



OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 02
317 E. POE RD. • BOWLING GREEN, OH 43402 • 419-353-8131

Supplemental Re-Evaluation for **SEN US 224 11.98 Safety Grp A PID 110482** **Environmental Document Level: C2**

Approved: 2/9/2021

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The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by ODOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated December 14, 2020, and executed by FHWA and ODOT.

Table of Contents

Re-evaluation Level.....	3
C2.....	4
Environmental Commitments.....	8
Preparers and Approvals.....	10
Appendix.....	12



Supplemental Re-evaluation Level C2
PID 110482 SEN US 224 11.98 Safety Grp A
Approved: 2/9/2021

Re-evaluation Level

Explain why a re-evaluation is needed?

A commitment needed reworded so it did not inadvertently contradict with the special provisions



Supplemental Re-evaluation Level C2
PID 110482 SEN US 224 11.98 Safety Grp A
Approved: 2/9/2021

C2

PID: 110482
Project Sponsor: DISTRICT 2 ENGINEERING
ODOT District: 2
Funding Source: Federal
Private Funding: No
Project Description:

The Ohio Department of Transportation (ODOT) proposes to improve the US 224 and SR 53 intersection in Hopewell Township, Seneca County. Improvements include the construction of right and left turn lanes from eastbound and westbound US 224 to northbound and southbound SR 53; existing lanes will be restriped to create positive offset for left turn lanes and upgrade existing signal with mast arms.

Minor temporary and permanent right-of-way will be required along the north east quadrant of the intersection. Some impacts to utilities are anticipated.

During construction, a minimum of one lane of traffic in each direction will be maintained.

One stream will have 400 linear feet of impacts due to the relocation to accommodate the right turn lane from westbound US 244 to northbound SR 53. No impacts to the State Scenic Sandusky River are anticipated. Due to the project being within 1000 feet of the state scenic river, Tier V coordination was required with ODNR. Plan notes have been added to protect the river. No wetlands impacts are anticipated. Stream mitigation will be required using St. Johns Dam Pooled Mitigation Site Wetland.

Approximately 0.09 acres of suitable wooded habitat within 100' EOP for the Federally-listed Indiana bat (*Myotis sodalists*) and Northern long-eared bat (*Myotis septentrionalis*) will be impacted by this project. This impact May Affect Not Likely to Adversely Affect these species. A plan note will be included in the project plans to limit tree clearing to between October 1 & March 31.

The project is located within the Ground Water Protection Area and Inland Surface Water Corridor Management Protection Area of the Aqua-Tiffin Water System. A coordination letter was sent to Aqua-Tiffin on April 13, 2020. A response of no comments on the proposed project was received on May 20, 2020.

No other environmental, hazardous materials, cultural resources, or underserved population impacts will result from this project. The Sandusky River is considered a 4(f) resource, however since there will be no impacts to the Sandusky river, no further 4(f) documentation/coordination is required.

Letters were sent to adjacent property owners on October 7, 2019 to provide project information and an opportunity to comment on the project. No comments were received.

The environmental document and associated studies are being approved using Stage 2 Design. A copy of the plans is included in the project file.

Construction is expected to begin spring 2022 and last approximately 4 months.

STIP Reference #: 110482: 21-24 STIP

Select the appropriate project type:

(26) Modernization of a highway by resurfacing, restoration, rehabilitation, reconstruction, adding shoulders,



Supplemental Re-evaluation Level C2
PID 110482 SEN US 224 11.98 Safety Grp A

Approved: 2/9/2021

or adding auxiliary lanes (including parking, weaving, turning, and climbing lanes), if the action meets the constraints in paragraph (e) of this section. **Examples include:** *Joint or limited use of right-of-way where the proposed use would have minimal or no adverse social (including highway safety), economic or environmental impacts; Installation of new noise walls and other new noise mitigation projects; Construction of highway safety and truck escape ramps; Construction of bicycle lanes and pedestrian walkways, sidewalks, shared-use paths, or facilities and trailhead parking that do not otherwise qualify for a C1 designation; Beautification or facility improvement projects (i.e. landscaping, curb and gutter installation and replacement, ADA ramps/curb ramps, installation of park benches, decorative lighting, etc.); Construction of alternative energy facilities (fuel tank farms, wind turbines, etc.)*

