



U.S. Department
of Transportation
**Federal Highway
Administration**

Ohio Division Office
200 North High Street
Columbus, Ohio 43215

October 9, 2007

In Reply Refer To:
HEO-OH

Director James Beasley, P.E., P.S.,
Ohio Department of Transportation
1980 West Broad Street
Columbus, OH 43223

Dear Director Beasley:

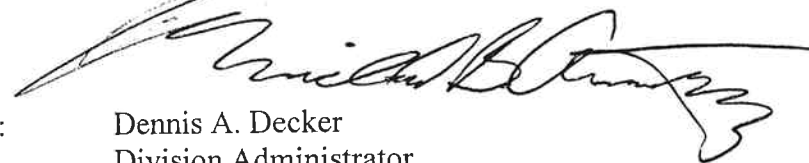
Enclosed for the ODOT's use in the advancement of the Cleveland Innerbelt project, CUY - 71/90 - 16.79/14.90, PID 77510, are copies of the FHWA SAFETEA-LU Section 6002 coordination letters sent to the potential Federal participating and cooperating agencies, and the responses received. Please note that the FTA is the only agency that has not replied.

Be advised that the U. S. Department of the Interior, National Park Service has declined the invitation to be a participating agency. In addition be advised that the U.S. Coast Guard and United State Army Corp of Engineers have agreed to be both participating and cooperating agencies.

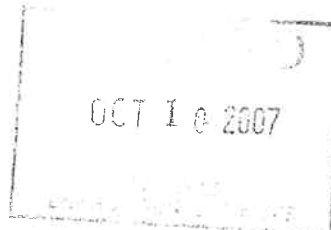
To establish compliance with the Section 6002 provisions within the DEIS, FHWA request that copies of all Section 6002 correspondence be included within the DEIS. The FHWA expects that ODOT will be able to resolve all of the issues raised by the participating and cooperating agencies within the DEIS or FEIS.

Should the ODOT have any questions regarding the Section 6002 correspondence provided or need assistance in resolving any of the issues raised, please contact Mr. Michael B. Armstrong, Highway Engineer, (614) 280-6855, fax (614) 280-6876, or E-mail: michael.armstrong@fhwa.dot.gov.

Sincerely,



For: Dennis A. Decker
Division Administrator



**NO ONE
AMERICAN
ECONOMY**



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
August 21, 2007

Dennis A. Decker
Federal Highway Administration
Ohio Division
200 North High Street, Rm 328
Columbus, OH 43215-2408

Attn: Michael B. Armstrong

Dear Mr. Decker:

This letter is in response to your July 25, 2007 letter and accompanying electronic documents received in our office on July 27, 2007. The Federal Highway Administration (FHWA), in cooperation with 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, CUY - 71/90 - 16.79/14.90, PID 77510. The U.S. Fish Wildlife Service (Service) accepts your invitation to become a participating agency with the FHWA and ODOT in the development of the EIS for the Cleveland Innerbelt action pursuant to Section 6002 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users. We have reviewed the enclosed CD containing ODOT's PDP, environmental manuals, policies and guidance documents. The Service agrees with the proposed methodologies to be used.

We offer the following comments with regards to the project's proximity to the Lake Erie Shoreline. Lake Erie and its shoreline provide internationally valuable habitat for fish, birds, and wildlife, including Federally listed endangered and threatened species such as the piping plover and bald eagle. Protection and restoration of natural shorelines is identified as a high priority in many of the current Great Lakes plans including: State of the Great Lakes 2003 or SOLEC; USFWS Coastal Program; Great Lakes Strategy 2002; various lake-wide management plans or LaMPs; and The Nature Conservancy's Great Lakes Ecoregional Plan. Nearshore areas provide essential spawning and nursery habitat for interjurisdictional fish species, and help to support the local sport fishing industry. The shoreline provides essential resting, feeding, and nesting habitat for waterfowl, colonial nesting waterbirds, and migratory birds. Placing fill in the Lake and along the shore disturbs these important habitats. Furthermore, natural shorelines contribute sand to the littoral zone, helping to maintain barrier beach systems that provide wildlife habitat and natural erosion control, while armored shorelines do not provide such benefits. The loss of this habitat, considered cumulatively with the past and potential future loss of natural shoreline along the southern shore of Lake Erie due to shoreline armoring, results in significant shoreline habitat loss. The Service strongly recommends that FHWA avoid and minimize impacts to Lake Erie and shoreline habitat. FHWA should justify the need for Lake Erie fills, and describe how avoidance and minimization are addressed in this project.

