

FINDING OF NO SIGNIFICANT IMPACT
FOR THE
BIKE & HIKE TRAIL REALIGNMENT AT BRANDYWINE ROAD
ENVIRONMENTAL ASSESSMENT

CUYAHOGA VALLEY NATIONAL PARK

BACKGROUND

Cuyahoga Valley National Park (the Park), under the administration of the National Park Service (NPS), was originally designated as a National Recreation Area in 1974 to preserve approximately 33,000 acres along the Cuyahoga River in Ohio. It was designated as a National Park in 2000. The Park has preserved many areas of recreational, cultural, educational, and historic significance.

The boundary of Cuyahoga Valley National Park (CVNP) lies within two counties and 15 communities. For several of these communities, the bulk of the community is either surrounded by or nearly fully encompassed by the Park. Predictably, the Park and the communities share many common interests from road maintenance and emergency services to zoning and resource protection. Also, within the boundary of the Park, there are over 9,000 acres that are also in non-federal public ownership. Nearly all of this land is held by two metropolitan park districts for use as parkland and open space. In addition, within the boundaries of the park there are an additional 2,200 acres that, while privately owned, provide recreational or educational facilities and services for the public in a manner compatible with park goals and values.

Collectively, these lands represent nearly 35 percent of the total land mass of the CVNP. It follows that the success of the CVNP, is ultimately dependent on partnerships between these other public and private entities. NPS policies also recognize that parks are “integral parts of larger regional environments,” and therefore direct managers to “work cooperatively with others to... address mutual interests in the quality of life of community residents, including matters such as compatible economic development and resource and environmental protection.” For these reasons, the park regularly works with public and private entities for mutual benefit. Over the years, cooperative ventures include land consolidation through exchanges, financial assistance, joint participation in project development and cost sharing, community planning, and various development, restoration, and recreational projects. As a result, the NPS has been able to secure land and long-term protection over sizeable private properties through conservation easements, construct priority public facilities, improve zoning of lands in and adjacent to the park, and expand recreational services and programming for park visitors.

When appropriate, the park has also responded to requests for assistance from communities and other partners. These have included:

- Financial assistance for communities for road maintenance, emergency services and

- other public services
- Use of NPS land for public facilities (recreational and otherwise), and community support uses (such as recreational cooperative projects with Metro Parks, Serving Summit County)
- Technical assistance in cultural and natural resource protection, development of visitor facilities and services, engineering guidance, etc.

The park evaluates each of these, considering the expressed need, whether or not legal authority exists for the action, the management policies of the NPS and the enabling legislation of the park provide for the action, and the magnitude of the request. Furthermore, when NPS land is involved, the protection of natural and cultural resources and the public interest remains the principal focus.

As stated in the NPS Cultural Resource Management Guideline (NPS Director's Order 28), cultural resources are "... the material evidence of past human activities. Finite and nonrenewable, these tangible resources begin to deteriorate almost from the moment of their creation. Once gone, they cannot be recovered." Thus, it is imperative that "park management activities reflect awareness of the irreplaceable nature of these material resources." If these resources "are degraded or lost, so is the parks' reason for being." The main cultural resources of CVNP can be categorized as archeological resources, historic structures and cultural landscapes.

Cultural resources at CVNP have been categorized according to the Park's 1987 Cultural Landscape Report into six primary cultural themes: prehistoric and indigenous cultures, agriculture, transportation, settlement, recreation, and industry. These cultural themes identify a resource by its primary historical significance. However, resources often exhibit overlapping cultural themes as their uses and associations have changed through time. Thus, the cultural resources of CVNP exhibit layers of cultural history that are interwoven.

The proposed action in the Environmental Assessment (EA) responds to an expressed desire on the part of the Metro Parks, Serving Summit County to redirect a portion of their Bike & Hike Trail onto land that is owned by the NPS.

The mission of the Metro Parks, Serving Summit County is *to acquire, conserve, and manage natural resources and to provide the public with safe outdoor recreational opportunities through a system of regional natural area parks.*

The 33.5-mile Bike & Hike Trail was one of the first "rails to trails" conversions in the country. It follows the course of the old Akron, Bedford & Cleveland (ABC) Railroad, which was the longest electric railroad of its kind when it was built in 1895. Until service was discontinued in 1932, riders could travel for 50 cents from Akron to Cleveland's Public Square in about 2.5 hours.