In accordance with 23 CFR 771.117(e), the proposed project cannot be processed as a C2 CE, if it involves -
a. Acquisition of more than a minor amount of right-of-way
b. Residential or non-residential displacements
c. A Coast Guard, Individual Section 404 and/or a Section 10 permit
d. A Section 106 finding of Adverse Effect
e. A Section 4(f) Programmatic or Individual Evaluation
f. A finding of May Affect, Likely to Adversely Affect to Threatened and Endangered Species
g. Construction of temporary access, or the closure of existing road, bridge, or ramps, that would result in major traffic disruptions
h. Changes in access control
i. Floodplain encroachment other than functionally dependent uses (e.g., bridges, wetlands) or actions that facilitate open space use (e.g., recreational trails, bicycle and pedestrian paths)
j. Construction activities in, across or adjacent to a river component designated or proposed for inclusion in the National System of Wild and Scenic Rivers
k. No minor public or agency controversy on environmental grounds (no opposition from any organized groups or agencies and no unresolved environmental coordination)
l. If an EJ Analysis Report is required, the project must be processed as a D-level CE or higher level document
For certification purposes, documentation is required to illustrate no significant impacts will occur to the following environmental resources and that no unusual circumstances exist that would warrant a higher level of NEPA document. Upload all supporting documentation to the project file.

Waterways:	Present; No Coast Guard, Individual 404, and/or Section 10 Permit required
Waterways Permit Type:	Regional General Permit
Waterways Permit Approval Date	03/25/2020
Isolated Wetland Permit	No
Will any wetlands be impacted?	No
Endangered Species:	Present; No finding of May Affect, Likely to Adversely Affect
Endangered Species - Coordination	May Affect, Not Likely to Adversely Affect
Endangered Species - Coordination Date	03/20/2020
Endangered Species - Critical Habitat Present/Impacted	
Northern long-eared bat	
Indiana bat	
Endangered Species - Other Critical Habitat Present/Impacted:	No
100-Year Floodplain:	Encroachment Within the SFHA is a Functionally Dependent Use



Supplemental Re-evaluation Level C2
PID 110482 SEN US 224 11.98 Safety Grp A
Approved: 2/9/2021

EO 11988/NFIP Coordination and Documentation Completed:	Yes
NFIP Local Floodplain Coordinator Notification Date:	09/21/2020
Section 4(f):	Not present
Section 6(f):	Not present
Cultural Resources:	Present; No Finding of Adverse Effect
Cultural Resources Coordination:	Minimum Potential to Cause Effect Appendix B
Cultural Resources Coordination - ODOT Approval/SHPO Concurrence Date	02/19/2020
Tribal Consultation Summary/Remarks:	
The Miami Tribe of Oklahoma offers no objection to the project as it is not currently aware of existing documentation directly linking a specific Miami cultural or historic site to the project site. However, as this site is within the aboriginal homelands of the Miami Tribe, if any human remains or Native American cultural items falling under the Native American Graves Protection and Repatriation Act (NAGPRA) or archaeological evidence is discovered during any phase of this project, the Miami Tribe requests immediate consultation with the entity of jurisdiction for the location of discovery. See the Miami Tribe of Oklahoma correspondence, dated March 16, 2020, with its comments on the project in the Project File/Cultural Resources/Coordination subsection.	
Projects that meet C2 criteria are not anticipated to have impacts to the following environmental resources. If resources are present, documentation is only required if there is a potential for impacts.	
Air Quality:	Studies Not Required
Air Quality - Coordination with OES:	No
Noise:	Studies Not Required
Noise Coordination - OES Approval Date:	10/05/2020
Hazardous Materials - ESA Screening Conducted	Yes
Hazardous Materials - OES Approval Date:	06/23/2020
Phase I ESA Warranted Based on Coordination with OES:	No Further Studies Warranted
Farmland:	Urbanized Area; No Impacts in Accordance With the Farmland MOU and 7 CFR 658
Scenic Rivers	No National Wild and Scenic River Within 1000 Feet of the Proposed Project Area

Projects that meet C2 criteria must be in accordance with ODOT's UP Guidance and activities conducted for Public Involvement are commensurate to the project's type and scope of work.



