel periods. These periods coincide with those times that currently have congestion, which changes proposed under the build alternatives would help alleviate. During those times that do not currently experience congestion (i.e., non-peak weekdays and weekends), there is no expected change in travel times or costs associated with the build alternatives.

Tables 1.7-4 and 1.7-5 present the summary of the analysis of the effects of the build alternatives "With Payne Access" on transportation costs. The first table shows the following: 1) expected cost changes are expected to benefit firms and workers in the study area, which collectively would save about $6.1-$6.3 M in travel costs; and 2) the estimated overall impact is more or less the same regardless of which method is used. The cost savings presented in Table 1.7-4 include the value of all potential annual travel cost savings, with the exception of personal trips. As shown in Table 1.7-4, bottom-up and top-down methods generate somewhat different divisions of benefits between firms and workers, but each method shows that firms and workers would benefit.

For the proposed project, the more important information might be the out-of-pocket savings that would accrue to firms and workers in the study area. This is presented in Table 1.7-5, which underscores the extent to which benefits are expected to either be non-monetary, as in the valuation of saved time by commuters, or accrue to out-of-state firms, which is likely the case with some proportion of the savings by trucking and parcel delivery firms. In the case of commuters, only about 17% of the benefits would be realized in actual dollars; the remainder of the benefit reflects a valuation of time saved rather than a significant reduction in out-of-pocket costs for vehicles, gas, or repairs. For these estimates, which are particularly sensitive to the

[2] Sales and payroll estimates per job are calculated from Ohio 2002 Economic Census: Retail Trade, which shows Cuyahoga County average sales per retail employee of $216,289 and average payroll of $19,162.

Table 1.7-3 Impacts of Changes in Pass-By Traffic Under Two Access Options

	WITH PAYNE ACCESS	WITHOUT PAYNE ACCESS
NET EMPLOYMENT IMPACT	75	78
Employment Loss (jobs)	-38	-37
Employment Gain (jobs)	113	115
NET SALES IMPACT	$16.2	$16.9
Sales Loss ($M)	-$8.2	-$8.0
Sales Gain ($M)	$24.4	$24.9
Net Employment Change By Street (jobs)		
Carnegie Ave.	-5	+5
Euclid Ave.	+18	+6
Lakeside Ave.	-2	-3
Payne Ave.	-1	+3
Prospect Ave.	0	0
Saint Clair Ave.	+32	+44
Superior Ave.	+13	+11
Employment Gain By Street		
Carnegie Ave.	+7	+10
Euclid Ave.	+18	+7
Lakeside Ave.	0	0
Payne Ave.	+5	+4
Prospect Ave.	+3	+4
Saint Clair Ave.	+32	+44
Superior Ave.	+23	+22
Employment Loss By Street		
Carnegie Ave.	-12	-5
Euclid Ave.	0	-1
Lakeside Ave.	-2	-3
Payne Ave.	-4	-1
Prospect Ave.	-3	-4
Saint Clair Ave.	0	0
Superior Ave.	-10	-11

Case Studies

The three cases discussed in this section provide some insights into the impacts of closures and the mitigation measures and strategies that can be adopted to help businesses remain viable when highway access is altered.

The three case studies include the following:

- Closure of the Clay/Washington Street ramp to Chinatown in San Francisco after the Loma Prieta earthquake of 1989 damaged the Embarcadero Freeway. In this case, the entire freeway was removed and replaced by a new surface street. Access to Chinatown (and all of San Francisco) was further impeded because portions of the Bay Bridge, the only highway access to San Francisco from the East Bay, was damaged and out of service for some time.

- Closure of two on-ramps and two off-ramps from an interchange involving the convergence of three Interstate highways which directly serve downtown Milwaukee and Marquette University. The closures are a small part of a reconstruction project that includes rebuilding an eight mile section of the highway system. The ramps are being closed due to dangerous weaving patterns that result because existing ramps are too close together to accommodate traffic volumes that exceed the highway's design capacity by more than 100 percent. This ongoing project was started in 2004 and is scheduled for completion in December 2008. In addition to the permanent ramp closures, several ramps will be closed for a period of up to three years.

- Permanent closure of a ramp from a major business district in the Sherman Oaks section of Los Angeles to the US-101/I-405 interchange. This project also includes a two-year closure of another ramp serving this business district, requiring employees and visitors to travel an additional 20 minutes to access the area. The project involves a total reconstruction of the interchange in an effort to eliminate dangerous weaving patterns resulting from excessive traffic volumes with cars entering and exiting on ramps spaced too close together.

In reviewing these case studies, it appears that the existing economic condition of the affected business districts will influence the extent to which the ramp closure will negatively impact business activity. In the Chinatown case, the economic vitality of the business district is reported to have been in decline even prior to the removal of the ramp. Further, newspaper accounts and interviews with city staff indicate that the business community was unable to develop an organized, widely-supported strategy for rebuilding after the removal of the ramp. While mitigation measures such as way-finding signs and public economic development assistance programs were put in place, these measures could not make up for the overall decline in the business climate.

Conversely, in the Sherman Oaks case study, the strong economic condition of the affected

portion of benefits that will accrue to commuters, the two methods yield somewhat different results. Both suggest, however, that out-of-pocket savings that accrue to firms and workers in the study area account for about half of all benefits: the annual out-of-pocket cost savings to local workers and firms of the "With Payne Access" option is about $3.5M (of a total savings of $6.3M) using the bottom-up approach and $3M (of a total savings of $6.1M) using the top-down approach.

Table 1.7-4 Estimated Changes in Transportation Costs

Sector	Bottom Up	Top Down
Firm Transportation Costs ($M)	($3.68)	($2.87)
In-house vehicles, freight and service	($2.11)	
Outsourced trucking	($0.72)	
Outsourced parcel delivery	($0.85)	
Commute ($M)	($2.58)	($3.22)
Morning	($1.64)	($2.48)
Afternoon	($0.94)	($0.74)
Total ($M)	($6.26)	($6.09)
Per Study Area Employee	($209)	($203)

Table 1.7-5 Annual Out-of-pocket Savings in the Study Area

Sector	Bottom Up	Top Down
Study Area Businesses	($3.09)	($2.42)
Study Area Workers	($2.58)	($3.22)
Out-of-pocket	($0.44)	($0.55)
Valuation of time	($2.14)	($0.46)
Non-Cleveland Businesses	($0.58)	($0.45)
Out-of-Pocket Study Area Businesses and Workers	($3.54)	($2.97)
Per Study Area Employee	($118)	($99)

business area, demonstrated in part by continued investment in the neighborhood despite the major freeway construction project, has itself mitigated the potential negative business impacts of the ramp closures. Instead, the neighborhood has struggled with increases in traffic as through traffic trying to access the freeway is mixing with the local traffic associated with customers and employees trying to reach destinations in the neighborhood. This extra traffic has not had negative business impacts, but instead represents a nuisance to the businesses in the area. Because the business community has not voiced significant concern about negative impacts of the ramp closures, CalTrans has not implemented any significant mitigation measures to address potential negative business impacts.

The Milwaukee case falls somewhere in between the Chinatown and Sherman Oaks examples. While downtown Milwaukee has struggled to remain viable as a retail destination due to competition from suburban malls, it does remain the business center for the region and thus attracts an active daytime population. Further, the presence of Marquette University in the study area ensures a captive market segment, and destinations such as the Bradley Center (home of the Milwaukee Bucks) continue to attract visitors to the area despite the ramp closures. In this case, the mitigation measures put in place to help support businesses are reportedly working to alleviate negative impacts on businesses. In particular, the business community believes that signage programs, public service announcements, and on-line route mapping programs have successfully reduced the potential business sales loss that could occur due to the ramp closures. The early implementation of these mitigation measures was also cited by business representatives as an important component of the success of the measures.

The case studies provide the following lessons for instituting a successful mitigation program:

- Evaluate the economic condition of the affected neighborhood. Recognize that ramp mitigation measures cannot eliminate negative impacts associated with already existing economic uncertainty. If the affected business community is distressed even before the ramp closure, alternative economic development strategies not associated with the ramp closure may need to be considered by the municipality.

- Signage and other way-finding programs are essential components of a successful mitigation program aimed at supporting existing business districts. Strategies might include signage on highways and local streets, public service announcements on radio and television broadcasts, newspaper articles providing directions to business areas, traveler hotlines, web sites, and on-line mapping programs.

- Public events held in the affected area can be used to draw customers to the area and familiarize them with new routes. These can include special sales promotions such as those discussed in the Milwaukee case study, radio or television broadcasts from the neighborhood, or events such as concerts or street fairs that can attract visitors.

- Early involvement of the members of the affected business area can assuage fears and help design alternatives and mitigation measures that best suit the needs of the area.

- Ongoing communications with the businesses will provide a means for quickly identifying negative impacts as they arise and instituting suitable mitigation strategies early on. This can be done by establishing a task force and by designating a local liaison with the business community early in the process.

Economics Center
for education & research

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April 10, 2005

James A. Haviland
Executive Director
MidTown Cleveland, Incorporated
4019 Prospect Avenue, #200
Cleveland, Ohio 44103

Dear Mr. Haviland:

Thank you for the opportunity to review the economic impact study Economic Effects of Cleveland Innerbelt Plan Access Changes prepared by the Economic Development Research Group in Boston. As you know, I have conducted hundreds of studies that analyze the economic effects of projects and have attached a listing of those studies. This experience enables me to speak with some expertise on the issue.

According to the overview on page one, the report purports to summarize "... the analysis of the likely business impacts in downtown Cleveland resulting from roadway changes associated with the Innerbelt project." Furthermore, the report cites the proposed changes in access points and limits its analysis to that area that will be affected. The report identifies the ramps to be removed as those at Lakeside Avenue, St. Clair Avenue, Prospect Avenue and Carnegie Avenue. To analyze the effects of removing these ramps would require that a comparison be made between traffic with the ramps on the improved Innerbelt and traffic without these ramps. This report does not indicate that any such comparison was made. A comparison of traffic with a Payne Avenue ramp and without a Payne Avenue ramp was presented in the study, but this does not speak to the important issue that the report purports to address. Without the comparison of traffic with and without the ramps in the study area, the study fails to meet its objectives and fails to provide an analysis that was promised by the DOT in a public meeting on November 17, 2005.

This serious flaw in the study's methodology renders it to be of little value in understanding the economic impact of the proposed ramp changes. In fact, the study may have negative value because the results presented may imply economic impacts that are inconsistent with the true impacts.

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Although this flaw is serious enough to reject the results of the study, there are other problems that are described below.

1. One critical issue in this study is the change in travel time caused by the closure of ramps. This change should be calculated from some point on the expressway, not at the beginning of the trip. The time spent traveling once leaving the expressway is the important change to measure and the study fails to consider how the elimination of the ramps would affect that. Because of this, it seems to me that the traffic data used are inappropriate. These data show time of travel from a distant point to certain locations in the study area. But in very many cases, the traveler is not going to make the trip from a distant point only to go to a location in the study area. More likely, the traveler is making the trip for multiple purposes such as driving to work and shop.

2. The study determines at-risk employment on the basis of change in pass-by traffic. But pass-by traffic is a limited basis on which to determine the impact on employment. In fact, jobs are placed at risk by factors other than pass-by traffic and thus the results of the study likely are erroneous and misleading. For example, for some businesses the travel time of deliveries to and from the area is critical. The study considers some of these factors but does not attempt to estimate their impact on employment. The analysis should calculate the impact on employment by comparing the proposed plan to an option that keeps the ramps in question open.

3. The study measured changes in travel times for representative Origin-Destination pairs during peak travel times. But most of the businesses in the study area will use the Innerbelt during non-peak times and the failure to consider these impacts fails to capture the costs imposed on existing businesses. For example, the study fails to identify the change in travel time for a delivery at 10:00 AM because ramps have been eliminated.

4. The calculation of changes in transportation and commuting costs is based on total transportation costs from destination to origin and makes comparisons with a no build option and options with a Payne access and no Payne access. The analysis should consider an improved Innerbelt with, for example, a Carnegie access versus no Carnegie access and a Prospect access versus no Prospect access. Furthermore, a simple estimate of the value of the average change in transportation time does not give good information about the overall economic cost to the businesses and to the community in the study area.

5. While the employment changes projected are likely erroneous for reasons stated above, the also are likely biased because they assume some linear relationship between certain factors and people employed. In reality the relationship is non linear. If businesses are damaged, they may leave the study area. For example, if a business finds that its cost increases by 10

percent, it would be wrong to assume that employment would also fall by a percentage that has a linear relationship to percentage change in cost. In fact, a 10 percent increase in cost may cause the business to cease operations and thus the loss in employment would be 100 percent.

6. Although the study explains the survey methods. I did not see the results of the survey. Were large employers interviewed and what did they say? I understand that two public meetings were held, one on November 17, 2005 and one on February 21, 2006 wherein 100-150 businesses were represented. Nearly all of the business representatives who spoke were unanimous in concluding that the ramp closures would have a negative impact. Nowhere did I see any indication of these discussions in the report nor did I see a summary of discussions with certain businesses such as Applied Industrial Technologies, Central Cadillac, and Dodd Camera who have expressed concerns about the impact of removing ramps. These comments and interviews serve an important role in identifying issues and factors that may not have been considered in the impact analysis.

7. The survey itself collected information about use of the Innerbelt and about locations of employees, customers, and suppliers, but this information was not used to assess the incremental economic impacts of an improved Innerbelt with and without specific ramps.

8. While the study reports estimates of employment changes (which are based on incomplete causes of employment changes), it fails to identify the economic effect of these changes on the community. Obviously, changes in employment will create an initial impact that will have secondary effects on the community in question.

9. The case studies presented have no relevance to the issue of what should be analyzed, that is the economic effect of eliminating access points on the Innerbelt.

Based on my professional opinion, the report discussed has serious inadequacies and flaws that lead to results that are not relevant to the question at hand and may be misleading in understanding the economic impact of changes in ramp access.

Sincerely,

George Vredeveld
Alpaugh Professor of Economics

George M. Vredeveld

Professor of Economics

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Education

A.B., *Political Science*, Calvin College, 1964
M.A.T., *Economics*, Purdue University, 1968
Ph.D., *Economics*, Indiana University, 1973

Past Employment

Visiting Professor of Economics, European Institute of Public Administration, Maastricht, the Netherlands, 1990-1991.

Associate Professor of Economics and Director of the Greater Cincinnati Center for Economic Education, University of Cincinnati, 1977-1990.

Assistant Professor of Economics and Executive Director of the Missouri Council on Economic Education, University of Missouri, 1975-1977.

Assistant Professor of Economics and Director of the Center for Economic Education, University of Missouri, 1972-1975.

Graduate Research Fellow, Institute of Applied Urban Economics, Indiana University, 1971-1972.

Visiting Lecturer in Economics, Purdue University, 1968-1969.

Fellowships and Awards

Experienced Teacher Fellowship, Purdue University, 1967-1968.
N.D.E.A. Fellowship, Indiana University, 1969-1971.
Senior Fellowship, Center for Applied Manpower and Occupational Studies (honorary), Indiana University, 1971-1972.
Research Fellowship, Institute of Applied Urban Economics, Indiana University, 1971-1972.
Henry M. Oliver Theory Award, Indiana University, 1973.
Teaching Award, International Paper Company Foundation, Honorable Mention, 1975.
Teaching Award, International Paper Company Foundation, 3rd place, 1979.
Outstanding Educators' Award, Consumer Economic Education Association of Ohio, 1985.
Pew Summer Visiting Research Fellow, Economics Department, Princeton University, 1987.
Roman F. Warmke Award for Excellence and Leadership in Economic Education, Ohio Council on Economic Education, 1995.

Publications

Books

Economics, with D.R. Kamerschen, Cliff Publishing Inc., Lincoln, Nebraska, 1975.

Choice: A Handbook of Classroom Ideas to Motivate the Teaching of Elementary Economics, with John Lewis, Peter Harrington and Peter Meyers, Educational Services, Inc., Stevensville, Michigan, 1975.

Children in the Marketplace: Economics for Grades 5-6, Joint Council on Economic Education, New York, NY, 1989.

Articles

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"European Stagnation: Is 1992 the Answer?" in The Future of Private Enterprise, Vol. 6, 1989.

"Europe 1992: Teaching Activities" in Senior Economist, Winter 1989 with Charlotte Eicher.

"Market Efficiency and Student-Teacher Goal Agreement in the High School Economics Course: A Simultaneous Choice Modeling Approach," Journal of Economic Education, Vol. 21, No. 3, Summer 1990, pp. 317-33 with Jin-Ho Jeong.

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"Educational Reform and Economic Transition in Bulgaria," in Report of Bulgarian Economic Growth & Transition Project, edited by Richard W. Rahn and Ronald D. Utt, National Chamber Foundation, Washington, 1990.

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"Building Infrastructure to Provide Economic Education in Eastern Europe," in Delivering Economic and Business Education in an International Setting, William Walstad and Jenny Wales, editors, Economics and Business Education Association, London, 1996, with Gisela Escoe.

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"The Redistributive Effects of Subsidizing Higher Education in Missouri" with Robert Collins, Report for the Missouri Coordinating Board of Higher Education, September 1975.

"The Greater Cincinnati Airport: An Economic Impact Study" With C.A. Berry, G. Burgess and J.R. Clark, prepared for the Greater Cincinnati Chamber of Commerce, July, 1988.

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"Hospitals' Impact on the Greater Cincinnati Economy" with Greg Burgess, prepared for the Hospital Council and Greater Cincinnati Center for Economic Education, October 1989.

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Presented Papers

"Financing Higher Education and Income Distribution," Missouri Economics Association, Columbia, Missouri, December 1971.

"Income Inequality and Subsidizing Higher Education," Conference on Costs and Benefits of Education, New York, New York, May 1973.

"Distributional Impacts of Alternative Methods of Financing Higher Education," Regional Science Association, Atlanta, Georgia, November 1973.

"The Economics of Financing Education," Department of Economics and Business, Northwest Missouri State University, February 1973.

"Testing for Economic Biases," Missouri Valley Economics Association, October 1974.

"Whatever Happened to Programmed Learning?" Eastern Economics Association, Washington, D.C., April 1978.

"Community-based Economic Education," National Association of Affiliated Economic Education Directors, Portland, Oregon, October 1978.

"Community Resources and Economic Education," National Association of Industry and Education Cooperation, Ft. Thomas, Ky., May 1979.

"Economics and Career Decisions," Ohio Association of Career Education, Columbus, Ohio, May 1980.

"CPI, Inflation, Cost of Living and Public Policy," Ohio Association of Economists and Political Scientists, May 1980.

"Developing and Sustaining Economics Education Programs," American Association of Educational Research, Los Angeles, California, March 1981.

"Relating Economics to Work and Labor Markets," National Industry/Education Conference, Cincinnati, May 1983.

"The Role of Normative Economics in Economic Education," National Association of Economic Educators, October 1985.

"Economics and Methodology: Comments on Barbara Bergmann's Measurement or Finding Things Out in Economics," The Scope of Economics Conference, Massachusetts Institute of Technology, Cambridge, Mass., September 1986.

"Funding Education in Ohio: What are the Inefficiencies of Mandates," presentation to the Gillmore-Schafrath Legislative Commission, State of Ohio, September 1987.

"The Efficiency Question in Producing Economic Knowledge," Eastern Economics Association, Boston, Mass., March 1988.

"Eurosclerosis: Will Integration be a Cure?" Association of Private Enterprise Education, Orlando, Florida, April 1989.

"Efficiency in Providing Economics Teaching," National Association of Economic Educators, Atlanta, Georgia, October 1989.

Presented Papers (Continued)

"Transition in Eastern Europe: The Role of Education," National Association of Economic Educators, Louisville, October 1991.

"The Bulgarian Economic Reform: Achievements and Challenges," presented at the American Economic Association, New Orleans, 1993, with Boyan Slavenkov.

"The Process of Economic Reorganization in Russia," presented at National Association of Economic Educators, Milwaukee, October 1993 with L. Oborotova and A. Tsapin.

"Teaching Economics Using a Minimalist's Approach," presented at South East Asia Teachers' and Counselors' Conference, Jakarta, November 1994.

"Economics as a Tool for Understanding Human Behavior," presented at South East Asia Teachers' and Counselors' Conference, Jakarta, November 1994.

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"Economic Impact of Construction Projects: A Case Study of Sports Stadia," presented at North Central Sociological Association, Cincinnati, March 1996.

"Evaluating the Evaluation of Economics Education in Bulgaria," presented at the National Association of Economic Education, Honolulu, September 1996, with Gisela Escoe.

Offices Held In Professional Organizations

Coordinating Committee, State of Ohio Consumer Economic Education Program, 1979-81.
Executive Committee, National Association of Economic Educators, 1979-83.
Executive Committee, Ohio Council on Economic Education, 1980 to present.
Trustee, Academy for Economic Education, 1981 to present.
Chairman, Council on Academic Urban Programs, 1983-84.
Regional Advisor, National Center for Economic Education for Children, 1982-85.

Business and Community

Board of Directors, Benchmark Federal Savings Bank, 1982-1999
Board of Directors, Ohio National Mutual Funds, 1995 to present
Panel Member, Greater Cincinnati Chamber of Commerce Economic Outlook, 1987 to present
Member, Cincinnati Enquirer's Board of Economist, 1992 to present
Board Member, Queen City Association, 1991 to present

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Broward County, Florida Economic Impact of Cultural Organizations

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East Westwood Market Research Analysis

North College Hill Economic Development Analysis

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The Economic Impact of Lunken Airport on the Greater Cincinnati Economy

North Fairmount Market Research Analysis

Economic Impact of Rumpke on the Hamilton County (Ohio) Economy

The Economic Impact of Rumpke on the Greater Cincinnati Economy

Economic Impact of Rickenbacker International Airport and Foreign Trade Zone No. 138

The Tax Revenue Impact of Adopting the Sponge Tax in Ohio

Greater Cincinnati Labor Market Study: Characteristics of the Labor Supply in Greater Cincinnati

Promoting Home Ownership and Community Redevelopment

The Economic Impact of Delta Air Lines on the Greater Cincinnati Economy

The Economic Impact of Fernald on the Greater Cincinnati Economy

Economic Analysis for the West End Strategic Plan and Urban Renewal Plan

Gap Analysis School-to-Work Professional Development in Northwest Ohio

Economic Impact of Greater Cincinnati Cultural Organizations on the Regional Economy

Gap Analysis School-to-Work Professional Development in Northeast Ohio

Gap Analysis School-to-Work Professional Development in Southeast Ohio

Economic and Demographic Trends in Western Hamilton County

Economic Impact Analysis of Greater Cincinnati Health Council Members
Gap Analysis School-to-Work Professional Development in Southwest Ohio
Greater Cincinnati Chamber of Commerce Blue Chip Campaign Economic Impact Analysis
Champion International Economic Impact Analysis
Economic Impact of Procter & Gamble on the Greater Cincinnati Economy
EPA Economic Impact Analysis: City of Hamilton Electric Power Plant
Greater Cincinnati Labor Market Study: Characteristics of Employment Opportunities in Greater Cincinnati
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Economic Base Analysis for Clermont County
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Proposals for Enrollment Projection for Cincinnati Public Schools
Impact of Hospitals in North-Eastern Ohio on the Economy of the Region
Economic Impact Analysis Hamilton County Park District on Hamilton County
Identification of Industry Clusters for Guiding Economic Development in Cincinnati
Economic Impact of 63 New Community Health Center Projects on Ohio
Economic Impact of National Underground Railroad Freedom Center on Greater Cincinnati

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Financial Capability Assessment for Lafayette
Affordability Work for Cincinnati MSD
Economics Seminar for Cincinnati MSD
Cleveland Hospitals: Economic Impact Analysis
Great American Weekend Mini-Analysis
Queen City Fusion Economic Impact Analysis
Analysis of Liberty Interchange & Dell
Estimate of Uptown Area Employee Payroll
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Technology Workforce Survey - Great Oaks School District
Cincinnati Bell Yellow Pages Survey Reports
CAFR Research & 2005 Econ. Outlook Summary
Research the Effect of Inflation on Base Salary

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Rosentraub Study
Innerbelt

Innerbelt Traffic Levels, Euclid Avenue and University Circle Development, and Reliever Options

Mark S. Rosentraub, Professor
Sung-Gheel Jang, Assistant Professor
Maxine Goodman Levin College of Urban Affairs
Cleveland State University

June 2008

Executive Summary

The closing of I-90 exits in downtown Cleveland raised questions regarding the feasibility of remaining off-ramps to serve the growing number of users of businesses in the mid-town area, the Cleveland Clinic, University Hospitals, the Louis Stokes Cleveland VA Medical Center, and University Circle. The data used to assess traffic volumes[1] – certified by the Ohio Department of Transportation and accepted by the Federal Highway Administration – is based on accepted techniques based on population and journey-to-work data. This information is used to develop plans to meet the needs for the region's future transportation systems.

The data used for these models, however, does not include the possibility of unique situations or characteristics that could be related to specific service providers that are unusual in terms of the volume of traffic they generate. Specifically, as pertains to the situation in Cleveland, adjustments were not made to include the volume of traffic generated by the outpatient visits to the three large health providers located along Euclid Avenue and in the University Circle area.

The changing nature of health care has led to a dramatic increase in the use of procedures and techniques that limit patient visits to the day of service.

How much traffic does that generate?

Using very conservative estimates based on construction underway and approved, there will be at least four million additional trips each year to Cleveland's major health care providers located on its east side (and that figure is likely to increase each year). On a daily basis – adjusting for traffic that will not use I-90 or will travel in a westerly direction, I-90's exits and the local streets must be prepared to carry at least 5,900 additional vehicles each business day.

The impact of this additional traffic volume will begin in March 2009. The improvements to the Inner Built will not take place this decade.

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[1] The volumes assessed are from the certified traffic highway assignment runs by a consulting firm (Burgess & Niple, Inc.) hired by the Ohio Department of Transportation (ODOT). The whole model runs were acquired from the consultants through the efforts of ODOT and NOACA. Their assistance is gratefully acknowledged.

What does this mean?

The planned exits for I-90 – even if the more expansive off ramp is built – will be congested several hours each day. With Euclid Avenue's capacity reduced as a result of the new bus line (and with several freeway exits closed) the congestion times at the remaining two exits will increase and then "spill out" to Carnegie and Chester Avenues. The proposed or preferred enhanced exit will not reduce or alleviate this congestion.

With increasing traffic levels and congestion on Chester and Carnegie Avenues and at the I-90 exits that remain, the need for a more expanded reliever route is clearly a desirable option to pursue. One option might include accelerating plans for a grand boulevard extending from I-490 to the Cleveland Clinic at 105th Street; other might also exist. However, what is clear is that to sustain the economic development on Cleveland's East Side, new traffic plans must be developed.

This necessity is made obvious both by the traffic levels and the importance of the area for Cleveland and Ohio's economic development.

That data in **Table 1** describes the scale of outpatient visits in 2007. New facilities that will have opened in 2008 and will open in 2009 at both the Cleveland Clinic and University Hospitals will initiate a period of rapid expansion in the number of outpatients served. This will lead to increasing levels of traffic in the area.

Table 1. Traffic Generation Sources of Healthcare institutions in 2007.

Four Million Figure Based On Expected Expansions and University Hospital's Anticipated and Estimated Service Levels Given Their Expansion

	Cleveland Clinic Main Campus	VA Medical Center	University Hospital Main Campus
Number of Outpatient Visits	**1,368,597**	**1,650,906**	N/A
Number of Patients	268,755	123,516	N/A
Number of Employees	20,140	4,507	8,525

Source: Cleveland Clinic Foundation, VA Medical Center (2007)

The distribution of this traffic relative to the origins of this outpatient traffic is depicted in **Figure 1.** This map is based on data provided by the Cleveland Clinic and effectively illustrates the issue as future plans are made to secure. The large number of patients originating from the west and south and their need to use I-90 and I-71 to reach the Cleveland Clinic area creates the potential for congestion. The red lines on the maps in **Figures 2** and **Figure 3** illustrate the congestion that currently exists (Figure 2) and will exist after completion of the Innerbelt project

(Figure 3). Congestion is defined as the potential for the traffic that will use these roadways to exceed the technical carrying capacity of the roadway. This does not mean that there will be congestion at all times. Rather, at peak periods there will be more vehicles seeking to use the roadway then the road can handle. However, as the volume of outpatient and visitor traffic at the three health facilities in the University Circle area continues to grow the periods of peak congestion will increased and become longer in duration.

It is also important to recognize that no shape or design for the recommended exits for I-90 onto Carnegie Avenue or East 22nd Street will relive or reduce the growing number of hours that the roadways will be congested. While the expanded or more extensive exist from I-90 to Carnegie Avenue can handle more vehicles (and it thus desirable) there is a greater need for reliever roadways to reduce congestion and increase access to the University Circle area. Given the importance of this part of Cleveland for the economic growth and development of the region and State of Ohio attention is overdue for a transportation plan that will complement and support the large-scale private investments in-place and scheduled. It could be argued that the public sector has not provided the needed infrastructure for economic development to support the investments made by the region's health care providers.

The University Circle area and its health care centers assume a large role in plans for Greater Cleveland's future and the economic growth of Ohio. Transportation enhancements assume a substantial role in supporting the privately funded development that leads to job creation, improved salaries, and more substantial tax revenues for Ohio and governments throughout Northeast Ohio. While reconstruction of the Innerbelt is a transportation issue, transportation is inexorably linked to economic development. Just as obvious and important in the link between the Innerbelt and the access points to University Circle and the facilities of the Cleveland Clinic, University Hospitals, and the Veterans Administration Medical Center. Impediments in this network that fail to adequately prepare for a more expansive future will thwart plans and hopes for Ohio and Northeast Ohio's economic recovery and stability.

Existing construction and facility expansion plans means that the three health care facilities will produce higher levels of traffic than has previously been estimated. There will be four million more traffic generating visits to the University Park/Cleveland Clinic areas that has been included in some transportation models used to predict needs in Northeast Ohio. The impact of these four million annual trips will begin in March 2009 with the opening of new facilities and if anticipated or planned projects come to fruition, by the time the Innerbelt is repaired and "fixed," four million additional visits may well be a very conservative estimate of the increased traffic on I-90, Chester and Carnegie Avenues, and Martin Luther King Drive through Rockefeller Park. State and local leaders need to prepare for the possibility that the center of one of Ohio's economic engines for the 21st century will face a transportation bottleneck and frustration far sooner than has been previously estimated. It is more than an inability or the limited ability of any type of exit ramp to handle the traffic generated by the health care facilities several hours each day; a comprehensive set of options needs to be developed that includes an exit able to handle a greater volume of traffic and an alternative reliever or approach to entering the University Circle area.

The growth of outpatient delivery systems and the expansion underway at the three health care providers and their affiliated research, education, and private business operations requires expedited consideration (and expedited construction) of the role of an extension of I-490 to the

Circle area along 105th Street. Some estimates from the Ohio Department of Transportation indicate that such a system could handle more than 3,500 trips per day. That would substantially reduce the congestion at the I-90 exit at 22nd Street (in its expanded form) and along Carnegie and Chester Avenues. Failure to aggressively pursue options will lead to increasingly long periods of time when there is congestion or super-saturated levels of traffic trying to access University Circle. As those periods are extended, development options will be reduced threatening what could exist for Ohio and the region's future.

Table 1. Traffic Generation Sources of Healthcare institutions in 2007.

Four Million Figure Based On Expected Expansions and University Hospital's Anticipated and Estimated Service Levels Given Their Expansion

	Cleveland Clinic Main Campus	VA Medical Center	University Hospital Main Campus
Number of Outpatient Visits	1,368,597	1,650,906	N/A
Number of Patients	268,755	123,516	N/A
Number of Employees	20,140	4,507	8,525

Source: Cleveland Clinic Foundation, VA Medical Center (2007)

Outpatient Vitisits Projection (4% increment rate)

	Cleveland Clinic	VAMC	UH	Total		
			60% of CC		daily trips	
2007	1,368,597	1,650,906	821,158	3,840,661	15363	5,684
2008	1,423,341	1,716,942	854,005	3,994,288	15977	5,912
2009	1,480,275	1,785,620	888,165	4,154,059	16616	6,148
2010	1,539,485	1,857,045	923,691	4,320,222	17281	6,394
2011	1,601,065	1,931,327	960,639	4,493,030	17972	6,650
2012	1,665,108	2,008,580	999,065	4,672,752	18691	6,916
2013	1,731,712	2,088,923	1,039,027	4,859,662	19439	7,192
2014	1,800,980	2,172,480	1,080,588	5,054,048	20216	7,480
2015	1,873,019	2,259,379	1,123,812	5,256,210	21025	7,779
2016	1,947,940	2,349,754	1,168,764	5,466,458	21866	8,090
2017	2,025,858	2,443,744	1,215,515	5,685,117	22740	8,414
2018	2,106,892	2,541,494	1,264,135	5,912,521	23650	8,751
2019	2,191,168	2,643,154	1,314,701	6,149,022	24596	9,101

2020	2,278,815	2,748,880	1,367,289	6,394,983	25580	9,465
2021	2,369,967	2,858,835	1,421,980	6,650,783	26603	9,843
2022	2,464,766	2,973,188	1,478,860	6,916,814	27667	10,237
2023	2,563,357	3,092,116	1,538,014	7,193,486	28774	10,646
2024	2,665,891	3,215,801	1,599,534	7,481,226	29925	11,072
2025	2,772,526	3,344,433	1,663,516	7,780,475	31122	11,515
2026	2,883,427	3,478,210	1,730,056	8,091,694	32367	11,976
2027	2,998,765	3,617,338	1,799,259	8,415,362	33661	12,455
2028	3,118,715	3,762,032	1,871,229	8,751,976	35008	12,953
2029	3,243,464	3,912,513	1,946,078	9,102,055	36408	13,471
2030	3,373,202	4,069,014	2,023,921	9,466,137	37865	14,010
2031	3,508,130	4,231,774	2,104,878	9,844,783	39379	14,570
2032	3,648,456	4,401,045	2,189,073	10,238,574	40954	15,153
2033	3,794,394	4,577,087	2,276,636	10,648,117	42592	15,759
2034	3,946,170	4,760,170	2,367,702	11,074,042	44296	16,390
2035	4,104,016	4,950,577	2,462,410	11,517,003	46068	17,045

Increase fror 2007

Increase fror 2025

CLEVELAND INNERBELTPLAN
OHIO DEPARTMENT OF TRANSPORTATION

www.innerbelt.org

November 17, 2005

Dear Stakeholder,

As we move through the complicated process of reconstructing the Innerbelt, we felt it important to make sure our immediate stakeholders and the general public clearly understand the Federal process that remains before us. And, specifically when and how public input correlates with the overall process. It is in this spirit that we are utilizing this opportunity to provide a detailed description and explanation of the remainder of this process.

Following this week's round of meetings, ODOT will continue through a set of milestones that will bring the Cleveland Innerbelt Plan to the preliminary engineering and design stage of the Project Development Process in February of 2007. The coming months will proceed as follows:

- Rollout of the Alternatives Report for the Cleveland Innerbelt – December 2005
  A full report will be available via www.innerbelt.org, and at branches of the Cleveland Public Library which will outline ODOT's Recommended Alternative. ODOT will receive public comment on this report.
- Economic Impact Analysis - December 2005
  Analysis will be available from ODOT as to potential economic impacts of the Preferred Alternative, specifically as related to proposed changes to the Innerbelt Trench. ODOT and the City will hold a meeting with stakeholders to explain the Analysis results and seek input.
- Public comment period on the ODOT Recommended Alternative – December 2005 through January 2006.
- ODOT to begin to address public comments on ODOT Recommended Alternative – January 2006
- ODOT to submit Access Modification Study to FHWA– February 2006
  A technical report that provides detailed operational analysis of the proposed traffic revision to the transportation network.
- Federal Highway Administration (FHWA) approval of the Access Modification Study – April 2006
- ODOT to circulate preliminary environmental impact findings to the public and resource agencies – July 2006
  The findings of the environmental impacts will be made available for comment.
- ODOT to host a public meeting on ODOT Preferred Alternative and environmental Impacts – July 2006

A meeting will be hosted by ODOT to review the environmental impacts to the community and the public will have the opportunity to comment.

- Public comment period on ODOT Preferred Alternative Impacts – July through August 2006

ODOT will continue to receive public comment following the public meeting.

- Begin to address comments on Preferred Alternative Impacts – August 2006
- Submit Environmental Assessment (EA) to FHWA - December 2006

The EA is a report which summarizes potential environmental impacts to the community

- FHWA approves EA – February 2007

FHWA will approve or suggest revisions to the assessment of environmental impacts

- Begin Detail Design – February 2007

ODOT will gather public comment throughout the various steps outlined about via the web site, www.innerbelt.org, via letters which should be sent to ODOT Innerbelt Project Manager, 5500 Transportation Blvd., Garfield Hts., Ohio, 44125 and through meetings with community groups and the public.

Throughout the process outlined above, ODOT will continue to gather comment from the public and that input will be woven into the Environmental Assessment that ODOT will submit to FHWA. The Assessment will detail all potential environmental (including social, economic and geographical) impacts the Innerbelt Plan may have on the community and will be thoroughly evaluated by FHWA.

We hope that you find this document helpful and assists you regarding your important input in this project. If you have any questions on current or coming steps related to the Cleveland Innerbelt Plan, or if you need any additional information, please do not hesitate to contact us.

Respectfully,

Craig K Hebebrand, Project Manager
Ohio Department of Transportation
Phone: 216.584.2113

Mark Ricchiuto, Public Service Director
City of Cleveland
Phone: 216.664.2231

B | 210

Craig Hebebrand/Production/D12/ODOT
09/04/2007 10:14 AM

To "Prabhu, Hema" <hprabhu@taftlaw.com>
cc
bcc Bonnie Teeuwen/Administration/D12/ODOT@ODOT
Subject RE: Innerbelt plan deadlines

Dear Ms. Prabhu,

In response to your second inquiry, please see nos. 15 & 16 below:

1. Rollout of Alternatives Report (Dec. 2005): Conceptual Alternative Study (August 11, 2006).
2. EIS (Dec. 2005): See #13.
3. Public comment period on ODOT Recommended Alternatives (Dec. 2005-Jan. 2006): Public Comment Period for Conceptual Alternative Study (August 11, 2006 to March 5, 2007). ODOT continues to accept public comments on all aspects of the project .
4. ODOT submission of Access Modification Study to FHWA (Feb. 2006): Access Modification to FWHA (February 7, 2007).
5. FWHA approval of Access Modification Study (Apr. 2006): FWHA Approval with #13.
6. Circulation of preliminary environmental impacts made public (Jul. 2006): See #13.
7. Public meetings on ODOT's Preferred Alternatives and environmental impacts (Jul. 2006): Public Meeting on ODOT 's Recommended Alternative (February 1, 2007)
8. Public comment period on ODOT Preferred Alternative Impacts (Dec. 2006): Public Comment Period for ODOT's Recommended Alternative (February 1, 2007 to March 5, 2007). ODOT continues to accept public comments on all aspects of the project .
9. Submission of Environmental Assessment to FHWA (Dec. 2006): Draft Environmental Impact Study to FHWA (August 29, 2007).
10. FHWA approval of the Environmental Assessment (Feb. 2007): FWHA Approval of Draft Environmental Impact Study (December 2007).
11. Initiation of the Urban Design Aesthetic Study (Mar. 2007): (March 29, 2007).
12. Availability of Access Modification Study (Spring 2007): (January 2008).
13. Availability of Draft Environmental Impact Study (Spring 2007): (January 2008).
14. Public hearing on Draft Environmental Impact Study (Summer 2007): (March 2008).
15. Availability of Final Environmental Impact Study (Summer/Fall 2008).
16. Record of Decision (Fall 2008).

As always, if you have any questions or if you require any additional information , please do not hesitate to ask.

Respectfully,

Craig K. Hebebrand, P.E.,

Ohio Department of Transportation, District 12
5500 Transportation Boulevard, Garfield Heights, Ohio 44125

Telephone: (216) 584-2113, Facsimile: (216) 584-3508

E-Mail: craig.hebebrand@dot.state.oh.us
"Prabhu, Hema" <hprabhu@taftlaw.com>

"Prabhu, Hema" <hprabhu@taftlaw.com>
08/31/2007 09:30 AM

To <Craig.Hebebrand@dot.state.oh.us>
cc
Subject RE: Innerbelt plan deadlines

Mr. Hebebrand,
I have two follow up questions - given the dates you've listed below, when do you expect to have a final EIS prepared? And when do you expect to have a record of the final decision?
Thank you,
Hema

Hema Prabhu /Attorney
Taft /
Taft Stettinius & Hollister LLP
200 Public Square, Suite 3500
Cleveland, Ohio 44114-2302
Tel: 216.241.2838 • Fax: 216.241.3707
Direct: 216.706.3869
www.taftlaw.com / hprabhu@taftlaw.com

From: Craig.Hebebrand@dot.state.oh.us [mailto:Craig.Hebebrand@dot.state.oh.us]
Sent: Thursday, August 30, 2007 10:39 AM
To: Prabhu, Hema
Subject: Re: Innerbelt plan deadlines

Dear Ms. Prabhu:

In response to your inquiry, I offer the following:

1. Rollout of Alternatives Report (Dec. 2005): **Conceptual Alternative Study (August 11, 2006).**
2. EIS (Dec. 2005): **See #13.**
3. Public comment period on ODOT Recommended Alternatives (Dec. 2005-Jan. 2006): **Public Comment Period for Conceptual Alternative Study (August 11, 2006 to March 5, 2007). ODOT continues to accept public comments on all aspects of the project .**
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12. Availability of Access Modification Study (Spring 2007): **(January 2008).**
13. Availability of Draft Environmental Impact Study (Spring 2007): **(January 2008).**
14. Public hearing on Draft Environmental Impact Study (Summer 2007): **(March 2008).**

If you have any questions regarding this matter, or if you require any additional information, please do not hesitate to ask.

Respectfully,

Craig K. Hebebrand, P.E.,

Ohio Department of Transportation, District 12
5500 Transportation Boulevard, Garfield Heights, Ohio 44125

Telephone: (216) 584-2113, Facsimile: (216) 584-3508

E-Mail: craig.hebebrand@dot.state.oh.us

"Prabhu, Hema" <hprabhu@taftlaw.com>

08/29/2007 03:08 PM

To <craig.hebebrand@dot.state.oh.us>
cc
Subject Innerbelt plan deadlines

Mr. Hebebrand,
I left you a message late last week asking you to contact me with information as to the timeline of events that ODOT is pursuing for the Innerbelt project. I did not hear back from you and I realized that email might be a better mode of communication. I am merely trying to determine the extent to which ODOT has been keeping with its proposed timeline of events leading up to the Innerbelt construction and how much progress has been made on the matter.

Below, I have listed numerous tasks that ODOT had expected to complete by certain dates/seasons (expected date of completion is indicated in parentheses), as indicated by ODOT during various public meetings. I ask that you please indicate whether each item was completed and, if so, when.

1. Rollout of Alternatives Report (Dec. 2005)
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13. Availability of Draft Environmental Impact Study (Spring 2007)

14. Public hearing on Draft Environmental Impact Study (Summer 2007)

If you have any questions or concerns please do not hesitate to contact me. Your anticipated cooperation is greatly appreciated.

Sincerely,
Hema Prabhu

Hema Prabhu / Attorney

Taft /

Taft Stettinius & Hollister LLP
200 Public Square, Suite 3500
Cleveland, Ohio 44114-2302
Tel: 216.241.2838 • Fax: 216.241.3707
Direct: 216.706.3869
www.taftlaw.com / hprabhu@taftlaw.com

Craig Hebebrand/Production/D12/ODOT
08/30/2007 10:38 AM

To "Prabhu, Hema" <hprabhu@taftlaw.com>
cc
bcc Bonnie Teeuwen/Administration/D12/ODOT@ODOT; Dale Schiavoni/Planning/D12/ODOT@ODOT; mkubek@dot.state.oh.us; John Motl/Planning/D12/ODOT@ODOT; dave.lastovka@dot.state.oh.us; Mark Carpenter/Planning/D12/ODOT@ODOT; Tim Hill/Environmental/CEN/ODOT@ODOT; Larry Hoffman/Environmental/CEN/ODOT@ODOT; scott.phinney@dot.state.oh.us; lora.hummer@dot.state.oh.us
Subject Re: Innerbelt plan deadlines

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14. Public hearing on Draft Environmental Impact Study (Summer 2007): (March 2008).

If you have any questions regarding this matter, or if you require any additional information, please do not hesitate to ask.

Respectfully,

Craig K. Hebebrand, P.E.,

Ohio Department of Transportation, District 12
5500 Transportation Boulevard, Garfield Heights, Ohio 44125

Telephone: (216) 584-2113, Facsimile: (216) 584-3508

E-Mail: craig.hebebrand@dot.state.oh.us

"Prabhu, Hema" <hprabhu@taftlaw.com>

"Prabhu, Hema"
<hprabhu@taftlaw.com>
08/29/2007 03:08 PM

To <craig.hebebrand@dot.state.oh.us>
cc
Subject Innerbelt plan deadlines

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If you have any questions or concerns please do not hesitate to contact me. Your anticipated cooperation is greatly appreciated.

Sincerely,
Hema Prabhu

Hema Prabhu /Attorney
Taft /
Taft Stettinius & Hollister LLP
200 Public Square, Suite 3500
Cleveland, Ohio 44114-2302
Tel: 216.241.2838 • Fax: 216.241.3707
Direct: 216.706.3869
www.taftlaw.com / hprabhu@taftlaw.com

City of Cleveland
Frank G. Jackson, Mayor

Office of the Mayor
Cleveland City Hall
601 Lakeside Avenue, Room 202
Cleveland, Ohio 44114
216/664-3990 • Fax 216/420-8766
www.cleveland-oh.gov

November 7, 2007

The Honorable J. Richard Capka
Administrator, Federal Highway Administration
1200 New Jersey Avenue, S.E.
Washington, D.C. 20590

James G. Beasley, Director
Ohio Department of Transportation
1980 West Broad Street
Cleveland, Ohio 43223

Re: Cleveland Innerbelt project

Dear Administrator Capka and Director Beasley:

As indicated by the undersigned stakeholders, the Greater Cleveland community is fully engaged in discussions regarding the Cleveland Innerbelt project and stands in support of moving this project forward as soon as possible.

The scope and importance of this project has generated a great deal of discussion and public engagement. In particular, the issue concerning the addition of a direct Carnegie Avenue exit ramp to the current preferred alternative recently submitted by the Ohio Department of Transportation has been at the center of these discussions.

As you can see by the numerous stakeholders listed on this correspondence, the significance of this issue impacts virtually every constituency in our City. Indeed, until recently, we were not able to present consensus on the Carnegie Ramp addition. Today, however, we are pleased to inform you that the Cleveland community, including government, business, community groups, and major institutions have reached complete consensus in support of adding a Carnegie Avenue exit ramp.

We believe that the omission of this exit ramp will have significant economic and social impacts on our community. The current plan, which does not include the Carnegie Avenue ramp, is based on the economic realities of today, but does not consider the future economic growth of our Central Business District, Midtown Corridor and University Circle hub. It can be strengthened by acknowledging that our businesses, universities and institutions in and between our primary business districts are integral parts of Cleveland's current and future growth. Carnegie Avenue is a major connector to this area; it is imperative that direct access be part of the Innerbelt plan.

DEC - 6 2007

We will be taking part in the official proceedings as this project moves forward. We believe that Cleveland's case is extremely compelling for our City, County and the entire Northeast Ohio region. We also are compelled to demonstrate to you now that the entire community has come together in support of including the Carnegie Avenue exit ramp in the Cleveland Innerbelt project.

Respectfully,

Frank Jackson, Mayor
City of Cleveland

Martin J, Sweeney, President
Cleveland City Council

Councilwoman Phyllis Cleveland
Cleveland City Council

Councilman Joseph Cimperman
Cleveland City Council

Timothy Hagan, President
Cuyahoga County Board of Commissioners

Delos Cosgrove, M.D., President
The Cleveland Clinic

Thomas F. Zenty, III, President
University Hospitals

Barbara Snyder, President
Case Western Reserve University

Christopher Ronayne, President
University Circle, Inc.

Jerry Sue Thornton, President
Cuyahoga Community College

Michael Schwartz, President
Cleveland State University

Jamie Baker, Executive Director
St. Clair-Superior Community Development Corporation

James Haviland, Executive Director
Midtown Development Corporation

William Beckenbach, Executive Director
Quadrangle, Inc.

Joseph Marinucci, President
Downtown Cleveland Alliance

Timothy Tramble, Executive Director
Burten, Bell, Carr Development Corporation

Frederick Nance, Chairman
Greater Cleveland Partnership

Dennis Roche, President
Cleveland Convention & Visitors Bureau

Copies:

The Honorable George V. Voinovich
United States Senate

The Honorable Sherrod Brown,
United States Senate

The Honorable Stephanie Tubbs-Jones
U.S. House of Representatives

The Honorable Dennis Kucinich,
U.S. House of Representatives

The Honorable Steve LaTourette,
U.S. House of Representatives

The Honorable Betty Sutton,
U.S. House of Representatives

Ohio House of Representatives

April 17, 2007

The Hon. Lee Fisher
Lieutenant Governor
77 S. High Street, 30th Fl
Columbus, Ohio 43215-6108

Re: Cleveland Innerbelt
Economic Impact Study (EIS)

Dear Lieutenant Governor Fisher:

We understand that the Ohio Department of Development (ODOD) is considering conducting a new and expanded Economic Impact Study (EIS) to evaluate the consequences of access changes in the Cleveland Innerbelt project being proposed by the Ohio Department of Transportation (ODOT). As such, we are writing to express our support of the EIS.

As you are aware, the Cleveland Innerbelt is a high capacity highway that, combined with other portions of the interstate network in Cuyahoga County, makes Cleveland a major crossroads for commerce. Under the proposal, ODOT plans to eliminate the Carnegie and Prospect ramps.

Elimination of the Carnegie and Prospect Innerbelt ramps reduces multiple access points serving Downtown, MidTown and the Greater University Circle Area. Reduction of these access points may adversely affect businesses and economic development in the area.

In supporting the EIS, it is our position that the EIS examine the Carnegie and Prospect access issues. Moreover, in supporting an EIS conducted by ODOD, we ask that the study be conducted expeditiously and concurrently with ODOT's ongoing planning to keep the Cleveland Innerbelt Project on track.

Sincerely yours,

Rep. Michael J. Skindell
13th House District

Rep. Michael DeBose
12th House District

Rep. Kenny Yuko
7th House District

Rep. Armond Budish
8th House District

Rep. Barbara Boyd
9th House District

Rep. Eugene R. Miller
10th House District

Rep. Sandra Williams
11th House District

Rep. Mike Foley
14th House District

Rep. Timothy DeGeeter
15th House District

Jennifer Brady
16th House District

Rep. Josh Mandel
17th House District

Rep. Thomas Patton
18th House District

Rep. Matthew J. Dolan
98th House District

B 215

Cc: Anne Hill, Governor's Office, Cleveland
Councilman Joe Cimperman
Steve Campbell, Ohio Department of Transportation, Chief of Staff
Jim Haiviland, MidTown Cleveland, Inc.

U.S. Department of Transportation
Federal Highway Administration

Office of the Administrator

400 Seventh St., S.W.
Washington, DC 20590

March 26, 2007

In Reply Refer To:
HIF

The Honorable George V. Voinovich
United States Senate
Washington, DC 20510

Dear Senator Voinovich:

Thank you for convening the March 12 meeting in Cleveland to discuss the Innerbelt Project. The meeting was an excellent opportunity for community representatives, the Ohio Department of Transportation (ODOT), and the Federal Highway Administration (FHWA) to review concerns about the project. Associate Administrator for Infrastructure King W. Gee of the FHWA appreciated hearing directly from City Councilman Joe Cimperman and community representatives about their concerns regarding the access changes that are part of the Innerbelt Project. I regret I could not participate, but Mr. Gee has brought me up to date on the discussion.

The meeting was helpful in understanding the concerns about removal of the ramps linking I-90 and Carnegie Avenue. As discussed at the meeting, the ODOT has maintained access to Carnegie Avenue in the Innerbelt Project on improved local roads that add about 465 feet to the travel distance. To provide a direct connection, as at present, would require construction of a ramp that would remove the Juvenile Justice Center, which is eligible for the National Register of Historic Places.

Before taking this historic property, the ODOT would have to evaluate alternatives in accordance with Section 4(f), which is codified as Section 138 of Title 23, United States Code (copy enclosed). Under Section 4(f), the historic property could be taken for the project only if no "feasible and prudent" alternative is available. As Mr. Gee mentioned, "feasible and prudent" is a high bar for the taking of resources covered by Section 4(f) and has been interpreted as such by the courts. In a landmark Supreme Court ruling in 1971, Justice Thurgood Marshall explained that Section 4(f) is "a plain and explicit bar to the use of federal funds for construction of highways" through covered resources. He added that "only the most unusual situations are exempted" (*Citizens to Preserve Overton Park v. Volpe*, 401 U.S. 402 (1971)). Section 4(f) does not allow for a waiver.

AMERICAN ECONOMY

As a result, the first test under Section 4(f) is which alternatives are feasible and prudent. Our guidance on Section 4(f) explains these terms:

> An alternative is feasible if it is technically possible to design and build that alternative. The second part of the standard involves determining whether an alternative is prudent or not, which is more difficult to define.

The FHWA has identified seven general reasons why an alternative may be rejected as not prudent:

1. It does not meet the project purpose and need,
2. It involves extraordinary operational or safety problems,
3. There are unique problems or truly unusual factors present with it,
4. It results in unacceptable and severe adverse social, economic or other environmental impacts,
5. It would cause extraordinary community disruption,
6. It has additional construction costs of an extraordinary magnitude, or
7. There is an accumulation of factors that collectively, rather than individually, have adverse impacts that present unique problems or reach extraordinary magnitudes.

If sufficient analysis demonstrates that no alternative to the taking of a Section 4(f) resource is feasible and prudent, consideration of the alternatives comes to an end. The FHWA may then approve the taking of the resource.

An adverse economic impact, the impact cited during the meeting, is one reason why consideration of an alternative may be rejected. However, we have not been able to identify any project in recent memory where economic impacts on any area were strong enough to override the "plain and explicit bar." Within this context, ODOT studies to date do not show nor have the local officials provided quantifiable information that identify economic impacts to the neighborhood that rise to the extreme levels envisioned by the "feasible and prudent" standard of Section 4(f). Therefore, the current local road alternative identified by ODOT is "prudent" in that it does not result in any of the seven reasons for rejection.

Justice Marshall's reference to "only the most unusual situations" remains the standard we follow for all "feasible and prudent" rulings. We have included extensive information on Section 4(f) on our Web site at http://environment.fhwa.dot.gov/projdev/4fpolicy.asp. This information will, I believe, prove helpful to community representatives as they consider the Section 4(f) issues associated with the Juvenile Justice Center. Unless community representatives can provide strong, quantifiable economic information not heretofore identified, I do not think we can support the taking of the Juvenile Justice Center.

Public involvement is an important element of any Federal-aid highway project. After we approve the draft environmental impact statement (EIS) for the Innerbelt Project, it will be made available for public review and comment. I encourage community representatives to review the draft EIS and offer any comments they may have. I can assure you that all substantive comments received will be carefully considered during preparation of the final EIS.

As always, we stand ready to assist you further. If I can provide additional information or assistance, please feel free to call me.

Sincerely,

J. Richard Capka
Administrator

Enclosure

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THE PLAIN DEALER

Editorial: Fix Cleveland's Inner Belt, but keep the Carnegie ramps

Fixing the Inner Belt, while retaining Carnegie ramps, would help keep vehicles and businesses from crashing

Thursday, October 25, 2007

A broad consensus of political, civic and business leaders now agrees that the exit ramp to Carnegie Avenue from Interstate 90 should remain open as part of a massive transportation project smoothing the highway's most dangerous sections through Cleveland.

It's a compromise that has taken years to reach. And it addresses the valid concerns of neighborhoods and businesses that feared losing their access - and therefore, their residents, customers and suppliers - if the ramp were closed. Doing so would harm too many businesses located downtown and in Midtown Cleveland, including the Cleveland Clinic, which supports the compromise.

To date, the Ohio Department of Transportation has all but disregarded the economic impact of its plans. And despite having information about the proposed closure's impact, ODOT has not changed its formal position.

The agency is rightly worried about the portion of freeway that weaves through downtown from Gateway to Dead Man's Curve: It's dangerous.

But even ODOT admits that freeway ramp closures are rare. And speed-limit exemptions and new signs posted through that stretch could help mitigate problems. The Federal Highway Administration has granted exemptions elsewhere.

The Carnegie ramps, if retained, would most likely be reworked and updated. That would probably require the land now occupied by the Cuyahoga County Juvenile Court. Although some would protest the building's demolition, the diverse group supporting the compromise - which includes Mayor Frank Jackson - sees that plan as the best option. Frankly, the juvenile court building is a dump. No reasonable person would object to its disappearance.

The Greater Cleveland Partnership, a business group, is preparing a case to take to the Federal Highway Administration, which is financing the $1 billion Inner Belt project. That group will call on political leaders to help press for the compromise.

It's possible that ODOT is warming to the deal.

It should be. This compromise allows for significant safety improvements and crucial access to, and investment in, Cleveland. An agreement this long in the making and this widely supported is worth adopting.

Table 12: 2035 Intersection HCS Analysis

Ref	Intersection	LOS No-Build AM Peak	LOS No-Build PM Peak	LOS Build AM Peak	LOS Build PM Peak
	Prospect Avenue Corridor				
I-11		C	D	C	D
I-12		B	C	B	C
I-13		D	C	D	C
I-14		C	C	C	C
I-15		C	C	C	C
I-16	Prospect Avenue & WB I-90	C	C	NBAO	NBAO
I-17	Prospect Avenue & SB Midtown Connector	BAO	BAO	C	C
I-17A	Prospect Avenue & NB Midtown Connector	BAO	BAO	B	B
I-18	Prospect Avenue & EB I-90	A	C	NBAO	NBAO
I-19		B	C	B	B
	Euclid Avenue Corridor				
I-20		C	C	C	C
I-21		B	B	B	C
I-22		C	C	C	C
I-23		B	C	B	C
I-24		C	C	C	C
I-25	Euclid Avenue & SB Midtown Connector	BAO	BAO	C	B
I-25A	Euclid Avenue & NB Midtown Connector	BAO	BAO	B	B
I-26		D	C	D	D
	Chester Avenue Corridor				
I-27	Chester Avenue & East 24th Street	C	C	B	C
I-28	Chester Avenue & WB I-90/SB Midtown Connector	BAO	BAO	C	C
I-29	Chester Avenue &. EB I-90/NB Midtown Connector	B	B	C	C
I-30		C	D	C		
I-31	WB I-90 & E. 24th Street	C	C	A	B
	Superior Avenue Corridor				
I-32		B	B	B	C
I-33	Superior Avenue & East 26th Street	C	D	C	B
I-34	Superior Avenue & WB I-90	BAO	BAO	C	D
I-35	Superior Avenue & EB I-90	B	C	C	C
I-36		C	C	C	C
I-37	EB I-90 & East 30th Street	C	B	C	C

Individual capacity analyses for each intersection are presented in the Appendices. No-Build analyses are in Appendix B, while Build analyses are in Appendix C. Exhibits for each facility showing DHV and LOS are presented in Exhibits NB-1 through NB-15 for the No-Build and Exhibits B-1 through B-15 for the Build. Each intersection has been assigned a unique identifier (e.g. I-47), which can be used to relate information presented in these exhibits to the information presented in Table 12.

LOS for intersections for the Design Year (2035) is presented in Table 12. Within the table, some intersections are identified as transition areas. These transition areas are intersections that are outside the project area. For ease of review, intersections that exhibit either LOS E or LOS F have been highlighted in red. Any result where an intersection demonstrates an acceptable LOS but has an individual movement within the intersection that has a v/c ratio greater than 1.0 is highlighted in yellow. Not all intersections are present in both the No-Build and Build conditions. If an intersection is not present in the No-Build condition, the result is reported as BAO (Build Alternative Only). If an intersection is not present in the Build condition, the result is reported as NBAO (No-Build Alternative Only).

The proposed intersection improvements cannot have a significant adverse impact on the safety and operation of the intersection based on an analysis of design year traffic. Significant impact is defined as lowering the LOS one or more levels from the No-Build condition, unless the resulting build LOS meets new design criteria of LOS D allowed by NOACA. If the No-Build LOS is F, or if the Build LOS is reduced below LOS D, degradation is not assumed to occur unless the Build traffic volume is greater than 2 percent more than the No-Build traffic volume in the peak hour.

While every attempt was made to design all components of the Build alternative to LOS D or better, there was one location where this was not possible. Further, at two additional intersections it was not possible to get all individual movements to have a v/c ratio less than 1.0. These locations occurred at intersections that had substantial vehicle volumes. Additional explanations will be provided for these locations to determine the context of the LOS deficiency. This explanation will describe what is required to obtain a LOS D or better and why this is not practicable.

Table 12: 2035 Intersection HCS Analysis

Ref	Intersection	LOS No-Build AM Peak	LOS No-Build PM Peak	LOS Build AM Peak	LOS Build PM Peak
	Carnegie Avenue Corridor				
I-2	Carnegie Avenue & Ontario Street			D	D
I-3	Carnegie Avenue & East 9th Street			D	D
I-4	Carnegie Avenue & East 14th Street	D	D	D	D
I-5	Carnegie Avenue & East 18th Street	D	D	D	D
I-6	Carnegie Avenue & East 21st Street/WB I-90	C	C	C	D
I-7	Carnegie Avenue & East 22nd Street		C	D	C
I-8	Carnegie Avenue & Midtown Connector	BAO	BAO	C	C
I-9	Carnegie Avenue & EB I-90	A	B	NBAO	NBAO
I-10		E	D	D	C

Table 12: 2035 Intersection HCS Analysis

Ref	Intersection	LOS			
		No-Build		Build	
		AM Peak	PM Peak	AM Peak	PM Peak
	E. 30th Street Corridor				
I-38		B	C	B	C
I-39	Orange Avenue & East 30th Street	B	C	B	C
I-40	Woodland Avenue & East 30th Street	B	B	C	B
I-41		B	B	B	B
I-42		B	C	B	B
I-43		B	B	B	B
I-44		B	C	C	C
	Misc. Central Interchange Intersections				
I-45	Broadway & East 9th Street	BAO	BAO	B	C
I-46	Broadway Avenue & East 14th Street	C	B	B	B
I-47	Orange Avenue/Ontario Street & Broadway Avenue/East 9th Street	C	C	D	C
I-48	Orange Avenue & East 14th Street	B	B	D	C
I-49	Orange Avenue & East 22nd Street	B	B	D	C
I-50	Woodland Avenue & East 22nd Street	B	B	C	C
I-51	Community College Avenue & East 22nd Street	C	B	C	B
I-52	Central Avenue & East 22nd Street	C	C	C	C
	Miscellaneous Intersections				
I-53		A	C	B	C
I-54		A	A	A	A
I-55		D	F	D	F
I-56	Fairfield Avenue & West 14th Street/I-90	B	B	B	B
I-57	WB I-90 & West 14th Street	BAO	BAO	A	B
I-58	Abbey Avenue & WB I-90/W. 14th Street	B	A	A	A
I-59	Woodland Avenue & NB I-77	B	B	B	B
I-60		B	B	B	B
I-61		B	B	B	B
I-62		B	B	C	C
I-63	South Marginal Rd. & WB SR 2	B	B	B	B
I-64	Broadway Avenue & SB I-77	A	A	A	A
I-65	Pershing Avenue & SB I-77	A	A	B	B

X = LOS OK, Movement V/C > 1.0
= LOS E or F
= Non-Project Intersection

BAO = Build Alternative Only
NBAO = No-Build Alternative Only

Carnegie Avenue at East 9th Street

During the PM peak, the total intersection LOS is D but the v/c ratios for the SB left turn is 1.11 and the EB left turn is 1.15. A schematic of this intersection can be found on Figure 8. The high SB left turn volume requires a large share of the cycle length which does not leave enough green time to service all of the other movements at the intersection. To improve operation, a second SB left turn lane is required which shortens the green time required for this movement, allowing more time to be assigned to the other movements . This could be accomplished by restriping one of the three SB through lanes to a second left turn lane, making two lefts and two through lanes. This improvement fixes the capacity problems during the PM peak but causes problems in the AM peak.

A dual left turn movement is required to operate as protected only. The NB through volume is extremely high and requires most of the green time in the AM peak. Taking away green time from this very heavy NB through movement by providing the protected SB left would result in a LOS failure in the AM peak. The overall intersection LOS would drop to LOS E and the v/c for the NB through movement would be greater than 1.0.

To eliminate the AM peak LOS failure, a fourth NB through lane would be required. However, to get acceptable utilization of this lane by drivers, it would need to extend north through the intersection at least as far as Prospect Avenue where it would become either an exclusive left of right turn lane. Jacobs Field is immediately adjacent to East 9th Street on the west side of the street and the historic Erie Street Cemetery is on the east side. Thus, adding another travel lane between Carnegie Avenue and Prospect Avenue on East 9th Street could not be accommodated without impacting one of these sites.

The solution to the intersection capacity problem at this location would have unacceptable right-of-way impacts to either Jacobs Field or Erie Street Cemetery. It is acceptable for these two turning movements to have v/c ratios greater than 1.0 to avoid these right-of-way impacts. The impacts of these v/c ratios being greater than 1.0 will not impact the operation of the freeway interchange or mainline freeway.

Chester Avenue at East 30th Street

This intersection operates at LOS E during the PM peak. A schematic of this intersection can be found on Figure 10. The high volumes on southbound East 30th Street, coupled with the lane use of a pocket left and shared thru/right overload this approach. In order to balance the approach delays, green time must be taken from the WB Chester Avenue approach and given to SB East 30th Street. Ultimately this causes the WB approach to have a v/c ratio of 1.03.

To improve operation at this intersection, a SB right turn pocket lane would need to be added to the East 30th Street approach. This lane will improve SB operation and allow green time to be shifted to the WB approach. Because of the tight nature of the right-of-way on the East 30th Street corridor, adding this lane would require demolishing two buildings located in the northwest quadrant of the intersection (labeled Building #1 and Building #2 in on Figure 10). The buildings are currently occupied and designated for warehouse/light industrial uses. The potential cost to acquire the structures has not been determined.

The solution to the intersection capacity problem at this location would have right-of-way impacts to two buildings. It is acceptable for this movement to have a v/c ratio greater than 1.0 to avoid these right-of-

way impacts. The impacts of this v/c ratio being greater than 1.0 will not impact the operation of the freeway interchange or mainline freeway.

1.3.2.2 Intersection Turn Lane Storage

In addition to the capacity analysis of the intersection, the ability to store the left and right turning vehicles in the provided turn lanes is important. All project intersections that had exclusive turn lanes were examined. The methodology used to determine required storage length is found in ODOT *Location and Design Manual*, Section 401.6. This procedure uses the speed of the roadway, turning volume, through volume and signal cycle length to determine the required storage length. Table 13 shows the calculations and provided lengths for the project intersections. The provided storage lengths were designed to meet the minimum requirements whenever possible.

The ODOT method for calculating storage assumes that every vehicle that approaches an intersection will arrive on red and be forced to stop. This assumption creates a storage length that will be adequate for nearly 100 percent of turning vehicles. In urban areas with close block spacing, such as the project area, the signals will be coordinated. With good coordination, 60 percent or more of the vehicles arriving at an intersection would arrive on a green indication and not have to stop at all. This would reduce the storage length required at the intersection, especially for the through and right turn storage.

There are four columns in the storage lane calculations that are important and will be described below.

1. **Total Turn Storage Length (Incl. Taper)** – This column shows the turn lane length needed to store all turning vehicles and prevent backing out into a through lane. This length is calculated with a three step process. In step one, the average number of turning vehicles per cycle is calculated. In step two, the average turning vehicles is cross referenced with Figure 401-10E of the L&D Manual to determine the required storage length. Finally, the 50 foot diverging taper length is added to get the Total Turn Storage Length. The turn volume used for this calculation was the highest volume between the AM and PM peak hours.

2. **Queue per Thru Lane** – This column shows the backups that occur in the thru lanes. This is important because it shows the length needed to ensure that the entrance to the turn bay is not blocked by queued thru vehicles. This length is calculated the same way as the turn storage length except that the 50 foot diverging taper is not used. Also, the approaching volume was divided by the number of thru lanes to distribute the queue. The thru volume used for this calculation was the highest volume between the AM and PM peak hours.

3. **Storage Length Provided** – This column shows the storage length that is currently shown in the intersection designs for the Build Alternative. It has been color coded as described below:
   - Green – Provided storage length exceeds the minimum turn storage length **and** through vehicle queue length.
   - Yellow – Provided storage length exceeds the minimum turn storage length but **does not** meet the through vehicle queue length.
   - Red – The provided storage length **does not** meet the minimum turn storage length.

4. **Adequate Additional Storage Provided?** – The Storage Length Provided column measures provided storage length to the upstream intersection at most. At a few locations, the storage length extends through the upstream intersection. An example of this would be the westbound left at Carnegie at East 14th Street. The short block spacing between East 14th Street and East 18th Street only permits 260 feet of storage. However, the dual left turn lanes are developed east of East 18th Street and the additional storage needed will be provided there. Additional provided storage length was examined wherever the provided storage length does not meet the minimum storage length requirements. Intersections that do not meet storage length requirements but have additional storage provided upstream are:
   a. Westbound left turn at Carnegie Avenue and East 14th Street
   b. Eastbound left turn at Carnegie Avenue and East 18th Street
   c. Westbound left turn at Carnegie Avenue and East 21st Street
   d. Eastbound right turn at Carnegie Avenue and East 22nd Street
   e. Southbound left turn at Chester Avenue and East 24th Street
   f. Southbound right turn at Chester Avenue and East 24th Street
   g. Westbound left turn at Chester Avenue and Westbound I-90/Southbound Midtown Connector
   h. Eastbound left turn at Chester Avenue and Eastbound I-90/Northbound Midtown Connector
   i. Westbound left turn at Superior Avenue and Westbound I-90
   j. Eastbound left turn at Superior Avenue and Eastbound I-90
   k. Northbound left turn at Superior Avenue and East 30th Street
   l. Southbound left turn at Orange Avenue and East 22nd Street

Interpretation of Storage Length Results

The column labeled storage length provided shown in Table 13 contains three different colors and each will be explained below.

Green – These storage lengths are of sufficient length to accommodate the turning volume without blocking the through vehicles and long enough to avoid having the entrance blocked by queued through vehicles. These storage lengths meet all the requirements established by the ODOT L&D.

Yellow – Storage lengths at these locations are long enough to avoid blocking the through vehicles but do not meet ODOT's requirements to avoid having the entrance blocked by queued through vehicles. Although this is not the perfect condition, it will not cause a substantial operational deficiency. The turning vehicles will be half a signal behind. As through vehicles block the entrance to the turn lane, turn vehicles will queue in the through lane. Once the signal goes green and the through movements begin to depart, the turns will enter their lane and use the adequate storage provided.

Red – these are locations where the required storage length for the turning movements is longer than what is able to be provided. At these locations the queued turning vehicles could back up and block a through lane of traffic. This could create a potential operational deficiency, especially at left turn lanes. Because of this, a more detailed analysis will be provided for all locations shown in red that do not have adequate additional storage provided.

Locations that do not meet the required storage length for the turning movements and where additional storage length is not provided outside of the upstream intersection are discussed below.

Carnegie at Ontario

The eastbound approach of this intersection has left turn lanes that do not meet the minimum storage requirements. The four-lane Lorain–Carnegie Bridge is located approximately 550 feet west of this intersection. The tapers required to develop the turn lanes cannot begin until traffic is off the bridge. This creates a physical constraint and no additional turn lane storage can be provided. All additional storage will need to take place on the bridge in the two existing eastbound lanes. The right lane will accommodate through and right turning vehicles while the left lane will provide the excess storage for the left turning vehicles. The bridge is approximately 3,500 feet long, which provides adequate storage upstream of the intersection and development of the left turn lanes. ***The deficient storage lengths at this location will not have an adverse impact to the operation of the intersections.***

Carnegie at East 9th Street

The eastbound left turn lane at this intersection has a storage length of 390 feet. To meet the ODOT requirements an additional 210 feet of storage length would need to be provided to avoid blocking the through vehicles. To achieve this additional storage length, Carnegie Avenue would need to be widened which would require the existing building in the southeast quadrant of the intersection to be removed. As stated earlier, ODOT's methodology assumes all vehicles stop and there are no right turns on red. Since the signal system will be operated with signal coordination, this will allow several vehicles to arrive during a green signal indication and a few additional vehicles will make a right turn on red. Based on this, the actual storage length required will be less than the calculated storage length. This means that on a normal day only a couple of signal cycles will experience a blockage of the through lane and this blockage will clear up shortly after the left turn lane receives a green indication. ***A small number of short term blockages during the AM peak hour will not cause substantial operational impacts*** and do not offset the potential cost of the existing building.

The westbound right turn lane at this intersection has a storage length of 270 feet. To meet the ODOT requirements an additional 255 feet of storage length would need to be provided to avoid blocking the through vehicles. To achieve this additional storage length, Carnegie Avenue would need to be widened which would require two existing buildings in the northeast quadrant of the intersection to be removed. As stated earlier, ODOT's methodology assumes all vehicles stop and there are no right turns on red. Since the signal system will be operated with signal coordination, this will allow several vehicles to arrive during a green signal indication and a few additional vehicles will make a right turn on red. Based on this, the actual storage length required will be less than the calculated storage length. This means that on a normal day only a couple of signal cycles will experience a blockage of the through lane and this blockage will clear up shortly after the right turn lane receives a green indication. Also, the peak period for the westbound right turn movement is in the AM peak, while the peak period for the westbound through movement occurs in the PM peak. ***A small number of short term blockages during the AM peak hour will not cause substantial operational impacts*** and do not offset the potential cost of the two buildings.

Chester at WB I-90/SB Midtown Connector

The southbound left turn storage at this intersection is 130 feet shorter than the minimum required. Extending this lane 130 feet puts the diverging taper in the center of the gore for the East 24th Street cut-off ramp. It is not good design to have a ramp going off on the right side at the same time a lane is opening up on the left side. Upstream of the diverge there is 950 feet of two lane ramp. The queues from this deficient storage length will block the through/right movements but there is sufficient storage available. Once the signal turns green and traffic begins moving the blockage will be quickly removed and the through and right lanes will be accessible. The intersection has substantial capacity to handle the turning movements. As such, ***there will be no operational impact to the cut-off ramp for East 24th Street or mainline I-90.***

Superior at EB I-90

This location is similar to the intersection of Chester Avenue at WB I-90/SB Midtown Connector. Extending the northbound left turn lane an additional 110 feet would put the diverging taper in the middle of the gore for the East 30th Street cut-off ramp. The Superior ramp is a two-lane section for 750 feet upstream of the East 30th Street cut-off. Like the Chester intersection, there is sufficient length to accommodate the additional storage and ***there will be no operational impacts to the cut-off ramp for East 30th Street or to mainline I-90.***

Woodland at East 30th Street

The northbound right at this intersection is 260 feet shorter than the calculated storage length for the turning volume. However, the northbound right movement will have a green arrow during the northbound phase and the westbound phase. The only time during the signal cycle when the northbound right will be stopped is during a protected southbound left turn phase. Thus, the right turn will operate almost as a free flow movement, preventing the right turning traffic from backing out of the provided storage length and blocking through traffic. Further, the storage length necessary to account for the queue from the through lane is calculated as 250 feet. Since this location provides 290 feet of right turn storage, the queue from the through lanes will not impact access to the turn lane. As such, ***the provided storage length is adequate for this situation.***

Broadway at East 9th Street and Orange/Ontario at East 9th/Broadway

There are three approaches within these two intersections that do not meet the calculated storage length requirements and are interrelated:

- The westbound right at the Broadway/East 9th Street intersection is 110 feet shorter than the calculated storage length. This problem is associated with the AM peak. In the AM peak, there is a predominate movement of vehicles traveling westbound on Broadway, turning right onto East 9th Street and then left onto Ontario Street.
- The northbound left at the Orange/Ontario/East 9th/Broadway is 215 feet shorter than the calculated storage length. This movement is the continuation of the predominant AM peak movement from Broadway to Ontario via East 9th Street described above.
- The southbound left turn 285 feet shorter than the calculated storage length. This problem is associated with the PM peak. In the PM peak, the predominate movement described in the two bullet points above is reversed.

Thus, between these closely spaced intersections there is a large flow of traffic to/from Ontario which uses East 9th Street to connect with Broadway. Because this movement is so heavy, signal timings at these intersections will be coordinated to maximize green time for this heavy flow for each peak period. For example, the southbound through traffic at the Ontario/East 9th Street intersection is light in the AM peak

B/220

and thus will have minimal interference with this predominant movement. As such, not every vehicle will stop and need to be stored.

