



OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 12
5500 TRANSPORTATION BLVD. • GARFIELD HGTS., OH 44125 • 216-581-2100

Supplemental Re-Evaluation for **GEA/LAK CU FY2023 PID 108471** Environmental Document Level: C2

Approved: 8/28/2023

Prepared By: District 12

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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.

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Re-evaluation Level

Explain why a re-evaluation is needed?

At location GEA-86-0.38 the property owner does not want a guardrail on his property. Based on the design speed and ADT, the headwall will need to be extended beyond the clear zone, which is 30 feet from the edge of travel lane. This would extend the culvert an additional 13 lf, there is also discussion of increasing the RCP. In total creating 16' +/- additional permanent impacts to Stream 1. Additional temporary and permanent ROW is needed as well. The designer is aiming at a 6/2 submission date for the tracing plans.

At location GEA-87-0.414, permanent stream impacts are associated with the additional length of replacement culvert and rock channel protection based on ROW authorization to help with mitigation. Stream and Wetland impacts were altered.



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Project Information

PID: 108471
Project Sponsor: ODOT SPONSORING AGENCY
ODOT District: 12
Funding Source: Federal
Project Description:

Re-evaluation for the GEA-86-0.376 location. Removal of the guardrail which results in the extension of the outlet of the project pipe to the outside the clear zone, change in construction limits. Temporary and SH (permanent) takes are increased: New: permanent - 0.35 acres, temporary - 0.49 acres. Old: Permanent - 0.34 acres, temporary - 0.48 acres. Stream and Ditch impacts were altered. Stream 1 total impacts changed from 85 ft. (17 permanent, 68 temporary) to 96 ft. (35 permanent, 61 temporary). Ditch 1 total impacts changed from 0.005 ac. (0.005 temporary) to 0.004 ac. (0.004 temporary).

Ecological Coordination: ESR updated, approved 6/1/2023. Approval under Project File/Ecological/Coordination/ESR OES Approval GEA-86-0.376 Re-evaluation.

Cultural Resources: Section 106 Scoping Request Form updated, approved 6/13/2023.

ESA: Re-evaluation not required.

The C2 re-evaluation approval is based on Stage 3 Re-evaluation Plans. Plans are included in Project File.

Re-evaluation for the GEA-87-0.414 location. Permanent stream impacts are associated with the additional length of replacement culvert (i.e., 1 LF) plus the 28 LF of rock channel protection, based on ROW authorization to help with mitigation. Stream and Wetland impacts were altered. Stream 1 total impacts changed from 114 ft. (15 permanent, 99 temporary) to 114 ft. (29 permanent, 85 temporary). Wetland A total impacts changed from 0.002 ac. (0.002 permanent) to 0.02 ac. (0.02 permanent).

Ecological Coordination: ESR updated, approved 8/18/2023. Approval under Project File/Ecological/Coordination/ESR OES Approval GEA-87-0.414 Re-evaluation.

Cultural Resources: Re-evaluation not required.

ESA: Re-evaluation not required.

The C2 re-evaluation approval is based on Stage 3 Re-evaluation Plans. Plans are included in Project File.

Wetland/Stream Impacts: GEA-86-0.376 - Stream 1 - 96ft (61 temporary, 35 permanent) and Ditch 1 - 0.004 (temporary); GEA-87-0.414, Stream 2 - 114ft (99 temporary, 15 permanent), Wetland B - Total 0.01 (0.01 permanent), and Ditch 2 - 0.002 (permanent); GEA-422-14.294, Stream 3 - 87ft (72 temporary, 15 permanent) and Wetland C - 0.092 (0.072 temporary, 0.020 permanent); GEA-422-14.997, Nothing; GEA-700-1.719, Stream 5 - 92ft (70 temporary, 22 permanent); GEA-700-7.607, Stream 6 - 123ft (112 temporary, 11 permanent), Stream 7 - 147ft (35 temporary, 112 permanent), and Wetland D - 0.15 (0.103 temporary, 0.160 permanent); LAK-84-27.097, Stream 8 - 157ft (113 temporary, 44 permanent) and Stream 10 - 24ft (24 temporary); LAK-608-3.098, Ditch 3 - 0.004 (0.003 temporary, 0.001 permanent); In Total: Streams - 840 feet (586 temporary, 254 permanent), Wetland - 0.355 acres (0.175 temporary, 0.18 permanent), and Ditch - 0.01 (0.007 temporary, 0.003 permanent).

