



# OHIO DEPARTMENT OF TRANSPORTATION

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

## **Environmental Document** for **FUL SR 120 14.08 PID 101140** **Environmental Document Level: D1**

**Approved: 5/2/2023**

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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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## **Project Type**

**Please check all of the following actions that apply (Must check at least one):**

(13) Actions described in 23 CFR 771.117 (c)(26), (c)(27), and (c)(28) that do not meet the constraints listed in 23 CFR 771.117(e).

(a) Project types that exceed thresholds in Appendix A

(b) Project types that exceed thresholds in Appendix B



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## General Project Information

### Project, Cost Schedule and Work Limits

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PID: 101140

Project Name: FUL SR 120 14.08

Project Sponsor: DISTRICT 2 ENGINEERING

ODOT District: 2

Funding Source: Federal

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

### Ellis STIP Details

| Phase              | Current STIP Reference |
|--------------------|------------------------|
| PE Environmental   | 101140: 21-24 STIP     |
| Right of Way       | 101140: 21-24 STIP     |
| Construction       |                        |
| PE Detailed Design | 101140: 21-24 STIP     |

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

An Interchange Modification/Justification/Operations Study (IMS/IJS/IOS) was completed No

Project Description:



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The Ohio Department of Transportation proposes to replace the existing bridge carrying State Route (S.R.) 120 over the Ten Mile Creek in Amboy Township and Village of Metamora, Fulton County. The project includes replacing the existing reinforced concrete slab structure and approach pavement. The existing bridge (SFN: 2601746) is a 41-foot wide, reinforced concrete slab with reinforced concrete abutments. The new structure will be a 41-foot-wide, three-sided culvert founded on basewalls with footing on HP pile subfootings. Additional work includes minor road reconstruction at approach slabs, and new sidewalks, parapets, and upgraded railings on the north and south sides of the bridge.

Approximately .133 of permanent and 0.056-acre of temporary right-of-way from seven (7) properties will be required to construct this project. The project will partially take one parcel (.012 acres) with demolition of one structure that currently operates as a storage facility for an auto repair shop. Utility relocations are anticipated and will be coordinated with the individual representatives. Utility coordination was initiated, and a copy of the summary of coordination conducted to date can be found in the Project File/General/Right-of-Way and Utility Involvement.

State Route 120 is expected to be closed for no more than 90 consecutive days during construction. A detour will be provided. The vehicular detour is expected to reroute eastbound vehicles to SR-109, to U.S.-20, to SR-64, to Maple Street and reverse for westbound vehicles. A pedestrian detour is expected to reroute eastbound pedestrians to Swanton Street, to Maple Street and reverse for westbound pedestrians.

An ecological survey was completed for the project area. A small amount of suitable wooded habitat was identified in the project area. A mussel relocation will be required prior to construction. Existing ecological conditions, ecological impacts, and ecological coordination are described in the subsequent Ecological section of this document.

The Ten Mile Creek will have 157 linear feet of impact due to the bridge replacement and will require a USACE permit. The project is located within the floodplain. The project will have no impact on the floodplain.

A Regulated Material Review (RMR) Screening and Assessment for one property at 114 W. Main Street was prepared. The property at 114 W. Main Street will require a Petroleum Contaminated Soils (PCS) plan note. Coordination and environmental commitments are described in the ESA section of this document.

No other environmental, Section 4(f)/6(f), cultural resources, or underserved population impacts will result from this project.

Letters were sent to local stakeholders and property owners/residents within an .75-mile radius to notify them of the project and invited recipients to reach out with any comments and questions about the project. Project materials and exhibits were posted on a project webpage developed on the ODOT District 2 website. Comments were accepted for 30 days. Additional information regarding public involvement and comments received can be found in the subsequent Public Involvement section of this document.

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

Construction is expected to begin in spring 2025 and last approximately 6 months.

|                                   |                      |
|-----------------------------------|----------------------|
| <b>Limits of Proposed Work:</b>   | over ten mile creek. |
| <b>Start (SLM):</b>               | 14.07                |
| <b>End (SLM):</b>                 | 14.09                |
| <b>Total Work Length (Miles):</b> | .02                  |

### No roadway data for PIDs associated with this CE Form

|                                    |                       |
|------------------------------------|-----------------------|
| <b>Sufficiency Rating:</b>         | 080.7                 |
| <b>General Rating:</b>             | 5                     |
| <b>Date Built:</b>                 | 07/01/1955            |
| <b>Bridge Location:</b>            | 180 Ft. West of SR 64 |
| <b>40. Bridge Type:</b>            | 101N                  |
| <b>Design Criteria For Bridges</b> |                       |
| <b>SFN: 2601745</b>                |                       |
| <b>Sufficiency Rating:</b>         | 080.7                 |



General Rating:

5

Date Built:

07/01/1955

Bridge Location:

180 Ft. West of SR 64

|                          | Existing: | Proposed: |
|--------------------------|-----------|-----------|
| Bridge Type:             | 101N      | TBD       |
| Bridge Length (ft):      | 34        | 36        |
| Number of Main Spans:    | 1         | 1         |
| Max Span Length (ft):    | 31        | 34        |
| Load Restrictions (TON): | 150       | 150       |
| Curb to Curb Width (ft): | 41.70     | 41.7      |
| Shoulder Width(ft):      | 0         | 0         |
| Under Clearance (ft):    | 13        | 13        |

**Bridge Type Description:**

The new structure will be a three sided culvert founded on basewalls with footing on HP pile subfootings.