It was not possible to increase the storage length between Orange/Ontario and Broadway (see Figure 6-24) by moving either alignment. It is not possible to push Orange/Ontario to the north, as this would conflict with the system interchange between I-77 and I-90. It is not possible to push Broadway to the south, as just to the south of the current alignment of this roadway is the GCRTA (Greater Cleveland Regional Transit Authority) tracks servicing the red, blue and green heavy rail lines. These GCRTA tracks are located at the base of a steep slope, while Broadway is located at the top of the slope. In addition, portions of this slope are supported by retaining wall.

Provided on the included disk are SimTraffic runs of these intersections as a system. In this SimTraffic analysis, it clearly shows that when these signals operate as a network, for most of the peak period there is not a storage problem at these intersections. Thus, ***the storage length provided will be sufficient.***

Intersection Improvement Recommendations

The Build Alternative modified the lane use at several intersections in the project area. Figures 8 through 13 show the proposed lane use for Carnegie Avenue, Chester Avenue, Superior Avenue, East 30th Street at I-77 and the intersections within the Central Interchange.

Table 13: Storage Lane Length Calculations

Intersection	Approach	Turn Movement	# Turn Lanes	# Thru Lanes	Turn Volume	Thru Volume	Cycle Length	Turn Vehicles per Cycle	Total Turn Storage Length (Incl. Taper)	Storage per Turn Lane	Thru Vehicles per Cycle per Lane	Queue per Thru Lane	Final Turn Lane Length	Storage Length Provided	Adequate Storage Provided?
Carnegie at Ontario	NB	Left	1	2	290	1350	120	9.7	425	425	22.5	775	775		
		Right	1	2	250	1010	120	8.3	375	375	16.8	600	600	455	
	EB	Left		2	830	1780	120	27.7	1025	513	29.6	975	1025		
	WB	Left	1	2	110	670	120	3.7	225	225	11.2	400	400		
		Right	1	2	250	670	120	8.3	375	375	11.2	400	400		
Carnegie at East 9th	NB	Right	1	2	170	890	120	5.7	300	300	14.8	525	525	395	
	EB	Left	1	3	470	1170	120	15.6	600	600	13.0	475	600		
	WB	Right	1	2	280	890	120	9.3	400	400	14.8	525	525		
	WB	Left		2	420	890	120	14.0	550	275	14.8	525	525		
Carnegie at East 14th	NB	Left	1	2	140	1130	120	4.7	250	250	18.8	650	650	500	
	EB	Right	1	3	500	1110	120	16.7	650	650	12.3	450	650		
	WB	Left		2	560	1070	120	18.7	700	350	17.8	625	700		
Carnegie at East 18th	NB	Right	1	2	120	860	120	4.0	225	225	14.3	500	500	240	
	EB	Left	1	2	280	840	120	9.3	400	400	14.0	500	500		
Carnegie at East 21st	WB	Left	1	3	180	1650	120	6.0	300	300	18.3	625	625		
Carnegie at East 22nd	NB	Left	1	3	290	1200	120	9.7	425	425	13.3	475	475	425	
		Right	1	3	340	1200	120	11.3	450	450	13.3	475	475		
	EB	Left	1	2	50	1300	120	1.7	150	150	21.7	750	750	245	
		Right	1	2	510	1300	120	17.0	650	650	21.7	750	750		
	WB	Left	1	3	100	1710	120	3.3	200	200	19.0	650	650	535	
Carnegie at Midtown Connector	NB	Left	1	1	40	70	120	1.3	100	100	2.3	100	100		
	SB	Right		1	600	80	120	20.0	725	363	2.7	150	725		
	EB	Left	1	2	250	1350	120	8.3	375	375	22.5	750	750	580	
Prospect at SB Midtown Cntr.	SB	Right	1	1	270	470	90	6.75	325	325	11.75	450	450		
Prospect at NB Midtown Cntr.	NB	Left	1	1	160	220	90	4.0	225	225	5.5	250	250		
Euclid at SB Midtown Connector	SB	Right	1	1	180	450	90	4.5	250	250	11.25	450	450		
Euclid at NB Midtown Connector	NB	Right	1	1	150	230	90	5.75	300	300	5.75	250	300		
Euclid at East 30th	NB	Left	1	1	100	580	90	2.5	150	150	14.5	500	500	200	
	SB	Left	1	1	100	450	90	2.5	150	150	11.3	400	400	200	
Chester at East 24th	SB	Left	1	1	270	120	120	9.0	400	400	4.0	175	400		
		Right	1	1	120	270	120	4.0	225	225	9.0	350	350		
Chester at WB I-90/SB Midtown Connector	SB	Left	1	1	520	560	100	14.4	550	550	15.6	550	550		
		Right	1	1	170	560	100	4.7	250	250	15.6	550	550	420	
	WB	Left	1	3	190	1820	100	5.3	250	250	20.2	725	725		
Chester at EB I-90/NB Midtown Connector	NB	Left		n/a	290	n/a	120	9.6	425	225	n/a	0	225		
	EB	Left		2	80	1200	120	2.6	200	100	20.0	675	675		
Chester at East 30th	EB	Left	1	3	230	1940	100	6.4	300	300	18.0	625	625	300	

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Table 13 (cont.): Storage Lane Length Calculations

Intersection	Approach	Turn Movement	# Turn Lanes	# Thru Lanes	Turn Volume	Thru Volume	Cycle Length	Turn Vehicles per Cycle	Total Turn Storage Length (Incl. Taper)	Storage per Turn Lane	Thru Vehicles per Cycle per Lane	Queue per Thru Lane	Final Turn Lane Length	Storage Length Provided	Adequate Storage Provided?
East 24th at WB 90	SB	Left	1	1	340	240	60	5.7	300	300	4.0	175	300		
Superior at East 26th	EB	Left	1	3	10	1430	100	0.3	100	100	13.2	475	475	210	
Superior at WB I-90	SB	Left	1	2	60	690	100	1.7	150	150	9.6	375	375		
		(U-Turn)	1	2	300	690	100	8.3	375	375	9.6	375	375		
	WB	Left		2	550	1130	100	15.3	575	288	15.7	550	575		
Superior at EB I-90	NB	Left	1	1	530	240	100	14.7	575	575	6.7	275	575		
		Right	1	1	240	530	100	6.7	325	325	14.7	525	525		
	EB	Left		2	550	550	100	15.3	575	288	7.6	325	575		
Superior at East 30th	NB	Left	1	1	130	420	100	3.6	225	225	11.7	450	450		
	SB	Left	1	1	30	560	100	0.8	100	100	15.6	550	550	250	
	EB	Left	1	2	80	780	100	2.2	150	150	10.8	400	400	130	
EB I-90 at East 30th	EB	Left	1	1	180	340	60	3.0	200	200	5.7	250	250		
		Right	1	1	340	180	60	5.7	300	300	3.0	150	300		
Pittsburg at East 30th	SB	Left	1	1	550	150	80	12.2	500	500	3.3	150	500		
Orange at East 30th	SB	Left	1	1	240	470	80	5.3	250	250	10.4	375	375	320	
	EB	Left	1	2	600	1170	80	13.3	525	525	13.0	475	525		
		Right	1	2	290	1170	80	6.4	300	300	13.0	475	475	270	
Woodland at East 30th	NB	Left	1	2	180	500	60	3.0	200	200	4.2	175	200		
		Right	1	2	650	500	80	14.4	550	550	5.6	250	550		
	SB	Left	1	2	110	880	80	2.4	150	150	9.8	375	375	200	
Broadway at East 9th	SB	Left		n/a	760	n/a	100	21.1	775	388	n/a	0	775		
	WB	Left	1	1	160	790	110	4.9	250	250	24.1	800	800	740	
		Right	1	1	790	160	110	24.1	850	850	4.9	200	850		
Orange/Ontario at East 9th /Broadway	NB	Left		1	620	300	110	18.9	700	350	9.2	350	700		
	SB	Left		1	470	360	110	14.4	550	275	11.0	400	550		
	EB	Left	1	2	40	760	100	1.1	150	150	10.6	400	400	345	
		Right	1	2	410	760	100	11.4	450	450	10.6	400	450		
	WB	Left	1	2	20	970	110	0.6	100	100	14.8	525	525	385	
		Right	1	2	510	970	110	15.6	600	600	14.8	525	600		
Orange at East 14th	NB	Left	1	2	10	440	100	0.3	100	100	6.1	250	250		
	SB	Left	1	1	20	310	100	0.6	100	100	8.6	350	350		
	EB	Left	1	2	310	1110	100	8.6	400	400	15.4	525	525	325	
	WB	Left	1	2	260	1140	100	7.2	325	325	15.8	550	550	400	
		Right	1	2	330	1140	100	9.2	400	400	15.8	550	550	400	
Orange at East 22nd	SB	Left		1	990	450	100	27.5	1025	513	12.5	475	1025		
	EB	Left	1	2	210	1090	100	5.8	300	300	15.1	525	525	300	
Community College at East 22nd	EB	Left	1	1	380	220	100	10.6	450	450	6.1	250	450		
Central at East 22nd	EB	Thru/Right	1	1	190	540	100	5.3	250	250	15.0	525	525		
WB I-90 at West 14th	EB	Left	1	1	40	250	60	0.7	100	100	4.2	175	175	125	
Woodland at NB I-77	NB	Left	1	1	150	480	60	2.5	150	150	8.0	325	325		

The Cleveland Innerbelt Plan
Alternate Trench Configuration Study

Prepared for:

Midtown Cleveland
4019 Prospect Avenue
Cleveland, Ohio 44103

MIDTOWN
CLEVELAND

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EXECUTIVE SUMMARY

Midtown Cleveland, Inc. is a Cleveland-based non-profit organization who has been working in collaboration with other non-profit organizations and the City of Cleveland to ensure that the Cleveland Innerbelt Project is intelligently designed.

After approximately five years of study and cooperation, the community has reached an impasse with the Ohio Department of Transportation on a portion of the Innerbelt called "the trench." The community has rejected ODOT's Initial Preferred Recommended Alternative which consolidates and eliminates point of ingress and egress in the heart of Cleveland, which links downtown to the Greater University Circle area.

Given the year long inability to research consensus, local elected officials and civic leaders have endorsed a plan for Midtown Cleveland, Inc. to seek and retain the services of an independent professional traffic engineer to conduct research on behalf of the community development corporations and the City of Cleveland. TMS Engineers, Inc. was retained for that purpose.

The following services were proposed:

1. Review and analyze ODOT's Preferred Recommended Alternative in the "trench" and the traffic modeling data and

2. Work with an empowered special committee made up of representatives of the community groups, City of Cleveland staff, members of the City Planning Commission and others who may be identified, to develop alternatives based upon well-defined points of conflict

This report summarizes the review of the traffic modeling and data used for the Preferred Recommended Alternative.

The results of this study shows that the condition of the computer model of the traffic network of City of Cleveland streets and intersections is in need of further review and corrective action. There exists errors in the coding for the traffic signal system, roadway lanes and assumptions with projected traffic volumes with relationship to growth rates, flow rates and truck and bus composition.

The traffic model that is currently available indicates capacity failures at two individual

intersections and on individual movements for twelve additional intersections.

Conversations with the Ohio Department of Transportation indicates that the Recommended Preferred Alternative plan is evolving and changing with input from the various stakeholders. It is encouraged that as these evolutions occur, the traffic model for the City of Cleveland streets be updated and reviewed in order to understand the future impacts of this very important project.

1. INTRODUCTION

1.1 Purpose of Report

This traffic study has been prepared at the request of the Midtown Cleveland Inc. to review the data and traffic model for the Preferred Recommended Alternative of the Cleveland Innerbelt Plan located in downtown Cleveland, Ohio **(see the Location Map, Figure 1, Page 2).**

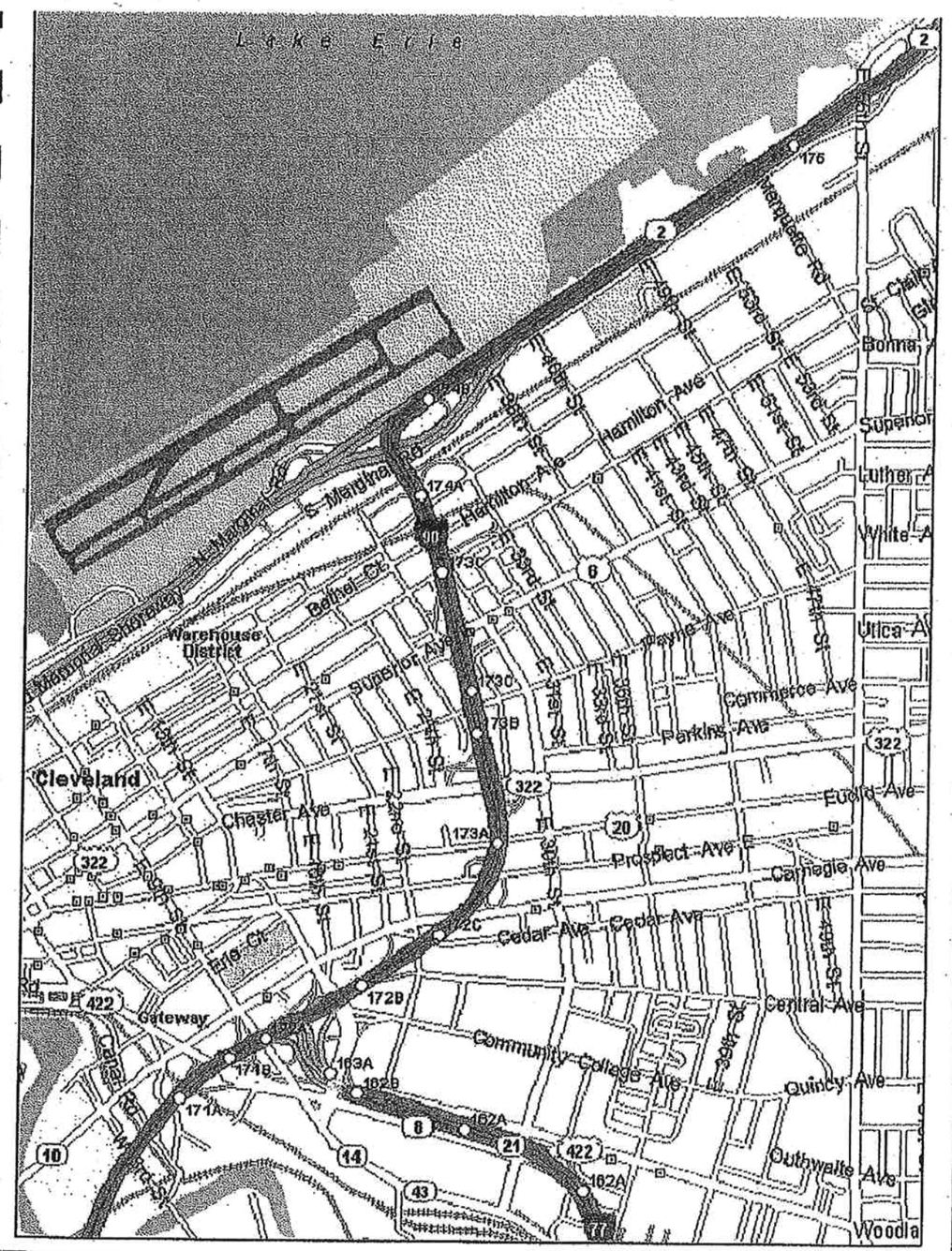
1.2 Study Objectives

This study is structured for the following purposes;

- to adequately assess the traffic impacts associated with the proposed Preferred Recommended Alternative and to identify the level of city street impacts,
- to provide a comprehensive study which evaluates and documents the traffic impacts and improvements, where warranted,
- and to provide a technically sound basis to identify the need for mitigation to the traffic impacts.

This study documents the methodologies, findings and conclusions of the analysis, including the basis for all assumptions, traffic parameters utilized and conclusions reached.

The traffic impacts will be determined by assessing the future intersection levels of service based upon acceptable design criteria for streets and roadways. Levels of Service for the intersections were calculated using the procedures and formulas from Transportation Research Board's **Highway Capacity Manual, HCM2000 (HCS+, Release 5.2).**



LOCATION MAP

Cleveland, Ohio

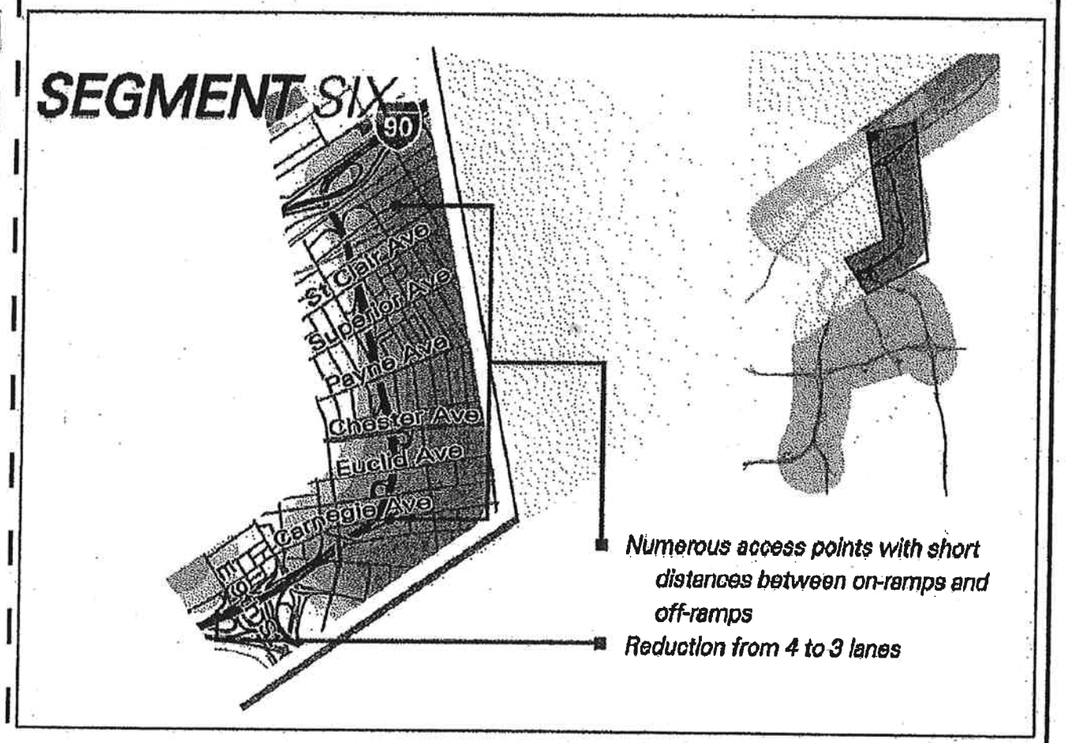
FIG. NO.: 01

PAGE NO.: 02

2. AREA CONDITIONS

2.1 Transportation Network Study Area

The study area includes all roadways and intersections defined in the "Cleveland Innerbelt Study" and noted as "Segment Six". This area includes I-90 from E. Ninth Street to the Shoreway. It includes the streets of Carnegie Avenue, Prospect Avenue, Euclid Avenue, Chester Avenue, Payne Avenue, Superior Avenue and St. Clair Avenue. These roadways represent the majority of the east-west major arterial streets. Various north-south arterial streets are also included. See **Figure 2 on page 4** which shows the study area encompassing "Segment Six".



STUDY AREA
Proposed Recommended Preferred Alternative

FIG. NO.: 02
PAGE NO.: 04

2.2 *Traffic*

Approximately two hundred AM and PM peak hour, weekday turning movement counts were performed by Burgess and Niple at the City of Cleveland downtown intersections. The surveys were taken between November and December 2000. The traffic surveys were conducted in fifteen (15) minute intervals between the hours of 7 AM - 9 AM and 4 PM - 6 PM, then hourly totals were calculated. Vehicle classification was not provided in order to determine the extent of trucks and buses. Copies of the intersection turn movement counts were provided through the City of Cleveland office of Traffic Engineering.

The review of the traffic counts indicate the levels of traffic to be consistent with data collected by other sources such as the Ohio Department of Transportation and traffic studies in the area. However, the lack of truck and bus data may underestimate any impact to signalized intersections.

3. PROJECTED TRAFFIC CONDITIONS

3.1 Future Traffic

Calculating future requires an estimate of the expected growth in the area of the proposed improvements. The most widely accepted method of estimating future traffic for a proposed improvement project is twenty-year traffic. The Ohio Department of Transportation's Office of Technical Service is responsible for providing the expected growth rate for major transportation projects.

A review was performed on the traffic volume data and compared to the volume used as a baseline traffic model for the year 2025 build condition. An example comparison is shown in the following tables showing the differences in baseline traffic (20 year expected traffic with no build) and the 2000 raw traffic data for the intersection of ***Superior & E. 30th.***

Movement	AM 2000 Raw Data	AM Baseline Model	PM 2000 Raw Data	PM Baseline Model
Northbound Left	185	84	168	174
Northbound Thru	217	86	113	58
Northbound Right	50	226	53	124
Southbound Left	8	72	8	92
Southbound Thru	126	126	163	158
Southbound Right	37	64	70	68
Eastbound Left	113	44	46	22
Eastbound Thru	488	366	509	312
Eastbound Right	149	166	124	192
Westbound Left	69	16	45	122
Westbound Thru	527	432	618	612
Westbound Right	13	20	17	38

The data review clearly shows no consistent growth rate applied to the raw traffic data to obtain future expected twenty year traffic. No documents were found to explain the baseline traffic volume derivations.

3.2 Traffic Model Review

The traffic model was provided for review in the form called Synchro. Synchro is a software application for optimizing traffic signal timing and performing capacity analysis. The software optimizes splits, offsets, and cycle lengths for individual intersections, an arterial, or a complete network. Synchro performs capacity analysis using th Highway Capacity Manual method. Synchro can be used for creating data files for SimTraffic and other third party traffic software packages. The software supports the Universal Traffic Data Format (UTDF) for exchanging data with signal controller systems and other software packages.

The first Synchro data files provided for review were found to have none of the links labeled. This made it impractical to review the results of the Synchro analysis. The City of Cleveland Traffic Engineering staff was found to be reviewing the data simultaneously with our review. Their office requested that the Synchro data files be provided again with each of the links labeled. The Cleveland staff provided a second copy of the computer model.

The computer model was found to have numerous data errors. A secondary computer program called Sim Traffic was used to review the integrity of the Synchro model. The following list shows the data errors uncovered by the Sim Traffic program.

1. Error 251, reference phase not in use. Node #1 Phase:6
2. Fatal Error 401, 1 input lanes on: Node #9 EBR, But no receiving lanes on link: Node #3 SE
3. Fatal Error 406, No lanes WITHOUT storage are specified. Node #3 SE
4. Error 251, reference phase not in use. Node #10 Phase:6
5. Fatal Error 401, 3 input lanes on: Node #12 WBT, But no receiving lanes on link: Node #11 WB

6. Warning 131, Angle between NW and WB approaches less than 25 degrees. Node #13
7. Error 251, reference phase not in use. Node #22 Phase:2
8. Error 200, 2 input lanes on: Node #30 NBL, But only 1 receiving lanes on link: Node #27 WB
9. Error 251, reference phase not in use. Node #27 Phase:2
10. Fatal Error 401, 1 input lanes on: Node #13 NBR, But no receiving lanes on link: Node #29 EB
11. Error 200, 2 input lanes on: Node #27 SBL, But only 1 receiving lanes on link: Node #30 EB
12. Error 251, reference phase not in use. Node #30 Phase:6
13. Fatal Error 401, 1 input lanes on: Node #13 NBR, But no receiving lanes on link: Node #32 EB
14. Error 200, 2 input lanes on: Node #21 NBT, But only 1 receiving lanes on link: Node #33 NB
15. Error 251, reference phase not in use. Node #36 Phase:2
16. Warning 131, Angle between NW and WB approaches less than 25 degrees. Node #45
17. Error 251, reference phase not in use. Node #73 Phase:2
18. Error 251, reference phase not in use. Node #74 Phase:6
19. Error 200, 3 input lanes on: Node #87 EBT, But only 2 receiving lanes on link: Node #84 EB
20. Error 251, reference phase not in use. Node #85 Phase:6
21. Warning 131, Angle between SE and EB approaches less than 25 degrees. Node #125
22. Warning 131, Angle between NW and WB approaches less than 25 degrees. Node #128
23. Warning 131, Angle between SE and EB approaches less than 25 degrees. Node #129
24. Error 251, reference phase not in use. Node #133 Phase:6
25. Warning 131, Angle between WB and SW approaches less than 25 degrees. Node #137

26. Error 251, reference phase not in use. Node #137 Phase:2
27. Error 251, reference phase not in use. Node #174 Phase:6
28. Error 251, reference phase not in use. Node #179 Phase:2
29. Warning 131, Angle between NW and WB approaches less than 25 degrees. Node #205
30. Fatal Error 401, 3 input lanes on: Node #12 WBT, But no receiving lanes on link: Node #205 NW

Many of the errors were non-fatal and related to set-up problems with the traffic signal operation. However, a significant number of errors were found that were the result of coding the number of traffic lanes in the network improperly. Again the City of Cleveland Traffic Engineering staff requested that a new model be submitted with these errors corrected. The City staff requested a limited area size of the model to be corrected in order for the scope of work that they were performing. Therefore a large portion of the traffic model still requires data correction in order for a complete review of the system to be accomplished.

4. TRAFFIC ANALYSIS

4.1 Capacity and LOS at Study Intersections

Intersection capacity analyses were performed at the study intersections using the procedures outlined in the computerized version of the Transportation Research Board's **Highway Capacity Manual, HCM2000 (HCS+, Release 5.2)** within the Synchro computer model. The capacity analyses were performed in order to estimate the maximum amount of traffic that can be accommodated by a roadway facility while maintaining recommended operational qualities. Twenty year, peak hour, traffic volumes were analyzed to determine the level of service (LOS) at the intersections.

The capacity analysis procedures provide a calculated "average vehicle delay", which is based on traffic volumes, number of lanes, type of traffic control, channelization, grade, and percentage of large vehicles in the traffic stream at each intersection. The average delay calculated at an intersection is then assigned a "grade" or level of service (LOS) ranging from LOS A, the best, to LOS F, the worst based upon driver expectation. The intersection LOS "grades" as defined by the Transportation Research Board are as follows:

INTERSECTION LOS

LOS	UNSIGNALIZED AVERAGE DELAY	SIGNALIZED AVERAGE DELAY
A	≤ 10.0	≤ 10.0
B	10.1 to 15.0	10.1 to 20.0
C	15.1 to 25.0	21.1 to 35.0
D	25.1 to 35.0	35.1 to 55.0
E	35.1 to 50.0	55.1 to 80.0
F	> 50	> 80

Capacity reports were created through the Synchro program to view the anticipated levels of service for City of Cleveland surface streets and intersection with the proposed Recommended Preferred Alternative plan. It was immediately noticed that two intersections are expected to experience a failing level of service for the entire intersection. This included:

1. E. 30th and Woodland - AM peak
2. E. 9th and Broadway - PM peak

Individual movements and approaches were also reviewed to determine if they would experience failing levels of service. Based upon this review the following table shows the results of the review.

IDENTIFIED CAPACITY FAILURES IN BUILD MODEL
PM Peak Period

ID #	LOCATION	MOVEMENT	LOS
33	E. 30th & Central	Southbound Left	153.2/F
43	E. 18th & Prospect	Eastbound Thru	64.3/E
		Southbound Thru	60.9/E
		Northbound Left	57.5/E
100	E. 30th & Chester	Southbound Thru	96.7/F
		Eastbound Left	69.9/E
		Westbound Thru	64.2/E
21	E. 30th & Community College	Southbound Left	63.3/E
203	Ontario & Carnegie	Eastbound Right	56.3/E
151	E. 30th & Cedar	Eastbound Thru	65.6/E
		Westbound Left	58.0/E
84	Superior & NB Innerbelt Ramp	Northbound Left	77.3/E
125	E. 30th & Woodland	Northbound Left	95.0/F

IDENTIFIED CAPACITY FAILURES IN BUILD MODEL
AM Peak Period

INT #	LOCATION	MOVEMENT	LOS
4	E. 18th & Carnegie	Eastbound Left	118.5/F
		Northbound Thru	57.2/E
13	E. 14th & Orange	Eastbound Left	56.3/E
10	Chester & NB Innerbelt Ramp	Westbound Right	78.2/E
73	E. 14th & Broadway	Southbound Right	88.4/F
84	Superior & NB Innerbelt Ramp	Eastbound Left	96.8/F
125	E. 30th & Woodland	Northbound Left	65.8/F
		Southbound Thru	56.3/E

The capacity failure identified in the previous table do not indicate if existing capacity failures are currently occurring. A review of the baseline condition Synchro capacity reports was made to determine if these conditions identified above were continued existing problems. A comparative analysis was performed to show the no build capacities versus the build expected capacities. The tables on the following pages shows the comparisons.

LOCATION	AM NO BUILD	AM BUILD	Difference	PM NO BUILD	PM BUILD	Difference
E. 30th Street & Central	18.1/B	21.2/C	+3.1	17.4/B	32.6/C	+15.2
Eastbound Left	30.8/C	34.1/C	+3.3	19.0/B	37.8/D	+18.8
Eastbound Thru/Rt	20.5/C	20.1/C	-0.4	19.0/B	24.8/C	+5.0
Westbound Left	27.5/C	23.1/C	-4.4	31.9/C	35.6/D	+3.7
Westbound Thru/Rt	25.9/C	27.0/C	+1.2	21.6/C	29.1/C	+7.5
Northbound Left	6.0/A	7.2/A	+1.2	8.0/A	11.4/B	+3.4
Northbound Thru/Rt	15.0/B	21.1/C	+6.1	14.4/B	27.5/C	+13.1
Southbound Left	8.2/A	13.2/B	+5.0	13.1/B	153.2/F	+140.1
Southbound Thru/Rt	6.8/A	13.3/B	+6.5	16.1/B	22.1/C	+6.0

(XX.X) = Average vehicle delay in seconds per vehicle

LOCATION	AM NO BUILD	AM BUILD	Difference	PM NO BUILD	PM BUILD	Difference
E. 18th Street & Prospect	39.9/D	16.9/B	-23.0	32.0/C	49.5/D	+17.5
Eastbound	53.1/D	25.2/C	-27.9	40.9/D	64.3/E	+13.4
Westbound	53.9/D	25.0/C	-28.9	17.8/B	19.7/B	+1.9
Northbound Left	2.4/A	3.0/A	+0.6	38.9/D	57.5/E	+8.6
Northbound Thru/Rt	52.6/D	4.5/A	-48.1	16.1/B	11.4/B	-4.7
Southbound	4.1/A	42.8/D	+38.7	36.0/D	60.9/E	+24.9

(XX.X) = Average vehicle delay in seconds per vehicle

LOCATION	AM NO BUILD	AM BUILD	Difference	PM NO BUILD	PM BUILD	Difference
E. 30th St & Cedar	18.8/B	28.2/C	+9.4	23.1/C	32.9/C	+9.8
Eastbound Left	19.9/B	NS	NS	8.7/A	39.9/D	+31.2
Eastbound Thru/Rt	27.1/C	18.9/B	-8.2	12.6/B	65.6/E	+5.0
Westbound Left	35.6/D	22.7/C	-12.9	49.1/D	58.0/E	+5.0
Westbound Thru/Rt	38.9/D	20.0/B	-18.9	10.3/B	24.6/C	+7.5
Northbound Left	5.2/A	12.3/B	+7.1	15.1/B	11.8/B	+3.4
Northbound Thru/Rt	11.5/B	37.0/D	+25.5	27.6/C	27.8/C	+13.1
Southbound Left	16.9/B	21.1/C	+4.2	24.3/C	44.6/D	+13.1
Southbound Thru	6.5/A	13.2/B	+6.7	18.4/B	13.7/B	+140.1

(XX.X) = Average vehicle delay in seconds per vehicle

LOCATION	AM NO BUILD	AM BUILD	Difference	PM NO BUILD	PM BUILD	Difference
Superior & NB Ramp	10.8/B	43.9/D	+33.1	10.8/B	23.3/C	+12.5
Eastbound Left	7.1/A	96.8/F	+89.7	11.3/B	33.7/C	+22.4
Eastbound Thru	3.5/A	28.8/C	+25.3	1.1/A	0.7/A	-0.4
Westbound Thru/Rt	6.3/A	16.8/B	+10.5	10.7/B	2.2/A	-8.5
Northbound Left	20.8/C	12.6/B	-8.2	22.9/C	77.3/E	+54.4
Northbound Thru/Rt	18.5/B	75.7/E	+55.2	22.3/C	42.9/D	+20.6

(XX.X) = Average vehicle delay in seconds per vehicle

LOCATION	AM NO BUILD	AM BUILD	Difference	PM NO BUILD	PM BUILD	Difference
E. 30th St & Woodland	50.5/D	34.0/C	-16.5	32.0/C	36.1/D	+4.1
Westbound Thru/Lt	93.7/F	24.1/C	-69.6	52.1/D	22.2/C	-29.9
Westbound Right	24.2/C	17.4/B	-6.8	17.0/B	18.8/B	+1.8
Northbound Left	63.6/E	65.8/F	+2.2	39.2/D	95.0/F	+55.8
Northbound Thru	2.6/A	9.3/A	+6.7	6.2/A	11.6/B	+5.4
Southbound Thru	52.4/D	56.3/E	+3.9	39.5/D	42.0/D	+2.5
Southbound Right	-	-	-	15.2/B	-	-

(XX.X) = Average vehicle delay in seconds per vehicle

LOCATION	AM NO BUILD	AM BUILD	Difference	PM NO BUILD	PM BUILD	Difference
E. 18th St & Carnegie	21.2/c	33.8/C	+12.6	12.6/B	36.0/D	+23.4
Eastbound Left	48.4/D	118.5/F	+70.1	17.8/B	34.0/C	+16.2
Eastbound Thru/Rt	19.9/B	28.0/C	+8.1	13.2/B	44.0/D	+30.8
Westbound Thru/Rt	25.2/C	7.6/A	-17.6	10.3/B	5.8/A	-4.5
Northbound Thru	23.2/C	57.2/E	+34.0	11.6/B	39.2/D	+27.6
Northbound Right	7.7/A	25.6/C	+17.9	7.1/A	32.1/C	+25.0
Southbound	4.2/A	17.3/B	+13.1	14.2/B	48.6/D	+34.4

(XX.X) = Average vehicle delay in seconds per vehicle

LOCATION	AM NO BUILD	AM BUILD	Difference	PM NO BUILD	PM BUILD	Difference
Chester & NB Ramp	21.2/c	33.8/C	+12.6	12.6/B	36.0/D	+23.4
Eastbound Left	48.4/D	118.5/F	+70.1	17.8/B	34.0/C	+16.2
Eastbound Thru	19.9/B	28.0/C	+8.1	13.2/B	44.0/D	+30.8
Westbound Thru	25.2/C	7.6/A	-17.6	10.3/B	5.8/A	-4.5
Westbound Right	23.2/C	57.2/E	+34.0	11.6/B	39.2/D	+27.6
Northbound Left	7.7/A	25.6/C	+17.9	7.1/A	32.1/C	+25.0
Northbound Right	4.2/A	17.3/B	+13.1	14.2/B	48.6/D	+34.4

(XX.X) = Average vehicle delay in seconds per vehicle

Clearly the comparative analysis shows that capacity failures will exist on individual movements that would not have existed if the Preferred Recommended Alternative were to be constructed.

5. CONCLUSIONS AND RECOMMENDATIONS

The results of this study shows that the condition of the computer model of the traffic network of City of Cleveland streets and intersections is in need of further review and corrective action. There exists errors in the coding for the traffic signal system, roadway lanes and assumptions with projected traffic volumes with relationship to growth rates, flow rates and truck and bus composition.

The traffic model that is currently available indicates capacity failures at two individual intersections and on individual movements for twelve additional intersections.

Conversations with the Ohio Department of Transportation indicates that the Recommended Preferred Alternative plan is evolving and changing with input from the various stakeholders. It is encouraged that as these evolutions occur, the traffic model for the City of Cleveland streets be updated and reviewed in order to understand the future impacts of this very important project.

Kenny Yuko
State Representative, 7th House District

MAY 26 2009 # 09-34

May 20, 2009

Jolene Molitoris, Director
Ohio Department of Transportation
1980 West Broad Street
Columbus, OH 43223

Dear Ms. Molitoris,

I am writing to express my concern over the plans for the I-71 Cleveland Innerbelt Bridge and its proximity to the Western Reserve Fire Museum and Education Center.

As you know, the current placement of the new bridge is very close to the historic building that houses the Fire Museum. The museum has committed significant resources in restoration and retrofits recently as well as having just been awarded an $83,000 grant through the Ohio Cultural Facilities Commission. It is a vibrant and widely used medium for fire safety training and education with over one thousand members. I worry that the placement of the new bridge will have negative repercussions for access, parking and general enjoyment of the outside appearance of this historic landmark.

I respectfully urge you to reconsider the placement of this new bridge and move it as far to the south as possible so that its impact can be minimized.

Thank you for your time and if you have any questions please feel free to contact my office.

Sincerely,

Representative Kenny Yuko
7th Ohio House District

Capitol:
77 South High Street
Columbus, Ohio 43215-6111
(614) 466-8012
(614) 719-0007 (fax)
(800) 282-0253 (toll free)

www.house.state.oh.us
District07@ohr.state.oh.us

District:
Cuyahoga County
479 Pierson Drive
Richmond Heights, Ohio 44143
(440) 442-0946
(440) 461-6901 (fax)

B 233

From: Press, Kucinich
Sent: Fri Jul 10 14:41:13 2009
Subject: Kucinich Expresses Strong Opposition to Closing I-90 Ramps

Congressman
Dennis J. Kucinich
Ohio's 10th Congressional District

kucinich.house.gov

For Immediate Release:
Contact: Nathan White (202)225-5871

Kucinich Expresses Strong Opposition to Closing I-90 Ramps

Access is Key to Economic Development and Revitalization

Cleveland, OH (July 10, 2009) – Congressman Dennis Kucinich (D-OH) today sent a letter to Ms. Jolene Molitoris, the Director of the Ohio Department of Transportation, urging her to reconsider the Department's decisions to close down ramps along I-90 in to downtown Cleveland.

The full text of the letter follows:

July 10, 2009

Ms. Jolene Molitoris
Director of Transportation
1980 West Broad Street
Columbus, Ohio 43223-1102

Dear Ms. Molitoris:

I am writing to strongly urge you to reconsider the Ohio Department of Transportation's (ODOT) plans to close down ramps along the Innerbelt (I-90) in Downtown Cleveland. While I have provided timely comments about this as part of ODOT's Environmental Impact Statement process, it is again appropriate to remind you of the importance of access to and from

Downtown.

Access is the key to economic development and revitalization. Ingress and egress points on the Innerbelt from all the major avenues of Downtown Cleveland, including Carnegie, Prospect, Chester, Payne, Superior, St. Clair, and Lakeside, keep businesses and residents connected with our nation's transportation system. ODOT understands the importance of access in Lorain County where two new access points are being constructed along I-90 near new commercial districts sprouting up on recently sold and subdivided farms.

Because of Cleveland's difficult financial climate, we can not afford to lose Downtown Cleveland's businesses and residents. But this is exactly what will happen if ODOT cuts off direct access to Cleveland's major avenues. The people who live, work, and enjoy Downtown's amenities are against ODOT's plans. ODOT should listen to the people who would not only lose their homes and businesses, but would also witness the continued decimation of Downtown Cleveland.

As an alternative, I would support a major repaving of the Innerbelt with no structural changes other than straightening out "Dead Man's Curve" and rebuilding the I-90 Bridge, provided that all necessary property acquisitions are done in an equitable manner. To ensure better safety along this segment, the speed limit could be lowered. While this might be seen as an inconvenience to some cross-country travelers, it is a small price to pay for the preservation of Downtown Cleveland, its residents and businesses. Through traffic will still have unfettered use of I-80 and I-480, so there is no urgent need to destroy the people's access to I-90.

I strongly oppose using federal money to speed up the deterioration of Cleveland's economic vitality. ODOT's plans which would cut off access to Downtown Cleveland's major avenues would do just that. Therefore, I oppose any federal funding for Innerbelt reconstruction unless all access is preserved.

Sincerely,

Dennis J. Kucinich
Member of Congress

###

City of Cleveland
Frank G. Jackson, Mayor

Department of Public Safety
Division of Fire
Paul A. Stubbs, Chief
1645 Superior Avenue
Cleveland, Ohio 44114-2984
216/664-6800 • Fax: 216/664-6816
www.cleveland-oh.gov

July 7, 2009

Mr. Mark Carpenter
District Environmental Manager
Ohio Department of Transportation
5500 Transportation Boulevard
Garfield Heights, Ohio 44125

RE: CUY-Cleveland Innerbelt Project (PID 77510

Dear Mr. Carpenter,

We are in receipt of your communication regarding the Ohio Historic Preservation Office and plans for addressing adverse effects on historic properties from the Cleveland Innerbelt Project. Based on your communication it is a little unclear exactly what we are being asked to comment on.

The Division of Fire has property located at 312 Carnegi that will be effected by the construction of the bridge. Our concerns are that this facility remain open, and available for emergency response both during and subsequent to the construction of the bridge. The facility provides housing for one of Rescue Unit that respond twenty four hours a day approximately 3,500 times throughout the calendar year. In addition our Bureau of Emergency and Rescue Equipment (BEARS) unit functions from this site during normal business hours and addresses many of our equipment issues throughout the Division.

Our concern has been and continues to be that assured clearances are maintained to retain the access so that we can continue to provide this much needed service to the community. If we can provide any other information, site visits or address any other issues please contact us directly.

Thank You for the opportunity to address this issue.

Sincerely,

Timothy J. O'Toole, Assistant Chief
Cleveland Division of Fire

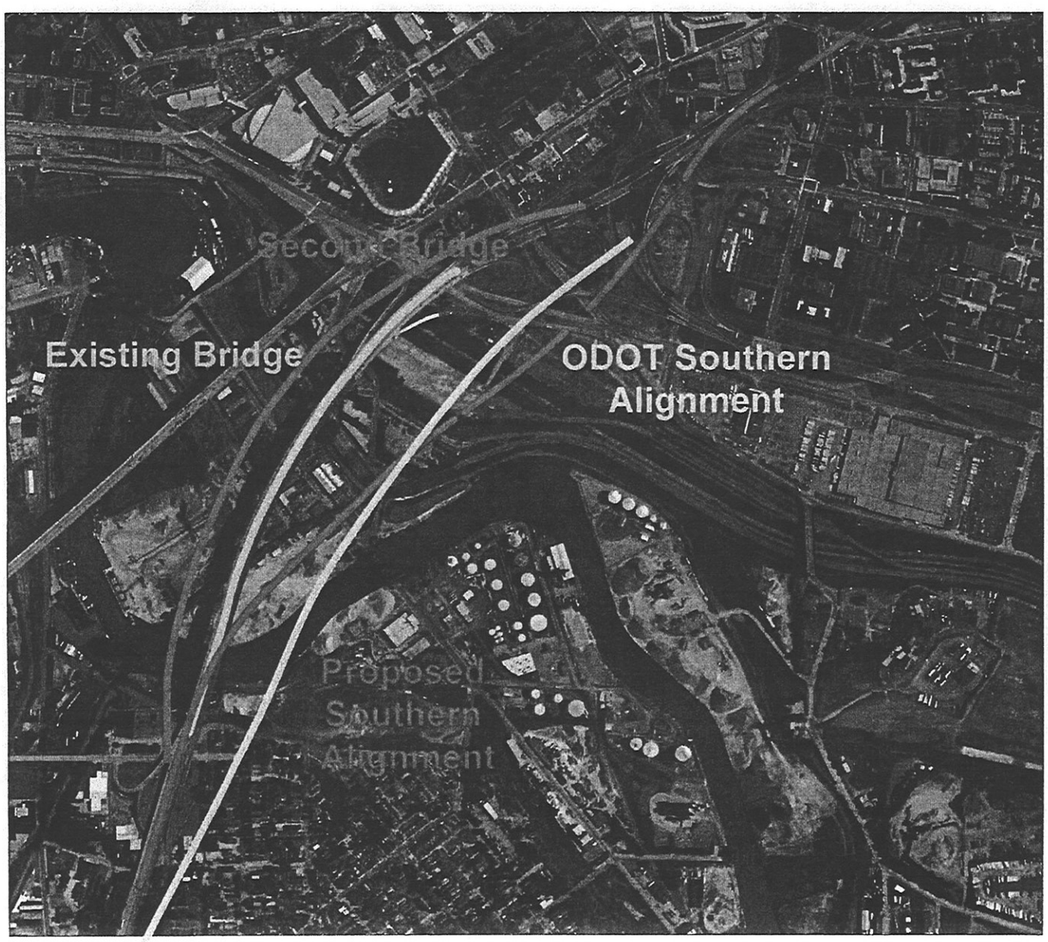
cc: Paul Stubbs, Chief of Division
Innerbelt Bridge Project File

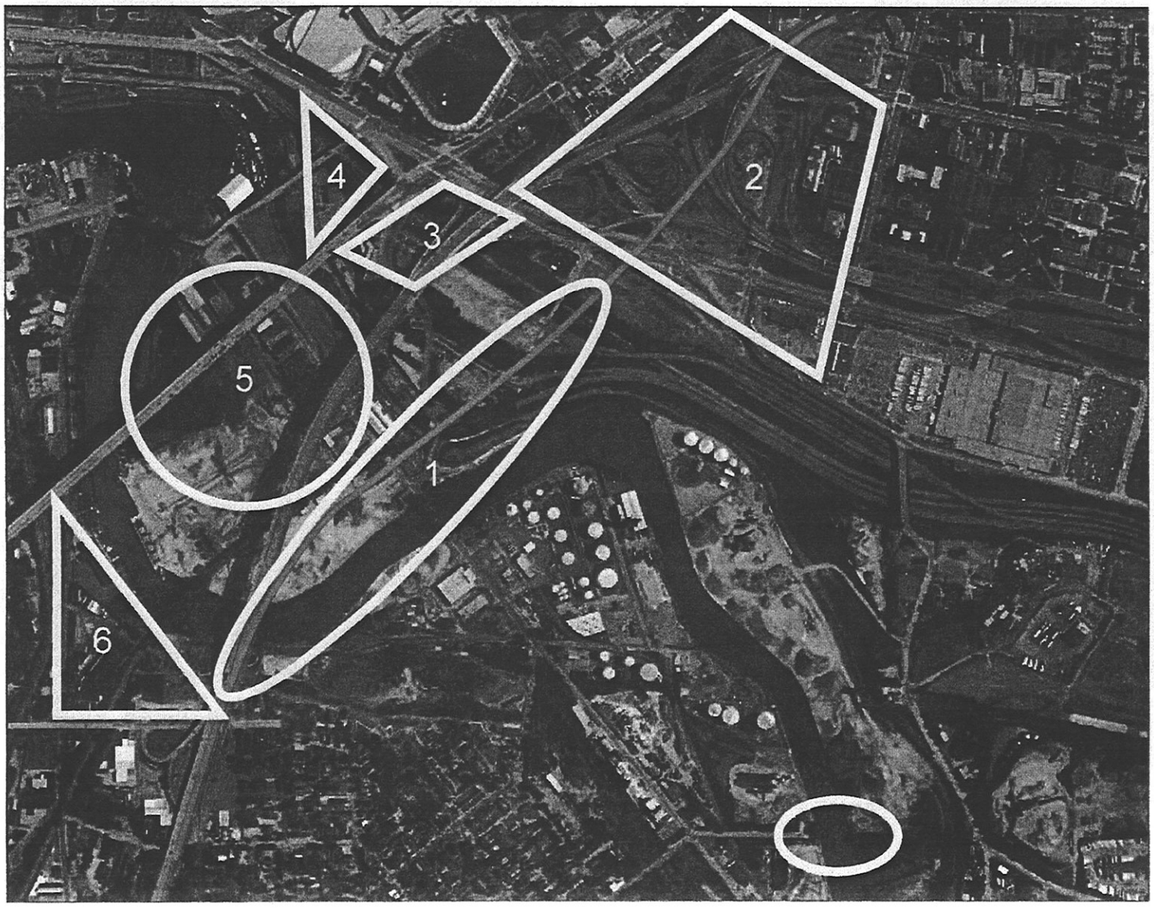
B 234

Crossing the Cuyahoga River Valley in the 21st Century + 2009 Stimulus Funding Economic Development Opportunities

B 235

Southern Alignment Comparison





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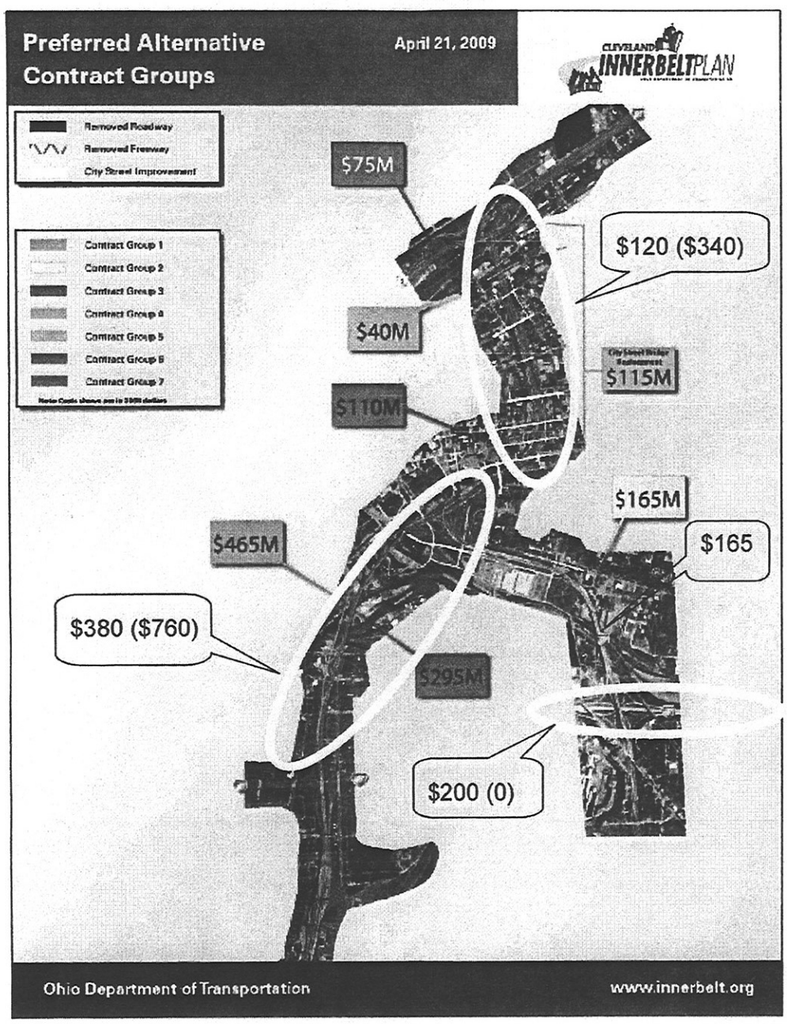
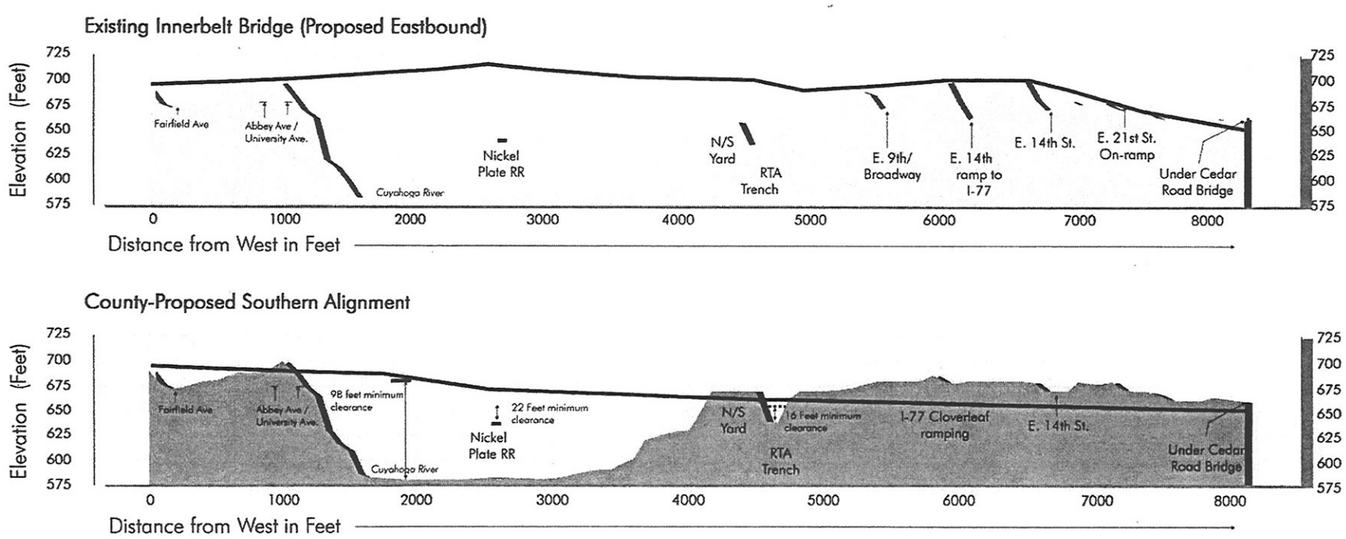


	Contract Group	ODOT	Civic	Net
	1 North Bridge/Tremont Lanes	465	380	-85
	2 I-77	165	165	0
	3 1959 Bridge	295	0	-295
	4 City Bridge Replacement	115	50	-65
	5 Innerbelt Curve	40	10	-30
	6 Trench Exits & Paving	110	50	-60
	7 Shoreway Exit	75	10	-65
	* Opportunity Corridor	0	200	200
		1,265	865	-400
	** Plus Replace 1959 Bridge	400		

	Contract Group	ODOT	Civic	Net
	1 North Bridge/Tremont Lanes	465	380	-85
	3 1959 Bridge	295	0	-295
		760	**380**	**-380**
	2 I-77	**165**	**165**	**0**
	4 City Bridge Replacement	115	50	-65
	5 Innerbelt Curve	40	10	-30
	6 Trench Exits & Paving	110	50	-60
	7 Shoreway Exit	75	10	-65
		340	**120**	**-220**
	* Opportunity Corridor	**0**	**200**	**200**
		1,265	**865**	**-400**
	** Plus Replace 1959 Bridge	400		

Innerbelt Alternatives in Profile



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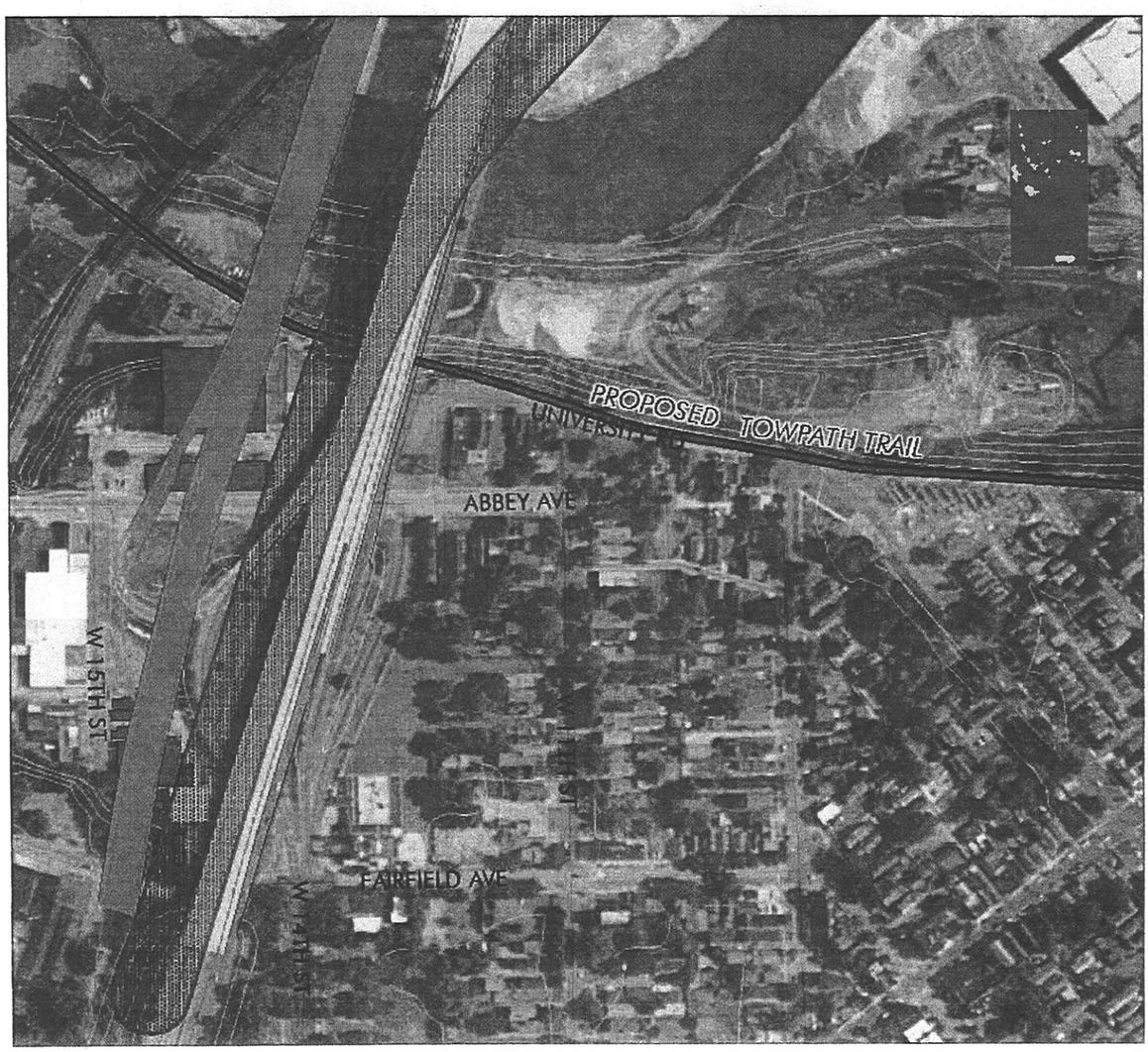


Innerbelt Freeway Access to Downtown Cleveland

The Innerbelt Freeway provides access to Downtown Cleveland and various adjacent residential neighborhoods and commercial and industrial districts through a series of system and service interchanges with the interstate highway system. The Innerbelt has been in use for nearly 50 years and is nearing the end of its design useful life. Consequently, ODOT has been studying the "intelligent renewal" of the Innerbelt since August 2000.

After over seven years of study and extensive public outreach, ODOT has recommended several modifications to the Innerbelt that increases the capacity of the mainline freeway to accommodate projected higher traffic volumes and improves operational effectiveness and safety. These improvements have been made primarily through the removal and consolidation of system and service interchanges and the elimination of traffic conflicts resulting from deficient and troublesome weave areas.

While the recommended modifications do address operational effectiveness of the freeway system, the proposed modifications would have direct and secondary impacts to the economic vitality within the project area. In effect, the modifications recommended by ODOT are not in keeping with local goals and objectives for the project. The ODOT Recommended Alternative proposes the elimination of several existing exits from I-90 east limiting direct local access to several major urban arterial corridors.

The proposed elimination of the Carnegie Avenue exit continues to be controversial and divisive among concerned area stakeholders. This paper explores the problems and issues associated with the elimination of the Carnegie Avenue exit ramp and provides a possible solution with enough merit to warrant further study by ODOT and concerned stakeholders.

The solutions explored in this paper would require additional traffic analysis and changes in preliminary drawings, but this cost would be very small compared with an alternative that negatively impacts economic revitalization and leads to loss of local jobs, jobs which are vital to study area residents and stakeholders.

Goals and Objectives of the Cleveland Innerbelt Project

FHWA and ODOT established multipurpose goals for the Cleveland Innerbelt Project:

- Improve the physical condition of the existing bridge decks and roadway pavements,
- Improve the operational performance of the roadway system,
- Improve the safety of the roadway system,
- Improve the access provided by the roadway system, while supporting community goals and objectives.

The Scoping Committee defined local goals and objectives for the Cleveland Innerbelt Project. These local goals and objectives are articulated in the *Cleveland Innerbelt Study*[1]. The priority goal of the Scoping Committee was improving access to destinations in Downtown Cleveland. Access measures the ability of a transportation system user to travel to jobs, obtain goods and services, or gain access to other parts of the transportation system. It is the goal of maintaining and improving access to area destinations by the roadway system that has been and continues to be at the core of community concerns.

[1] Burgess & Niple/URS et al; *Cleveland Innerbelt Study* "Strategic Plan"; ODOT, July 2004.

Innerbelt Function

The 2-mile segment of I-90 in Cleveland between the Central Interchange and Memorial Shoreway (SR 2) contains a total of eleven (11) exit ramps and twelve (12) entrance ramps. This part of the Innerbelt Freeway is known locally as the Trench. The subject of this discussion does not include the existing eight (8) freeway-to-freeway ramps within the two system interchanges, or the ten (10) service interchange ramps serving the I-77 leg of the Central Interchange. The discussion centers on the Trench.

The closely spaced interchanges in the Trench enable the Innerbelt Freeway to function as a local roadway connector within this 2-mile section. ODOT[2] recognizes the continuing need to separate and preserve the local and interstate traffic functions within this 2-mile section to improve safety and operations on each element of the roadway system.

ODOT Freeway Design Criteria

The design of the Innerbelt predates development of modern standards for the design of freeways. As a result, there are numerous locations along the Innerbelt that do not meet current freeway design standards. Three types of design deficiencies contribute to the safety and operational performance problems associated with the current Central Interchange and Innerbelt freeway:

- Improper reduction in the basic number of freeway lanes,
- Inadequate acceleration, deceleration, or ramp terminal-spacing and weave lengths, Inadequate curve radii.

If the Innerbelt's eleven (11) exit and twelve (12) entrance ramps in the Trench are grouped together, the East 14th Street/East 18th Street, Carnegie Avenue/Prospect Avenue and Superior Avenue/St. Clair Avenue interchanges could be paired and considered as single interchanges. These three pairs when added to other interchanges would equate to a total of seven service interchanges within this 2-mile section of freeway. The average spacing distance between interchanges is slightly more than one-quarter mile. The approximate distances between the service interchanges within the Innerbelt Trench are:

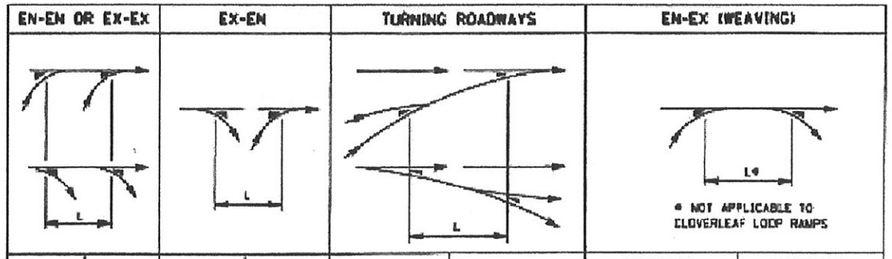
• East 22nd Street to Carnegie Avenue	800 feet
• Carnegie Avenue to Prospect Avenue	600 feet
• Prospect Avenue to Chester Avenue	1,300 feet
• Chester Avenue to Superior Avenue	2,100 feet
• Superior Avenue to St Clair Avenue	900 feet

The ODOT Design Manual[3] recommends a minimum interchange spacing of one mile in urban areas. AASHTO[4] standards allow ramp terminals to be spaced more closely than the ODOT design manual. Exhibit 10-68 from the AASHTO manual illustrates the ramp terminal spacing requirements. However, the guidance suggests that the actual spacing should be determined by weaving requirements, required lengths of speed change lanes, and the capacity of the freeway mainline.

[2] Burgess & Niple/URS et al; *Conceptual Alternatives Report*; ODOT, August 2006.
[3] *Ohio Roadway Design Manual*, "Section 500, Interchange Design" ODOT, October 2004, p 5-3.
[4] *A Policy on Geometric Design of Highways and Streets*, 5th Edition American Association of State Highway and Transportation Officials, 2004.

Design standards are devised to provide guidance. There are situations in which the application of even the minimum criteria would result in unacceptably high costs or major impact on the environment. There is a design exception process that allows for the use of criteria lower than those recommended as minimum acceptable values.

Interestingly, use of ramp spacing criteria lower than the recommended minimum acceptable values does not require a formal design exception justification. Moreover, we note that the ODOT Recommended Alternative has a number of deviations from design standards that have been incorporated into the plan. Notably, the ramp terminal spacing between successive exits from I-90 west at Superior and Chester in the Trench is 880 feet. The AASHTO standard is 1,000 feet, although an argument can be made that the Chester exit is an exit to a distributor road, hence the deviation.



FULL FREEWAY	CDR OR FDR	FULL FREEWAY	CDR OR FDR	SYSTEM INTER-CHANGE	SERVICE INTER-CHANGE	SYSTEM TO SERVICE INTERCHANGE		SERVICE TO SERVICE INTERCHANGE	
						FULL FWY.	CDR OR FDR	FULL FWY.	CDR OR FDR
MINIMUM LENGTHS MEASURED BETWEEN SUCCESSIVE RAMP TERMINALS									
300 m [1000 ft]	240 m [800 ft]	150 m [500 ft]	120 m [400 ft]	240 m [800 ft]	180 m [600 ft]	600 m [2000 ft]	480 m [1600 ft]	480 m [1600 ft]	300 m [1000 ft]

NOTES: FDR = FREEWAY DISTRIBUTOR ROAD
CDR = COLLECTOR DISTRIBUTOR ROAD
EN = ENTRANCE
EX = EXIT

THE RECOMMENDATIONS ARE BASED ON OPERATIONAL EXPERIENCE AND NEED FOR FLEXIBILITY AND ADEQUATE SIGNING. THEY SHOULD BE CHECKED IN ACCORDANCE WITH THE PROCEDURE OUTLINED IN THE HIGHWAY CAPACITY MANUAL [4] AND THE LARGER OF THE VALUES IS SUGGESTED FOR USE. ALSO, A PROCEDURE FOR MEASURING THE LENGTH OF THE WEAVING SECTION IS GIVEN IN CHAPTER 24 OF THE 2000 HIGHWAY CAPACITY MANUAL [4].
THE "L" DISTANCES NOTED IN THE FIGURES ABOVE ARE BETWEEN LIKE POINTS, NOT NECESSARILY "PHYSICAL" GORES. A MINIMUM DISTANCE OF 90 m [270 ft] IS RECOMMENDED BETWEEN THE END OF THE TAPER FOR THE FIRST ON RAMP AND THE THEORETICAL GORE FOR THE SUCCEEDING ON RAMP FOR THE EN-EN (SIMILAR FOR EX-EX).

Exhibit 10-68. Recommended Minimum Ramp Terminal Spacing

Through its 14-step project development process, ODOT has concluded that the high number of access points and closeness of the spacing of exit and entrance ramps adversely affects the operational performance and safety of the existing Innerbelt Freeway especially when coupled with inadequate lane lengths for acceleration and deceleration, weave and terminal spacing in the Trench. Consequently, ODOT is attempting to balance the number of access points with the demand for access and the ability of the mainline freeway to safely and efficiently accommodate increased traffic flows by eliminating and consolidating access and egress points.

Development of Conceptual Alternatives

The ODOT project development process follows a 14-step planning and design protocol that involves extensive agency and public outreach. This process begins with defining and scoping the problem, establishing project goals and objectives and developing a series of conceptual alternatives that are screened for feasibility. Feasible alternatives are subjected to more detailed analysis resulting in a preferred alternative. The preferred alternative is presented to the public for comment. After receiving public comments, ODOT prepares a report that recommends the preferred alternative to FHWA, which evaluates the environmental impacts of the Recommended Alternative when compared to a No Build alternative.

Access modification to the Innerbelt freeway was part of the "intelligent renewal" strategies for modernizing the Innerbelt to current freeway standards. Highway design engineers in other cities across the country, including those who designed improvements to Cincinnati's Fort Washington Way and Chicago's Dan Ryan Expressway, have employed an approach to access modification that requires consolidating access points by using a system of frontage roads. A similar approach was first proposed for the Innerbelt Trench as part of conceptual alternatives development. The idea behind the frontage road is to maximize access to the city street grid by optimizing the number of access points.

In Cleveland, freeway access would have been provided at either end of the Trench to consolidate access into a single frontage road system. However, traffic modeling showed this frontage road system failing from a level of service measure because of the high volumes of traffic concentrated at the proposed Carnegie Avenue exit to the frontage road system and the short weave length for traffic entering I-90 east from I-77 north. It was determined that the traditional frontage road system solution needed to be modified. Cleveland needed multiple access points to spread traffic volumes in order to optimize the mainline level of service.

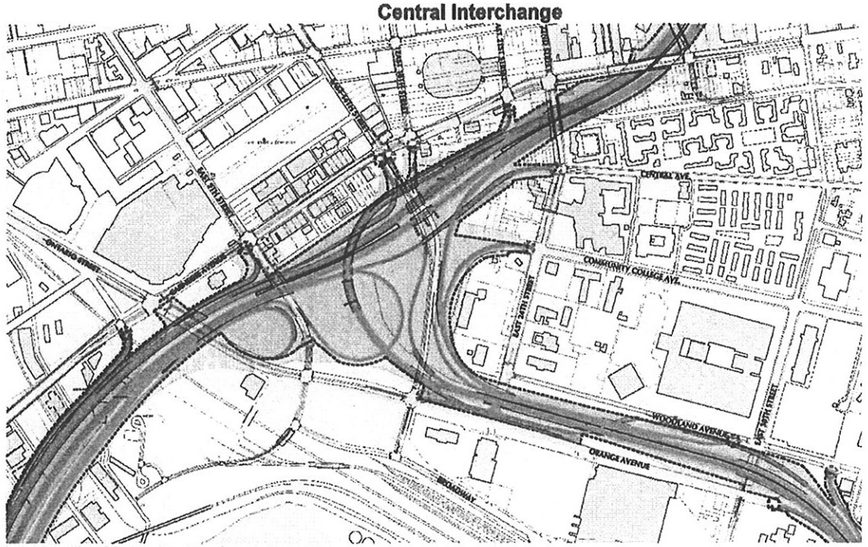
As the alternative development process in the Trench progressed, ODOT found that direct access to/from mainline I-90 could not be provided at Prospect and Carnegie Avenues safely and efficiently. Safely and efficiently was defined as acceptable levels of service on the freeway mainline. Consequently, ODOT developed a system of indirect access to the Prospect and Carnegie Corridors utilizing some frontage "connector" roads and concentrating access to/from MidTown at Chester Avenue.

This Chester Avenue alternative was carried forward into the feasible alternatives analysis phase of project development. The Chester Avenue alternative is a complete bi-directional interchange with I-90. The Broadway, Carnegie and Lakeside exit ramps were eliminated from I-90 east as part of the access consolidation design effort. There are only two full service interchanges in the Trench located at Chester and Superior Avenues. A MidTown Corridor local connector road has been added that connects Chester to Euclid, Prospect, Carnegie and Cedar Avenues. The Chester Avenue alternative with the MidTown Connector has been recommended to FHWA as the ODOT preferred alternative.

ODOT Recommended Alternative

Figure 1 shows the ODOT Recommended Alternative for the Central Interchange.

Figure 1
ODOT Recommended Alternative
Central Interchange



Source: ODOT Aesthetics Committee Report

The Recommended Alternative for the Central Interchange reorganizes the system and service interchanges between I-71, I-77 and I-90 and the city street network. The proposed Central Interchange removes many of the substandard weave areas that often result in traffic conflicts and accidents. ODOT removed the system interchange between I-77 north and I-90 west /I-71 south and I-90 east to I-77 south. The elimination of the system interchange requires traffic to divert to I-490 to make these system interchange movements. The ODOT plan also eliminates the Broadway Avenue/Orange Avenue (SR 14 and US 422) and Carnegie Avenue service exit ramps, which affects truck traffic routing to MidTown and the Quadrangle. The existing direct entrances to I-77 south from East 9th Street south and from Ontario Street have been eliminated in the Recommended Alternative. The elimination of these entrances ramps removes troublesome weave areas along the ramping system but requires traffic from departing Public Square and Gateway to enter I-77 south at the entrance ramp located at East 30th Street and Orange Avenue.

The proposed new Central Interchange also changes the location of the I-77 north entrance gore to I-90 east. Currently, I-77 north enters I-90 east near East 14th Street. The proposed I-77 north entrance to I-90 east would be located about 1,000 feet west of the existing Carnegie Avenue exit. The ODOT recommended I-77 entrance gore and the existing Carnegie Avenue exit ramp deviates from existing standards for safe weave distances between a system entrance and service exit. AASHTO guidance suggests 2,000 feet for this distance. The estimated distance is 1,000 feet. Consequently, ODOT eliminated the Carnegie exit ramp and concentrated the exiting traffic volumes at Chester Avenue.

Traffic Volumes and Impacts

Table 1 summarizes the ODOT certified traffic estimates[5] for exiting traffic from I-90 eastbound. The table highlights the existing conditions as well as the No-Build condition and ODOT Recommended Alternative for the design years 2015 and 2035.

TABLE 1
I-90 Eastbound Exiting Traffic

I-90 East exit volumes	Existing 2000		No Build 2015		Recommended 2015		No Build 2035		Recommended 2035	
	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM
Central Viaduct Volume	6,831	4,724	7,613	5,215	7,560	5,300	7,744	5,173	8,050	5,720
Broadway	236	149	263	164	0	0	294	123	0	0
East 9th Street S	0	0	0	0	400	180	0	0	420	240
Ontario	803	580	895	640	960	640	878	628	1,110	650
East 9th Street N	843	450	940	497	890	480	1,056	514	890	520
Central East 22nd St.	348	333	388	368	650	510	390	350	710	640
Carnegie	880	774	981	821	0	0	1,075	862	0	0
Chester	923	293	1,029	323	1,460	380	1,010	320	1,510	460
Superior	1,048	419	1,168	463	1,110	480	1,080	470	1,120	490
Lakeside	484	109	539	120	0	0	510	80	0	0
Total exiting vehicles	5,565	3,107	6,203	3,396	5,470	2,670	6,293	3,347	5,760	3,000
% difference from No Build					-11.8%	-21.4%			-8.5%	-10.4%

Source: Burgess & Niple/URS et al; *Cleveland Innerbelt: Certified Traffic*; ODOT; August 2006

Stakeholders in MidTown have stressed the importance of maintaining the I-90 east exit ramp to Carnegie Avenue because of the relatively high volume of exiting traffic at Carnegie headed east to destinations within MidTown, including the Cleveland Clinic. MidTown has expressed its dismay about the elimination of the Carnegie Avenue exit ramp and the resulting potential loss of commercial enterprises requiring direct access to the interstate highway system. The Table 1 clearly shows how the existing Carnegie and Chester exit ramps evenly split exiting traffic volumes today and how total exiting traffic volume destined to MidTown declines under the ODOT Recommended Alternative in the future. ODOT provides data on traffic volumes but no explanation for the resulting declines in exiting volumes or of the changes in traffic volumes on the city street network beyond the narrowly defined Innerbelt study area.

For example, the Existing exiting traffic volumes in the year 2000 AM peak period show that Carnegie handles 880 vehicles per hour while Chester handles 923. The No Build exiting traffic volumes in design year 2015 indicates that Carnegie handles 981 vehicles and Chester handles 1,029 vehicles. In 2035 Carnegie handles 1,075 exiting vehicles in the AM peak period and Chester accommodates 1,010 vehicles. Both exits feed traffic to MidTown along two distinct east-west corridors. The ODOT Recommended Alternative concentrates all exiting traffic at Chester in the future years with 1,460 exiting vehicles in the AM peak in 2015 and 1,510 vehicles in 2035, which is significantly lower than the combined total of exiting traffic at Chester and Carnegie in the Existing and No Build conditions.

The certified traffic estimates utilized by ODOT for the Cleveland Innerbelt Project validates MidTown's position that the Carnegie access point provides significant access during both the AM and PM peak periods. According to ODOT traffic estimates for the No-Build Alternative – which is the existing roadway configuration – the future exit ramp usage during peak hours is expected to be fairly evenly split in both the AM and PM peak periods as shown in Table 2.

[5] Burgess & Niple/URS et al; *Cleveland Innerbelt: Certified Traffic*; ODOT; August 2006.

