



OHIO DEPARTMENT OF TRANSPORTATION

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

Supplemental Re-Evaluation for **GEA US 422 01.46/VAR Drainage PID 115060** Environmental Document Level: C2

Approved: 11/8/2024

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?**

Federal funding was added to the project.



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C2

Project Information

PID:	115060
Project Sponsor:	ODOT SPONSORING AGENCY
ODOT District:	12
Funding Source:	Federal

C2 Section

Project Description:



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Re-evaluation 2 - Federal funding was added to the project. This requires the Cultural Resources and C2 documents to be updated and revised to reflect the new funding. The C2 Re-evaluation approval is based on revised Final Plans. The plans are included in Project File/General/Project Information/Final Plans.

Re-evaluation 1 - The Final Plans have identified the need for tree removal and impacts to Aurora Creek at Location 1. This requires the Ecology and Cultural Resources documents to be updated and revised to reflect the new impacts.

The C2 Re-evaluation approval is based on revised Final Plans. The plans are included in Project File/General/Project Information/Final Plans.

Concrete drainage channel replacement and shoulder repair to US-422 EB west of SR-306 in Bainbridge Township. Project includes conduit replacement.

No right-of-way is required for this project. Utility impacts are unlikely.

Construction will not require Maintenance of Traffic Plan (MOT).

Ecological impacts. Location 1, Stream 1 (McFarland Creek), perennial, EWH; 548 feet located in the Study Area, 14 feet of impacts. Stream 1 culvert repair the culvert and place rock channel protection. Wetland A, category 1, palustrine emergent wetland; 0.09 acres located in the Study Area, based on construction access to repair the culvert and place rock channel protection. 0.01 acres of temporary impacts. No bat habitat tree removal. There is no suitable habitat for any other federally or state listed species within the project areas. ODOT has made the determination to proceed with the project. Measures have been considered and incorporated into the project design to minimize the impacts to Stream 1 Wetland A as best as possible. Per

A Cultural Resources Records Check was performed by district environmental staff Corey Czinger, Environmental Specialist 3, using the online National Historic Register. Resources listed on or determined eligible for listing on the National Register of Historic Places were identified within and/or immediately adjacent to the project area. No record was found within the proposed study area, PSA: CU11915 - An Assessment of the Archaeological Resources of the Proposed Corridor L. Cuyahoga and Geauga Counties. The undertaking is a type which has minimal potential to cause effects to historic properties in accordance with the Section 106 Programmatic Agreement. No further coordination is required. The Records Check can be found in the Project File Under Cultural Resources. Date 11/06/24.

The project is located in a regulated floodplain, Zone A, therefore coordination was required. Corey Czinger, Environmental Specialist 3 sent out a letter to the Cuyahoga County Floodplain Coordinator, supplying Aerial Map, FEMA map, Letter of Notification of SFHA Exemption (LD-53), and Final Plans. Project File under Permits/Floodplain.

Regulated Materials Review Screening was prepared by Corey Czinger, Environmental Specialist. Based on findings, no further Regulated Materials Review is required. Environmental Specialist, approved Regulated Materials Review on 08/14/2024.

No other environmental, hazardous materials, Section 4(f)/6(f), or environmental justice impacts will result from this project.

The project website was posted on 08/15/24. A press release was sent out by ODOT on 08/19/24. No responses were received. The press release is available in the Project File/General/Project Information. ODOT has determined to proceed with the project as currently designed.

Construction: \$460,000.00: 80% federal and 20% state.

The project has been designed by ODOT.

The environmental documentation and associated studies are being approved using Stage 3 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
CO	115060: 24-27 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:

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



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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 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:	Present; No Coast Guard, Individual 404, and/or Section 10 Permit required
Waterways Permit Type:	Permit Determination and/or Permit Application Approval Pending
Isolated Wetland Permit	No
Will any wetlands be impacted?	Yes



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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	10/16/2024
Northern Long-eared Bat	<i>Myotis septentrionalis</i>	Endangered	10/16/2024
Tricolored Bat	<i>Perimyotis subflavus</i>	Proposed Endangered	10/16/2024

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	<i>Haliaeetus leucocephalus</i>	Species of Concern	10/16/2024
Piping Plover	<i>Charadrius melodus</i>	Endangered	10/16/2024
Rufa Red Knot	<i>Calidris canutus rufa</i>	Threatened	10/16/2024

Endangered Species Remarks:

No effect towards endangered species.

Re-evaluation 1: Remarks are the same.

Re-evaluation 2: Remarks are the same.

Scenic Rivers

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

Scenic Rivers Remarks

No scenic rivers within 1000-feet of the project.

Re-evaluation 1: Remarks are the same.

Re-evaluation 2: Remarks are the same.

