



OHIO DEPARTMENT OF TRANSPORTATION

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

Supplemental Re-Evaluation

for

LAK SRTS FY2025 Painesville PID 117517

Environmental Document Level: C2

Approved: 11/22/2024

Prepared By: Joshua Pennock

Burgess AND Niple Inc

Phone: 440-354-9700

E-mail: josh.pennock@burgessniple.com

District Contact: Thomas Sorge

Phone: 216-584-2086

E-mail: Tom.Sorge@dot.ohio.gov

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.....	9
Preparers and Approvals.....	10
Appendix.....	11



Supplemental Re-evaluation Level C2
PID 117517 LAK SRTS FY2025 Painesville
Approved: 11/22/2024

Re-evaluation Level

Explain why a re-evaluation is needed?

Tree cutting is required for the project.



C2

Project Information

PID: 117517
Project Sponsor: Painesville, City of
ODOT District: 12
Funding Source: Federal

C2 Section

Project Description:

SRTS Infrastructure Project to install a new sidewalk along Elm Street from Lighthouse Pointe Drive to Elm Street Elementary School in the City of Painesville in Lake County.
 Temporary right-of-way is anticipated. No impacts to utilities are expected.
 Additionally, 0.17-acre 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 all within 100' EOP will be impacted. The project is not located within a USFWS bat buffer zone. The project *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. No known populations of other federally listed species, state listed species, or Unionid mussels will be impacted by this project. These impacts are described in the Ecological tab.
 The project is not located within a regulated floodplain.
 No section 4(f) or 6(f) properties were Identified with the project area.
 No other environmental, hazardous materials, cultural resources, Section (4)f/6(f), or underserved population impacts will result from this project.
 The environmental document and associated studies were reviewed using the Stage 1 Design plans for the project. A copy of the Stage 1 Design plans can be found 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	
CO	117517: 24-27 STIP
DD	

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

Select the appropriate project type:

(26) Modernization of a highway by resurfacing, restoration, rehabilitation, reconstruction, adding shoulders, or adding auxiliary lanes (including parking, weaving, turning, and climbing lanes), if the action meets the constraints in paragraph I of this section. **Examples include: Joint or limited use of right-of-way where the**



Supplemental Re-evaluation Level C2
PID 117517 LAK SRTS FY2025 Painesville

Approved: 11/22/2024

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 -

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:

Not Present

Will any wetlands be impacted?

No

The following Federally Listed Species received an effect determination of May Affect, Not Likely to Adversely Affect:

Species Common Name	Species Scientific Name	Listing Status	Most Recent Coordination Date
Indiana Bat	<i>Myotis sodalis</i>	Endangered	11/13/2024
Northern Long-eared Bat	<i>Myotis septentrionalis</i>	Endangered	11/13/2024



Supplemental Re-evaluation Level C2
 PID 117517 LAK SRTS FY2025 Painesville

Approved: 11/22/2024

Species Common Name	Species Scientific Name	Listing Status	Most Recent Coordination Date
Tricolored Bat	Perimyotis subflavus	Proposed Endangered	11/13/2024

The following Federally Listed Species received an effect determination of No Effect:

Species Common Name	Species Scientific Name	Listing Status	Most Recent Coordination Date
Bald Eagle	Haliaeetus leucocephalus	Species of Concern	11/13/2024
Eastern Massasauga	Sistrurus catenatus	Threatened	11/13/2024
Piping Plover	Charadrius melodus	Endangered	11/13/2024
Round Hickorynut	Obovaria subrotunda	Threatened	11/13/2024
Rufa Red Knot	Calidris canutus rufa	Threatened	11/13/2024
Salamander Mussel	Simpsonaias ambigua	Proposed Endangered	11/13/2024
Snuffbox	Epioblasma triquetra	Endangered	11/13/2024

Endangered Species Remarks:

Additionally, 0.17-acre 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 all within 100' EOP will be impacted. The project is not located within a USFWS bat buffer zone. The project *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. No known populations of other federally listed species, state listed species, or Unionid mussels will be impacted by this project. These impacts are described in the Ecological tab.