TABLE 2 Exiting Traffic At Carnegie Avenue Existing Condition and No Build Alternatives			
Year	**AM Peak**	**PM Peak**	**PM as Percent of AM Peak**
2000	880	774	88.0%
2015	981	821	83.7%
2035	1,075	862	80.2%

Source: Burgess & Niple/URS et al; *Cleveland Innerbelt: Certified Traffic*; ODOT; August 2006

Because the Carnegie exit ramp only allows traffic to move in one direction from I-90 east to Carnegie Avenue east, the comparable levels of traffic in the afternoon peak period for the Existing and No Build alternatives suggest that a substantial number of travelers either live or work on the East Side but are employed or live in areas to the south along I-77 and I-71 and to the west along I-90. Clearly, the exit ramp for I-90 east to Carnegie Avenue eastbound is a vital component of daily regional travel from one side of Cuyahoga County to the other.

In the ODOT Recommended Alternative, AM peak traffic volumes at eastbound Chester increase significantly. When compared to the No Build alternative, AM peak hour exiting traffic at Chester Avenue increases 41.8 percent in design year 2015 and 49.5 percent in 2035.

ODOT modeled the traffic behavior and has indicated impacts on local streets vary in degree to the level of changes in traffic volumes at the interchanges. ODOT acknowledges that impacts result from the removal of the Carnegie Avenue exit. Traffic using I-90 east and exiting to Carnegie Avenue will now have to exit at East 22nd Street or Chester Avenue. Northbound I-77 traffic exiting at Carnegie Avenue may exit at East 30th Street or East 22nd Street. ODOT indicated that Chester Avenue has sufficient capacity to accommodate the increased traffic volume and has stated in public meetings that the additional volumes of traffic on East 22nd Street and East 30th Street will not result in any material degradation of traffic flow on the arterial street network.

ODOT traffic analysis methodologies do not consider the impacts on adjacent streets when considering their evaluations of level of service on intersection operation. Consequently, ODOT has not proposed any mitigation strategies for the increased volumes of traffic at intersections along East 30th Street. However, the data and independent traffic analysis suggests that the intersections at East 30th and Chester and other intersections along East 30th Street, notably East 30th and Woodland Avenue, will operate below the existing level of service degrading traffic operations on adjacent city streets. ODOT needs to re-evaluate the traffic impacts of the Recommended Alternative on north-south streets, particularly East 30th Street.

It is also interesting to note that the ODOT Recommended Alternative actually lowers the total volume of exiting traffic to Downtown when compared to the No Build ramp configurations. Total exiting traffic volume in the Trench is reduced by 11.8 percent in the AM peak in 2015 and 8.5 percent in 2035 for the Recommended Alternative when compared to the existing (No Build) configuration. Similarly, the PM peak exiting volumes decline by 21.4 percent and 10.4 percent in 2015 and 2035 respectively.

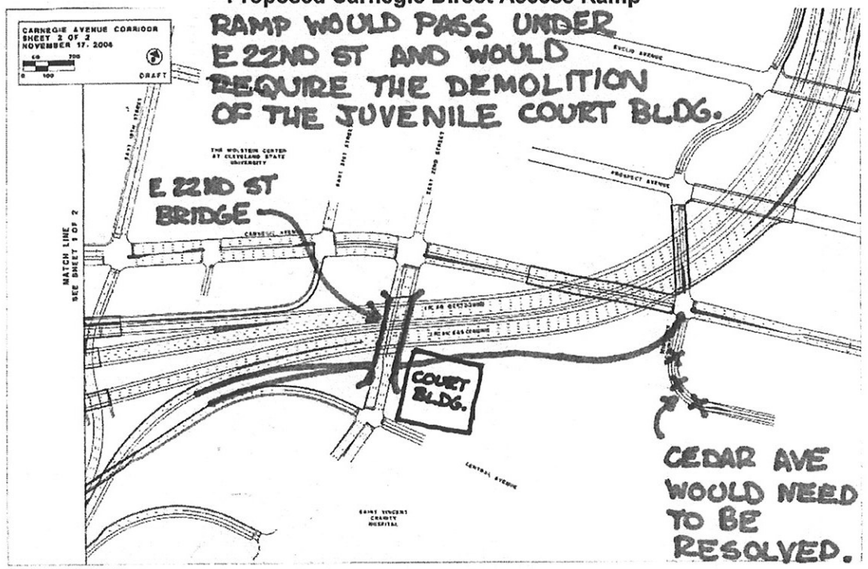
This finding tends to support and validate MidTown's claim that there is a negative economic impact on merchants along the Carnegie Corridor that depend on traffic volume for business. The decline in traffic volume also would tend to lower commercial property values as a result

and make MidTown less desirable for locating a business that depends on freeway access and curbside traffic.

The MidTown Proposed Alternative

It is clear that the Carnegie Avenue exit ramp works in tandem with the Chester Avenue exit to split traffic between two major east-west corridors serving different destinations within MidTown. The concerns raised by stakeholders are valid and have not been adequately addressed by ODOT. Prior attempts by ODOT to address stakeholder concerns about closing the ramp from I-90 east to Carnegie Avenue focused on frontage or connector roads that still consolidated exiting traffic at Chester Avenue. MidTown circulated a proposal to add a new ramp from the planned East 22nd Street/Central and northbound I-77 ramps. This is illustrated in Figure 2.

Figure 2
Proposed Carnegie Direct Access Ramp



Source: ODOT

The Quadrangle objected to this proposed ramp configuration because the Innerbelt Trench would become substantially wider thereby further separating the south end of the Quadrangle from the northern Quadrangle and Central Business District. The Quadrangle views itself as an integrated part of Downtown Cleveland and desires to reduce the actual and perceived separation from the central city posed by the Innerbelt Trench.

To reduce the perceived isolation and separation of the Quadrangle from Downtown, the Quadrangle developed a transportation improvement plan that essentially recommends the extension of the city street grid through the area by adding caps over the Trench.

The proposed Innerbelt cap would potentially produce 23 acres of new real estate. This 10-block area of high-density, mixed-use development over the Innerbelt would undoubtedly help

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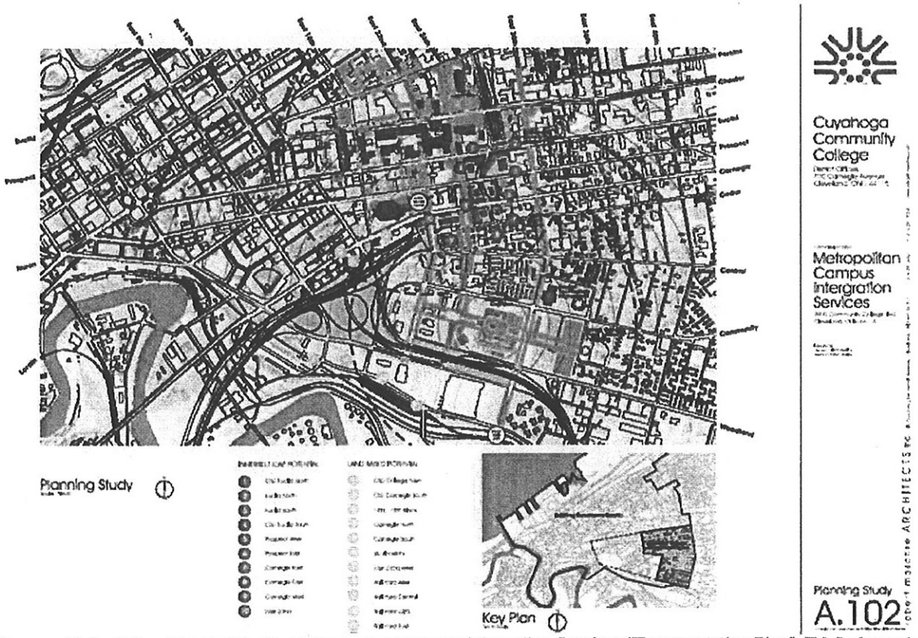
reconnect the two campuses of Cleveland State University and Tri-C. However, given the current underlying economic conditions of the region, is no evidence of existing or potential market demand for new land in this area sufficient to make the capping program work economically in the immediate future.

Although the Quadrangle understands current economic conditions, it is requesting that ODOT provide the foundations and fittings for future capping so that when economic conditions change making such future investments and development economically feasible, the capping program can be undertaken utilizing infrastructure already built. Much like the heralded Van Sweringen brothers building the foundations for future commercial buildings as part of the Terminal Tower development, the Quadrangle is asking for ODOT to carry through on a verbal pledge by former ODOT Director Gordon Proctor to provide the infrastructure platform necessary to permit future capping. Figure 3 illustrates the plan to "cap" the Trench.

Figure 3
Campus Integration and Freeway Capping Plan



Source: Robert Maschke Architects; *Metropolitan Campus Integration Services* "Transportation Plan"; Tri-C; August 2007.

Such programs of capping interstate highways have been successfully employed in Cincinnati and Columbus by ODOT. This capping plan was presented to the ODOT Innerbelt Project Aesthetics Committee, which endorsed the concept in its report to ODOT in June 2007.

Issues Associated with the Proposed MidTown Alternative

The MidTown proposed new Carnegie Avenue exit would require the demolition of the historic Juvenile Justice Center and widening the Trench. Widening the Trench would bring the Innerbelt closer to St. Vincent Charity Hospital creating adverse noise and vibration issues as well as restricting expansion opportunities for the hospital. In addition, the MidTown proposal restricts the ability to cap the entire Trench area along the Carnegie curve between East 22nd Street and the proposed East 24th Street. The proposed direct Carnegie exit ramp would split the area beneath the cap as the exit ramp changes grade by rising from freeway level in the Trench to city street level at Carnegie Avenue.

The proposed new Carnegie Avenue exit would necessitate terminating Cedar Avenue in a cul-de-sac. The Quadrangle has commented before about a proposed cul-de-sac for Cedar Avenue and is very concerned about the re-introduction of a cul-de-sac for Cedar Road with the MidTown proposal. The proposed termination of Cedar Avenue short of reaching East 22nd Street creates a safety and security impact and an environmental justice issue. The historically low-income African American Cedar-Central neighborhood would be forced to walk greater distances to access service of the RTA No. 8 local bus route. RTA has expressed opposition to the termination of Cedar Avenue requiring the re-routing of this popular bus route serving a public housing community. The creation of a cul-de-sac at the terminus of Cedar also reduces the ability of emergency response vehicles to access the Cedar-Central neighborhood and creates a potential high-crime area.

The proposed two-lane exit to Carnegie Avenue would have a negative impact on a historic resource by requiring the purchase and demolition of the Cuyahoga County Juvenile Justice Center at 2163 East 22nd Street for needed right-of-way. Although the proposed new Juvenile Justice Center may make the current building surplus, the historic architecture and significance of the building and its site should be preserved. The Quadrangle has expressed an opinion that this building could be adapted for re-use and should not be demolished for a freeway exit ramp.

Moreover, this building is a registered Cleveland Landmark and has been determined eligible for inclusion on the National Register of Historic Places. Congress has made historic preservation a responsibility of each Federal agency, enacting multiple laws that reflect the importance the American people attach to safeguarding and maintaining the places that reflect our nation's rich heritage. Chief among these are the National Historic Preservation Act and Section 4(f) of the Department of Transportation Act of 1966.

ODOT has been appropriately sensitive to the Section 4(f) impacts of this site and has steadfastly refused to alter the right-of-way that would place this historic site in jeopardy. ODOT has insisted that the Recommended Alternative is a "feasible and prudent" alternate to the demolition and taking of the Juvenile Justice Center. This term is integral to the Section 4(f) process. Feasible and prudent refers to the viability of an alternative that avoids the use of a protected historic resource. The term "feasible" refers to the constructability of a project — whether or not it can be built using current construction methods technologies and practices. The term "prudent" refers to how reasonable the alternative is — in essence, whether or not it makes sense. Given a range of options, ODOT must select an avoidance alternative if it is feasible and prudent.

The Quadrangle considers the ODOT Recommended Alternative as a feasible and prudent alternate to the No Build configuration. The Quadrangle does not see any benefit in pursuing the proposed MidTown Carnegie Avenue exit ramp considering the extra cost and construction delay when access to Carnegie Avenue can be assured through improved wayfinding signage from East 22nd Street and East 30th Street.

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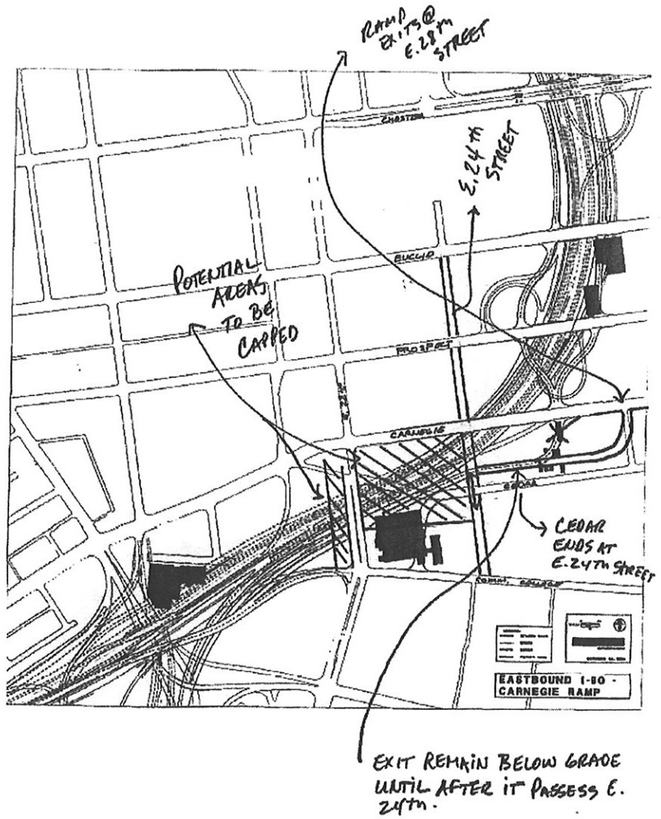
However, in the interest of being cooperative, the Quadrangle may consider a modified Carnegie Avenue exit ramp satisfactory if the following conditions can be satisfied and agreed upon in writing:

1. Direct access to East 22nd Street must be maintained from I-71, I-77, and I-90.
2. ODOT constructs the necessary pilings and related infrastructure to support freeway caps per the Quadrangle plan. The ODOT Cleveland Innerbelt Project budget would include funding for the capping foundations. Although no monies would be provided for the cap itself, the State would provide assistance to help the City of Cleveland and the Quadrangle with financing of the caps in the future.
3. The exact locations of the cap and improvements to local area streets would be based on final engineering, but must include the area between East 22nd Street and the proposed East 24th Street as indicated in Figure 4. Cedar Avenue needs to be connected to the city street network and not ended in a cul-de-sac.
4. Improvements to East 22nd Street and East 30th Street are to be included in the Cleveland Innerbelt Project construction budget.

Figure 4
Modified MidTown Carnegie Exit Ramp

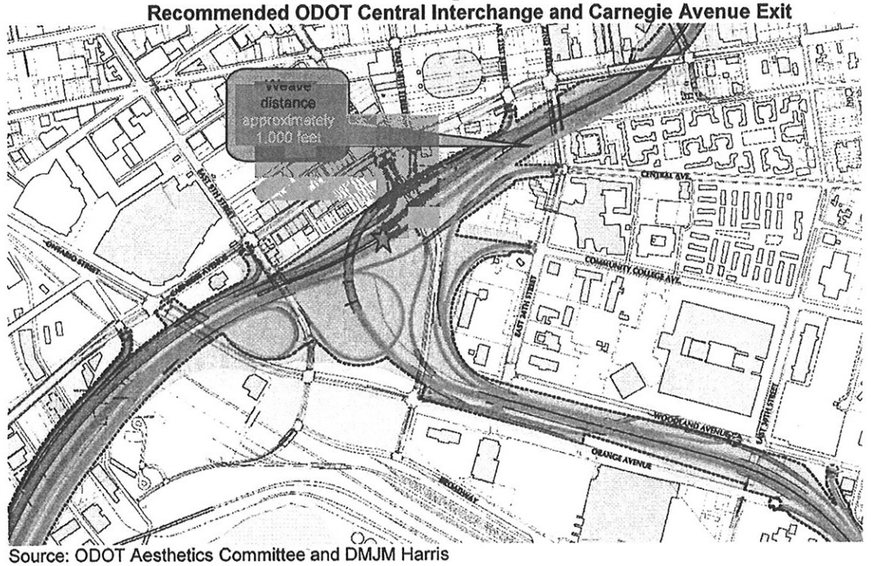


Optional Central Interchange Alternative

Figure 5 illustrates that the distance between the ODOT recommended I-77 entrance gore and the existing Carnegie Avenue exit ramp deviates from existing standards for safe weave distances between a system entrance and service exit. The proposed I-77 north entrance to I-90 east is located about 1,000 feet west of the existing Carnegie Avenue exit. AASHTO guidance suggests 2,000 feet for this distance.

To allow the existing Carnegie Avenue exit ramp to remain as part of the new Central Interchange configuration would require shifting the ODOT recommended traffic merge point of I-77 north entering I-90 east. By shifting the merge point from approximately East 22nd Street to west of East 14th Street (as indicated by the star on Figure 5), the AASHTO 2,000 foot minimum distance appears to be achievable.

Figure 5
Recommended ODOT Central Interchange and Carnegie Avenue Exit



Source: ODOT Aesthetics Committee and DMJM Harris

Moving the merge point of entering I-77 traffic toward East 14th Street would necessitate a number of changes to the ODOT Recommended Alternative for the Central Interchange. These changes are shown on Exhibit 2 and include:

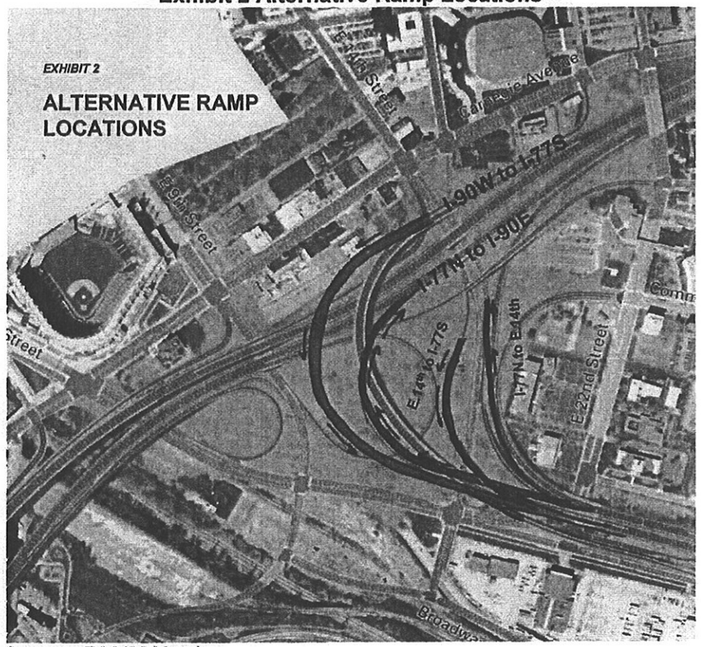
- I-77 north to I-90 east: Have this ramp exit I-77 north from the lane closest to the median and extend the curving ramp farther to the west until it can merge with I-90 east approximately 2,000 feet west of the existing Carnegie Avenue exit ramp. This will require the ramp to bridge East 14th Street north of Orange Avenue and the exit East 9th Street and Central Avenue/East 22nd Street ramps for I-90E. The underpass for the I-77N to I-90E east of East 14th Street would not be needed.

- I-90 west to I-77 south: Shift the ramp westward toward East 9th Street, but continues to bridge all the same ramps and streets as ODOT's preferred alignment, only at different locations.

- Ramp from East 14th Street southbound to I-77 south: This ramp would begin to rise earlier to bridge both East 14th Street and the I-77 north to I-90 east ramp before dropping into the lane closest to the median for I-77 south.

  Ramp from I-77 north to East 14th Street northbound: This ramp would exit with the ramp from I-77 north to East 22nd Street/Community College Avenue and slope down to join East 14th Street northbound as a right add lane.

Exhibit 2 Alternative Ramp Locations



Source: DMJM Harris

This alternative would likely be more costly than the ODOT Recommended Alternative due to the added bridge structures for the modified ramping roadways. FHWA and ODOT should examine this optional alternative. This option preserves access to the Carnegie Avenue corridor satisfying the expressed concerns of several stakeholders and protects and preserves the historic Juvenile Justice Center site.

In addition, the I-90 east exit to East 22nd Street and Central Avenue can be adjusted to now join the I-77 north exit at East 22nd Street and Cuyahoga Community College Avenue, which is a wider street with more capacity than Central Avenue. Adjusting this roadway infrastructure

would also permit Cuyahoga Community College Avenue to be reconnected to East 14th Street, which has been requested by St Vincent Charity Hospital.

The weave area between the East 30th Street and Woodland entrance ramp for the traffic entering I-90 east must be examined in greater detail to assure proper distances for driver reaction times for traffic exiting I-77 north for East 14th/18th Streets and East 22nd Street and Cuyahoga Community Avenue.

Impacts of the Optional Central Interchange Alternative on the Quadrangle

As has been shown, the existing Carnegie Avenue exit is one of the main access points to MidTown from I-90 east. The Quadrangle supports the efforts of other concerned stakeholders to retain an exit ramp at Carnegie Avenue if it does not compromise safety, materially impact Quadrangle institutions or historic resources.

The Quadrangle considers the ODOT Recommended Alternative as a feasible and prudent alternate to the No Build condition. Anticipating the ODOT recommendation to FHWA, the Quadrangle developed a transportation improvement plan that centered on improving connectivity between the campuses of Cleveland State University and Cuyahoga Community College across the Trench by proposing an extensive capping program.

The Optional Central Interchange Alternative illustrated in Exhibit 2 interrupts the continuous capping of the area between East 22nd Street and East 24th Street similar to the No Build configuration described earlier but for a greater length.

However, this optional proposal would also offer the potential of channeling exiting I-90 east and I-77 north traffic at East 22nd Street and Cuyahoga Community College Avenue with direct access to St Vincent Charity Hospital and the Tri-C Metro Campus. This would be in addition to the modified I-90 east exit at Carnegie Avenue.

The Optional Central Interchange configuration would also make the restoration of the existing Cuyahoga Community College Avenue extension possible. The restoration of the existing extension of Cuyahoga Community College Avenue to East 14th Street has been requested by St Vincent Charity Hospital, which would provide quick and easy access to Playhouse Square from the hospital and other Quadrangle institutions.

Express-Local Lane Configuration

The frequent exit and entry ramps on the Innerbelt have been shown by ODOT to slow down through traffic along the freeway degrading the level of service on the mainline. Separating traffic into mainline (express lane) and local (collector lane) service can alleviate this problem on the Innerbelt if designed properly. Local-express lanes or collector-express lanes are a set of two same-direction one-way multi-lane roadways. The outer set, usually called local lanes or collector lanes, provide access to most or all interchanges. The inner set, usually called express lanes, provide for non-exiting traffic. Typically, as is the case with Interstate 78 in Northern New Jersey and Highway 427 in Toronto, the express lanes are intended for traffic passing through the area while the local collector lanes are designed strictly to serve interchanges within that localized area.

Other states that implemented similar changes to freeways found that after creating the dedicated express and local access lanes by defining access points and separating traffic by

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destination, traffic speeds actually increased in the express lane. The reason is that people in the inner lanes drive slower when the traffic in the lane immediately adjacent to them in the outer lanes are moving at a significantly slower pace. Motorists moving at freeway speeds are worried (and expecting) that someone in the congested adjacent lane will pull out in front of them. With dedicated access points and nominal separation, this concern is minimized thereby giving express lane users the confidence to travel at freeway speeds without the fear of someone pulling out in front of them. This improves safety and increases the speed of the traffic through the area by reducing traffic turbulence in the express lanes. The local collector lanes could actually be allowed to be more congested, slowing traffic naturally allowing cars to exit and enter the freeway system at the slower more congested speeds. More access points can be provided.

This option does not appear to have been considered as an alternative during the Cleveland Innerbelt Project definition and development process. Within the Innerbelt Trench, a five lane I-90 east freeway configuration can be divided into two same-direction multi-lane roadway segments, one for through traffic and the other for local access. It would appear that two through lanes are all that is needed to support through traffic volumes. Three local lanes could serve as the collector/distributor system. The express lanes can be the two inner lanes while the outer three lanes can be the local lanes. The far right outer lane could be a continuous merge lane for entering and exiting traffic. The access points to the express lanes could be signed prior to crossing the Central Viaduct so that through traffic is directed to the express lanes and exiting traffic is directed to the local collector lanes. The express/local lane designations would be removed prior to the system interchange at the Memorial Shoreway (SR-2).

The use of the express/local lane cross-section for the Innerbelt Trench could permit more access points located every ½ mile deviating from ODOT standards but within AASHTO standards.

Conclusions and Recommendations

The frequent exit and entry ramps on the Innerbelt have been shown by ODOT to slow down through traffic along the freeway degrading the level of service. ODOT has developed a Recommended Alternative that improves level of service on the mainline by consolidating exits that limit access points to Downtown Cleveland, which remove the troublesome weave areas that contribute to localized congestion during peak periods. By removing many of the exits, ODOT has caused stakeholders to protest their concerns to elected public officials, the Director of ODOT and the Regional Administrator of the FHWA.

We suggest that ODOT and FHWA review the alternatives presented in this paper as part of the Quadrangle's official comment on the Draft EIS. We believe these suggestions have merit and should be evaluated and we await an appropriate and detailed response. Moreover, the attached summary of other unresolved Quadrangle concerns are also made a part of the Draft EIS comments.

ODOT has not presented any strategies to mitigate the impacts of the Cleveland Innerbelt Project on local streets. We also await an appropriate and detailed discussion of mitigation strategies to minimize negative impacts of the Cleveland Innerbelt Project on community cohesiveness, adjacent land-uses and traffic patterns.

Population changes by region (2008-2030)

	Population July 1, 2008	Population July 1, 2030	Numerical change (2008-2030)	% change (2008-2030)	As % of total US population (2008)	As % of total US population (2030)	% change (2008-2030)
United States	304,059,724	383,584,435	59,524,711	19.6%			
Northeast	54,824,779	57,671,068	2,746,289	5.0%	18.1%	15.8%	-2.2%
New England							
Maine	1,316,456	1,411,097	94,641	7.2%	0.4%	0.4%	0.0%
New Hampshire	1,315,809	1,646,471	330,662	25.1%	0.4%	0.5%	0.0%
Vermont	621,270	711,867	90,597	14.6%	0.2%	0.2%	0.0%
Massachusetts	6,497,967	7,012,009	514,042	7.9%	2.1%	1.9%	-0.2%
Rhode Island	1,050,788	1,152,941	102,153	9.7%	0.3%	0.3%	0.0%
Connecticut	3,501,252	3,688,630	187,378	5.4%	1.2%	1.0%	-0.1%
Middle Atlantic							
New York	19,490,297	19,477,429	-12,868	-0.1%	6.4%	5.4%	-1.1%
New Jersey	8,682,661	9,802,440	1,119,779	12.9%	2.9%	2.7%	-0.2%
Pennsylvania	12,448,279	12,768,184	319,905	2.6%	4.1%	3.5%	-0.6%
Midwest	66,561,448	70,497,298	3,935,850	5.9%	21.9%	19.4%	-2.5%
East North Central							
Ohio	11,485,910	11,550,528	64,618	0.6%	3.8%	3.2%	-0.6%
Indiana	6,376,792	6,810,108	433,316	6.8%	2.1%	1.9%	-0.2%
Illinois	12,901,563	13,432,892	531,329	4.1%	4.2%	3.7%	-0.5%
Michigan	10,003,422	10,694,172	690,750	6.9%	3.3%	2.9%	-0.3%
Wisconsin	5,627,967	6,150,764	522,797	9.3%	1.9%	1.7%	-0.2%
West North Central							
Minnesota	5,220,393	6,306,130	1,085,737	20.8%	1.7%	1.7%	0.0%
Iowa	3,002,555	2,955,172	-47,383	-1.6%	1.0%	0.8%	-0.2%
Missouri	5,911,605	6,430,173	518,568	8.8%	1.9%	1.8%	-0.2%
North Dakota	641,481	606,566	-34,915	-5.4%	0.2%	0.2%	0.0%
South Dakota	804,194	800,462	-3,732	-0.5%	0.3%	0.2%	0.0%
Nebraska	1,783,432	1,820,247	36,815	2.1%	0.6%	0.5%	-0.1%
Kansas	2,802,134	2,940,084	137,950	4.9%	0.9%	0.8%	-0.1%
South	111,716,549	143,269,337	31,550,788	28.2%	36.7%	39.4%	2.7%
South Atlantic							
Delaware	873,092	1,012,658	139,566	16.0%	0.3%	0.3%	0.0%
Maryland	5,633,597	7,022,251	1,388,654	24.6%	1.9%	1.9%	0.1%
District of Columbia	591,833	433,414	-158,419	-26.8%	0.2%	0.1%	-0.1%
Virginia	7,769,089	9,825,019	2,055,930	26.5%	2.6%	2.7%	0.1%
West Virginia	1,814,468	1,719,959	-94,509	-5.2%	0.6%	0.5%	-0.1%
North Carolina	9,222,414	12,227,739	3,005,325	32.6%	3.0%	3.4%	0.3%
South Carolina	4,479,800	5,148,569	668,769	14.9%	1.5%	1.4%	-0.1%
Georgia	9,685,744	12,017,838	2,332,094	24.1%	3.2%	3.3%	0.1%
Florida	18,328,340	28,685,769	10,357,429	56.5%	6.0%	7.9%	1.9%
East South Central							
Kentucky	4,269,245	4,554,998	285,753	6.7%	1.4%	1.3%	-0.2%
Tennessee	6,214,888	7,380,634	1,165,746	18.8%	2.0%	2.0%	0.0%
Alabama	4,661,900	4,874,243	212,343	4.6%	1.5%	1.3%	-0.2%
Mississippi	2,936,618	3,092,410	153,792	5.2%	1.0%	0.9%	-0.1%
West South Central							
Arkansas	2,855,390	3,240,208	384,818	13.5%	0.9%	0.9%	0.0%
Louisiana	4,410,796	4,802,633	391,837	8.9%	1.5%	1.3%	-0.1%
Oklahoma	3,642,361	3,913,251	270,890	7.4%	1.2%	1.1%	-0.1%
Texas	24,326,974	33,317,744	8,990,770	37.0%	8.0%	9.2%	1.2%
West	70,854,948	92,146,732	21,291,784	30.0%	23.3%	25.3%	2.0%
Mountain							
Montana	967,440	1,044,898	77,458	8.0%	0.3%	0.3%	0.0%
Idaho	1,523,816	1,969,624	445,808	29.3%	0.5%	0.5%	0.0%
Wyoming	532,668	522,979	-9,689	-1.8%	0.2%	0.1%	0.0%
Colorado	4,939,456	5,792,357	852,901	17.3%	1.6%	1.6%	0.0%
New Mexico	1,984,356	2,099,708	115,352	5.8%	0.7%	0.6%	-0.1%
Arizona	6,500,180	10,712,397	4,212,217	64.8%	2.1%	2.9%	0.8%
Utah	2,736,424	3,485,367	748,943	27.4%	0.9%	1.0%	0.1%
Nevada	2,600,167	4,282,102	1,681,935	64.7%	0.9%	1.2%	0.3%
Pacific							
Washington	6,549,224	8,624,801	2,075,577	31.7%	2.2%	2.4%	0.2%
Oregon	3,790,060	4,833,918	1,043,858	27.5%	1.2%	1.3%	0.1%
California	36,756,666	46,444,861	9,688,195	26.4%	12.1%	12.8%	0.7%
Alaska	686,293	867,674	181,381	26.4%	0.2%	0.2%	0.0%
Hawaii	1,288,198	1,466,046	177,848	13.8%	0.4%	0.4%	0.0%

Source: U.S. Census Bureau, Population Division, Interim State Population Projections, 2005.
Also: May 18, 2009 population estimates for 2008.

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Population change 2008-2030 (ranked by % change)

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United States	304,059,724	363,584,435	59,524,711	19.6%			
West	70,854,948	92,146,732	21,291,784	30.0%	23.3%	25.3%	2.0%
South	111,718,549	143,269,337	31,550,788	28.2%	36.7%	39.4%	2.7%
Midwest	66,561,448	70,497,298	3,935,850	5.9%	21.9%	19.4%	-2.5%
Northeast	54,924,779	57,671,068	2,746,289	5.0%	18.1%	15.9%	-2.2%
Arizona	6,500,180	10,712,397	4,212,217	64.8%	2.1%	2.9%	0.8%
Nevada	2,600,167	4,282,102	1,681,935	64.7%	0.9%	1.2%	0.3%
Florida	18,328,340	28,685,769	10,357,429	56.5%	6.0%	7.9%	1.9%
Texas	24,326,974	33,317,744	8,990,770	37.0%	8.0%	9.2%	1.2%
North Carolina	9,222,414	12,227,739	3,005,325	32.6%	3.0%	3.4%	0.3%
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Oregon	3,790,060	4,833,918	1,043,858	27.5%	1.2%	1.3%	0.1%
Utah	2,736,424	3,485,367	748,943	27.4%	0.9%	1.0%	0.1%
Virginia	7,769,089	9,825,019	2,055,930	26.5%	2.6%	2.7%	0.1%
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California	36,756,666	46,444,861	9,688,195	26.4%	12.1%	12.8%	0.7%
New Hampshire	1,315,809	1,646,471	330,662	25.1%	0.4%	0.5%	0.0%
Maryland	5,633,597	7,022,251	1,388,654	24.6%	1.9%	1.9%	0.1%
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Minnesota	5,220,393	6,306,130	1,085,737	20.8%	1.7%	1.7%	0.0%
Tennessee	6,214,888	7,380,634	1,165,746	18.8%	2.0%	2.0%	0.0%
Colorado	4,939,456	5,792,357	852,901	17.3%	1.6%	1.6%	0.0%
Delaware	873,092	1,012,658	139,566	16.0%	0.3%	0.3%	0.0%
South Carolina	4,479,800	5,148,569	668,769	14.9%	1.5%	1.4%	-0.1%
Vermont	621,270	711,867	90,597	14.6%	0.2%	0.2%	0.0%
Hawaii	1,288,198	1,466,046	177,848	13.8%	0.4%	0.4%	0.0%
Arkansas	2,855,390	3,240,208	384,818	13.5%	0.9%	0.9%	0.0%
New Jersey	8,682,661	9,802,440	1,119,779	12.9%	2.9%	2.7%	-0.2%
Rhode Island	1,050,788	1,152,941	102,153	9.7%	0.3%	0.3%	0.0%
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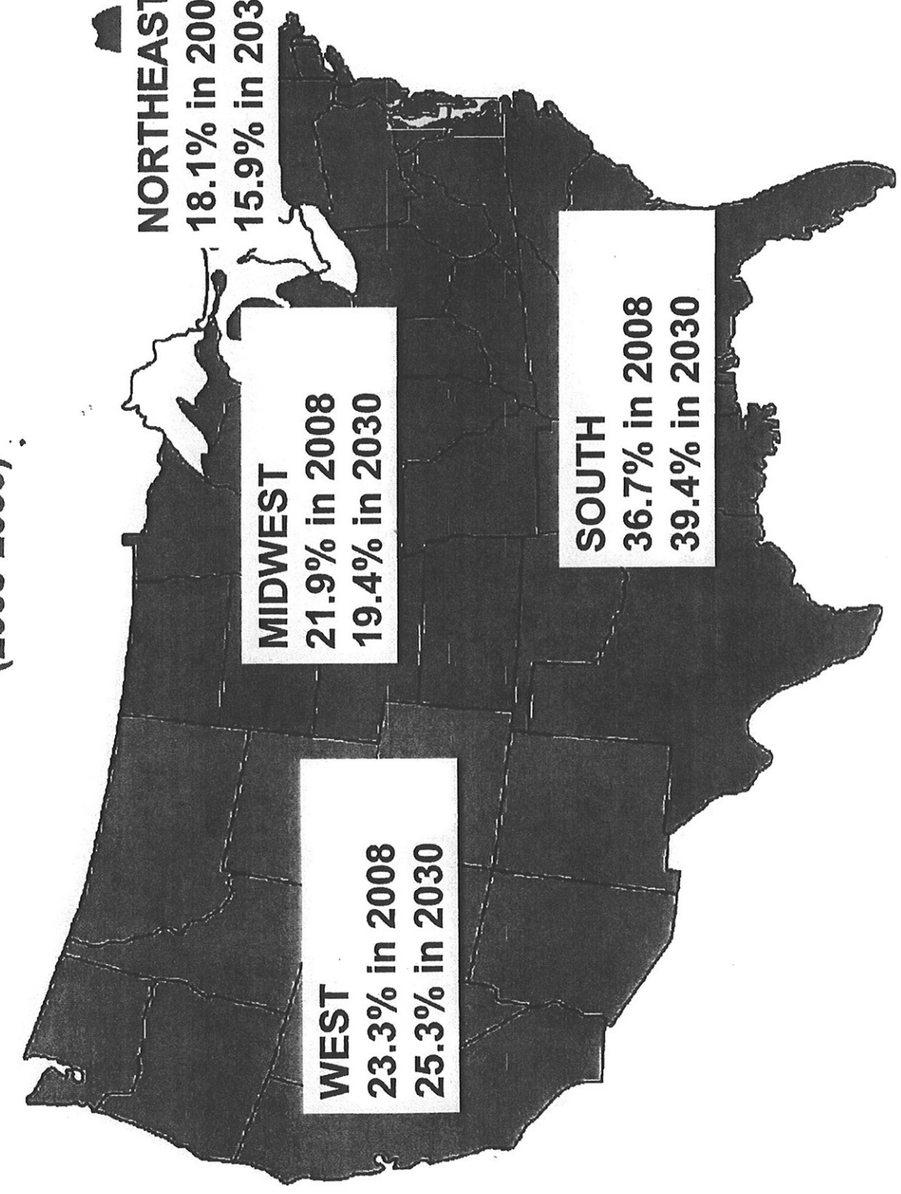
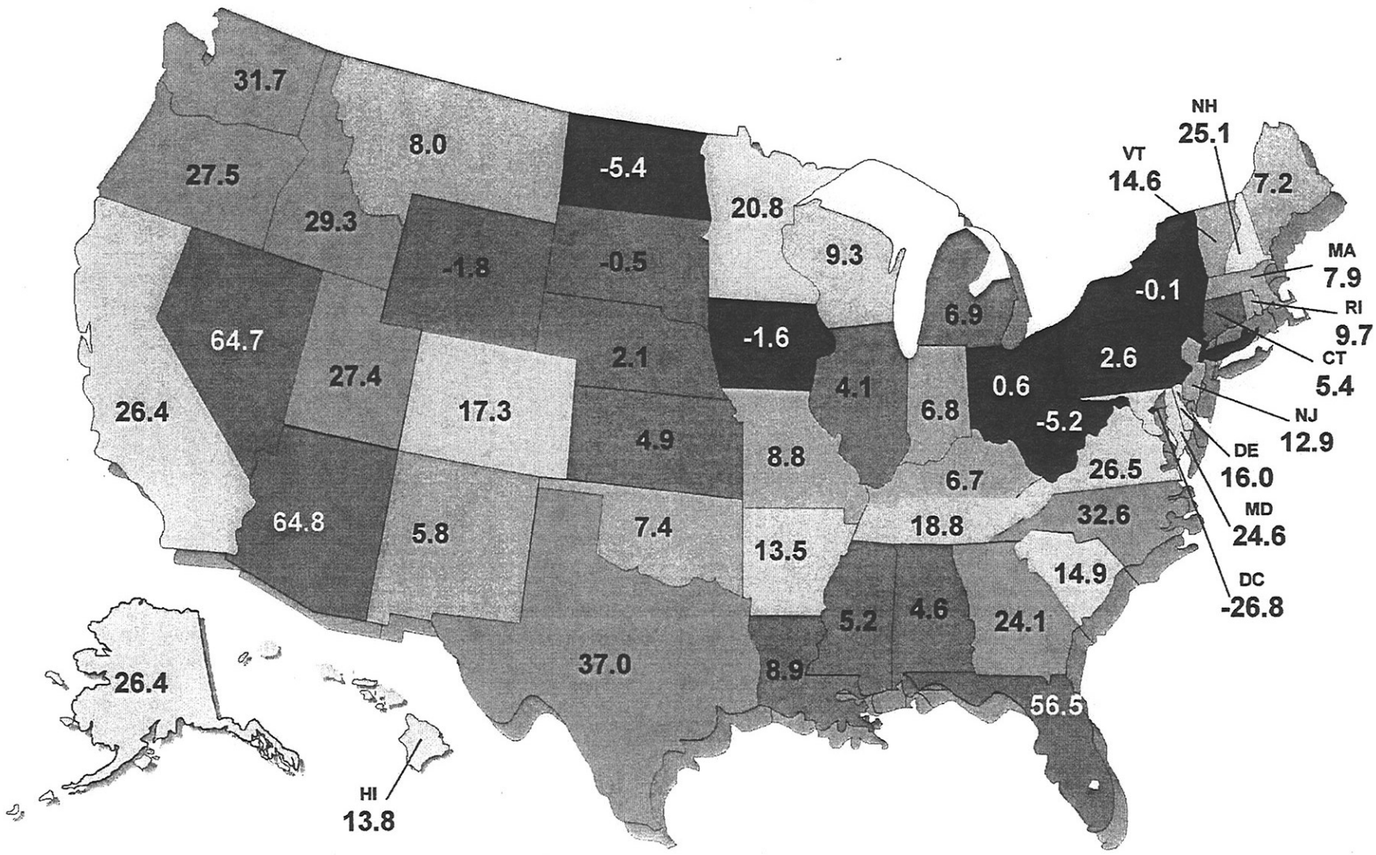
Missouri	5,911,605	6,430,173	518,568	8.8%	1.9%	1.8%	-0.2%
Montana	967,440	1,044,898	77,458	8.0%	0.3%	0.3%	0.0%
Massachusetts	6,497,967	7,012,009	514,042	7.9%	2.1%	1.9%	-0.2%
Oklahoma	3,642,361	3,913,251	270,890	7.4%	1.2%	1.1%	-0.1%
Maine	1,316,456	1,411,097	94,641	7.2%	0.4%	0.4%	0.0%
Michigan	10,003,422	10,694,172	690,750	6.9%	3.3%	2.9%	-0.3%
Indiana	6,376,792	6,810,108	433,316	6.8%	2.1%	1.9%	-0.2%
Kentucky	4,269,245	4,554,998	285,753	6.7%	1.4%	1.3%	-0.2%
New Mexico	1,984,356	2,099,708	115,352	5.8%	0.7%	0.6%	-0.1%
Connecticut	3,501,252	3,688,630	187,378	5.4%	1.2%	1.0%	-0.1%
Mississippi	2,938,618	3,092,410	153,792	5.2%	1.0%	0.9%	-0.1%
Kansas	2,802,134	2,940,084	137,950	4.9%	0.9%	0.8%	-0.1%
Alabama	4,661,900	4,874,243	212,343	4.6%	1.5%	1.3%	-0.2%
Illinois	12,901,563	13,432,892	531,329	4.1%	4.2%	3.7%	-0.5%
Pennsylvania	12,448,279	12,768,184	319,905	2.6%	4.1%	3.5%	-0.6%
Nebraska	1,783,432	1,820,247	36,815	2.1%	0.6%	0.5%	-0.1%
* Ohio	11,485,910	11,550,528	64,618	0.6%	3.8%	3.2%	-0.6%
New York	19,490,297	19,477,429	-12,868	-0.1%	6.4%	5.4%	-1.1%
South Dakota	804,194	800,462	-3,732	-0.5%	0.3%	0.2%	0.0%
Iowa	3,002,555	2,955,172	-47,383	-1.6%	1.0%	0.8%	-0.2%
Wyoming	532,668	522,979	-9,689	-1.8%	0.2%	0.1%	0.0%
West Virginia	1,814,468	1,719,959	-94,509	-5.2%	0.6%	0.5%	-0.1%
North Dakota	641,481	606,566	-34,915	-5.4%	0.2%	0.2%	0.0%
District of Columbia	591,833	433,414	-158,419	-26.8%	0.2%	0.1%	-0.1%

Source: U.S. Census Bureau, Population Division, Interim State Population Projections, 2005.
Also: May 18, 2009 population estimates for 2008.

Percentage of total population by region (2008-2030)



% Change in Total Population: 2008 to 2030



Source: U.S. Census Bureau, Population Division, Interim State Population Projections, 2005 and May 18, 2009 population estimates

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Table 1a. Projected Population of the United States, by Race and Hispanic Origin: 2000 to 2050
(In thousands except as indicated. As of July 1. Resident population.)

Population or percent and race or Hispanic origin	2000	2010	2020	2030	2040	2050
POPULATION						
TOTAL	282,125	308,936	335,805	363,584	391,946	419,854
White alone	228,548	244,995	260,629	275,731	289,690	302,626
Black alone	35,818	40,454	45,365	50,442	55,876	61,361
Asian Alone	10,684	14,241	17,988	22,580	27,992	33,430
All other races 1/	7,075	9,246	11,822	14,831	18,386	22,437
Hispanic (of any race)	35,622	47,756	59,756	73,055	87,585	102,560
White alone, not Hispanic	195,729	201,112	205,936	209,176	210,331	210,283
PERCENT OF TOTAL POPULATION						
TOTAL	100.0	100.0	100.0	100.0	100.0	100.0
White alone	81.0	79.3	77.6	75.8	73.9	72.1
Black alone	12.7	13.1	13.5	13.9	14.3	14.6
Asian Alone	3.8	4.6	5.4	6.2	7.1	8.0
All other races 1/	2.5	3.0	3.5	4.1	4.7	5.3
Hispanic (of any race)	12.6	15.5	17.8	20.1	22.3	24.4
White alone, not Hispanic	69.4	65.1	61.3	57.5	53.7	50.1

1/ Includes American Indian and Alaska Native alone, Native Hawaiian and Other Pacific Islander alone, and Two or More Races

Source: U.S. Census Bureau, 2004, "U.S. Interim Projections by Age, Sex, Race, and Hispanic Origin,"
<http://www.census.gov/ipc/www/usinterimproj/>
Internet Release Date: March 18, 2004

America's changing population

The U.S. Census Bureau projects substantial population growth for western and sun belt states between 2000 and 2030 — and much slower growth for Ohio. That could mean Ohio could lose seats in the U.S. House. Here are the projections:

State	Population change by 2030 2000	2030	Change	Percentage change	House seats in 2030	Change
Nevada	1,998,257	4,282,102	2,283,845	114.3%	5	2
Arizona	5,130,632	10,712,397	5,581,765	108.8%	13	5
Florida	15,982,378	28,685,769	12,703,391	79.5%	34	10
Texas	20,851,820	33,317,744	12,465,924	59.8%	40	8
Utah	2,233,169	3,485,367	1,252,198	56.1%	4	1
Idaho	1,293,953	1,969,624	675,671	52.2%	2	0
North Carolina	8,049,313	12,227,739	4,178,426	51.9%	15	3
Georgia	8,186,453	12,017,838	3,831,385	46.8%	14	2
Washington	5,894,121	8,624,801	2,730,680	46.3%	10	1
Oregon	3,421,399	4,833,918	1,412,519	41.3%	6	1
Virginia	7,078,515	9,825,019	2,746,504	38.8%	12	1
Alaska	626,932	867,674	240,742	38.4%	1	0
California	33,871,648	46,444,861	12,573,213	37.1%	55	2
Colorado	4,301,261	5,792,357	1,491,096	34.7%	7	0
New Hampshire	1,235,786	1,646,471	410,685	33.2%	2	0
Maryland	5,296,486	7,022,251	1,725,765	32.6%	8	0
Tennessee	5,689,283	7,380,634	1,691,351	29.7%	9	0
Delaware	783,600	1,012,658	229,058	29.2%	1	0
South Carolina	4,012,012	5,148,569	1,136,557	28.3%	6	0
Minnesota	4,919,479	6,306,130	1,386,651	28.2%	8	0
Arkansas	2,673,400	3,240,208	566,808	21.2%	4	0
Hawaii	1,211,537	1,466,046	254,509	21.0%	2	0
Vermont	608,827	711,867	103,040	16.9%	1	0
New Jersey	8,414,350	9,802,440	1,388,090	16.5%	12	-1
Montana	902,195	1,044,898	142,703	15.8%	1	-1
New Mexico	1,819,046	2,099,708	280,662	15.4%	3	0
Missouri	5,595,211	6,430,173	834,962	14.9%	8	-1
Wisconsin	5,363,675	6,150,764	787,089	14.7%	7	-1
Oklahoma	3,450,654	3,913,251	462,597	13.4%	5	0
Kentucky	4,041,769	4,554,998	513,229	12.7%	5	-1
Indiana	6,080,485	6,810,108	729,623	12.0%	8	-2
Maine	1,274,923	1,411,097	136,174	10.7%	2	0
Massachusetts	6,349,097	7,012,009	662,912	10.4%	8	-2
Rhode Island	1,048,319	1,152,941	104,622	10.0%	1	-1
Alabama	4,447,100	4,874,243	427,143	9.6%	6	-1
Kansas	2,688,418	2,940,084	251,666	9.4%	4	0
Mississippi	2,844,658	3,092,410	247,752	8.7%	4	0
Connecticut	3,405,565	3,688,630	283,065	8.3%	4	-1
Illinois	12,419,293	13,432,892	1,013,599	8.2%	16	-3
Michigan	9,938,444	10,694,172	755,728	7.6%	13	-3
Louisiana	4,468,976	4,802,633	333,657	7.5%	6	-1
Nebraska	1,711,263	1,820,247	108,984	6.4%	2	-1
South Dakota	754,844	800,462	45,618	6.0%	1	0
Wyoming	493,782	522,979	29,197	5.9%	1	0
Pennsylvania	12281,054	12,768,184	487,130	4.0%	15	-4
New York	18,976,457	19,477,429	500,972	2.6%	23	-6
Ohio	11,353,140	11550,528	197,388	1.7%	14	-4
Iowa	2,926,324	2,955,172	28,848	1.0%	4	-1
West Virginia	1,808,344	1719,959	-88,385	-4.9%	2	-1
North Dakota	642,200	606,566	-35,634	-5.5%	1	0

SOURCE: U.S. Census Bureau THE PLAIN DEALER

ıey in attracting said the gover- . Mark Rickel. ıe climate to do a climate for te here," Rickel create the jobs move to Ohio to nities." a demographer s Institution in C., said such ıp boost popula- ın extent. ɛ your way up the list at best, ing to be in the l. ranks behind Michigan and ıering states in Frey said the rgely suffering ains from peo- from foreign g offset by cur- ving elsewhere s. l the new pop- ıs might be ause Ohio is an many fast- ther states be- ted and more night become nusineeses and ove here. olitical scien- ers have their n. ates can con- that easily."

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r reporter: 999-3505

B 248

U.S. CENSUS BUREAU

American FactFinder

United States and States

R0703. Percent of People 1 Year and Over Who Lived in a Different State (Including Puerto Rico) 1 Year Ago: 2005
Universe: Population 1 year and over
Data Set: **2005 American Community Survey**
Survey: **2005 American Community Survey, 2005 Puerto Rico Community Survey**

NOTE. Data are limited to the household population and exclude the population living in institutions, college dormitories, and other group quarters. For information on confidentiality protection, sampling error, nonsampling error, and definitions, see Survey Methodology.

Rank	State	Percent	Margin of Error
1	District of Columbia	7.4	+/-0.8
2	Nevada	5.5	+/-0.3
3	Wyoming	5.4	+/-0.8
4	Alaska	5.0	+/-0.7
4	Arizona	5.0	+/-0.3
4	Idaho	5.0	+/-0.5
7	Delaware	4.4	+/-0.6
8	Oregon	4.2	+/-0.3
9	New Mexico	4.1	+/-0.4
10	Hawaii	4.0	+/-0.5
10	Montana	4.0	+/-0.5
12	Colorado	3.8	+/-0.2
12	Florida	3.8	+/-0.1
14	New Hampshire	3.7	+/-0.4
15	Arkansas	3.6	+/-0.3
15	Georgia	3.6	+/-0.2
17	South Carolina	3.5	+/-0.3
17	South Dakota	3.5	+/-0.5
17	Washington	3.5	+/-0.2
20	Virginia	3.4	+/-0.2
21	Utah	3.3	+/-0.3
21	Vermont	3.3	+/-0.5
23	North Caroline	3.2	+/-0.2
23	Oklahoma	3.2	+/-0.3
23	Tennessee	3.2	+/-0.2
26	Maryland	3.1	+/-0.2
26	North Dakota	3.1	+/-0.4
28	Kansas	3.0	+/-0.3
29	Iowa	2.9	+/-0.3
29	Maine	2.9	+/-0.4
	Mississippi	2.9	+/-0.3
32	West Virginia	2.7	+/-0.3
33	Alabama	2.6	+/-0.2
33	Missouri	2.6	+/-0.2
	United States	2.5	+/-0.1
35	Kentucky	2.5	+/-0.2
35	Nebraska	2.5	+/-0.3
37	Connecticut	2.4	+/-0.3
38	Rhode Island	2.3	+/-0.3
38	Texas	2.3	+/-0.1
40	Indiana	2.1	+/-0.1
40	New Jersey	2.1	+/-0.2
42	Minnesota	2.0	+/-0.2
43	Pennsylvania	1.9	+/-0.1
43	Wisconsin	1.9	+/-0.1
45	Massachusetts	1.8	+/-0.2
46	Illinois	1.7	+/-0.1
46	Louisiana	1.7	+/-0.2
48	Ohio	1.6	+/-0.1
49	California	1.3	+/-0.1
49	Michigan	1.3	+/-0.1
49	New York	1.3	+/-0.1

A county-by-county look at USA's minority population trends

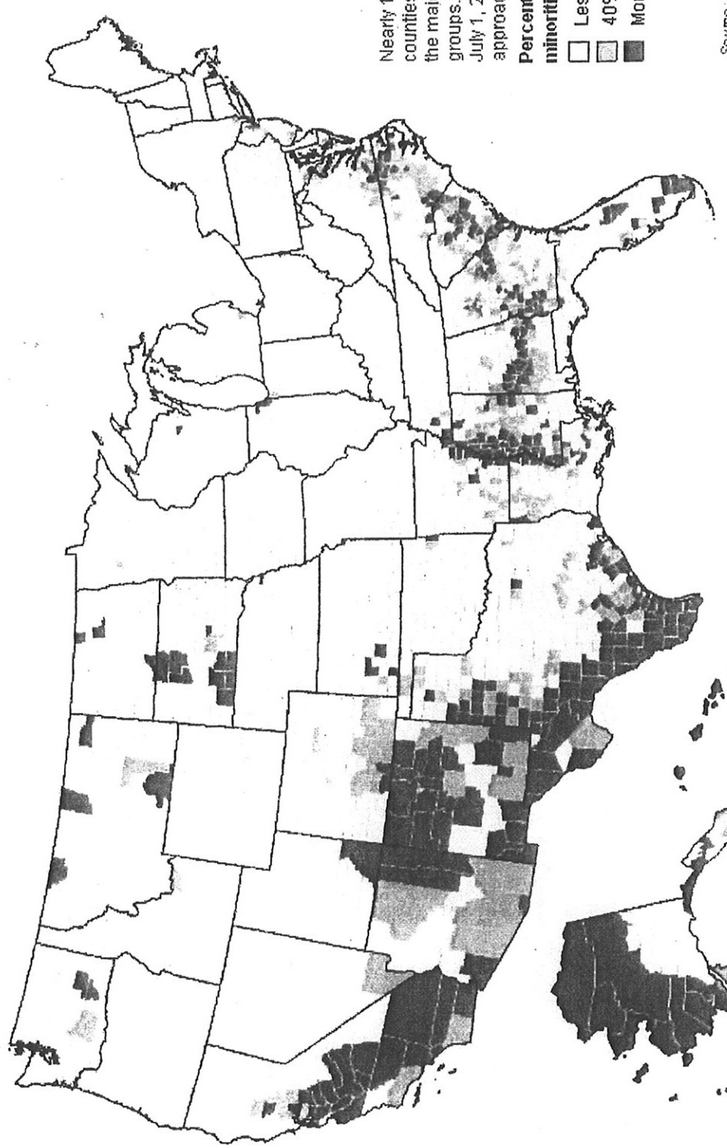
Growth in minority populations, 2000 to 2008

- ☒ **Majority minorit**
- ☐ **Hispanic popula growth**
- ☐ **Black populatio growth**
- ☐ **Asian populatio growth**

Nearly 10% (309) of the USA's 3 counties have populations in wh the majority are part of minority groups. Counties in that group a July 1, 2008, and counties approaching that status:

Percent of racial and ethnic minorities, 2008

- ☐ Less than 40% minority
- ☐ 40% to 50% minority
- ■ More than 50% minority



Source: Census Bureau
USA TODAY analysis and map by

County-by-county look

Jocelynn Clemings/Administration /D12/ ODOT
07/08/2009 04:41 PM

To
cc
bcc Craig Hebebrand/Production/D12/ODOT
Subject Updated Information on ODOT's Innerbelt Modernization Plan

Good afternoon:

As I am sure many of you are aware, the community group "Save Our Access" is currently staging a grassroots initiative regarding the proposed redirection of the Carnegie and Prospect Innerbelt ramps. We thank "Save Our Access" for its support of replacing the I-90 Innerbelt Bridge and flattening the Innerbelt Curve, however, the new bridge and flattened curve do not entirely address safety and congestion concerns along the interstates in Downtown Cleveland.

Below you will find a Fact Sheet regarding proposed changes in the "Innerbelt Trench". Additional information about the Innerbelt Modernization Plan may be found on-line at www.Innerbelt.org by selecting "Innerbelt Plan."

Thank you for you continued support!

Safe and pleasant travels,

Jocelynn Clemings, Public Information Officer
Ohio Department of Transportation
District 12: Serving Cuyahoga, Lake & Geauga Counties
Ph: 216.584.2006

"Moving Ohio into a Prosperous New World"

Fact Sheet

OHIO DEPARTMENT OF TRANSPORTATION

District 12 · 5500 Transportation Blvd., Garfield Hts., OH 44125 · 216.581.2100 · http://www.dot.state.oh.us

Updated Information on ODOT's Innerbelt Modernization Plan

Increasing Safety and Reducing Traffic Delays remain goals of Innerbelt Plan to build new Innerbelt Bridge, flatten Innerbelt Curve

CLEVELAND (*Wednesday, July 08, 2009*) - As the Ohio Department of Transportation continues to move forward on its investment in the Cleveland area's largest transportation infrastructure project, ODOT welcomes the support of community and business organizations who have joined the "Save Our Access" campaign, which today re-iterated its support of replacing the I-90 Innerbelt Bridge and flattening the Innerbelt Curve.

As ODOT's many years of study and community outreach have detailed, however, the new bridge and flattened curve do not entirely address safety and congestion concerns along the interstates in Downtown Cleveland. Below is an update on ODOT's Innerbelt Modernization Plan:

The Innerbelt Modernization Plan: What Is It?

B 249

ODOT's Innerbelt Modernization Plan is focused on improving safety, reducing congestion and traffic delays, and modernizing interstate travel along I-71, I-77 and I-90 through Downtown Cleveland. This investment by the State of Ohio will rehabilitate and reconstruct the Innerbelt Freeway system and address operational, design, safety and access shortcomings that severely impact the ability of the Innerbelt Freeway system to meet the 21st Century transportation needs of Northeast Ohio.

Addressing Safety Concerns
Safety is, and will always remain, the number one priority of the Ohio Department of Transportation. In fact, 21 of the 30 sections that comprise the Innerbelt Freeway have crash rates above the statewide average. The area between the Innerbelt Bridge and Curve has been ranked as the #1 Safety Hot Spot since 2004/05, and the number of rear-end crashes are nearly one-and-a-half to three times higher than the statewide average. Addressing these safety concerns as well as modernizing the roadway to meet modern design standards will certainly have a positive impact on Cleveland.

Addressing Cleveland's Congestion
Nationwide, congestion has continued to grow over the past 15 years. According to a national mobility study release this month, the average traffic delay for a motorist in Cleveland is 12 hours per year, double the six hour delay experienced in 1992. This time stuck in traffic equates to lost money. Nationally, congestion costs the average metropolitan driver $757 each year. In Cleveland, it's estimated that the cost of congestion to the region's motorists totals $203 million in wasted fuel and time.

"Save Our Access" Takes Aim at the Prospect & Carnegie Avenue Ramps
Under ODOT's Innerbelt Modernization Plan, Prospect Avenue traffic would be redirected via neighboring ramps including Chester Avenue - a short drive on Cleveland's city streets. ODOT's plan to consolidate traffic from Carnegie Avenue and E. 22nd Street into a single access point at E. 22nd Street and Central Avenue would add only 465 feet to the already existing route – or the distance of a Victor Martinez homerun to the back of the Tribe's bullpen at Progressive Field.

Possible Solutions?
In its campaign material, the supporters of "Save Our Access" suggest that Opportunity Corridor - the proposed link between I-490 and University Circle - is a "possible solution…which would remove an estimated 40 percent of the vehicles now using the Innerbelt Carnegie and Prospect ramps." In combination with the safety upgrades of the Innerbelt Modernization Plan, the Opportunity Corridor would provide additional congestion relief - as well as promote major economic development in the area. In support of this effort, ODOT has committed up to $20 million in new funding to advance the planning of the Opportunity Corridor.

###

Deadline! Send Your Message By August

Home
About Us
Save Our Access Position
Midtown & Cleveland Clinic Public Comment
Grassroots Comments
Newsroom
Events

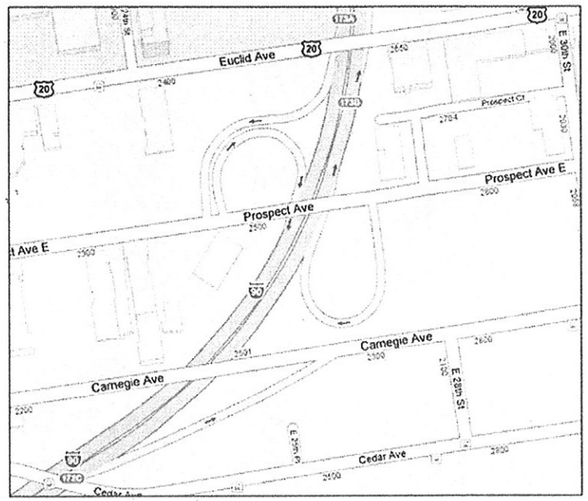
Save Our Access

Stop ODOT Closing Carnegie & Prospect Innerbelt Access

Send Your Message
Donate
Request Speaker
Get Involved
Download Poster

The Ohio Department of Transportation intends to close the Innerbelt ramps at Prospect and Carnegie. This would not happen for a number of years but the final decision will be made soon.

Users of the ramps are protesting the intended changes to local, state and federal officials. Users are NOT protesting the other planned changes to the highway including the bridge over the Flats and Deadman's Curve.



ODOT closing Carnegie & Prospect ramps

If ODOT does what it wants, **here's how drivers would be affected:**

- If you now exit at Carnegie, the ODOT change would force you to exit at either E. 22nd (near St. Vincent's Hospital) or Chester Ave.
- If you now exit at Prospect, the ODOT change would force you to exit at Chester.
- If you now enter at Prospect to get to I-77, the ODOT change would force you to go to E. 21st. (Entering at Chester would also lead to I-77).
- If you now enter at Prospect to get to I-90 west, the ODOT change would force you to go to E. 14th (or Chester).
- If you now enter at Prospect to go east (such as to Euclid), the ODOT change would force you to take a new street to be constructed above the Innerbelt. The new street would begin at Carnegie, cross Prospect, cross Euclid, cross, Chester, cross Payne, cross Superior - and then drop down to the highway.

ODOT also intends to close the I-77 exit to E. 9th Street. Drivers would be forced to exit at either E. 30th/Woodland or E. 14th.

In doing all that, ODOT states in the report of its plan:

- The objective is "to address ... access shortcomings."
- And in so doing "There is a need to preserve the local roadway connectivity function of the Innerbelt and provide access and mobility to the central business district, adjacent neighborhoods and commercial/industrial areas." ODOT states

its plan will achieve that by "maintaining circulation and access at levels similar to existing conditions. All access points are maintained or mitigated through ramp and/or local street improvements."
- As a result, "A driver [passing through downtown not intending to exit] will encounter fewer exits and ramps enhancing the intactness of the transportation corridor."
- And if that's not enough, "Positive regional economic benefits are expected due to improved facility, reduced congestion, efficient access."

ODOT speaks glowingly about its plan and refuses to recognize the disruptive and costly impacts that would result. When you get right down to it, all ODOT cares about is having traffic move smoothly through downtown ("A driver will encounter fewer exits and ramps enhancing the intactness of the transportation corridor."). Great. We intend to save the access that feeds Cleveland's vitality.

Press Release
FOR IMMEDIATE RELEASE:

Contact: Don Scipione
216-346-6955
dscipione@acmex.com

www.SaveOurAccess.com

Grassroots Initiative Launched to Stop ODOT from Closing I-90 Carnegie and Prospect Innerbelt Ramps

Kick-off rally event: Wednesday, July 8th, 4:00 PM during the rush-hour log-jam at the Prospect Avenue ramp to I-90 eastbound (behind Central Cadillac). Banners will be hung urging the public to voice their opinion through the www.SaveOurAccess.com web site.

Cleveland, Ohio - July 2, 2009 - A grassroots effort – "Save Our Access" -- is underway to stop the Ohio Department of Transportation from closing the I-90 Prospect Avenue and Carnegie Avenue ramps as part of the Innerbelt reconstruction project.

The initiative is led by business owners and ramp users who are convinced that ODOT's plan would do serious damage to the economic and social vitality of Downtown and MidTown Cleveland out to University Circle.

"We live daily with the traffic flow made possible by these ramps and know that closing them and redirecting drivers to fewer access points will be disastrous," said Don Scipione, president of software developer Acme Express, Inc., one of the organizers of the initiative. "Chester Avenue, in particular, would become a rush-hour nightmare if ODOT has its way."

The group supports the position taken by the Cleveland Clinic and MidTown Cleveland, Inc. (the community-based development corporation) which jointly have requested that ODOT and the Federal Highway Administration agree to maintain the ramps or separate the final decision on the ramps from the rest of the reconstruction project, thus giving time to arrive at an acceptable solution.

Tom Bier, part-time staff at the Maxine Goodman Levin College of Urban Affairs of Cleveland State University, another organizer, stressed that Save Our Access is not challenging the rest of the Innerbelt project involving the new bridge over the Flats and the improvement of Deadman's Curve. "We believe work on the bridge and the curve can proceed and be separated from the decision concerning the ramps."

The Cleveland Clinic and MidTown Cleveland, Inc. maintain that ODOT failed to carry out mandated procedures in doing its analysis and planning for the ramp changes – in particular it failed to take into account the increased traffic stemming from employment and visitor growth at the Cleveland Clinic, University Hospitals and the Stokes VA Hospital.

Save Our Access is posting signs and distributing information at the ramps urging people to go to its website – www.SaveOurAccess.com – where they can get more information and send an email message of support to local, state and federal officials.

About Save Our Access

We, the organizers of the Save Our Access campaign, are:

- Business owners who know how customer and visitor traffic depends on the access provided by the Innerbelt Carnegie Avenue and Prospect Avenue ramps,
- Frequent users of those ramps,
- People who care strongly about the condition and future of Cleveland and who are convinced that the Ohio Department of Transportation's plan to close the ramps and funnel traffic to fewer points would inflict severe economic and social damage on Downtown and the MidTown Cleveland out to University Circle,
- People who do not accept ODOT's assertion that its plan will bring "Positive regional economic benefits due to improved facility, reduced congestion, efficient access",
- People who have tried repeatedly to get ODOT to recognize the likely impacts of its intended changes - but with absolutely no success.

For more information go to www.SaveOurAccess.com

<clough1217@aol.com>
06/26/2009 06:00 PM

To <Craig.Hebebrand@dot.state.oh.us>
cc
bcc
Subject SaveOurAccess.com

I oppose closing the I 90 Innerbelt Carnegie and Prospect access ramps in downtown Cleveland, Ohio and support the Cleveland Clinic / MidTown Cleveland proposal to separate closing the ramps from the decision to proceed with building a new flats bridge and smoothing Deadman's curve.

Separating the access ramps issue from building the new bridge is obviously the right call. Of course, while often making the

most expeditious decision, ODOT record of making right calls is suspect.

Appendix C

U.S. Department of Homeland Security
United States Coast Guard

Commander (dpb)
Ninth Coast Guard District
1240 E. Ninth Street, Room 2025
Cleveland, OH 44199-2060

Phone: (216) 902-6087
FAX: (216) 902-6088

16590
B-032/sms
April 6, 2009

Mr. Timothy M. Hill
Administrator – Office of Environmental Services
Ohio Department of Transportation – Central Office
1980 Broad Street
Columbus , Ohio 43223

Mr. Hill:

I am responding to your letter dated March 13, 2009 regarding the Draft Environmental Impact Statement (DEIS) and request for agency comments for the Cleveland Innerbelt Project in Cleveland, Ohio. This office has submitted prior correspondence on October 3, 2006 and August 14, 2007 with comments related to this proposed project. The Coast Guard continues to endorse all prior comments.

I would like to provide the following specific comments on the DEIS provided:

1.) Under Section 4.2.10 – Other Transportation Modes – there is no discussion of marine transportation under the existing crossing. In addition to the required bridge permit for a possible new or replacement structure, coordination with the Coast Guard will be required prior to any construction or removal activities that could affect permitted navigation clearances or movement of marine traffic.

2.) Page 5-6 – Table 5-3- Agency Responses to SAFETEA-LU Coordination – Under "Status", the note states "required due to Section 10 permit". A Coast Guard Bridge permit is considered a "Section 9" action versus "Section 10". This is accurately reflected on the following table (5-4) under Ohio Environmental Protection Agency.

3.) Page 5-7 – Table 5-4 – Ohio Environmental Protection Agency – Discussion regarding Section 401 Water Quality Certification (WQC), the Coast Guard will require a statement from Ohio EPA either confirming that WQC is issued or not required once a bridge permit application is submitted.

4.) Appendix E – Prior Coast Guard correspondence mentioned above is contained in Appendix E, but the Coast Guard is not listed among the other agencies at the beginning of the Appendix.

5.) There is discussion through the document that a "design-build" contract may be awarded for the project. With design-build projects, the minimum vertical and horizontal navigation clearances must be identified and included in a bridge permit, and must be adhered to in the final structure.

If you require further assistance in this matter, please call me at (216) 902-6087.

Sincerely,

SCOT M. STRIFFLER
Chief, Bridge Branch
By direction of Commander,
Ninth Coast Guard District

C 1

United States Department of the Interior
OFFICE OF THE SECRETARY
Washington, DC 20240

TAKE PRIDE IN AMERICA

MAY 18 2009

9043.1
PEP/NRM

ER 09/286

Mr. Dennis Decker
Division Administrator
Federal Highway Administration
200 North High Street, Room 328
Columbus, Ohio 43215-2408

Dear Mr. Decker:

As requested, the Department of the Interior (Department) reviewed the draft Environmental Impact Statement (EIS) and Section 4(f) Evaluation for the **Cleveland Innerbelt Project, City of Cleveland, Cuyahoga County, Ohio.** The Federal Highway Administration (FHWA) and the Ohio Department of Transportation (ODOT) prepared this document. The Department offers the following comments and recommendations for your consideration.

Section 4(f) Comments

This project proposes to update the Interstate system in central Cleveland, known as the Innerbelt. Built in the 1950's and 1960's, the Innerbelt has exceeded its design life and cannot handle the increased volume of traffic. The Innerbelt consists of portions of Interstate 71, 90, and connections to I-77, I-490, and State Routes 2 and 176. This project to rehabilitate and improve the Interstate system is complex and involves not only traffic flow but also bridges, the Central Viaduct, pavement conditions, and maintenance considerations. Alternatives developed address specific changes to segments of the system and to intersections with other roads.

Properties eligible to be considered under Section 4(f) of the Department of Transportation Act of 1966 (48 U.S.C. 1653(f)) are addressed in the EIS in terms of three types: those that are not impacted (temporary occupancy, no use); those with *de minimis* impacts (minor use); and those with greater than *de minimis* impacts. The Department has reviewed the temporary and *de minimis* use descriptions in the evaluation and would agree with those determinations. We note for the one recreational property, the Cleveland State University pedestrian trail and greenspace, a concurrence

letter is contained in Appendix E, Agency Coordination. We also note that for the historic properties (eligible for inclusion on the National Register of Historic Places) in these categories, the text indicates agreement with the Ohio State Historic Preservation Officer (OHPO) but none of those concurrences appear in Appendix E. The Department requests that the concurrence letters be placed in the appendix.

Four additional properties in the project study area are subject to greater than *de minimis* impacts, all of which are historic properties eligible for the National Register. These properties are the Broadway Mills building, a Marathon Gas Station, the Distribution Terminal Warehouse, and the Tremont Historic District, which is made up of several contributing structures, mainly small vernacular housing units and modest commercial buildings, including the Greek Orthodox Church of the Annunciation. As in other projects like the Innerbelt, there is limited space for improvements and almost no space for realignments and new alignments. Therefore, avoidance options are often very limited. An analysis of potential feasible and prudent alternatives determined that no alternative could avoid impacts to all Section 4(f) properties, and that all feasible and prudent alternatives would impact at least two or more Section 4(f) properties. Therefore, the Department concurs with the FHWA and ODOT that there are no feasible or prudent alternatives to the proposed alternatives resulting in impacts to Section 4(f) properties.

Because the measures to minimize harm will need to be negotiated with the OHPO, resulting in the development of a programmatic agreement to resolve the adverse effect determination, the Department cannot yet concur that all measures to minimize harm have been employed. Assuming that an agreement can be reached on mitigation of the adverse effects, the Department defers our final determination until that agreement is finalized. We expect the fully executed agreement document to appear in the final EIS.

Fish and Wildlife Coordination Act Comments

In general, the Fish and Wildlife Service (FWS) recommends that proposed projects minimize water quality impacts and impacts to fish and wildlife habitat, such as forests, streams, and wetlands. Note that wetlands may exist on sites that are not designated wetland by the National Wetland Inventory. It is recommended that the proposed project use best construction techniques to minimize erosion. Prevention of non-native, invasive plant establishment is critical in maintaining quality habitats. All disturbed areas should be mulched and re-vegetated with native plants.

The Cuyahoga River is the sole aquatic feature within the immediate project area. However, drainage in the watershed is directed toward and into Lake Erie. Although ODOT has determined that there will be no substantial long-term impacts on streams or water quality, the Department strongly recommends that even short-term impacts to Lake Erie and shoreline habitat be avoided and minimized to the greatest extent possible. The FWS provided detailed comments regarding impacts to Lake Erie in its August 21, 2007, letter to the FHWA (see Appendix E of the draft EIS). In addition, erosion and sedimentation control should be a priority concern when addressing the

stability issues on the west bank of the Cuyahoga River, as discussed on page 4-1 of the draft EIS.

Endangered Species Comments

The proposed project lies within the range of the Indiana bat (*Myotis sodalis*), a federally-listed endangered species. As stated on page 4-4 of the draft EIS, ODOT has determined that this project may affect, but is not likely to adversely affect the Indiana bat. The FWS concurs with this determination, due to the project's location in a dense urban area, the low density and small size of trees along the interstate, and the limited amount of suitable foraging habitat available for the bat.

The proposed project also lies within the range of the federally-endangered piping plover (*Charadrius melodus*), the Federal Candidate eastern massasauga rattlesnake (*Sistrurus catenatus*), and the Federal Species of Concern bald eagle (*Haliaeetus leucocephalus*). Due to the project location and description, the project as proposed, should not impact these species or their habitat.

Peregrine falcons (*Falco peregrinus*) have been fledging chicks from a nest tray on the I-90 Bridge (Innerbelt Bridge) each year since 2001. The FWS provided comments on ODOT's plans to avoid and minimize impacts to the falcons in a letter dated April 25, 2007, (see Appendix E of the draft EIS). The ODOT has committed to comply with all applicable regulations pertaining to the peregrine falcon, including the Migratory Bird Treaty Act, and is working with the Ohio Department of Natural Resources (ODNR) to move the nest prior to construction and to provide suitable habitat for the falcons on the Interstate 90 bridge understructure for the separate rehabilitation project (PID 86380).

Two State-listed species, the upland sandpiper (*Bartramia lingicauda*) and the muskellunge (*Esox masquinongy*) occur within one mile of the project area. The FWS agrees that work should immediately cease and the Ohio Division of Wildlife should be contacted if either of these species is encountered during construction of the project.

In addition, the FWS supports the use of ODNR's in-water work exclusion dates of March 15 — June 30, in order to reduce impacts to aquatic species and their habitat.

Summary Comments

The Department concurs with the determinations concerning Section 4(f) properties that will not be affected and those subject to *de minimis* impacts. The Department will defer to concurrence with determinations for those properties subject to greater than *de minimis* impacts until consultation with the OHPO is concluded and a signed agreement document is included in the final evaluation.