East of Route 91 in Munroe Falls, the Bike & Hike Trail parallels a scenic section of the Cuyahoga River where great blue herons, Canada geese and a variety of ducks can be seen. A small pond along the north side of the trail annually hosts a chorus of spring peepers. South of Boston Mills Road in Boston Heights, the Sharon Conglomerate rock walls of the Boston Ledges rise along the trail. Farther north, the trail travels along Brandywine Road. A parking area adjacent to the bridge over I-271 offers rest and a view of Brandywine Falls which, at 75 feet, is one of the highest waterfalls in Ohio.

SELECTED ALTERNATIVE

The NPS, in cooperation with the Metro Parks, Serving Summit County and the Ohio Historical Society has selected Alternative 2 as the Preferred Alternative. Under Alternative 2, the rerouted Bike and Hike Trail would be constructed adjacent to Brandywine Road crossing over I-271 (via a pedestrian bridge). Once north of I-271, the trail turns westward, paralleling the south side of Stanford Road then skirting the south side of the existing parking lot that serves the Brandywine Falls overlook to the existing parking facility, then cross over Brandywine Creek using an existing bridge. From here, the new alignment would jog to the west around The Inn at Brandywine Falls before turning back to Brandywine Road.

The existing parking area at Brandywine Falls is designed for one-directional traffic, west to east, with an entrance off the south side of Stanford Road near the beginning of the boardwalk structure and an exit returning to Stanford Road about 400 feet to the east. There are two main parking bays connected end-to-end, one with 10 angled spaces to the left and 9 angled spaces to the right, and the second with 7 angled spaces on each side.

A small area for overflow parking (roughly 10 cars) is provided on occasion on the remnant of Stanford Road that is accessed off Brandywine Road north of Brandywine Creek and near The Inn at Brandywine Falls. Alternative 2 would route the trail through this overflow parking area, requiring its elimination. CVNP has indicated that it will not support these options without first expanding the primary parking area, especially since the opportunity to access the Bike and Hike Trail off-road will probably draw more people to park there.

The August 1989 plans for the parking area show a future 38-space parking bay roughly parallel and south of the existing parking lots, and a second 37-space parking bay further south, connected with a common future 20-foot drive to the exit side of the existing bays. At a minimum, Alternative 2 would expand the existing parking facility by 38 spaces.

OTHER ALTERNATIVES CONSIDERED

Alternative 1 – No Action Alternative

The Council on Environmental Quality (CEQ) has specified that one of the alternatives must be the “no action” alternative for two reasons. One is that it is almost always a viable choice in the range of alternatives, and the other is that it sets a baseline of existing

impact that may be projected into the future against which to compare impacts of action alternatives.

Under the No Action Alternative, Metro Parks would continue with the status quo. The Bike and Hike Trail would continue to parallel Brandywine Road. Under this scenario, pedestrians and cyclists would continue to share traffic with automobiles on Brandywine Road.

Alternative 3 – Bridge over Brandywine Valley

Alternative 3 connects the existing Hike and Bike Trail at Brandywine Road at the southern end of the study area and crosses Brandywine Road by use of a three sided box culvert, to follow the former railroad alignment. The trail would then proceed to the north, crossing Twinsburg Road on a proposed bridge then requires another proposed bridge that would span the Brandywine Creek Valley using the historic railroad bridge alignment. After crossing the valley, the trail continues through the original rail corridor to the north, crosses Brandywine Road and ties into the existing Hike and Bike Trail.

A bridge connecting the two old railroad abutments would be approximately 925 feet long. The height of the bridge deck to the ground below would be roughly as follows:

to northbound lane of 271:	57 feet
to southbound lane of 271:	72 feet
to Brandywine Creek:	100 feet

Width of bridge deck would range from 10-14 feet wide depending on funding source.