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In general, we recommend that proposed projects minimize water quality impacts and impacts to quality fish and wildlife habitat, such as forests, streams, and wetlands. Although the wetlands and streams are located within fairly developed areas, the Service recommends that the project design minimize impacts to the aquatic resources within the project area. No in-water work should occur between April 15th and June 15th to minimize impacts to fish spawning. On projects that include plans to replace culverts, we recommend that they be placed to allow free movement of aquatic fauna. Also, on projects that include plans to use riprap for channel protection, we recommend using native vegetation to control erosion, or, at a minimum, use native vegetation in combination with rock. On projects that include plans to replace culverts, we recommend that they be placed to allow free movement of aquatic fauna. Also, on projects that include plans to use riprap for channel protection, we recommend using native vegetation to control erosion, or, at a minimum, use native vegetation in combination with rock. The Service recommends that stream and wetland mitigation occur at a minimum ratio of 1:1 replacement in-kind. Additional mitigation at a ratio of 0.5:1 should also occur and may include stream/wetland enhancement or preservation. Also, on all pertinent projects, we recommend that existing riparian habitat zones be maintained to the maximum extent possible.

This technical assistance 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 U.S. Fish and Wildlife Service's Mitigation Policy.

If you have questions, or if we may be of further assistance in this matter, please contact Troy Wilson at extension 23 in this office.

Sincerely,



Mary Knapp, Ph.D.
Field Supervisor

cc: ODNR, DOW, SCEA Unit, Columbus, OH
Ohio Regulatory Transportation Office, Columbus, OH



U.S. Department
of Transportation
**Federal Highway
Administration**

Ohio Division Office
200 North High Street
Columbus, Ohio 43215

July 25, 2007

Mary Knapp
United States Fish and Wildlife Service
6950-H Americana Parkway
Reynoldsburg, OH 43068

In Reply Refer To:
HEO-OH

Dear Mrs. Knapp:

The Federal Highway Administration (FHWA), in cooperation with 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, CUY - 71/90 - 16.79/14.90, PID 77510. 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 participate 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.

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**AMERICAN
ECONOMY**

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 (see below), of the Cleveland Innerbelt action FHWA suggest 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 29, 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 jurisdiction or authority with respect to the project;
- Has no expertise or information relevant 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, please visit the project website at www.innerbelt.org. In addition, for any questions regarding the previously completed project development activities to date please contact the FHWA.

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*

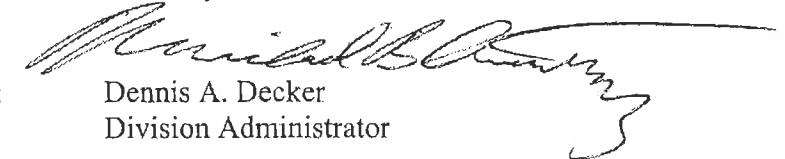
PDP Step	Task to be Completed and Coordinated	Schedule (estimated)
Step 7	<ul style="list-style-type: none"> Review public and agency comments and address issues as required. Coordinate Phase I and Phase II archaeological surveys with SHPO (if needed). Conduct jurisdictional determinations for streams 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 public 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	<ul style="list-style-type: none"> Incorporate public and agency comments into the Final Environmental Impact Statement (FEIS) document and obtain final Record of Decision. Address any public 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
<p>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</p>		

Step 9 Develop Stage 2 Detailed Design	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> Coordinate with agencies as necessary. Convey to the public the maintenance of traffic plans. 	Summer, 2009
Step 13 Award Contract	<ul style="list-style-type: none"> Coordinate with agencies as necessary. 	Spring, 2010
Step 14 Construct Project	<ul style="list-style-type: none"> 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 looks 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 August 29, 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 please contact Mr. Michael B. Armstrong, Highway Engineer at (614) 280-6855 or email Michael.armstrong@fhwa.dot.gov.

Sincerely,



For: Dennis A. Decker
Division Administrator

Enclosures (5)

cc:
H. Rodrigo
S. Lowry
M. B. Armstrong
D. Snyder
T. Hill, (ODOT, CO)
L. Hoffman, (ODOT, CO)
C. Hebebrand, (ODOT, District 12)

File: CUY - 71/90 - 16.79/14.90, (Cleveland Innerbelt), PID 77510