Impacts to natural resources do not appear to differ between the two Central Interchange/Central Viaduct Bridge alternatives (A and B). Therefore, the Department does not have a preference for one alternative over the other based on these impacts.

C 2

This letter is submitted in accordance with provisions of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C.661 et seq.), the Endangered Species Act of 1973, as amended, and is consistent with the intent of the National Environmental Policy Act of 1969, and the Mitigation Policy of the FWS. Should, during the term of this action, additional information on listed or proposed species or their critical habitat become available, or if new information reveals effects of the action that were not previously considered, consultation with the FWS should be reinitiated to assess whether the determinations are still valid.

The Department has a continuing interest in working with the FHWA and ODOT to ensure that impacts to resources of concern to the Department are adequately addressed. For matters related to Section 4(f) resources, please contact Regional Environmental Coordinator Nick Chevance, National Park Service, Midwest Regional Office, 601 Riverfront Drive, Omaha, Nebraska 68102; telephone 402-661-1844. For matters related to fish and wildlife resources, please contact Karen Hallberg, U.S. Fish and Wildlife Service, Ecological Services Office, 4625 Morse Road, Suite 104, Columbus, Ohio 43230; telephone 614-416-8993, extension 23.

We appreciate the opportunity to provide these comments.

Sincerely,

Willie R. Taylor
Director, Office of Environmental
Policy and Compliance

cc:
Mr. Craig K. Hebebrand
Project Manager
Ohio Department of Transportation, District 12
5500 Transportation Boulevard
Garfield Heights, Ohio 44125

Mr. Timothy Hill
Administrator
Ohio Department of Transportation
1980 West Broad Street
Columbus, Ohio 43223

U.S. Department
of Transportation
Federal Aviation Administration

Detroit Airports District Office
11677 South Wayne Road
Suite 107
Romulus, MI 48174

May 21, 2009

Mr. Craig Hebebrand P.E.
Ohio Department of Transportation, District 12
5500 Transportation Blvd.
Garfield Heights, Ohio 44125

Dear Mr. Hebebrand:

Burke Lakefront Airport, Cleveland, Ohio
Review of Draft Environmental Impact Study (DEIS)
Cleveland Inner belt Project
PID No. 77510

The Federal Aviation Administration (FAA) appreciates the opportunity to participate in Federal Highway Administration (FHWA) Environmental Impact study (EIS) on the Cleveland Inter Belt project. Together, we can assist you in meeting your goal of improving highway safety while preserving the safety, operational and future development potential of Burke Lakefront Airport. We have the following comments concerning the DEIS:

- The State of Ohio and the City of Cleveland need to continue their dialog on the feasibility of acquiring land currently owned by City of Cleveland and dedicated to Burke Lakefront Airport. If the final project will require the taking of any land within the boundaries of the Burke Lakefront Airport, a FAA land release will be required. This approval can take several months for the FAA to complete as special public notice is required. The request for land release will also require the FAA to approve a NEPA document related to the property.

- As you refine your development plans, the FAA will need to conduct an aeronautical study of your proposed development and the resulting land changes at Burke Lakefront Airport. You will need to work with the City of Cleveland and their consultant to depict the proposed changes on an Airport Layout Plan (ALP). After our aeronautical study is complete, the FAA will be able to determine any possible safety/operational/development concerns with the proposed development. We are unable to determine specific concerns based upon the preliminary drawings provided for Alternative A in the DEIS on pages 32 and 33. It appears that the aircraft holding pad is missing from drawing 32.

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- The FEIS should contain meeting minutes of past and future meetings on road modifications near the airport (Page 4-40, and 5-9). Also we would recommend that the FEIS include a final description of land requirements and mitigation, concurred with by the airport sponsor.

- The FEIS should clearly note that FAA approval will be required for any land transfer from City of Cleveland (airport property) to the State of Ohio. (Actions required from other State and Federal Agencies. Pages ES-13 and 6-2.)

- 14 CFR Part 77 requires that notice be filed for construction near airports. We would recommend that notice be filed for the estimated location and heights of the innerbelt curve and the proposed eastbound/westbound bridges. This office will assist you in filing this paper work. With the results of the FAA study you will be able to better determine what, if any height/lighting requirements may apply to future construction.

- You may also want to reference in the FEIS, FAA Order 5000.3C "*Coordination with the Federal Highway Administration*".

If you have any question concerning this letter please, I can be contacted at (734) 229-2905. We look forward to assisting you in completing the FEIS.

Sincerely,

Ernest P. Gubry
Environmental Protection Specialist
Detroit Airports District Office

cc: Khalid Bahhur, Burke Lakefront Airport
Steve Nagy, Cleveland Airport
Monica Geygan, L&B Consultant
Mark Justice, ODOT Airports

c4

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

MAY 21 2009

REPLY TO THE ATTENTION OF E - 19J

Craig K. Hebebrand, Project Manager
Ohio Department of Transportation, District 12
5500 Transportation Boulevard
Garfield Heights, Ohio 44125

Re: Comments on the Draft Environmental Impact Statement for the Cleveland Innerbelt Project, CEQ No. 20090071

Dear Mr. Hebebrand:

In accordance with U.S. Environmental Protection Agency (EPA) responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act (CAA), we have reviewed the Draft Environmental Impact Statement (DEIS) for the Cleveland Innerbelt Project in Cuyahoga County, Ohio. This project proposes to replace the existing aged Central Viaduct Bridge over the Cuyahoga River Valley with two parallel spans, thus providing increased capacity. Upgrading original roadway design components will improve safety, traffic flow, and capacity at many points throughout the corridor. Redesign of the corridor interchanges are proposed to improve access and compliance with federal highway standards.

EPA participated in scoping conversations with the Ohio Department of Transportation (ODOT) regarding this project and provided comments to the August 11, 2006 document, Conceptual Alternatives (CA), on December 11, 2006. We presented concerns regarding impacts from the historic design of traffic through the metropolitan area and that the proposed project continues to concentrate traffic on the Central Interchange and Trench segments. City and suburban traffic converge on the Central Interchange from the west and northeast via I-90 and from the south via I-71, I-77, and State Route 176. Average Daily Traffic levels (ADT) do not appear to be the purpose and need for this project. Rather, purpose and need are driven principally by the congestion at morning and evening peak hours of service, which the system does not handle efficiently or safely. We expressed concern that this concentration of vehicles could elevate local air pollution levels, creating "hot spots." We also requested the DEIS discuss collection and pretreatment of roadway construction and operational stormwater runoff to the Cuyahoga River and Lake Erie.

The DEIS discusses how various interchange options along the Trench segment have been negotiated to reach a single solution. The earlier CA document discussed several options for the Central Interchange, the Outer Curve configuration, and interchanges for other project segments. Design parameters identified as optimal from the CA document are incorporated in

this DEIS as the proposed configurations for these segments. This leaves only the Central Viaduct Bridge segment with two alternatives, those being a second bridge structure to the north of the present bridge or a second bridge to the south of the current structure. Both bridge alternatives include replacing the present bridge structure with a comparable structure matching the new bridge. The DEIS selects the northern bridge as the Preferred Alternative.

Our review of the DEIS has focused upon our former comments regarding stormwater runoff and air quality concerns. During scoping, we inquired whether transportation system management (TSM) might be a considered alternative, and concurred that TSM could not solve the current Innerbelt design flaws and was appropriately dropped as a stand-alone alternative. Below, we raise the possible use of TSM in coordination with the proposed construction solutions to congestion. We commend the DEIS writers on the Indirect (Secondary) and Cumulative Impacts discussion.

STORMWATER RUNOFF

The discussion on page 4-2 depicts the surface area of the proposed project as a very small percentage (0.5%) of the total city impervious surface, implying the proposed roadway contributes insignificantly to the discharge impact. The Innerbelt handles a substantial portion of traffic to and through the Central Business District (CBD), appearing to account for up to half of the vehicle miles traveled on roads within the CBD served by the Innerbelt, thus concentrating pollutant loading of stormwater runoff to the Cuyahoga River and Lake Erie. Therefore, we recommend that the EIS examine and discuss "green infrastructure" alternatives for managing wet weather flows. This could potentially include features like swales, detention ponds, and rain gardens to filter and absorb stormwater. Such control measures can reduce the volume of discharges, trap pollutants, and help restore the hydrological regime. In addition, there are many vacant parcels in the project area, providing opportunities to work in collaboration with local units of government, parks departments, and Northeast Ohio Regional Sewer District (NEORSD) to install green infrastructure on vacant parcels to manage stormwater. "Stormwater parks" can potentially be designed to store/infiltrate stormwater and improve the fabric of the community. Post-construction stormwater control measures, including green infrastructure alternatives, are not specifically discussed in the DEIS; they should be addressed in the Final EIS.

Stormwater discharges associated with construction activities will require a National Pollution Discharge Elimination System (NPDES) stormwater discharge permit from the Ohio Environmental Protection Agency (OEPA). The permit will require erosion and sediment controls and pollution prevention (e.g., preventing spills of fuels/fluids from construction equipment) during construction. The NPDES permit will also require post-construction stormwater management measures. The Final EIS should include a description of both during-construction and post-construction stormwater control measures.

As noted in the DEIS, some of the sewers in the project area are combined. High volumes of runoff into the combined system during and after storm events result in substantial combined sewer overflows (CSOs). CSO overflows discharge to the Cuyahoga River and Lake Erie with some regularity each year. The CSO discharges deliver sediment, biological oxygen demand (BOD) components, pathogens, and other pollutants to the Cuyahoga River and Lake Erie. Separating wet weather discharges from the highway to the combined system will contribute to reduced pollutant loadings to the River and the Lake from CSO discharges. However, green stormwater control measures, as described above, will still be appropriate to reduce the pollutant loadings and volume of stormwater discharges from the storm sewer system.

We are well aware of the continued degraded condition of the lower Cuyahoga River, a designated Great Lakes Area of Concern. Great investments continue to be made to improve the Cuyahoga River and the Great Lakes ecosystems. We disagree with the DEIS's implication on page 4-2 that, just because the OEPA concedes that contamination of the Cuyahoga River makes its full recovery improbable, it is therefore acceptable to consider the pollution load this project contributes to these waters to be negligible.

AIR QUALITY

We appreciate that air quality concerns for conformity and local "hot spot" and toxic situations were analyzed and discussed. Although the region remains as a moderate non-attainment area for 8-hour ozone levels and non-attainment for particulate matter of 2.5 micron size, we accept the analysis discussed in the DEIS for these concerns and that this project will meet the region's transportation conformity requirements.

We recommend that the Final EIS estimate the greenhouse gas emissions associated with this project. Conversely, how global climate changes might impact this project should also be discussed.

TRANSPORTATION SYSTEM MANAGEMENT

Because peak hour traffic congestion is a significant component of the purpose and need for this project, we recommend that some of the developing TSM concepts should be considered in combination with the build alternatives being proposed in the Final EIS. We acknowledge that cost / benefit is a consideration in such matters, as was earlier pointed out, but new technologies may warrant their inclusion in this project solution. Because the Innerbelt has a limited number of pathways and key control points, TSM components may be more economically incorporated with significant results. For example, with only four signs, a real-time messaging system could advise inbound traffic on the four interstate approaches (I-90 eastbound, I-90 westbound, I-71 and I-77 northbound) regarding Innerbelt congestion backups and recommend alternate routing. Simple flashing light signs or lighted arrows could similarly convey when drivers should consider either exiting the Innerbelt early or not entering the Innerbelt at a specific ramp; signs could also redirect traffic flow as needed. Providing alerts via GPS on-board systems may be useful. Some form of congestion pricing could significantly reduce projected peak hour travel, bringing it to manageable levels.

Our comments on the DEIS requests that the Final EIS give additional consideration to stormwater runoff, CSO separation, air quality including climate change considerations, and reconsider TSM techniques. We therefore give the document a rating of "EC-2" (environmental concerns, insufficient information). We refer you to the enclosed Summary of Rating Definitions Sheet for a fuller definition. This rating will be published in the Federal Register.

We appreciate the opportunity to review and comment on this DEIS for the Cleveland Innerbelt Project. Should you have any questions regarding these comments, please feel free to contact me or Norm West of my staff at 312-353-5692 or west.norman@epa.gov.

Sincerely,

Kenneth A. Westlake, Supervisor
NEPA Implementation
Office of Enforcement and Compliance Assurance

Cc: David Snyder, FHWA - Ohio Division
Herman Rodrigo, FHWA - Ohio Division
Timothy M. Hill, ODOT

C6

SUMMARY OF RATING DEFINITIONS AND FOLLOW UP ACTION*

Environmental Impact of the Action

LO-Lack of Objections
The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC-Environmental Concerns
The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impacts. EPA would like to work with the lead agency to reduce these impacts.

EO-Environmental Objections
The EPA review has identified significant environmental impacts that must be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU-Environmentally Unsatisfactory
The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS sate, this proposal will be recommended for referral to the CEQ.

Adequacy of the Impact Statement

Category 1-Adequate
The EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alterative and those of the alternatives reasonably available to the project or action. No further analysis or data collecting is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2-Insufficient Information
The draft EIS does not contain sufficient information for the EPA to fully assess the environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

Category 3-Inadequate
EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

*From EPA Manual 1640 Policy and Procedures for the Review of the Federal Actions Impacting the Environment

OhioEPA
State of Ohio Environmental Protection Agency

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Lazarus Government Center
50 W. Town St., Suite 700
Columbus, Ohio 43215

TELE: (614) 644-3020 FAX: (614) 644-3184
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P.O. Box 1049
Columbus, OH 43216-1049

April 22, 2009

Timothy M. Hill, Administrator
Ohio Department of Transportation
Office of Environmental Services
PO Box 899
Columbus, Ohio 43216-0899

Re: Draft Environmental Impact Statement
CUY-90-Innerbelt Project, PID 77510

Dear Mr. Hill:

This is to acknowledge our receipt (March 23, 2009) and review of the subject report (Draft Environmental Impact Statement, DEIS). The report describes the proposed Cleveland Innerbelt Project, a major project in the Cleveland area to address several deficiencies in the existing roadway infrastructure, including design, safety, traffic flow in and out of the downtown area, and access shortcomings. Our last comments on this effort were submitted to you on May 16, 2007 and appear in the report.

Major Project Components/Two Project Alignment Alternatives

The report describes five primary components of the proposed project: Southern Innerbelt, Central Viaduct/Central Interchange, Innerbelt Trench, Innerbelt Curve, and I-77 Access, each of which will serve a vital function in restoring vehicular traffic functions in the Cleveland area. The scope of the project has been narrowed to two primary alternatives: Alternative A (Northern Alignment Alternative) and Alternative B (Southern Alignment Alternative). According to the report, Alternative B is essentially identical with Alternative A with exception that it includes the construction of a new bridge to the south of the existing Central Viaduct. It will carry traffic eastbound and replace the existing Viaduct on essentially the same alignment to direct traffic westbound.

Ohio EPA's Overall Impression of the Proposed Project

At this stage in project development, we do not have any major concerns regarding the project alternatives described in the report. However, the report states (page 4-55) that the Northern Alignment Alternative has fewer overall impacts than the

Southern Alignment Alternative and is preferable. We assume this includes aquatic impacts. If so, we concur with the preference.

Impacted Water Resources

For a project of this size, the ecological impacts appear to be relative minor. However, we encourage any refinements in the project to avoid or reduce primary, secondary, and cumulative impacts to ecological resources to the best extent practicable.

Details on Aquatic Resources and their Impacts: The report stated the Cuyahoga River will be impacted by bridge construction work. We would appreciate more details on the nature and magnitude of the impacts to the river and its tributaries, if applicable, in future reports.

Aquatic Red Flag Concerns: We are not aware of any problematic aquatic resource issues relative to the proposed project, at present. Because a small portion of the proposed project resides within the Lake Erie drainage area and Coastal Zone Management Area, please be aware of the prohibition in Part 1, C of our NWP conditions regarding impacts to Lake Erie coastal wetlands (including coastal wetlands on Lake Erie islands and Sandusky Bay, except NWP 3 and 27).

As you know, there are many water quality concerns in the Cuyahoga River Watershed, and an increase in impervious surface area in the project area, especially in the highly urbanized Cleveland area, will likely magnify the problem by increasing the volume and velocity of storm water in the watershed. There now is general agreement of a direct relationship between the amount of impervious surface in a watershed and the degree of degradation. Although there probably is not a practical solution to this problem, especially in an urbanized center such as Cleveland, there are many ways to minimize the extent and magnitude of the problem, for example, by implementing BMPs, pursuing "green space" opportunities (e.g. riparian corridors), and exploring innovative technologies. If compensatory mitigation is necessary for the project, it may be fruitful to consider these efforts. It is encouraging to see several state transportation agencies, such as ODOT, conducting or sponsoring research in porous pavement and its application in roadway infrastructure.

Stability Issues on the West Bank of the Cuyahoga River: We understand a section of the west bank, including the bridge area, of the Cuyahoga River is experiencing bank stability issues. We assume the problem will be fixed and will not compromise the integrity of the river?

Potential Regulatory Oversight

Information Needs: The aquatic impacts described in the report appear to be small and fall below the regulatory threshold levels that would trigger individual 401 authorization. However, because the project is still in development phase, the impact values could substantially change and require a reinterpretation of regulatory oversight. We realize it may be some time before the impact data becomes available.

Ohio Department of Transportation
CUY-90- Innerbelt Project, PID 77510

Also, there are other regulatory issues to consider such as U.S. Coast Guard Section 9 permitting and the Corps jurisdictional and regulatory determinations (see below).

Coast Guard Section 9 Permit: The report stated the project will require a Coast Guard Section 9 permit (page 6-1). If a Section 9 permit is required, we understand the Coast Guard also requires an Individual Section 401 Certificate. Please update us on this.

Army Corps of Engineers Section 404 Permit: If the project requires Individual 404 authorization, it also will require Individual 401 authorization.

Note Regarding NWP 14 Authorization: Please note for NWP 14, Ohio EPA restricts stream crossings to a total of three per stream mile per stream.

This concludes our remarks on the proposed project. If you have any issues or questions you want to discuss with me, I may be reached at (614) 644-2138.

Sincerely,

Arthur L. Coleman, Jr., Environmental Specialist, DSW,
Environmental Mitigation and Special Permitting Section, EM&SPS

cc: Deborah L. Wegmann, USACOE
Wayne Gorski, Region V, US EPA
William Cody, Asst. Administrator, OES/ODOT
Mike Pettegrew, Supervisor Water Permits Unit, OES/ODOT
Donald Rostofer, Supervisor, Ecological Section, OES/ODOT
Ric Queen, Manager, EM&SPS
Karen Hallberg, USFWS
Brian Mitch, ODNR
Peter Clingan, USACE, Huntington District (Columbus Transportation Office)
Ed Wilk, DSW/NEDO
Joseph Loucek, DSW/NEDO

Appendix D

ITEM 1

Water Quality Considerations for Lakefront and Shoreway Reconstruction

3/14/03
2:00 PM to 3:30 PM
NEORSD Administrative Offices
3826 Euclid Ave

Purpose: Information gathering and sharing to develop a long term cooperative relationship to improve consider water quality and ecological aspects of lakefront planning/ reconstruction efforts

Anticipated Attendees

Craig Hebebrand -- ODOT

Darnell Brown or Tom Marsalis – Cleveland DWPC

Debby Berry --- Lakefront Project

Linda Henrichsen - Cleveland - Planning Department

Erwin Odeal- NEORSD

Lester Stumpe - NEORSD

Frank Greenland - NEORSD

Agenda

Meeting Agenda	Lester Stumpe	5
Outline of Issues and presentation of current information	Lester Stumpe	15
• Understanding the current sewer system		
• Understanding potential impacts from separate storm sewer areas		
General discussion Q/A regarding potential impacts	General discussion ---- All	10
What tools are available to assess the issues	Lester Stumpe	15
Discussion regarding tools and potential efforts	General discussion ---- All	15
Review/develop action agenda for future work	General discussion ---- All	15

Additional Information

Special notes:

ITEM 2

Mail From: "Craig Hebebrand" <Craig.Hebebrand@dot.state.c

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Mail | Properties | Personalize | Message Source

From: "Craig Hebebrand" <Craig.Hebebrand@dot.state.oh.us>
To: StumpeL.AdministrationPO.AdministrationDOM
CC: "Dave.Lastovka@dot.state.oh.us".GWIA.GWIADOM
Subject: Cleveland Innerbelt Study - Water Quality

Lester,

Please be advised that I have some concerns regarding your submission.

The objectives you listed appear to have more to do with revising the planning process, than with establishing goals and objectives that are specific to the Cleveland Innerbelt Study. Please be advised that the existing Goals and Objectives already identify the community's desire to "protect and enhance the natural environment." This would include the desire to "protect and enhance water quality" as well.

Please understand that the Ohio Department of Transportation continues to pursue the identification of "reasonable and responsible" actions to protect and improve water quality. I also believe that the District Office has clearly demonstrated ODOT's commitment to cooperate with the NEORSD, and other local government agencies, in resolving stormwater issues (Chevrolet Branch and Kerruish Park).

Rather than continue to debate the merits of your submission, I would respectfully request that we instead focus our joint attention on identifying specific water quality/water quantity issues directly related to the Innerbelt Freeway and attempt to work together to identify effective, efficient and practical solutions that will allow us to achieve the objective of protecting and enhancing the water quality. Please advise if you are willing to do so. Thank you.

If you have any questions or concerns regarding this matter, please do not hesitate to contact me.

Respectfully,

Craig K. Hebebrand, P.E.,

Ohio Department of Transportation, District 12
5500 Transportation Boulevard, Garfield Heights, Ohio 44125
Telephone: (216) 581-2333, Ext.409/NEW Facsimile: (216) 584-3508
E-Mail: craig.hebebrand@dot.state.oh.us

D1

See attached document relative to my thoughts on an environmental goal.

Lester Stumpe
Manager of Watershed Programs, Policy and Technical Support
Phone: 216-881-6600 Ext. 830
Fax: 216-881-6603
Email: stumpel@neorsd.org

>>> "Craig Hebebrand" <Craig.Hebebrand@dot.state.oh.us> 03/19/03 09:43AM >>>
Lester,

At the March 10, 2003 Scoping Committee meeting you suggested that consideration be given to modifying the Goals and Objectives to specifically include Water Quality. While the Goal and Objectives for the Cleveland Innerbelt Study do not specifically mention Water Quality, they do include (see below) the broader objective to "preserve and enhance the natural environment." Please advise if you consider this more general objective to be sufficient to address your concerns. If not, I would ask you to offer a proposal to revise the Goals & Objectives.

Goal V Environment

Environmental impacts are often considered as a consequence of the construction of transportation facilities. This goal considers resource usage from fuel consumption to land uses. It also considers impacts to valued community resources such as residential areas, historic structures and districts, parks, or special population groups. While this goal category may have limited performance measures, it is extensively supplemented by the environmental impact evaluations conducted as part of the environmental studies for specific projects.

Objectives
1. Preserve, protect, and expand parks and open space throughout the corridor (lakefront, the river, and within the neighborhoods)
2. Adhere to Executive Order 12898 on Environmental Justice
3. Protect historic resources
4. Provide for business relocation within the study area
5. Protect and enhance the natural environment
6. Improve and enhance lighting
7. Include environmental considerations within the life-cycle cost analysis

Please note that I believe that the existing general objective is sufficient and would suggest that your concerns might best be addressed through the mutual development of appropriate performance measures related specifically to Water Quality.

If you have any questions regarding this matter or if you require any additional information, please do not hesitate to ask.

Respectfully,

Craig K. Hebebrand, P.E.,

Ohio Department of Transportation, District 12
5500 Transportation Boulevard, Garfield Heights, Ohio 44125
Telephone: (216) 581-2333, Ext.409/NEW Facsimile: (216) 584-3508
E-Mail: craig.hebebrand@dot.state.oh.us

ATTACHMENT

Craig,

I thought about trying to incorporate the objectives that I envision in this new goal with existing Goal V. While I would be willing to try, I felt that it would muddle the intent particularly at the early stage of discussion.

Goal --- Reduce and mitigate impacts of highway run off and habitat disruption

Transportation replacement and/or re-construction projects offer the opportunity to construct facilities that have less environmental impacts then current systems. Decreased water quality impacts and improved habitat features (including decreased wildlife mortality incidents and increase compatibility with surrounding urban features) are two areas in which significant gains may be possible. Transportation replacement and/or re-construction projects also offer the opportunity to provide mitigation for the direct impacts of the transportation system that cannot be eliminated by context-sensitive design processes. The intent of this goal is to identify at the earliest possible juncture the steps that can be taken to meet the stated objectives. Identifying issues and possible actions may be a factor in developing and/or refining transportation options at the planning level. Consideration of environmental enhancement opportunities in the MIS phase will also allow the transportation planning process to consider the potential project costs associated with environmental measures and will help assure that the recommend plan identifies any options that should be considered in additional depth in the next phases of the transportation planning process. Measures of performance to evaluate planning level options against this goal are likely to be more qualitative then quantitative in nature. This general goal is consistent with NOACA transportation planning principles that call for transportation project to result in enhancements to the natural environment.

Objectives

1. Create and/or consider planning level options with the objective of minimizing and/or treating the pollutant loads that are created by stormwater run off from the highway corridor.
2. Create and/or consider planning level options with the objective of minimizing transportation related spills that might damage the ecology of area water resources. Identify any particular merits of transportation options to capture or otherwise minimize the impacts of spilled hazardous materials.
3. Evaluate at a planning level the opportunities and costs to provide long term environmental mitigation for the impacts of the transportation project that cannot be eliminated.
4. Consider opportunities, benefits and urban compatibility issues for natural habitat improvements associated with transportation options and potential environmental mitigation projects.

The existing environmental goal for the Inner belt study is as follows

Goal V Environment

Environmental impacts are often considered as a consequence of the construction of transportation facilities. This goal considers resource usage from fuel consumption to land uses. It also considers impacts to valued community resources such as residential areas, historic structures and districts, parks, or special

D 2

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D 3

Northeast Ohio Regional Sewer District
Protecting Your Health and Environment

February 9, 2004

Mr. David Coyle
District Deputy Director
Ohio Department of Transportation, District 12
5500 Transportation Boulevard
Cleveland, Ohio 44125

Dear Mr. Coyle:

A strong and varied transportation infrastructure has long been recognized as one of the strongest assets of the Greater Cleveland Area. We are excited to work with the Ohio Department of Transportation and area stakeholders to further improve the transportation system via improvements to the Cleveland Innerbelt and connecting projects.

We note that our water resources, particularly Cleveland's lakefront, are also increasingly being recognized as dominant assets of the region. Accordingly, large investments of public dollars are being made to protect and restore the area's water resources. For instance, NEORSD anticipates spending between $1.3 billion to $1.5 billion to control Combined Sewer Overflows (CSOs) in its service area. Additionally, the City of Cleveland is doing extensive renewal planning to capitalize on a cleaned-up waterfront. But CSOs are not the only problem. Stormwater runoff, including highway runoff, is one of the significant lakefront pollution sources. If all major sources of pollution, including highway runoff, are not addressed in a comprehensive and coordinated fashion, large public investments for pollution control will not achieve the optimum result of a cleaner, more usable lakefront.

The Innerbelt project planning process represents a critical point in time for community representatives and public officials to affirm that projects involving public investments must address both existing and new sources of project-related pollution that affect Cleveland's lakefront and other valued regional water resources. For the Innerbelt project, this would likely include addressing the problem of runoff from current pavement area and controlling stormwater pollution from the new elements of the Innerbelt project. As the Innerbelt project is in the early planning phases, we are aware that studies have not been conducted to determine the impacts of runoff from either the current or proposed highway infrastructure. As well, the cost of treating these sources of stormwater is not yet known. We understand that much of the work to balance cost and benefits of pollution control will be done in the forthcoming project phases of preliminary engineering and environmental assessment.

3900 Euclid Avenue | Cleveland, OH 44115 | P: (216) 881-6600 | F: (216) 881-7703

Given the potentially significant costs of pollution abatement we suggest that it is beneficial to discuss funding sources at the earliest possible juncture. Fortunately, the Transportation Equity Act for the 21st Century (TEA-21) provides for federal participation in the cost of environmental restoration and pollution abatement projects using Surface Transportation Funds (STP). The Federal Highway Administration's fact sheet on TEA-21 STP funds identifies that eligible activities specifically include "environmental restoration and pollution abatement projects, including retrofit or construction of stormwater treatment facilities (limited to 20% of the total cost of 3R-type transportation projects)."

As you are aware, because comprehensive stormwater management is a new and developing discipline in Ohio, regulatory requirements and programs are not fully developed. The result is a significant project management challenge for such a large project as reconstruction of the Cleveland Innerbelt. Further, regulatory requirements are not the only measure of prudent cost-effective decision-making for stormwater management, pollution abatement, and environmental restoration work. As a result, we feel there will be a continuing need to consult and dialogue with the community with respect to decisions regarding the appropriate level of environmental controls.

In an effort to build consensus around the issues of comprehensive stormwater management and pollution abatement, we suggest the following steps:

1) Assure that abatement of existing stormwater sources of pollution is well documented as an objective of the Innerbelt project. Include this objective in the project's official Purpose and Need Statement to the extent that doing so will help to maximize the eligibility of abatement and environmental restoration activities for cost sharing using STP funds or other state or federal funds and communicate this important need to stakeholders.

2) Assure that the environmental assessment phase of the project development is adequately scoped and funded to provide a database from which to make sound decisions regarding pollution abatement, to identify environmental restoration opportunities, and to provide for comprehensive management of stormwater runoff.

3) Collaborate with stakeholders to develop and evaluate a range of options for stormwater management and potential environmental restoration activities. Include options to control project related pollutants (from both existing and new sources) to levels which support identified or anticipated community uses of the lakefront, recognizing that these levels may not currently be defined as regulatory requirements.

4) Take reasonable steps to advocate and secure the eligibility of pollution abatement and environmental restoration activities to use STP funds and other potential state or federal funding opportunities. Communicate to the stakeholders roles they can play to support this process.

5) Identify opportunities for pollution abatement and environmental restoration activities that could be effectively coordinated with the Innerbelt project but which might not be eligible for state and federal funding support.

In crafting our suggestion we have tried to draw on the principles of strong public involvement, regional collaboration, and community consensus building. On this note, it is appropriate to recognize the outstanding efforts by your office throughout the Cleveland Innerbelt Study in the aforementioned areas. Your commitment to an inclusive process gives us assurance that you will continue to work with the community to address the issues that we have raised and to forge consensus as the project moves forward.

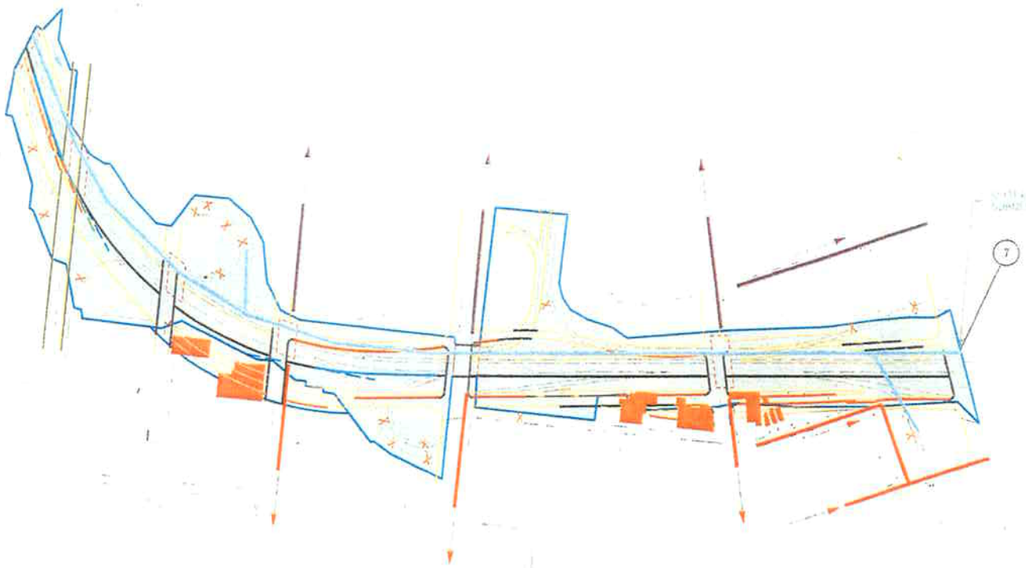
Additionally, as a partner in maintenance and enhancement of the region's infrastructure we are happy to meet with you to share our data on stormwater and to coordinate our pollution abatement projects with your plans for Innerbelt transportation improvements. We believe that close collaboration can be important in our joint efforts to help build a vibrant and attractive community.

Sincerely,

Erwin J. Odeal
Executive Director

las/nas

SCALE: 1"=400'



NOTE:
THE INTENT OF THESE SHEETS IS TO ESTABLISH AN ORDER OF MAGNITUDE OF WATER QUALITY VOLUME AND FLOW. THE PROPOSED PAVEMENT IS BASED ON AN ALTERNATIVE THAT HAS NOT YET BEEN NAMED THE PREFERRED ALTERNATIVE, BUT HAS THE SAME ORDER OF MAGNITUDE OF PAVEMENT AS ANY OF THE ALTERNATIVES. ALL DRAINAGE SYSTEMS SHOWN ARE EXISTING AND HAVE BEEN ESTABLISHED FROM RECORD PLANS AND INFORMATION PROVIDED BY NEORSD. RIGHT-OF-WAY (DRAINAGE OUTER BOUNDARIES) IS ROUGHLY SHOWN BASED ON TAXMAP INFORMATION AND APPROXIMATE PROPOSED RIGHT-OF-WAY WHERE APPROPRIATE.

PRELIMINARY POST CONSTRUCTION STORM WATER MANAGEMENT

INNERBELT TRENCH
PID 25796

ALL OUTFALLS GO TO LAKE ERIE

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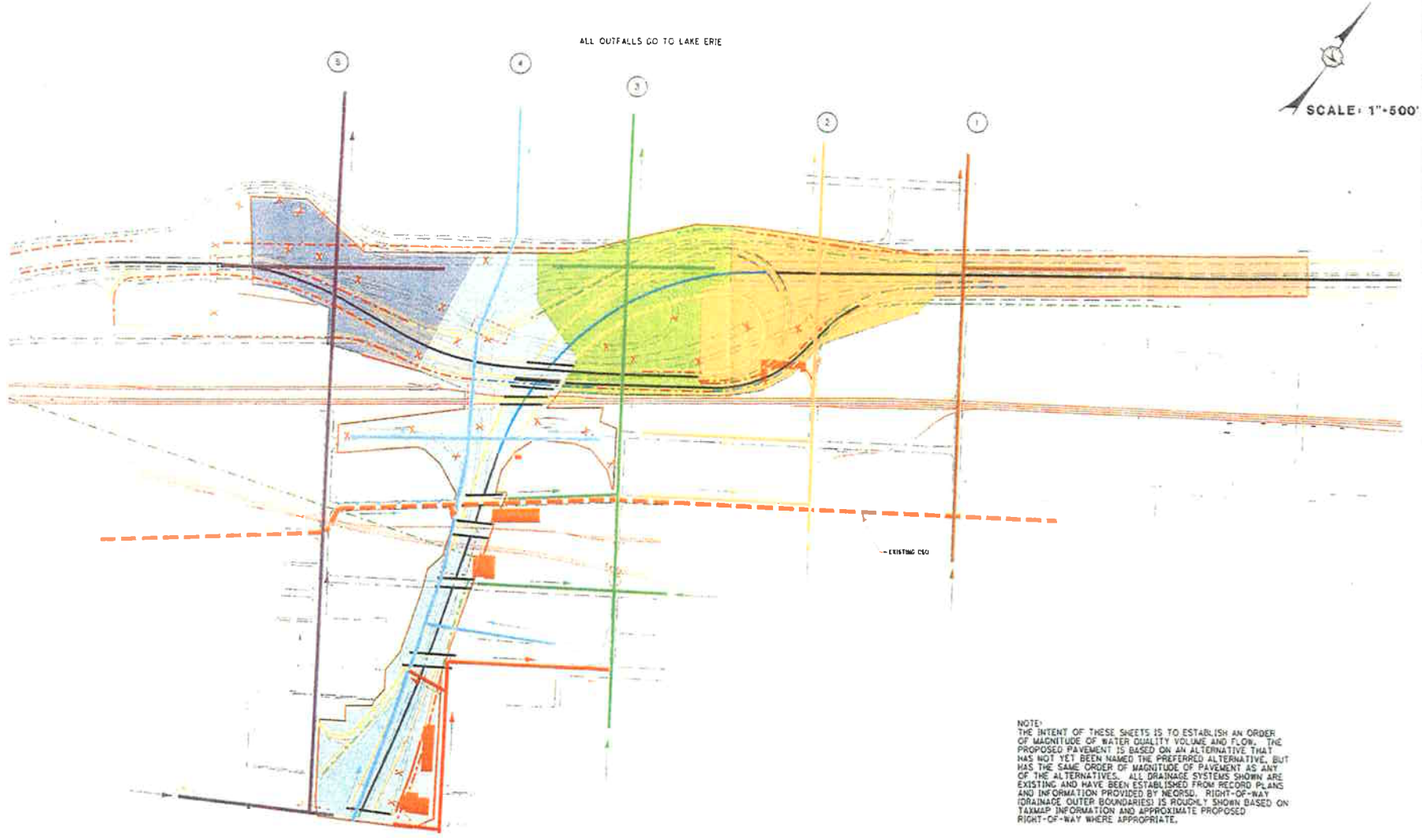

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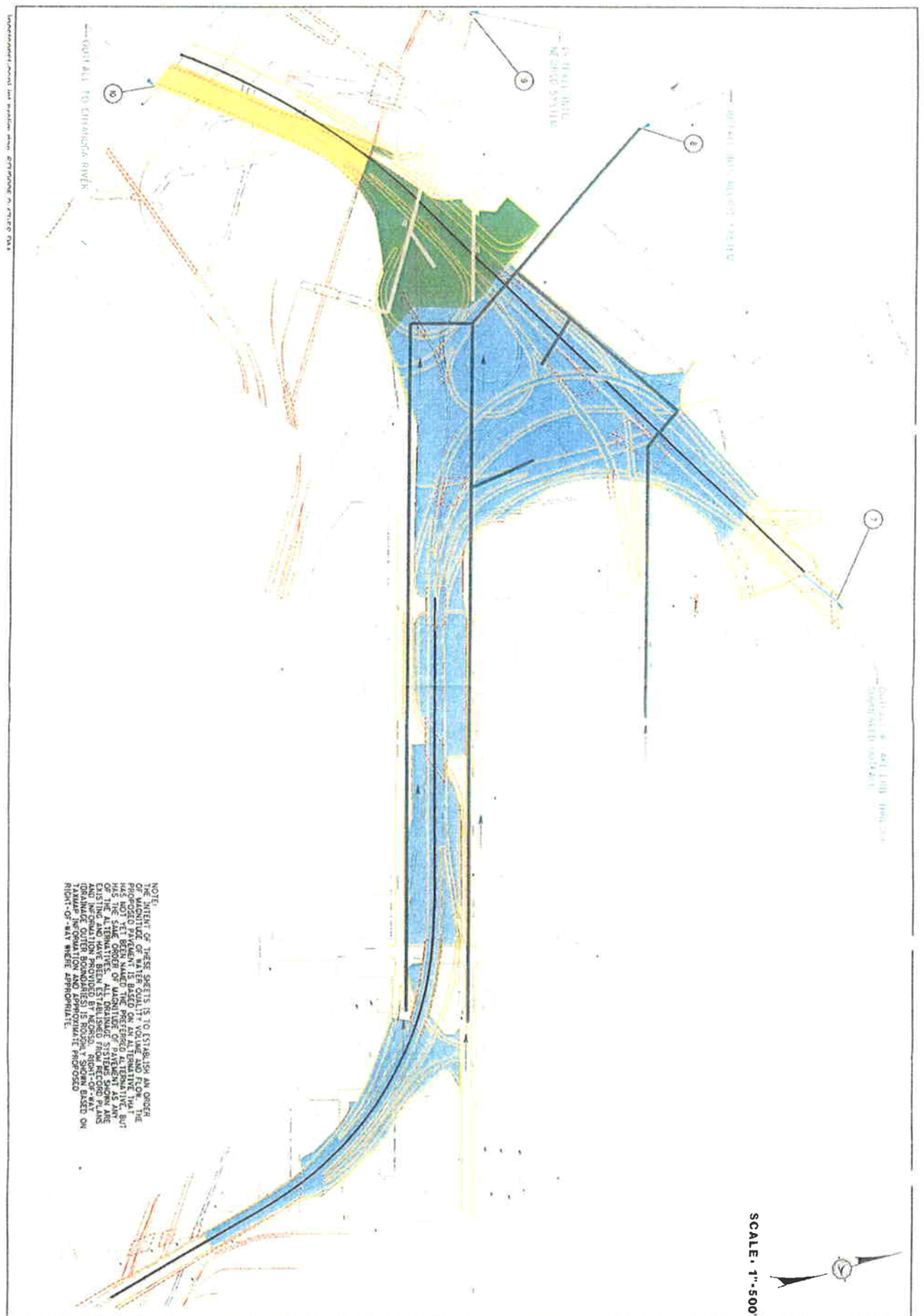
PRELIMINARY POST CONSTRUCTION STORM WATER MANAGEMENT

INNERBELT CURVE
PID 77413



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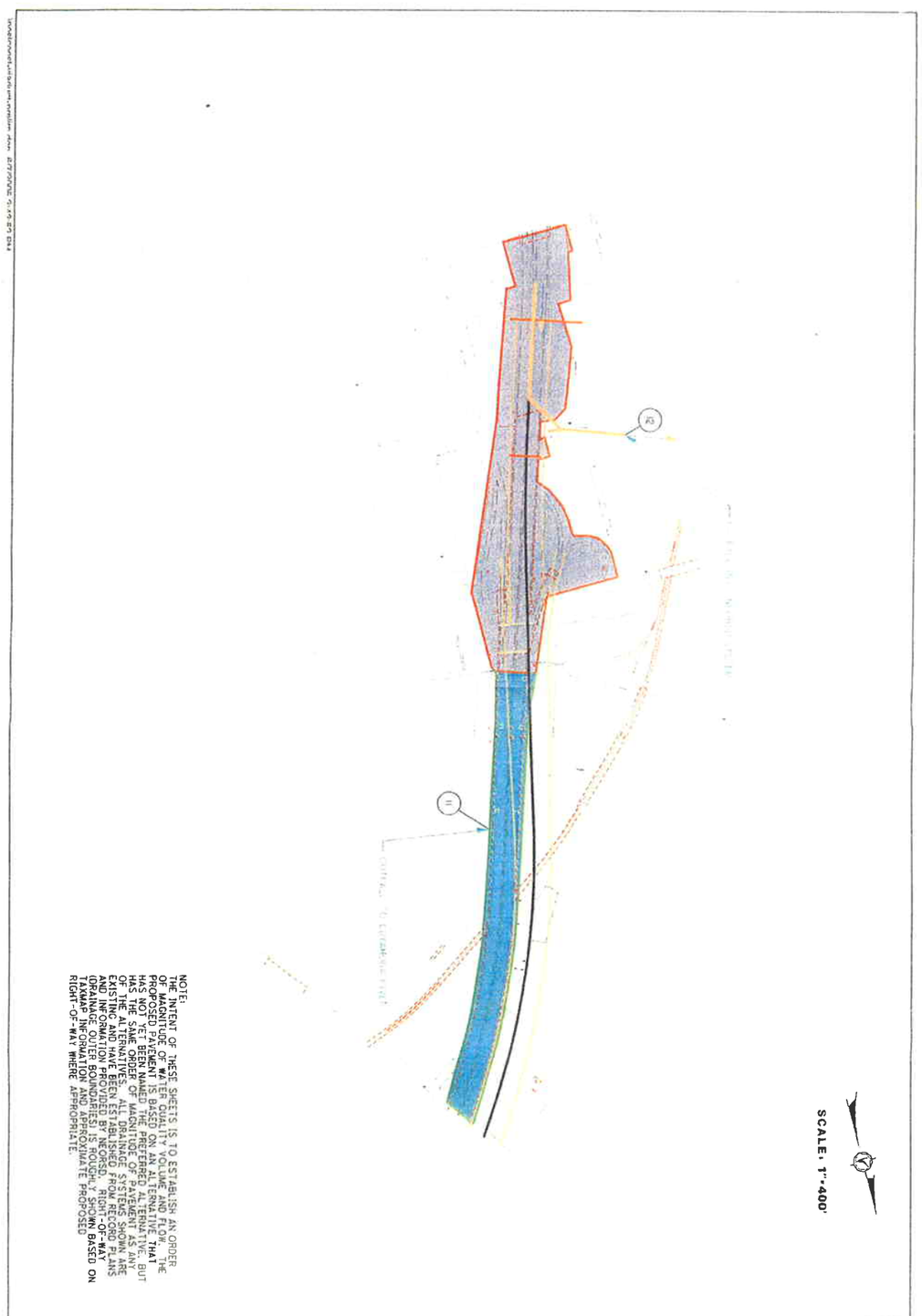
	CENTRAL INTERCHANGE PID TO BE DETERMINED	PRELIMINARY POST CONSTRUCTION STORM WATER MANAGEMENT	KEH



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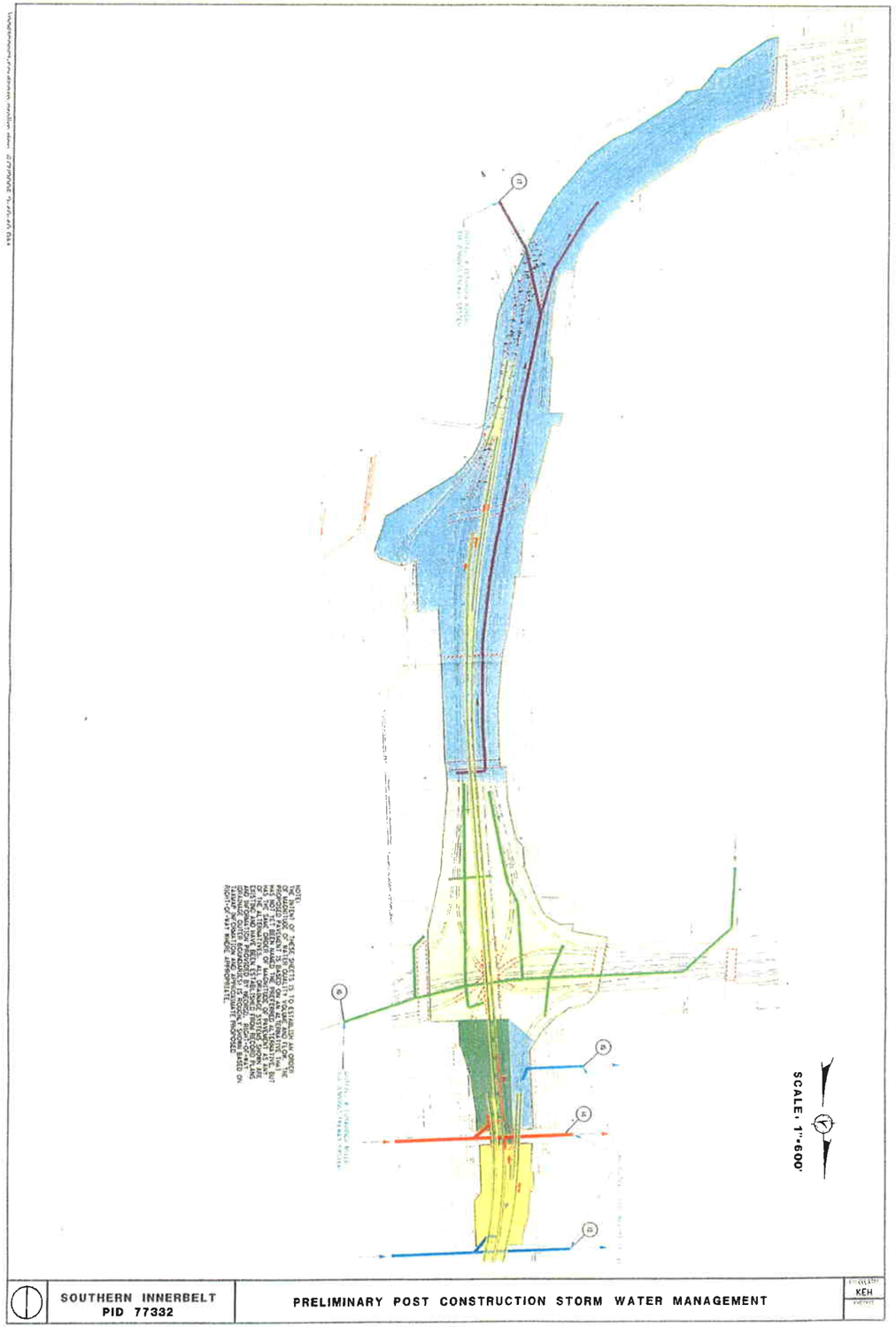
	INNERBELT VIADUCT PID 77332	PRELIMINARY POST CONSTRUCTION STORM WATER MANAGEMENT	KEH



CLEVELAND INNERBELT PLAN
OHIO DEPARTMENT OF TRANSPORTATION

1300 East 9th Street, Suite 612
Cleveland, OH 44114
(216) 241-9600 x24
(216) 241-2524 (fax)

Northeast Ohio Regional Sewer District
George J. McMonagle Administration Building
3900 Euclid Avenue
Cleveland, OH 44115

RE: CUY-Innerbelt Corridor
PID No. 77510
Existing ODOT Drainage
Additional Information

Attention: Richard Switalski, PE

September 2, 2005

Dear Mr. Switlaski:

Burgess & Niple, Inc. (B&N) is sending this letter and graphical information to the Northeast Ohio Regional Sewer District for your review and comment. The Ohio Department of Transportation and B&N/URS Team will be scheduling a meeting soon to discuss the existing storm drainage systems and how ODOT storm water interacts with the District's system.

This graphics show the layout of the existing condition for ODOT drainage and how and where it outfalls. This information was gathered for use in the ODOT Location and Design Vol. 2 - Section 1115 - Post Construction Storm water Best Management Practice Policy.

If you have any questions or require additional information, please do hesitate to contact me.

Respectfully,

Burgess & Niple, Inc.
Cleveland Transportation Manager
Kevin Schlereth, PE

9/6/05 1pm – DRL asked Kevin to add street names to these sheets and resend to D12 & NEORSD

cc: File
Frank Greenland - Northeast Ohio Regional Sewer District
Dave Lastovka – Ohio Department of Transportation - D12

77510 NEORSD_ltr_BN_Schler_090205 - Information for Meeting

D 7

Dave Lastovka/Production/D12/ODOT
09/06/2005 01:30 PM

To Frank Greenland, Richard Switalski
cc KSchlereth@burnip.com, Craig Hebebrand/Production/D12/ODOT@ODOT, George Soos/Production/D12/ODOT@ODOT, Mark Carpenter/Planning/D12/ODOT@ODOT
bcc
Subject CUY-Innerbelt Corridor; PID 77510; Conceptual Drainage

Frank/Rick,

You will receive a package (probably today) from B&N concerning the Innerbelt drainage. (Attached is the cover letter) This information is meant to help open up discussions between our offices on how our proposed Innerbelt construction projects interact with the existing combined sewer system. (You will be getting updated drawings from B&N in the near future, as I have asked B&N to add cross street information to these color drawings.)

In the mean-time, I'd like to try to schedule a meeting between our organizations to discuss our project. Here is a draft agenda:

1. Introductions
2. Overview of existing Innerbelt Drainage
3. General Discussion on the process of addressing each Innerbelt "watershed area". (Would include a discussion on what criteria should be considered when determining if watershed areas should be removed from the existing combined sewer system.)
4. General Discussion of Stormwater BMP for water quality (OEPA requirements are different for areas draining to Cuyahoga River and/or Lake Erie, vs connecting into the existing combined sewer system.) As you may know, Lester Stumpe of your organization has expressed significant interest in how the Innerbelt handles stormwater runoff.
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6. Other Topics

pid77510_2005-09-02 transmit of conceptual drainage maps to neorsd.pdf

I was considering trying to meet either the week of Sept 19, or Sept 26. Please let me know when you might be available these weeks.

Thanks. Both of our organizations are planning to make significant investments in our infrastructure and we want to make sure that we are all on the same page.

Dave

David Lastovka, P.E.
ODOT D-12 Production
5500 Transportation Blvd
Garfield Hts, Ohio 44125
216-584-2115
216-584-2279 FAX
E-Mail: dave.lastovka@dot.state.oh.us

77510 D8

CLEVELAND INNERBELT PLAN
OHIO DEPARTMENT OF TRANSPORTATION

1300 East 9th Street, Suite 612
Cleveland, OH 44114
(216) 241-9600 X24
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RE: CUY-Innerbelt Corridor
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Additional Information

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Cleveland Transportation Manager
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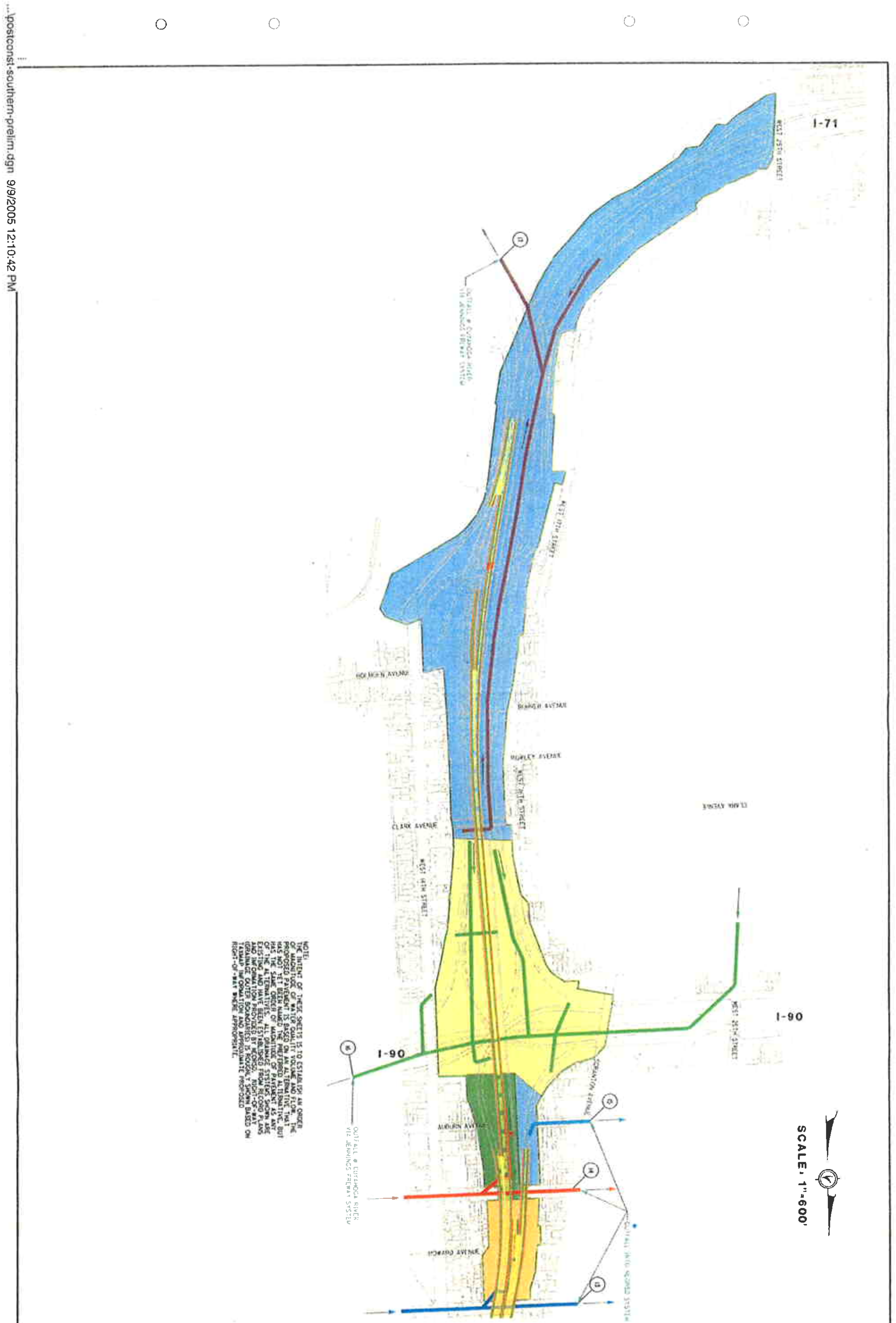
Frank Greenland - Northeast Ohio Regional Sewer District
Dave Lastovka – Ohio Department of Transportation - D12

77510 NEORSD_ltr_BN_Schler_090205 - Information for Meeting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I-71
I-90
I-90
WEST 25TH STREET
WEST 14TH STREET
CLARK AVENUE
SCALE: 1"=600'
NOTE:
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SOUTHERN INNERBELT PID 77332	PRELIMINARY POST CONSTRUCTION STORM WATER MANAGEMENT	KEH

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I-90
OUTFALL TO CUYAHOGA RIVER
PROPOSED VIADUCT CENTERLINE
UNIVERSITY ROAD
SCALE: 1"=400'
NOTE:
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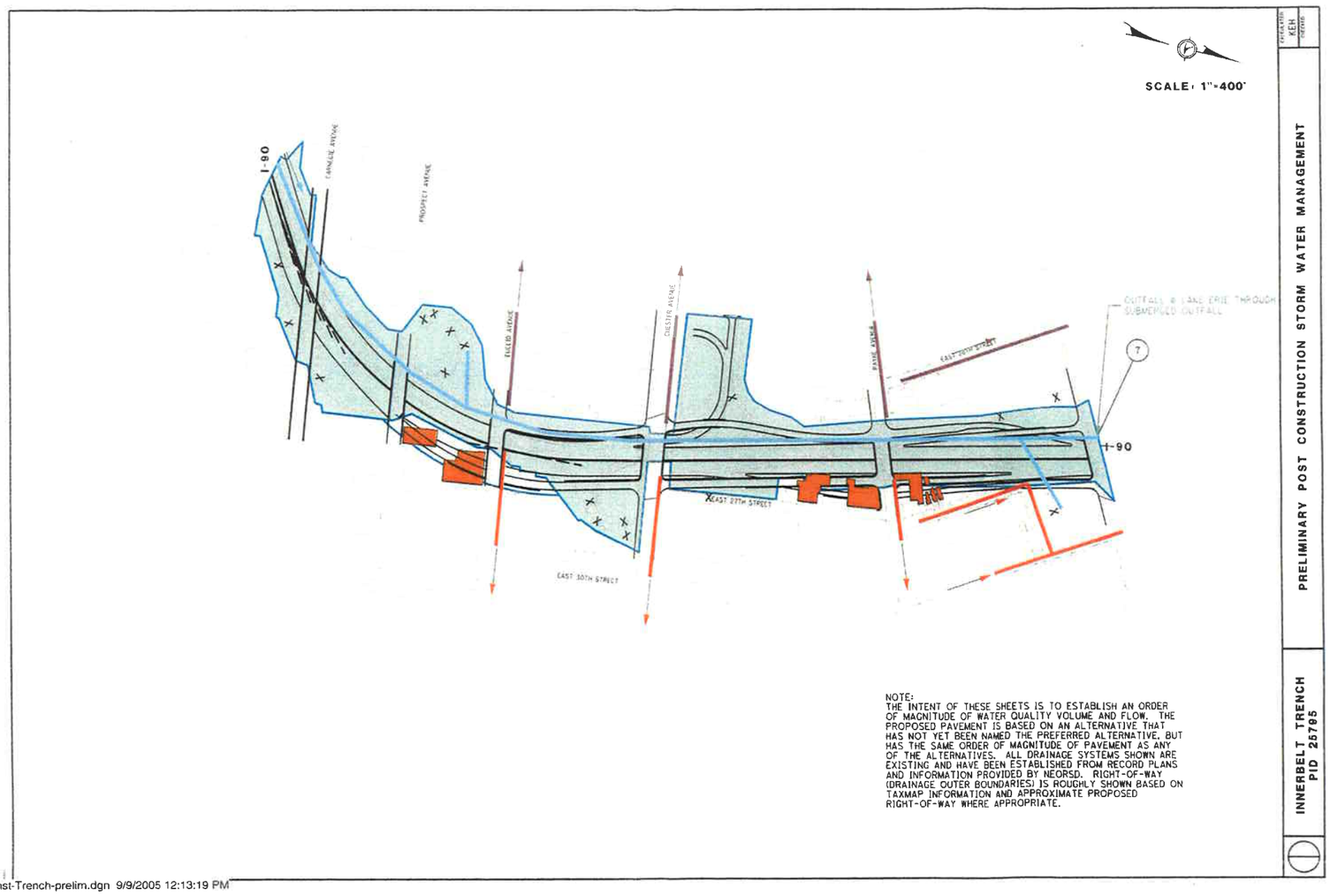
INNERBELT VIADUCT PID 77332	PRELIMINARY POST CONSTRUCTION STORM WATER MANAGEMENT	KEH



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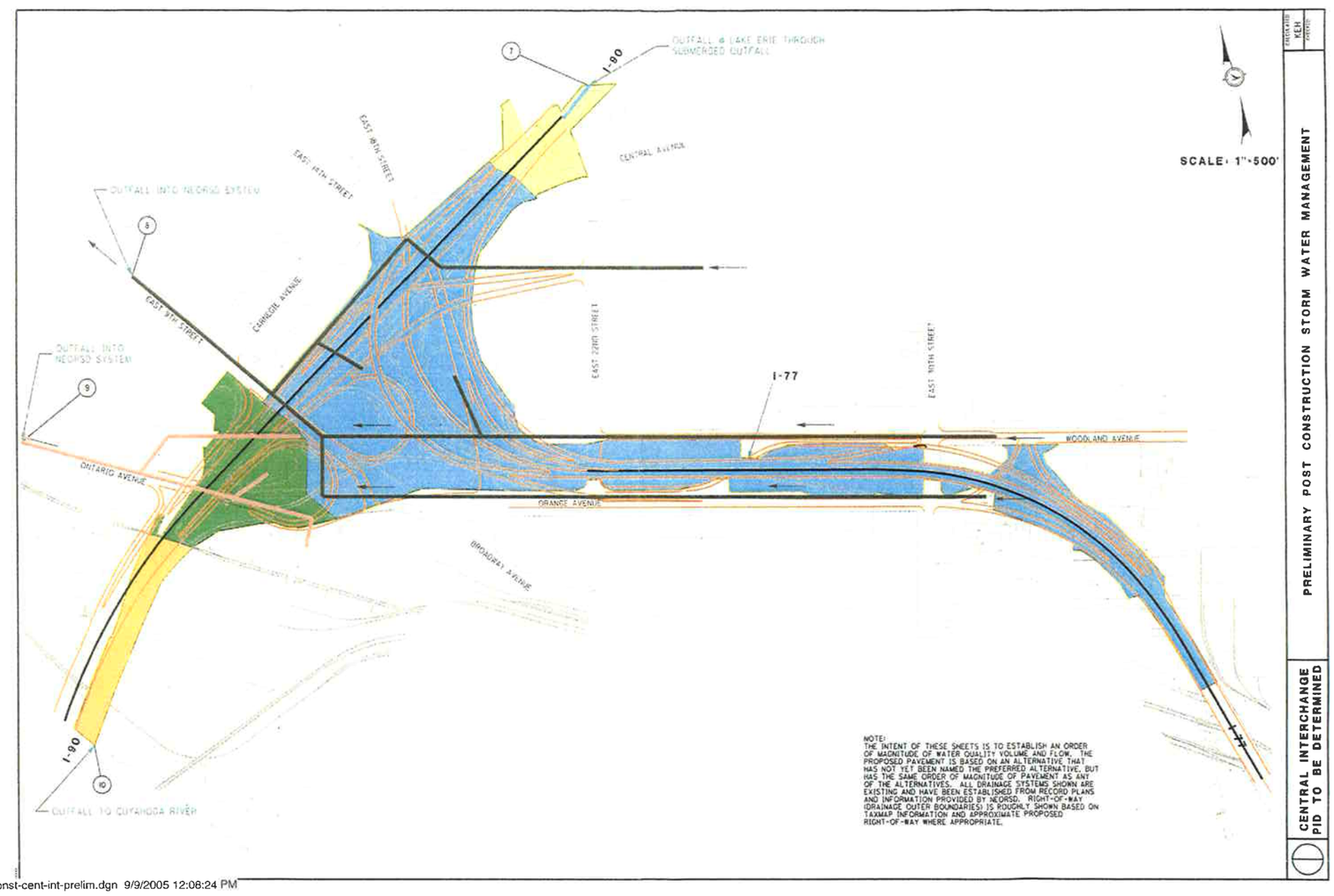

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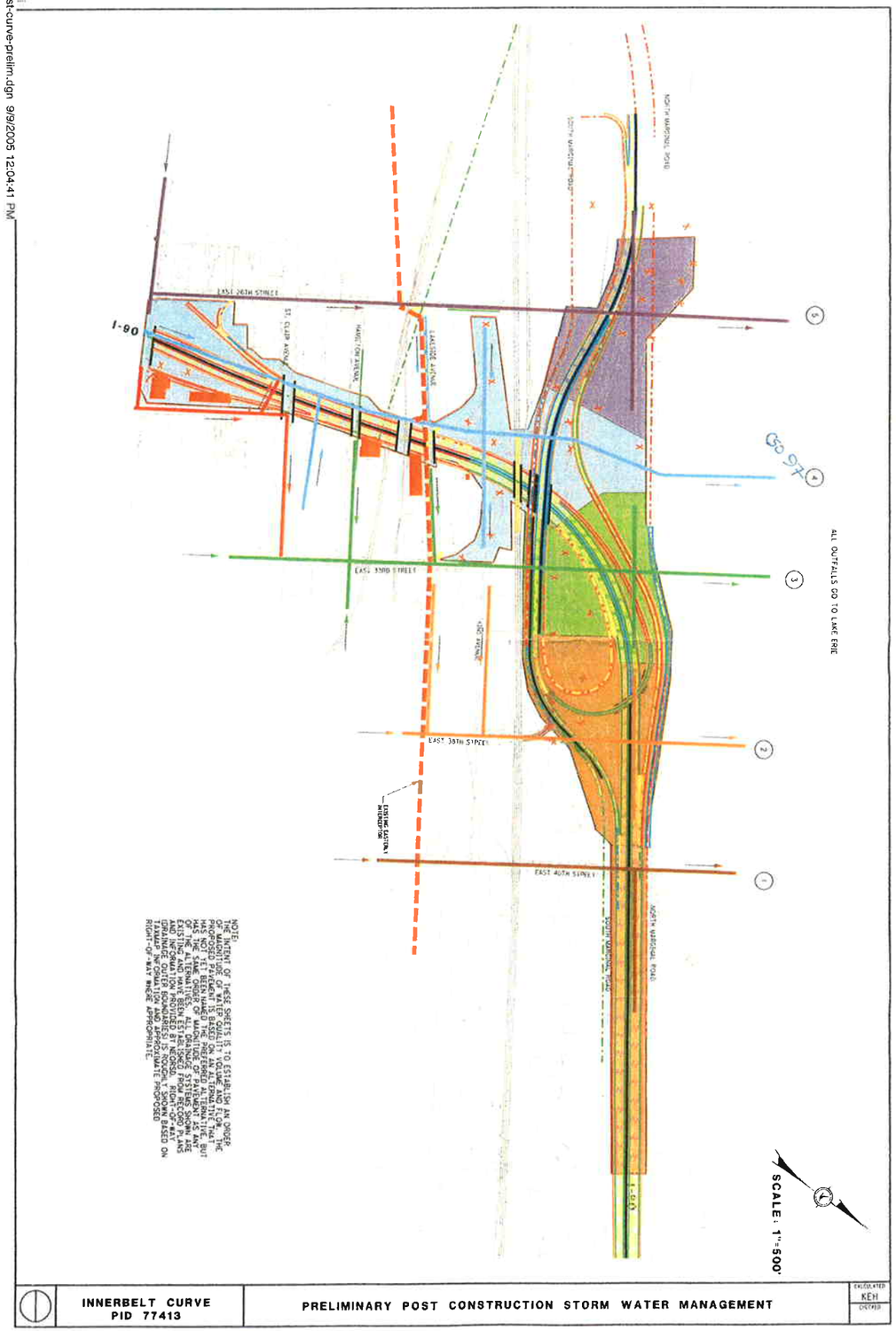

Dave Lastovka/Production/D12/ODOT
09/13/2005 04:22 PM

To greenlandf@neorsd.org, switalskir@neorsd.org
cc Craig Hebebrand/Production/D12/ODOT@ODOT, KSchlereth@burnip.com, Mark Carpenter/Planning/D12/ODOT@ODOT, George Soos/Production/D12/ODOT@ODOT
bcc
Subject Fw: CUY-Innerbelt Corridor; PID 77510; Conceptual Drainage

Frank/Rick,

Hopefully you received the 9/9/05 updated sheets from B&N. they include street names.

Can we work on scheduling a meeting to discuss these issues?

Thanks,
Dave

—— Forwarded by Dave Lastovka/Production/D12/ODOT on 09/13/2005 04:20 PM ——

Dave Lastovka/Production/D12/ODOT
09/06/2005 01:30 PM

To Frank Greenland, Richard Switalski
cc KSchlereth@burnip.com, Craig Hebebrand/Production/D12/ODOT@ODOT, George Soos/Production/D12/ODOT@ODOT, Mark Carpenter/Planning/D12/ODOT@ODOT
Subject CUY-Innerbelt Corridor; PID 77510; Conceptual Drainage

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Garfield Hts, Ohio 44125
216-584-2115
216-584-2279 FAX
E-Mail: dave.lastovka@dot.state.oh.us

OHIO DEPARTMENT OF TRANSPORTATION

District 12, 5500 Transportation Blvd. Garfield Heights, Ohio 44125-5396
Phone (216) 581-2100, Fax (216) 584-2279

LOCATION: NEORSD OFFICE **TIME:** 1:30pm **DATE:** 10/4/2005

PROJECT: CUY INNERBELT CORRIDOR ; PID 77510

SUBJECT: NEORSD / ODOT COORDINATION

ATTENDEES *(Please Print)*

NAME	ORGANIZATION	PHONE/EMAIL
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PID: _____

D 12

Ohio Department of Transportation/ Northeast Ohio Regional Sewer District
Cleveland Innerbelt Corridor Project:
PID 77510
Combined Sewer Outfalls (CSO) and Project Storm Water Run-off Issues.

AGENDA
October 4, 2005, 1:30 PM , NEORSD Offices

1. Introductions

2. Overview of existing Innerbelt Drainage (B&N) (See 9/9/05 Transmittal from B&N with color project maps)

3. General Discussion on the process of addressing each Innerbelt "watershed area".

4. General Discussion of Storm water runoff to Cuyahoga River and Lake Erie.

5. Specific Discussions on long-term status of CSO 097, which is the existing I-90 storm sewer outfall pipe. Long-term status of Regulator E-11.
   a. Will CSO 097 be tied to the new Lakefront Interceptor?
   b. Ownership of pipe north of I-90 right of way?
   c. In the future, will CSO 97 be wholly an ODOT storm sewer outfall, or will it continue to be used jointly by ODOT and NEORSD (for Easterly overflows)

6. Status of Easterly Interceptor Relocation within I-90 R/W at Lakeside
   → B&N working on CSX/NS justification
   →

7. Other Topics:

Nov 2005- PDP 5 & 6
Step 7 - 12 months- verification & Preferred alternative

Updated ODOT stm water Design policy
Fixed amount of stm water established
4 or less times per year
* 1.6 billion dollar plans to achieve this
Baseline –

Finding and Recommendations Report of the Transwac Innerbelt Work Group
3/20/2006

Transwac Innerbelt Work Group Findings:

1. There is reasonable evidence to suggest that untreated runoff from the Innerbelt may have deleterious effects on the aquatic and ecological health of the Cuyahoga River, and nearshore waters of Lake Erie. Attachment A provides supporting documentation for this conclusion.
2. The Department of Transportation for the State of Washington and CALTRAN have developed models for assessment of water quality impacts which may prove useful in more specifically assessing the impacts on water quality of the proposed Innerbelt facility. (Representative materials documenting these processes are assembled at an ftp site developed by the Transwac work group.)
3. Engineering decisions regarding the Innerbelt drainage systems and the treatment of runoff are likely to affect the feasibility of future options to provide for high levels of treatment of storm water, should new treatment requirements be determined necessary.
4. A substantial portion of the Innerbelt project will be constructed on elevated structures. This creates special problems related to storm water runoff management, and requires careful consideration in the planning and design of these structures. (It is noted that the National Cooperative Highway Research Program report "Assessing the Impact of Bridge Deck Runoff Contaminants in Receiving Waters" provides detailed guidance for assessing impacts and developing runoff management programs.)
5. The Greater Cleveland Community is embarking on a major capital program to control combined sewer overflows and is in the process of establishing new standards to control storm water for development and redevelopment projects as a measure to protect the ecological health of the area water resources.

Recommendations for the Conduct of the Innerbelt Project Development Process:

1. The Project Development Process (PDP) is encouraged to evaluate the likely environmental impacts (i.e., water quality and aquatic ecological impacts) attributable to highway runoff and develop storm water management practices that are responsive to the particular environmental concerns of the applicable receiving waters.

2. In as much as untreated runoff from the proposed Innerbelt facility appears to have the potential to cause environmental harm and may result in the violation of water quality standards the PDP should consider treatment of all runoff from the reconstructed facility, as opposed to only providing treatment for volumes of

runoff associated with new pavement area. Design events used to calculate runoff volume should be based upon controlling requirements considering both Ohio's general storm water permit and the need to prevent violations of Ohio Water Quality Standards.

3. The PDP should consider potential long-term treatment needs for storm water in selecting design alternatives for the drainage of the Innerbelt facility. Some drainage options may limit opportunities for providing additional treatment for storm water runoff, should a higher level of treatment be determined as necessary in the future.

4. The PDP is encouraged to consider the specific characteristics of Innerbelt runoff as well as proposed passive best management practices in evaluation of alternative storm water management strategies.

5. It is recommended that the options evaluated for treatment of storm water include, but not be limited to the following:
   a) Detention and/or retention facilities above or below grade utilizing current or future green space near the Lakefront.
   b) Tie-in of all or part of the runoff to the improved combined sewer storage facilities which being designed by the Northeast Ohio Regional Sewer District.

6. The management and treatment of runoff should be considered as an integral part of preliminary engineering for any new or reconstructed bridges crossing the Cuyahoga River. Containment of hazardous material spill should also be assessed.

7. For any proposed direct discharges of storm water to receiving waters or to separate storm sewer systems that subsequently discharge to receiving waters, preliminary engineering should begin planning for monitoring chambers that will facilitate the monitoring of highway runoff. Planning for any such discharge points should also consider provisions to assist in containing hazardous material spills.

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11. As key stakeholders, Ohio EPA and ODNR should be encouraged to fully engage in the review of PDP step reports, as well as project environmental documents to evaluate whether or not proposed storm water management practices are protective of receiving water resources.

Attachment A: Review of Water Quality Environmental Impact Concerns

The purpose of this document is to review the data developed by the Innerbelt work group, focusing on the question of whether the storm water runoff from the current and proposed Innerbelt facility has a reasonable potential to cause harm to the Cuyahoga River and the lakefront area of Lake Erie. This review was not meant to be exhaustive nor intended to fully evaluate the impact of Innerbelt storm water runoff. Rather, the purpose of this document is to aid in making a determination of the need for a more detailed analysis of likely water quality impacts as a part of the ODOT Project Development Process.

Four topics are considered in this document:

1. The summary findings of a literature review undertaken by the United States Geological Survey for the Federal Highway Administration, documenting the impacts of highway runoff on the ecological health of aquatic communities.
2. Summarization of the findings of the Cuyahoga River RAP Stage 1 report concerning local water resource impairments. The particular focus of this review is on the findings related to eutrophication and impairments to the benthic community.
3. Summarization of the Lower Cuyahoga TMDL, which sets targets for the Lower Cuyahoga for total phosphorus levels.
4. Comparison of published values for pollutant in highway runoff quality with Ohio water quality criteria.

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A comprehensive literature review of the impacts of highway runoff was conducted by the USGS for the U.S. Department of Transportation. The report, "Assessing Biological Effects from Highway-Runoff Constituents," was released in 1999. (Open-File Report 99-240). This report reviews 44 articles and published papers incorporating fieldwork from 1970 through 1996. The last paragraph of the Summary of this document is provided below.

> "A review of 44 reports on the biological effects of highway runoff on local ecosystems reveals several information gaps. The use of different methods from study to study and a general lack of sufficient documentation preclude making quantitative comparisons among different studies using the existing data. Qualitatively, the literature indicates that constituents from highway runoff and from highway-runoff sediments deposited in receiving waters near the highway are found in the tissues of aquatic biota, and that these sources may affect the diversity and productivity of biological communities, even though bioassays would suggest that highway runoff is not often toxic to aquatic biota. To provide the quantitative information needed, it is necessary to obtain information using standard methods, and to document study results in a manner that will be useful for a national or regional synthesis."