**Load Restrictions Description:**

The bridge will be designed for HL-93 which indicates that the new bridge will not have load restrictions.

**Will the structure be rehabilitated or replaced as part of the project?**

Yes

**If this bridge is a historic bridge, what type is it?**

No

**Remarks:**

The existing bridge is not historic.

**41. Bridge Length (ft):** 34**42. Number of Main Spans:** 1**43. Max Span Length (ft):** 31**44. Load Restrictions (TON):** 150**45. Curb to Curb Width (ft):** 41.70**Maintenance of Traffic During Construction****A roadway, bridge or ramp closure is required** Yes**A temporary bridge or roadway is proposed** No**A detour is required for the proposed project** Yes**Access for local through traffic will be provided with appropriate signage** Yes**Provisions for through-traffic dependent businesses will be incorporated into project design** Yes



Provisions to accommodate any local special events or festivals will be incorporated into project design No

The proposed MOT substantially impacts sensitive environmental resources No

Substantial controversy is associated with the proposed MOT No

Coordination has been initiated and/or completed with local emergency services, schools, public institutions/facilities, etc. Yes

**Remarks:**

During construction, a minimum of one lane of traffic in each direction will be maintained, except for a period not to exceed 90 consecutive days, when through traffic may be detoured. The vehicular detour is expected to reroute eastbound vehicles to SR 109, to US 20, to SR 64 (Maple Street) and reverse for westbound vehicles. A pedestrian detour is expected to reroute eastbound pedestrians to Swanton Street, to Maple Street and reverse for westbound pedestrians. All access to properties will be maintained throughout construction. A temporary drive will be constructed to maintain access for the Church located at 124 W Main St, Metamora, OH 43540. Emergency services, schools, public institutions/facilities, and local elected officials were notified of the maintenance of traffic during the public involvement for the project. They were notified via mail and/or email on January 19, 2023. A comment was received from Evergreen Local School District Transportation Coordinator that the reconstruction and detour will have minimal to no impact on their school bus routes.

Are there any Environmental Commitments? No

**Right of Way and Utility Involvement**

The project requires Permanent Right-of-Way Yes

The project requires Permanent Easement(s) Yes

The project requires Temporary Right-of-Way Yes

Number of parcels impacted by Permanent Right-of-Way: 4

Number of parcels impacted by Temporary Right-of-Way: 3

Approximate acreage of Permanent Right-of-Way needed: .133

Approximate acreage of Temporary Right-of-Way needed: .056

Electrical lines, gas lines, water lines, sewer lines, phone lines or other utilities exist in the project area Yes

Large scale transmission facilities are located within the project area No

Private utility easements are located within the project area No

Coordination with identified utilities has been initiated and/or completed Yes

**Remarks:**

Temporary and permanent right-of-way will be required for this project.

Utilities in the area:

Toledo Edison, Ohio Gas Company, Charter Communications, and CenturyLink.

Coordination with the utilities was initiated on January 24, 2023.



## Purpose & Need

### Purpose & Need

#### Project History:

The FUL-120-14.08 Bridge (SFN 2601745) which carries SR 120 Main Street over Tenmile Creek in the Village of Metamora, Fulton County, Ohio was built in 1955. The structure is a 57-foot wide, 34-foot long, 1-span reinforced concrete slab on reinforced concrete abutments. In addition, routine maintenance has been performed on the structure over time. ODOT inspects bridges at least every two years. This project is included in ODOT's FY 2021-2024 Statewide Transportation Improvement Program.

#### Purpose Statement:

The purpose of the project is to address the deficient structure and outdated design features on SR 120 Main Street over Tenmile Creek.

#### Need Element(s):

Bridges in Ohio are rated on a number of aspects, with the two indicators of the overall condition being the General Appraisal rating and Sufficiency rating. The General Appraisal rating is a composite measure of the major structural items of the bridge. It is based on the existing condition of the bridge as compared to its as-built condition. The General Appraisal rating ranges from 0-9, where 9 is like new and 0 is out of service. The Sufficiency rating is an FHWA formula which combines four major factors into a percentage: structural adequacy, safety, serviceability, and essentiality for public use. A GA of 4 or less is considered deficient and in need of replacement. A Sufficiency rating below 50 is deficient under FHWA standards.