Supplemental Re-evaluation Level C2
PID 110482 SEN US 224 11.98 Safety Grp A

Approved: 2/9/2021

Underserved Populations

Does Not Exceed UP Guidance
Criteria; No UP Analysis Report
Required and No UP Issues Raised
During Public Involvement

Public Involvement:

Minimum PI Requirements Met; No
Minor Public or Agency Controversy
on Environmental Grounds

Environmental Commitments

Yes



Environmental Commitments

C2

- 1) Develop and implement a SWPPP, per SS 832, before earthwork commences. Properly install and maintain sediment and erosion controls throughout the duration of the project. Straw bales are not permitted as a form of sediment control. Ensure timely adherence to the general construction permit for all sediment and erosion controls, including seeding and mulching. Ensure BMPs are installed to prevent drainage ways, unprotected slopes, ditches, and streams from conveying sediment laden waters directly to the Sandusky River
- 2) Dispose of all construction debris, earthen debris, excess asphalt or concrete, wood debris from clearing, excess fill material, and trash at an approved upland site or land fill above FEMA 100-year flood elevations and not within 1000 feet of the Sandusky river.
- 3) ODOT will obtain all appropriate waterway permits prior to any work within the jurisdictional boundary of any waterway, including wetlands, and all waterway permit special provisions will be noted under Special Provisions in the plans and adhered to during construction.
- 4) The Northwest Ohio Regional Scenic Rivers Manager, Christina Kuchle, must be invited to a pre-construction meeting with the contractor present and be notified of the project start date one week prior to the commencement of work. Ms. Kuchle can be contacted at (419) 348-5073 or christina.kuchle@dnr.ohio.gov. Periodic inspections of the project should take place to ensure scenic river requirements are being met. Ms. Kuchle must also be contacted one week prior to completion of the project to conduct a final site inspection. The final site inspection should be scheduled while the contractor is present to ensure that final site stabilization has been achieved.
- 5) ODOT will coordinate the final plan set including notes and Special Provisions that address the applicable Scenic River comments for ODNR Scenic Rivers' Approval in accordance with ORC Section 1547.82. The final project plan set will be made available to all construction personnel throughout the duration of the project.
- 6) Do not discharge wastewater of any kind into the Sandusky river or any of its tributary streams, drainage ways, or ditches. If dewatering is necessary to facilitate in-stream work or pier construction, pump all wastewater onto a vegetated upland area a sufficient distance from the river to allow for complete infiltration. If discharge to a vegetated area is not feasible, then discharge wastewater into a sediment filter bag or into a temporary detention/retention pond or appropriate sediment control with a sufficient retention period that permits the settling of all suspended solids. Pump all water to an area within the project limits or an area cleared by the contractor
- 7) Ensure impacts to the federally listed and protected Indiana bat and northern long-eared bat are avoided and minimized. Do not remove trees from April 1 through September 30. Perform all necessary tree removal from October 1 through March 31. Demarcate clearing limits in the field to avoid any unauthorized tree clearing. For the purposes of this note, a tree is defined as a live, dying, or dead woody plant, with a trunk three inches or greater in diameter at a height of 4.5 feet above the ground surface, and with a minimum height of 13 feet.



Supplemental Re-evaluation Level C2
PID 110482 SEN US 224 11.98 Safety Grp A

Approved: 2/9/2021

8) Keep all idle equipment and any storage for/of, fuels, lubricants, potentially toxic or hazardous materials out of the FEMA designated special flood hazard area and not within 1000 feet of the Sandusky river. The only exceptions will be for large stationary cranes, drill rigs, and other large construction equipment with limited mobility. Idle equipment is defined as construction equipment that will not be in use for the following two calendar days. The contractor will receive an email alert notification from SWPPP track when precipitation is recorded above 0.5 inches of rain in the 24-hour period. The contractor shall monitor any USGS river gauge stations near the project site to monitor gauge height and discharge of the Sandusky river. The contractor shall monitor forecasted weather precipitation using available online weather services. Notify the engineer of weather or river conditions that may impact the work site and provide a plan for immediate movement of all equipment above the FEMA designated special flood hazard area elevation.