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The Cuyahoga River Remedial Action Plan in its Stage 1 report concluded that relative to the impairment of Eutrophication the Navigation Channel of the Cuyahoga River is "Probably Impaired" and that the near shore area of Lake Erie is "Impaired." The Lower Cuyahoga is listed as "Probably Impaired" due to a lack of an adequate database on which to base a more definitive conclusion. Additionally, the Stage 1 report concluded that the benthic community is "Possibly Impaired" in the Navigation Channel and "Impaired" in the near shore area of Lake Erie. The "Possibly Impaired" determination reflects that existing studies note problems: however, at that time there were no clear standards applicable to the navigation channel on which to base a more definitive determination. As a part of the procedure of making a determination of impairment for the benthic community, the Stage 1 process prepared separate technical reports on the benthic communities in the Cuyahoga River and in the Cleveland Harbor and near shore areas. The Cleveland Harbor and near shore benthic reports reference several studies conducted during the period 1976 through 1989.

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Ohio EPA's September 2003 Total Maximum Daily Load Report found that the lower 7.2 miles of the Cuyahoga River are in non-attainment of water quality standards. Causes of impairment are listed as organic enrichment, habitat alteration, priority pollutant organics, metals, other organics, and oil and grease. The report concluded that "Phosphorus is the limiting nutrient in the Cuyahoga River system." The report sets a TMDL target at 0.12mg/L and calls for a 48% reduction of current phosphorus loading levels for non-point runoff sources. In appendix L the report notes that Cuyahoga River is targeted as a significant contributor to the enrichment conditions of nearshore of Lake Erie.

4. Highway Runoff Pollutant Values Compared to Ohio Water Quality Criteria

Ohio EPA sets water quality criteria for designated waters of the state. For example, the agency has established aquatic life uses for the Lower Cuyahoga river and for Lake Erie. Numerical criteria are found in ORC 3745-1-07. One example of criteria are the numeric allowable limits for concentrations of pollutants within the mixing zones created by a direct discharge. These Inside Mixing Zone Maximum (IMZM) criteria were developed to prevent acute lethality to aquatic life, and accordingly they are applicable for any individual sample rather than for an average of samples. The Outside Mixing Zone Maximum (OMZM) criteria are similarly applicable to individual samples. Compliance with the OMZM criteria involves determining the pollutant concentrations of the available dilution water and the amount of mixing which occurs. For the purpose of this analysis, the review was limited to heavy metals commonly found in highway runoff. Exhibit 1 is a table comparing literature values for highway runoff pollutant levels with Ohio EPA established criteria for IMZMs and OMZMs. Criteria are established for both total metal concentrations and dissolved metal concentrations. Comparison of these published values with Ohio EPA criteria suggests that untreated Innerbelt runoff, to the extent that is similar in reported literature pollutant values, may result in violations of water quality criteria if discharged untreated to Lake Erie or the Cuyahoga River.

TOTAL RECOVERABLE METALS CRITERIA

			Hardness	Copper 100 mg/L hardness IMZM		Copper 100 mg/L hardness OMZM		Lead 100 mg/L hardness IMZM		Lead 100 mg/L hardness OMZM		Zinc 100 mg/L hardness IMZM		Zinc 100 mg/L hardness OMZM		Cadmium 100 mg/L hardness IMZM		Cadmium 100 mg/L hardness OMZM	
			mg/L	Micrograms/L				Micrograms/L				Micrograms/L				Micrograms/L			
Ohio EPA water quality criteria*																			
Total recoverable concentrations				28		14		240		120		240		120		9		4.5	
For the parameters noted the Ohio criteria values are the same for the Ship Channel and Lake Erie																			
Sansalone et.al. (Feb. 1997)		5 events																	
Cincinnati																			
Event mean Conc.	Min		52	**43**	x			31				**459**	x			5	x		
	Max		92	**325**	x			97				**15,244**	x			**11**	x		
Milwaukee 1970s		Three sites																	
Average Total Event Mean Conc.	Min			**75**	x			* Note 1				**336**	x			**11**	x		
	Max			**155**	x			* Note1				**465**	x			**29**	x		
* Note 1– High values due to lead in gas (738 to 1457)																			
FHWA-PD-96-032 (June 1996) & FHWA-RD-88-006 (April 1990)																			
Urban highway sites with Average Daily Traffic Values over 30,000																			
Event Median Concentrations	median site		52	**54**	x			**400**	x			**329**	x						
	highest 10%			**119**	x			**1,562**	x			**564**	x						
	Lowest 10%			25	x			102				192	x						

IMZM — Inside Mixing Zone Maximum criteria
OMZM — Outside Mixing Zone Maximum criteria

* Water quality critiera values are determined by an equation in which hardness is an independent variable. Higher criteria would be higher for elevated hardness values. Lower values of hardness lessen allowable metal concentrations. For example a hardness value of 50 mg/l might decrease allowable values in the above table by a factor in the range of 2.

Format Notes
"x" denotes potential problem with Outside Mixing Zone Maximum criteria
Bolded denotes that values are greater then the IMZM criteria

Exhibit 1 (continued)

DISSOLVED METALS CRITERIA

			Hardness	Copper 100 mg/L hardness IMZM		Copper 100 mg/L hardness OMZM		Lead 100 mg/L hardness IMZM		Lead 100 mg/L hardness OMZM		Zinc 100 mg/L hardness IMZM		Zinc 100 mg/L hardness OMZM		Cadmium 100 mg/L hardness IMZM		Cadmium 100 mg/L hardness OMZM	
			mg/L	Micrograms/L				Micrograms/L				Micrograms/L				Micrograms/L			
Ohio EPA water quality criteria*																			
Dissolved				27		13		190		97		230		120		8.5		4.3	
For the parameters noted the criteria values are the same for the Ship Channel and Lake Erie																			
Sansalone et.al.		5 events																	
Cincinnati																			
Dissolved fraction translator (mean from 4 events)				0.524				0.279				0.771				0.662			
Event mean Conc.																			
Adjusted**	Min		52	23	x			9				**354**	x			3			
Adjusted**	Max		92	**170**	x			27				**11753**	x			7	x		
FHWA-PD-96-032 (June 1996) & FHWA-RD-88-006 (April 1990)																			
Urban highway sites with Average Daily Traffic Values over 30,000																			
Dissolved fraction translator				0.4				0.1				0.4							
Adjusted**	median site		52	22	x			40				132	x						
Adjusted**	highest 10%			**48**	x			156	x			**226**	x						
Adjusted**	Lowest 10%			10				10				77							

NOTES

IMZM — Inside Mixing Zone Maximum criteria
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** Adjusted values were obtained by multiplying the total metals data by fractional values that the report suggests as representative of souble portion of the total metals concentration. The fractional value is listed in the table as the "dissolved fraction translator".

Format Notes
"x" denotes potential problem with Outside Mixing Zone Maximum criteria
Bolded denotes that values are greater then the IMZM criteria

lastumpe 3/20/06

NORTHEAST OHIO AREAWIDE COORDINATING AGENCY

MEMORANDUM

TO: Transportation Advisory Committee

FROM: Jim Gills, Chairman

DATE: April 20, 2006

RE: **Transmittal of Innerbelt Water Quality Issues Work Group Report**

At the TRANSWAC meeting of March 21, 2006, the Council received a report from its work group investigating water quality issues related to the reconstruction of the Innerbelt. The Council recommended that the work group findings and recommendations be forwarded to the TAC for its review. TAC members are asked to review this report prior to action scheduled at its May 2006 meeting, at which time TAC will be asked to forward these recommendations to ODOT, the project sponsor.

These recommendations encourage ODOT's Project Development Process (PDP) to evaluate the likely environmental impacts (i.e., water quality and aquatic ecological impacts) attributable to highway runoff and develop storm water management practices that are responsive to the particular environmental concerns of the applicable receiving waters.

The Council is concerned that these comments be forwarded to ODOT to allow for timely response

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Finding and Recommendations Report of the Transwac Innerbelt Work Group 3/20/2006

Transwac Innerbelt Work Group Findings:

1. There is reasonable evidence to suggest that untreated runoff from the Innerbelt may have deleterious effects on the aquatic and ecological health of the Cuyahoga River, and nearshore waters of Lake Erie. Attachment A provides supporting documentation for this conclusion.
2. The Department of Transportation for the State of Washington and CALTRAN have developed models for assessment of water quality impacts which may prove useful in more specifically assessing the impacts on water quality of the proposed Innerbelt facility. (Representative materials documenting these processes are assembled at an ftp site developed by the Transwac work group.)
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* Get copy of Transwoc handout from Dalos.

NOAOA

Planning For Greater Cleveland

NOACA Transportation Advisory Committee Meeting
Friday, April 21, 2006 – 10:00 AM
NOACA Offices – 1299 Superior Avenue
Cleveland, Ohio 44114
Phone: (216) 241-2414; website: www.noaca.org

Note: Please deposit your parking ticket from 13th Street/Superior parking lot in box at receptionist desk. Parking arrangements are for Board, TAC members and alternates only. See attached maps.

AGENDA		*Page*
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2. Subcommittee/Advisory Council/Task Force Reports:		
Regional Transportation Investment Subcommittee (RTIS)	(Chair: Tom O'Leary/Dave Stover)	
Regional Pavement Management Task Force	(Chair: Ken Carney/Bill Watkins)	
Transportation Water Quality Council	(Chair: Jim Gills)	
Bicycle Advisory Council (Enclosed)	(Chair: Bob Brown)	8
Transit Council	(Chair: Joe Calabrese)	
ODOT District 12 Update	(Dale Schiavoni)	
↳ Innerbelt Stormwater position Paper – Rob Lang - OES – Dave Lastovka - D12		
3. Public Involvement		

ACTION ITEMS

4. Approval of minutes of TAC Meeting held March 17, 2006 (Enclosed)	11
5. NOACA's Draft FY 2007 Overall Work Program (Memo-Enclosed) (*OWPnews*: Separate Enclosure) (Full copy available at www.noaca.org)	14

INFORMATION ITEMS

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● A) **City of Berea** – Berea Bicycle Safety Training of Elementary School Children	17
B) **City of Chardon** – Fifth Avenue Realignment and Center Street Widening in Chardon	19
● C) **City of Shaker Heights** – Repair and rehabilitation of Lockmere Boulevard in Shaker Heights	21
● D) **City of Solon** – Reconstruction of Pettibone Road in Solon 2.4m earmark $9.9m total	23
E) **Cleveland-Cuyahoga County Port Authority** – Cleveland Bulk Terminal Roadway project	27
F) **Cleveland-Cuyahoga County Port Authority** – Construct Flats East Bulkhead Riverwalk	35
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● H) **Cuyahoga County Engineer** – Towpath Trail Stage 1 3/4 mile $7.9m total	40
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● M) **GCRTA** – Commuter buses 7 replacement $480,000/bus	50
● N) **GCRTA** – Fare-free Downtown Cleveland Trolleys	51
● O) **GCRTA** – SFY 2007-2009 Work Access and Transportation Program	55

STATEMENT ON CLEVELAND INNERBELT STORM WATER ISSUES

Ohio Department of Transportation

April 21, 2006

Introduction

As the owner and operator of the Cleveland Innerbelt freeway facility, ODOT is mandated to maintain and operate a safe an efficient roadway and to improve the facility as necessary to ensure it operates efficiently and reliably now and in the future. As with all projects, ODOT is committed to operating the existing roadway and developing and engineering the new improvements to the Innerbelt in compliance with all applicable regulations required by FHWA and the National Environmental Protection Act (NEPA). Furthermore, ODOT is committed to conforming with all applicable rules pertaining to storm water, especially to all aspects of the federal Clean Water Act, the State of Ohio Environmental Regulatory Agencies rules, ORC 6111, and applicable county and local water regulations.

This statement has been prepared to apprise NOACA's Transportation Advisory Committee of the process of how ODOT will meet these requirements on the Cleveland Innerbelt project.

ODOT Storm Water Program

ODOT has been developing procedures and standards in conjunction with the Ohio Environmental Protection Agency (OEPA) to comply with post-construction requirements initially established by OEPA's Phase II "MS4" Storm Water Permit and later prescribed by OEPA's Construction Storm Water General Permit. Under this permit effective March 10, 2006, all roadway improvement projects (linear) must incorporate post-construction best management run off controls for reducing potential water quality and quantity impacts associated with highway storm water runoff. While there is some overlap between the two permits, essentially the Construction General Permit (CGP) is more prescriptive and requires ODOT to comply with specific construction and post-construction requirements for managing storm water runoff from its facilities. ODOT's post construction requirements are spelled out in detail at http://www.dot.state.oh.us/se/hy/post%20construction.htm.

In addition to these post-construction requirements, ODOT has developed a Storm Water Management Plan for its highways and other facilities in the urbanized portions of Ohio. The goal of the plan is to reduce pollutants in storm water runoff. The plan addresses six minimum control measures as required by the MS4 permit:

- Public education and outreach
- Public involvement/participation
- Illicit discharge detection and elimination
- Construction site storm water runoff control
- Post construction storm water management in new development and redevelopment
- Good housekeeping and pollution prevention

Copies of the Storm Water Management Plan and annual reports are available at http://www.dot.state.oh.us/stormwater/ .

For the past two years, ODOT has been in consultation with Ohio EPA on a statewide basis to determine best management practices (BMPs) to address its post-construction storm water issues for linear transportation projects. ODOT will continue to look to Ohio EPA as the primary source of guidance for storm water management issues. In addition, ODOT will continue to refine its post construction BMP toolbox through the sponsorship of research. Currently, ODOT is embarking on research involving **vegetated bio-filters** and **exfiltration trenches** for post construction storm water management for linear transportation projects. ODOT considers research relating the storm water management issues important and will be expending nearly one million dollars ($1M) over the next two years to support such research to document BMP operation, maintenance and cost effectiveness. Finally, ODOT continues to track other National and State DOT sponsored research which may validate and enhance design specifications, device performance, maintenance and operations of these and other BMPs applicable for use in highway rights of way.

BMPs: *Methods, measures or practices selected by an agency to meet its nonpoint source control needs. BMPs include but are not limited to structural and nonstructural controls and operation and maintenance procedures. BMPs can be applied before, during and after pollution-producing activities to reduce or eliminate the introduction of pollutants into receiving waters (40 CFR 130).*

Highway Storm Water Runoff – An Overview

Several research projects have been completed to characterize pollutants in highway and urban storm water runoff. Selected research completed to date on highways may be found in the References section at the end of this Statement. This research has generally found that the higher the traffic volumes the higher the unit pollutant loads and concentrations of pollutants found in highway storm water runoff. These studies have also shown that at these higher levels (depending upon the pollutant type); unit loading rates and concentrations can be similar to runoff from parking lots, commercial areas, and other urban developed impervious areas. Thus, ODOT recognizes that highway runoff contains pollutants similar to runoff from urbanized areas and that the Innerbelt is currently a source of pollutants.

Table 1 below provides an overview of annual unit pollutant loading rates for various urban land uses for comparison purposes including from highways. Data represent edge of pavement monitoring results and not "end of pipe". Actual end of pipe concentrations will vary depending on design and the application of BMPs to reduce pollutant concentrations. In general, BMPs can be expected, based on BMP research,

to reduce concentrations by upwards of 80% or higher, although again, this will vary depending upon the pollutant of concern, maintenance practices, climate, etc.

Table 1: Typical Urban Areas and Pollutant Yields (Burton, G.A. Jr., and R. Pitt, 2002. *Stormwater Effects Handbook: A Tool Box for Watershed Managers, Scientists, and Engineers.*).

POLLUTANT	LAND USE (lb/acre/yr)[a]								
	Com-mercial	Parking Lot	Residential - Density			High-ways	Ind-ustry	Parks	Shop-ping Center
			High	Medim	Low[b]				
Total Solids	2100	1300	670	450	65	1700	670	NA[c]	720
SS	1000	400	420	250	10	880	500	3	440
Cl	420	300	54	30	9	470	25	NA	36
TP	1.5	0.7	1	0.3	0	0.9	1.3	0.03	0.5
TKN	6.7	5.1	4.2	2.5	0.3	7.9	3.4	NA	3.1
NH_3	1.9	2	0.8	0.5	0	1.5	0.2	NA	0.5
$NO_3 + NO_2$	3.1	2.9	2	1.4	0.1	4.2	1.3	NA	0.5
BOD_5	62	47	27	13	1	NA	NA	NA	NA
COD	420	270	170	50	7	NA	200	NA	NA
Pb	2.7	0.8	0.8	0.1	0	4.5	0.2	0	1.1
Zn	2.1	0.8	0.7	0.1	0	2.1	0.4	NA	0.6
Cr	0.15	NA	NA	0	0	0.09	0.6	NA	0.04
Cd	0.03	0.01	0	0	0	0.02	0	NA	0.01
As	0.02	NA	NA	0	0	0.02	0	NA	0.02

[a] The difference between lb/acre/yr and kg/ha/yr is less than 15%, and the accuracy of the values shown in this table cannot differentiate between such close values
[b] The monitored low-density residential areas were drained by grass swales
[c] NA = Not available

Overview of Innerbelt Water Quality Considerations

The contributing area of the Innerbelt represents about 0.03 percent of the 812 sq mi Cuyahoga River Watershed. The enclosed map shows the current drainage of the Innerbelt and additional specific project information follows:

- 334 Acres in total highway right of way within expected project limits
  - 112 Acres drains to Cuyahoga River (34%)
  - 111 Acres drains to Lake Erie (33%)
  - 30 Acres drains to NEORSD Southerly Plant (9%)
  - 81 Acres drains to NEORSD Easterly Plant (24%)
- 223 Acres drains directly to surface water bodies via the existing separate storm sewer systems (67%)
- Existing project area pavement (impervious) area-96 Acres
- Expected proposed project pavement impervious area-112 Acres (net increase 18 acres)
- City of Cleveland area in Cuyahoga River Watershed – 25,666 Acres
- Lower Cuyahoga River high intensity residential area – 19,737 Acres
- Lower Cuyahoga River commercial/industrial/transportation area – 33,179 Acres
- Cuyahoga River Watershed - 520,000 Acres
- Lake Erie Watershed - 19 million Acres

From an overall pollutant loadings perspective, the Innerbelt project area represents a relatively small source of the estimated total loadings to the watershed. Still, ODOT acknowledges the project will discharge pollutants to the Lower Cuyahoga River watershed and to the Lake Front. The actual amounts will depend upon the final drainage design and BMPs installed to reduce pollutant loadings. As noted above, ODOT will comply with applicable regulations and permits to reduce storm water runoff loadings to these important waterbodies.

It is important to note that the primary causes of impairment in the Lower Cuyahoga River watershed are organic enrichment, nutrient enrichment, low in-stream dissolved oxygen, toxicity, sedimentation, and habitat degradation. Nutrient enrichment and organic enrichment are closely tied to each other in the Total Maximum Daily Load (TMDL) river segment. Due to the large number of CSOs and sewage treatment plants in the TMDL sub-watershed area both appear as sources of non attainment. The remaining nutrients, at this time, are believed to be associated with phosphorus. In limited sections of the watershed, small wetland dominated streams, natural background conditions contribute to non attainment (OEPA, 2005).

Urban runoff is identified in the final TMDL report for the Lower Cuyahoga River as one source of water quality impairment in the watershed. The report identifies specific pollutants of concern in storm water discharges for MS4s involving phosphorus and fecal coliform. The only implementation activities recommended for storm water management are to allow implementation of the Phase II Storm Water Regulations, which will improve water quality according to the report. ODOT is subject to these Phase II regulations, as discussed above.

The TMDL report attributes some water quality concerns to the broad category of "urban runoff/storm sewers". The report does not specifically refer to highway runoff or the subset of this runoff from ODOT maintained roads. While highway runoff is assumed to be part of the urban runoff/storm sewers category, the report does not name transportation facilities as a "significant contributor" to the problems from a TMDL perspective. CSOs, urban storm water runoff, and modification of the ship channel due to dredging are significant causes of the problems in the Lower Cuyahoga River. Along Cleveland Harbor front, discharges from existing CSOs, storm sewers, dredging, and lack of habitat are primary sources of pollutants of concerns and causes of impairment.

Innerbelt Project Development Process (PDP) – Water Quality Considerations

ODOT is actively moving forward with the Innerbelt project and is currently in Step 6 of ODOT's Project Development Process (PDP) out of a total of 14 Steps. As announced recently, ODOT is anticipating that construction of the first portion of the project, i.e. the Viaduct Bridge over the Cuyahoga River will commence sometime in 2009 with the remaining improvements completed in stages by approximately 2017. (Note: The CGP is on a five-year permit cycle and new generations of this permit are expected in 2008 and 2013.) Table 3 provides an overview of the PDP when highway storm water runoff issues will be addressed.

Table 2: Overview of Upcoming PDP Steps and Consideration of Highway Storm Water Runoff.

PDP Step	Scheduled Completion Date	Storm Water Planning Activities	Comment
Step 6 – Assessment of Feasible Alternatives	10/02/06	Complete Storm Water BMP Assessment	Determine BMPs to be incorporated into the project pursuant to L&D Manual. Note: process currently underway (see enclosed flow chart). As noted above, portions of ODOT drainage enters NEORSD's or local combined sewer system which then connects to the NEORSD system. ODOT is assessing feasibility of separating out its storm water due to CS system capacity & cost issues.
Step 7 – Develop Preferred Alternative	03/27/07	Prepare Environmental Assessment and Hold Public Hearing	ODOT is required pursuant to NEPA to address project water quality impacts. Significant impacts are required to be mitigated to acceptable levels. In addition, the EA will be coordinated with numerous agencies including OEPA and ODNR for review and comment. Copies of the EA will be made available for review and comment.
Step 8 – Prepare Environmental Clearance & Develop Stage 1 Design	09/07/07	Finalize EA and Complete Stage 1 Detailed Design	ODOT will obtain final sign-off of environmental documents and complete BMP preliminary design to determine feasibility of selected BMPs identified in step 6.

Summary

ODOT is committed to conforming with all applicable rules pertaining to storm water and implementing post construction storm water BMP's as part of the Cleveland Innerbelt reconstruction project. Given the extended time frame envisioned to complete all of the construction in this corridor, it is anticipated that many, if not all of the Innerbelt construction contract groups will be constructed under a future term NPDES Construction General Permit. ODOT will continue to work with the Ohio EPA to ensure that the BMP's selected for the linear transportation environment are appropriate, effective and maintainable.

In addition, ODOT will proceed with the Separation Feasibility Study, as a means of assessing both the quantity and quality issues related to ODOT runoff currently being collected and conveyed by the NEORSD combined system in the Central interchange and the Innerbelt curve portions of the project. ODOT will also apply the current policy to address storm water runoff associated with the central viaduct bridge portion of the project. ODOT recognizes that the Cleveland Innerbelt Corridor project is comprised of seven sub-projects with differing design and construction schedules. ODOT will apply the most current permit requirements on these sub-projects and modify the Post-Construction policy as necessary to meet these permit term updates.

It is strongly suggested that NOACA use a regional approach associated with post construction storm water management. As noted above, even though the Cleveland Innerbelt project is extremely large with respect to overall investment, its role in the overall Cuyahoga River and Lake Erie watershed is rather small. Any true impact to these watersheds will have to be a combination of work by multiple agencies (including State, County, and municipal), along with local land owners. ODOT believes that the regulatory structure, which is already in place, should be used to lead this effort.

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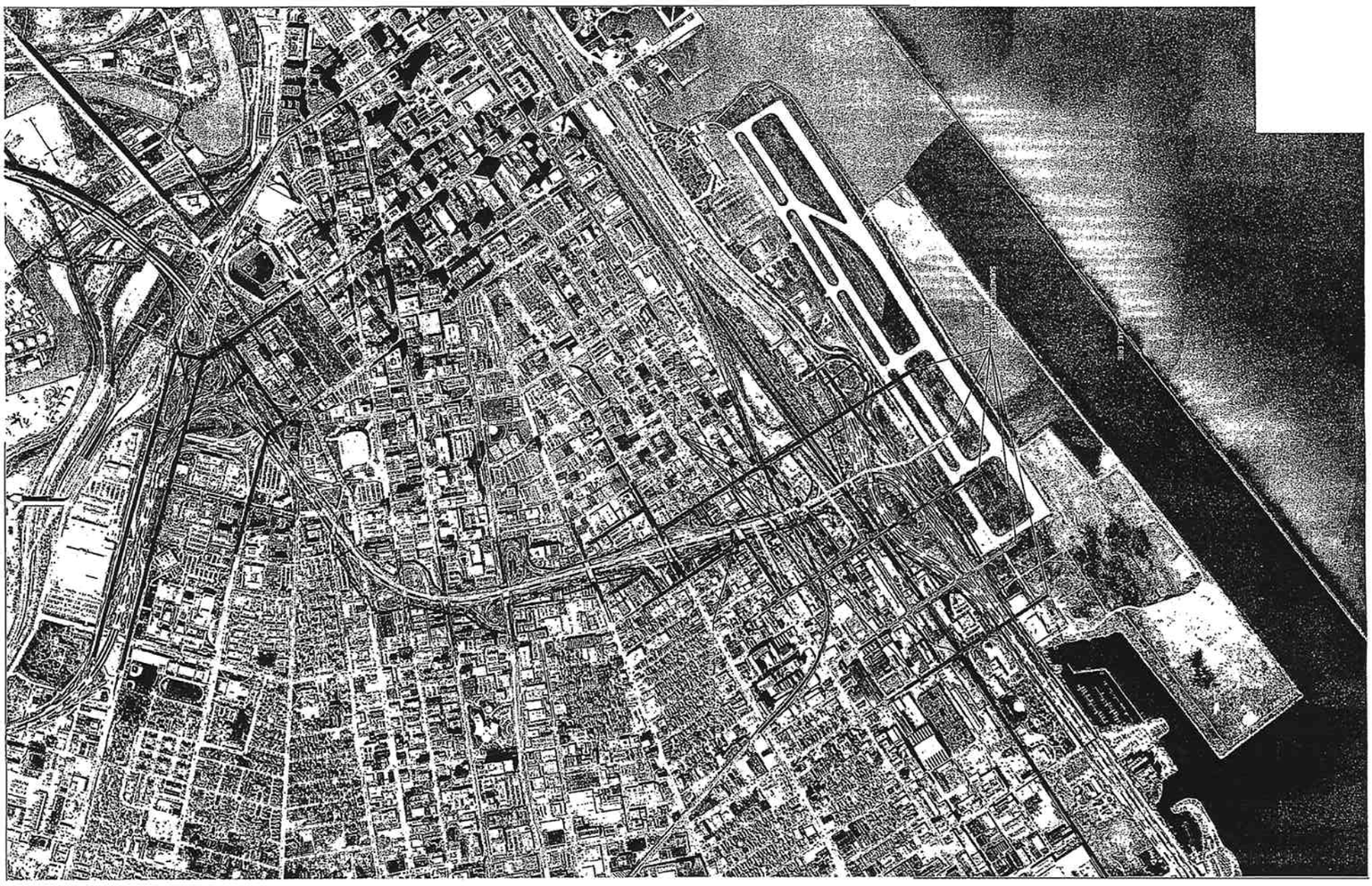

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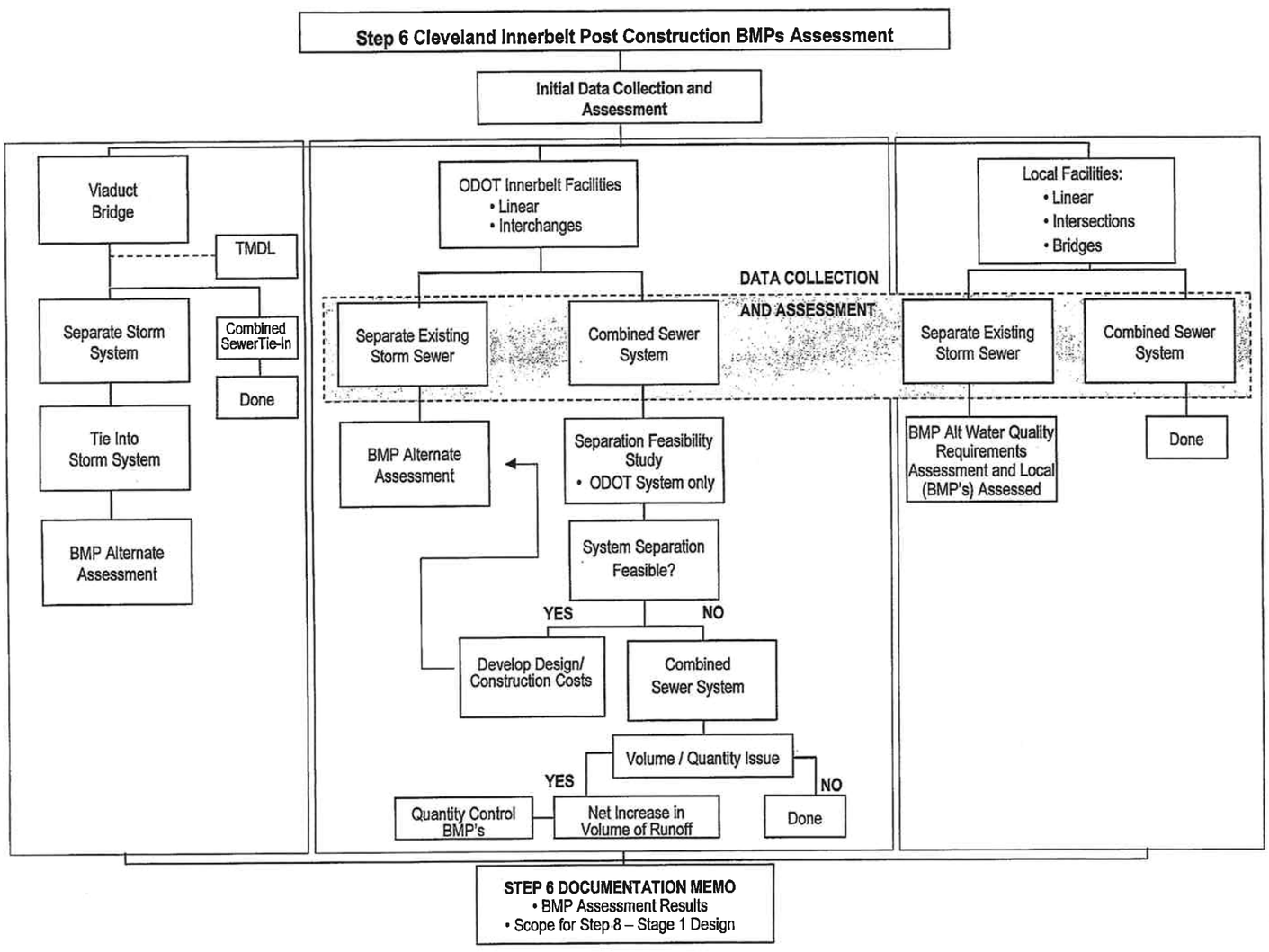
Step 6 Cleveland Innerbelt Post Construction BMPs Assessment
Initial Data Collection and Assessment
Viaduct Bridge
TMDL
Separate Storm System
Combined SewerTie-In
Done
Tie Into Storm System
BMP Alternate Assessment
ODOT Innerbelt Facilities
• Linear
• Interchanges
DATA COLLECTION AND ASSESSMENT
Separate Existing Storm Sewer
Combined Sewer System
BMP Alternate Assessment
Separation Feasibility Study
• ODOT System only
System Separation Feasible?
YES
NO
Develop Design/ Construction Costs
Combined Sewer System
Volume / Quantity Issue
YES
NO
Quantity Control BMP's
Net Increase in Volume of Runoff
Done
Local Facilities:
• Linear
• Intersections
• Bridges
Separate Existing Storm Sewer
Combined Sewer System
BMP Alt Water Quality Requirements Assessment and Local (BMP's) Assessed
Done
STEP 6 DOCUMENTATION MEMO
• BMP Assessment Results
• Scope for Step 8 – Stage 1 Design

"Richard Switalski " <SwitalskiR@neorsd .org>
05/03/2006 09:43 PM

To <Dave.Lastovka@dot.state.oh.us>
cc
bcc
Subject Re: Cleveland Innerbelt Draft Sewer Separation Study

Dave,

I apologize for not getting back to you sooner. Regarding your question the answer is yes, I have reviewed and distributed the report. I will talk to the appropriate people tomorrow to find some dates the will be available during the next several weeks to get together. As a separate issue, I also want to get together to talk about the report on the Easterly Interceptor alternatives.

Rick

>>> <Dave.Lastovka@dot.state.oh.us> 05/03/06 12:50PM >>>
Rick,

I just wanted to follow-up on the April 10, 2006 letter I wrote transmitting a Draft Storm Sewer Separation Feasibility Study.

Hopefully you have received this document. The next step, I think, would be for us to set up a coordination meeting to discuss this topic in further depth.

Let me know if you have any questions, and when it might be appropriate to schedule this meeting.

Thanks,
Dave

David Lastovka, P.E.
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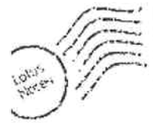

Dave Lastovka/Production/D12/ODOT
06/23/2006 11:05 AM

To greenlandf@neorsd.org, StumpeL@neorsd.org
cc
bcc Craig Hebebrand/Production/D12/ODOT@ODOT
Subject ODOT-NEORSD Pre-Meeting on Cleveland Innerbelt Stormwater

Frank/Lester,

To follow up on my phone conversation with Frank yesterday, we have a meeting scheduled between the 3 of us on Thursday, July 6, 2006 at 12:30 pm. (at your NEORSD office)

I wanted to try to go through what I think we need to discuss at this meeting. As you know, we submitted a "Draft Storm Sewer Separation Feasibility Study" to NEORSD on 4-10-2006. As noted in that cover letter, we felt a meeting between our organizations to discuss this topic was needed. As of today, we have not yet been able to coordinate this formal meeting. I still hope we can schedule this meeting for some time in July 2006.

I thought that a smaller, pre-meeting between us, might allow us to speak more efficiently then in a much larger group setting. Ultimately, I hope that this pre-meeting will result in an action plan for the more formal coordination between our agencies.

Certainly we at ODOT are very aware of the concern (and passion) that Lester has brought to water quality issues and the Innerbelt at the Transwac subcommittee. We are also very aware of NEORSD's CSO control program. From our perspective, we are very aware of the funding constraints on the overall Innerbelt project, and the numerous special interest groups who have strong opinions on what is important within this corridor.

I took the liberty of jotting down some thoughts on the Innerbelt storm water. Unless either of you have other ideas, maybe we can use these bullet points as a starting point for our conversation on July 6th.

As I told Frank, I'm on vacation starting today, until July 4th. (I'll be back in the office on July 5th).

I look forward to our discussions on July 6th.

Dave

****

Possible Options for Innerbelt Corridor Stormwater

1. **ODOT removes essentially all I -90 storm water from existing combined sewer system .**
a. ODOT installed new storm only systems that tie either into the Cuyahoga River or Lake Erie (designed for 10, 25, and 50 YR storm criteria, as needed)
b. ODOT installs water quality BMPs per OEPA regulations
c. Would future NEORSD storm water utility charge "fee" for Innerbelt R/W area? Can NEORSD quantify these costs at this time?

2. **ODOT Continues to utilize existing combined sewers (net increase in flow to combined sewers)**
a. Project will impact the existing combined sewer overflow control program. NEORSD will look to ODOT to pay some sort of "damages" to allow NEORSD to modify their control program to remain in compliance. (Capital funding expense)
b. ODOT only installs water quality BMPs in areas where there is a separate, storm only, system
c. Would NEORSD look to charge ODOT for flows into combined sewer system? Can NEORSD quantify these costs at this time?
d. Would future NEORSD storm water utility charge "fee" for Innerbelt R/W areas that are separate stormwater facilities? Can NEORSD quantify these costs at this time?

3. ODOT Continues to utilize existing combined sewer (NO net increase in flow to combined sewers)
a. Project uses combined sewer where applicable, but design ensures that there is no net increase in existing flows
b. ODOT only installs water quality BMPs in areas where there is a separate, storm only, system
c. Would NEORSD look to charge ODOT for flows into combined sewer system? Can NEORSD quantify these costs at this time?
d. Would future NEORSD storm water utility charge "fee" for Innerbelt R/W areas that are separate stormwater facilities? Can NEORSD quantify these costs at this time?

4. ODOT Utilizes Combined Sewer System for "First Flush" Only
a. I-90 storm sewer system designed to direct first flush water to the combined sewer system. Larger flows would enter a storm only system and discharge into the Cuyahoga River or Lake Erie, as appropriate
b. Likely that significant storm sewer conveyance pipes would have to be installed to handle 10, 25 and 50 YR design criteria (for roadway safety), similar to the storm sewer separation option listed in # 1 above.
c. No water quality BMPs would be required
d. Would NEORSD look to charge ODOT for flows into combined sewer system? Can NEORSD quantify these costs at this time?
e. Would future NEORSD storm water utility charge "fee" for Innerbelt R/W areas that are separate stormwater facilities? Can NEORSD quantify these costs at this time?

Funding
One of the ODOT challenges we need to discuss is our project funding stream. We are utilizing Federal highway dollars for the capital funding portion of the project. This money is available for up-front capital expenditures, like installing new separate storm sewers and BMPs. Any recurring "charges" from NEORSD would have to come from District 12's operating budget. There is a concern within ODOT about the unknown nature of these potentially recurring "charges".

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OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 12, 5500 TRANSPORTATION BLVD., GARFIELD HEIGHTS, OHIO 44125

August 16, 2006 (Corrected)

Mr. Frank Greenland, P.E.
Northeast Ohio Regional Sewer District
3900 Euclid Avenue
Cleveland, Ohio 44115

RE: CUY-Innerbelt Corridor, PID 77510; Storm Water Coordination

Dear Mr. Greenland:

As a result of on-going dialogue between our organizations, we would like to request clarification on key issues relative to the Cleveland Innerbelt drainage design. Feedback from your organization is essential to understanding the potential implications of various storm water strategies.

Project Assumptions to Date:

1. ODOT is very cognizant of your upcoming investment in your combined sewer overflow (CSO) control program. This overflow control program is extremely important to the entire region. ODOT's Innerbelt design intent would be to minimize, if not eliminate, additional storm water inputs into the existing combined sewer system.

2. NEORSD staff has stated that additional storm water to the combined sewer system that negatively impacts the CSO control program would be ODOT's responsibility. That is, ODOT would be asked to fund any incremental extra capital costs that NEORSD would incur to remain within regulatory compliance.

3. ODOT is considering a build strategy that will separate the majority of the Cleveland Innerbelt storm sewer system from the existing combined sewer system. The separate storm water sewer system would outlet into the Cuyahoga River, or Lake Erie, as hydraulically appropriate. Under this separation scenario, ODOT would install storm water quality best management practices (BMPs) along the corridor, as required by the Ohio EPA's General Construction Permit.

During informal discussions with you and Lester Stumpe, it was noted that your office is investigating the implementation of a storm water utility for your service area. It was also noted that future OEPA storm water permits might require higher levels of storm water treatment. It was suggested that the Innerbelt might want to consider a strategy to utilize the existing combined sewer system to obtain water quality treatment for the Innerbelt's "first flush".

Certainly this "first flush" methodology would have to ensure that it not cause any disruptions to your existing combined sewer overflow control program. These concepts bring up important questions for ODOT as we continue preliminary engineering on the Innerbelt.

1. Will a potential future NEORSD storm water utility charge ODOT a fee for the Innerbelt R/W area? If yes, can NEORSD quantify these potential fees at this time?

2. If it can be determined that the "first flush" methodology does not negatively impact your existing CSO control program, will NEORSD charge an ongoing fee to ODOT for treating this "first flush" storm water.

Since a "first flush" storm sewer system will have to convey larger flows away from the combined sewer system, it is anticipated that the needed storm sewer pipe infrastructure for a separate storm sewer system, and a system that conveys a "first flush" to the combined sewer system, will have similar initial capital costs. The significant difference in these systems will be the capital and operating costs of the necessary storm water quality BMPs. At this time, ODOT can project the capital and operating costs for storm water BMPs anticipated to meet current regulatory requirements. The unknown variable in trying to analyze a "first flush" methology would be any on-going fees charged by NEORSD.

In order for us to commit to analyzing this "first flush" methodology, we respectfully request guidance from your office on potential future charges to ODOT.

We look forward to working with you on these important infrastructure projects.

Respectfully,

David R. Lastovka, P.E.
Transportation Engineer

c: Lester Stumpe, NEORSD
David Riley, ODOT Central Office - Hydraulics
Rob Lang, ODOT Central Office – Office of Environemental Services
Bill Cody, ODOT Central Office – Office of Environemental Services
Dale Schiavoni, ODOT D-12 Planning
John Motl, ODOT D-12 Planning
Mike Kubek, ODOT D-12 Production
Craig Hebebrand, ODOT D-12 Production
Mike Moriarty, ODOT D-12 Production
file (PID 77510)

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Northeast Ohio Regional
Sewer District
Protecting Your Health and Environment

October 16, 2006

Mr. David R. Lastovka, P.E.
Transportation Engineer
Ohio Department of Transportation – District 12
5500 Transportation Blvd.
Garfield Heights, Ohio 44125

Dear Mr. Lastovka:

In response to the questions raised in your letter of August 16, 2006, I offer the following:

1. **Will a potential future NEORSD storm water utility charge ODOT a fee for the Innerbelt R/W area? If yes, can NEORSD quantify these potential fees at this time?**

   The District is in the early stages of a strategic implementation "roadmap" study which seeks to identify key hurdles, issues, desires and needs relative to expanding the District's role in regional storm water management. Key tasks in this study include establishment of future program objectives and methods to fund future activities. Identification of the "fee" for storm water and who might be billed a storm water fee are uncertain at this time. The District will be discussing potential storm water options with numerous public entities, including ODOT, in the coming year.

2. **If it can be determined that the "first flush" methodology does not negatively impact your existing CSO control program, will NEORSD charge an ongoing fee to ODOT for treating this "first flush" storm water?**

   Again, it is uncertain at this time as to the potential charges that may be applied for storm water and who would be billed for storm water discharges. Potential fees for storm water discharges to the existing combined sewer system or to receiving water are unclear at this time. This item will be addressed during the District's ongoing storm water study.

As we've discussed, the District is willing to work with ODOT to identify strategies to best handle Innerbelt storm water discharges. Unfortunately, at this time, the District's future role in regional storm water management is unclear. We will meet with ODOT during our ongoing strategic implementation "roadmap" study to discuss storm

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water issues. Please feel free to contact me if you have any questions regarding this information.

Sincerely,

Frank P. Greenland
Director of Capital Programs

Cc: Betsy Yingling

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THE PLAIN DEALER

Mandates and sewer rates

Sunday, November 12, 2006

The last thing cash-strapped homeowners and business owners want to hear is the Northeast Ohio Regional Sewer District requesting a 9 percent rate increase over the next five years.

Sewer board member Gary Starr, mayor of Middleburg Heights, has raised good questions about the increase. He wants to make sure that the district does plenty of belt-tightening on operations and projects before he supports the increase.

Starr's questions are appreciated. Far too many trustees who serve on local boards simply go with the flow.

And fortunately, sewer district officials are listening. After the Cuyahoga County Mayors and City Managers Association also complained, sewer board members agreed to delay a vote on the increases until Dec. 7.

Many of the big projects on the drawing board - and their expenses - come courtesy of Uncle Sam. The U.S. Environmental Protection Agency rightly demands that Northeast Ohio and other metropolitan regions reduce the sewage that gets through its turn-of-the-century sewer plants, through its 100-year-old pipelines, and gets into the Cuyahoga River, Lake Erie and other local waterways.

Then Washington wrongly shrugs when the bill comes due. Right now, the district gets an estimated $30 million a year or so from a low-cost federal loan program. That's a drop in the bucket when the long-term projects list ultimately will soar to $2 billion.

The feds must give urban areas increased financial assistance for these huge jobs. The burden of this unfunded, unfair mandate falls far too heavily on the district's 330,000 customers in Greater Cleveland.

The sewer district's service area has grown since 1972, even though its customer base has remained the same and its industrial base has shrunk, said Erwin Odeal, the district's executive director.

Mindful of this region's lagging economy, the board has tried to cushion the blow. It recently whittled down its short-term project list from $819 million to $580 million, saving ratepayers some money - for now.

And it has decided to spread out the estimated $2 billion in federally required projects over 30 years, instead of the EPA-preferred 20 years. The EPA should accept the district's longer timetable. There's a greater likelihood that the projects will get done if ratepayers are able to keep pace with the bills.

"Ultimately, the only way out is some kind of federal participation," said Odeal. The new Democratic majority in Congress should hear that plea - and write a big check.

OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 12, 5500 TRANSPORTATION BLVD., GARFIELD HEIGHTS, OHIO 44125

November 20, 2006

Mr. Frank Greenland, P.E.
Northeast Ohio Regional Sewer District
3900 Euclid Avenue
Cleveland, Ohio 44115

RE: CUY-Innerbelt Corridor, PID 77510; Storm Water Coordination

Dear Mr. Greenland:

Thank you for your letter dated October 16, 2006 concerning the questions raised in our August 16, 2006 letter.

At this time, the Department is recommending that our design team begin further investigation on a storm water separation strategy. This separation strategy will look to provide separate storm sewer systems for the Cleveland Innerbelt roadway drainage, where hydraulically appropriate. This strategy will include the installation of storm water quality best management practices (BMPs) along the corridor. The types and designs of BMPs will be coordinated with the Ohio EPA.

The Department believes that the storm water separation strategy will have a positive impact on one of our region's greatest challenges, combined sewer overflows. The removal of direct storm water inputs into the region's combined sewer system should assist your organization in its combined sewer control program.

We look forward to working with you on these important infrastructure projects.

Respectfully,

David R. Lastovka, P.E.
Transportation Engineer

c: Lester Stumpe, NEORSD
David Riley, ODOT Central Office - Hydraulics
Rob Lang, ODOT Central Office – Office of Environemental Services
Bill Cody, ODOT Central Office – Office of Environemental Services
Dale Schiavoni, ODOT D-12 Planning
John Motl, ODOT D-12 Planning
Mike Kubek, ODOT D-12 Production
Craig Hebebrand, ODOT D-12 Production
Mike Moriarty, ODOT D-12 Production
file (PID 77510)

OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 12, 5500 TRANSPORTATION BLVD., GARFIELD HEIGHTS, OHIO 44125

January 12, 2007

Mr. Lester Stumpe
Chairman, Transwac Innerbelt Work Group
c/o Northeast Ohio Regional Sewer District
3900 Euclid Avenue
Cleveland, Ohio 44115

RE: CUY-Innerbelt Corridor, PID 77510; Reply to Transwac Innerbelt Work Group Comments

Dear Mr. Stumpe:

Reference is made to the March 20, 2006 "Findings and Recommendations Report of the Transwac Innerbelt Work Group. Our design team has reviewed the above document and provided responses after each bullet point.

We thank you for your Work Group's interest in the Innerbelt project. We look forward to a good working relationship as we continue on this important infrastructure project.

Respectfully,

Dale Schiavoni, P.E.
Planning and Programming Administrator

c: Howard Maier, NOACA
John Hosek, NOACA
Jim Gills, Lake County Engineer (Chair NOACA Transwac Subcomittee)
Frank Greenland, NEORSD
Bruce Mansfield, Burgess and Niple
Mark McCabe, URS
Rober Parker, Michael Baker, Jr.
David Riley, ODOT Central Office - Hydraulics
Rob Lang, ODOT Central Office – Office of Environemental Services
Bill Cody, ODOT Central Office – Office of Environemental Services
John Motl, ODOT D-12 Planning
Mike Kubek, ODOT D-12 Production
Craig Hebebrand, ODOT D-12 Production
David Lastovka, ODOT D-12 Production
Mike Moriarty, ODOT D-12 Production
file (PID 77510)

Finding and Recommendations Report of the Transwac Innerbelt Work Group
3/20/2006

ODOT Comments 01/12/2007

Transwac Innerbelt Work Group Findings:

1. There is reasonable evidence to suggest that untreated runoff from the Innerbelt may have deleterious effects on the aquatic and ecological health of the Cuyahoga River, and nearshore waters of Lake Erie. Attachment A provides supporting documentation for this conclusion.
2. The Department of Transportation for the State of Washington and CALTRAN have developed models for assessment of water quality impacts which may prove useful in more specifically assessing the impacts on water quality of the proposed Innerbelt facility. (Representative materials documenting these processes are assembled at an ftp site developed by the Transwac work group.)
3. Engineering decisions regarding the Innerbelt drainage systems and the treatment of runoff are likely to affect the feasibility of future options to provide for high levels of treatment of storm water, should new treatment requirements be determined necessary.
4. A substantial portion of the Innerbelt project will be constructed on elevated structures. This creates special problems related to storm water runoff management, and requires careful consideration in the planning and design of these structures. (It is noted that the National Cooperative Highway Research Program report "Assessing the Impact of Bridge Deck Runoff Contaminants in Receiving Waters" provides detailed guidance for assessing impacts and developing runoff management programs.)
5. The Greater Cleveland Community is embarking on a major capital program to control combined sewer overflows and is in the process of establishing new standards to control storm water for development and redevelopment projects as a measure to protect the ecological health of the area water resources.

Recommendations for the Conduct of the Innerbelt Project Development Process:

1. The Project Development Process (PDP) is encouraged to evaluate the likely environmental impacts (i.e., water quality and aquatic ecological impacts) attributable to highway runoff and develop storm water management practices that are responsive to the particular environmental concerns of the applicable receiving waters.

ODOT – The project will be developed within the current regulatory structure, which requires the use of post construction storm water best management practices(BMPs). These BMPs are designed to minimize the impact of highway runoff on the applicable receiving waters.

The PDP involves development of an environmental document to satisfy NEPA. To support the environmental document, an Ecological Survey Report will be prepared which describes

the aquatic, terrestrial, wetland, and endangered species resources of the project and potential impacts to these resources. In addition, ODOT will coordinate the ecological aspects of this project with the Ohio Department of Natural Resources, US Fish & Wildlife Service, US Army Corps of Engineers, and Ohio EPA. This coordination will also determine if a Section 404 permit and a Section 401 Water Quality Certification are required.

Additionally, a draft Stormwater Separation Feasibility Study was submitted to NEORSD on April 10, 2006 to discuss the interaction of the existing and proposed I-90 storm sewer system with the existing Cleveland/NEORSD combined sewer system. ODOT is pursuing a storm water separation strategy that will attempt to remove existing I-90 stormwater from the existing combined sewer system. (where hydraulically appropriate) It is theorized that removing I-90 stormwater from the existing combined sewer system should help NEORSD improve its combined sewer overflow control program, thus improving water quality for the Cleveland Lakefront area. Stormwater removed from the combined sewer system would be treated using conventional stormwater BMPs. The final version of this study will include a summary table which includes recommended BMPs for delineated project drainage areas.

In summary, the PDP involves a considerable amount of documentation of water quality and aquatic ecological impacts and coordination with various resource agencies as well as the issue of complying with the applicable Ohio EPA storm water permits.

2. In as much as untreated runoff from the proposed Innerbelt facility appears to have the potential to cause environmental harm and may result in the violation of water quality standards the PDP should consider treatment of all runoff from the reconstructed facility, as opposed to only providing treatment for volumes of runoff associated with new pavement area. Design events used to calculate runoff volume should be based upon controlling requirements considering both Ohio's general storm water permit and the need to prevent violations of Ohio Water Quality Standards.

ODOT - The General Construction Permit prescribes the installation and maintenance of BMPs aimed at water quality concerns expected from typical runoff. Highway runoff from the Innerbelt is typical. The permit does not prescribe effluent monitoring and limits, but instead relies on BMPs as an appropriate and efficient method to handle the level of pollutants in typical runoff.

The project will be designed to meet the requirements of the Ohio EPA's General Construction Permit. It is anticipated that future versions of the Ohio EPA's General Construction Permit will be issued in 2008 and 2013. The Cleveland Innerbelt projects are anticipated to begin construction in 2009, but are not anticipated to be completed until at least 2025. It is anticipated that the design of the Cleveland Innerbelt stormwater BMPs will comply with the current policy in place at the time of final design.

More specifically, the current ODOT policy requires the treatment of 20% of the water quality volume for areas of existing pavement and 100% for areas of new pavement. Project areas with both existing and new pavement areas will be designed to treat a weighted average of the water quality volume.

ODOT will consider the feasibility of providing BMP treatment for 100% of the pavement area, which is not currently required by the OEPA permit. Key considerations will be the initial capital cost for providing additional BMPs, along with the increase in the on-going operation and maintenance costs for these additional BMPs.

3. The PDP should consider potential long-term treatment needs for storm water in selecting design alternatives for the drainage of the Innerbelt facility. Some drainage options may limit opportunities for providing additional treatment for storm water runoff, should a higher level of treatment be determined as necessary in the future.

ODOT - It is not possible to project, at this time, what future treatment levels will be required.

In our August 16, 2006 letter to NEORSD, we discussed the concept of having the Innerbelt's "first flush" enter the NEORSD system. Since a "first flush" storm sewer system will have to convey larger flows away from the combined sewer system, it is anticipated that the needed storm sewer pipe infrastructure for a separate storm sewer system, and a system that conveys a "first flush" to the combined sewer system, will have similar initial capital costs. The department has determined that the installation and maintenance of transportation appropriate BMPs is advantageous rather then relying on unknown treatment costs through the NEORSD. Additionally, this strategy should result in reduced storm water entering the combined sewer system, which should have a positive impact on one of our region's greatest challenges, combined sewer overflows.

As noted above, the project will be designed to meet the requirements of the Ohio EPA's General Construction Permit. It is anticipated that future versions of the Ohio EPA's General Construction Permit will be issued in 2008 and 2013. The Cleveland Innerbelt projects are anticipated to begin construction in 2009, but are not anticipated to be completed until at least 2025. It is anticipated that the design of the Cleveland Innerbelt stormwater BMPs will comply with the current policy in place at the time of final design.

The location of many of the proposed Innerbelt storm sewers will be driven by ODOT hydraulic design criteria and existing outlet location. Certainly the effective drainage of the Cleveland Innerbelt is paramount to the safety of the public traveling at highway speeds.

4. The PDP is encouraged to consider the specific characteristics of Innerbelt runoff as well as proposed passive best management practices in evaluation of alternative storm water management strategies.

ODOT – ODOT believes that the runoff from the Cleveland Innerbelt is typical of "urban" runoff. The BMPs selected for use on this project will be appropriate for this environment. ODOT has worked closely with Ohio EPA for the past two years to develop post construction storm water BMPs specifically for linear transportation projects. It is important to note that all installed BMPs must meet numerous criteria. (buildable, fundable, maintainable, effective, safely remove water from a high speed facility, etc.) ODOT has

committed approximately $1 million in research money to study the operation, maintenance, and effectiveness of ODOT's BMPs for linear transportation projects.

Additionally, the Cleveland Innerbelt mainline pavement is currently being designed to have a minimum inside and outside shoulder width of 12'. This shoulder width is a design (safety) requirement due to the amount of truck traffic in the corridor. These shoulder widths will enable ODOT to sweep dirt and debris from the shoulders without having to close a traveled lane. At the present time, due to the existing narrow shoulders, the only reasonable times to close lanes on I-90 through the Innerbelt is evenings and weekends. This change of allowing ODOT maintenance crews to sweep the I-90 shoulders without having to close a traveled lane should result in more frequent shoulder sweepings since this work can be completed during normal work shifts. Regular shoulder sweeping will have dramatic effect on the long term performance of any stormwater BMP that are installed in this corridor.

5. It is recommended that the options evaluated for treatment of storm water include, but not be limited to the following:
   a) Detention and/or retention facilities above or below grade utilizing current or future green space near the Lakefront.
   b) Tie-in of all or part of the runoff to the improved combined sewer storage facilities which being designed by the Northeast Ohio Regional Sewer District.

ODOT – Although the Department is pursuing a storm water separation strategy, it is likely that some areas of the project will continue to be connected to the existing combined sewer system. These areas will receive stormwater treatment through the NEORSD system. For the remaining separate storm sewer areas, the design team will consider all of the BMPs in the L&D Manual. Key design criteria (such as elevation, safety, maintainability, right of way, future Cleveland economic development initiatives) will be utilized to screen these BMPs. Again, it must be noted that removing water from the pavement surface is essential to the safety of high speed traffic.

6. The management and treatment of runoff should be considered as an integral part of preliminary engineering for any new or reconstructed bridges crossing the Cuyahoga River. Containment of hazardous material spill should also be assessed.

ODOT – The project team is aware of the existing TMDL for the Lower Cuyahoga River and will consider it during the design of the BMPs for the Central Viaduct bridges (both the new I-90 WB bridge, and the rehabilitated I-90 EB bridge, and the ultimate replacement I-90 EB bridge)

7. For any proposed direct discharges of storm water to receiving waters or to separate storm sewer systems that subsequently discharge to receiving waters, preliminary engineering should begin planning for monitoring chambers that will facilitate the monitoring of highway runoff. Planning for any such discharge points should also consider provisions to assist in containing hazardous material spills.

ODOT – There are no regulatory requirements for monitoring chambers. Monitoring chambers can be considered, although standard ODOT manholes and inlet structures will provide adequate access for any needed future monitoring.

8. ODOT is encourage to provide for at least two review points for interaction with the TRANSWAC Innerbelt work group prior to the completion of the drafts for the environmental documents for the project.

ODOT – The Transwac group can review the Step 6 assessment of BMPs, upon its completion. Additionally the Transwac group will be encouraged to review the project's draft environmental impact statement.

9. If the PDP concludes that the treatment of storm water runoff called for by permit or by the need to prevent a violation of water quality standards is not feasible, such a finding should be supported by an engineering cost feasibility study demonstrating that treatment is not feasible. A format for an engineering cost feasibility study is provided at the above noted ftp site.

ODOT – At this time it is not anticipated that BMP implementation will be considered "not feasible".

10. As highway storm water runoff may affect water quality at various parks including portions of the Cleveland Lakefront State Park, the PDP should consider any applicable requirement of the Federal Highway Administration's Section 4(f) policy. This policy may suggest the need for specific studies or impose certain requirements on the management of storm water.

ODOT -_FHWA makes that the 4(f) determination for this project. ODOT will consult with FHWA on any 4(f) issues and such issues will be described in the environmental document.

11. As key stakeholders, Ohio EPA and ODNR should be encouraged to fully engage in the review of PDP step reports, as well as project environmental documents to evaluate whether or not proposed storm water management practices are protective of receiving water resources.

ODOT – ODOT continues to work closely with Ohio EPA and ODNR on the development of transportation appropriate BMPs.

Attachment A: Review of Water Quality Environmental Impact Concerns

The purpose of this document is to review the data developed by the Innerbelt work group, focusing on the question of whether the storm water runoff from the current and proposed Innerbelt facility has a reasonable potential to cause harm to the Cuyahoga River and the lakefront area of Lake Erie. This review was not meant to be exhaustive nor intended to fully evaluate the impact of Innerbelt storm water runoff. Rather, the purpose of this document is to aid in making a determination of the need for a more detailed analysis of likely water quality impacts as a part of the ODOT Project Development Process.

Four topics are considered in this document:

1. The summary findings of a literature review undertaken by the United States Geological Survey for the Federal Highway Administration, documenting the impacts of highway runoff on the ecological health of aquatic communities.
2. Summarization of the findings of the Cuyahoga River RAP Stage 1 report concerning local water resource impairments. The particular focus of this review is on the findings related to eutrophication and impairments to the benthic community.
3. Summarization of the Lower Cuyahoga TMDL, which sets targets for the Lower Cuyahoga for total phosphorus levels.
4. Comparison of published values for pollutant in highway runoff quality with Ohio water quality criteria.

1. Literature Review of Water Quality Impacts of Highway Runoff

A comprehensive literature review of the impacts of highway runoff was conducted by the USGS for the U.S. Department of Transportation. The report, "Assessing Biological Effects from Highway-Runoff Constituents," was released in 1999. (Open-File Report 99-240). This report reviews 44 articles and published papers incorporating fieldwork from 1970 through 1996. The last paragraph of the Summary of this document is provided below.

> "A review of 44 reports on the biological effects of highway runoff on local ecosystems reveals several information gaps. The use of different methods from study to study and a general lack of sufficient documentation preclude making quantitative comparisons among different studies using the existing data. Qualitatively, the literature indicates that constituents from highway runoff and from highway-runoff sediments deposited in receiving waters near the highway are found in the tissues of aquatic biota, and that these sources may affect the diversity and productivity of biological communities, even though bioassays would suggest that highway runoff is not often toxic to aquatic biota. To provide the quantitative information needed, it is necessary to obtain information using standard methods, and to document study results in a manner that will be useful for a national or regional synthesis."

2. Cuyahoga River Remedial Action Plan Stage 1 Report

The Cuyahoga River Remedial Action Plan in its Stage 1 report concluded that the Navigation Channel of the Cuyahoga River is "Probably Impaired" and that the nearshore area of Lake Erie is "Impaired." The Lower Cuyahoga is listed as "Probably Impaired" due to a lack of an adequate database on which to base a more definitive conclusion. Additionally, the Stage 1 report concluded that the benthic community is "Possibly Impaired" in the Navigation Channel

and "Impaired" in the nearshore area of Lake Erie. The "Possibly Impaired" determination reflects that existing studies note problems, however, at that time there were no clear standards applicable to the navigation channel on which to base a more definitive determination. As a part of the procedure of making a determination of impairment for the benthic community, the Stage 1 process prepared separate technical reports on the benthic communities in the Cuyahoga River and in the Cleveland Harbor and nearshore areas. The Cleveland Harbor and nearshore benthic reports reference several studies conducted during the period 1976 through 1989.

3. Ohio EPA TMDL Report for the Lower Cuyahoga

Ohio EPA's September 2003 Total Maximum Daily Load Report found that the lower 7.2 miles of the Cuyahoga River are in non-attainment of water quality standards. Causes of impairment are listed as organic enrichment, habitat alteration, priority pollutant organics, metals, other organics, and oil and grease. The report concluded that "Phosphorus is the limiting nutrient in the Cuyahoga River system." The report sets a TMDL target at 0.12mg/L and calls for a 48% reduction of current phosphorus loading levels for non-point runoff sources. In appendix L the report notes that Cuyahoga River is targeted as a significant contributor to the enrichment conditions of nearshore of Lake Erie.

4. Highway Runoff Pollutant Values Compared to Ohio Water Quality Criteria

Ohio EPA sets water quality criteria for designated waters of the state. For example, the agency has established aquatic life uses for the Lower Cuyahoga river and for Lake Erie. Numerical criteria are found in ORC 3745-1-07. One example of criteria are the numeric allowable limits for concentrations of pollutants within the mixing zones created by a direct discharge. These Inside Mixing Zone Maximum (IMZM) criteria were developed to prevent acute lethality to aquatic life, and accordingly they are applicable for any individual sample rather than for an average of samples. The Outside Mixing Zone Maximum (OMZM) criteria are similarly applicable to individual samples. Compliance with the OMZM criteria involves determining the pollutant concentrations of the available dilution water and the amount of mixing which occurs. For the purpose of this analysis, the review was limited to heavy metals commonly found in highway runoff. Exhibit 1 is a table comparing literature values for highway runoff pollutant levels with Ohio EPA established criteria for IMZMs and OMZMs. Criteria are established for both total metal concentrations and dissolved metal concentrations. Comparison of these published values with Ohio EPA criteria suggests that untreated Innerbelt runoff, to the extent that is similar in reported literature pollutant values, may result in violations of water quality criteria if discharged untreated to Lake Erie or the Cuyahoga River.

Lester Stumpe, P.E.; 3044 Corydon Rd. Cleveland Heights, Ohio 44118
216-321-2566 Lesmnmjus@gmail.com

March 5, 2007

Ohio Department of Transportation
5500 Transportation Blvd.
Garfield Heights, Ohio 44125

Att: Cleveland Innerbelt Project Manager

The substance of this comment is to address ideas around the handling of stormwater runoff from the proposed Innerbelt facility. In summary, I encourage ODOT to vigorously assess the potential impacts of stormwater runoff on the water resources that will receive these discharges as an element of the Draft Environmental Impact Statement. Further, I urge ODOT to fully weigh alternatives for treating stormwater runoff in the draft EIS document. This should include assessment of potential alternative treatment technology as well as an assessment of the environmental benefits of providing treatment of all of the runoff that emanates from the Innerbelt facility. These recommendations are amplified by the attached analysis document.

The substance of my comments are structured around the response that ODOT provided for the Findings and Recommendations report dated March 20, 2006 prepared by the Transwac Work group and subsequently submitted to ODOT on behalf of NOACA. As elements of this comment letter I incorporate both the original Transwac Findings and Recommendation report and the ODOT response as attachments. I believe that it is critical that they be made part of the public record of the Draft Environmental Impact Statement. It is my intent that the recommendations of the analysis be considered as comments and suggested direction to ODOT, and as applicable FHWA, by the undersigned.

While providing comments, I am also requesting an extension of the period for inclusion of public comments for incorporation into the draft EIS for at least an additional 30 days. In support of this request I note that a critical ODOT Innerbelt document, the Level 1 Ecological Survey Report, is just now in the process of being released to the public. To my knowledge it is not yet available on the ODOT Innerbelt internet site. Logically, scoping of the draft EIS would be greatly enhanced by the benefit of public comment on this ecological report which was developed to help inform the EIS scoping process. Additionally, the requested extension of public comment period would also allow for the NOACA Transwac subcommittee to meet to collectively evaluate and provide comment to ODOT.

Finally, an extension of the comment period would allow the Lead Agencies in preparation of the EIS to identify appropriate cooperating and participating agencies as in compliance with Sec. 6002 of SafetyLU. To my knowledge these invitations have not yet been extended. Additional time would allow agencies that are identified, either as

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cooperating or participating agencies, to add comments to the record for use in preparation of the draft environmental impact statement.

Due to storm conditions NOACA was forced to cancel a recently scheduled Transwac subcommittee meeting which was anticipated to have worked to develop comments to ODOT. Further, NOACA has very recently been advised by ODOT that it is not anticipate granting an extension of the comment period. Facing the prospect that the comment deadline might not be extended NOACA staff advised member of the Transwac committee to submit individual comments. At this late juncture this situation results in the need to submit comments as an individual citizen.

Sincerely,

Lester Stumpe

Copies:
Erwin J. Odeal, Northeast Ohio Regional Sewer District
Craig Hebebrand, ODOT District 12
Dave Lastovka, ODOT District 12
Mike Armstrong, FHWA
David Snyder, FHWA
Howard Maier, Northeast Ohio Area Wide Coordination Agency

Comments and Recommended Direction Pertaining to the Assessment of Innerbelt Environmental Impacts and Design of Innerbelt Stormwater Facilities

(Note the following comments are formatted to be consistent with Transwac Subcommittee Finds and Recommendations report dated 3/20/06 (Attachment A) and ODOT's response dated 1/12/07 (Attachment B))

1) Transwac's first recommendation was to request ODOT to investigate the specific likely environmental impacts of Innerbelt runoff. (Transwac made this recommendation after a literature review, which concluded that there is the potential for Innerbelt runoff to cause violations of water quality standards. (An ftp site was established for the Transwac Subcommittee, and is available to ODOT (a subcommittee member), which contains over 40 pertinent document addressing water quality impacts and context sensitive transportation planning. An index of documents at this ftp site is included as Attachment C)

ODOT's response does not dispute the findings of the Transwac work group's report showing the potential harm to aquatic resources and the possible violations of water quality standards. Rather, the focus of ODOT's response appears to derive from current regulatory requirements as established by Ohio's General Construction permit. However, having a limited focus on regulatory requirements runs the risk of producing poor public policy. Just as regulatory requirements are not the driving force for many of the design decisions for a reconstructed Innerbelt, they should not be the only consideration in treatment of stormwater runoff. It should be taken into consideration that the planning and design work done as a part of this project will fix drainage patterns that will likely have significant consequences for lakefront water quality for the next 100 years. Additionally, it is to be noted that the supplemental material supporting the project's Purpose and Need Statement included the goal of protecting and enhancing the natural environment.

ODOT suggests that its direction on stormwater treatment is largely set by ODOT policy related to requirements of Ohio's General Construction permit. However, this permit was not designed for, and can not be expected to provide, adequate guidance for long-range planning processes involving protection of water quality. For example, by permit terms, Storm Water Pollution Prevention Plans (SWP3s) identifying selected BMPs do not need to be developed for potential review by Ohio EPA until 21 days prior to commencing construction. Further, although the general Construction Permit contains provisions affirming the need for post-construction discharges to comply with water quality standards and includes a provision for reopening a permit on the basis of evidence indicating potential impacts on water quality, reopening is not a common practice. Provided that a Storm Water Pollution Prevention Plan (SWP3) has been prepared, there is the presumption that water quality standards will be protected. Thus any action pertaining to a post-construction discharge would only likely occur after construction of the project and subsequent monitoring which demonstrated a violation. While this

approach may be reasonable as a regulatory policy, it does not seem appropriate as guidance for the public's billion dollar investment in Innerbelt reconstruction.

The Plan Development Process (PDP) and the National Environmental Policy Act (NEPA) procedures are the appropriate forums for deliberative processes to consider the long-term view of proper management of stormwater discharges to high value urban water resources. But these processes must be informed with adequate data. In particular Transwac encouraged an assessment of the specific potential impacts of Innerbelt runoff on the Cuyahoga and Lake Erie.

There is some uncertainty regarding ODOT's written response that "in summary the PDP involves a considerable amount of documentation of water quality and aquatic ecological impacts." Most recently, ODOT has suggested that these issues would be addressed in the Ecological Survey Report. That report dated 2/16/2007 and received by the Transwac work group 2/28/07 does contain a discussion of the lower Cuyahoga and Ship Channel and includes statements about impact. A preliminary review of the report identifies two notable points. First, the report does not provide any substantive discussion of the aquatic resources or impacts to the near shore waters of Lake Erie. Second, the report does not address the concerns raised by the Transwac report, particularly that runoff discharges have the potential to be responsible for violations of Ohio's water quality standards. It is recommended that the Ecological Survey Report be revised to include the two noted deficiencies. (Note that other comments may be generated after substantive review of the document.) Further, these issues should be addressed in the draft Environmental Impact statement.

The point of the ODOT PDP process is to incrementally develop information in early steps to help define the study needs of successive steps. The environmental impacts of stormwater were raised as an issue very early in the process and reiterated at the end of Step 4 in the PDP process. Along the way ODOT has been encouraged to include environmental work to evaluate the specific impact of stormwater runoff in the study scope for the Step 5 process. Due to lack of preliminary information on the potential impact of discharges on Lakefront water quality future planning steps run the risk of being less well informed.

In summary there remains a strong need for ODOT to investigate the specific likely environmental impacts of Innerbelt runoff on the specific receiving water resources and in particularly near-shore areas of Lake Erie. Further, if ODOT moves aggressively, there is time to inform the decision making process. ODOT should engage Transwac and pertinent stakeholder agencies in transparent deliberations on this issue. As a first step ODOT is encouraged to make available to the Transwac committee the list of intended agency reviewers to allow Transwac to provide information to and engage in conversation with these agencies on the issues of environmental assessment and stormwater runoff impacts.

2) Transwac's second recommendation was for ODOT to consider treatment of all of the runoff from the Innerbelt facility, to avoid environmental harm, and to assure compliance with water quality standards.

ODOT's response states that it will consider providing for BMP treatment for 100% of the runoff from the Innerbelt facility. This is a positive step. However, the treatment of 100% of the runoff is not sufficient if the end result does not provide the level of treatment that is required to avoid harm to water resources, and assure compliance with water quality standards and other regulatory requirements. ODOT's other responses suggest that they will make BMP choices from a limited menu. This limited approach raises the issue of the adequacy of the options that will be evaluated.

ODOT suggests that it does not have a regulatory requirement to provide treatment for all of the runoff from the Innerbelt. This may be true. Nevertheless, ODOT has a responsibility to consider whether a strong environmental case can be made for providing a high level of treatment for all of the runoff as a part of its PDP process and the NEPA environmental review process. Engineering experience suggests that providing for full treatment of the runoff at the time of complete reconstruction will be less costly then trying to design for retrofit treatment later.

ODOT is encouraged to take a broader view of its responsibilities in the PDP in order to develop solutions that seek the highest value for the citizens of the state regardless of permit requirements. For example, the state of Washington has a developed guidance on when a highway reconstruction project is substantial enough to warrant provision of treatment of all of the runoff from a facility. (Reference: Chapter 5, Washington State, Highway Runoff Manual M 31-16)

3) The third Transwac request was that ODOT consider potential future long-term needs for stormwater treatment in the selection of designs for Innerbelt drainage.

In response, ODOT states that it cannot determine what future treatment levels will be required. One of the purposes of the ODOT PDP, the NEPA process, and the Transwac review process is to encourage long term planning that necessarily weighs uncertain outcomes. It would be truly unfortunate if, for lack of consideration of the potential future treatment needs, ODOT designed a drainage system that would work against future potential treatment options. In considering drainage systems ODOT should consider the potential future long-term needs for stormwater treatment.

Additionally, the response errs in assuming that the project treatment requirements it sites in its response are only controlled by policies developed to in response to Ohio's General Construction permit. Further, while it is appropriate for ODOT to consider the most current EPA policy at the time of the final design, certain options may have closed for lack of identification of identification of needs at an earlier point. ODOT should reconsider its position and undertake a more proactive analysis.

4) The fourth Transwac comment was intended to encourage consideration of specific characteristics of Innerbelt runoff in selection of proposed treatment practices.

ODOT states that it believes that the Innerbelt runoff is typical of urban runoff. In contrast, the Transwac literature review suggests that runoff from highways with high traffic counts has a higher concentration of certain pollutants when compared with typical urban runoff. (See Exhibit 1 of Attachment A of the Transwac report.) If ODOT has different data / information suggesting otherwise it should provide the data and discuss its conclusions.

ODOT provides insightful information in noting that the shoulders for the new facility will have a width that facilitates shoulder sweeping. If ODOT is suggesting that shoulder sweeping is an important and effective strategy in combination with other BMPs, then it should develop and present a reasoned sweeping routine with consideration for the range of weather conditions that will be experienced by the Innerbelt facility. Based upon this intended routine, ODOT should estimate the level of pollution reduction that it hopes to achieve.

The expected quality of Innerbelt runoff and in particular metals concentrations should be described and compared to Ohio Water Quality Standards in the Draft Environmental Impact Statement.

5) Transwac's fifth recommendation was to suggest two options for treatment that relate to the unique opportunities attendant with the project site. These including integrating treatment with green space along the lakeshore and connecting to NEORSD facilities.

ODOT's response is twofold. Earlier in the response letter and here again, ODOT suggested that a decision has been made to pursue a stormwater separation strategy. It seems inappropriate that ODOT would announce a decision to pursue a stormwater separation strategy without providing an engineering analysis to show the value of the option, and without soliciting public input on this decision through the PDP process and in the project's environmental documents. Again, it is noted that Transwac has made a recommendation that the drainage system should be designed with consideration for enhanced future treatment options. ODOT should consider Transwac's suggestions for stormwater treatment as a part of the draft Environmental Impact Statement document.

ODOT's letter suggests that removing stormwater will result in lower pollution loads to the receiving water as opposed to discharging to the combined sewer system. Yet ODOT does not provide justification or reference to a study to support this claim. In certain cases, removal of contaminated stormwater from combined sewer system may lead to higher pollutant loadings. Given the Transwac demonstrated potential for high metals concentrations in Innerbelt runoff, this possibility requires close examination. The calculation to determine which strategy yields the lowest pollutant loads is dependent upon the level of treatment that is provided for the pollutants of concern, before and after the proposed removal from the regional treatment system. This calculation should be presented in the Draft Environmental Impact Statement.

Further, ODOT continues to suggest it can meet its regulatory requirements by selecting BMPs from a pre-screened inventory of BMPs that are listed in its Location and Drainage (L & D) manual. It is unclear why ODOT asserts it does not need to consider other possibilities, particularly when dealing with post-construction runoff that could cause violations of water quality standards, and when other unique options are available for treatment of stormwater.

It is well known that ODOT has been in discussion with Ohio EPA regarding identification of effective BMPs as a way of facilitating compliance with the provision of the General Construction permit. It is likely that these identified options include favorable choices for the majority of ODOT's transportation projects. However, these negotiations do not constitute rule-making and do not override the provisions in other environmental regulations or the provisions of the General Construction permit, which speak to maintenance of water quality standards where there is the potential for violations. For example, the Construction permit notes the primacy of water quality standards and requires the selection and implementation of BMPs to reduce pollutants and ensure compliance with Ohio's water quality standards rule.

6) Transwac's sixth comment asked ODOT to consider treatment of runoff and the potential for containment of spills in the design of new or reconstructed bridges.