Alternative 4 – Pastoral Route

Alternative 4 connects with the existing Hike and Bike Trail at Brandywine Road at the southern end of the study area. The trail is aligned atop the bank adjacent to the roadway, through private property west of, and parallel to Brandywine Road. This option continues for approximately 750 feet and then turns south into a proposed tunnel through the Carriage Trade Farm. Upon exiting the tunnel, the trail meanders through the wooded edge of the farm, passing over a ravine before reaching the top of the cut slope of I-271. Specialized construction, possibly retaining walls will be required to allow passage of the trail through the ravine. I-271 would be crossed using a proposed pedestrian bridge. Once north of I-271, the trail turns eastward, towards the existing NPS parking lot that serves the Brandywine Falls overlook. A future expansion of this parking lot is envisioned by the CVNP and would be undertaken by Metro Parks, Serving Summit County should this alternative be selected. Once past the parking bays, the trail connects to the existing paved walkway near the restroom facility, crossing Stanford Road to the north. From here, Alternative 4 crosses Brandywine Road where it meanders through a variety of natural habitat types to the original railroad corridor in the vicinity of the abutment of the now missing railroad bridge. From this point the trail follows the existing railroad grade, crosses Brandywine Road and connects with the existing Hike and Bike Trail.

The existing parking area at Brandywine Falls is designed for one-directional traffic, west to east, with an entrance off the south side of Stanford Road near the beginning of the boardwalk structure and an exit returning to Stanford Road about 400 feet to the east. There are two main parking bays connected end-to-end, one with 10 angled spaces to the left and 9 angled spaces to the right, and the second with 7 angled spaces on each side.

A small area for overflow parking (roughly 10 cars) is provided on occasion on the remnant of Stanford Road that is accessed off Brandywine Road north of Brandywine Creek and near The Inn at Brandywine Falls. Alternative 4 would route the trail through this overflow parking area, requiring its elimination. CVNP has indicated that it will not support these options without first expanding the primary parking area, especially since the opportunity to access the Bike and Hike Trail off-road will probably draw more people to park there.

The August 1989 plans for the parking area show a future 38-space parking bay roughly parallel and south of the existing parking lots, and a second 37-space parking bay further south, connected with a common future 20-foot drive to the exit side of the existing bays. At a minimum, Alternative 4 would expand the existing parking facility by 38 spaces.

ENVIRONMENTALLY PREFERABLE ALTERNATIVE

The environmentally preferable alternative is the alternative that will promote the national environmental policy expressed in NEPA (Sec. 101 (b)). This includes alternatives that:

- fulfill the responsibilities of each generation as trustee of the environment for succeeding generations.
- ensure for all Americans safe, healthful, productive, and esthetically and culturally pleasing surroundings.
- attain the widest range of beneficial uses of the environment without degradation, risk of health or safety, or other undesirable and unintended consequences.
- preserve important historic, cultural, and natural aspects of our national heritage and maintain, wherever possible, an environment that supports diversity and variety of individual choice.
- achieve a balance between population and resource use that will permit high standards of living and a wide sharing of life's amenities.
- enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

Simply put, "this means the alternative that causes the least damage to the biological and physical environment; it also means the alternative which best protects, preserves, and enhances historic, cultural, and natural resources" (Q6a).

The studies and analysis performed for this project indicate that Alternative 1 (No Action Alternative) is the Environmentally Preferable Alternative as it has no effects on park cultural, natural or scenic resources. The action alternatives all have negligible to moderate adverse effects on resources.

However, the Environmentally Preferred Alternative fails to meet the objectives of the project; pedestrians and cyclists will continue to share space with traffic on Brandywine Road.

WHY THE SELECTED ALTERNATIVE WILL NOT HAVE A SIGNIFICANT EFFECT ON THE HUMAN ENVIRONMENT

As defined at 40 CFR §1508.27, from the regulations of the CEQ that implement the provisions of NEPA, significance is determined by examining the following criteria:

Impacts that may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial.

The Selected Alternative will include ground disturbance and the placement of fill material to construct the trail. The Selected Alternative will include mitigative efforts to blend the new trail into the cultural and historic setting of the area and thus will have no impacts to the cultural landscape. Similarly, there will be no impacts to the visual and scenic resources of the area.