Scenic Rivers

No National Wild and Scenic River
 Within 1000 Feet of the Proposed
 Project Area

Scenic Rivers Remarks

The project is not with 1,000 feet of a State or Federal scenic river.

Floodplains

100-Year Floodplain:

No Encroachment Within a Special
 Flood Hazard Area (SFHA)

Floodplain Remarks

The proposed project is not with a floodplain.

Section 4(f)

Section 4(f):

Not present

Section 4(f) Remarks

No section 4(f) or 6(f) properties were Identified with the project area.

Section 6(f)

Section 6(f):

Not present



Cultural Resources

Cultural Resources: Not Present

Cultural Resources Coordination - ODOT Approval/SHPO Concurrence Date 09/18/2024

Cultural Resources Remarks

A Cultural Resources Records Check was performed by District 12 staff using the SHPO ArcGIS online database. No Cultural Resources listed on or determined eligible for listing on the National Register of Historic Places were identified within the proposed project area. The undertaking is a type which has minimal potential to cause effects to historic properties in accordance with Minimal Potential to Cause Effect - Appendix A of the Section 106 Programmatic Agreement. No further coordination is required. The Records Check can be found in the Project File Under Cultural Resources/Project Information. District approval date 09/18/24.

Environmental Resources Considered

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

Regulated Materials

Air Remarks

This project is an Exempt Project per 40-CFR 93.126 (Exempt Project/Safety: Bicycle and pedestrian facilities.). No air quality analysis is required.

Noise Remarks

The project does not qualify as a Type I project for noise (i.e., not adding capacity, not moving thru travel lanes equal to or greater than 50% closer to noise sensitive areas) and a noise analysis is not required for the project under 23 CFR 772.

The project involves ROW acquisition, Deep Excavation, or OEPA 513 Landfill Authorization: No

Hazardous Materials - OES Approval Date: 09/18/2024

Regulated Materials Review Remarks:

RMR Screening was approved by the District on 9/18/24. No further RMR investigation or special material handling is required.

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
390852042002	65	54



Supplemental Re-evaluation Level C2
PID 117517 LAK SRTS FY2025 Painesville

Approved: 11/22/2024

Environmental Justice Remarks

Based on mapping from TIMS, the minority populations are 65% for the US Census Block Groups located within the project area and 54% of population is designated as low-income.

The proposed project will have no disproportionately high and adverse effects to minority or low-income populations based upon the table above, the attached mapping and the answers to the questions above. No concerns related to impacts on Environmental Justice 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 is not required. The Census mapping may be found in the Project File under Environmental Justice subsection.

Public Involvement

Public Involvement:

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

Public Involvement Remarks

The City has discussed this project at school board meetings.

Environmental Commitments

Environmental Commitments

Yes



Supplemental Re-evaluation Level C2
PID 117517 LAK SRTS FY2025 Painesville

Approved: 11/22/2024

Environmental Commitments

C2

1) Ensure impacts to the federally listed and protected Indiana bat and northern long-eared bat and the State listed and protected little brown bat and tricolored bat are avoided and minimized. Do not remove trees from April 1 through September 30. Perform all 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 117517 LAK SRTS FY2025 Painesville

Approved: 11/22/2024

Preparers and Approvals

Form Preparer:

Joshua Pennock
Burgess AND Niple Inc
100 West Erie Street, Painesville OH 44077
440-354-9700
josh.pennock@burgessniple.com

Supporting Form Preparer(s):

Megan Romanchok
Thomas Sorge

Approvals & Electronic Signatures

Approved & Electronically Signed By:	Approval Date:
Thomas Sorge (PROGRAM ADMIN 3)	11/22/2024



Supplemental Re-evaluation Level C2
PID 117517 LAK SRTS FY2025 Painesville
Approved: 11/22/2024

Appendix

Ecological

ODNR Scenic River MOA Conditions

USFWS/ODNR Ecological MOA Conditions