This bridge contains outdated design features and is significantly deteriorated. The most recent inspection for FUL-120-14.08 was conducted in July 2022. The latest inspection found the railings, transitions, guardrail, and guardrail ends do not meet current standards. The most concerning condition is the areas of spall on the underside of the deck and on the retaining walls which has led to exposed rebar experiencing major section loss. There are also numerous instances of longitudinal cracks and leaching underneath the structure. Another point of concern is with the bridge superstructure. The road surface has numerous cracks that have been patched, the curb is deteriorated to the extent that it is completely missing in some places, and the sidewalks have various locations of map cracking. The Sufficiency rating was 80.7 and the General Appraisal rating was 5 - Fair.

#### Goals and Objectives:

N/A

#### Summary Statement:

N/A

#### Logical Termini and Independent Utility:

The logical termini for the proposed project are limits sufficient to consider the range of alternatives to address the deficient structure. The study area is 50 feet north and south of the existing structure over Tenmile Creek; and 175 feet east and west of the structure.

The project is independent of any other transportation project in the area and is not part of any system linkage or long range development or transportation improvement plan. The project is not divided into interdependent phases, will be constructed under one construction contract, stands alone as independent project, and therefore, establishes independent utility.



## Alternatives

### Alternatives

#### Discuss No Build Alternative:

The No Build Alternative includes no work other than routine maintenance of the bridge. This alternative would not address the deficient structure. The No Build Alternative does not meet the project's Purpose & Need.

**Was a Feasibility Study completed?**

No

**Was an Alternative Evaluation Report (AER) completed?**

No

#### Alternatives Considered

| Name               | Description                                      | Reason Dismissed                                                         | Preferred Alternative |
|--------------------|--------------------------------------------------|--------------------------------------------------------------------------|-----------------------|
| No Build           | Includes no work other than routine maintenance. | Would not address the deficient structure. Does not meet Purpose & Need. | No                    |
| Bridge Replacement | Includes replacing the bridge.                   | Was not dismissed.                                                       | Yes                   |

#### Discuss Reasons Alternative Identified as Preferred was selected:

The No Build Alternative does not address the deficient structure and does not meet the project's Purpose & Need. A Bridge Replacement will address the deficient structure and will meet the project purpose and need. This alternative was selected as the preferred alternative.



## Air

### Mobile Source Air Toxics (MSATs)

Sensitive Areas are located within approximately 500' of the proposed project area Yes

The proposed project is listed as a C1 in ODOT's CE Guidance and/or falls under 40 CFR 93.126 Yes

#### Remarks:

This project does not add capacity, a new interchange, or a new road on new alignment. Hence, this project will not result in any meaningful changes in traffic volume, vehicle mix, location of the existing facility, or any other factor that would cause an increase in emissions impacts relative to the no-build alternative. As such, FHWA has determined that this project will generate minimal air quality impacts for Clean Air Act criteria pollutants and has not been linked with any special MSAT concerns. Consequently, this effort is exempt from analysis for MSATs.

### Particulate Matter 2.5 (PM2.5)

The proposed project is in an air quality non-attainment or maintenance area No

#### Remarks:

Fulton County is in attainment for particulate matter (PM2.5). Because the project is not located in a PM2.5 non-attainment area, analysis for PM2.5 is not required.

### Carbon (CO)

The State of Ohio is in attainment for CO at this time and no coordination or analysis is required

### Ozone

The proposed project is in an Ozone non-attainment or maintenance area No

The proposed project is listed on the TIP No

#### Remarks:

Fulton County is in attainment for Ozone. Because the project is not located in a Ozone non-attainment area, analysis for Ozone is not required.

### Greenhouse Gas

A Quantitative Greenhouse Gas (GHG) Analysis is required No

#### Remarks:

A quantitative greenhouse gas analysis is not required.



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## **Environmental Commitments**

**Are there any environmental commitments? No**



## Noise

### Noise

Noise Sensitive Areas located within approximately 500' of the proposed project area Yes

Noise Analysis conducted No

The proposed project is a Type I project No

The proposed project is a Type II project No

### Remarks:

Noise sensitive land uses within 500 feet of the proposed project area consist of residential and commercial properties. The project does not qualify as a Type I project for noise (i.e. not adding capacity to thru lanes, 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.