The degree to which the action affects public health or safety

The Selected Alternative will have a long-term moderate beneficial impact to health and safety. The Selected Alternative will take the existing Bike and Hike Trail entirely off road and reduce conflicts between pedestrians/cyclists and automobiles.

Unique characteristics of the geographic area such as proximity to historic or cultural resources, parklands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas

There are a number of fields/features identified by the CVNP that are considered part of the cultural landscape. The Brandywine Mills/Wallace Farm NHP is a significant cultural landscape area as well as the noted archeological site. The fields around the Carriage Trade Farm are mowed and used for horse pasture which helps maintain the rural character of the area. In addition, there are a number of outbuildings and access roads that are also identified and add to the cultural richness of the site.

Mitigative techniques to blend the trail into the historic character of the area will eliminate most impacts. Impacts to the cultural landscape will be long-term minor and adverse.

There are no prime farmlands within the confines of the Selected Alternative. There are no wetlands within the confines of the Selected Alternative. There are no wild and scenic rivers or ecologically critical areas within the confines of the Selected Alternative. No impacts to these resources will occur with the construction of the Selected Alternative.

The study area is within the range of the Federally endangered Indiana bat. Potential roost trees were identified within the confines of the Selected Alternative. However, the construction of the Selected Alternative will not require extensive tree removal. If potential roost trees need to be removed for the construction of the Selected Alternative, avoidance and mitigative measures will be taken and may include mist-netting surveys and/or emergence surveys. Under these circumstances, the Selected Alternative is not likely to adversely affect this endangered species or critical habitat.

The degree to which the effects on the quality of the human environment are likely to be highly controversial.

Implementation of the project will not result in controversial effects on the human environment. Most comments received during the public comment period were positive and encouraged the park to move quickly to complete this project.

Degree to which the possible effects on the quality of the human environment are highly uncertain or involve unique or unknown risks.

There are no identified risks associated with the Selected Alternative that are unique or unknown, and there are no effects associated with the selected alternative that are highly uncertain that were identified during the analysis for the EA or during the public review of the EA.

The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

The Selected Alternative does not establish a precedent for any future actions that may have significant effects, nor does it represent decisions about future considerations. The purpose of this action is to improve public safety and recreational enjoyment of a popular hike and bike trail.

Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.

There are no known related actions that would lead to cumulatively significant impacts. The Selected Alternative, along with the known impacts from other actions in the past, will not cause a significant cumulative impact.

The degree to which the action may adversely affect items listed or eligible for listing in the National Register of Historic Places, or other significant scientific, cultural or historic resources.

There are a number of fields/features identified by the CVNP that are considered part of the cultural landscape. The Brandywine Mills/Wallace Farm NHP is a significant cultural landscape area as well as a noted archeological site. The fields around the Carriage Trade Farm are mowed and used for horse pasture which helps maintain the rural character of the area. In addition, there are a number of outbuildings and access roads that are also identified and add to the cultural richness of the site.

Mitigative techniques to blend the trail into the historic character of the area will eliminate most impacts. Impacts to the cultural landscape will be long-term minor and adverse. The Ohio Historic Preservation Office concurred with this assessment in a letter dated July 15, 2008.

The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.

Several known state listed species were identified from NPS and the Natural Heritage Database requests or located during site visits. Two federally listed species are known to occur in Summit County, including the endangered Indiana bat (*Myotis sodalis*), and federally threatened northern monkshood (*Aconitum noveboracense*). The recently delisted, but still federally protected bald eagle (*Haliaeetus leucocephalus*) also occurs in the park. Metro Parks initiated coordination with the United States Fish and Wildlife Service (USFWS) in 2005. The USFWS indicates (in letters dated November 23, 2005 and September 26, 2007) that the site is within a five-mile radius of several known Indiana bat sites (one at Liberty Park and the second within the CVNP). Data indicates that the Indiana bat is a year-round resident in these areas and extra care is required when planning projects that might impact forested habitats. The USFWS further indicates that bald eagle and northern monkshood are not likely to be impacted as part of this project due to the type, size, and location of the study area.

