

**U.S. MARITIME ADMINISTRATION
RECORD OF CATEGORICAL EXCLUSION**

SUBJECT:

Port of Cleveland's Dock 24 and 26 Master Modernization and Rehabilitation Project

REFERENCE:

- (a) Department of Transportation Order DOT 5610.1C; September 18, 1979
- (b) Maritime Administrative Order (MAO) 600-1; July 23, 1985
- (c) Port Infrastructure Development Program (PIDP) Notice of Funding Opportunity, Consolidated Appropriations Act, 2019, 84 FR 28386; June 18, 2019

Action:

The National Defense Authorization Act for Fiscal Year 2020 (NDAA) (Pub. L. No. 116-92, December 20, 2019) and the Further Consolidated Appropriations Act, 2020 (the Act) (Pub. L. No. 116-94, December 20, 2019) authorized and appropriated \$225 million for the Port Infrastructure Development Program (PIDP) to make grants to improve facilities within, connecting to, out of, or around coastal seaports, inland river ports and Great Lakes ports. The Act directs that at least \$200 million of the appropriated funds be for grants to coastal seaports or Great Lakes ports. Funds for the PIDP are to be awarded as discretionary grants on a competitive basis for projects that will improve the safety, efficiency or reliability of the movement of goods into, out of, around or within a port.

The Cleveland-Cuyahoga County Port Authority was awarded funds under the PIDP grant program and these funds will be used to:

- 1) Reconstruct Dock 26W bulkhead with elevation raise and new standardized fender system and bollards. Approximately 682 linear feet of the Dock 26 western bulkhead, 205 linear feet of the Dock 26 northern bulkhead, and 223 linear feet of the bulkhead between Dock 26 and Dock 24 will be rehabilitated. The rehabilitation includes the placement of a new steel sheetpile wall approximately 3'-6" waterward of the existing wall and backfilling the void between the two with low slump concrete while utilizing the existing foundation infrastructure for ease of construction. Each sheet will be 70' long with a top-of-cap elevation of approximately 580.50' (the existing wall top elevation is 577'). This increase in height over the existing wall has been designed to combat lake level rise and provide resiliency to the Port for the future. The new cap and regrading will incorporate a new stormwater collection system that will divert stormwater to detention vaults and a treatment device prior to releasing back into the lake. A new fender system will be designed and installed common to other areas of the Terminal to create a standard fendering detail.

- 2) Reconstruct Dock 24 pile cap and bollards, raise elevation, rehabilitate Dock 24 rail spur, and install new standardized fender system. Similarly to Dock 26, this task will raise cap elevations to approximately 580.50' to combat lake level rise and rehabilitate and upgrade fendering systems and bollards. The new cap and regrading will incorporate a new stormwater collection system that will divert stormwater to detention vaults and a treatment device before releasing back into the lake. The existing split rail spur along Dock 24W will be demolished and replaced with a new single rail at the new elevation. No in-water work will be performed.
- 3) Consolidate drainage on Dock 24 and Dock 26 and install stormwater treatment system. Docks 24 and 26 will be regraded to eliminate sheetflow of stormwater into the lake. A new stormwater collection system a distance behind the wall will divert water to underground detention vaults south of Warehouses 24 and 26 and then to a water treatment device before being released into the lake. The consolidation of the drainage for Docks 24 and 26 will reduce the number of outfalls and associated maintenance requirements. The final outfall will be at an existing outfall location.
- 4) Install fiber optic backbone down Erieside Avenue and deploy wireless network. Wired fiber optic connections will be installed down Erieside Avenue and connect to Warehouses A, 24, and 26 and the cement silos.
- 5) Regrade and repave Dock 24 and 26W from Erieside Avenue north with structural pavement. The pavement areas around Docks 24 and 26 will be removed and replaced with a marine grade pavement section using Ohio Department of Transportation (ODOT) pavement standards and appropriately designed to withstand the heavy loading of equipment at the Port. Regrading will eliminate the sheetflow of stormwater into the lake and tie into cap elevations.

This project qualifies for a Categorical Exclusion (CE) under Agency National Environmental Policy Act (NEPA) policy guidance.

Analysis:

The following environmental documentation has been prepared:

US Army Corp of Engineers (USACE) issued a Nationwide Permit (LRB 2007-00146) for the Dock 26W in-water work on March 24, 2020. The scope of the permit includes: the discharge of fill within Lake Erie in association with the rehabilitation of 1,110 linear feet of existing bulkhead. New bulkhead will be installed 3.5' in front of the existing bulkhead. The project will fill 0.09 acre of lake bottom and will include the discharge of 3,850 cubic yards of fill below the ordinary high water elevation. The NEPA review is done as part of the issuance of the Nationwide Permits at the national level. A project specific review was done that included Endangered Species Act and Section 106

coordination. On March 22, 2020, USACE completed a Department of the Army Memorandum Documenting General Permit Verification verifying the findings of no significant impact for the project.

The Ohio Department of Natural Resources (ODNR) issued a Temporary Shore Structure Permit for the project on August 27, 2020. This included a letter of federal consistency review and certification, as well as an in-water work restriction waiver by the ODNR Office of Coastal Management. On August 1, 2019, the ODOT issued a Categorical Exclusion for road improvements within the port.

It is the Agency's experience that this type of action has no significant effect on the human and natural environment, individually or cumulatively, under normal conditions, and is categorically excluded from further documentation requirements under the National Environmental Policy Act (NEPA) by Maritime Administrative Order 600-1 Categorical Exclusions.

The MAO Categorical Exclusions that apply are the following:

MAO Categorical Exclusion # 4: Reconstruction, modification, modernization, replacement, repair, and maintenance (including emergency replacement, repair, or maintenance) of equipment, facilities, or structures which do not change substantially the existing character of the equipment/facility/structure.

MAO Categorical Exclusion # 7: Project or program actions for which applicable environmental documentation has been prepared previously and environmental circumstances have not subsequently changed.

Conclusion:

Based upon the analysis completed, the proposed action fits squarely within the scope of MAO 600-1 (Categorical Exclusions No. 4 and No. 7) and is not expected to involve any extraordinary circumstances that would result in significant environmental effects.

Environmental Reviewer:

Erin Kendle

9/21/2020

Erin Kendle
Environmental Protection Specialist
Office of Environment

Date

Approval:

Michael C. Carter

9/22/2020

Michael C. Carter
Acting Associate Administrator for
Environment and Compliance

Date