



OHIO DEPARTMENT OF TRANSPORTATION

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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

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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 (NEORS) 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 (NEORS) 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 NEORS's program. It should be noted that due to NEORS'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 NEORS, Cleveland Water Pollution Control, and TRANSWAC on the drainage solutions for each project segment during detail design.

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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, NEORS; 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)