Floodplains

100-Year Floodplain:

No Encroachment Within a Special
Flood Hazard Area (SFHA)

Floodplain Remarks

The project is located in a regulated floodplain, Zone A, therefore coordination was required. Corey Czinger, Environmental Specialist 3 sent out an email on 09/13/24 to John Busch, City of Solon, Cuyahoga County Floodplain Coordinator, supplying Aerial Map, FEMA map, Letter of Notification of SFHA Exemption (LD-53), and Final Plans. Floodplain Coordination can be found in the Project File under Permits/Floodplain.

Re-evaluation 1: Remarks are the same.

Re-evaluation 2: Remarks are the same.



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Section 4(f)

Section 4(f):

Not present

Section 4(f) Remarks

No Section 4(f) resources are present within the project area.

Re-evaluation 1: Remarks are the same.

Re-evaluation 2: Remarks are the same.

Section 6(f)

Section 6(f):

Not present

Cultural Resources

Cultural Resources:

Present; No Finding of Adverse Effect

Cultural Resources Coordination:

ORC 149.53 Appendix A

Cultural Resources Coordination - ODOT Approval/SHPO Concurrence Date

08/14/2024

Cultural Resources Remarks

A Cultural Resources Records Check was performed by district environmental staff Corey Czinger, Environmental Specialist 3, using the online OSHPO ArcMap Resource Map. No Cultural Resources listed on or determined eligible for listing on the National Register of Historic Places were identified within and/or immediately adjacent to project locations 1 and 2. At location 3, one record was found within the proposed study area, PSA: CU11915 - An Assessment of the Archaeological Resources of the Proposed Corridor Location for the Cuy/Gea-422-18.40/3.19 Project, Cuyahoga and Geauga Counties. The undertaking is a type which has minimal potential to cause effects to historic properties. No further coordination is required in accordance with ORC 149.53 Appendix A. The Record Check can be found in the Project File Under Cultural Resources/Project Information. District approval date 08/14/24.

Re-evaluation 1: Remarks are the same.

Re-evaluation 2: A Cultural Resources Records Check was performed by district environmental staff Corey Czinger, Environmental Specialist 3, using the online OSHPO ArcMap Resource Map. No Cultural Resources listed on or determined eligible for listing on the National Register of Historic Places were identified within and/or immediately adjacent to project locations 1 and 2. At location 3, one record was found within the proposed study area, PSA: CU11915 - An Assessment of the Archaeological Resources of the Proposed Corridor Location for the Cuy/Gea-422-18.40/3.19 Project, Cuyahoga and Geauga Counties. 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 11/06/24.

Environmental Resources Considered

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

Noise

Regulated Materials



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Air Remarks

The project type of 'concrete drainage channel replacement, shoulder repair, and conduit repair at three (3) locations along US-422' is considered insignificant from an air quality conformity perspective, as per 40 CFR 93.126. Therefore, the project is exempt from air quality coordination.

Re-evaluation 1: Remarks are the same.

Re-evaluation 2: Remarks are the same.

Noise:

Studies Not Required

Noise - Coordination with OES

Yes

Noise Coordination - OES Approval Date:

08/14/2024

Noise Remarks

The project is a concrete drainage channel replacement, shoulder repair, and conduit repair at three (3) locations along US-422 project. The project will not increase the traffic or traffic noise. Therefore, no noise analysis is required. The No Noise Analysis Required District Determination can be found in the Project File Under Noise/Project Information. District approval date 08/14/24.

Re-evaluation 1: Remarks are the same.

Re-evaluation 2: Remarks are the same.

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:

08/14/2024

Regulated Materials Review Remarks:

Regulated Materials Review Screening was prepared by Corey Czinger, Environmental Specialist 3. Based on findings, no further Regulated Materials Review is required. Corey Czinger, Environmental Specialist, approved Regulated Materials Review on 08/14/2024.

Re-evaluation 1: Remarks are the same.

Re-evaluation 2: Remarks are the same.

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
390351841082	39	3
390553117001	1	7
390553118002	0	11

Environmental Justice Remarks

Based on mapping from TIMS, the minority populations are between 0% and 39% for the US Census Block Groups located within the project area and 3% and 11% 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.

Re-evaluation 1: Remarks are the same.

Re-evaluation 2: Remarks are the same.

Public Involvement

Public Involvement:

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

Public Involvement Remarks

The project website was posted on 08/15/24. A press release was sent out by ODOT on 08/19/24. No responses were received. The press release can be found in the Project File under Public Involvement/Project Information. ODOT has determined to proceed with the project as currently designed.

Re-evaluation 1: Remarks are the same.

Re-evaluation 2: Remarks are the same.