Approximately 0.63 acres of suitable wooded habitat (SWH) for the federally protected Indiana bat and northern long-eared bat, and state protected tricolored bat and little brown bat will be impacted. SWH impacts are all within 100' EOP. The project is located within two USFWS bat buffer zones, Indiana Bat Swarming Location (Red) and Indiana Bat Maternity Colony (Gold). The project will not affect these species, cutting restriction dates will occur. All trees will be removed prior construction between November 15-March 15 to avoid impacts to summer roosting and spring/fall swarming. There is no suitable habitat for any other federally or state



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listed species within the project area. The city has made the determination to proceed with the project as currently designed. Permit Determination Request (PDR) is pending. Coordination with USFWS was completed 01/25/2022. All practicable measures have been considered and incorporated into the project design to minimize the Stream, Wetland, and Ditch impacts.

The project is not located in a regulated floodplain, therefore no coordination is required.

Section 106 Informal 15 Day Review. A Cultural Resources Records Check was conducted and filed in EnviroNet on May 6, 2022. No National Register properties are located within the APE of the culvert replacements in addition to the NRHP-qualified stone culvert (CFN: 1827358). The other seven culverts in the project are steel or concrete conduits not subject to further evaluation under Section 106. Based on the scope of work the rehabilitation of the historic culvert at LAK-84-27.10 CSN 1827358 will not have an adverse effect to the structure. The work will preserve the historic integrity of the stone culvert by retaining its location, design, feeling, setting, materials, workmanship and association with the early roadway. Our investigations determined that the replacement of the seven culverts will not affect any resources eligible for the national register and the rehabilitation of the LAK-84-27.10 CSN 1827358 stone culvert will not adversely affect its historic integrity. The APE is characterized by previous roadway and stream bank disturbances. The presence of intact archaeological deposits is unlikely. A copy of the detailed plans for the stone culvert work will be coordinated with SHPO and interested parties once they become available. No further cultural resource investigations are recommended.

Section 4(f) Present; No Programmatic Evaluation or Individual Evaluation Required.

Section 4(f) - OES Recreational 4(f) Determination was 1/28/22 for the GEA-700-7.607 location. A Section 4(f)/6(f) Determination Request Form (DRF) for Recreational Properties was submitted to ODOT-OES Policy on January 7, 2022 and revised on January 19, 2022. Based upon review of the DRF, the ODOT-OES Policy Staff has determined a de minimis impact will occur to the LaDue Public Hunting Area in accordance with 23 CFR 774. The determination was made based on the proposed scope of work and concurrence received from the Official with Jurisdiction in regard to the assessment of impacts that are included in the DRF. No further Section 4(f) coordination is required at this time. A re-evaluation of Section 4(f) impacts may be required if changes to the proposed scope of work alter the degree of impacts to the LaDue Public Hunting Area. Furthermore, all appropriate environmental commitments related to measures to minimize harm and/or resulting mitigation should be listed accordingly in the environmental document.