ODOT's response confirms its intent to consider the Cuyahoga TMDL goals in considering the treatment of runoff from the projects bridges. However, the response is silent on the matter of designing to address the hazards associated with spills. ODOT should consider spill containment as part of the bridge design effort and should discuss the issue in the draft Environmental Impact Statement.

7) Transwac's seventh request asked that the drainage design engineers consider features that promote environmental monitoring and containment of spills.

ODOT asserts that its standard manholes and inlet structures provide adequate access for any necessary future monitoring. The response fails to address the idea of providing an integrated system that addresses spill containment. Further, the point of the comment is not to provide adequate access; rather, it was a request to consider features that facilitate accurate flow monitoring and safe and representative sample collection. Standard engineering practice to meet these goals has evolved well beyond providing standard manholes. Future monitoring needs should be a consideration in Innerbelt drainage design. ODOT should identify its intent to perform environmental monitoring of runoff in the Environmental Impact Statement.

Additionally, ODOT's response continues a pattern by noting that there are no specific regulatory requirements for monitoring. Again, the PDP should not be driven by the minimum that is needed to meet regulatory requirements.

8) Transwac's eighth comment encouraged two meetings with the Transwac Innerbelt work group prior to the completion of the drafts for the environmental documents for the project.

The lack of anticipated key materials and reports has so far frustrated this goal. ODOT is encouraged to share with Transwac the scope of work for both the Step 6 PDP document and the draft environmental impact statement. Transwac's input should be sought in development of these documents. To facilitate development NOACA should be invited to be an official "Participating Agency" in the development of the Environmental Impact Statement.

9) Transwac's ninth comment addressed the potential issue that cost could be a factor in determining feasibility in selecting treatment options to prevent violations of water quality standards. We provided reference to a format for cost feasibility studies to demonstrate the necessary tradeoffs, should cost become a significant factor.

ODOT's response to this recommendation discounts the possibility that cost could potentially be a factor in selection of treatment options. However, previous comment responses suggest that ODOT only intends to consider the limited set of BMPs in its L&D manual. The Transwac report makes the case for consideration of a wider range of treatment options. Some of these options could involve significant cost. Accordingly, the Transwac provided reference to the suggested format for cost feasibility studies may ultimately prove helpful.

10) Transwac's tenth comment addressed the need to determine the applicability of the FHWA's 4(f) policy.

ODOT's response clarifies that FHWA is in charge of making a 4(f) determination. Transwac should be advised as to whether ODOT has shared the specific request for a 4(f) determination with the FHWA. Also, Transwac should be informed of when FHWA would make such a determination. Finally, the applicability of Section 4(f) should be discussed in the draft Environmental Impact Statement. To the extent that it is applicable the information and assessments required by 4(f) should be part of the Draft Environmental Impact Statement. Unfortunately, the lack of a timely response may already impacts the ability of the Lead EIS agencies to gather appropriate information concerning this issue for timely consideration.

11) Transwac's eleventh comment focused on the need to encourage the full engagement of stakeholder agencies in review of the PDP Step reports and the environmental documents.

ODOT pledges to engage stakeholder agencies in development of the Ecological Survey Report, this pledge should extends to receiving input on the development and review of the project's other PDP documents, including the project's environmental documents to satisfy NEPA requirements. It is critical that in the process of involving these agencies be fully transparent and that these agencies be fully informed of the specific concerns that have been raised by the Transwac Subcommittee. It is noted that these agencies were not copied on the ODOT response letter to Transwac. Particularly, there is a need to engage a range of stakeholder agencies to consider the question of the appropriate level of protection of Cleveland's unique and highly valued water resources. ODOT should adopt this broader view of the protection of Cleveland's water resources.

las:3/05/07

Finding and Recommendations Report of the Transwac Innerbelt Work Group
3/20/2006

Transwac Innerbelt Work Group Findings:

1. There is reasonable evidence to suggest that untreated runoff from the Innerbelt may have deleterious effects on the aquatic and ecological health of the Cuyahoga River, and nearshore waters of Lake Erie. Attachment A provides supporting documentation for this conclusion.
2. The Department of Transportation for the State of Washington and CALTRAN have developed models for assessment of water quality impacts which may prove useful in more specifically assessing the impacts on water quality of the proposed Innerbelt facility. (Representative materials documenting these processes are assembled at an ftp site developed by the Transwac work group.)
3. Engineering decisions regarding the Innerbelt drainage systems and the treatment of runoff are likely to affect the feasibility of future options to provide for high levels of treatment of storm water, should new treatment requirements be determined necessary.
4. A substantial portion of the Innerbelt project will be constructed on elevated structures. This creates special problems related to storm water runoff management, and requires careful consideration in the planning and design of these structures. (It is noted that the National Cooperative Highway Research Program report "Assessing the Impact of Bridge Deck Runoff Contaminants in Receiving Waters" provides detailed guidance for assessing impacts and developing runoff management programs.)
5. The Greater Cleveland Community is embarking on a major capital program to control combined sewer overflows and is in the process of establishing new standards to control storm water for development and redevelopment projects as a measure to protect the ecological health of the area water resources.

Recommendations for the Conduct of the Innerbelt Project Development Process:

1. The Project Development Process (PDP) is encouraged to evaluate the likely environmental impacts (i.e., water quality and aquatic ecological impacts) attributable to highway runoff and develop storm water management practices that are responsive to the particular environmental concerns of the applicable receiving waters.

2. In as much as untreated runoff from the proposed Innerbelt facility appears to have the potential to cause environmental harm and may result in the violation of water quality standards the PDP should consider treatment of all runoff from the reconstructed facility, as opposed to only providing treatment for volumes of runoff associated with new pavement area. Design events used to calculate runoff volume should be based upon controlling requirements considering both Ohio's general storm water permit and the need to prevent violations of Ohio Water Quality Standards.

3. The PDP should consider potential long-term treatment needs for storm water in selecting design alternatives for the drainage of the Innerbelt facility. Some drainage options may limit opportunities for providing additional treatment for storm water runoff, should a higher level of treatment be determined as necessary in the future.

4. The PDP is encouraged to consider the specific characteristics of Innerbelt runoff as well as proposed passive best management practices in evaluation of alternative storm water management strategies.

5. It is recommended that the options evaluated for treatment of storm water include, but not be limited to the following:
   a) Detention and/or retention facilities above or below grade utilizing current or future green space near the Lakefront.
   b) Tie-in of all or part of the runoff to the improved combined sewer storage facilities which being designed by the Northeast Ohio Regional Sewer District.

6. The management and treatment of runoff should be considered as an integral part of preliminary engineering for any new or reconstructed bridges crossing the Cuyahoga River. Containment of hazardous material spill should also be assessed.

7. For any proposed direct discharges of storm water to receiving waters or to separate storm sewer systems that subsequently discharge to receiving waters, preliminary engineering should begin planning for monitoring chambers that will facilitate the monitoring of highway runoff. Planning for any such discharge points should also consider provisions to assist in containing hazardous material spills.

8. ODOT is encourage to provide for at least two review points for interaction with the TRANSWAC Innerbelt work group prior to the completion of the drafts for the environmental documents for the project.

9. If the PDP concludes that the treatment of storm water runoff called for by permit or by the need to prevent a violation of water quality standards is not feasible, such a finding should be supported by an engineering cost feasibility study demonstrating that treatment is not feasible. A format for an engineering cost feasibility study is provided at the above noted ftp site.

10. As highway storm water runoff may affect water quality at various parks including portions of the Cleveland Lakefront State Park, the PDP should consider any applicable requirement of the Federal Highway Administration's Section 4(f) policy. This policy may suggest the need for specific studies or impose certain requirements on the management of storm water.

11. As key stakeholders, Ohio EPA and ODNR should be encouraged to fully engage in the review of PDP step reports, as well as project environmental documents to evaluate whether or not proposed storm water management practices are protective of receiving water resources.

Attachment A: Review of Water Quality Environmental Impact Concerns

The purpose of this document is to review the data developed by the Innerbelt work group, focusing on the question of whether the storm water runoff from the current and proposed Innerbelt facility has a reasonable potential to cause harm to the Cuyahoga River and the lakefront area of Lake Erie. This review was not meant to be exhaustive nor intended to fully evaluate the impact of Innerbelt storm water runoff. Rather, the purpose of this document is to aid in making a determination of the need for a more detailed analysis of likely water quality impacts as a part of the ODOT Project Development Process.

Four topics are considered in this document:

1. The summary findings of a literature review undertaken by the United States Geological Survey for the Federal Highway Administration, documenting the impacts of highway runoff on the ecological health of aquatic communities.
2. Summarization of the findings of the Cuyahoga River RAP Stage 1 report concerning local water resource impairments. The particular focus of this review is on the findings related to eutrophication and impairments to the benthic community.
3. Summarization of the Lower Cuyahoga TMDL, which sets targets for the Lower Cuyahoga for total phosphorus levels.
4. Comparison of published values for pollutant in highway runoff quality with Ohio water quality criteria.

1. Literature Review of Water Quality Impacts of Highway Runoff

A comprehensive literature review of the impacts of highway runoff was conducted by the USGS for the U.S. Department of Transportation. The report, "Assessing Biological Effects from Highway-Runoff Constituents," was released in 1999. (Open-File Report 99-240). This report reviews 44 articles and published papers incorporating fieldwork from 1970 through 1996. The last paragraph of the Summary of this document is provided below.

> "A review of 44 reports on the biological effects of highway runoff on local ecosystems reveals several information gaps. The use of different methods from study to study and a general lack of sufficient documentation preclude making quantitative comparisons among different studies using the existing data. Qualitatively, the literature indicates that constituents from highway runoff and from highway-runoff sediments deposited in receiving waters near the highway are found in the tissues of aquatic biota, and that these sources may affect the diversity and productivity of biological communities, even though bioassays would suggest that highway runoff is not often toxic to aquatic biota. To provide the quantitative information needed, it is necessary to obtain information using standard methods, and to document study results in a manner that will be useful for a national or regional synthesis."

2. Cuyahoga River Remedial Action Plan Stage 1 Report

The Cuyahoga River Remedial Action Plan in its Stage 1 report concluded that relative to the impairment of Eutrophication the Navigation Channel of the Cuyahoga River is

"Probably Impaired" and that the near shore area of Lake Erie is "Impaired." The Lower Cuyahoga is listed as "Probably Impaired" due to a lack of an adequate database on which to base a more definitive conclusion. Additionally, the Stage 1 report concluded that the benthic community is "Possibly Impaired" in the Navigation Channel and "Impaired" in the near shore area of Lake Erie. The "Possibly Impaired" determination reflects that existing studies note problems: however, at that time there were no clear standards applicable to the navigation channel on which to base a more definitive determination. As a part of the procedure of making a determination of impairment for the benthic community, the Stage 1 process prepared separate technical reports on the benthic communities in the Cuyahoga River and in the Cleveland Harbor and near shore areas. The Cleveland Harbor and near shore benthic reports reference several studies conducted during the period 1976 through 1989.

3. Ohio EPA TMDL Report for the Lower Cuyahoga

Ohio EPA's September 2003 Total Maximum Daily Load Report found that the lower 7.2 miles of the Cuyahoga River are in non-attainment of water quality standards. Causes of impairment are listed as organic enrichment, habitat alteration, priority pollutant organics, metals, other organics, and oil and grease. The report concluded that "Phosphorus is the limiting nutrient in the Cuyahoga River system." The report sets a TMDL target at 0.12mg/L and calls for a 48% reduction of current phosphorus loading levels for non-point runoff sources. In appendix L the report notes that Cuyahoga River is targeted as a significant contributor to the enrichment conditions of nearshore of Lake Erie.

4. Highway Runoff Pollutant Values Compared to Ohio Water Quality Criteria

Ohio EPA sets water quality criteria for designated waters of the state. For example, the agency has established aquatic life uses for the Lower Cuyahoga river and for Lake Erie. Numerical criteria are found in ORC 3745-1-07. One example of criteria are the numeric allowable limits for concentrations of pollutants within the mixing zones created by a direct discharge. These Inside Mixing Zone Maximum (IMZM) criteria were developed to prevent acute lethality to aquatic life, and accordingly they are applicable for any individual sample rather than for an average of samples. The Outside Mixing Zone Maximum (OMZM) criteria are similarly applicable to individual samples. Compliance with the OMZM criteria involves determining the pollutant concentrations of the available dilution water and the amount of mixing which occurs. For the purpose of this analysis, the review was limited to heavy metals commonly found in highway runoff. Exhibit 1 is a table comparing literature values for highway runoff pollutant levels with Ohio EPA established criteria for IMZMs and OMZMs. Criteria are established for both total metal concentrations and dissolved metal concentrations. Comparison of these published values with Ohio EPA criteria suggests that untreated Innerbelt runoff, to the extent that is similar in reported literature pollutant values, may result in violations of water quality criteria if discharged untreated to Lake Erie or the Cuyahoga River.

Exhibit 1 —referenced in Attachment A to the 3/20/06 "Findings and Recommendations" Report of the Transwac Work Group

TOTAL RECOVERABLE METALS CRITERIA

	Hardness		Copper			Lead			Zinc			Cadmium		
			100 mg/L hardness			100 mg/L hardness			100 mg/L hardness			100 mg/L hardness		
			IMZM	OMZM		IMZM	OMZM		IMZM	OMZM		IMZM	OMZM	
	mg/L		Micrograms/L			Micrograms/L			Micrograms/L			Micrograms/L		
Ohio EPA water quality criteria*														
Total recoverable concentrations			28	14		240	120		240	120		9	4.5	
For the parameters noted the Ohio criteria values are the same for the Ship Channel and Lake Erie														
Sansalone et.aL (Feb. 1997)	5 events													
Cincinnati														
Event mean Conc.	Min	52			x	31		x	459	x		5	x	
	Max	92			x	97		x	15,244	x		11	x	
Milwaukee 1970s	Three sites													
Average Total Event Mean Conc.	Min				x	* Note 1		x	336	x		11	x	
	Max				x	* Note1		x	465	x		29	x	
* Note 1– High values due to lead in gas (738 to 1457)														
FHWA-PD-96-032 (June 1996) &														
FHWA-RD-88-006 (April 1990)														
Urban highway sites with Average Daily Traffic Values over 30,000														
Event Median Concentrations	median site	52			x	400	x		329	x				
	highest 10%				x	1,562	x		564	x				
	Lowest 10%				x	102			192	x				
IMZM — Inside Mixing Zone Maximum criteria														
OMZM — Outside Mixing Zone Maximum criteria														

* Water quality critiera values are determined by an equation in which hardness is an independent variable. Higher criteria would be higher for elevated hardness values. Lower values of hardness lessen allowable metal concentrations. For example a hardness value of 50 mg/l might decrease allowable values in the above table by a factor in the range of 2.

Format Notes

"x" denotes potential problem with Outside Mixing Zone Maximum criteria

Bolded denotes that values are greater then the IMZM criteria

Exhibit 1 (continued)

DISSOLVED METALS CRITERIA

	Hardness	Copper		Lead		Zinc		Cadmium		
		100 mg/L hardness		100 mg/L hardness		100 mg/L hardness		100 mg/L hardness		
		IMZM	OMZM	IMZM	OMZM	IMZM	OMZM	IMZM	OMZM	
	mg/L	Micrograms/L		Micrograms/L		Micrograms/L		Micrograms/L		
Ohio EPA water quality criteria*										
Dissolved		27	13	190	97	230	120	8.5	4.3	
For the parameters noted the criteria values are the same for the Ship Channel and Lake Erie										
Samsalone et.al.	5 events									
Cincinnati										
Dissolved fraction translator (mean from 4 events)		0.524		0.279		0.771		0.662		
Event mean Conc.										
Adjusted**	Min	52		9		**354**	x	3		
Adjusted***	Max	92		27		**11753**	x	7	x	
FHWA-PD-96-032 (June 1996) & FHWA-RD-88-006 (April 1990)										
Urban highway sites with Average Daily Traffic Values over 30,000										
Dissolved fraction translator		0.4		0.1		0.4				
Adjusted**	median site	52		40		132	x			
Adjusted***	highest 10%			156	x	**226**	x			
Adjusted***	Lowest 10%			10		77				

NOTES

IMZM — Inside Mixing Zone Maximum criteria
OMZM — Outside Mixing Zone Maximum criteria

* Water quality critiera values are determined by an equation in which hardness is an independent variable. Higher criteria would be higher for elevated hardness values. Lower values of hardness lessen allowable metal concentrations. For example a hardness value of 50 mg/l might decrease allowable values in the above table by a factor in the range of 2.

** Adjusted values were obtained by multiplying the total metals data by fractional values that the report suggests as representative of souble portion of the total metal concentration. The fractional value is listed in the table as the "dissolved fraction translator".

Format Notes
"x" denotes potential problem with Outside Mixing Zone Maximum criteria
Bolded denotes that values are greater then the IMZM criteria

lastumpe 3/20/06

OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 12, 5500 TRANSPORTATION BLVD., GARFIELD HEIGHTS, OHIO 44125

January 12, 2007

Mr. Lester Stumpe
Chairman, Transwac Innerbelt Work Group
c/o Northeast Ohio Regional Sewer District
3900 Euclid Avenue
Cleveland, Ohio 44115

RE: CUY-Innerbelt Corridor, PID 77510; Reply to Transwac Innerbelt Work Group Comments

Dear Mr. Stumpe:

Reference is made to the March 20, 2006 "Findings and Recommendations Report of the Transwac Innerbelt Work Group. Our design team has reviewed the above document and provided responses after each bullet point.

We thank you for your Work Group's interest in the Innerbelt project. We look forward to a good working relationship as we continue on this important infrastructure project.

Respectfully,

Dale Schiavoni, P.E.
Planning and Programming Administrator

c: Howard Maier, NOACA
John Hosek, NOACA
Jim Gills, Lake County Engineer (Chair NOACA Transwac Subcomittee)
Frank Greenland, NEORSD
Bruce Mansfield, Burgess and Niple
Mark McCabe, URS
Rober Parker, Michael Baker, Jr.
David Riley, ODOT Central Office - Hydraulics
Rob Lang, ODOT Central Office – Office of Environemental Services
Bill Cody, ODOT Central Office – Office of Environemental Services
John Motl, ODOT D-12 Planning
Mike Kubek, ODOT D-12 Production
Craig Hebebrand, ODOT D-12 Production
David Lastovka, ODOT D-12 Production
Mike Moriarty, ODOT D-12 Production
file (PID 77510)

Ohio Award for Excellence® "Partners Now ...and for the Future!" Recipient of the 2005 Ohio Award for Excellence

Finding and Recommendations Report of the Transwac Innerbelt Work Group
3/20/2006

ODOT Comments 01/12/2007

Transwac Innerbelt Work Group Findings:

1. There is reasonable evidence to suggest that untreated runoff from the Innerbelt may have deleterious effects on the aquatic and ecological health of the Cuyahoga River, and nearshore waters of Lake Erie. Attachment A provides supporting documentation for this conclusion.
2. The Department of Transportation for the State of Washington and CALTRAN have developed models for assessment of water quality impacts which may prove useful in more specifically assessing the impacts on water quality of the proposed Innerbelt facility. (Representative materials documenting these processes are assembled at an ftp site developed by the Transwac work group.)
3. Engineering decisions regarding the Innerbelt drainage systems and the treatment of runoff are likely to affect the feasibility of future options to provide for high levels of treatment of storm water, should new treatment requirements be determined necessary.
4. A substantial portion of the Innerbelt project will be constructed on elevated structures. This creates special problems related to storm water runoff management, and requires careful consideration in the planning and design of these structures. (It is noted that the National Cooperative Highway Research Program report "Assessing the Impact of Bridge Deck Runoff Contaminants in Receiving Waters" provides detailed guidance for assessing impacts and developing runoff management programs.)
5. The Greater Cleveland Community is embarking on a major capital program to control combined sewer overflows and is in the process of establishing new standards to control storm water for development and redevelopment projects as a measure to protect the ecological health of the area water resources.

Recommendations for the Conduct of the Innerbelt Project Development Process:

1. The Project Development Process (PDP) is encouraged to evaluate the likely environmental impacts (i.e., water quality and aquatic ecological impacts) attributable to highway runoff and develop storm water management practices that are responsive to the particular environmental concerns of the applicable receiving waters.

ODOT – The project will be developed within the current regulatory structure, which requires the use of post construction storm water best management practices(BMPs). These BMPs are designed to minimize the impact of highway runoff on the applicable receiving waters.

The PDP involves development of an environmental document to satisfy NEPA. To support the environmental document, an Ecological Survey Report will be prepared which describes

the aquatic, terrestrial, wetland, and endangered species resources of the project and potential impacts to these resources. In addition, ODOT will coordinate the ecological aspects of this project with the Ohio Department of Natural Resources, US Fish & Wildlife Service, US Army Corps of Engineers, and Ohio EPA. This coordination will also determine if a Section 404 permit and a Section 401 Water Quality Certification are required.

Additionally, a draft Stormwater Separation Feasibility Study was submitted to NEORSD on April 10, 2006 to discuss the interaction of the existing and proposed I-90 storm sewer system with the existing Cleveland/NEORSD combined sewer system. ODOT is pursuing a storm water separation strategy that will attempt to remove existing I-90 stormwater from the existing combined sewer system. (where hydraulically appropriate) It is theorized that removing I-90 stormwater from the existing combined sewer system should help NEORSD improve its combined sewer overflow control program, thus improving water quality for the Cleveland Lakefront area. Stormwater removed from the combined sewer system would be treated using conventional stormwater BMPs. The final version of this study will include a summary table which includes recommended BMPs for delineated project drainage areas.

In summary, the PDP involves a considerable amount of documentation of water quality and aquatic ecological impacts and coordination with various resource agencies as well as the issue of complying with the applicable Ohio EPA storm water permits.

2. In as much as untreated runoff from the proposed Innerbelt facility appears to have the potential to cause environmental harm and may result in the violation of water quality standards the PDP should consider treatment of all runoff from the reconstructed facility, as opposed to only providing treatment for volumes of runoff associated with new pavement area. Design events used to calculate runoff volume should be based upon controlling requirements considering both Ohio's general storm water permit and the need to prevent violations of Ohio Water Quality Standards.

ODOT - The General Construction Permit prescribes the installation and maintenance of BMPs aimed at water quality concerns expected from typical runoff. Highway runoff from the Innerbelt is typical. The permit does not prescribe effluent monitoring and limits, but instead relies on BMPs as an appropriate and efficient method to handle the level of pollutants in typical runoff.

The project will be designed to meet the requirements of the Ohio EPA's General Construction Permit. It is anticipated that future versions of the Ohio EPA's General Construction Permit will be issued in 2008 and 2013. The Cleveland Innerbelt projects are anticipated to begin construction in 2009, but are not anticipated to be completed until at least 2025. It is anticipated that the design of the Cleveland Innerbelt stormwater BMPs will comply with the current policy in place at the time of final design.

More specifically, the current ODOT policy requires the treatment of 20% of the water quality volume for areas of existing pavement and 100% for areas of new pavement. Project areas with both existing and new pavement areas will be designed to treat a weighted average of the water quality volume.

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ODOT will consider the feasibility of providing BMP treatment for 100% of the pavement area, which is not currently required by the OEPA permit. Key considerations will be the initial capital cost for providing additional BMPs, along with the increase in the on-going operation and maintenance costs for these additional BMPs.

3. The PDP should consider potential long-term treatment needs for storm water in selecting design alternatives for the drainage of the Innerbelt facility. Some drainage options may limit opportunities for providing additional treatment for storm water runoff, should a higher level of treatment be determined as necessary in the future.

ODOT - It is not possible to project, at this time, what future treatment levels will be required.

In our August 16, 2006 letter to NEORSD, we discussed the concept of having the Innerbelt's "first flush" enter the NEORSD system. Since a "first flush" storm sewer system will have to convey larger flows away from the combined sewer system, it is anticipated that the needed storm sewer pipe infrastructure for a separate storm sewer system, and a system that conveys a "first flush" to the combined sewer system, will have similar initial capital costs. The department has determined that the installation and maintenance of transportation appropriate BMPs is advantageous rather then relying on unknown treatment costs through the NEORSD. Additionally, this strategy should result in reduced storm water entering the combined sewer system, which should have a positive impact on one of our region's greatest challenges, combined sewer overflows.

As noted above, the project will be designed to meet the requirements of the Ohio EPA's General Construction Permit. It is anticipated that future versions of the Ohio EPA's General Construction Permit will be issued in 2008 and 2013. The Cleveland Innerbelt projects are anticipated to begin construction in 2009, but are not anticipated to be completed until at least 2025. It is anticipated that the design of the Cleveland Innerbelt stormwater BMPs will comply with the current policy in place at the time of final design.

The location of many of the proposed Innerbelt storm sewers will be driven by ODOT hydraulic design criteria and existing outlet location. Certainly the effective drainage of the Cleveland Innerbelt is paramount to the safety of the public traveling at highway speeds.

4. The PDP is encouraged to consider the specific characteristics of Innerbelt runoff as well as proposed passive best management practices in evaluation of alternative storm water management strategies.

ODOT – ODOT believes that the runoff from the Cleveland Innerbelt is typical of "urban" runoff. The BMPs selected for use on this project will be appropriate for this environment. ODOT has worked closely with Ohio EPA for the past two years to develop post construction storm water BMPs specifically for linear transportation projects. It is important to note that all installed BMPs must meet numerous criteria. (buildable, fundable, maintainable, effective, safely remove water from a high speed facility, etc.) ODOT has

committed approximately $1 million in research money to study the operation, maintenance, and effectiveness of ODOT's BMPs for linear transportation projects.

Additionally, the Cleveland Innerbelt mainline pavement is currently being designed to have a minimum inside and outside shoulder width of 12'. This shoulder width is a design (safety) requirement due to the amount of truck traffic in the corridor. These shoulder widths will enable ODOT to sweep dirt and debris from the shoulders without having to close a traveled lane. At the present time, due to the existing narrow shoulders, the only reasonable times to close lanes on I-90 through the Innerbelt is evenings and weekends. This change of allowing ODOT maintenance crews to sweep the I-90 shoulders without having to close a traveled lane should result in more frequent shoulder sweepings since this work can be completed during normal work shifts. Regular shoulder sweeping will have dramatic effect on the long term performance of any stormwater BMP that are installed in this corridor.

5. It is recommended that the options evaluated for treatment of storm water include, but not be limited to the following:
   a) Detention and/or retention facilities above or below grade utilizing current or future green space near the Lakefront.
   b) Tie-in of all or part of the runoff to the improved combined sewer storage facilities which being designed by the Northeast Ohio Regional Sewer District.

ODOT – Although the Department is pursuing a storm water separation strategy, it is likely that some areas of the project will continue to be connected to the existing combined sewer system. These areas will receive stormwater treatment through the NEORSD system. For the remaining separate storm sewer areas, the design team will consider all of the BMPs in the L&D Manual. Key design criteria (such as elevation, safety, maintainability, right of way, future Cleveland economic development initiatives) will be utilized to screen these BMPs. Again, it must be noted that removing water from the pavement surface is essential to the safety of high speed traffic.

6. The management and treatment of runoff should be considered as an integral part of preliminary engineering for any new or reconstructed bridges crossing the Cuyahoga River. Containment of hazardous material spill should also be assessed.

ODOT – The project team is aware of the existing TMDL for the Lower Cuyahoga River and will consider it during the design of the BMPs for the Central Viaduct bridges (both the new I-90 WB bridge, and the rehabilitated I-90 EB bridge, and the ultimate replacement I-90 EB bridge)

7. For any proposed direct discharges of storm water to receiving waters or to separate storm sewer systems that subsequently discharge to receiving waters, preliminary engineering should begin planning for monitoring chambers that will facilitate the monitoring of highway runoff. Planning for any such discharge points should also consider provisions to assist in containing hazardous material spills.

ODOT – There are no regulatory requirements for monitoring chambers. Monitoring chambers can be considered, although standard ODOT manholes and inlet structures will provide adequate access for any needed future monitoring.

8. ODOT is encourage to provide for at least two review points for interaction with the TRANSWAC Innerbelt work group prior to the completion of the drafts for the environmental documents for the project.

ODOT – The Transwac group can review the Step 6 assessment of BMPs, upon its completion. Additionally the Transwac group will be encouraged to review the project's draft environmental impact statement.

9. If the PDP concludes that the treatment of storm water runoff called for by permit or by the need to prevent a violation of water quality standards is not feasible, such a finding should be supported by an engineering cost feasibility study demonstrating that treatment is not feasible. A format for an engineering cost feasibility study is provided at the above noted ftp site.

ODOT – At this time it is not anticipated that BMP implementation will be considered "not feasible".

10. As highway storm water runoff may affect water quality at various parks including portions of the Cleveland Lakefront State Park, the PDP should consider any applicable requirement of the Federal Highway Administration's Section 4(f) policy. This policy may suggest the need for specific studies or impose certain requirements on the management of storm water.

ODOT - FHWA makes that the 4(f) determination for this project. ODOT will consult with FHWA on any 4(f) issues and such issues will be described in the environmental document.

11. As key stakeholders, Ohio EPA and ODNR should be encouraged to fully engage in the review of PDP step reports, as well as project environmental documents to evaluate whether or not proposed storm water management practices are protective of receiving water resources.

ODOT – ODOT continues to work closely with Ohio EPA and ODNR on the development of transportation appropriate BMPs.

Attachment A: Review of Water Quality Environmental Impact Concerns

The purpose of this document is to review the data developed by the Innerbelt work group, focusing on the question of whether the storm water runoff from the current and proposed Innerbelt facility has a reasonable potential to cause harm to the Cuyahoga River and the lakefront area of Lake Erie. This review was not meant to be exhaustive nor intended to fully evaluate the impact of Innerbelt storm water runoff. Rather, the purpose of this document is to aid in making a determination of the need for a more detailed analysis of likely water quality impacts as a part of the ODOT Project Development Process.

Four topics are considered in this document:

1. The summary findings of a literature review undertaken by the United States Geological Survey for the Federal Highway Administration, documenting the impacts of highway runoff on the ecological health of aquatic communities.
2. Summarization of the findings of the Cuyahoga River RAP Stage 1 report concerning local water resource impairments. The particular focus of this review is on the findings related to eutrophication and impairments to the benthic community.
3. Summarization of the Lower Cuyahoga TMDL, which sets targets for the Lower Cuyahoga for total phosphorus levels.
4. Comparison of published values for pollutant in highway runoff quality with Ohio water quality criteria.

1. Literature Review of Water Quality Impacts of Highway Runoff

A comprehensive literature review of the impacts of highway runoff was conducted by the USGS for the U.S. Department of Transportation. The report, "Assessing Biological Effects from Highway-Runoff Constituents," was released in 1999. (Open-File Report 99-240). This report reviews 44 articles and published papers incorporating fieldwork from 1970 through 1996. The last paragraph of the Summary of this document is provided below.

> "A review of 44 reports on the biological effects of highway runoff on local ecosystems reveals several information gaps. The use of different methods from study to study and a general lack of sufficient documentation preclude making quantitative comparisons among different studies using the existing data. Qualitatively, the literature indicates that constituents from highway runoff and from highway-runoff sediments deposited in receiving waters near the highway are found in the tissues of aquatic biota, and that these sources may affect the diversity and productivity of biological communities, even though bioassays would suggest that highway runoff is not often toxic to aquatic biota. To provide the quantitative information needed, it is necessary to obtain information using standard methods, and to document study results in a manner that will be useful for a national or regional synthesis."

2. Cuyahoga River Remedial Action Plan Stage 1 Report

The Cuyahoga River Remedial Action Plan in its Stage 1 report concluded that the Navigation Channel of the Cuyahoga River is "Probably Impaired" and that the nearshore area of Lake Erie is "Impaired." The Lower Cuyahoga is listed as "Probably Impaired" due to a lack of an adequate database on which to base a more definitive conclusion. Additionally, the Stage 1 report concluded that the benthic community is "Possibly Impaired" in the Navigation Channel

and "Impaired" in the nearshore area of Lake Erie. The "Possibly Impaired" determination reflects that existing studies note problems, however, at that time there were no clear standards applicable to the navigation channel on which to base a more definitive determination. As a part of the procedure of making a determination of impairment for the benthic community, the Stage 1 process prepared separate technical reports on the benthic communities in the Cuyahoga River and in the Cleveland Harbor and nearshore areas. The Cleveland Harbor and nearshore benthic reports reference several studies conducted during the period 1976 through 1989.

3. Ohio EPA TMDL Report for the Lower Cuyahoga

Ohio EPA's September 2003 Total Maximum Daily Load Report found that the lower 7.2 miles of the Cuyahoga River are in non-attainment of water quality standards. Causes of impairment are listed as organic enrichment, habitat alteration, priority pollutant organics, metals, other organics, and oil and grease. The report concluded that "Phosphorus is the limiting nutrient in the Cuyahoga River system." The report sets a TMDL target at 0.12mg/L and calls for a 48% reduction of current phosphorus loading levels for non-point runoff sources. In appendix L the report notes that Cuyahoga River is targeted as a significant contributor to the enrichment conditions of nearshore of Lake Erie.

4. Highway Runoff Pollutant Values Compared to Ohio Water Quality Criteria

Ohio EPA sets water quality criteria for designated waters of the state. For example, the agency has established aquatic life uses for the Lower Cuyahoga river and for Lake Erie. Numerical criteria are found in ORC 3745-1-07. One example of criteria are the numeric allowable limits for concentrations of pollutants within the mixing zones created by a direct discharge. These Inside Mixing Zone Maximum (IMZM) criteria were developed to prevent acute lethality to aquatic life, and accordingly they are applicable for any individual sample rather than for an average of samples. The Outside Mixing Zone Maximum (OMZM) criteria are similarly applicable to individual samples. Compliance with the OMZM criteria involves determining the pollutant concentrations of the available dilution water and the amount of mixing which occurs. For the purpose of this analysis, the review was limited to heavy metals commonly found in highway runoff. Exhibit 1 is a table comparing literature values for highway runoff pollutant levels with Ohio EPA established criteria for IMZMs and OMZMs. Criteria are established for both total metal concentrations and dissolved metal concentrations. Comparison of these published values with Ohio EPA criteria suggests that untreated Innerbelt runoff, to the extent that is similar in reported literature pollutant values, may result in violations of water quality criteria if discharged untreated to Lake Erie or the Cuyahoga River.

Document list for reports at ftp site established for Transwac

Current as of 3/05/07

Item #	Report or Item Identifier	Document file name	Published by	Notes
0	Post Construction Storm Water Management Interim Policy—volume 2 revisions	00~Abstracts and Summaries for Innerbelt Work Group	ODOT	Sept 2003
1	Post Construction Storm Water Management Interim Policy	01~ODOT post construction policy	ODOT	Sept 2003
2	1/20/06 Update of ODOT Location and Design Manual	02~Location and Design Manual 1.20.06 update	ODOT	Jan 2, 2006
3	Is Highway Runoff A Serious Problem	03~Is Highway runoff a serious problem	From: FHWA web site	April 2003
4	Highway Runoff and Water Quality Impacts	04~East-west gateway coordinating on Stormwater	East-West Gateway Coordinating Council—I believe this a California Agency	August 2000
5	Pollutant Loadings and Impacts from Highway Stormwater Runoff:	05~FHWA-RD-88-006	FHWA	April 1990

	Volume I: Design Procedure			
6	Pollutant Loadings and Impacts from Highway Stormwater Runoff: Volume, III: Analytical Investigation And Research Report	06~FHWA-RD-88-008	FHWA	April 1990
7	Chapter 2 of Evaluation and management of highway runoff water quality:	07~National Highway Runoff–Coordination with Environmental Agencies and the Public (an HTML document)	Federal Highway Administration Final Report FHWA-PD-96-032, 480 p.	1996 Young, G.K., Stein, S., Cole, P., Kammer T., Graziano, Bank F.,
8	A Review of Semivolatile and Volatile Organic Compounds in Highway Runoff and Urban Stormwater	08~Review of Semivolatile and Volatile Organic Compounds: OFR98-409	U.S. Geological Survey &U.S. Department of the Interior	1998
9	Assessing Biological Effects from Highway-Runoff Constituents	09~Assessing Biological Effects: OFR99-240	U.S. Geological Survey &U.S. Department of the Interior	1999

Item #	**Report or Item Identifier**	**Document file name**	**Published by**	**Notes**
10	Volume I – Technical Issues for Monitoring Highway Runoff and Urban Stormwater	10~Technical Issues for Monitoring—Volume 1 EP03-054	U.S. Geological Survey & U.S. Department of the Interior	2003 The National Highway Runoff Data and Methodology Synthesis
11	Volume II --National Highway Runoff Water-Quality Data and Methodology Synthesis, -Project Documentation	11~National Highway Runoff—Project Documentation—Volume 2 EP03-055	U.S. Geological Survey	The National Highway Runoff Data and Methodology Synthesis 9/30/2001
12	FHWA Stormwater BMP ultra urban	12~FHWA Stormwater BMP ultra urban	FHWA	FHWA web site
13	2005 guidance on 4 f policy	13~Final 4(f) PP 3-1-05	FHWA Office of Planning, Environment and Realty	2005
14	ODOT Project Development Process	PDPcomplete_1104.pdf	ODOT	Nov. 2004
15	Section 204 of ODOT Project Development Process	15~Section 204 from PDPcomplete_1104	ODOT	Nov 2004
16	NPDES Permit No	16~Darby StormWater	OEPA	Dec 2005

	OHC100001: General Permit for Discharges of Storm Water Associated with Construction Activity Located within the Big Darby Creek Watershed	Draft FS_December 2005		
17	Picture of Darby Creek Watershed	17~Darby StormWater Draft GP Attachment A	OEPA	Dec 2005
18	Authorization for StormWater Discharges Associated with Construction Activity within DCW under the NPDES	18~Darby StormWater Draft GP	OEPA	Dec 2005
19	Supplemental Specification: OEPA authorization for Stormwater Discharges associated with construction activity under NPDES	19~Ohio EPA Permit	OEPA	April 2003
Item #	**Report or Item Identifier**	**Document file name**	**Published by**	**Notes**
20	Selected Material from Stage 1 RAP reports	20~ Selected Material from Stage 1 RAP reports	Cuyahoga River Remedial Action Plan Coordinating Committee	June 1992
21	First Flush Phenomenon	21~ First Flush Phenomenon	California Department of	August 2005

	Characterization	Characterization	Transportation, Division of Environmental Analysis	
22	Storm Water Monitoring and BMP Development Status Report	22~CALTRANS Storm Water Monitoring and BMP Development Status Report	CALTRANS	Nov 2004
23	Review of Contaminants and Toxicity Associated with Particles in StormWater Runoff	23~CALTRANS Review of Contaminants and Toxicity	CALTRANS	August 2003
24	Stormwater Pollution Prevention Plan, Water Pollution Control Program, Construction Site BMPs Guide	24~Project Planning and Design Guide—PPDG—with revisions 7.26.05	CALTRANS	Sept 2002, reprint April 2003
25	Guidelines for the Preparation of the Preliminary Environmental Analysis Report	25~PEAR manual	CALTRANS	Dec 2001
26	Appendix E of the Storm Water Data Report Project Planning and Design Guide	26~ Appendix E of the Revised PPDG	CALTRANS	May 2005
27	Appendix E of the Storm Water Data Report Project	27~Work in Progress Appendix E of the Revised PPDG	CALTRANS	May 2005

	Planning and Design Guide with comments and deletions marked			
28	WSDOT Highway Runoff Manual for 2005	28~WSDOT Highway Runoff Manual—	WSDOT	2006
29	Water Use Designations and Statewide Criteria, OAC 3745-1-07	29~OAC 3745-1-07--Water Quality Standards	Ohio Administrative Code	Dec 2002
Item #	**Report or Item Identifier**	**Document file name**	**Published by**	**Notes**
30	Highway Runoff Water Quality Research	30~Cazenas-FHWA-Highway Runoff Presentation	FHWA	Dec 2003
31	NCHRP Report 521: Identification of Research Needs Related to Highway Runoff Management	31~NCHRP 521—Identification of Research Needs	Transportation Research Board of the National Academies	2004
32	NCHRP Report 474: Assessing the Impacts of Bridge Deck Runoff Contaminants in Receiving Waters: Volume 2—Practitioner's Handbook	32~NCHRP 474 —impacts of Bridge Deck Runoff—Practitioner's Handbook	Transportation Research Board of the National Academies	2002
33	Selections from "Continuous	33~ Continuous Deflective Separation	WEF	1997

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	Deflective Separation: Its Mechanism and Applications"			
34	Presentation of The Nature and Control of Urban Storm Water—A Physical-Chemical Perspective	34~Sansalone-- The Nature and Control of Urban Storm Water	Sansalone, from the Civil and Environmental Engineering Department at Louisiana State University	Nov 2001
35	Sansalone and Teng—In Situ Partial Exfiltration of Rainfall Runoff. 1: Quality and Quantity Attenuation	35~Sansalone and Teng—In Situ Partial Exfiltration of Rainfall Runoff	Journal of Environmental Engineering	Sept 2004
36	Design of Road Culverts for Fish Passage, 2003 update	36~WSDOT Design of Road Culverts for Fish Passage	Washington Department of Fish and Wildlife	2003
37	Upcoming revisions to the 3/2004 WSDOT Highway Runoff Manual for 2005, Appendix 3A	37~WSDOT HRM—2005 Pending Draft Appendix 3A	WSDOT	March 2005
Item #	**Report or Item Identifier**	**Document file name**	**Published by**	**Notes**
40	Upcoming revisions to the 3/2004 WSDOT Highway Runoff Manual for 2005, Chapter 3	40~WSDOT HRM—2005 Pending Draft Ch. 3 Stormwater Planning and Design	WSDOT	March 2005

41	WSDOT Hydraulic Manual	41~ WSDOT Hydraulic Manual	WSDOT	March 2005
42	Statement on Cleveland Innerbelt Strom Water Issues	42~ODOT Statement of Storm Water	ODOT	April 2006
43	NOACA's Transwac Committee Findings and Recommendations report	43~Transwac WG Findings and Recommendations	NOACA Transwac Work Group; Approved by the NOACA Transportation Advisory Committee May 19, 2006	March 20,2006
44	ODOT response to Transwac Findings and Recommendations report	44~ODOT response to Transwac Findings and Recommendations Report	ODOT	January 12, 2007
45	Level 1 Ecological Survey Report Cleveland Innerbelt Project	45~ESR Final	ODOT	Feb 16,2007

NOACA

NORTHEAST OHIO AREAWIDE COORDINATING AGENCY
Planning For Greater Cleveland
Serving Cuyahoga, Geauga, Lake, Lorain & Medina Counties

April 10, 2007

RECEIVED
APR 23 2007
PRODUCTION DEPT.

Ms. Bonnie G. Teeuwen, P.E.
Deputy Director
ODOT District 12
5500 Transportation Blvd
Garfield Hts., OH 44125-5396

Dear Ms. Teeuwen:

The NOACA Transportation/Water Quality Advisory Committee (TRANSWAC) has raised several issues for ODOT to consider as it generates the Environmental Impact Statement for the Cleveland Innerbelt Study. The reconstruction of the Innerbelt will affect local conditions for decades to come. It is imperative that runoff from the roadway and associated structures be managed to the greatest extent possible. Towards that end, the TRANSWAC would like to offer these comments:

1. The TRANSWAC encourages that the range of comprehensive alternatives be evaluated for managing storm water runoff. This would include the feasibility of collecting the first flush runoff and directing it to the Easterly Wastewater Treatment Plant via the combined sewer network maintained by the Northeast Ohio Regional Sewer District.

2. ODOT is encouraged to promptly request a 4(f) determination from the FHWA regarding the Innerbelt Project.

3. The Cuyahoga River Remedial Action Plan and the Coastal Zone Management Program of the Ohio Department of Natural Resources should be contacted to ascertain if any new data sources exist for the lower Cuyahoga River or the nearshore area of Lake Erie. We recommend these entities be asked to assist in the identification of innovative BMPs appropriate for use in the project area.

4. That ODOT work with NEORSD to provide all data and information required for NEORSD to analyze the impact on its collection, treatment and discharge systems and develop the various costs required for ODOT to effectively evaluate the various alternatives related to the first flush runoff as part of the environmental impact statement.

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1299 Superior Avenue, Cleveland, Ohio 44114-3204
Phone: 216-241-2414 FAX: 216-621-3024 Website: http://www.noaca.org

We recommend that the Environmental Impact Statement address the protection of the critical water resources that receive runoff from the Innerbelt Project. The TRANSWAC encourages ODOT to consider BMPs that go beyond those necessary to meet the minimum requirements of any regulatory program. We agree that all recommendations should be on an intelligent cost-benefit ratio which protects our water resources to the best practical extent.

We have asked NEORSD to work with ODOT to develop costs which ODOT may use to prepare the cost-benefit analysis of alternatives as part of the Environmental Impact Statement. Thank you for your consideration and co-operation.

James R. Gills, P.E., P.S.
Lake County Engineer
Chairperson, NOACA TRANSWAC

AV/rjd/6243e

cc: Craig K. Hebebrand, ODOT
Howard Maier, NOACA
Erwin Odeal, NEORSD

NORTHEAST OHIO AREAWIDE COORDINATING AGENCY
Planning For Greater Cleveland
Serving Cuyahoga, Geauga, Lake, Lorain & Medina Counties

April 10, 2007

Mr. Erwin Odeal, Exec. Dir.
NEORSD
3900 Euclid Ave
Cleveland OH 44115

Mr. Odeal:

Our Innerbelt Work Group which is a subcommittee of NOACA's TRANSWAC committee has been working with ODOT on water quality issues surrounding the proposed Innerbelt reconstruction. The work group has been encouraging ODOT to evaluate various alternatives to achieve the best possible solution to this immense problem.

One of the alternatives we are asking ODOT to review at the earliest possible time is to collect the first flush runoff. This flow would then be directed through NEORSD's available combined sewers to a wastewater treatment plant for processing.

We are asking ODOT to accomplish this task as well as look at other alternatives as part of the environmental impact statement which is the next step in the ODOT process. This analysis is not normally a part of the environmental impact statement but the work group feels it is important to look at this issue now.

In order for ODOT to accomplish an adequate review of each alternative and the cost –benefit ratio, they will need the assistance of NEORSD. Specifically, ODOT will need the various costs associated for the collection, treatment and discharge of the first flush runoff which would be directed to your system.

We have asked ODOT to work with NEORSD to develop flows, collection points and other data which will allow you to prepare your cost evaluations required for their cost benefit analysis.

We understand that developing these costs is no easy task; however, without them we will be unable to achieve our goal of obtaining the

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best cost effective solution for the various storm water discharges. We thank your consideration and co-operation.

James R. Gills, P.E., P.S.
Lake County Engineer
Chairperson, NOACA TRANSWAC

AV/rjd/6242e

cc: Bonita G. Teeuwen, P.E., ODOT
Craig K. Hebebrand, ODOT
Howard Maier, NOACA

ITEM 11

April 18, 2007

Timothy M. Hill
Administrator, OES Department
Ohio Department of Transportation
1980 West Broad Street
Columbus, OH 43223

Dear Mr. Hill:

Attached you will find comments on the Level I Ecological Survey Report—Cleveland Innerbelt Project. These comments represent the efforts of an Innerbelt Work Group established by the TRANSWAC subcommittee which reports through the NOACA Transportation Advisory Committee. Our final comments are a reformatted version of the material we emailed you on April 11th. Our earlier email did include some attachment which may be helpful to your agency in making revisions to the subject report.

Because we only recently realized that NOACA would be considered a participating agency and thus allowed to comment on the subject report, we were not able to organize and accomplish the full range of our stated objectives within the time frame allotted. Specifically, we had hoped to have time to discuss issues with other participating agencies prior to finalizing our comments on the subject report. Additionally, we had been expecting to receive a draft engineering report from your agency which discussed specifics concerning the Innerbelt drainage area and included a first look at BMPs which might have further informed our comments. Apparently this draft has been further delayed.

Based upon our phone conversation today it appears that the appropriate thing to do is to submit our comments now as final while continuing to explore ways to collaborate with other participating agencies. We appreciate you efforts to arrange a meeting with the TRANSWAC sub committee in the near future. At this meeting I suggest that we discuss how collaboration between the participating agencies could be accomplish to benefit the draft EIS process and subsequent phases of the EIS.

We look forward to the forthcoming meeting. However, do not hesitate to contact me if we can be of service prior to the meeting.

Sincerely,

Lester A. Stumpe
Chair, Innerbelt Work Group

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Comments for:

LEVEL I ECOLOGICAL SURVEY REPORT
CLEVELAND INNERBELT PROJECT

1) Applicability of Ohio's General Construction Permit to selection of storm water treatment methods

Ohio's General Construction permit was not designed for, and can not be expected to provide adequate guidance for long-range planning processes involving protection of water quality. For example, by permit terms Storm Water Pollution Prevention Plans (SWP3s) identifying selected BMPs do not need to be developed for potential review by Ohio EPA until 21 days prior to commencing construction. Clearly these kinds of conditions are not appropriate to provide guidance for current engineering work for a project that may cost as much as a billion dollars, will not be completed for more then 15 years, and sets drainage patterns that may affect lakefront water quality for decades. The General Construction permit does contain provisions to allow Ohio EPA to issue an individual permit. Specifically, Part 4A contains the following provision:

> "If there is evidence indicating potential or realized impacts on water quality due to any storm water discharge associated with construction activity covered by this permit, the permittee of such discharge may be required to obtain coverage under an individual permit or an alternative general permit in accordance with Part I.C of this permit or the permit may be modified to include different limitations and/or requirements."

Ohio EPA should be engaged to discuss whether an individual permit would be appropriate for the Cleveland Innerbelt project and if so to explore potential options for the permit's timing and substantive requirements.

2) Applicability of the Section 4(f)

The Innerbelt project should trigger a review of impacts regulated by the Section 4(f) process. Two cases should be considered.

A) The first case is the possibility that water pollution from the proposed direct discharge to Lake Erie could affect the water quality of the East 55th Street Marina, an element of the Cleveland Lakefront State Park. This may potentially constitute a constructive use of 4(f) property.

B) The second case is based upon the potential cumulative impact of failing to provide for aggressive storm water treatment when properties draining to the Lakefront are redeveloped or reconstructed. A "large portion" of the natural drainage that would affect lakefront water quality is intercepted by combined sewers and treated at regional facilities. However, something in the range of 2000 acres of Cleveland Lakefront properties, including significant acreage of roadway surface, is believed to directly discharge to Lake Erie. Failure to provide for aggressive storm water treatment, when these properties are re-developed or reconstructed, is likely to have a cumulative negative impact on the anticipated public uses of the Cleveland Lake Front Planning

District. By virtue of the public's ownership of these lands and their current projected use in the time frame of the Innerbelt project, Cleveland Lakefront property in public ownership should be evaluated as 4(f) properties.

In evaluating the substantive nature of the impact of storm water discharges, attention should be given to the hours of potential water quality impairment caused by repeated storm discharges of varying magnitude.

3) Consideration of Coastal Zone management requirements

In considering appropriate pollution controls for Innerbelt storm water consideration should be given to the Ohio Coastal Nonpoint Pollution Control Program Plan.

4) The following comments are referenced to specific sections of the Level I Ecological Survey Report – Cleveland Innerbelt Project.

Place	Section Excerpt	Draft Transwac Comments
Hardcopy Page *iv*, 1st comment (Executive Summary Section, paragraph 2)	**EXECUTIVE SUMMARY** *"Field surveys of the study area were conducted in June, July and August of 2005. Aquatic, terrestrial, and wetland resources, as well as endangered species were investigated. The Cuyahoga River is the only aquatic resource in the study area. No direct operational or construction impacts on aquatic resources are expected."*	At the very minimum: 1) Reconstruction of the Innerbelt facility will renew the pollution source of highway runoff for the life of the project. 2) Direct discharges of stormwater during construction of the roadway and new bridges could have a water quality impact on both Lake Erie and the Cuyahoga. 3) Without changes in drainage patterns stormwater runoff from the Innerbelt facility will have an ongoing operational impact on the Cuyahoga River and Lake Erie.
Hardcopy Page *iv*, 2nd comment (Executive Summary Section, paragraph 4)	**EXECUTIVE SUMMARY** *"A wetland delineation investigation was conducted within study area boundaries. No wetlands or other waters of the U.S. (other than the Cuyahoga River) were identified within study area boundaries. Therefore, no impacts to wetlands or other waters of the U.S. are expected."*	Figure A on page 4 clearly shows that the study area boundary includes Lake Erie. Even the mapped corridor touches Lake Erie. Clearly, the impacts to Lake Erie should be considered so that, to the best of our knowledge, the plan is to maintain some form of the existing Lake Erie discharge.
Executive Summary	**EXECUTIVE SUMMARY**	The report does not consider the potential impacts of a stormwater discharge on the Cleveland Lake Front State park. To the extent that this represents a constructive use, the Sec (4)(f) policy would apply and would require certain study efforts be undertaken.

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Hardcopy Page 3 (Section I, Subsection A, part 2) Continued from previous page	**2. Purpose and Need** *"The Purpose and Need statement for the Cleveland Innerbelt Project was completed in April 2003. The Purpose and Need Statement identified four categories in which transportation improvements are necessary and will become critical as traffic and congestion continues to increase. These four categories are: (1) physical condition (Section 3.1-B & N Report), (2) safety (Section 3.2-Step 5 Report), (3) operational performance (Section 3.3-B & N Report), (4) access (Section 3.4-B & N Report). The categories are discussed below. Additional detail regarding the Purpose and Need for the Project may be found at:* ***www.innerbelt.org/Innerbelt/Docutments/Purpose%20and%20Need.pdf.****"*	The Purpose and Need Statement is supplemented by materials at the referenced website. Supplemental materials identify the goal of enhancing and protecting the natural environment. If there is a need to assure a complete consideration of alternatives for the treatment of stormwater in the draft EIS enhanced treatment of Innerbelt stormwater, runoff should be added to the purpose and need statement.
Hardcopy Page 8 (Section I, Subsection A, part 3)	**Study Area Description and Description of Alternatives**	1) Descriptions of alternatives should include descriptions of alternatives for stormwater treatment. In particular, the report should consider the potential right-of-way that might be useful for stormwater management. Transwac has previously suggested that some stormwater management might be accomplished at the northern-most end of the project. There may also be an opportunity to accomplish some pollution reduction in the right of way which will be used as a part of flattening the curve where the Innerbelt transitions to Lake Shore Blvd and I-90. 2) Previous correspondence with the Transwac Work Group suggests that at least a tentative decision has been made to separate stormwater. If this is the case, the logic for this should be presented and discussed somewhere in the report. 3) The report should consider the ability to obtain or use current right of way to install ultra-urban BMPs which have been identified by USEPA. Newer emerging technologies for treatment of stormwater should be considered.

		4) Alternatives for treatment of bridge runoff from both the proposed new bridge and the reconstructed bridge should be discussed.
Hardcopy Page 15 (Section I, Subsection B)	**B. STUDY OBJECTIVES** *"This Ecological Survey Report documents the findings of a detailed field investigation to characterize the study area's aquatic, terrestrial and wetland resources and endangered species, and to determine the project's impact on these resources. Specific study objectives were to:* *(•) Identify and evaluate the significance of aquatic, terrestrial and wetland resources and endangered species which may be directly or indirectly affected by the proposed Cleveland Innerbelt Project;* *(•) Comply with state and federal requirements and policies ensuring that wetland resources and endangered species are taken into account as part of the overall project development and decision process;* *(•) Evaluate any river, stream and/or wetland identified within the study area by utilizing the most current versions of the Qualitative Habitat Evaluation Index (QHEI) and the Headwater Habitat Evaluation Index (HHEI) and the Ohio Rapid Assessment Method (ORAM).*	Objectives should include 1) Evaluation of impacts on Lake Erie water quality should be added as an objective. 2) Evaluations of stormwater runoff impacts on uses planned for the Cleveland Lakefront.
Hardcopy Page 16 (Section II, Subsection A)	**METHODS** **A. AQUATIC RESOURCES** *"The ODOT Ecological Manual (ODOT, 2005) sets requirements for data collection in aquatic systems. For streams where the drainage area upstream of the project location is greater than 200 mi^2, full aquatic biological sampling is not required; a QHEI may be performed is possible (Rankin, 1989). Water quality and biological data for projects containing large streams may be extracted from published sources. The Cuyahoga River has a drainage area greater than 200 mi^2 upstream of the project area, thus full sampling is not required for this project."*	1) Any potential contributions to the impairments as identified by the Lake Erie LaMP should be considered. 2) Any potential contributions to the impairments as identified by the Cuyahoga River Remedial Action plan should be considered. The RAP "Area of Concern" includes the Cuyahoga River and the nearshore areas of Lake Erie. 3) Methods should include evaluation of any impact on the goals and protection requirements established for the near shore areas of Lake Erie as an element of the Ohio Coastal Management Program. 4) An estimated range of pollutant concentrations should be developed based upon projected traffic density prior to the

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Continued from previous page		application of any BMPs to determine worst case discharge concentrations. These concentrations should be compared to Ohio Water Quality Standards to determine if there is a potential for the Innerbelt runoff to cause or contribute to a violation of water quality standards.
Hardcopy Page 17 (Section III, Subsection B, paragraph 2)	**B. TOPOGRAPHY AND DRAINAGE** *"The Cleveland Innerbelt Project lies within the Lake Erie Coastal Zone Management Area. The Ohio Coastal Management Program (OCMP) oversees the management, use, conservation and development of the coastal area within the State of Ohio. Therefore, ODOT will need to contact the Ohio Department of Natural Resources, Office of Coastal Management prior to commencement of the Cleveland Innerbelt Project construction."*	The Office of Coastal Management should be involved in review of the subject document and in early discussions regarding EIS review of alternatives for stormwater management.
Hardcopy Page 20 (Section IV, Subsection A, paragraph 1, sentences 1—3)	**A. AQUATIC ECOLOGY** **1. Existing Literature** **Description of the River** *"The Cuyahoga River is the sole aquatic feature mapped in the study area. The Cuyahoga watershed drains 813 mi^2. From its headwaters in northern Geauga County, the Cuyahoga flows generally south to the Kent and Akron area."*	Figure A shows that Lake Erie is a mapped feature of the study area. Chapter 4 should be revised to include a section dealing with the nearshore areas of Lake Erie.
Hardcopy Page 21 (Section IV, Subsection A, paragraph 4)	**Summary of Recent Water Quality Studies**	In summarizing, water quality studies the report should consider the Stage 1 report of the Cuyahoga RAP. Water quality data and reports by the Northeast Ohio Regional Sewer District should also be consulted.
Hardcopy Page 22 (Section IV, Subsection A, paragraph 10)	**Summary of Recent Water Quality Studies** *"Aquatic plants require a host of nutrients for proper growth. Perhaps the two most important are nitrogen and phosphorus. Excessive concentrations of nitrogen and phosphorus are found in the lower Cuyahoga. It is important to note that aquatic plants require a fairly specific ration of nitrogen to phosphorus for normal growth, generally around 7:1. Because*	1) The TMDL for the Lower Cuyahoga also establishes limits for indicator bacteria. Highway runoff can, in some cases, be a significant source of bacterial contaminates. 2) As a discharge direct to Lake Erie is being considered, Nitrogen may be a significant nutrient in evaluating runoff impacts

	both nutrients are essential, growth is generally limited by the nutrients present at the lowest concentration that is present at the shortest supply. In aquatic systems where the N:P ratio is greater than 10:1, phosphorus is the limiting nutrient. The average N:P ratio in the lower Cuyahoga was 19.5:1 in 2000, indicating phosphorus is the limiting nutrient in this system. The import for pollution management is that reductions in nitrogen would not likely result in changes in the biological indicators of eutrophication until phosphorus is first reduced. The TMDL for the lower Cuyahoga focuses on phosphorus reduction."	
Hardcopy Page 23 (Section IV, Subsection A, paragraph 17) Continued from previous page	**Aquatic Summary** *"The TMDL for the lower Cuyahoga lists several causes of impairment that could conceivably be related to highway runoff. These include metals, other inorganic materials and oil and grease. However, it is doubtful that the interstate system in and near the study area makes substantial contributions to loads of these materials that reach the Cuyahoga. Cleveland occupies approximately 25,666 acres, with approximately 19,737 acres in the high density urban area. Estimates indicate approximately 87% of the city consists of impervious cover, roughly 17,000 acres. Total existing paved area within the entire Innerbelt project area is 96 acres, or approximately 0.5% of the total impervious surface within the urban core of Cleveland. The Innerbelt is surrounded by a massive amount of impervious surface within the urban core of Cleveland. Given the urban, paved nature of the center of Cleveland, and the small contribution the Innerbelt project makes to this total, it is unlikely that the Innerbelt alone makes a substantial contribution to the total pollutant load in the Cuyahoga."*	1) Following control of the combined sewer load which is scheduled in the same time frame as construction of portions of the Innerbelt, urban runoff will constitute a significant portion of the load discharged directly to Lake Erie. The impact of urban runoff occurs as a result of the cumulative impact of many discharges which may not by themselves be significant. This requires that all sources be considered for stormwater management. 2) The Ecological survey should estimate both the concentration and the pollutant load represented by current Innerbelt runoff. This information should be compared with water resource impairments.

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Hardcopy Page 30, 1st comment (Section V, Subsection A, paragraph 4, sentences 1, 2,& 3)	**V. IMPACTS ASSESSMENT** **A. AQUATIC RESOURCES** *"It is important to note that the primary causes of impairment in the lower Cuyahoga River watershed are organic enrichment, nutrient enrichment, low in-stream dissolved oxygen, toxicity, sedimentation, and habitat degradation. Nutrient enrichment and organic enrichment are closely tied to each other in the Total Maximum Daily Load (TMDL) river segment. Due to the large number of Combined Sewer Overflows (CSOs) and sewage treatment plants in the TMDL sub-watershed area, both appear as sources of non-attainment."*	The TMDL report finds that pollutants from all named sources including urban runoff contribute to non-attainment. The fact that the TMDL establishes targeted reductions sewage treatment plants and CSOs should be noted. Specifically, the NEORSD Long Term Control Plan is recommended for the control of CSOs. WWTR plant discharges are target for specific phosphorus reductions. A general target is also established for other nonpoint sources, which would include urban and highway runoff.
Hardcopy Page 30, 3rd comment (Section V, Subsection A, paragraph 4, sentence 4)	**V. IMPACTS ASSESSMENT** **A. AQUATIC RESOURCES** *"The remaining nutrients, at this time, are believed to be associated with phosphorus."*	The thought intended to be conveyed by this sentence needs to be expanded/clarified.
Hardcopy Page 30, 4th comment (Section V, Subsection A, paragraph 5, sentences 1 and 2)	**V. IMPACTS ASSESSMENT** **A. AQUATIC RESOURCES** *"Urban runoff is identified in the final TMDL report for the lower Cuyahoga River as a source of water quality impairment in the watershed. The report identifies specific pollutants of concern in storm water discharges for MS4s involving phosphorus and fecal coliform."*	The specific reduction target for phosphorus should be noted
Hardcopy Page 30, 5th comment (Section V, Subsection A, paragraph 6, sentences 3)	**V. IMPACTS ASSESSMENT** **A. AQUATIC RESOURCES** *"While highway runoff is assumed to be part of the urban runoff/storm sewers category, the report does not name transportation facilities as a "significant contributor" to the problems from a TMDL perspective."*	Clarity is sacrificed in an attempt to use wording to verbally minimize the contribution of highway runoff. The matter is actually quite straight forward. Highway runoff is a component of urban runoff and urban runoff is identified as a significant contributor to problems.

Hardcopy Page 30, 6th comment (Section V, Subsection A, paragraph 6, sentences 5)	**V. IMPACTS ASSESSMENT** **A. AQUATIC RESOURCES** *"Along Cleveland Harbor front, discharges from existing CSOs, storm sewers, dredging, and lack of habitat are primary sources of pollutants of concerns and causes of impairment."*	The "Cleveland Harbor front" should be defined as it is used in this paragraph. The source of this conclusion should be identified and the strength of the conclusion should be discussed. It should be noted that highway runoff is a component of wet weather discharges to the Cleveland Harbor front.
Hardcopy Page 30, 7th comment (Section V, Subsection A, paragraph 7)	**V. IMPACTS ASSESSMENT** **A. AQUATIC RESOURCES** *"Given the extended time frame envisioned to complete all of the construction in this corridor, it is anticipated that many, if not all, of the Innerbelt construction contract groups will be constructed under a future NPDES Construction General Permit. ODOT will continue to work with the Ohio EPA to ensure that the BMPs selected for the linear transportation environment are appropriate, effective and maintainable."*	According to the Ohio General Construction permit BMP's are to be selected to assure maintenance of Ohio's water quality standards.
Hardcopy Page 30, 8th comment (Section V, Subsection A, paragraph 8, sentence 1)	**V. IMPACTS ASSESSMENT** **A. AQUATIC RESOURCES** *"In addition, ODOT is preparing a Separation Feasibility Study, as a means of assessing both the water quantity and water quality issues related to ODOT runoff currently being collected and conveyed by the North East Ohio Regional Sewer District combined system in the Central Interchange and Innerbelt Curve portions of the project."*	This discussion should be expanded with more details of the scope of this study and the expected date of completion for this work. What water quality issues will be discussed that are not covered in the subject Level 1 Survey? Will the Separation Feasibility Study be sent to collaborating agencies for review as a part of the draft EIS process?
Hardcopy Page 30, 9th comment (Section V, Subsection A, paragraph 8, sentence 2)	**V. IMPACTS ASSESSMENT** **A. AQUATIC RESOURCES** *"ODOT will also apply the current policy to address storm water runoff associated with the Central Viaduct Bridge portion of the project."*	What "policy" is being referred to in this sentence? The applicability of the "policy" to particular circumstances should be discussed. In previous discussions and correspondence with the Transwac Subcommittee reference has been made to a policy that derives from the Ohio General Construction Permit. It would appear that the policy would not be controlling if application of the policy results in a violation of water quality standards. Further in this case the application of any "policy" would only be appropriate after a showing thru the EIS process that the policies application will

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		appropriately consider the publics interest in environmental protection as required by NEPA.

Ohio Department of Transportation/ Northeast Ohio Regional Sewer District
Cleveland Innerbelt Corridor Project: PID 77510

Combined Sewer Outfalls (CSO) and Project Storm Water Issues.

AGENDA
Thursday, April 26, 2007; 9:00 AM, NEORSD Offices

1 Discussion of Central Interchange Stormwater (stormwater separation vs continued tie to existing combined sewer system)

CSO _____ (Central Interchange and I-77 approach)
* What regulator(s) and CSO(s) would be helped by removing storm water from this area? Innerbelt Projects in this area are funded in SFY2010, 2011, 2012, 2013, and 2014. Near term, 5-8 years, positive impact possible on CSO control program.

2. Discussion of NEORSD Regulators within the Innerbelt Corridor - What is long term disposition of specific regulators? (Short term information would also be helpful).

CSO 097 (Innerbelt Curve)
* Will 097 become storm only outfall in future, or will NEORSD continue to use as CSO 097 downstream of Regulator E-09? Will CSO 097 tie to future shoreline tunnel?

CSO 080 (Central Viaduct/southern Innerbelt)
* Separating I-90 area out of combined sewer system could have near term benefits (1st Innerbelt projects) in reducing CSO (SFY2010 and 2011)

CSO 039? (Near I-77 Broadway/Pershing)
* Main storm sewer outfall down Dille Rd is downstream of regulator S01A. Innerbelt project should have no impact on NEORSD CSO control program in this area

3. Ownership of NEORSD CSO outfalls under Burke Lakefront Airport. Any other information such as maintenance, easements, permits of the deep water outfalls would be helpful.

CSO's 096, 097, 098, 099, and 200 (Innerbelt Curve Area)

4. Other Topics:

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URS
277 West Nationwide Boulevard
Columbus, OH 43215-2566
Telephone: (614) 464-4500
Facsimile: (614) 464-0588
Architectural & Engineering Services

ATTENDANCE SHEET

OWNER:
PROJECT: CLEVELAND INNERBELT CORRIDOR
PROJECT NO.
DATE/TIME: APRIL 26, 2007
PLACE: NEORSD
PURPOSE: Drainage, CSO, Regulator

NO.	NAME	REPRESENTING	PHONE NO.
1.	MARK MCCABE	URS	614-464-4500
2.	JEFF MOSLEY	URS	216-622-2350
3.	DAVID LASTOVKA	ODOT D12	216-584-2115
4.	FRANK GREENLAND	NEORSD	216-881-6600
5.	MICHAEL ZAPIOR	NEORSD	216-881-6600
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OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 12, 5500 TRANSPORTATION BLVD., GARFIELD HEIGHTS, OHIO 44125

May 29, 2007

Mr. Frank Greenland, P.E.
Northeast Ohio Regional Sewer District
3900 Euclid Avenue
Cleveland, Ohio 44115

RE: CUY-Innerbelt Corridor, PID 77510; Storm Water Coordination

Dear Mr. Greenland:

Thank you for meeting with us on April 26, 2007. This meeting was extremely beneficial in furthering our understanding of the technical interaction between the existing combined sewer system and the proposed Cleveland Innerbelt project.

As noted in our November 20, 2006 letter, the Department is pursuing a storm water separation strategy for this project, as hydraulically appropriate. This strategy will include the installation of storm water quality best management practices (BMPs) along the corridor which:

- Will address water quality requirements on existing storm water only sewer systems within the corridor
- Will address water quality requirements on storm water only systems which may need to be designed and constructed as a result of separating highway runoff from discharging into the existing combined sewer system.

The following is a summary of NEORSD Combined Sewer Overflow (CSO) locations that receive highway storm water runoff within the Innerbelt corridor. As we advance in the design of this project, we will continue to work closely with your agency to identify any additional CSO's which may receive highway storm water. As noted at our meeting, the dates provided for your CSO Control Strategy are from the start of the program. Due to your on-going negotiations with the USEPA, the exact time frame of your program start is unknown. We thought this summary might be useful as you further develop your CSO control strategy and program. Additionally, ODOT will work with your office to provide existing highway plan information for areas which your GIS mapping is missing information.

Central Interchange Area – CSO 090, 093, and 094

CSO-090 (end of Superior Ave @ Cuyahoga River) – Regulators E-24 and E-27

- Current Predicted Overflow Frequency: From NEORSD website (5/01/07)-Estimated 34 overflows/year
- CSO Control Strategy – Pump System Upgrade
  - Time Frame – Proposed start 6 years after program start, estimate 3 years for design-construction-certification

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CSO-093 (North of Municipal Stadium) – Regulator E-20A

- Current Predicted Overflow Frequency: From NEORSD website (5/01/07)-Estimated 66 overflows/year
- CSO Control Strategy – Addressed by Easterly Early Action Plan (EEAP)

CSO-094 (North of E12th at Lakeside (USS Cod) - Regulator E-18

- Current Predicted Overflow Frequency: From NEORSD website (5/01/07)-Estimated 35 overflows/year
- CSO Control Strategy – Shoreline Tunnel
  - Time Frame – Proposed start 10 years after program start, estimate 7 years for design-construction-certification

I-77 Approach to Central Interchange Area – CSO 040

CSO-040 (Kingsbury Run @ Cuyahoga River, Approx 100' North of Jefferson Rd) – Regulator S-04

- Current Predicted Overflow Frequency: From NEORSD website (5/01/07)-Estimated 79 overflows/year
- CSO Control Strategy – The Southerly District Combined Sewer Overflow, Phase II Facilities Plan, March 2002 (Metcalf and Eddy with CH2MHill), recommends removal of I-77 storm water. The report recommends connecting the storm-only I-77 system to the Kingsbury Run storm only culvert, downstream of regulator S04;
  - Time Frame – Proposed start 7 years after program start, estimate 3 years for design-construction-certification

Interstate storm water currently enters CSO-039 downstream of Regulator S-01A. The proposed Innerbelt project will not impact the proposed CSO Control Strategy for this CSO.

CSO 039 (At Cuyahoga River Turning Basin, 400' West of Independence Rd) – Regulator S-01A

- Current Predicted Overflow Frequency: From NEORSD website (3/27/07)-Estimated 51 overflows/year
- CSO Control Strategy – Southerly Tunnel
  - Time Frame – Proposed start 14 years after program start, estimate 22 years for design-construction-certification

Central Viaduct/Southern Innerbelt - CSO 080

CSO-080 (University Road, southeast of 2065 Scranton Road) – Regulator WR-27

- Current Predicted Overflow Frequency: From NEORSD website (3/27/07)-Estimated 43 overflows/year
- CSO Control Strategy – Westerly CSO Tunnel
  - Time Frame – Proposed start 25 years after program start, estimate 5 years for design-construction-certification

The above geographic regions of the Innerbelt (Central Interchange, I-77 approach, and the Central Viaduct/Southern Innerbelt) are currently funded for construction in State Fiscal Years 2010-2014. Because of this near term time frame, the removal of Innerbelt stormwater from these CSOs could have a positive impact on the regions existing combined sewer overflows in the next 4-8 years with respect to reductions in CSO volume/frequency.

Innerbelt Trench & Curve - CSO 097

As explained at our meeting, Regulator E-09 has been modified recently to reduce the combined sewer overflows to CSO-097. The current long term strategy for CSO-097 is to divert these CSOs to CSO-098 as part of the Shoreline Tunnel project. It is our understanding that this strategy will likely keep the E-09 CSO separate from the normal I-90 storm runoff. Additional coordination will be necessary between our organizations in the future depending on which project (Innerbelt Curve reconstruction or Shoreline Tunnel) gets constructed first. As noted, ODOT currently intends to continue the use of this existing outfall (CSO-097) for the reconstructed I-90 storm only sewer system.

CSO-097 (North of I-71 and I-90) – Regulator E-09

- Current Predicted Overflow Frequency: From NEORSD website (5/1/07)-Estimated 8 overflows/year
- CSO Control Strategy – Easterly Early Action Plan/Shoreline Tunnel
  - Time Frame – Easterly Early Action Plan – Completed; Shoreline Tunnel - Proposed start 10 years after program start, estimate 7 years for design-construction-certification

We look forward to continuing our cooperative relationship on these important regional infrastructure projects.

Respectfully,

David R. Lastovka, P.E.
Transportation Engineer

c: Lester Stumpe, NEORSD
Mark McCabe, URS
Bruce Mansfield, B&N
David Riley, ODOT Central Office - Hydraulics
Tim Hill, ODOT Central Office – Office of Environmental Services
Larry Hoffman, ODOT Central Office – Office of Environmental Services
Bill Cody, ODOT Central Office – Office of Environmental Services
Dale Schiavoni, ODOT D-12 Planning
John Motl, ODOT D-12 Planning
Mike Kubek, ODOT D-12 Production
Craig Hebebrand, ODOT D-12 Production
file (PID 77510)

Northeast Ohio Regional
Sewer District
Protecting Your Health and Environment

June 22, 2007

Dave Lastovka
Transportation Engineer 4
Ohio Department of Transportation
5500 Transportation Boulevard
Garfield Heights, Ohio 44125

Dear Mr. Lastovka:

This letter is a follow-up response to past correspondence in which ODOT requested potential charges for treatment of the stormwater that drains from the Innerbelt facility. As we have previously responded, we do not have a stormwater charge at this time, and lacking such we are not able to meaningfully speculate about potential stormwater user charges.

In subsequent discussions and meetings the lack of cost data has been raised as an obstacle to evaluating storm water management options. As a result the TRANSWAC committee made a request to both ODOT and NEORSD to work together to develop an approach to allow cost comparison to be factored appropriately into an alternative evaluation.

Discussions between NEORSD and ODOT led to the idea that providing an estimate of current cost for tunnel capture with subsequent secondary biological treatment would provide the data needed for a present worth analysis of options. The anticipated engineering cost analysis would be simplified and facilitated by the understanding that the public is best served by the most appropriate and cost effective expenditure, whether by ODOT or NEORSD.

As context to this discussion, we understand that ODOT is considering changes to its drainage system which will result in necessary changes to flow rates, captured volume, and potentially changed characteristics of the runoff. However, for the purposes of this response we are assuming that net changes will not affect the above mentioned parameters to the extent that it would require fundamental changes to the philosophy of the District's Long Term Control Plan.

The parameter necessary for a present-worth analysis of the tunnel capture option would include (1) an allocation of cost for the capacity of the tunnel that is reserved for stormwater capture, (2) an estimate of the cost for operation and maintenance of the tunnel, (3) typical municipal treatment costs, and (4) a planning period for cost analysis. Current cost data for tunnel construction and operation and maintenance of wastewater facilities is available in the literature. However, the data in this letter may be helpful to ODOT in refining appropriate values.