Environmental Commitments

Environmental Commitments

Yes



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Ecological

Wetlands

ESR Name:	Wetland ID:	Hydrologic connection:	Wetland category:	Estimated total size (ac.):	Total estimated impact area by alternative (ac.):
GEA US 422 01.46/VAR Dr Revised	Wetland A (Revised)	Adjacent	Category 1	2	0.01
GEA US 422 01.46/VAR Drainage	Wetland A	Adjacent	Category 1	2	0.01

Has an Approved and/or Preliminary Jurisdictional Determination been made by the USACE? No

Total impact to all wetlands (ac.): 0.02

Total acres of non-isolated wetlands impacted: 0.02

Total acres of isolated wetlands impacted: 0

In accordance with Executive Order 11990 - USDOT Order 5660.1A, this Wetland Finding has been prepared to document that wetlands have been avoided to the extent possible to minimize the long and short term adverse impacts associated with the destruction or modification of wetlands, and to document that there are no practicable alternatives to avoid construction in wetlands.

An analysis of the 'Do Nothing' alternative indicates that it is not practicable because (check all that apply):

It Would Not Correct Existing or Projected Capacity Deficiencies.

An analysis of improvements that avoid all wetland impacts indicates that they are not practicable because (check all that apply):

They Will Not Meet the Identified Needs of the Project.

Include justification supporting the decisions noted above:

Minimal impacts are needed towards McFarland Creek and Wetland A, due to replacing the replacing the concrete drainage channel and shoulder repair to US-422 EB west of SR-306 in Bainbridge Township.

Re-evaluation: Minimal impacts are needed towards McFarland Creek, Aurora Creek, and Wetland A, due to replacing the replacing the concrete drainage channel and shoulder repair to US-422 EB west of SR-306 in Bainbridge Township.



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All practicable measures have been considered and incorporated into the project design to avoid, minimize, wetland impacts. The wetland impact minimization measures that will be followed for the project are documented in the environmental commitments for the project. Wetland mitigation for unavoidable impacts will be provided if required by the Clean Water Act or Ohio isolated wetland law, as regulated by the US Army Corps of Engineers and Ohio EPA regulations (33 CFR parts 325 and 332 and 40 CFR part 230, and OAC 3745-01-54), and (ORC 6111.027). No practicable alternatives exist for the proposed construction in wetlands, and the proposed action includes all practicable measures to minimize harm to the wetlands that may result from such use.

Remarks:

All practicable measures have been considered and incorporated into the project design to minimize the impacts to McFarlnD Creek and Wetland A as best as possible. Re-evaluation: All practicable measures have been considered and incorporated into the project design to minimize the impacts to McFarlnD Creek, Aurora Creek, and Wetland A as best as possible.



Environmental Commitments

C2

1) SEEDING AND MULCHING:

QUANTITIES ARE PROVIDED TO PROMOTE GROWTH AND CARE OF PERMANENT SEEDED AREAS.

SEEDING AND MULCHING SHALL BE APPLIED TO ALL AREAS OF EXPOSED SOIL WITHIN THE CONSTRUCTION LIMITS ALL WITHIN ODOT ROW. QUANTITY CALCULATIONS FOR SEEDING AND MULCHING ARE BASED ON THESE LIMITS.

CLASS 6 SEED MIX COMPOSED OF NATIVE HERBS AND GRASSES SHALL BE USED FOR ALL DISTURBED AREAS WHERE APPLICABLE AT THE 3 PROJECT LOCATIONS. SLOPES RANGE FROM 2:1 TO 3.3:1

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) The Project Designer shall incorporate the following note into the plans: NO TREES SHALL BE REMOVED UNDER THIS PROJECT FROM MARCH 16 THROUGH NOVEMBER 14. ALL NECESSARY TREE REMOVAL SHALL OCCUR FROM NOVEMBER 15 THROUGH MARCH 15. 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.

4) 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.

5) 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.



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Preparers and Approvals

Form Preparer

District 12
Contact: Corey Czinger
Corey.Czinger@dot.ohio.gov

Approvals & Electronic Signatures

Approved & Electronically Signed By:	Approval Date:
Thomas Sorge (PROGRAM ADMIN 3)	11/8/2024



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Appendix

General

Aerial Maps.pdf

County Maps.pdf

USGS Quadrangle Topographical Maps.pdf

Noise

No Noise Analysis Required - District Determination.pdf

Cultural Resources

Records Checks.pdf

Ecological

Appendices.pdf

ODNR Scenic River MOA Conditions

USFWS/ODNR Ecological MOA Conditions

Environmental Justice

Census Mapping.pdf

Public Involvement

Press Release.pdf

Permits

Coordination with Local Floodplain Administrator.pdf

FEMA FIRM Maps.pdf