Section 4(f) - OES Recreational 4(f) Determination was 9/21/22 for the GEA-87-0.414 location. A Section 4(f)/6(f) Determination Request Form (DRF) for Recreational Properties was submitted to ODOT-OES Policy on August 16, 2022. Based upon review of the DRF, the ODOT-OES Policy Staff has determined a temporary no use (774.13(d) impact will occur to the Russell Township Park District in accordance with 23 CFR 774. The determination was made based on the proposed scope of work and concurrence received from the Official with Jurisdiction in regard to the assessment of impacts that are included in the DRF. No further Section 4(f) coordination is required at this time. A re-evaluation of Section 4(f) impacts may be required if changes to the proposed scope of work alter the degree of impacts to the LaDue Public Hunting Area. Furthermore, all appropriate environmental commitments related to measures to minimize harm and/or resulting mitigation should be listed accordingly in the environmental document. No other environmental, hazardous materials, 6(f), or underserved population impacts will result from this project.

A press release from ODOT was published on December 20, 2021, provided project information, construction details, and invited the public to reach out with any comments and questions about the project. Two questions or comments were received and were both addressed. 1.) From Jeff Markley: Please keep the township trustees updated as plans proceed; not sure of the locations of these culvert projects. ODOT Response: Jeff Markley, thank you for your interest in the project. There are no culverts being replaced in Bainbridge Township. We will email you the plan sheets showing the project locations. 2.) From Jackson Hurst: I approve and support ODOT's Culvert replacements in Geauga and Lake counties Project. The aspect that I love about ODOT's Culvert replacements in Geauga and Lake counties Project is that culverts will be repaired which will improve safety. ODOT Response: Jackson Hurst, thank you for your interest and response towards the project. No other comments or questions were received.

The project has been designed by Environmental Design Group. The Ohio Department of Transportation has determined to proceed with the current design of the project.

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

The next phase of the proposed project is listed on the STIP:

Yes

Ellis STIP Details

Phase	Current STIP Reference
ENV	On Previous STIP
RW	On Previous STIP
CO	108471: 24-27 STIP



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Phase	Current STIP Reference
DD	On Previous STIP

The current cost estimate is in line with existing federal procedures for Ohio STIP Amendments and Administration Modifications: Yes

Select the appropriate project type:

(27) Highway safety or traffic operations improvement projects, including the installation of ramp metering control devices and lighting, if the project meets the constraints in paragraph (e) of this section. *Examples include: Lane reduction ("road diet") changes provided traffic analysis is completed; Railroad projects that close at-grade crossings to improve safety or traffic operations.*

In accordance with 23 CFR 771.117(e), the proposed project cannot be processed as a C2 CE, if it involves -

1. **a.** Acquisition of more than a minor amount of ROW (exceeds strip takes)
2. **b.** Residential or non-residential displacements
3. **c.** A U.S. Coast Guard permit or an Individual Section 404 permit under the Clean Water Act
4. **d.** A Section 106 finding of *Adverse Effect*
5. **e.** Section 4(f) impacts greater than de minimis
6. **f.** A finding of *May Affect, Likely to Adversely Affect* to Threatened and Endangered Species
7. **g.** Construction of temporary access, or the closure of existing road, bridge, or ramps, that would result in major traffic disruptions
8. **h.** Changes in access control
9. **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)
10. **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
11. **k.** No minor public or agency controversy on environmental grounds (no opposition from any organized groups or agencies and no unresolved environmental coordination)
12. **l.** A full Environmental Justice Analysis Report (EJAR) is required (the project must be processed as a D-level CE or higher-level document). If a memo-to-file/letter/IOC-format EJAR Short Report is determined to be the appropriate level of documentation, contact OES regarding NEPA document level.

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.