Because of the crepuscular habits and widespread distribution of the Indiana bat, summering habitat assessments are now widely used to verify possible existence and document impacts. This type of survey is typically done by identifying individual trees that may be suitable for roosting. Because identification of each suitable tree within the study area was time prohibitive, an assessment of approximate suitable tree densities was performed within several habitat types using randomly placed plots. Based on this information, approximations within each habitat were provided for the alternatives analysis.

No known listed species are within the confines of the Selected Alternative and no impacts to such species are anticipated as a result of the Selected Alternative. Summer habitat for the Indiana bat does exist within the confines of the Selected Alternative but

impacts to this habitat would be avoided during the planning and construction of the project. A USFWS comment received in PEPC on August 15, 2008 concurs with this assessment.

Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

This action violates no Federal, State, or local environmental protection laws.

MITIGATION

In order to minimize the environmental impacts associated with the selected alternative, the following measures will be taken:

- An erosion and sediment control plan will be prepared to meet Ohio and NPS standards and guidelines. All Best Management Practices to limit erosion and sedimentation will be incorporated to the extent possible.
- In order to reduce the impact of impervious surface to the area, options to make the parking area less impervious will be evaluated during the design process and implemented if feasible.
- If any archeological resources are discovered during the construction of the project, all work will stop, and the appropriate agency personnel would be notified.
- In the unlikely event that human remains or cultural items subject to the Native American Graves Protection and Repatriation Act (NAGPRA) are discovered, all work would stop, and the appropriate provisions of NAGPRA would be followed.
- Efforts will be made to gently blend the new trail into the cultural and historic nature of the area.

PUBLIC INVOLVEMENT

An interdisciplinary team was formed for the project and an Environmental Screening Form was prepared on September 13, 2005. Internal scoping was conducted February 2006 and a public meeting was held in August of 2006. Early coordination with the United States Fish and Wildlife Service was conducted in November of 2005 and with the Ohio Historic Preservation Office in February of 2007. Information about the project was published to the NPS Planning, Environment and Public Comment (PEPC) system on August 8, 2007 and comments were accepted through September 22, 2007. Press releases and mailings encouraged the public to comment on the project. A total of 33 comments were received and incorporated into the document. Scoping included federal, state, and local agencies and organizations having direct and indirect jurisdiction, insight, knowledge, expertise or concern for CVNP resources. Copies of comments received from federal, state, and local agencies/governments/ organizations are included in EA Appendix D.

The EA was made available for public review and comment from August 1, 2008 through August 28, 2008. A notice of availability was published in the Akron Beacon Journal. Copies of the EA were made available online in PEPC and at the Headquarters of the Cuyahoga Valley National Park and Metro Parks, Serving Summit County. Approximately 37 comments were received. No substantive comments requiring modification of the document were identified.

IMPAIRMENT STATEMENT

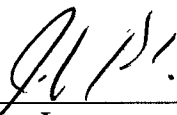
In addition to reviewing the list of significance criteria, the NPS has determined that implementation of the proposal will not constitute an impairment to the critical resources and values of the Park. This conclusion is based on a thorough analysis of the environmental impacts described in the EA, public comments, relevant scientific studies, and the professional judgment of the decision-maker guided by the direction in NPS Management Policies 2006. The plan under the selected alternative will not result in any adverse impacts to Park resources. Overall, the plan results in benefits to Park resources and values, opportunities for their enjoyment, and it does not result in their impairment.

CONCLUSIONS

The Selected Alternative does not constitute an action that normally requires preparation of an Environmental Impact Statement (EIS). The selected alternative will not have a significant effect on the human environment. Negative environmental impacts that could occur are negligible or minor in intensity. There are no significant impacts on public health, public safety, threatened or endangered species, sites or districts listed in or eligible for listing in the National Register of Historic Places, or other unique characteristics of the region. No highly uncertain or controversial impacts, unique or unknown risks, significant cumulative effects, or elements of precedence were identified. Implementation of the action will not violate any Federal, State, or local environmental protection law.


Based on the foregoing, it has been determined that an EIS is not required for this project and thus will not be prepared.

Recommended: _____


John P. Debo, Jr.
Superintendent, Cuyahoga Valley National Park
National Park Service

9-16-08
Date

Approved: _____


Ernest Quintana
Regional Director, Midwest Region
National Park Service

9/25/08
Date