In performing a cost analysis of the tunnel option, some assumption regarding allocation of the capital costs of a tunnel need to be made. Costs could be allocated to Innerbelt stormwater management using the proportion tunnel storage reserved for the Innerbelt in relation to the total tunnel storage. (This could be described as a proportional cost allocation.) As an alternate, cost could be calculated in a way to take some credit for the cost-efficiency of incrementally increasing the diameter of an already large tunnel. (This later approach could be described as an incremental cost allocation.) On the surface, both approaches have merits. However, the logical appeal of the incremental approach is dampened when one realizes that size increases are not dramatic and available cost estimates lack the precision to carefully discern the cost of adding an additional foot to the existing tunnel diameter. (As a point of reference, increasing the tunnel from 24 foot diameter to 25 foot diameter increases the storage volume by approximately 8.5%. The additional volume captured could hold about an inch of storm water captured from 111 acres; which is an estimate of the size of the collection area of the Innerbelt trench.)

We suggest that a cost should be computed to account for the operation and maintenance of the tunnel. (Note: For purposes of the subject analysis we recommend assuming that pumping costs to dewater the tunnel for treatment is considered as a part of treatment costs rather then tunnel operation and maintenance.) Given the scarcity of operating cost data, we suggest that tunnel operation and maintenance costs be allocated based upon the proportion of the reserve tunnel storage to the total tunnel storage. We suggest estimating tunnel Operation and Maintenance as a percentage of initial capital costs. For the cost component of treatment of the captured storm water, we suggest using published operations and maintenance costs for a typical large wastewater treatment authority.

In consideration of the factors discussed above we suggest using the following approach:

A. Assume a straight line depreciation of the tunnel which results in no residual value for the tunnel after 100 years.

B. For tunnel capital costs assume the baseline condition as a 24 foot diameter tunnel constructed in soft ground costing $8,000.00 per linear foot. These values generally correspond to current planning level analysis for the CSO storage tunnel which is proposed to run along the lakeshore to the

3900 Euclid Avenue | Cleveland, OH 44115 | P: (216) 881-6600 | F: (216) 881-7703

NEORSD Easterly Wastewater Treatment plant. (Estimate provided by Richard Switalski, Manager of Sewer Design for NEORSD.)

C. Estimate present-day annual operations and maintenance costs between 0.1% and 0.25% of initial capital costs. Tunnels are thought to have significantly lower maintenance costs as a percentage of their capital costs then the average infrastructure element. However, actual data on operation and maintenance of wastewater tunnels is scarce. One published report concerning a wastewater tunnel in Sidney Australia used an estimate for maintenance costs of close to 0.1% of tunnel capital costs for purposes of its asset management program.

D. Present day cost of treatment for storm water collected is in the range of $612.00 per million gallons treated. This cost value represents the cost of treatment without administrative cost, collection service costs, or debt service. The value was generated by the author using the data base compiled for the 2005 Financial Survey conducted by the National Association of Clean Water Agencies (NACWA). (Note: NEORSD's cost of treatment as reported in the subject survey was lower then the specific value noted above.)

While some refinement may be possible to the above provided values, it is our belief that a cost analysis of tunnel storage and alternative treatment will contain other assumptions that are equally tentative. We recognize that ODOT or its consultant might have values that are more robustly supported with actual experience or literature reference. Such values may be more appropriate then the value that we have provided herein. Additionally, we would be willing to discuss the numbers we provided and our thought regarding methods for a comparative cost analysis.

We continue to believe that an engineering and environmental comparison of treatment options for the Innerbelt storm water will be an important step toward making a decision that balances cost and environmental protection. Please do not hesitate to contact the undersigned if you believe that we can be of further assistance.

Sincerely,

Lester Stumpe
Watershed Program Manager

CC: Jim Gills, NOACA TRANSWAC Chair

OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 12, 5500 TRANSPORTATION BLVD., GARFIELD HEIGHTS, OHIO 44125

September 6, 2007

Mr. Frank Greenland, P.E.
Northeast Ohio Regional Sewer District
3900 Euclid Avenue
Cleveland, Ohio 44115

RE: CUY-Innerbelt Corridor, PID 77510; Draft "Final" Storm Water Best Management Practices Report (Dated August 17, 2007)

Dear Mr. Greenland:

Enclosed please find one (1) CD which includes the Draft "Final" Storm Water Best Management Practices Report for the Cleveland Innerbelt for your review and coordination. Please note that this report is currently being reviewed by the Department and is subject to revision based on comments received.

An electronic copy of this report can be found on our FTP site at:
ftp://ftp.dot.state.oh.us/pub/Districts/D12/uploads/Innerbelt_BMP_Report/

If you would prefer a hard copy of this report, please contact me at 216-584-2115, or dave.lastovka@dot.state.oh.us.

Respectfully,

David R. Lastovka, P.E.
Transportation Engineer

e: Lester Stumpe, NEORSD
Jim Gills, Chairman, NOACA Transwac Subcommittee
David Riley, ODOT Central Office - Hydraulics
Tim Hill, ODOT Central Office – Office of Environmental Services
Larry Hoffman, ODOT Central Office – Office of Environmental Services
Bill Cody, ODOT Central Office – Office of Environmental Services
Dale Schiavoni, ODOT D-12 Planning
John Motl, ODOT D-12 Planning
Mike Kubek, ODOT D-12 Production
Craig Hebebrand, ODOT D-12 Production
file (PID 77510)

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OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 12, 5500 TRANSPORTATION BLVD., GARFIELD HEIGHTS, OHIO 44125

September 6, 2007

Mr. Jim Gills, P.E., P.S.
Chairman NOACA Transwac
1299 Superior Ave
Cleveland, Ohio 44114

RE: CUY-Innerbelt Corridor, PID 77510; Draft "Final" Storm Water Best Management Practices Report (Dated August 17, 2007)

Dear Mr. Gills:

Enclosed please find one (1) hard copy of the Draft "Final" Storm Water Best Management Practices Report for the Cleveland Innerbelt for your review and coordination. Please note that this report is currently being reviewed by the Department and is subject to revision based on comments received.

An electronic copy of this report can be found on our FTP site at:
ftp://ftp.dot.state.oh.us/pub/Districts/D12/uploads/Innerbelt_BMP_Report/

As previously discussed, ODOT is committed to the installation of storm water quality BMPs as part of this project. ODOT will continue to work with Transwac to review BMPs that are appropriate for a highway environment.

Respectfully,

David R. Lastovka, P.E.
Transportation Engineer

e: Lester Stumpe, NEORSD
David Riley, ODOT Central Office - Hydraulics
Tim Hill, ODOT Central Office – Office of Environmental Services
Larry Hoffman, ODOT Central Office – Office of Environmental Services
Bill Cody, ODOT Central Office – Office of Environmental Services
Dale Schiavoni, ODOT D-12 Planning
John Motl, ODOT D-12 Planning
Mike Kubek, ODOT D-12 Production
Craig Hebebrand, ODOT D-12 Production
file (PID 77510)

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AN EQUAL OPPORTUNITY EMPLOYER

D 61

Dave Lastovka/Production/D12/ODOT
10/16/2007 12:49 PM

To dan.bogoevski@epa.state.oh.us
cc Bill Cody/Environmental/CEN/ODOT@ODOT, Larry Hoffman/Environmental/CEN/ODOT@ODOT
bcc
Subject Fw: Cleveland Innerbelt Project; Stormwater Coordination

Dan,

As requested below, I would like to try to "keep you in the loop" on the Cleveland Innerbelt project. As you may know, ODOT is working to reconstruct I-90 through downtown Cleveland in the coming decades. We are currently developing a Draft Environmental Impact Statement for the project in coordination with FHWA. Our current schedule proposes a public hearing on the DEIS in early 2008. We look for a final Record of Decision from FHWA in late calendar year 2008.

Basic project information can be found at our project website at: http://www.innerbelt.org/

We held a general public meeting in Feb 2007. The materials from that meeting are on this website.

As part of the preliminary engineering process, URS, has created a "draft final" report for the Cleveland Innerbelt project on stormwater BMP's. This report breaks the Innerbelt project down into geographic areas and provides initial guidance on how the project will address stormwater BMPs. Ultimately the project will be broken up in to smaller pieces to be designed by individual section designers. These section designers will be responsible for the detail design of the storm sewer systems and BMPs. As is noted in the report, due to the extended time it will take to construct the entire corridor, it is likely that sections of the project will be designed and built under different NPDES permits. These future permits will have to be addressed at the time of final design.

Attached is a link to an electronic copy of the draft BMP report. (it is located on an ODOT FTP site)
ftp://ftp.dot.state.oh.us/pub/Districts/D12/Production/Cleveland_Innerbelt/

Copies of this report were sent to our Columbus office, the Northeast Ohio Regional Sewer District, and NOACA's Transwac group for their review. Once all comments are received, we will have URS update the report and issue a "final" version. (You can direct any comments you have to my attention.)

If you have any questions or trouble downloading the file, please let me know. Please let me know when you have completed copying down the report, so I can remove it from our FTP site.

Dave

David Lastovka, P.E.
ODOT D-12 Production
5500 Transportation Blvd
Garfield Hts, Ohio 44125
216-584-2115
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E-Mail: dave.lastovka@dot.state.oh.us
—— Forwarded by Dave Lastovka/Production/D12/ODOT on 10/10/2007 09:14 AM ——

Bill Cody/Environmental/CEN/ODOT
09/27/2007 01:40 PM

To Larry Hoffman/Environmental/CEN/ODOT, David Riley/Structures/CEN/ODOT@ODOT, Tim Keller/Structures/CEN/ODOT@ODOT, Dave Lastovka/Production/D12/ODOT@ODOT, Tim Hill/Environmental/CEN/ODOT@ODOT, Robert Lang/Environmental/CEN/ODOT@ODOT, Scott Phinney/SysPlanProgMgmt/CEN/ODOT@ODOT, Craig

cc Hebebrand/Production/D12/ODOT@ODOT

Subject CIB Stormwater

All,

In our on-going discussions on stormwater BMP's under the NPDES General Construction Permit and watershed specific permits Mark Mann (OEPA-CO-Storm Water Manager) asked that Dan Bogoevski (OEPA-Northeast District Office-Storm Water) be "kept in the loop" on the development of post construction BMPs for CIB.

Here is his contact information:

Dan Bogoevski
Division of Surface Water
Ohio EPA Northeast District Office
2110 E. Aurora Road
Twinsburg, OH 44087
Direct phone: 330-963-1145
Email: dan.bogoevski@epa.state.oh.us

Thanks,
Bill

William R. Cody, L.A.
Assistant Environmental Administrator
Office of Environmental Services
Phone (614)466-5198 Fax (614) 728-7368

OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 12, 5500 TRANSPORTATION BLVD., GARFIELD HEIGHTS, OHIO 44125

October 19, 2007

Mr. Frank Greenland, P.E.
Northeast Ohio Regional Sewer District
3900 Euclid Avenue
Cleveland, Ohio 44115

RE: CUY-Innerbelt Corridor, PID 77510; Draft "Final" Storm Water Best Management Practices Report (Dated August 17, 2007); Hardcopy

Dear Mr. Greenland:

As requested, enclosed please find one (1) hard copy of the Draft "Final" Storm Water Best Management Practices Report for the Cleveland Innerbelt for your review and coordination. A CD of this report was previously transmitted to your office on September 6, 2007. Please note that this report is currently being reviewed by the Department and is subject to revision based on comments received. Please direct any comments to my attention, either at the above address, or via e-mail.

If you have any questions, please do not hesitate to contact me at 216-584-2115, or dave.lastovka@dot.state.oh.us.

Respectfully,

David R. Lastovka, P.E.
Transportation Engineer

c: file (PID 77510)

D 62

"Dan Bogoevski " <dan.bogoevski@epa.state.oh.us>
10/22/2007 04:30 PM

To <Dave.Lastovka@dot.state.oh.us>
cc <Bill.Cody@dot.state.oh.us>, <Larry.Hoffman@dot.state.oh.us>
bcc
Subject Re: Fw: Cleveland Innerbelt Project; Stormwater Coordination

Thank you for the update.

Dan

>>> <Dave.Lastovka@dot.state.oh.us> 10/16/2007 12:49 PM >>>
Dan,

As requested below, I would like to try to "keep you in the loop" on the Cleveland Innerbelt project. As you may know, ODOT is working to reconstruct I-90 through downtown Cleveland in the coming decades. We are currently developing a Draft Environmental Impact Statement for the project in coordination with FHWA. Our current schedule proposes a public hearing on the DEIS in early 2008. We look for a final Record of Decision from FHWA in late calendar year 2008.

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Subject
CIB Stormwater

All,

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Here is his contact information:

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Division of Surface Water
Ohio EPA Northeast District Office
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Direct phone: 330-963-1145
Email: dan.bogoevski@epa.state.oh.us

Thanks,
Bill

William R. Cody, L.A.
Assistant Environmental Administrator
Office of Environmental Services
Phone (614)466-5198 Fax (614) 728-7368

D 63

Dave
Lastovka/Production/D12/ODOT
12/03/2007 10:38 AM

To rzoghaib@clevelandwpc.com
cc
bcc
Subject Cleveland Innerbelt - Draft Stormwater Best Management Practices Report

Rachid,

The Cleveland Innerbelt design team has developed a draft report concerning stormwater best management practices (BMPs) on the Cleveland Innerbelt project. This report is currently being reviewed by ODOT, NEORSD, and NOACA's Transwac group.

I wanted to extend to Cleveland's Division of Water Pollution Control, the opportunity to review and comment on this report. An electronic copy of the report (in PDF format) is on our FTP site. These files can be downloaded from the following address:
ftp://ftp.dot.state.oh.us/pub/Districts/D12/Production/Cleveland_Innerbelt/

The key sections of the report are:
01_Report final_08-15-07.PDF -> Text of Report
02_Table-16.pdf -> Table 16 of report
03_Table-15.pdf -> Table 15 of report
Map - mapping of geographic areas of the Innerbelt Corridor

The numerous appendix are meant to capture various information that was compiled during the development of this report. As the final design work for the Innerbelt corridor will be stretched out over many years, we felt it was important that this information be captured for future designer to utilize.

At this time, ODOT plans to create separate storm-only systems, with appropriate BMPs, where hydraulically feasible.

The report attempts to highlight local street improvements as separate drainage areas. As we enter final design for these segments, ODOT will engage the City of Cleveland on where these City maintained streets should drain. (storm only or combined sewers) These locations will be important to discuss, as storm water quality BMPs installed on City streets, would become the responsibility of the City.

Please let me know if you have any questions. If you would prefer a hard copy of the report, please let me know.

Thanks,
Dave

David Lastovka, P.E.
ODOT D-12 Production
5500 Transportation Blvd
Garfield Hts, Ohio 44125
216-584-2115
216-584-2279 FAX
E-Mail: dave.lastovka@dot.state.oh.us

ODOT/NEORSD Storm Water Coordination Meeting
March 20, 2008; 9:30 am NEORSD Office

Attendees: David Lastovka, ODOT; Frank Greenland, NEORSD (new title-Director of Watershed Programs; former title Director of Capital Program)

Summary of Meeting:
Frank reviewed the text of the Innerbelt's Storm Water Best Management Practices Report, dated Aug 2007. Frank acknowledged that Lester Stumpe (from NEORSD) has put together extensive comments on the report. Frank has read the comments and offered some suggestions back to Lester. He said that he "does not disagree" with Lester's comments. Frank thought that Lester's comments would be ready in the next week or so. I specifically asked Frank if Lester's comments were from NEORSD, NOACA Transwac, or Lester himself. Frank did not know, but he said that he would ask Lester. He did though, share that he would not have any problem with these comments being sent under NEORSD cover. It sounds like the comments will include concern that our report does not consider BMP effectiveness in determining which ones to use, or to compare BMPs to the effectiveness of using the combined sewer system for treatment. He said that removing storm water from the combined sewer system does have the potential to affect water quality depending on the effectiveness of our BMPs. (current flows to the combined sewer system are getting advance treatment, especially "first flush" type events.)

Finally, he said that he was going to discuss the Innerbelt project with the new NEORSD Executive Director, Julius Ciaccia.

Other items discussed:
1. Storm sewer separation – As discussed at the January 2008 NOACA Transwac meeting, the EPA representatives noted that there was a mandate for communities to separate combined sewers. Frank disagrees with this interpretation. In Frank's opinion, the only Federal EPA mandate is to reduce combined sewer overflows. Sewer separation certainly is a tool to reduce combined sewer overflows, but is not a requirement. Frank added that combined sewers do a very good job of treating contaminated storm water runoff. If this storm water runoff is directed to surface waters, then there is the possibility of adding pollutants to these surface waters.

2. Hydraulic Modeling of Combined Sewer System – NEORSD is planning on hiring a Hydraulic Model Program Manager (MPM) in 2008. This MPM would likely be charged with updating all of the NEORSD hydraulic models to current day. (Many models date back to the mid to late 1990s.) When ODOT begins detail design on the Innerbelt, hopefully this MPM will be in place. If ODOT plans to change any contributing drainage area to the combined sewer system, they would work with the MPM to get these changes modeled to verify any impacts to the system. NEORSD will expect ODOT to allocate some money in our design contracts to run the necessary scenarios with the NEORSD model. NEORSD will work with ODOT on the details of this arrangement after they hire a MPM and once ODOT detail design work commences.

3. NEORSD Combined Sewer Overflow Control Program – NEORSD is still in negotiations with the Dept of Justice on the CSO control program. They are still discussing the performance criteria of the program (average 4 overflows/year -> no overflows/year) They are also discussing the proposed schedule of the program. (20 vs. 30 years implementation) NEORSD hopes to complete a consent degree in calendar 2009. The previous start date information for the CSO control program, given to ODOT in April 2007, is still valid, although it is likely to be revisited based on the on-going discussions with the Dept of Justice.

4. CSO Control Program – The program is likely to cost $2.3B, based on the most current cost estimates. The BMP report should be updated with this updated cost estimate.

5. ODOT/TRAC Funding – I explained the uncertainty in the TRAC funding for the Innerbelt. TRAC is $3.5B over committed and no decisions have been made on which projects statewide will be advanced. I also explained the legislature imposed Tier 1 commitment language, which further reduces ODOT's flexibility.

6. Central Viaduct Rehabilitation – I explained the new strategy of rehabilitating the Central Viaduct starting in FY2010. I explained that we were not buying full property rights under the bridge due to the new eminent domain laws. This property right issue will drive the available BMPs for this project. The consultant is tasked with considering what BMPs are possible with this project.

7. Innerbelt DEIS – I have a brief update on the DEIS process. Hopeful to have FHWA approval in Spring/Summer 2008. Public Hearing Summer/Fall 2008. ROD Summer 2009.

Frank will contact me after discussing project with NEORSD Executive Director. ODOT should anticipate Lester Stumpe written comments in the next few weeks.

D 65

NORTHEAST OHIO AREAWIDE COORDINATING AGENCY
Planning For Greater Cleveland
Serving Cuyahoga, Geauga, Lake, Lorain & Medina Counties

July 25, 2008

Mr. Craig K. Hebebrand, PE,
Project Manager,Cleveland Innerbelt Plan
Ohio Department of Transportation-District 12
5500 Transportation Boulevard
Garfield Heights, Ohio 44125

RE: **Formal Comments on ODOT's Cleveland Innerbelt Plan from NOACA's Transportation/Water Quality Advisory Council**

Dear Mr. Hebebrand:

NOACA's Transportation/Water Quality Advisory Council (TRANSWAC) met on July 15, 2008 and agreed to send the attached comments as the Council's formal comments on ODOT's Cleveland Innerbelt Plan.

The TRANSWAC was formed in 2004 to assist in educating the transportation community on water quality concerns and assess projects as part of NOACA's Project Planning Review process.

Over the last year, a small working group of the Council met to review, in detail, plans for the Innerbelt. The work group was chaired by Mr. Stumpe, NEORSD and members included both transportation and water quality stakeholders. ODOT Central and District 12 were active participants in these work group meetings. The attached comments are a result of this work group's efforts.

Please contact NOACA staff Andy Vidra (Extension 254) or Pamela Davis (Extension 284) with any questions.

Sincerely,

Kenneth Carney / MW

Kenneth P. Carney Sr. P. E., P.S.
Lorain County Engineer
NOACA TRANSWAC Chair

c: Bonnie G. Teeuwen, P.E.
John M. Motl, P.E.
David Lastovka, P.E.

KPC/PD/rjd/6421t/attachment

1299 Superior Avenue, Cleveland, Ohio 44114-3204
Phone: 216-241-2414 FAX: 216-621-3024 Website: http://www.noaca.org

COMMENTS FOR CLEVELAND INNERBELT CORRIDOR STORM WATER BEST MANAGEMENT PRACTICE REPORT 8/17/07

INTRODUCTION

The subject report as a tool to consider BMPs may does not appear to be fulfilling a particular policy or regulatory requirement. Accordingly, the report could be viewed as a preliminary engineering report which provides background information as a precursor to a design effort. In this situation, there is wide latitude in defining the level of detail which is appropriate. The subject report typically limits itself to providing guidance in the selection and design of appropriate storm water management practices. It should be acknowledged that the report does a good job in pulling together a substantial amount of information which is relevant to the design and selection process.

The following comments are prepared in the context of the belief that specific environmental and water quality concerns should be addressed at a reasonably early juncture in the planning process, certainly prior to the publication of a draft Environmental Impact Statement for the project. Unfortunately the subject report, at least at this draft stage, misses an opportunity to go deeper then a cursory look at water quality issues. Had it done so, its guidance to designers in the selection of BMPs may have been significantly different. In addition it may have pointed up the need to consider issues such as planning for right-of-way for storm water management prior to the design phase.

The public record for the project has previously made the case that ODOT should take into account specific concerns related to the receiving water bodies and the unique opportunities to provide a storm water management approach that will have flexibility to care for these important resources for the long term. To generate effective solutions that will meet these goals ODOT is encouraged to engage in a level of analysis that goes well beyond the requirement of the applicable current general storm water permit or the standard practices as defined in its own current Location and Drainage manual.

OVERVIEW COMMENTS

1. The stated purpose of the subject document is to present proposed BMP practices. The purpose statement presupposes that following the application of appropriate BMPs, storm water discharges will not cause or contribute to the violation of water quality standards. In reality, where there is an expectation that water quality standards would be compromised, additional measures beyond BMPs are required to comply with Ohio Water Quality Standards. The public record for this project has raised the issue of potential violations of water quality standards related to heavy metals in both dissolved and solid forms. The public record has also cited scientific literature, which raises the potential that the combined characteristic of high-traffic count highway runoff may have general harmful effects on receiving water quality. Further ODOT's letter to NEORSD of May 29th, 2007, provided in Appendix W of the report, notes the intent to install BMPs to address water quality requirements. Despite documented water quality concerns and ODOT's pledge this report has given very little consideration to specific issues of water quality in selection of BMPs. It should be noted that the report does is several places acknowledge the existence of a Total Maximum Daily Load report (TMDL) for the lower Cuyahoga. However, even for this issue the report fails to identify specific goals which would appear to be applicable to the project. Lacking specific goals for pollutants of concern, the report does not factor into its BMP recommendations the specific pollutant removal capabilities of BMP options.

2. NEORSD acknowledges that there may be areas where removal of drainage from the combined sewer system might represent the highest value option depending on a number of case specific factors. For example, separating out highway storm water may be the most cost-effective solution to reducing combined sewer overflows in some instances. During the preparation of its Long Term Control Plan, NEORSD did not have the benefit of understanding what changes to the highway system were anticipated or possible. The potential to use storm water to create environmental features such as a constructed wetland might be also present an important opportunity which weights in favor of separation of storm water from the combined sewer system. The assessment of environmental benefits, however, requires the consideration of a number of factors. The report's approach of claiming environmental benefit simply by virtue of reduction of hydraulic load to a combined sewer system is overly simplistic as a standard for guiding selection of BMPs. In some cases storm water separation may be a wise choice, because in specific instances it might represent the most cost effective way to reduce the pollutant load on the environment. In other cases the Long Term Control Plan proposed by NEORSD may be the most effective approach to reducing the pollutant load seen by the environment both for separate storm sewered areas currently going to the system and also for separate storm sewered areas not presently discharging to NEORSD. Attachment A was prepared to help illustrate some of the key variables that would affect an assessment of which option results in the smallest pollution load to the environment. The standard for comparison is discharge to NEORSD's proposed system as specified in its Long Term Control Plan. (i.e., Limiting CSOs to 4 discharges per year.) It is assumed that additional capacity would be added to the collection and storage system for any new storm water sources to meet the same level of capture efficiency. As shown by these example calculations, key variables include the capture efficiency of the combined sewer system, the capture efficiency of the alternate system which would provide treatment of separate storm water, the relative difference in pollution loads represented by combined sewage and storm water runoff and the respective treatment efficiencies of NEORSD's central treatment facilities and the storm water treatment that would be provided for Innerbelt runoff. The calculations show that that the outcome is somewhat specific to the pollutant being considered. Still, important generalizations can be discovered in these simple calculations. Particularly, these calculations suggest that for metals and a number

of typical conventional pollutants the separate storm water treatment efficiencies would have to be quite high (for example in the range of 65 to 70% range) to result in an equivalently low pollution burden to the environment even if the new separate storm water treatment system is credited for 100% capture of all wet weather flows. Such high levels of removal are not typical for many storm water BMP practices. Some value in favor of separate treatment might be claimed where there is a lag between treatment of storm water that would be provided by new Innerbelt treatment facilities and construction of particular elements of NEORSD's proposed system. But even in this case calculation should be done as the high removal efficiency of NEORSD's treatment facilities may outweigh the treatment efficiency of a selected BMP enough to compensate for the combined sewer overflow that would result by adding storm water flow to the existing collection system. Further, in some cases it would appear that options exist to design highway drainage facilities to regulate or transfer some or all of the flow from separate sewer systems only after construction of new NEORSD storage facilities are complete if they lag ODOT project construction..

3. Both ODOT and NEORSD have been encouraged by the TRANSWAC work group of the NOACA Transportation Advisory Committee to cooperate in analysis of the option of using NEORSD's collection system and centralized treatment system as a storm water management tool for area's not currently connected to the system. (This could include full or first flush capture.) Early in this process ODOT identified its need to be able to project future charges for water management for discharges to NEORSD's centralized collection system. NEORSD noted that it does not presently have a storm water charge structure and in fact has yet to make basic decision would greatly affect any future rate structure. This past summer, NEORSD provided a letter to ODOT suggesting an approach that might assist ODOT in estimating the cost-effectiveness of storm water management via discharge to central treatment facilities. Particularly, NEORSD suggested that the matter be approached by conducting a "present value" analysis for various treatment options without consideration for which pubic agency would be paying for the cost of treatment. The logic is that collectively our respective agencies should be concerned with the overall lowest cost for the public independent of how public revenues are collected. To further this suggested approach NEORSD provided both specific cost data and approaches for obtaining other cost data which could be used in a "present value" analysis. Unfortunately it appears that ODOT has chosen not to consider the cost effectiveness of treatment via discharge to centralized facilities where separate storm water is not already being handled in this manner. While we acknowledge that centralized treatment may be more costly then other storm water management options, both costs and the benefits of the reduction of pollutants provided by centralized treatment of storm water should be considered for specific cases.

4. The report could be improved by adding a planning level estimate of potential increases in drainage area for each of the drainage segments identified in the report.

5. The report could give more attention to the matter of phosphorus reduction where there is an anticipation of separation and discharge to the Cuyahoga River. The Cuyahoga TMDL sets targets for phosphorus reductions for non-point and storm water discharges. Accordingly it would be appropriate for ODOT to consider at this planning stage how treatment of highway run off can help to achieve TMDL goals. There is a presumption in the TMDL report that current and future storm water regulations will result in appropriate phosphorous loading reductions. At the current planning stage this would logically involve development of a planning level estimate of current and projected phosphorus loads along with an analysis of storm water management treatment options that are capable of achieving the goals of phosphorous reduction.

6. The report does not clearly summarize those areas where options to make changes in current drainage patterns will potentially impact local sewers. The report could also do a better job of identifying the issues that changes in drainage patterns might present for the City of Cleveland. Identifying these issues now would be valuable to the City's current asset management efforts. For example, ODOT actions to separate certain pipes from the combined sewer system would likely result in storm water quality management requirements for areas of Cleveland. It could also raise the issue of whether adjacent drainage areas should also be converted from combined to separate sewers. An ODOT plan to construct new (perhaps larger outlet pipes) offers an opportunity for the City to consider complementary changes in its upstream system. Perhaps there is a need for additional capacity to solve upstream flooding problems. Conversely, there may be areas where the best overall solution for storm water management involves joint efforts between ODOT and Cleveland to direct separate storm water or at least the first flush of storm water to the central combined sewer system.

7. Potential solutions to direct storm water to the Cuyahoga River may present special challenges and opportunities. An early consideration of these challenges and opportunities is appropriate as various entities are actively seeking to improve the water quality and surrounding environment of the Cuyahoga. The report identifies land below the proposed new Central Viaduct Bridge for the joint purposes of construction access and subsequent storm water management. Bio-retention cells were mentioned as potential appropriate innovative technologies for this location. It appears that wetland treatment was ruled out as not practical "upfront" due to lack of space and cost. The potential value of bio-retention areas and wetland treatment for several other project drainage areas should be reconsidered. First, the need to achieve water quality goals may require these more aggressive forms of storm water management. Second there may be appropriate space that should be considered for these technologies. For example the "Tregate" district of the Cuyahoga Valley Initiative is within a reasonable distances of potential storm water discharges from proposed improvements for the central interchange and all three I-77 improvement drainage catchments. Further, the Cuyahoga Valley initiative has specifically targeted the Tregate district as an appropriate place for natural-feature storm water treatment. It is recommended that ODOT enter into early discussions with environmental planning water resource management agencies to explore possibilities for projects which would assist in meeting storm water management goals and help to create desirable environmental features.

9. The report widely recommends exfiltration trenches as stand alone BMP storm water treatment technology. Exfiltration trenches appear to be a new or experimental technology. Given the report's recommendations heavy reliance on this technology the report should discuss the mechanisms and expected effectiveness of this technology in removal of pollutants which are expected to occur in highway runoff.

10. The subject report does not discuss non-structural approaches to minimize the pollutant load form the project. It would seem that non-structural approaches, such as advanced sweeping and deicing measures, should be considered along side structural approaches as a complementary management measures. The provision of non-structural might appropriately influence the selection of structural BMPs.

EXECUTIVE SUMMARY COMMENTS

Page E-2 In Table ES-1, under "Potential Best Management Practices Identified"
Comment: The study fails to adequately consider connection of current separate sewer areas to the combined sewer. The alternative of capture of the first flush of separate storm run off should also be considered

Page E-3 **Comment:** The study seems to have focused on the narrow objective of reducing hydraulic stresses to minimize overflows. NEORSD has developed an independent plan with this same objective. ODOT should be concerned with the large perspective of choosing an appropriate level of treatment which result in appropriate treatment of pollutant loads from it facility.

SECTION 1 COMMENTS

Page 1 First paragraph, first sentence: The objective of the report is to *….present proposed project Stormwater Best Management Practice (BMP)*
Comment: A major theme of these comments and of previous work by the TRANSWAC work group has been to encourage consideration of appropriate storm water management to address water quality of concerns. In doing so ODOT may have to look beyond what it considers Best Management practices. While the focus of the general permit covering ODOT's discharges is on Best Management Practices, sections of the permit also clearly establish that the NPDES permit is not the final authority where water quality is at issue. Additionally, ODOT should consider the larger context of this project. Treatment of stormwater should be selected in consideration of the opportunities to provide protection to the lakefront and the Cuyahoga. Consideration should also be given to the creation of environmental features which would add value to the community.

SECTION 3.1 COMMENTS

Page 15 Decisions Box: Bullet 1:
Comment: The report suggests that NEORSD's Long Term Control Plan (LTCP) contains no system capacity information. In fact extensive sewer system modeling was done as a part of development of the LTCP with the purpose of developing system capacity information and identifying new system elements. Is this a matter of attribution of different meanings to the term "system capacity"?

Page 15 Bullet 3:
Comment: As noted in our general comments and elsewhere it is inappropriate for ODOT to solely focus on improvements to the "combined sewer system" or "reduction of combined sewer overflows". These are also objectives of a planned major improvement embodied in the LTCP. NEORSD appreciates ODOT's cooperation in identifying cost-effective ways to accomplish these objectives. However, ODOT is also encouraged to focus on the cumulative impact of its project and the contribution the project make to addressing water quality issues.

Page 15 Bullet 3 in the Decision box:
Comment: The report notes the close cooperation that will be needed between ODOT and NEORSD during the design phase. Particularly, it it noted that ODOT should plan to work closely with the District staff including the CSO program management team to ascertain proposed benefits and impacts of ODOT action or proposed alternatives.

Page 17 Fourth bullet, the third sub-bullet suggests that OEPA regulatory criteria were considered as part of the strategy of developing BMP recommendations:
Comment: The report does not address the potential role of water quality standards and provides only a cursory analysis of the contributions that the project will make towards TMDL reduction goals.
Comment: The selection of BMPs should be influenced by the ability of the BMP to address pollutants which are of concern for the particular receiving water body.

Page 17 Third paragraph:
Comment: Additional discussion of the relations between the various flow charts should be provided either here or in Appendix K for improved clarity.

Page 18 First paragraph, second sentence notes suggest that in agreement with Ohio EPA BMP selection no longer requires that a feasibility study be performed in support of the BMP selection. A letter from Ohio EPA in Appendix E is referenced.

Comment: The referenced letter does not address whether or not feasibility is appropriate in support of BMP selection. Regardless of ODOT's standard policy, it would appear that the complexity of the Innerbelt project, the value of the resource being protected, the existence of TMDL goals, the potential for the project to result in violations of water quality standards, the heavy reliance on the new or experimental technology of exfiltration trenches, and the opportunity to create environmental features all suggest the appropriateness of a feasibility study in the selection of BMPs.

SECTION 3.2 COMMENTS

Page 21 — Figure 6 – Final Project Approach for BMP Selection:
Comment: The approach as shown in the table does not take into account the role of Water Quality Standards. Neither does the approach consider the net impact of removal of drainage from the combined sewer system or the potential timing of removal. The desired level of service for municipal separate storm sewer systems does not appear to have been considered.

Page 22 — First paragraph/bullet on page, third sentence:
Comment: The lack of discussion regarding the role of water quality standards is noticeably absent. The goals set by the TMDL for phosphorous reduction are not discussed here or elsewhere in the report.

Page 22 — Third bullet second sentence: *identified to have value to be separated from combined sewer systems.*
Comment: As previously state the report does not support its statements of "value" with environmental burden estimates or a cost-effectiveness analysis for alternatives.

Page 22 — Fourth bullet:
Comment: The text here references Section 4.4 as providing some detail on the requirements of the Cuyahoga TMDL. Section 4.4 does not provide applicable details. In particular, there is no discussion of the reduction goals applicable to storm water discharges.

SECTION 4.1 COMMENTS

Page 24 — First paragraph, first sentence:
Comment: Replace typo "R" in "BMPR" with "s".
Comment: Ohio Water Quality Standards should be noted as a potential driver in BMP selection.

SECTION 4.4 COMMENTS

Page 27 — Fifth paragraph: *Non-regulatory heading*
Comment: "Non-regulatory" may not be the most appropriate descriptor for TMDL goals. The goals for phosphorus reduction in the TMDL are part of Ohio's State Water Quality Management Plan. Further, there is a presumption that current regulatory programs, for example storm water permitting will result in the achievement of TMDL goals. At the same time there is an expectation that dischargers and regulating authorities will be evaluating actions to achieve TMDL goals at various decision mileposts.

SECTION 5.1 COMMENTS

Page 29 — First paragraph regarding the cost of NEORSD's Long Term Control Plan.(LTCP)
Comment: The most recent cost estimate for implementation of the LTCP is $2.3 billion as opposed to the 1.6 billion noted in the report. Also note that the LTCP calls only few separation projects. Sewer separation needs to be carefully assessed to assure that it results in positive environmental benefits.

SECTION 5.2 COMMENTS

Page 30 — Second paragraph:
Comment: In describing the evaluation process and discussing NEORSD system capacity the report does not make a distinction between the current system and NEORSD's proposed Long Term Control Plan. Acknowledgement that implementation of the LTCP will dramatically increase system capacity would be appropriate.
Comment: This paragraph may be the only point at which the report acknowledges that separation of storm water from current centralized treatment system needs to consider water quality concerns at the new outfalls. However, the report does no further investigations along these lines. Further, the report does not investigate the potential that discharge points not now connected to the central system may now or under the expanded project carry pollutions loads which would raise water quality concerns. The report does not consider connection of drainage areas that are now separate where water quality concerns may be at issue.

Page 31 — Fifth bullet "step 7":
Comment: Again ODOT seeks to attribute value simply to the reduction of hydraulic loading and presumed resulting decrease in CSO volume without consideration of the impact of its decision on the annual loading

as seen by the receiving water body or other factors of environmental benefit.

SECTION 5.3 COMMENTS

Page 37 Subsection 5.3.2, first paragraph has *The CSO control strategy recommends separating .....*
Comment: Suggest clarification by noting that it is NEORSD's Long Term Control Plan that is the basis for the recommendation.

Page 37 The CSO 235 Information box suggest their in no LTCP for control of CSO 235
Comment: The District's March 25th 2005 LTCP call for construction of the Canal Avenue in-line storage system, a Stone Levee storage tank, and upgrades to the Stone Levee pump station and regulator E-24 to provide appropriate controls.

Page 39 Subsection 5.3.3, Third sub-bullet suggests that one option would be to provide a storm only pipe with in the project right-or-way. "NEORSD would need to determine how to convey flows to the shoreline Tunnel."
Comment: NEORSD records indicate that the District currently owns an existing conveyance sewer within the right-of-way for the wet weather discharge of regulator E-09. Perhaps the comment is meant to suggest that NEORSD might choose to route E-09 flows to the Shoreline Tunnel and CSO 098 by an alternative conveyance system.
Comment: Two logical options are not considered. Consideration should be given to capture of the first flush of runoff from the trench area in NEORSD's proposed Shoreline Tunnel.

SECTION 5.6 COMMENTS

Page 44 Subsection 5.6.1, first paragraph, second bullet, last sentence: *ODOT's drainage design methods and criteria will govern*
Comment: The need to coordinate with the City of Cleveland where upstream Cleveland flows are involved is noted elsewhere in the report but would probably be appropriately mentioned here as well.

SECTION 6 COMMENTS

Page 45 *Preliminary BMP Stormwater Project Drainage Information*
Comment: Planning level estimates of current and future drainage area estimate are not included in the report but may be important in selection of appropriate treatment measures.

SECTION 6.4 COMMENTS

Page 52 *Central Interchange/I-77 Approach/I-77 Drainage*
Comment: Suggest coordination with the Cuyahoga Valley Initiative to investigate whether area is available for detention or wetland treatment as an option to discharge through Kingsbury Run culvert to the Cuyahoga.

SECTION 7 OVERVIEW COMMENT

Table 10 of Section 7 suggests that the report's analysis would consider the possibility of connecting currently separate sewered areas to the centralized combined sewer area as a form of storm water management. The option of connection of currently separate sewered areas only for capture of a first flush of storm water is not mentioned as an option. The chapter goes on to develop criteria to be use in making decisions about storm water management. Water quality concerns/issues are not listed as a criteria to be considered in selection of storm water management treatment options. The report does not contain discussion or data related to the application of suggested criteria to arrive at stormwater management recommendations. Further, there is no discussion of why initially mentioned options, such as connection to area's centralized treatment facility, were not carried forward as a viable option.

SECTION 7.2 COMMENTS

Page 57 First paragraph:
Comment: Add bullets "Water Quality Concerns" and "Opportunities for environmental features."
Comment: The potential for spill of hazardous materials and impact those spills might have on treatment units and the receiving waters should be a factor in selection of stormwater treatment options for this project.

Page 58 Table 10,
Comment: Other criteria such as receiving water quality regulations/issues/concerns and effect on net loading of pollutants would be appropriate criteria to add to this table.
Comment: For the option "Discharge to local combined system" it does not seem logical to list Waste Water Treatment Plant capacity as a concern. The flows from most local systems of any size are controlled by regulating structures prior to the plant.
Comment: The option of "Discharge to NEORSD interceptors" needs further explanation to distinguish this as an option different from "Discharge into a system upstream of NEORSD regulator.

Page 59 First paragraph, second bullet, fourth sentence: word choice "*are*" .
Comment: Consider "include." rather then "are"

Page 59 First paragraph, third bullet, fourth sentence: *where ODOT could have a positive impact within the combined sewer system (i.e., potentially reduce the number of overflow events).*
Comment: As previously noted creating separate sewer discharges to reduce CSOs may or may not benefit the environment in comparison with other alternatives.

Page 59 First paragraph, fifth bullet: *Will right-of-way be purchased.* .
Comment: ODOT should consider purchase of right-of-way for environmental controls as opposed to the limited case of consideration of environmental controls in right-of-way purchased for other project reasons. Treatment options should not be limited soley by their suitability for the existing or proposed right-of-way for construction purposes.

SECTION 7.4 COMMENTS

Page 64 First paragraph
Comment: Overall report clarity might be enhanced by making a distinction between BMP treatment methods and other levels of treatment which may be needed to address water quality issues.

Page 64 First paragraph, fourth bullet, first sentence
Comment: The potential for separate sewer discharges to cause violations of water quality standards should be noted and considered as a design constraint.

SECTION 7.5 COMMENTS

Page 66 Supplemental Information for System Inventory and Connection/Separation Options
Comment: It appears as though the two bullet points above this section actually belong in this section.

Page 67 Discussion of criteria for determining whether to separate stormwater runoff from combined sewer areas.
Comment: While TMDL requirements are noted, assuring compliance with Water Quality Standards is not noted. Also selection should consider the need to protect the specific features of the receiving waters.
Comment: As previously noted creating separate sewer discharges to reduce CSOs may or may not benefit the environment in comparison with other alternatives.
Comment: The report identifies potential criteria but does not document how these criteria were applied to arrive at the recommendations of the report.

Page 73 Subsection 7.5.3
Comment: The option of discharging storm water to the combined sewer system as identified in Sec 7.2 is dropped from the scenario list without justification or mention.

Page 73 Subsection 7.5.3, third paragraph, bullet section
Comment: Table 16 would be improved if the constraints presented on this page where given a number and identified in Table 16.

Page 74 Subsection 7.5.3, second paragraph:
Comment: First flush capture of storm water for centralized treatment should be considered.

Page 74 Subsection 7.5.3, fourth paragraph, first sentence:
Comment: "Up front" elimination of certain technologies for cost or other constraints may not be appropriate considering the goals of the TMDL and the need to protect water quality standards.
Comment: Constructed wetlands should be considered as a possible option at the mouth of Kingsbury Run.

SECTION 8 COMMENTS

Page 92 First paragraph, first bulleted section discussing design conclusions:
Comment: Consider should be given to designing the drainage system to isolate or clean up hazardous material spills.
Comment: The inclusion of structures appropriate for separate storm water sampling and accurate flow metering should be noted as a design consideration.

TABLE 15 COMMENTS

Page 7 of 7 General notes:
Comment: The note G under "General Notes" seems to be designed to identify specific drainage areas where quantity issues may be a factor. While the table does not appear to make use this footnote, doing so could provide some very helpful summary information. A general note identify where interaction with the Cleveland will be needed might also be a helpful feature.

TABLE 16 COMMENTS

Page 1 Drainage Area and BMP comments:
Comment: The notes discuss potential limitations in the use of ramp in-field areas for BMPs. It would be helpful for the report to identify what BMPs have been allowed in in-field areas.

Comment: The notes suggest that below grade detention may not be feasible near Lake Erie. More justification should be given for this statement. Note that the standard in-right-of-way drainage conveyance system can itself be designed to create detention volume. Supplement parallel storage pipes could also be considered. Previous comments by the NOACA TRANSWAC work group recommended consideration of pumping to above grade storage which could be covered. This alternative does not appear to have been considered.

ATTACHMENT A TO COMMENTS ON ODOT BMP REPORT --page 1

Scenario:

97% capture of wet weather flows by future CSO collection system
CSO pollutant strength is estimated at 2.5 times that of stormwater (See note 3)
Assumes that if new stormwater area is added to the combined sewer system appropriate storage volume will be provided to maintain 97% capture
NEORSD treatment plant pollutant removal efficiency is estimated at 70% (See note 3)
Treatment efficiency for separate stormwater treatment assumed to be 60% (see note 1)
Assumes the same delivery volume and hydraulics from the separate and combined sewer catchment (see note 2)

ENTRY OF DATA ASSUMPTIONS:

		Fractional loss	Fraction capture				fraction removed	fraction not removed
Capture efficiency		0.03	0.97		**Treatment efficiency**	NEORSD centralized system	0.7	0.3
						Stormwater treatment	0.6	0.4
	A1-CSO	B1-Storm c	total flow	C1-storm added to combined				
Relative strength	2.5	1	Not Applica	1.75				
Relative volume units	1	1	2	Not Applicable	**Assume capture efficiency for separate stormwater treatment at 100%**			

LOAD CALCULATIONS:
System A1 is a combined sewer system; the environmental burden is estimated as follows:

1 volume units (million gallons)	0.03 fraction Not captured	2.5 relative concentration (lbs per million gallons)	+	1 volume units (million gallons)	0.97 fraction captured	0.3 fraction not removed by treatment	2.5 relative concentration (lbs per million gallons)	=	0.8025	pounds
		0.075				0.7275				

System B1 provides treatment of separate stormwater, pollutant strength is only 1/2 that of combined sewage, the envir. burden is estimated as follows:

1 volume units (million gallons)	0 Not captured	1 relative concentration (lbs per million gallons)	+	1 volume units (million gallons)	1 fraction captured	0.4 fraction not removed by treatment	1 relative concentration (lbs per million gallons)	=	0.4	pounds

Adding the load from system A1 and B1 gives an estimate of the total load to the environment. For this scenario the result is: 1.2025 pounds

System C1 is created by adding the storm water of B1 to sytem A1 (the combined sewer system) and increasing system capacity to provide the same capture as system A1. The environmental load burden is estimated as follows:

2 volume units (million gallons)	0.03 fraction Not captured	1.75 relative concentration of combined waste stream (lbs per million gallons)	+	2 volume units (million gallons)	0.97 fraction captured	0.3 fraction not removed by treatment	1.75 relative concentration of combined waste stream (lbs per million gallons)	=	1.1235	pounds
		0.105					1.0185			

CONCLUSIONS:
The load to the envir.from systems A1 plus B1 is 1.2025 pounds Compared to the load from system C1 of 1.1235 pounds

In this example the load to the environment would be **6.5%** less by treating the separate storm water in the combined sewer system -0.0657

Note 1: This analysis assumes a treatment efficiency of 60% for the separate stormwater treatment system. This is a high level of efficiency even for BMPs which rely on significant water detention. Significant water detention is not the general direction of BMPs proposed for the Innerbelt project.

Note 2: Changing the relative volume of combined sewage vs separate storm water will change the percentage value generated in comparing the two systems. However it does not change which alternative yields the lowest environmental load to the environment. In the above specific scenario the higher the ration of stormwater to CSO the more dramatic the difference.

Note 3: The relative strength of combined sewage vs urban stormwater runoff was generated form data collected for the Phase 2 Southerly facilities plan. See page two of this attachment. The efficiency of NEORSD treatment plant was estimated by looking at typicaly performance data for the Easterly treatment plant. Some of this data is also on page two of this attachment

ATTACHMENT A TO COMMENTS ON ODOT BMP REPORT --page 2

RELATIVE STRENGTH OF CSO VERSUS PURE STORMWATER DRAINAGE FROM URBAN AREA
Calculation of relative strenght using data from Southerly Phase 2 Facility Plan

	Cd	Cr	Cu	NH3	Pb	TP	TSS	Zn	
CSO	3.13	73	43.7	0.78	48.7	0.61	102	117	
Storm	1.76	24	25.6	0.33	43.2	0.22	31.7	44.7	
Relative strength	1.78	3.04	1.71	2.36	1.13	2.77	3.22	2.62	**2.33**

Conclusion: Two is a good estimate of relative strength if E coli is not considered

ANALYSIS OF EASTERLY PLANT REMOVAL EFFICIENCY FOR METALS FROM MONTHLY PLANT 4500 REPORTS
Metals data in micrograms per liter. Phosphorus data in milligrams per liter

	Cd,	Cd fractional removal	Cr	Cr fractional removal	Cu	Cu fractional removal	Pb	Pb fractional removal	TP	TP fractional removal	Zn	Zn fractional removal
1/07 Average Raw	1.0		14		36		14.0		2.25		106	
1/07 Average Final	0.5		1.2		9.8		0.1		0.38	0.83	23	
		0.50		0.91		0.73		0.99				0.78
2/07 Average Raw	0.0		16		40		15.0		2.72		130	
2/07 Average Final	1.0		1.3		10.6		0.0		0.49	0.82	25	
		#DIV/0!		0.92		0.74		1.00				0.81
3/07 Average Raw	0.0		12		33		16.0		1.85		90	
3/07 Average Final	0.7		1.7		9.5		0.0		0.33	0.82	32	
		#DIV/0!		0.86		0.71		1.00				0.64
4/07 Average Raw	1.0		19		43		7.0		2.05		120	
4/07 Average Final	0.3		1.3		12.6		0.1		0.57	0.72	22	
		0.70		0.93		0.71		0.99				0.82
5/07 Average Raw	0.0		16		48		5.0		2.63		98	
5/07 Average Final	0.3		0.5		10.2		0.0		0.51	0.81	18	
		#DIV/0!		0.97		0.79		1.00				0.82
6/07 Average Raw	2.0		15		47		15.0		2.66		114	
6/07 Average Final	0.4		0.7		8.8		0.0		0.36	0.86	23	
		0.80		0.95		0.81		1.00				0.80
7/07 Average Raw	0.0		46		43		13.0		2.54		92	
7/07 Average Final	0.2		0.7		9.1		0.0		0.51	0.80	17	
		#DIV/0!		0.98		0.79		1.00				0.82
8/07 Average Raw	1.0		17		41		22.0		2.06		86	
8/07 Average Final	0.3		1.1		9.9		0.2		0.42	0.80	34	
		0.70		0.94		0.76		0.99				0.60
9/07 Average Raw	0.0		16		40		11.0		2.76		83	
9/07 Average Final	0.2		0.6		7.7		0.0		0.49	0.82	15	
		#DIV/0!		0.96		0.81		1.00				0.82
10/07 Average Raw	1.0		16		44		0.0		2.72		110	
10/07 Average Fina	0.2		1.7		8.8		0.0		0.51	0.81	18	
		0.80		0.89		0.80		#DIV/0!				0.84
11/07 Average Raw	0.0		19		56		16.0		2.18		111	
11/07 Average Fina	0.3		2.2		11.4		0.4		0.47	0.78	22	
		#DIV/0!		0.88		0.80		0.98				0.80
12/07 Average Raw	5.0		18		36		7.0		1.85		95	
12/07 Average Fina	0.3		2.2		12.4		0.4		0.33	0.82	26	
Yearly Ave.		**0.94**		**0.88**		**0.66**		**0.94**		**0.81**		**0.73**

For E. coli use 99% reduction is a conservative estimate of treatment plant performance

CONCLUSION
Use an overall removal eff. of 70% for analysis of pollutant reductions applicable to highway drainage, other then *E. coli*

LAStumpe 3/12/08

"Lester Stumpe" <StumpeL@neorsd.org>
04/02/2009 05:32 PM

To <Craig.Hebebrand@dot.state.oh.us>
cc "Kyle Dreyfuss-Wells" <Dreyfuss-WellsK@neorsd.org>, "Frank Greenland" <GreenlandF@neorsd.org>
bcc
Subject Follow up to phone call of 4/02/09 -- Missing pubic record items

Craig,

This email is included as followup to our phone call this afternoon to help you explore and clarify whether there is a deficiency in the public record as noted at today's advisory committee meeting. This email is offered in the In particular the record seems to be incomplete in identifying concerns raised about options for stormwater management and concerns about the potential violation of Lake Erie Water Quality Standards.

Based upon a quick review of my close at hand files (and my memory) with the EIS record I do not find the following:

02/09/04 Letter to ODOT from Director Odeal identifying Innerbelt Issues
03/20/06 TRANSWAC work group findings
01/12/07 ODOT formal response to TRANSWAC Innerbelt Work Group
04/18/07 TRANSWAC comments on the inadequacies of Level 1 Ecological report
??/??/07-08 Letter to ODOT at the encouragement of TRANSWAC to suggest the basis of a cost benefit analysis
??/??/08 TRANSWAC comments on ODOT's stormwater BMP report

There may be other relevant pieces of correspondence which are missing. You agreed to investigate your files for missing pertinent information.

While the above documents contain technical discussion they also raise policy issue which should have been addressed in the draft EIS. Where these comments addressed in some other formal manner other than the EIS?

I noted that I had been informed that NOACA and NEORSD where going to be treated as participating agencies. I note that the letter of 4/18/07 (referenced above specifically notes that the comments are being contributed in the role of a participating agency.) I don't think there was ever a response back that NOACA or NEORSD were not participating agencies. Did I miss something here?

In our conversation I also ask for an explanation of whether there is a legal significance attached to the phrase in Chapter 4 of the draft EIS that the Cuyahoga River is the only mapped water feature in the project area. Is this statement somehow related to a justification for the EIS's failure to address potential impacts of stormwater drainage on the Lake Erie. You agreed to get back to me on this issue. I also noted an apparent error in describing the percentage of Innerbelt run off which drains to the Cuyahoga River. (ODOT previously stated that 33% of Innerbelt drainage currently drains directly to Lake Erie.) The EIS states that 95% of the Innerbelt drainage goes to the Cuyahoga River Watershed.

Finally, I asked you to give some consideration to special efforts in the upcoming public meeting to raise water quality issues and stormwater treatment alternatives as a part of the ODOT presentation especially given the apparent deficiencies of the public record.

Don't hesitate to give me a call if I can provide further clarification of the

above concerns.

Sincerely,

Lester Stumpe
Manager of Watershed Programs, Policy and Technical Support
Phone: 216-881-6600 Ext. 6830
Fax: 216-881-7703
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NOACA Transportation/Water Quality Advisory Council (TRANSWAC)
Comments Concerning the Draft Innerbelt Environmental Impact Statement

May 7, 2009

General Issues

Given the significant amount of storm water from the proposed Innerbelt project that will discharge to Cleveland's highly valued lakefront or to the Cuyahoga River, water resource impacts should be thoroughly explored in the Innerbelt Environmental Impact Statement (EIS) process. According to one ODOT estimate provided to the TRANSWAC committee, 33% of the drainage of the Innerbelt project (some 111 acres) goes directly to Lake Erie. A study prepared by TRANSWAC provides a literature review and summarizes local data to show the potential that storm water discharges from the project could violate Lake Erie water quality standards and add pollutant loads to the Cuyahoga River.

The EIS should address the issues raised by the TRANSWAC report and its referenced technical documents and provide a full discussion of the current and potential water quality impacts of discharges from the Innerbelt facility. Particularly, ODOT and FHWA as lead agencies are encouraged to collaborate with the various cooperating and participating agencies of the EIS process to evaluate the issues which TRANSWAC has raised and to determine appropriate responses to mitigate water quality impacts. ODOT should collaborate with Ohio EPA to clearly explain the respective roles of storm water permits and water quality standards water quality in assuring project compliance with all water quality requirements of Ohio law. A commitment should be made to conduct an equivalent supplemental EIS review process in an extended time frame if the above processes cannot be completed with out causing a delay in the issuance of a final Environmental Impact Statement.

Evidence exists that the existing Innerbelt discharge may have deleterious effects on the receiving waters of Lake Erie and the Cuyahoga River. Yet, current Ohio EPA storm water permits and the draft EIS would suggest that ODOT need only provide treatment for additional impermeable surfaces or newly separated storm water. As the Innerbelt project represents a total reconstruction, the EIS should consider the costs and benefits of providing storm water treatment for the entire project.

Because of the potential water quality concerns, the need to be proactive in fully protecting Cleveland's waterfront resource, and the unique opportunity that is attendant with a major reconstruction of drainage facilities, storm water management options should not be limited to ODOT's standard list of Best Management Practices. (ODOT notes that their list of storm water quality Best Management Practices represents their process, which is meant to keep ODOT in compliance with existing Ohio EPA regulations. This BMP list includes: exfiltration trenches, extended detention and retention basins, bioretention cells, infiltration trenches, infiltration basins, constructed wetlands, manufactured systems, and vegetated biofilters.) The EIS should discuss the

costs and benefits of the full range of storm water management options and establish a framework for the selection of options. This evaluation should include consideration of treatment of Innerbelt discharges in the Northeast Ohio Regional Sewer District's central treatment facilities.

The NOACA/TRANSWAC role as a participating agency should be clarified. The EIS should discuss the work of the TRANSWAC along side of other consulting committees in Chapter 5. The EIS should note and respond to issues of past TRANSWAC and TRANSWAC member comments provided in response to the Level 1 Ecological Survey, EIS scoping, and the Innerbelt Storm Water Best Management Report.

Specific Comments

1) The issue of potential violations of Lake Erie water quality standards should be thoroughly discussed. Lacking more specific or more representative data, the data and findings previously provided by the TRANSWAC committee should be incorporated into this discussion. The EIS should describe the existing water quality issues of the near shore areas of Lake Erie and the expected impact of current and new discharges of Innerbelt storm water to Lake Erie near shore areas. ODOT should request that Ohio EPA and other agencies with water quality management responsibilities review this supplemental information to determine whether the final project discharges will comply with all water quality requirements of Ohio law.
2) The EIS should clearly state the estimated the amount and percentage of the Innerbelt runoff which currently discharges to Lake Erie, the Cuyahoga River, and the centralized treatment facilities of NEORSD. As available, the same estimates should be provided for Innerbelt drainage system after reconstruction.
3) The EIS should evaluate the potential to treat its Innerbelt direct storm water discharges as a move toward achievement of the TMDL targets set for the Cuyahoga River and current water quality standards.
4) The EIS should clearly explain the process for determining the current regulatory requirements for storm water discharges from the Innerbelt. This discussion should include an explanation of how requirements are determined where application of ODOT's best management practices would still result in a violation of Ohio water quality standards.
5) The EIS should evaluate a wide range of options for treatment of storm water from the Innerbelt. This evaluation should include treatment of some or all of the Innerbelt discharge in NEORSD's central treatment facility. This option should be considered as an alternative to the separation strategy that ODOT has discussed in the draft EIS. Other options beyond BMPs should also be considered.
6) The public record should acknowledge TRANSWAC's request to ODOT and NEORSD to consider alternative ways to evaluate the cost and benefits of centralized treatment lacking a rate structure for treatment by NEORSD.
7) The EIS should acknowledge NEORSD's letter of June 22, 2007 and consider the approach and data provided in that letter in assessing the costs and benefits of centralized treatment in NEORSD facilities.
8) The EIS should show pollutant loading changes that would occur as a result of the separation strategy proposed in the draft EIS. The EIS should estimate the additional storm water load that would be added to Lake Erie and to the Cuyahoga River. The potential for violations of water quality standards as a result of increased loads should be considered. To the extent that reductions in combined sewer loads are used as a justification for separation, planned improvements through NEORSD's Long Term Control Plan should be considered. Additionally, consideration should be given to the cost effectiveness of sizing NEORSD facilities to accommodate ODOT's loads. Example calculations on the impact of separation were provided to ODOT as part of TRANSWAC comments on ODOT's Innerbelt BMP report. The calculations show that separation could result in greater loads to receiving waters.
9) The EIS should address the issue of the need to provide right of way space for the installation of Best Management Practices where applicable.
10) The EIS should address the issue that the project, as a total reconstruction of the Innerbelt, should consider options to provide treatment for 100% of the pavement of the project rather then simply providing treatment for newly paved or newly separated storm water.
11) The EIS should provide a responsiveness summary to indicate how it addressed comments made as a result of comments received on the Level 1 Ecological Survey and also on the Innerbelt Storm Water Best Management Practice report.
12) The EIS should discuss the development of project specific procurement specification for water quality issues and storm water management. Also, consideration should be given to the development of special allocations and contingency funds specific to water quality and storm water management issues.
13) The project's Purpose and Need statement should be revised to make it clear that the Innerbelt project should consider and is expected to result in improved management of Innerbelt air quality and water quality environmental issues.
14) In its comments of March 20, 2006 TRANSWAC asked that the Innerbelt project consider designing elements of the drainage system to provide for hazardous spill containment and for precise measurement of storm water loads. The draft EIS does not discuss the containment of hazardous spills nor is there any pledge made to provide monitoring chambers to allow for precise measurement of future storm water loads.
15) FHWA and ODOT should meet with stakeholders and agencies interested in water quality and storm water management issues to solicit assistance and to consult on a schedule to address draft EIS deficiencies. These meetings should also discuss comprehensive EIS commitments to protect water quality and consider supplemental EIS processes to compensate for issues that can not be fully addressed in the next EIS document.

"M Wells"
<mwells@mpo.noaca.org>
04/09/2009 03:58 PM

To <Dave.Lastovka@dot.state.oh.us>

cc <Craig.Hebebrand@dot.state.oh.us>, "Environmental and Sust Dvlp Team" <EnvironmentalandSustDvlp@mpo.noaca.org>, "Howard R. Maier" <howard.maier@mpo.noaca.org>, "J Hosek" <jhosek@mpo.noaca.org>, <StumpeL@neorsd.org>, <Mark.Carpenter@dot.state.oh.us>, <Larry.Hoffman@dot.state.oh.us>

bcc

Subject RE: NOACA Transwac Comments on Cleveland Innerbelt BMP Report

Dave,

Attached are the final comments that were approved by the TRANSWAC.

Thank you,
Mary

Mary H. Wells
Environmental Planner
NOACA
1299 Superior Avenue
Cleveland, OH 44114
p: 216.241.2414 x255
f: 216.621.3024

"A thing is right only when it tends to preserve the integrity, stability and beauty of the community; and the community includes the soil, water, fauna and flora, as well as the people ."
- Aldo Leopold, *A Sand County Almanac* , 1949

Please consider the environment before printing this message; printing uses toner, paper and electricity that could be conserved.

From: Dave.Lastovka@dot.state.oh.us [mailto:Dave.Lastovka@dot.state.oh.us]
Sent: Thursday, April 09, 2009 3:41 PM
To: M Wells
Cc: Craig.Hebebrand@dot.state.oh.us; Environmental and Sust Dvlp Team; Howard R. Maier; J Hosek; StumpeL@neorsd.org; Mark.Carpenter@dot.state.oh.us; Larry.Hoffman@dot.state.oh.us
Subject: NOACA Transwac Comments on Cleveland Innerbelt BMP Report

Mary,

I did receive an informal set of comments from Pam Davis before she left NOACA last fall . I am not aware of this signed letter & attached comments ever being formally sent to ODOT. Can you send over a copy of the final Transwac comments referenced in the letter, so that we are assured we have the final comments, and not a draft version.

Thank you.
Dave

David Lastovka, P.E.
ODOT D-12 Production
5500 Transportation Blvd
Garfield Hts, Ohio 44125
216-584-2115
216-584-2279 FAX
E-Mail: dave.lastovka@dot.state.oh.us

"M Wells"
<mwells@mpo.noaca.org>
04/09/2009 03:12 PM

To "David Lastovka" <dave.lastovka@dot.state.oh.us>

cc <Craig.Hebebrand@dot.state.oh.us>, <stumpel@neorsd.org>, "Howard R. Maier" <howard.maier@mpo.noaca.org>, "J Hosek" <jhosek@mpo.noaca.org>, "Environmental and Sust Dvlp Team" <EnvironmentalandSustDvlp@mpo.noaca.org>

Subject

Dave,

Lester Stumpe has requested that we send our documentation of the comments forwarded to ODOT from the TRANSWAC on the Innerbelt EIS. Please see the attached information.

Please let me know if you need anything further.

Thank you,
Mary

Mary H. Wells
Environmental Planner
NOACA
1299 Superior Avenue

Cleveland, OH 44114
p: 216.241.2414 x255
f: 216.621.3024

"A thing is right only when it tends to preserve the integrity, stability and beauty of the community; and the community includes the soil, water, fauna and flora, as well as the people ."

- **Aldo Leopold**, *A Sand County Almanac* , 1949

Please consider the environment before printing this message; printing uses toner, paper and electricity that could be conserved.

[attachment "Letter to ODOT 6421t.pdf" deleted by Dave Lastovka/Production/D12/ODOT]

Please consider the environment before printing this email. Thank you!

E-Mail is not a secure method of communication. No sensitive or private information should be transmitted to NOACA by e-mail. E-Mail that is sent to NOACA may be shared with staff and other agencies in order to respond or process and should not be considered confidential.

comments for Innerbelt Stormwater BMP report Final.pdf

OHIO DEPARTMENT OF TRANSPORTATION
DISTRICT 12 • 5500 TRANSPORTATION BLVD • GARFIELD HEIGHTS, OHIO 44125-5396 • (216) 581-2100
TED STRICKLAND, GOVERNOR • JOLENE M. MOLITORIS, DIRECTOR • BONITA G. TEE-WEN, P.E. DISTRICT DEPUTY DIRECTOR

July 10, 2009

NOACA TRANSWAC
1299 Superior Avenue
Cleveland, Ohio 44114-3204

Attention: Mr. Kenneth P. Carney Sr. P.E., P.S.

Re: **Cleveland Innerbelt Corridor; PID 77510;**
TRANSWAC Comments on Best Management Practices (BMP) Report

Dear Mr. Carney:

Reference is made to the TRANSWAC "Comments for Cleveland Innerbelt Corridor Storm Water Best Management Practices Report 8/17/07". Although the transmittal letter was dated July 18, 2008, these comments were received by this office on April 9, 2009.

We appreciate the time and effort put into providing these comments. As you know, ODOT has attended almost all of TRANSWAC's meetings, including all of those directly associated with the Innerbelt Project and we fully expect to continue that level of involvement through the completion of the project.

While we agree the Innerbelt project is an important project for the region, we disagree with the approach TRANSWAC takes in addressing Innerbelt storm water. As noted in the introduction to TRANSWAC's comments, the Innerbelt BMP report was not completed for any regulatory requirement. ODOT had the report produced to assist TRANSWAC and other project stakeholders in better understanding ODOT's storm water management approach for this project. We appreciate the comments about the effort put forth to compile this substantial amount of information.

As stated in the introduction, TRANSWAC believes ODOT should engage in an analysis that goes well beyond the requirements of current storm water permit regulations and ODOT policy. Due to the cost, complexity, and projected time frame of this project, ODOT is unable at this time, to commit to implementing storm water management well above the regulatory requirements. As you know, project funding is scarce, and substantial increases in project cost will reduce the likelihood of this region seeing the substantial safety and operational improvements of the Innerbelt corridor project. As you know, all projects are a balance between project scope and available funding.

ODOT understands TRANSWAC's interest in the region's water quality. ODOT is committed to meeting or exceeding the storm water regulations in effect for each project segment. As you know, it is likely that this project will be implemented over several NPDES permit cycles. ODOT will, as it always has, update our storm water policies and procedures to meet any new regulatory requirements. Additionally, ODOT will consider, during detail design of each project

segment, installing water quality BMPs that exceed the required treatment area percentage of the NPDES permit. ODOT is currently looking at proposed BMPs for Construction Contract Group #1, a new I90 Westbound bridge over the Cuyahoga River. The design team is evaluating BMPs that will meet the current redevelopment regulations, along with treating up to 100% of the pavement within the project limits.

While the TRANSWAC comments discuss treating the "first flush" using the combined sewer system, ODOT has concerns about how such a strategy would be implemented. It is unlikely that a straight storm water tie could be made to the existing combined sewer system due to system capacity limitations. It is our understanding that the Northeast Ohio Regional Sewer District's (NEORSD) Long Term Control plan for Combined Sewer Overflows uses storms with return intervals of 1-5 years. ODOT's design manual has the following requirements for drainage design.

Storm Sewer Design - 10 YR storm
Hydraulic Grade Line check - 25 YR storm
Hydraulic Grade Line check(sag vertical curves) - 50 YR storm

There is a concern that these larger storms would either overwhelm the existing conveyance systems, or they could back up and flood the high speed interstate roadway. Even if a way was found to split the "first flush" flows, conveyance pipes large enough to meet the ODOT design requirements would be necessary to be constructed.

It should be noted that the proposed Innerbelt separation strategy will not preclude any of the proposed Northeast Ohio Regional Sewer District's (NEORSD) Long Term Control plans for combined sewer overflows(CSOs). In actuality, the proposed separation of storm water from the combined sewer system should provide overall reduced flow volumes for NEORSD's program. It should be noted that due to NEORSD's ongoing negotiations with the USEPA, there is no defined time frame for implementation of this Long Term Control plan. All of the references in the BMP report and the Innerbelt EIS reference projected time frames from the unknown beginning of the CSO control program.

Although the TRANSWAC comments repeatedly state that storm water separation from the existing combined sewers might cause increase pollutant loadings to local waterways, the USEPA, in their written DEIS comments stated "Separating wet weather discharges from the highway to the combined system will contribute to reduced pollutant loadings to the River and the Lake from CSO discharges." The USEPA comments suggest positive environmental impacts for separation.

While we recognize TRANSWAC has concerns about some of ODOT's BMPs, ODOT will continue to evaluate BMPs that are appropriate for an Interstate environment, where high speed travel has to be considered. During each segment's detail design process, the current "toolbox" of BMPs will be evaluated to determine appropriate BMPs. As stated in the FEIS, the Department will commit to coordinating with NEORSD, Cleveland Water Pollution Control, and TRANSWAC on the drainage solutions for each project segment during detail design.

In addition to ensuring that we meet or exceed the current requirements, the Department would like to highlight several areas where we making positive investments in storm water quality related issues:

Research - ODOT is currently engaged in over $900,000 in research on current ODOT BMPs including vegetated biofilters and exfiltration trenches.

Green Bulkheads - ODOT is investigating the use of green bulkheads under the new Innerbelt Bridge since we will be replacing the existing dock walls.

ODOT will continue to look for opportunities to advance our storm water quality program as investments like the above are fully matured and developed.

In addition to the broad project wide comments discussed above, we acknowledge receipt of report specific comments. ODOT will forward specific technical BMP report comments to our design team, under separate cover, for consideration in a revised version of the document. When available, we will transmit an updated copy of the report to TRANSWAC.

Based on our full review of all the storm water issues brought up by TRANSWAC and other project stakeholders, we do not feel that there is a need to change from our current approach to how the Cleveland Innerbelt corridor storm water will be handled. Therefore, no further detailed analysis is necessary for action under the NEPA regulations. However, as stated earlier, ODOT remains committed to meet or exceed all storm water regulations in effect for this project and will continue to work closely with TRANSWAC and others to address the region's water quality concerns.

We look forward to continuing coordination with TRANSWAC during detail design of the Innerbelt projects. We understand that a TRANSWAC work group is being formed to provide comments on the stimulus funded Construction Contract Group #1 project. Once this group is established, we will forward relevant information so that their input can be considered in the creation of the design build project scope document.

Respectfully,

Craig K. Hebebrand, P.E.
Project Manager, ODOT District 12

c: Lester Stumpe, NEORSD; Andy Vidra, NOACA; Bonnie Teeuwen, ODOT District 12; Tim Hill, ODOT Central Office; Mark Carpenter, ODOT District 12; David Beach, EcoCity Cleveland; Paul Alsenas; Cuyahoga County Planning Commission
Project File (PID 77510)

Appendix E

OHIO DEPARTMENT OF TRANSPORTATION

CENTRAL OFFICE, 1980 WEST BROAD STREET, COLUMBUS, OH 43223

OFFICE OF ENVIRONMENTAL SERVICES

February 27, 2009

Mr. Mark Epstein, Department Head
Resource Protection and Review
Ohio Historic Preservation Office
567 East Hudson Street
Columbus, Ohio 43211

Attn: Thomas Grooms
ODOT Review Manager, Archaeology

Re: CUY-Cleveland Innerbelt (PID 77510)
Archaeological Resource Coordination

Dear Mr. Epstein:

Previously submitted for your files and review was a copy of the cultural resources survey report entitled *Phase I Cultural Resources Survey for the Cleveland Innerbelt: CUY-Innerbelt (PID 77510) Cleveland, Cuyahoga County, Ohio*, prepared by Hardlines Design Company, and a set of aerial photos showing the position of the preferred alternative corridor. The report contains an assessment of land-use describing the level of land disturbance across the Area of Potential Effect. The proposed highway project will improve traffic flow and safety by reconstructing portions of the interstate highway system in the City of Cleveland, Cuyahoga County, Ohio. The Innerbelt refers to the actual interstate roadway that is the central focus of the study which begins at I-71 past the merger with State Route 176 (Jennings Freeway) to the I-71/I-90/I-490 interchange. From this interchange the Innerbelt proceeds north along I-90 over the Central Viaduct Bridge, which carries traffic over the Cuyahoga River and will be reconstructed as a part of the proposed project. From the Central Viaduct the Innerbelt continues north along the eastern edge of downtown Cleveland in a depressed section of freeway (Innerbelt Trench), through the Innerbelt Curve to where it merges with State Route 2 (The Shoreway).

On May 30, 2006, OES submitted the previously referenced cultural resource survey to the OHPO. Although the report recommended no further archaeological investigations because of the vast extent of modern disturbance, the OHPO recommended waiting until a preferred alternative was selected, or at least a more defined study corridor was established, before concurring on a "no further work" recommendation. In the Fall of 2008, a preferred alternative corridor was selected and aerial photographs with the project's current proposed footprint were produced. These aerials depicting the corridor were previously provided to Thomas Grooms prior to a joint field meeting held on February 17, 2009.

This field review, combined with the information provided in the 2006 cultural resources report and information from the current aerial photographs, indicated that the entire area is indeed thoroughly disturbed by commercial, residential, and industrial development, landscape modification, artificial landform construction, parking lot construction, and underground utility installation. Other areas are

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disturbed as a result of the demolition of houses and the subsequent grading and filling and, in some areas, paving. Nearly all available space within the preferred alternative corridor is occupied by buildings, streets and parking lots. Areas of fill were identified during the 2009 field meeting and during the Hardlines Design Company field investigations in 2006. Fill activity is also indicated by the USDA/SCS (1980) soil survey of Cuyahoga County as large areas of Urban Land (Ub) are depicted throughout the corridor. This soil is characterized as mostly miscellaneous materials places in fill and almost totally covered by roads, buildings, and other structures.

The February 17, 2009 joint field review with your staff focused on the preferred alternative corridor near the Central Viaduct Bridge. This alternative will cross open space along the Cuyahoga River Valley. During the field review, we observed heavy industrial development, a stone/gravel operation, piling along the channelized stream channel of the Cuyahoga River, and areas previously disturbed by bridge construction. Furthermore, the soil survey notes that areas along the Cuyahoga River are covered by the Urban Land soil type, which contains waste material from steel mills and other industrial activity. The severity of the disturbance, therefore, precludes the existence of intact archaeological deposits. The shallow nature of the land surface along the Cuyahoga River would also preclude the existence of stratified archaeological deposits.

Conclusion

We would appreciate the return of this letter, signed to indicate that you do not object to the archaeological finding. If no objection is received within 30 days, in accordance with the Advisory Council on Historic Preservation's current regulations under 36 CFR part 800.3 (c) (4), FHWA and ODOT will proceed to the next step in the process based on these findings.

Respectfully,

Paul Graham, for

Timothy M. Hill, Administrator
Office of Environmental Services

OHIO STATE HISTORIC PRESERVATION OFFICE CONCURRENCE:

Thomas Grooms 3/9/09
(Date)

TMH: jaw

c: M. Carpenter, District 12; Project File.; Reading File

Mark Carpenter/Planning/D12/ODOT
03/24/2009 09:28 AM

To mepstein@ohiohistory.org, ncampbell@ohiohistory.org, gdavis@wrhs.org, kcrowther@clevelandrestoration.org, mfleenor@clevelandrestoration.org, chrisgarland@twdc.org,
cc michael.armstrong@FHWA.DOT.GOV, Tim Hill/Environmental/CEN/ODOT@ODOT, Susan Gasbarro/Environmental/CEN/ODOT, Paul
bcc
Subject Fw: Environmental Mitigation vs. Enhancement

Dear Consulting Party Team Members:

As discussed that the March 18, 2009 meeting held at the ODOT District 12 Office, attached below is the FHWA definitions of enhancement and mitigation.

If you have any questions, please contact me at (216) 584-2089.

Thank you,

Mark Alan Carpenter, P.E.
District 12 Environmental Engineer
(216) 584-2089
----- Forwarded by Mark Carpenter/Planning/D12/ODOT on 03/24/2009 09:12 AM -----

"Armstrong, Michael" <Michael.Armstrong@fhwa.dot.gov>
03/20/2009 08:39 PM

To <Mark.Carpenter@dot.state.oh.us>
cc "Armstrong, Michael" <Michael.Armstrong@fhwa.dot.gov>, <Larry.Hoffman@dot.state.oh.us>, <Craig.Hebebrand@dot.state.oh.us>, <Paul.Graham@dot.state.oh.us>
Subject Environmental Mitigation vs. Enhancement

Mark,

In accordance with the commitment, to define the difference between environmental mitigation vs. enhancement, as made by FHWA during the Innerbelt Section 106 PA meeting on Wednesday March 18, 2009 I have assembled the following for your distribution to the consulting parties.