Ecological

Waterways:

Present; No Coast Guard, Individual 404, and/or Section 10 Permit required

Waterways Permit Type:

Permit Determination and/or Permit Application Approval Pending



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Isolated Wetland Permit	No
Will any wetlands be impacted?	Yes
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	01/24/2022
Endangered Species - Critical Habitat Present/Impacted	
Indiana bat	
Northern long-eared bat	
Endangered Species - Other Critical Habitat Present/Impacted:	No
Scenic Rivers	No National Wild and Scenic River Within 1000 Feet of the Proposed Project Area
Scenic Rivers Remarks	
No scenic river.	
Floodplains	
100-Year Floodplain:	No Encroachment Within a Special Flood Hazard Area (SFHA)
Floodplain Remarks	
The project is not located in a regulated floodplain, therefore no coordination is required.	
Section 4(f)	
Section 4(f):	Present; No Programmatic Evaluation or Individual Evaluation Required
Section 4(f) Determination:	
Temporary No Use Exception - 774.13(d)	
<i>de minimis</i> - Recreational	
Section 4(f) Determination Date - 774.13(d)	09/21/2022
Section 4(f) Determination Date - de minimis - Recreational	01/19/2022
Section 4(f) Remarks	



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Section 4(f) Present; No Programmatic Evaluation or Individual Evaluation Required.

Section 4(f) - OES Recreational 4(f) Determination was 1/28/22 for the GEA-700-7.607 location. A Section 4(f)/6(f) Determination Request Form (DRF) for Recreational Properties was submitted to ODOT-OES Policy on January 7, 2022 and revised on January 19, 2022. Based upon review of the DRF, the ODOT-OES Policy Staff has determined a de minimis impact will occur to the LaDue Public Hunting Area in accordance with 23 CFR 774. The determination was made based on the proposed scope of work and concurrence received from the Official with Jurisdiction in regard to the assessment of impacts that are included in the DRF. No further Section 4(f) coordination is required at this time. A re-evaluation of Section 4(f) impacts may be required if changes to the proposed scope of work alter the degree of impacts to the LaDue Public Hunting Area. Furthermore, all appropriate environmental commitments related to measures to minimize harm and/or resulting mitigation should be listed accordingly in the environmental document.

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Section 6(f)

Section 6(f):

Not present

Cultural Resources

Cultural Resources:

Present; No Finding of Adverse Effect

Cultural Resources Coordination:

No Adverse Effect

Cultural Resources Coordination - ODOT Approval/SHPO Concurrence Date

05/19/2022

Cultural Resources Remarks

Section 106 Informal 15 Day Review. A Cultural Resources Records Check was conducted and filed in EnviroNet on May 6, 2022. No National Register properties are located within the APE of the culvert replacements in addition to the NRHP-qualified stone culvert (CFN: 1827358). The other seven culverts in the project are steel or concrete conduits not subject to further evaluation under Section 106. Based on the scope of work the rehabilitation of the historic culvert at LAK-84-27.10 CSN 1827358 will not have an adverse effect to the structure. The work will preserve the historic integrity of the stone culvert by retaining its location, design, feeling, setting, materials, workmanship and association with the early roadway. Our investigations determined that the replacement of the seven culverts will not affect any resources eligible for the national register and the rehabilitation of the LAK-84-27.10 CSN 1827358 stone culvert will not adversely affect its historic integrity. The APE is characterized by previous roadway and stream bank disturbances. The presence of intact archaeological deposits is unlikely. A copy of the detailed plans for the stone culvert work will be coordinated with SHPO and interested parties once they become available. No further cultural resource investigations are recommended.

Tribal Consultation Summary/Remarks:

No comment or objection received within 30 days, notification date 5/19/22.

Environmental Resources Considered

The following environmental resources are present and have been studied for potential impacts:

Regulated Materials



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Air Remarks

No Air Quality impacts.

Noise Remarks

No Noise impacts.

The project involves ROW acquisition, Deep Excavation, or OEPA
513 Landfill Authorization:

Yes - Screening

Regulated Materials Review Screening:

No Further Regulated Materials Review

Regulated Materials Review Screening - DEC/OES Approval Date:

12/08/2021

Regulated Materials Review Remarks:

Regulated Materials Review Screening was created by ODOT Staff. The project will involve permanent ROW and excavations greater than 6 feet deep. Based on findings, no further Regulated Materials Review is required. Mark Carpenter, District Environmental Coordinator, approved Regulated Materials Review on December 8, 2021.