Do not discharge toxic or hazardous materials such as sealants, paint, solvents, cleaning agents, earthen materials, waste-water, fuels or debris of any kind to a scenic river, its tributaries, or drainage ways. If refueling of immobile equipment is necessary within the floodplain or near any tributary drainage ways, ditches, or stream, provide secondary containment with enough capacity to completely contain and collect all potential liquid wastes in the event of a spill.

9) This project is located within a public drinking water area of protection. If refueling of immobile equipment and/or maintenance activities associated with any viscous material is necessary, provide secondary containment with enough capacity to completely contain and collect all potential liquid wastes in the event of a spill. All equipment or liquid containers shall be regularly checked for leaks prior to entering the restricted areas. Identify all areas of fuel storage, equipment maintenance and spill kits on the Stormwater Pollution Prevention Plan. All areas utilized by the Contractor not in the project limits shall be assessed for potential groundwater contamination and be indicated on the Stormwater Pollution Prevention Plan or Spill Prevention Control and Countermeasures Plan. The Contractor shall immediately take steps to mitigate any event, such as a spill of fuels, oils, or chemicals. Report spills equal to or exceeding the reportable quantities prescribed in OAC chapter 3750-25, in accordance with ORC 3750.06, to the local fire department (911), the local emergency coordinator (419) 447-0266 (ext. 10) (day) or (419) 447-3456 (24-hr), and the Ohio Spill Line (1-800-282-9378).

10) Leave all streambank vegetation undisturbed to the maximum extent possible. Areas where vegetation is removed be re-vegetated with native tree species. Any disturbed streambanks should be returned to previously existing contours and elevations. A native tree species list can be provided by Christina Kuchle, Northwest Regional Scenic Rivers Manager (419-348-5073 or christina.kuchle@dnr.state.oh.us). Trees should be 3 to 5-gallon containerized nursery stock. After a full growing season for the trees, any stakes and guide wires should be removed and properly disposed of. Any trees that die during the first growing season should be replaced. Care should be taken not to girdle or scuff tree trucks or damage any standing trees.

11) Dumped rock fill, MISC: Type D in the relocated stream bottom. The material will conform to specification 703.19 b. (85% larger than 3" but less than 12", 50% larger than 6") except no filter will be used, and no Recycled Portland Cement Concrete (RPCC) can be used. The rock and gravel shall be types consistent with natural material in the project area. Limestone may be used but shall not constitute more than 25% of the total by volume.



Supplemental Re-evaluation Level C2
PID 110482 SEN US 224 11.98 Safety Grp A
Approved: 2/9/2021

Preparers and Approvals

Form Preparer:

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Supporting Form Preparer(s):

Catherine James

Approvals & Electronic Signatures

Approved & Electronically Signed By:	Approval Date:
Phoenix Neal (ENV SPEC 2)	2/9/2021



Appendix

General

Aerial Map.pdf

County Map.pdf

STIP Listing.pdf

USGS Quadrangle Topographical Map.pdf

Purpose and Need

OES Acceptance - Purpose and Need.pdf

ESA

OES Recommendations - Screening.pdf

Regulated Materials Review Form.pdf

Cultural Resources

Minimal Potential to Cause Effect - Appendix B

Records Check.pdf

Ecological

Coordination with ODNR -In-waterWorkRestrictionWaiverRequest.pdf

Coordination with ODNR.pdf

ODNR Comments

ODNR Comments - In-Stream Work Waiver 11-05-2020.pdf

ODNR Comments - Scenic Rivers.pdf

ODNR Comments 2 - Scenic Rivers.pdf

ODNR Comments.pdf

ODNR Scenic River MOA Conditions

ODOT Disposition of Agency Comments.pdf

USFWS/ODNR Ecological MOA Conditions

Other Resources

Community Water System Coordination.pdf

Community Water System Response.pdf

Urban Area Map.pdf

Section 6(f)



Supplemental Re-evaluation Level C2
PID 110482 SEN US 224 11.98 Safety Grp A

Approved: 2/9/2021

LWCF Grant Listing.pdf

Underserved Populations

Census Mapping.pdf

Underserved Populations Documentation Form.pdf

Public Involvement

Property Owner Notification Letter.pdf

Public Notification Mailing List.pdf

Permits

Correspondence with Local Floodplain Administrator.pdf

FEMA FIRM.pdf

Floodplain Impacts.pdf

Statement of Findings Web Posting.pdf

Statement of Findings.pdf