==========

Federal transportation policy, as reflected in the strategic goals of the U.S. Department of Transportation (DOT), the Federal Highway Administration (FHWA) and its Environmental Policy Statement, stress mobility; protection of the human and natural environment; and community preservation, sustainability, and livability.

Project enhancement activities, which go beyond what is customarily provided as environmental mitigation, are considered to be transportation enhancements by the FHWA.

The laws governing traditional Federal-aid project funding under Chapter 1 of Title 23 U.S.C. apply to both the funding of environmental mitigation and transportation enhancement activities. NEPA environmental mitigation measures are required to be incorporated into Federal-aid projects. Transportation enhancement activities may be incorporated into a project by ODOT and they may be funded with appropriate Federal-aid funding if they meet the eligibility requirements.

Environmental Mitigation:

Measures necessary to mitigate adverse impacts are eligible for Federal funding when the FHWA determines that: (a) The impacts for which the mitigation is proposed actually result from the FHWA action; and (b) The proposed mitigation represents a reasonable public expenditure after considering the impacts of the action and the benefits of the proposed mitigation measures. In making this determination, the FHWA will consider, among other factors, the extent to which the proposed measures would assist in complying with a Federal statute, Executive Order, or Administration regulation or policy.

- *NEPA - 40 CFR Sec. 1508.20 Mitigation:*

  "Mitigation" includes:
  (a) Avoiding the impact altogether by not taking a certain action or parts of an action.
  (b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
  (c) Rectifying the impact by repairing, rehabilitating, or restoring the affected environment.
  (d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.
  (e) Compensating for the impact by replacing or providing substitute resources or environments.

- ***It is FHWA's policy that (23 CFR § 771.105):***

  - *To the fullest extent possible, all environmental investigations, reviews, and consultations be coordinated as a single process, and compliance with all applicable environmental requirements be reflected in the environmental document required by this regulation.*
  - *Alternative courses of action be evaluated and decisions be made in the best overall public interest based upon a balanced consideration of the need for safe and efficient transportation; of the social, economic, and environmental impacts of the proposed transportation improvement; and of national, state, and local environmental protection goals.*
  - *Public involvement and a systematic interdisciplinary approach be essential*

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parts of the development process for proposed actions.

- *Measures necessary to mitigate adverse impacts be incorporated into the action.*

- *It is FHWA's responsibility to* ***(23 CFR § 771.109):***

  - *Implement those mitigation measures stated as commitments in the environmental documents prepared pursuant to NEPA.*

    (a) The FHWA will assure that this is accomplished as a part of its program management responsibilities that include reviews of designs, plans, specifications, and estimates (PS&E), and construction inspections.

Transportation Enhancement Activities:

Transportation enhancement activities offer opportunities to help expand transportation choices and enhance the transportation experience. Transportation enhancement activities must relate to surface transportation and must qualify under one or more of the eligible categories in order to be eligible for the federal-aid funding. Transportation enhancement activities are a subcomponent of the Surface Transportation Program (STP). Transportation enhancement funds may not be used to fund or finance normal environmental mitigation work eligible under the regular federal-aid highway program. Transportation enhancements were enacted as a means of stimulating additional efforts to create an improved transportation environment and system, while making a contribution to the surrounding community.

- ***Definition (23 USC 101):***

  - *``Transportation enhancement activity" means, with respect to any project or the area to be served by the project, any of the following activities as the activities relate to surface transportation:*

    (a) Provision of facilities for pedestrians and bicycles.
    (b) Provision of safety and educational activities for pedestrians and bicyclists.
    (c) Acquisition of scenic easements and scenic or historic sites (including historic battlefields).
    (d) Scenic or historic highway programs (including the provision of tourist and welcome center facilities).
    (e) Landscaping and other scenic beautification.
    (f) Historic preservation.
    (g) Rehabilitation and operation of historic transportation buildings, structures, or facilities (including historic railroad facilities and canals).
    (h) Preservation of abandoned railway corridors (including the conversion and use of the corridors for pedestrian or bicycle trails).
    (i) Inventory, control, and removal of outdoor advertising.
    (j) Archaeological planning and research.
    (k) Environmental mitigation –
    (i) to address water pollution due to highway runoff; or
    (ii) to reduce vehicle-caused wildlife mortality while maintaining habitat connectivity.
    (l) Establishment of transportation museums.

Michael B. Armstrong, Highway Engineer
Federal Highway Administration
Ohio Federal-aid Division
200 North High Street, Room 328
Columbus, OH 43215

Telephone: (614) 280-6855
Fax: (614) 280-6876
e-mail: michael.armstrong@fhwa.dot.gov

OHIO DEPARTMENT OF TRANSPORTATION
CENTRAL OFFICE • 1980 WEST BROAD STREET • COLUMBUS, OH 43223
TED STRICKLAND, GOVERNOR • JOLENE M. MOLITORIS, DIRECTOR

OFFICE OF ENVIRONMENTAL SERVICES

June 5, 2009

Mr. Mark Epstein, Department Head
Resource Protection and Review
Ohio Historic Preservation Office
567 East Hudson Street
Columbus, Ohio 43211

Subject: CUY-IR 71/77/90, Cleveland Innerbelt, PID 77510

Re: New Westbound, Interstate Route 90 Innerbelt Bridge over the Cuyahoga River
& Treatment Plans to Mitigate Section 106 Adverse Effects

Dear Mr. Epstein:

On May 20, 2009, the *Programmatic Agreement Among the Federal Highway Administration, The Ohio State Historic Preservation Office, and the Ohio Department of Transportation Regarding the Federal-Aid Highway Improvement of Interstate Route 71, 77 and 90 in the City of Cleveland, Cuyahoga County, Ohio, CUY-90 Innerbelt; PID 77510, Agreement Number 15498*, was executed. Enclosed is a copy of the executed agreement.

As a result of the first construction project, the construction of westbound, Interstate Route (IR) 90 Innerbelt Bridge over the Cuyahoga River, three properties eligible for inclusion on the National Register of Historic Places (NRHP) will be adversely affected. A Section 106 Consulting Party meeting was held on May 20, 2009 at the ODOT, District 12 office. Pursuant to the executed Programmatic Agreement (Agreement Number 15498), treatment plans to mitigate adverse effects were discussed, as well as, potential project specific enhancements and locally sponsored plans. Topics of discussion included: multi-use pedestrian trails; the reuse of the Central Viaduct Bridge abutment; the reuse of buried rail lines; the construction of scenic overlooks; the incorporation of aesthetic treatments into the adjacent bridge piers and abutments emphasizing the significance of the historic resources. All agreed the Section 106 mitigation measures, project specific enhancements, and locally sponsored plans should complement the intent of each. Enclosed are copies of the May 20, 2009 attendance sheet, slide presentation, and meeting notifications.

Project specific enhancements will be developed in conjunction with the aesthetic committee members and local agency officials. Project specific enhancement considerations may include: aesthetic treatments to the new bridge abutments and piers; pedestrian overlooks and facilities; the reuse of the Central Viaduct Bridge abutment; and commemorative parks. Locally sponsored enhancements may include reuse of buried rail lines and multi-use pedestrian trails.

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In accordance 36 CFR § 800 and Stipulation I (E) of the executed Programmatic Agreement (Agreement Number 15498), FHWA and ODOT propose the following treatment plans to resolve the adverse effect of the first construction project on Broadway Mills, Marathon Gas Station, and the Distribution Terminal Warehouse:

1. Broadway Mills, 300 Central Viaduct, is eligible for inclusion on the NRHP under Criteria A as a rare example of Cleveland's milling industry and under Criteria C for architecture.

   i) Level II documentation as specified by the Historic American Building Survey (HABS) in accordance with 36 CFR § 68, The Secretary of the Interior's Standards for the Treatment of Historic Properties (STANDARDS) will be prepared. Archival HABS documentation will be maintained at the State of Ohio Library, the designated archival repository. High quality copies of the HABS documentation will be provided to the Cleveland Landmarks Commission, Cleveland Public Library, Cleveland Restoration Society, Western Reserve Historical Society, Cleveland State University Library, the Western Reserve Fire Museum and Education Center, and will provide additional copies to other recipients upon request.

   ii) A commemorative display will be located at or near the existing mill site. The commemorative display will compliment the location of project specific enhancements to ensure the safety of the viewing public. Reuse of architectural components will be considered and incorporated into the display along with a plaque commemorating the significance of the resource. Location and design of the commemorative display will be refined as project design progresses and as a result of Section 106 consultation.

2) Marathon Gas Station, 300 Central Viaduct, is eligible for inclusion on the NRHP under Criteria A for its association with Cleveland's automobile history and under Criteria C for architecture.

   i) Level II documentation as specified by the Historic American Building Survey (HABS) in accordance with 36 CFR § 68, The Secretary of the Interior's Standards for the Treatment of Historic Properties (STANDARDS) will be prepared. Archival HABS documentation will be maintained at the State of Ohio Library, the designated archival repository. High quality copies of the HABS documentation will be provided to the Cleveland Landmarks Commission, Cleveland Public Library, Cleveland Restoration Society, Western Reserve Historical Society, Cleveland State University Library, the Western Reserve Fire Museum and Education Center, and will provide additional copies to other recipients upon request.

3) Distribution Terminal Warehouse, 2000 West 14th Street, is eligible for inclusion on the NRHP under Criteria A for its role in the evolution of Cleveland's food distribution network and under Criteria C for architecture.

   i) A historic context will be prepared documenting the significance of the resource in relation to the City of Cleveland's food distribution industrial history during the period of significance. ODOT will provide copies, of the historic context documentation to the Cleveland Landmarks Commission, Cleveland Public Library, Cleveland Restoration Society, Western Reserve Historical Society, Cleveland State University Library, the Western Reserve Fire Museum and Education Center, and will provide additional copies to other recipients upon request.

In accordance with Stipulation I (F), FHWA and ODOT are providing copies of the subject consultation and proposed treatment plans to the consulting parties for concurrent 30-day review. All comments received by FHWA and ODOT will be forwarded to the OSHPO at the end of the 30-day review period. The disposition of each and any appropriate revisions to the proposed treatment plans will be provided to the OSHPO for consideration at that time.

All consulting party comments received within the 30-day review period along with the written disposition of each, any appropriate revisions to the proposed treatment plans, and the OSHPO mitigation comment or acceptance letter to FHWA and ODOT, will serve as evidence of the Stipulations of the executed agreement are being carried out as documented within the agreement. Upon implementation of an accepted treatment plan, the appropriate documentation will be submitted to the OSHPO for their 30-day review and approval that the terms, conditions, and provisions of the accepted treatment plan have been implemented in full accordance with the executed agreement.

In accordance with the Advisory Council on Historic Preservation's current regulations and the executed *Programmatic Agreement Among the Federal Highway Administration, The Ohio State Historic Preservation Office, and the Ohio Department of Transportation Regarding the Federal-Aid Highway Improvement of Interstate Route 71, 77 and 90 in the City of Cleveland, Cuyahoga County, Ohio CUY-90 Innerbelt; PID 77510, Agreement Number 15498*, ODOT has determined the proposed treatment plans mitigate the adverse effects of the undertaking on historic cultural resources.

If no response is received within 30 days, in accordance with the Advisory Council on Historic Preservation's current regulation under 36 CFR Part 800.3(c)(4), it will be presumed that the State Historic Preservation Officer agrees with the determination made in the above coordination.

Respectfully,

Timothy M. Hill
Administrator
Office of Environmental Services

Ohio State Historic Preservation Office Concurrence:

_____
(Date)

TMH:sg
Enclosure

cc: Carol Legard	Advisory Council on Historic Preservation	w/attachments
Michael Armstrong	Federal Highway Administration	w/attachments
David Snyder	Federal Highway Administration	w/attachments
Nancy Campbell	Ohio Historic Preservation Office	w/attachments
Mark Epstein	Ohio Historic Preservation Office	w/attachments
Thomas Grooms	Ohio Historic Preservation Office	w/attachments
Dennis J Kucinich	US Congress House of Representatives	w/attachments
Robert Keiser	Cleveland Landmarks Commission	w/attachments
Kermit Pike	Western Reserve Historical Society	w/attachments
Patrick Reymann	Western Reserve Historical Society	w/attachments
Sarah J Beimers	Cleveland Restoration Society	w/attachments
Chris Garland	Tremont West Development Corp.	w/attachments
William Beckenbach	Quadrangle Incorporated	w/attachments
James Haviland	Midtown Cleveland, Inc.	w/attachments
Jamie Blackson-Baker	St. Clair Superior	w/attachments
Thomas Starinsky	Historic Gateway Neighborhood Corp.	w/attachments
Tom Newman	Flats Oxbow	w/attachments
Tim Tramble	Burten Bell Carr	w/attachments
Debbie Berry	City Planning Commission	w/attachments
Robert Brown	City Planning Commission	w/attachments
Joseph Cimperman	Councilperson, City of Cleveland Ward 13	w/attachments
Phyllis Cleveland	Councilperson, City of Cleveland Ward 5	w/attachments
Dean Tracy Lind	Trinity Cathedral	w/attachments
John J Boule	Cleveland State University	w/attachments
Gina Lattimer	Carnegie Prospect Holdings	w/attachments
Anita Perez	Central YMCA Cleveland	w/attachments
Michael Hageman	Zion Lutheran Church & School	w/attachments
Michael Chesler	Prospect Development, Inc.	w/attachments
George Graham	Pilgrim Congregation Church	w/attachments
Rev Dr Laurinda Hafner	Pilgrim Congregation Church	w/attachments
Paul Alsenas	Cuyahoga County Commissioner	w/attachments
Jimmy DiMora	Cuyahoga County Commissioner	w/attachments
Timothy Hagan	Cuyahoga County Commissioner	w/attachments
Marvin Hayes	Cuyahoga County Commissioner	w/attachments
Peter Lawson Jones	Cuyahoga County Commissioner	w/attachments
Scott Pollack	Cuyahoga Metropolitan Housing Authority	w/attachments
Scott Carpenter	Western Reserve Fire Museum/Education Center	w/attachments
Martha Eakin		w/attachments
Susan Miller		w/attachments
Paul Stubbs	Fire Chief, City of Cleveland	w/attachments

PROGRAMMATIC AGREEMENT
AMONG THE FEDERAL HIGHWAY ADMINISTRATION,
THE OHIO STATE HISTORIC PRESERVATION OFFICE, AND
THE OHIO DEPARTMENT OF TRANSPORTATION
REGARDING THE FEDERAL-AID HIGHWAY IMPROVEMENT OF
INTERSTATE ROUTES 71, 77, AND 90 IN
THE CITY OF CLEVELAND, CUYAHOGA COUNTY, OHIO
CUY-90 INNERBELT; PID 77510
AGREEMENT NUMBER 15498

1) WHEREAS, the Federal Highway Administration (FHWA) is the AGENCY responsible for compliance with Section 106 of the National Historic Preservation ACT (NHPA) of 1966, as amended (16 U.S.C. Part 470), and the implementing regulations 36 CFR Part 800; and

2) WHEREAS, Ohio Department of Transportation (ODOT) administers Federal aid Highway projects in the State of Ohio as authorized by Title 23 U.S.C. Part 302 and Sections 5501.03, 5501.11, and Chapter 5531 of the Ohio Revised Code; and

3) WHEREAS, the FHWA, in cooperation with ODOT, will prepare an Environmental Impact Statement (EIS) for proposed improvements to Interstates 71, 77 and 90, and connecting radial freeways and local roadways, known as the Cleveland Innerbelt; and

4) WHEREAS, the purpose of the CUY-90 Innerbelt, PID 77510, the UNDERTAKING as defined in 36 CFR § 800.16(y), is to improve the physical condition of the existing bridge decks and roadway pavements, improve the operational performance of the roadway system, improve the safety of the roadway system, and improve the access provided by the roadway system, while supporting community goals and objectives; and

5) WHEREAS, FHWA, in cooperation with ODOT, may prepare independent environmental documents as warranted for components of the UNDERTAKING, that are constant in scope and Section 106 effect, relative to the overall UNDERTAKING, due to unforeseen circumstances related to, but not limited to public interest management of, funding, scheduling, or deterioration of the existing infrastructure; and

6) WHEREAS, the UNDERTAKING is a type of activity, located in an urban area with alternatives under consideration, that has the potential to cause effects on historic properties; and

7) WHEREAS, the intent of this PROGRAMMATIC AGREEMENT is to record the conditions agreed upon to resolve the adverse effect of this UNDERTAKING on historic properties, those resources that are listed in or eligible for inclusion in the National Register of Historic Places (NRHP), in accordance with 36 CFR Part 800; and

8) WHEREAS, it is also the intent of this PROGRAMMATIC AGREEMENT to satisfy all remaining Section 106 responsibilities for all elements of the UNDERTAKING covered by the AGREEMENT until it expires or is terminated by the FHWA or signatories.

9) WHEREAS, FHWA and ODOT have consulted with the Advisory Council on Historic Preservation (ACHP) and the ACHP has decided that they will not be participating in consultation; and

10) WHEREAS, FHWA and ODOT have consulted with the Ohio State Historic Preservation Office (OSHPO); and

11) WHEREAS, FHWA and ODOT will consult with Federally recognized Indian tribes that may attach religious and cultural significance to historic properties; and

12) WHEREAS, FHWA and ODOT have identified and consulted with consulting parties and have not denied any of the identified consulting parties such status for this UNDERTAKING; and

13) WHEREAS, FHWA and ODOT have invited the identified consulting parties to concur with this PROGRAMMATIC AGREEMENT and will continue to consult with the consulting parties as the UNDERTAKING progresses; and

14) WHEREAS, FHWA and ODOT have reduced the footprint of the UNDERTAKING and the need for new highway right-of-way by following avoidance and minimization measures in ODOT's project development process; and

15) WHEREAS, FHWA and ODOT will continue to incorporate avoidance and minimization measures into and during the detailed design and the construction of the UNDERTAKING as an integral part of ODOT's project development process.

16) NOW THEREFORE, FHWA, ODOT, and OSHPO agree that the UNDERTAKING shall be administered in accordance with the following stipulations to satisfy FHWA's Section 106 responsibilities for all aspects of the UNDERTAKING.

STIPULATIONS

FHWA shall ensure that the following measures are carried out:

STIPULATION I - ARCHITECTURE

A) In consultation with FHWA, OSHPO, and other consulting parties, ODOT has identified architectural historic properties in the Area of Potential Effects (APE) for the UNDERTAKING. The report titled CUY-IR71/90 PID: 77510 Section 106 Assessment of Effects for the Feasible Alternatives, September 2008, and the supplemental consultation identifies the anticipated effects to historic properties located within the APE by the alternatives under consideration.

B) The ODOT will propose treatment plans to mitigate the adverse effects of the UNDERTAKING.

C) ODOT will propose treatment plans that are commensurate with the level of effect to historic properties, that are appropriate for public recordation of the historic property, and that are of reasonable cost. Treatment plans will be developed in consideration of the qualities of the property that qualify it for eligibility or listing on the NRHP and they will take into account the views of the consulting parties.

D) The ODOT and FHWA will provide for the administration of the UNDERTAKING and treatment plan activities and associated reasonable cost, in accordance with available and eligible State and Federal program funds.

E) ODOT will propose treatment plans using, but not limited to, one or more of the treatments on the following list and in accordance with paragraphs C and D above:

i) Level II documentation as specified by the Historic American Building Survey (HABS) in accordance with 36 CFR Part 68, The Secretary of the Interior's Standards for the Treatment of Historic Properties (STANDARDS) will be considered. Archival HABS documentation will be maintained at a designated archival repository. High quality copies of the HABS documentation will be provided to the recipients, as determined in the treatment plan.

ii) A plaque or plaques commemorating the significance of the historic property will be considered in association with commemorative displays or as stand-alone treatments.

iii) The preparation of historic context documentation, documenting the architect, significant events, architecture, patterns in history, and people associated with the resource in relation to the City of Cleveland, the state, or the nation during the period of significance will be considered. ODOT will provide copies, of the historic context documentation, to consulting parties and will provide additional copies to other recipients upon request.

iv) The application of aesthetic treatments, to elements of the proposed UNDERTAKING highway infrastructure elements, as mitigation for the UNDERTAKING will be in accordance with the STANDARDS.

v) Salvage of architectural elements prior to demolition activities or construction activities, for reuse or for commemorative purposes, will be considered.

vi) The development of educational materials, magazine or journal articles, commemorative displays, and websites that provide a public benefit will be considered.

F) ODOT will concurrently submit proposed treatment plans to the consulting parties for review and comment, and to the OSHPO for AGREEMENT review, comment, and acceptance under the terms of this AGREEMENT. The ODOT submission will request that review comments be provided to the ODOT within 30-days. ODOT will consider and provide for the written disposition of all comments received within the 30-day time period. All comments received within the 30-day time period along with

the written disposition of each, and any appropriate revisions to the proposed treatment plan(s) will be provided to the OSHPO for consideration. The OSHPO will upon the receipt and consideration of all comments, comment disposition, and appropriately revised documentation, provide ODOT with comment or acceptance of the proposed mitigation under the terms of this AGREEMENT.

G) ODOT will provide a copy of all comments received within the 30-day time period along with the written disposition of each, any appropriate revisions to the previously coordinated treatment plan(s), and a copy of the OSHPO's mitigation comment or acceptance letter to the FHWA for their record as evidence that the STIPULATIONS of this PROGRAMMATIC AGREEMENT are being carried out as documented within the AGREEMENT. ODOT will also provide a copy of their written disposition of all comments received, any appropriate treatment plan revisions, and the OSHPO mitigation comment or acceptance letter to all consulting parties for their information.

H) ODOT will, upon the successful complete implementation of an accepted treatment plan, submit appropriate documentation to the OSHPO, for their 30-day review and approval that the terms, conditions, and provisions of the accepted treatment plan have been implemented in full, in accordance with the STIPULATIONS of this PROGRAMMATIC AGREEMENT.

I) ODOT will, upon the approval of OSHPO, provide a copy of the OSHPO correspondence documenting the successful complete implementation of each accepted treatment plan to the FHWA for their record as evidence that the STIPULATIONS of this PROGRAMMATIC AGREEMENT are being carried out and to the consulting parties for their information. ODOT will provide copies of documentation that validates the successful complete implementation of accepted treatment plans to the to the FHWA and consulting parties upon request.

STIPULATION II - DEVELOPMENT OF THE UNDERTAKING'S PREFERRED ALTERNATIVE

A) Upon the development of the UNDERTAKING'S preferred alternative or component of such, FHWA and ODOT will consult as necessary with the OSHPO and other consulting parties to identify areas outside of the APE that require additional identification efforts. If the APE is revised upon the development of the UNDERTAKING'S preferred alternative or component of such, FHWA and ODOT will consult with the OSHPO and other consulting parties to identify areas that require additional identification efforts.

B) ODOT will concurrently submit the results of additional historical or archaeological identification efforts, eligibility findings, and any anticipated effects of the UNDERTAKING or one of its components upon Section 106 resources within the revised APE, to the consulting parties for review and comment, and to the OSHPO for review, comment, concurrence in determinations of effect, and, if applicable, acceptance of proposed mitigation measures under the terms of this AGREEMENT. ODOT-proposed treatment plans, as may be necessary under this STIPULATION, will be developed consistent with the Architectural STIPULATIONS contained within this PROGRAMMATIC AGREEMENT. ODOT-proposed data recovery plans, as may be

necessary under this STIPULATION, will be developed in a manner commensurate with the level of effect to the archaeological resource, will be appropriate for the management of the archaeological resource, and will be of reasonable cost. The ODOT submission will request that review comments be provided to the ODOT within 30-days. ODOT will consider and provide for the written disposition of all comments received within the 30-day time period. All comments received within the 30-day time period along with the written disposition of each, and any appropriate revisions to the submitted documentation and proposed treatment plan(s) or data recovery plan(s) will be provided to the OSHPO for consideration. The OSHPO will upon the receipt and consideration of all comments, comment disposition, and appropriately revised documentation, provide ODOT with comment or concurrence in effect and acceptance of the proposed mitigation under the terms of this AGREEMENT as may be applicable.

C) ODOT shall be accountable for managing all documentation coordinated under this STIPULATION in accordance with the confidentiality provisions of 36 CFR § 800.11.

D) ODOT will provide a copy of all comments received within the 30-day time period along with the written disposition of each, any appropriate revisions to the previously coordinated documentation, and a copy of the OSHPO's comment or concurrence in effect and acceptance of the proposed mitigation under the terms of this AGREEMENT correspondence as may be applicable, to the FHWA for their record as evidence that the STIPULATIONS of this PROGRAMMATIC AGREEMENT are being carried out as documented within the AGREEMENT. ODOT will also provide a copy of their written disposition of all comments received, any appropriate documentation revisions, and the applicable OSHPO comment or concurrence in effect and acceptance of the proposed mitigation under the terms of this AGREEMENT correspondence, to all consulting parties for their information.

E) ODOT will, upon the successful complete implementation of any applicable accepted treatment plan or data recovery plan, submit appropriate documentation to the OSHPO, for their 30-day review and approval that the terms, conditions, and provisions of the accepted treatment or data recovery plan have been implemented in full, in accordance with the STIPULATIONS of this PROGRAMMATIC AGREEMENT.

F) ODOT will, upon the approval of OSHPO, provide a copy of the OSHPO correspondence documenting the successful complete implementation of each accepted treatment or data recovery plan to the FHWA for their record as evidence that the STIPULATIONS of this PROGRAMMATIC AGREEMENT are being carried out and to the consulting parties for their information. ODOT will provide copies of documentation that validates the successful complete implementation of accepted treatment plans and data recovery plans to the FHWA and consulting parties upon request.

STIPULATION III - PROFESSIONAL QUALIFICATIONS

Consultants working on ODOT projects in the fields of History, Archaeology, and Architectural History must be prequalified by ODOT for such work. These individuals must meet the requirements of the Secretary of Interior's Professional Qualifications

Standards (36 CFR Part 61, Appendix A) and the Personnel Qualifications in the OSHPO's Archaeology Guidelines (1994) and/or any successors to those standards and guidelines.

STIPULATION IV - PROJECT MODIFICATIONS

If the APE is revised due to modifications of the UNDERTAKING, ODOT will prepare cultural resource re-evaluation documentation and coordinate the revised APE pursuant to STIPULATION III.

STIPULATION V - DISPUTE RESOLUTION

A) Should any signatory to the PROGRAMMATIC AGREEMENT object at any time to any actions proposed or the manner in which the terms of the PROGRAMMATIC AGREEMENT are implemented, FHWA, with ODOT as FHWA's agent, will consult with such signatory to resolve the objection.

B) If FHWA determines that such objection cannot be so resolved, FHWA will:

1) Forward all documentation relevant to the dispute, including FHWA's proposed resolution, to the ACHP. The ACHP should provide FHWA with the ACHP's advice on the resolution of the objection within thirty (30) days of receiving adequate documentation. Prior to reaching a final decision on the dispute, FHWA will prepare a written response that takes into account any timely advice or comments regarding the dispute from the ACHP, signatories and concurring parties, and provide them with a copy of FHWA's written response. FHWA will then proceed according to its final decision.

2) If the ACHP does not provide its advice regarding the dispute within the thirty (30) day time period, FHWA may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, FHWA will prepare a written response that takes into account any timely comments regarding the dispute from signatories and concurring parties to the PROGRAMMATIC AGREEMENT, and provide them and the ACHP with a copy of such written response.

3) FHWA's responsibility to carry out all other actions subject to the terms of the PROGRAMMATIC AGREEMENT which are not the subject of the dispute will remain unchanged.

STIPULATION VI - POST REVIEW DISCOVERIES

If previously unidentified archaeological or historic properties, or unanticipated effects on historic properties during construction are discovered after ODOT has completed its review under this PROGRAMMATIC AGREEMENT, that portion of the project will stop immediately, pursuant to Section 203.04 of ODOT's Construction And Material Specifications. The ODOT project engineer will immediately contact ODOT-Office of Environmental Services (ODOT-OES) and/or the ODOT District 12 Environmental Coordinator. No further construction in the area of discovery will proceed until the requirements of 36 CFR § 800.13 have been satisfied, including if

appropriate consultation with Federally recognized Native American Indian tribes that may attach traditional cultural and religious significance to the discovered property. ODOT will consult with OSHPO and other consulting parties, as appropriate, to record, document and evaluate NRHP eligibility of the property and/or the project's effect on the historic property, and to design a plan for avoiding, minimizing, or mitigating adverse effects on the eligible property. If neither the OSHPO, a Federally recognized Native American Indian tribe, or other consulting parties file a timely objection to ODOT's plan for addressing the discovery, ODOT may carry out the requirements of 36 CFR § 800.13 on behalf of FHWA and the ACHP need not be notified.

STIPULATION VII - TREATMENT OF HUMAN REMAINS

A) Historic and prehistoric human remains are subject to protection under Ohio Revised Code Sections 2909.05 and 2927.11. As such, if human remains are discovered during construction, work in that portion of the project will stop immediately. The remains will be covered and/or protected in place in such a way that minimizes further exposure of and damage to the remains, and the ODOT project engineer will immediately consult with the ODOT District Environmental Coordinator, ODOT-OES, and immediately notify local law enforcement and/or the County Coroner. If the project has a U.S. Army Corps of Engineers (USACOE) permit issued, the ODOT District Environmental Coordinator must notify ODOT-OES and the USACOE. If the remains are found to be Native American Indian, a treatment plan will be developed by ODOT-OES and OSHPO in consultation with FHWA, ACHP, and appropriate federally recognized Native American Indian tribes. FHWA and ODOT will ensure that any treatment and reburial plan is fully implemented. If the remains are not Native American Indian, the appropriate local authority (i.e., local law enforcement and/or county coroner) will be consulted to determine final disposition of the remains. Avoidance and preservation in place is the preferred option for treating human remains.

B) For Native American Indian human remains discovered on Federal lands, the Federal land managing agency will be responsible for consultation under the Native American Graves Protection and Repatriation Act of 1990 (PL 101-601).

C) For skeletal remains discovered on property owned by the State of Ohio, ODOT will comply with Section 149.53 of the Ohio Revised Code. Under this section, the Director of the Ohio Historical Society shall determine final disposition of any discovered skeletal remains.

STIPULATION VIII - AMENDMENTS

Any signatory to the PROGRAMMATIC AGREEMENT may propose to other parties that it be amended, whereupon the signatories will consult in accordance with 36 CFR § 800.6(c) (1) to consider such an amendment.

STIPULATION IX - DURATION

If the UNDERTAKING has not been initiated within five (5) years of the date of the execution of this PROGRAMMATIC AGREEMENT, this PROGRAMMATIC AGREEMENT will be considered null and void, unless the signatories agree in writing to an extension for

implementation of its terms. Signatories will return four and one-half (4½) years after the execution of this PROGRAMMATIC AGREEMENT to amend or to extend the term of the agreement for an additional five (5) years.

Execution of this PROGRAMMATIC AGREEMENT by FHWA and implementation of its terms evidences that FHWA has taken into account the effects of the UNDERTAKING on historic properties and afforded the ACHP an opportunity to comment.

SIGNATORIES:

Jolene M. Molitoris — 3/31/09
Ohio Department of Transportation — Date

5.19.09
Ohio State Historic Preservation Office — Date

Patrick A. Baer — 5-14-09
Federal Highway Administration — Date

CONCURRING PARTIES:

Dennis J. Kucinich, U.S. Congress, House of Representatives — Date

Cleveland Landmarks Commission — Date

Western Reserve Historical Society — Date

Cleveland Restoration Society — Date

Tremont West Development Corporation — Date

Quadrangle Incorporated — Date

MidTown Cleveland Incorporated — Date

St. Clair Superior — Date

Historic Gateway Neighborhood Corporation — Date

Flats Oxbow — Date

Burten Bell Carr — Date

City Planning Commission — Date

City of Cleveland — Date

Trinity Cathedral — Date

Cleveland State University — Date

Carnegie Prospect Holdings — Date

Central YMCA Cleveland — Date

Zion Lutheran Church & School — Date

Prospect Development, Inc. & Kies-Murfey House — Date

Pilgrim Congregation Church — Date

Cuyahoga County Commissioner — Date

Paul Alsenas — Date

Cuyahoga Metropolitan Housing Authority — Date

Western Reserve Fire Museum & Education Center — Date

Martha Eakin — Date

Susan Miller — Date

SECTION 106 CONSULTING PARTY
MITIGATION MEETING
CUY – Cleveland Innerbelt Project
PID 77510
May 20, 2009
ODOT, District 12 Office

Name	Organization	Phone #	E-mail
Mark Alan Carpenter	ODOT- D12	(216) 584-2089	markcarpenter@dot.state.oh.us
Susan Gasbarro	ODOT- CENTRAL OFFICE	(614)728-0719	susan.gasbarro@dot.state.oh.u
Tim Hill	ODOT- OES	614 644 0577	Tim.Hill@dot.state.oh.u
Nancy Campbell	OHPO	614-298-2000	ncampbell@ohiohis-tory.org
John M. Motl	ODOT Dist. 12	(216) 584-2085	john.motl@dot.state.oh.u
Dan Mussin	City of Cleveland	216.664.2575	dmusson@ci.cleveland.oh.us
CRAIG HEBEBRAND	ODOT D12	(216) 584-2113	craig.hebebrand@
SCOTT CARPENTER	FIRE MUSEUM	(216) 262-1723	carpenterdesign@me.com

Cleveland Innerbelt Project

Section 106 Consulting Party Meeting

May 20, 2009

Section 106 Consultation

Introductions
Handouts
Status of Section 106 PA

E 12

Section 106 Consultation

Intent of this meeting is to identify and consult on Treatment Plans to Resolve Adverse Effects pursuant to the Section 106 PA as a result of impacts from the first construction project.

Further consultation for future projects will be conducted as design progresses.

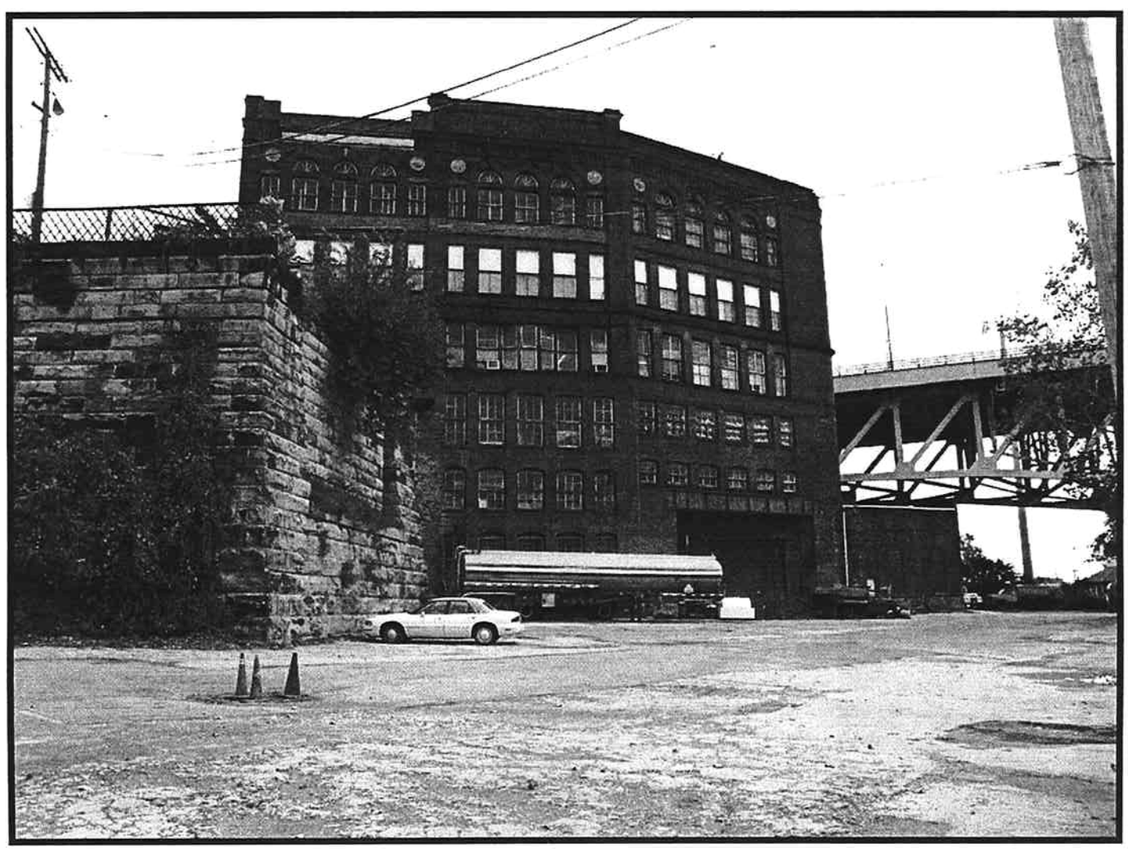
Section 106 Consultation

The first construction project will result in adverse effects to the following properties:

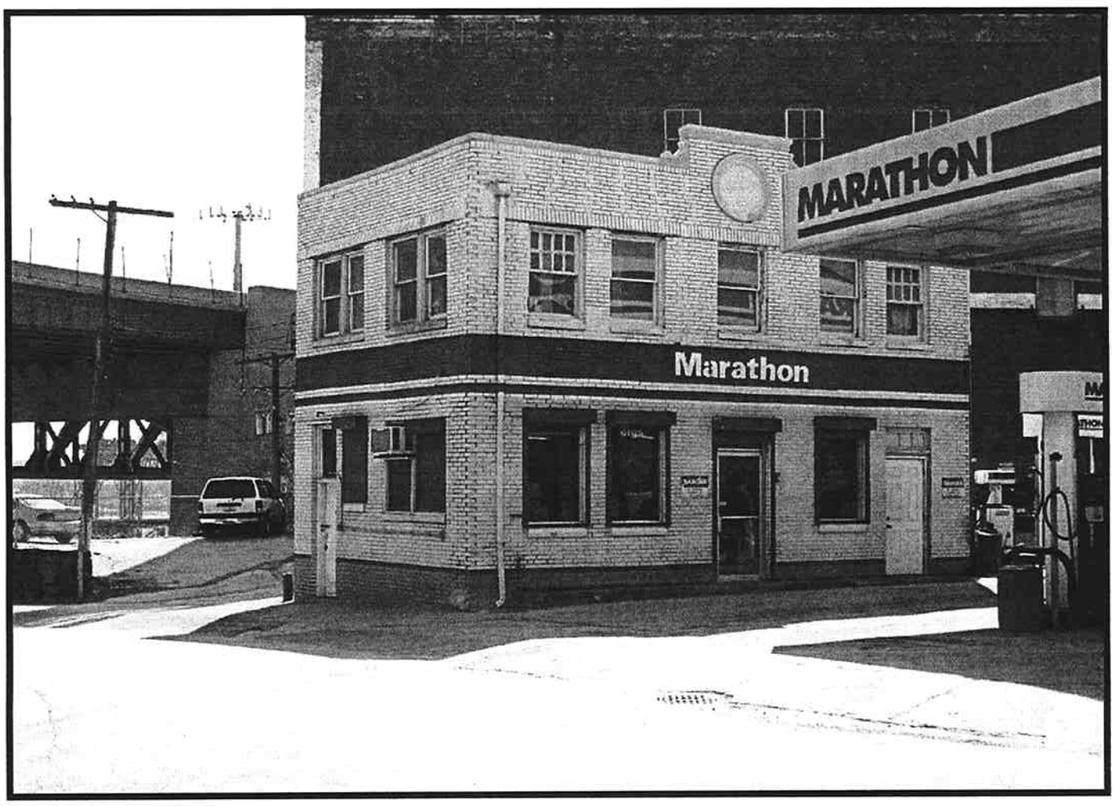
- Broadway Mills
- Marathon Gas
- Distribution Terminal Warehouse

E13

Broadway Mills - NR Criterion A & C (Cleveland's Milling Industry & Architecture)



Marathon Gas Station- NR Criterion A & C (Cleveland's Auto History & Architecture)



6

E 14

Distribution Terminal Warehouse- NR Criterion A & C (Cleveland's Food Distribution History & Architecture)

7

Section 106 Programmatic Agreement (PA) Treatment Plans (Stipulation I, Section E)

- 1. HABS Level II Documentation
- 2. Plaque(s)
- 3. Historic Context Documentation
- 4. Aesthetic Treatment
- 5. Salvage of architecture elements
- 6. Educational Materials

SI 3

Next Steps Section 106 PA (Stipulation I, F-I)

- ODOT will submit treatment plans to OSHPO & Consulting Parties for review and comment
- ODOT will provide for disposition of all comments received & any revisions to OSHPO & Consulting Parties
- Upon completion of treatment plans, ODOT will provide documentation to OSHPO (Consulting Parties upon request)

Questions?

Preserving America's Heritage

June 16, 2009

Timothy M. Hill
Administrator
Office of Environmental Services
Ohio Department of Transportation
1980 West Broad Street
Columbus, Ohio 43223

REF: *Proposed Cleveland CUY-90 Innerbelt Project*
Cleveland, Cuyahoga County, Ohio

Dear Mr. Hill:

On June 11, 2009, the Advisory Council on Historic Preservation (ACHP) received the Programmatic Agreement (PA) for the above referenced project. In accordance with Section 800.6(b)(1)(iv) of the ACHP's regulations, the ACHP acknowledges receipt of the PA. The filing of the PA, and execution of its terms, completes the requirements of Section 106 of the National Historic Preservation Act and the ACHP's regulations.

We appreciate your providing us with a copy of the PA and will retain it for inclusion in our records regarding this project. Should you have any questions or require additional assistance, please contact me at (202) 606-8509 or ljohnson@achp.gov.

Sincerely,

LaShavio Johnson

LaShavio Johnson
Historic Preservation Technician
Federal Permitting, Licensing, and Assistance Section
Office of Federal Agency Programs

ADVISORY COUNCIL ON HISTORIC PRESERVATION

1100 Pennsylvania Avenue NW, Suite 803 • Washington, DC 20004
Phone:202-606-8503 • Fax: 202-606-8647 • achp@achp.gov • www.achp.gov

OHIO DEPARTMENT OF TRANSPORTATION

CENTRAL OFFICE • 1980 WEST BROAD STREET • COLUMBUS, OH 43223
TED STRICKLAND, GOVERNOR • JOLENE M. MOLITORIS, DIRECTOR

OFFICE OF ENVIRONMENTAL SERVICES

June 5, 2009

Mr. Mark Epstein, Department Head
Resource Protection and Review
Ohio Historic Preservation Office
567 East Hudson Street
Columbus, Ohio 43211

Subject: CUY-IR 71/77/90, Cleveland Innerbelt, PID 77510

Re: New Westbound, Interstate Route 90 Innerbelt Bridge over the Cuyahoga River
& Treatment Plans to Mitigate Section 106 Adverse Effects

Dear Mr. Epstein:

On May 20, 2009, the *Programmatic Agreement Among the Federal Highway Administration, The Ohio State Historic Preservation Office, and the Ohio Department of Transportation Regarding the Federal-Aid Highway Improvement of Interstate Route 71, 77 and 90 in the City of Cleveland, Cuyahoga County, Ohio, CUY-90 Innerbelt; PID 77510, Agreement Number 15498*, was executed. Enclosed is a copy of the executed agreement.

As a result of the first construction project, the construction of westbound, Interstate Route (IR) 90 Innerbelt Bridge over the Cuyahoga River, three properties eligible for inclusion on the National Register of Historic Places (NRHP) will be adversely affected. A Section 106 Consulting Party meeting was held on May 20, 2009 at the ODOT, District 12 office. Pursuant to the executed Programmatic Agreement (Agreement Number 15498), treatment plans to mitigate adverse effects were discussed, as well as, potential project specific enhancements and locally sponsored plans. Topics of discussion included: multi-use pedestrian trails; the reuse of the Central Viaduct Bridge abutment; the reuse of buried rail lines; the construction of scenic overlooks; the incorporation of aesthetic treatments into the adjacent bridge piers and abutments emphasizing the significance of the historic resources. All agreed the Section 106 mitigation measures, project specific enhancements, and locally sponsored plans should complement the intent of each. Enclosed are copies of the May 20, 2009 attendance sheet, slide presentation, and meeting notifications.

Project specific enhancements will be developed in conjunction with the aesthetic committee members and local agency officials. Project specific enhancement considerations may include: aesthetic treatments to the new bridge abutments and piers; pedestrian overlooks and facilities; the reuse of the Central Viaduct Bridge abutment; and commemorative parks. Locally sponsored enhancements may include reuse of buried rail lines and multi-use pedestrian trails.

In accordance 36 CFR § 800 and Stipulation I (E) of the executed Programmatic Agreement (Agreement Number 15498), FHWA and ODOT propose the following treatment plans to resolve the adverse effect of the first construction project on Broadway Mills, Marathon Gas Station, and the Distribution Terminal Warehouse:

1. Broadway Mills, 300 Central Viaduct, is eligible for inclusion on the NRHP under Criteria A as a rare example of Cleveland's milling industry and under Criteria C for architecture.

   i) Level II documentation as specified by the Historic American Building Survey (HABS) in accordance with 36 CFR § 68, The Secretary of the Interior's Standards for the Treatment of Historic Properties (STANDARDS) will be prepared. Archival HABS documentation will be maintained at the State of Ohio Library, the designated archival repository. High quality copies of the HABS documentation will be provided to the Cleveland Landmarks Commission, Cleveland Public Library, Cleveland Restoration Society, Western Reserve Historical Society, Cleveland State University Library, the Western Reserve Fire Museum and Education Center, and will provide additional copies to other recipients upon request.

   ii) A commemorative display will be located at or near the existing mill site. The commemorative display will compliment the location of project specific enhancements to ensure the safety of the viewing public. Reuse of architectural components will be considered and incorporated into the display along with a plaque commemorating the significance of the resource. Location and design of the commemorative display will be refined as project design progresses and as a result of Section 106 consultation.

2) Marathon Gas Station, 300 Central Viaduct, is eligible for inclusion on the NRHP under Criteria A for its association with Cleveland's automobile history and under Criteria C for architecture.

   i) Level II documentation as specified by the Historic American Building Survey (HABS) in accordance with 36 CFR § 68, The Secretary of the Interior's Standards for the Treatment of Historic Properties (STANDARDS) will be prepared. Archival HABS documentation will be maintained at the State of Ohio Library, the designated archival repository. High quality copies of the HABS documentation will be provided to the Cleveland Landmarks Commission, Cleveland Public Library, Cleveland Restoration Society, Western Reserve Historical Society, Cleveland State University Library, the Western Reserve Fire Museum and Education Center, and will provide additional copies to other recipients upon request.

3) Distribution Terminal Warehouse, 2000 West 14th Street, is eligible for inclusion on the NRHP under Criteria A for its role in the evolution of Cleveland's food distribution network and under Criteria C for architecture.

   i) A historic context will be prepared documenting the significance of the resource in relation to the City of Cleveland's food distribution industrial history during the period of significance. ODOT will provide copies, of the historic context documentation to the Cleveland Landmarks Commission, Cleveland Public Library, Cleveland Restoration Society, Western Reserve Historical Society, Cleveland State University Library, the Western Reserve Fire Museum and Education Center, and will provide additional copies to other recipients upon request.

In accordance with Stipulation I (F), FHWA and ODOT are providing copies of the subject consultation and proposed treatment plans to the consulting parties for concurrent 30-day review. All comments received by FHWA and ODOT will be forwarded to the OSHPO at the end of the 30-day review period. The disposition of each and any appropriate revisions to the proposed treatment plans will be provided to the OSHPO for consideration at that time.

All consulting party comments received within the 30-day review period along with the written disposition of each, any appropriate revisions to the proposed treatment plans, and the OSHPO mitigation comment or acceptance letter to FHWA and ODOT, will serve as evidence of the Stipulations of the executed agreement are being carried out as documented within the agreement. Upon implementation of an accepted treatment plan, the appropriate documentation will be submitted to the OSHPO for their 30-day review and approval that the terms, conditions, and provisions of the accepted treatment plan have been implemented in full accordance with the executed agreement.

In accordance with the Advisory Council on Historic Preservation's current regulations and the executed *Programmatic Agreement Among the Federal Highway Administration, The Ohio State Historic Preservation Office, and the Ohio Department of Transportation Regarding the Federal-Aid Highway Improvement of Interstate Route 71, 77 and 90 in the City of Cleveland, Cuyahoga County, Ohio CUY-90 Innerbelt; PID 77510, Agreement Number 15498,* ODOT has determined the proposed treatment plans mitigate the adverse effects of the undertaking on historic cultural resources.

If no response is received within 30 days, in accordance with the Advisory Council on Historic Preservation's current regulation under 36 CFR Part 800.3(c)(4), it will be presumed that the State Historic Preservation Officer agrees with the determination made in the above coordination.

Respectfully,

Timothy M. Hill
Administrator
Office of Environmental Services

Ohio State Historic Preservation Office Concurrence:

Nancy H. Campbell July 7, 2009
(Date)

TMH:sg
Enclosure

cc: Carol Legard	Advisory Council on Historic Preservation	w/attachments
Michael Armstrong	Federal Highway Administration	w/attachments
David Snyder	Federal Highway Administration	w/attachments
Nancy Campbell	Ohio Historic Preservation Office	w/attachments
Mark Epstein	Ohio Historic Preservation Office	w/attachments
Thomas Grooms	Ohio Historic Preservation Office	w/attachments
Dennis J Kucinich	US Congress House of Representatives	w/attachments
Robert Keiser	Cleveland Landmarks Commission	w/attachments
Kermit Pike	Western Reserve Historical Society	w/attachments
Patrick Reymann	Western Reserve Historical Society	w/attachments
Sarah J Beimers	Cleveland Restoration Society	w/attachments
Chris Garland	Tremont West Development Corp.	w/attachments
William Beckenbach	Quadrangle Incorporated	w/attachments
James Haviland	Midtown Cleveland, Inc.	w/attachments
Jamie Blackson-Baker	St. Clair Superior	w/attachments
Thomas Starinsky	Historic Gateway Neighborhood Corp.	w/attachments
Tom Newman	Flats Oxbow	w/attachments
Tim Tramble	Burten Bell Carr	w/attachments
Debbie Berry	City Planning Commission	w/attachments
Robert Brown	City Planning Commission	w/attachments
Joseph Cimperman	Councilperson, City of Cleveland Ward 13	w/attachments
Phyllis Cleveland	Councilperson, City of Cleveland Ward 5	w/attachments
Dean Tracy Lind	Trinity Cathedral	w/attachments
John J Boule	Cleveland State University	w/attachments
Gina Lattimer	Carnegie Prospect Holdings	w/attachments
Anita Perez	Central YMCA Cleveland	w/attachments
Michael Hageman	Zion Lutheran Church & School	w/attachments
Michael Chesler	Prospect Development, Inc.	w/attachments
George Graham	Pilgrim Congregation Church	w/attachments
Rev Dr Laurinda Hafner	Pilgrim Congregation Church	w/attachments
Paul Alsenas	Cuyahoga County Commissioner	w/attachments
Jimmy DiMora	Cuyahoga County Commissioner	w/attachments
Timothy Hagan	Cuyahoga County Commissioner	w/attachments
Marvin Hayes	Cuyahoga County Commissioner	w/attachments
Peter Lawson Jones	Cuyahoga County Commissioner	w/attachments
Scott Pollack	Cuyahoga Metropolitan Housing Authority	w/attachments
Scott Carpenter	Western Reserve Fire Museum/Education Center	w/attachments
Martha Eakin		w/attachments
Susan Miller		w/attachments
Paul Stubbs	Fire Chief, City of Cleveland	w/attachments

Appendix F

OHIO DEPARTMENT OF TRANSPORTATION
CENTRAL OFFICE • 1980 WEST BROAD STREET • COLUMBUS, OH 43223
BOB TAFT, OHIO GOVERNOR • GORDON PROCTOR, ODOT DIRECTOR

May 22, 2006

Mr. Dennis A. Decker
Federal Highway Administration
200 North High Street
Columbus, OH 43215

Attn: Michael B. Armstrong

Re: Cleveland Innerbelt
CUY-71/90 PID 77510

Dear Mr. Decker:

The Cleveland Innerbelt project is currently completing documentation for Step 5 under ODOT's Project Development Process for Major Projects. We are further developing our engineering and environmental studies and expect NEPA clearance in summer of 2007. At this point in project development, ODOT would like to change our decision on the environmental document type to be prepared for the project.

ODOT typically prepares a Level 4 Categorical Exclusion for projects known not to have significant impacts. If impacts are anticipated to be significant, an Environmental Impact Statement (EIS) is required. An Environmental Assessment (EA) is prepared when the significance of impacts are not certain. And while ODOT's consultant had been scoped to perform all necessary environmental documentation up through and including an EIS, throughout the development of this project, ODOT and FHWA have anticipated the preparation of an EA.

Since the preparation of an EA acknowledges that the significance of impacts is not yet known, it leaves open the possibility, that an EIS will ultimately be required after circulation of the EA. Under the current project schedule, ODOT cannot afford the time it may take to go through the EA process only to then switch to a full EIS. Given recent public input and stated opposition on environmental impacts and process issues, the potential for delay resulting from legal challenges forces the Department to manage risk in a proactive manner. Therefore, ODOT is proposing to prepare an EIS for this project from this point forward. Even if the impacts once documented do not rise to the level of "significant," it is unlikely that agencies or the public will be dissatisfied with preparation of an EIS document.

Upon your acceptance of this approach, ODOT will be requesting the filing of a Notice of Intent and immediately begin the additional coordination/documentation steps that will be necessary for a Draft EIS.

Sincerely,

Timothy M. Hill
Administrator
Office of Environmental Services

c: C. Misel, CO - H. Rodrigo, FHWA – D. Coyle, D-12 - file

OES-Project Filing
MAY 22 2006
File From:
File By:

AN EQUAL OPPORTUNITY EMPLOYER

U.S. Department of Transportation
Federal Highway Administration

RECEIVED
JUL 13 2006
OFFICE OF ENVIRONMENTAL SERVICES

Ohio Division Office
200 North High Street
Columbus, Ohio 43215

June 16, 2006

Mr. Gordon D. Proctor, Director
Ohio Department of Transportation
1980 West Broad Street
Columbus, OH 43223

In Reply Refer To:
HEO-OH

Dear Mr. Proctor:

Reference is made to the Department's May 22, 2006, letter which requests Federal Highway Administration's (FHWA) acceptance of the Department's proposal to develop an Environmental Impact Statement (EIS) for the proposed Cleveland Innerbelt project, CUY-Cleveland Innerbelt, PID 77510.

The FHWA recognizes the Department's need to effectively and efficiently manage the development of the Cleveland Innerbelt project, including conducting necessary studies and preparing appropriate documents to comply with the National Environmental Policy Act and related environmental requirements in a timely manner. The FHWA thus finds the Department's proposal to prepare an EIS for the proposed Cleveland Innerbelt project to be acceptable even though based on context and intensity the significance of the action's impacts are not yet known.

At your earliest convenience, please submit the necessary information for FHWA to file the required Notice of Intent for preparation of an EIS. Should you have any questions, please contact Mr. Michael B. Armstrong at (614) 280-6855.

Sincerely,

Dennis A. Decker
Division Administrator

Celebrating 50 Years 1956 50th 2006 Eisenhower Interstate System

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F1

Fact Sheet:
Trips in the Midtown Corridor

Question 1: *Can the Innerbelt design proposed by ODOT accommodate the expected growth of outpatient trips to University Circle along the Midtown Corridor resulting from expected expansion of hospital facilities?*

Yes. A review of available travel demand model (TDM) data for the corridor suggests that expected outpatient growth will not overburden the Innerbelt design proposed by ODOT. The Innerbelt was designed using the highest possible number of work trips (the 1990 compact model).

Question 2: *What is a Travel Demand Model (TDM)?*

A TDM creates estimates of trips, often referred to as traffic volumes, on an area's roads. This is accomplished mainly by routing trips made by workers to and from employment locations. These trips usually occur in two peak periods, the morning and evening peaks associated with the most congested daily travel. The TDM estimates "demand" for each area roadway during these peak periods. TDMs also model non-peak period travel based on information provided by travel surveys, and by periodic hourly counts on the roadways. See question 3 for additional detail.

Question 3: *How does a TDM work?*

TDMs are developed by collecting data and processing it with a series of computer programs in an effort to create a replication or "model" of reality. Data for TDMs come from a variety of sources. The principle ones are:

- Census Data –TDMs rely heavily on the releases of Census data by the US government. The Census long form gathers data on where people live and work. A special packaging of that data called the Census Transportation Planning Package aids MPOs in developing TDMs by clarifying when and where trips are being made during the Census year.
- Travel Survey Data – Travel surveys of a portion of the area's population are done periodically to augment the MPO's understanding of where, when, and how travel is occurring in its region.
- Employment Data – MPOs rely on various forms of employment data in an effort to ensure that employment locations are accurately represented in the TDM.

Question 4: So how does the TDM model the future?

TDMs rely on known historical travel behaviors, to estimate future travel behaviors under different conditions. For example, if current regional trends suggest that people will be living and/or working in different locations than they do now, the model will have to predict future travel routes for people from their new home locations to their new job locations based on the model's understanding of how travel decisions are made.

Question 5*: How does the model know what the future is going to look like?*

Its forecasting ability is limited due to changes in the real world. For that reason, models are updated on a fairly regular basis. They are updated to reflect newly acquired understandings of current conditions, as well as with new forecasts of likely future conditions. That is the reason the chart shows three different models.

Question 6*: What is the 1990 Trend model?*

The 1990 Trend model was developed based on known conditions in 1990. It forecast future years based on existing trends (roughly 1980 to 1990) in population and employment. Trends in 1990 suggested that Midtown would experience a slow decline in population and employment through 2025. This model was not used in designing the Innerbelt for reasons described in question 7.

Question 7: *What is the 1990 Compact model?*

The 1990 Compact model altered the future forecasts for the entire NOACA region. It did this by assuming that the majority of expected growth in the region would occur in the urban core, i.e. in areas that were already developed. This can be viewed as an early anti-sprawl initiative. The assumption was that policies, strategies and economic trends would curb the steady outmigration of people and jobs suggested by the trend model. This was the model used for Innerbelt design. It suggests substantial growth in trips for the Midtown Corridor through 2025.

Question 8: *So the models don't actually model outpatient trips?*

Not directly. Indirectly these trips would be handled in one of the last steps in using transportation model output for design. This step is the development of ODOT certified traffic estimates. This step massages model output to reflect known counts on the roads in the vicinity of the planned for improvement. Certified traffic estimates for the Innerbelt indicated that its design would handle the traffic expected by the 1990 Compact Model for 2025. As a result, there is no reason to fear that the Innerbelt will fail to meet the needs of its travelers.

OHIO DEPARTMENT OF TRANSPORTATION
INTER-OFFICE COMMUNICATION
Office of Environmental Services

DATE: May 27, 2009

TO: Dale Schiavoni, D-12 Planning and Programs Administrator
Attention: Mark Carpenter

FROM: Timothy M. Hill, Administrator, Office of Environmental Services

SUBJECT: Traffic Noise and Vibration Impact Assessment dated August 8, 2006 (Independent Noise Analysis by Cuyahoga Community College)

PROJECT: CUY-Cleveland Innerbelt, PID 77510

OES has reviewed the subject document. Based on our review, we concur with the consultant's conclusion that there are no predicted noise impacts associated with the Center for Innovation in the Arts Building using the FHWA interior noise criterion. However, we do not concur with the consultant's conclusion that there are predicted noise impacts associated with the District Administration Building using the FHWA interior noise criterion. Using the FHWA 35dB noise reduction factor for a masonry building and double-glazed windows, the predicted interior Leq is 43 dB for the District Administration Building, which is below the FHWA interior noise criterion of 51dB. **Hence, no further consideration of noise abatement is warranted for either the Center for Innovation in the Arts Building or the District Administration Building.**

In addition, we agree with the consultant's conclusion that there are no predicted vibration impacts at the Tri-C campus receivers from traffic under the proposed Central Interchange improvements, since there were no exceedances of the FTA vibration criteria predicted under the Build Alternative.

If you have any questions or concerns, please contact Noel Alcala, Noise and Air Quality Coordinator at (614) 466/5222.

TMH:naa

c: Larry Hoffman, OES - File - Reading File

OHIO DEPARTMENT OF TRANSPORTATION
INTER-OFFICE COMMUNICATION
Office of Environmental Services

TO: Bonnie Teeuwen, District 12 Deputy Director **DATE:** June 12, 2009
Attn: Mark Carpenter

FROM: Timothy M. Hill, Administrator, Office of Environmental Services

SUBJECT: Phase II Environmental Site Assessment

PROJECT: CUY-Cleveland Innerbelt – BP Oil, 900 Carnegie **PID:** 77510

This office has reviewed the Phase II Environmental Site Assessment for the above referenced project at the BP Oil station, 900 Carnegie, which was produced by URS.

Based on the information provided in the subject report and information provided by the District that only temporary ROW will be required from the site to perform shallow excavation to reconstruct the drives, we believe no further environmental site assessment or special material management is warranted for this site. However, if this changes and permanent ROW and/or deep excavation is required, further environmental site assessment may be necessary.

If you have any questions or concerns, please contact Juliet Denniss, Environmental Supervisor, at (614) 466-7942.

TMH:jdd

c: Larry Hoffman, OES
File w/attachment
Reading File

F3

OHIO DEPARTMENT OF TRANSPORTATION
INTER-OFFICE COMMUNICATION
Office of Environmental Services

TO: Bonnie Teeuwen, District 12 Deputy Director **DATE:** March 4, 2009
Attn: Mark Carpenter

FROM: Timothy M. Hill, Administrator, Office of Environmental Services

SUBJECT: Cold Storage/Bojacks Phase I and Phase II ESA Addendum

PROJECT: CUY – Cleveland Innerbelt **PID:** 77510

This office has reviewed the Phase I and Phase II Environmental Site Assessment Addendum for the Cold Storage/Bojack site which was conducted by URS.

The wipe samples taken of the transformers found in the building did not detect the presence of PCBs. Therefore, no further environmental site assessment is warranted for this site.

Based on the detailed floor by floor description of the building reconnaissance, no additional issues were identified in the building. The materials found in the building should be considered a personality items and the current owner should be required to remove them prior to ODOT taking passion of the property. However, if the owner does not remove these items, they need to be removed prior to the building's demolition. The materials should be segregated into useable products and wastes. Useable products should be used or auctioned off. The wastes would include drums with unidentifiable contents and products that are out of date. All wastes should be analyzed and properly disposed of. Please note that two (2) canisters of refrigerant containing CFC-12 were found on the first floor. This product no longer may be sold or used in the United States and, therefore, must be properly disposed of.

If you have any questions or concerns, please contact Juliet Denniss, Environmental Supervisor, at (614) 466-7942.

TMH:jdd

c: Larry Hoffman, OES6
File w/attachment
Reading File

F 4

URS **Technical Memorandum**

To: Cory Grayburn, URS Cleveland **Date:** July 1, 2009

From: Paul Burge, Cole Martin **Office:** San Diego

Subject: **Cleveland Innerbelt Noise Study (URS Project No. 15016527.06073)**
Predicted Noise Levels for Selected Additional Receiver Locations

At your request, we have analyzed existing and project-related noise levels for three additional receiver locations that were not included in the Final Technical Noise Report for the Cleveland Innerbelt project, dated November 16, 2006. One of the receiver locations, Western Reserve Fire Museum, was previously analyzed for noise levels with results reported in an internal memo, **Cleveland Innerbelt Noise Study Estimated Noise Levels for Historic Resource Sites,** dated August 28, 2006. The other two receiver locations, Fire Station #28 and the Hilton Garden Inn, were not identified as noise-sensitive receiver locations in the original technical report.

The noise levels presented here were calculated using the Federal Highway Administration Traffic Noise Model (TNM) version 2.5 along with mapping and traffic source data acquired from project team sources. The TNM calculations considered modeled roadway sources only and for this noise study are restricted to the through lanes and ramps of the interstate highways and state routes that are to be modified as part of the project. As such, secondary noise sources such as community noise, noise from industrial properties, railways, aircraft, and surface streets are not part of the calculation. For receivers in close proximity to the relevant highways, the exclusion of non-highway noise sources is not an issue in terms of loudest-hour noise levels given the controlling character of highway noise levels. At greater distances from the roadway (generally beyond about 300 feet), secondary noise sources define a background level that may be higher than that due to highway sources alone. Because there were no noise measurements conducted in the area of these receiver locations, there was no model validation performed on any of the modeled conditions.

Table 1 presents predicted loudest hour noise levels for existing, future no-build, and two future build alternatives. The noise level values reported here all assume that no noise abatement has been proposed or built in the area.

Table 1. Cleveland Innerbelt, Estimated Loudest-Hour Exterior Noise Levels for Selected Additional Receiver Locations

Receiver location	Loudest Hour Exterior L_{eq}, dBA			
	Existing	Future No-Build	Future Build - North Hybrid Bridge	Future Build - South Hybrid Bridge
Western Reserve Fire Museum	69	70	74	70
Fire Station #28	71	71	75	71
Hilton Garden Inn	70	71	74	74

Recall the Noise Abatement Criteria as presented in Appendix A of the original Noise Report, and as shown in Table 2 below. Since none of the additional receivers have an identified noise-sensitive exterior land use, the only potentially appropriate activity category to use to determine the need for noise abatement would be Category E, or 52 dBA for the interior noise levels of the building.

Table 2. FHWA Noise Abatement Criteria

Activity Category	Description of Activity Category	$L_{eq(h)}$ dBA
A	Lands on which serenity and quiet are of extraordinary significance and serve an important public need and where the preservation of those qualities is essential if the area is to continue to serve its intended purpose.	57 (exterior)
B	Picnic areas, recreation areas, playgrounds, active sports areas, parks, residences, motels, hotels, schools, churches, libraries, and hospitals.	67 (exterior)
C	Developed lands, properties, or activities not included in Categories A or B above.	72 (exterior)
D	Undeveloped lands	N/A
E	Residences, motels, hotels, public meeting rooms, schools, churches, libraries, hospitals, and auditoriums.	52 (interior)

N/A indicates No Standard for this Activity Category, therefore not applicable.

In reviewing Table 2, we note that while the description for Category E land uses does specifically include hotels among the noise sensitive activities, it does not include fire stations or museums *per se*. It makes sense that these land uses may be included if they have space where firemen reside or sleep (residence) or a museum with learning spaces, study areas, meeting rooms, or performance spaces, or other areas where quiet is of significant importance. Otherwise these areas would not normally be included under Category E. We also note here, that while hotels are included in this category, owners of these properties routinely decline offers of noise barriers as noise mitigation since they block the line-of-site between their businesses and potential customers traveling on the highway.

Table 3 shows FHWA recommended exterior to interior noise level adjustments for a variety of building types and window conditions. Assuming all receivers in this analysis are commercial structures, it may be assumed that the most appropriate condition from Table 3 is Masonry Construction with closed, single glazed windows, resulting in a 25 dB exterior to interior noise reduction.

Table 3. Building Noise Reduction Factor

Exterior to Interior Noise Reduction		
Building Type	**Window Condition**	**Noise Reduction**
All	Open	10 dB
Light Frame	Ordinary Sash	20 dB
Light Frame	Storm Windows	25 dB
Masonry	Single Glazed	25 dB
Masonry	Double Glazed	35 dB

Source: Highway Traffic Noise Analysis and Abatement Policy and Guidance, FHWA, June 1995

Table 4 presents the predicted interior noise levels resulting from applying the exterior to interior noise reduction from Table 3 to the predicted exterior noise levels in Table 1.

Table 4. Cleveland Innerbelt, Estimated Loudest-Hour Interior Noise Levels for Selected Additional Receiver Locations

Receiver location	Loudest Hour Interior L_{eq}, dBA			
	Existing	Future No-Build	Future Build - North Hybrid Bridge	Future Build - South Hybrid Bridge
Western Reserve Fire Museum	44	45	49	45
Fire Station #28	46	46	50	46
Hilton Garden Inn	45	46	49	49

The resulting values in Table 4 indicate that interior noise levels do not approach (within 1 dBA) or exceed the interior noise abatement criterion of 52 dBA for any of these receivers under any project alternatives. Therefore, noise impacts are not anticipated at these receiver locations, and noise abatement is not recommended.

Please feel free to contact me if you have any questions regarding this analysis.

F 5

Landrum & Brown
11279 Cornell Park Drive
Cincinnati, OH 45242
Tel: 513.530.5333
Fax: 513.530.1278
www.landrum-brown.com

July 21, 2008

Mr. Craig K. Hebebrand, P.E.
Ohio Department of Transportation
District 12
5500 Transportation Boulevard
Garfield Heights, OH 44125

RE: ODOT's Innerbelt Curve Alignment

Dear Mr. Hebebrand:

Please find enclosed a drawing depicting ODOT's revised Innerbelt Curve alignment overlaid on the Burke Lakefront Airport Existing Airport Layout Plan.

Please note that we were given a PDF of the new ODOT Innerbelt Curve alignment. As a result, it was necessary to create a JPG of the line work and then insert it into our AutoCAD file of the Existing ALP; doing our best to place the line work in the correct location. Therefore, this is an approximation of the location of the revised ODOT Innerbelt Curve alignment.

I also want to mention that the PDF we were given did not have any elevation information. As long as the revised alignment does not get closer and higher at any given point, the proposed roadway should still clear the three-dimensional obstruction surfaces surrounding Burke Lakefront Airport.

Thank you,

Monica L. Geygan

Monica L. Geygan
Project Manager

Magnetic Declination
8° 4' W
Nov 2007

NORTH

Annual
0° 2' W

GRAPHIC SCALE (FEET)
0 250 500 1000

EXISTING FACILITIES		TOP ELEVATION
1	Terminal Building	Note 1
2	Air Traffic Control Tower/Administration Offices	649' (Note 2)
3	Aircraft Rescue and Firefighting Station/Airport Maintenance	Note 1
4	Vehicle Storage	-
5	FBO Hangar/Storage (Million Air)	-
6	FBO Hangar/Storage (Business Aircraft Center)	-
7	Electrical Storage Facility	-
8	Pump House	-
9	Aviation High School	-
10	Engine Test Chamber	-
11	FBO Fuel Facilities	-
12	FBO Fuel Facilities	-
13	Rotating Beacon on Control Tower	656 MSL

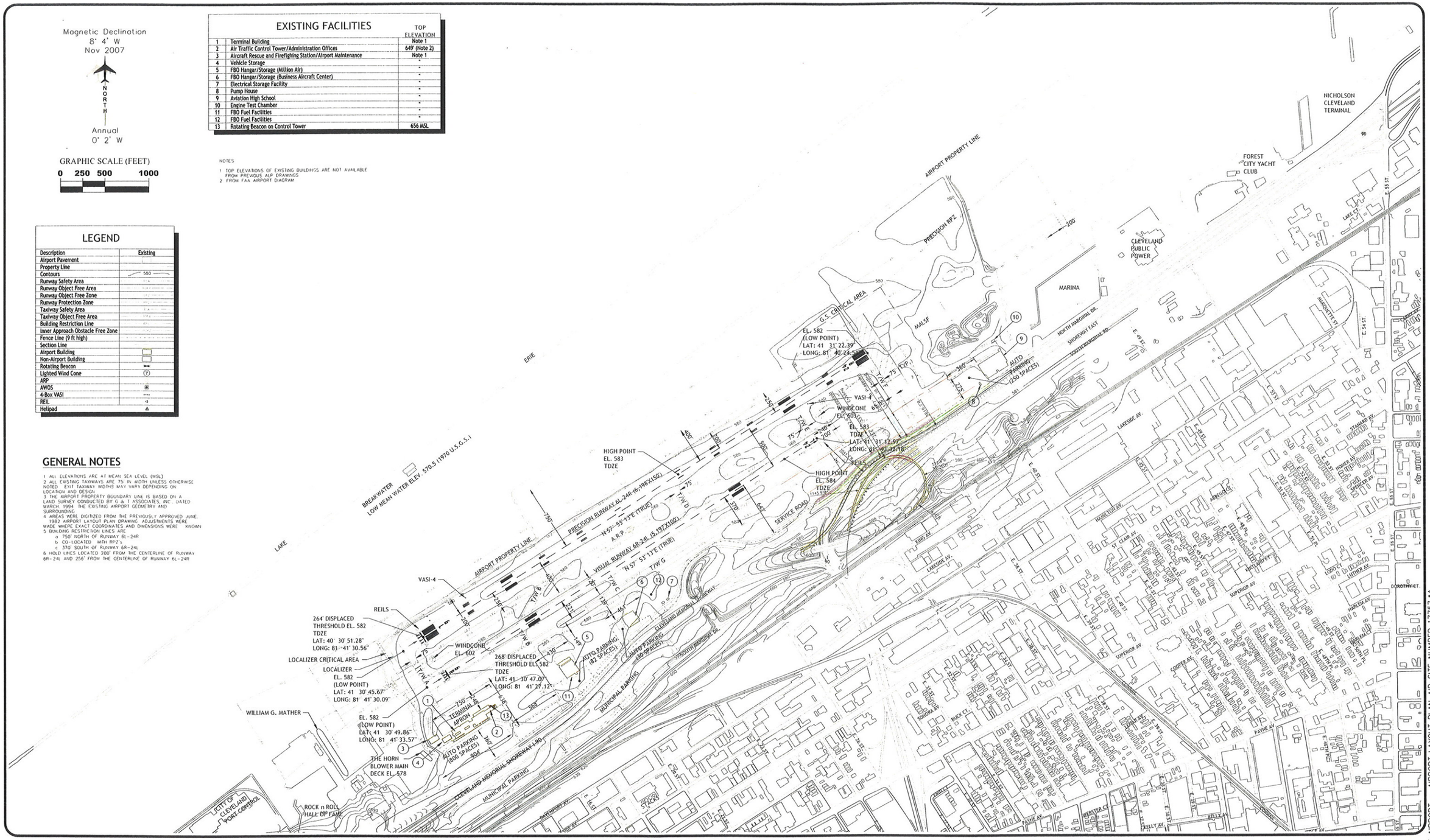
NOTES
1 TOP ELEVATIONS OF EXISTING BUILDINGS ARE NOT AVAILABLE FROM PREVIOUS ALP DRAWINGS
2 FROM FAA AIRPORT DIAGRAM

LEGEND

Description	Existing
Airport Pavement	
Property Line	
Contours	580
Runway Safety Area	
Runway Object Free Area	
Runway Object Free Zone	
Runway Protection Zone	
Taxiway Safety Area	
Taxiway Object Free Area	
Building Restriction Line	
Inner Approach Obstacle Free Zone	
Fence Line (9 ft high)	
Section Line	
Airport Building	
Non-Airport Building	
Rotating Beacon	
Lighted Wind Cone	
ARP	
AWOS	
4-Box VASI	
REIL	
Helipad	

GENERAL NOTES

1 ALL ELEVATIONS ARE AT MEAN SEA LEVEL (MSL)
2 ALL EXISTING TAXIWAYS ARE 75' IN WIDTH UNLESS OTHERWISE NOTED. EXIT TAXIWAY WIDTHS MAY VARY DEPENDING ON LOCATION AND DESIGN
3 THE AIRPORT PROPERTY BOUNDARY LINE IS BASED ON A LAND SURVEY CONDUCTED BY G & T ASSOCIATES, INC., DATED MARCH, 1994. THE EXISTING AIRPORT GEOMETRY AND SURROUNDING
4 AREAS WERE DIGITIZED FROM THE PREVIOUSLY APPROVED JUNE, 1982 AIRPORT LAYOUT PLAN DRAWING. ADJUSTMENTS WERE MADE WHERE EXACT COORDINATES AND DIMENSIONS WERE KNOWN
5 BUILDING RESTRICTION LINES ARE
a 750' NORTH OF RUNWAY 6L-24R
b CO-LOCATED WITH RPZ's
c 370' SOUTH OF RUNWAY 6R-24L
6 HOLD LINES LOCATED 200' FROM THE CENTERLINE OF RUNWAY 6R-24L AND 250' FROM THE CENTERLINE OF RUNWAY 6L-24R



BURKE LAKEFRONT AIRPORT
CLEVELAND, OH

BKL

PREPARED BY: L&B

RW ARMSTRONG

NO.	DATE	REVISIONS

DESIGNED	JDH
CHECKED	WHB
DRAWN	MSP
APPROVED	MLG
JOB NO.	20074070
DATE	Feb. 26, 2008

AIRPORT LAYOUT PLAN

EXISTING AIRPORT LAYOUT PLAN

SHEET 3 OF 1

W:\BKL\ALP\RWA Burke ALP 05-02-08\Plans\BKL-03 EX-ALP.dwg - Exist. ALP
File Name
Modified / By July 22, 2008 11:02:07 AM / rjackson
Plotted / By July 22, 2008 11:03:25 AM / Rodney D. Jackson

F7

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