Environmental Justice

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

Environmental Justice Populations

Present; No EJAR Required, Does Not Exceed EJ Guidance Criteria, and No Issues Raised During Public Involvement

Identified Environmental Justice Populations

Census Block Group #	% Minority	% Low Income
1827358	7	21
1802284	5	8
1862411	2	26
1819283	1	2
1811799	6	47
1814183	0	26
1826680	0	26
1826682	0	26

Environmental Justice Remarks



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Based on mapping from TIMS, the minority populations are between 0% and 7% for the US Census Block Groups located within the project area and 2% and 47% of the population is designated as low income.

The proposed project will have no disproportionately high and adverse effects to minority or low-income populations or disparate impacts based upon the table above, the attached mapping, and the answers to the questions above. No concerns related to impacts on Environmental Justice populations were raised as a result of public involvement activities conducted as part of the proposed project. Therefore, in accordance with the protections of Executive Order 12898, DOT Order 5610.2(a), and FHWA Order 6640.23A, no further analysis is required.

Based on the above findings an Environmental Justice Analysis Report (EJAR) is not required.

The Census mapping may be found in the Project File under Environmental Justice.

Public Involvement

Public Involvement:

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

Public Involvement Remarks

A press release from ODOT was published on December 20, 2021, provided project information, construction details, and invited the public to reach out with any comments and questions about the project. Two questions or comments were received and were both addressed. 1.) From Jeff Markley: Please keep the township trustees updated as plans proceed; not sure of the locations of these culvert projects. ODOT Response: Jeff Markley, thank you for your interest in the project. There are no culverts being replaced in Bainbridge Township. We will email you the plan sheets showing the project locations. 2.) From Jackson Hurst: I approve and support ODOT's Culvert replacements in Geauga and Lake counties Project. The aspect that I love about ODOT's Culvert replacements in Geauga and Lake counties Project is that culverts will be repaired which will improve safety. ODOT Response: Jackson Hurst, thank you for your interest and response towards the project. No other comments or questions were received.

Environmental Commitments

Environmental Commitments

Yes



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Environmental Commitments

C2

1) The Project Designer shall incorporate the following note into the plans: NO TREES SHALL BE REMOVED UNDER THIS PROJECT FROM APRIL 1 THROUGH SEPTEMBER 30. ALL NECESSARY TREE REMOVAL SHALL OCCUR FROM OCTOBER 1 THROUGH MARCH 31. THIS REQUIREMENT IS NECESSARY TO AVOID AND MINIMIZE IMPACTS TO FEDERALLY AND STATE LISTED BAT SPECIES AS REQUIRED BY THE ENDANGERED SPECIES ACT. FOR THE PURPOSE 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.

2) The Ohio Department of Transportation will obtain all appropriate waterway permits prior to any work with the jurisdictional boundary of any waterway, including wetlands, and all applicable waterway permit conditions will be included in the plans and adhered to during construction.

3) Tree Removal AMM 1: Modify all phases/aspects of the project (e.g., temporary work areas, alignments) to avoid tree removal in excess of what is required to implement the project safely.

4) Tree Removal AMM 3. Ensure tree removal is limited to that specified in project plans by clearly marking clearing limits. Ensure that contractors understand clearing limits and how they are marked in the field.

5) THE CONTRACTOR OR SUB-CONTRACTOR PREFORMING THE MASONRY RELATED WORK SHALL HAVE A MINIMUM OF FIVE (5) YEARS OF EXPERIENCE AND A MINIMUM OF FIVE (5) COMPLETED PROJECTS INVOLVING STONE MASONRY REPAIRS AND REPOINTING OF BUILDINGS OR STRUCTURES WITH WORK SIMILAR IN NATURE, MATERIALS, DESIGN, AND EXTENT TO THOSE INDICATED FOR THIS PROJECT. DOCUMENTATION OF SUCCESSFULLY COMPLETED REFERENCE PROJECTS SHALL INCLUDE:

1. PROJECT DESCRIPTION AND LOCATION
2. CLIENT NAME AND CNTACT INFORMATION
3. DATE COMPLETED

THE CONTRACTOR SHALL SUBMIT DOCUMENTATION OF THE QUALIFICATIONS AND EXPERIENCE OF THE MASONRY SUB-CONTRACTOR AND MASONRY PERSONNEL TO THE ENGINEER FOR APPROVAL PRIOR TO THE COMMENCEMENT OF ANY MASONRY REPAIR WORK. UNSATISFACTORY REFERENCES SHALL BE MEANS FOR DISQUALIFICATIONS OF THE TUCK-POINT SUBCONTRACTOR.

6) Access to Russell Township Park Commission Property shall be maintained at all times, except for the time needed to temporarily occupy the property, which shall be less than the time needed for construction of the project (GEA-87-0.414).

7) Temporary construction fencing shall be installed along proposed construction limits prior to the start of construction activities to protect the Section 4(f) property and the public (GEA-87-0.414).

8) Appropriate signage shall be installed to alert users of Russell Township Park Commission Property of construction activities, access restrictions or closures, and to direct users to secondary access points (GEA-87-0.414).

9) The contractor shall be required to closely coordinate the construction schedule with ODOT and Russell Township Park Commission prior to the start of construction activities (GEA-87-0.414).

10) Access to City of Akron Watershed Conservation Property/ LaDue Public Hunting Area shall be maintained at all times during construction activities via flagging operations and/or an approved detour (GEA-700-7.607).



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- 11) Temporary construction fencing shall be installed along proposed construction limits prior to the start of construction activities to protect the existing 4(f) property and the public (GEA-700-7.607).
- 12) Appropriate signage shall be installed to alert users of City of Akron Watershed Conservation Property/LaDue Public Hunting Area of construction activities, access restrictions or closures, and to direct users to secondary access points (GEA-700-7.607).
- 13) The contractor shall be required to closely coordinate the construction schedule with ODOT, the City of Akron Watershed Conservation Property, and ODNR prior to the start of construction activities (GEA-700-7.607).



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Preparers and Approvals

Form Preparer

District 12
Contact: Mark Carpenter
216-584-2089
Mark.Carpenter@dot.ohio.gov

Supporting Form Preparer(s):

Corey Czinger
Mark Carpenter

Approvals & Electronic Signatures

Approved & Electronically Signed By:	Approval Date:
Mark Carpenter (TRANS ENGR 3)	8/28/2023



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Appendix

General

Aerial Map.pdf

County Map.pdf

USGS Quadrangle Topographical Map.pdf

Cultural Resources

SHPO Comments

Section 106 Scoping Request Form Re-evaluation.pdf

Section 106 Scoping Request Form.pdf

Transmittal 1 - Effect Determination

Tribal Consultation

Ecological

ODNR Scenic River MOA Conditions

OES Approval - ECO EXEMPT email GEA-422-14.997.pdf

OES Approval - ECO EXEMPT email LAK-608-3.098.pdf

OES Approval - NON-NOTIFYING email LAK-84-27.097.pdf

USAWS consult form - GEA-700-1.719.pdf

USFWS consult form - GEA-422-14.294 .pdf

USFWS consult form - GEA-700-7.607.pdf

USFWS consult form - GEA-86-0.376 PID.pdf

USFWS consult form - GEA-87-0.414.pdf

Section 4(f)

OES Recreational 4(f) Determination 2.pdf

OES Recreational 4(f) Determination.pdf

Public Involvement

No Public Comments Received Email.pdf

Press Release.pdf

Property Owner PI Comment.pdf

Public Involvement Comment Report.pdf

Response to Public Comments - New Line Motors.pdf