### Environmental Commitments

Are there any environmental commitments? No



## ESA

### ESA

Does the project require any Permanent ROW or Easement?: Yes

ESA Screening Report was completed by District Staff No

Date of ESA Screening IOC from OES: 08/17/2022

Do any sites require a Phase 1 ESA, Phase 2 ESA, or plan note according to the IOC from OES? Yes

### Sites that require Phase 1 ESA, Phase 2 ESA, or Plan Note

| Site Name | Address            | Phase 1 Required? | Phase 2 Required? | Plan Note Required? |
|-----------|--------------------|-------------------|-------------------|---------------------|
| RM-007    | 114 W. Main Street | Yes               | No                | Yes                 |

Date of Phase 1 ESA IOC from OES: 04/18/2023

### Remarks:

Lawhon & Associates, Inc. completed a Regulated Materials Review (RMR) Screening for the project (dated February 14, 2021). Based on updated right-of-way information, the screening was revised June 3, 2022. In correspondence dated August 17, 2022, OES recommended an RMR Assessment for site RM-007, Kie's Repair, 114 W. Main Street.

Based on review of the RMR Assessment prepared by Lawhon and Associates (dated January 10, 2023), a PCS Plan note was recommended for site RM-007 is documented in OES correspondence dated April 18, 2023.

- The RMR Reports can be found in the project file under ESA/Reports
- Correspondence from OES can be found in the project file under ESA/Coordination

According to the IOC from OES does the project require any Environmental Commitments (plan notes and/or other coordination)? Yes



## Cultural Resources

### Cultural Properties Present

**Please describe all of the efforts made to identify Historic Properties (including lit review, field investigation, etc.):**

A Section 106 Scoping Request form was prepared by Lawhon & Associates on July 26, 2022. The request for review included a review of electronic data from Ohio's State Historic Preservation Office (OSHP) GIS database. The GIS database identifies properties listed on or eligible for the National Register of Historic Places (NRHP), Ohio Historic Inventory (OHI) buildings and structures, Ohio Archaeological Inventory (OAI) sites, as well as properties that have previously received a Determination of Eligibility (DOE). No previously recorded resources were identified in the project area.

ODOT OES prepared a Phase 1 History/Architecture survey, dated March 7, 2023. The History/Architecture survey identified 4 resources in the Area of Potential Effects, but none were determined eligible for the NRHP as a result of the review.

Based on the results of the cultural resource reviews, no further cultural resource investigations are warranted.

**Is there an eligible or listed NRHP Historic Property in the Area of Potential Effects Pursuant to 36 CFR part 800?** No

**OES Approval/OSHPD Concurrence Date:** 03/23/2023

### Remarks:

In accordance with 36 CFR 800.4(d)(1) and the Section 106 Programmatic Agreement (Agreement No. 19319), ODOT-OES determined that a finding of 'no historic properties affected' is applicable to the subject undertaking. Coordination with SHPO was initiated on 03/8/2023 and no response was received within 15 days. This concludes the Section 106 review process.

**What is the Section 106 effect determination in the OES Transmittal?** No Historic Properties Affected

### Archaeological Resource Adverse Effect

### History/Architecture Adverse Effect

### Tribal Consultation

### Tribal Consultation Summary/Remarks:



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Tribal coordination was conducted on March 9, 2023 with the Absentee-Shawnee Tribe, Delaware Tribe, Eastern Shawnee Tribe, Forest County Potawatomi, Miami Tribe, Ottawa Tribe, Peoria Tribe, Pokagon Band Potawatomi, Seneca Nation, and Wyandotte Nation.

Wyandotte Nation offers no objection to the project. See the Wyandotte Nation correspondence, dated March 10, 2023, with its comments on the project in the Project File/Cultural Resources/Coordination subsection.

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 17, 2023, with its comments on the project in the Project File/Cultural Resources/Coordination subsection.

Seneca Nation offers no objection to the project. See the Seneca Nation correspondence, dated April 5, 2023, with its comments on the project in the Project File/Cultural Resources/Coordination subsection.

The Eastern Shawnee Tribe offers no objection to the project. However, should this project inadvertently discover an archeological site or object(s) we request that you immediately contact the Eastern Shawnee Tribe, as well as the appropriate state agencies (within 24 hours). We also ask that all ground disturbing activity stop until the Tribe and State agencies are consulted. Please note that any future changes to this project will require additional consultation. See the Eastern Shawnee Tribe correspondence, dated April 21, 2023, with its comments on the project in the Project File/Cultural Resources/Coordination subsection.

No comment or objection was received from the Absentee-Shawnee Tribe, Delaware Tribe, Forest County Potawatomi, Ottawa Tribe, Peoria Tribe, Pokagon Band Potawatomi within the 30-day review/comment period.

## Environmental Commitments

**Are there any Environmental Commitments? No**



## Ecological

### ESR

| ESR Name:     | ESR Type: | Coordination Complete Date: |
|---------------|-----------|-----------------------------|
| FUL-120-14.08 | Level 1   | 7/22/2022                   |

### Wetlands

Based on the results of the ESR(s), no wetlands were observed within the study area(s) for this Environmental Document.

#### Remarks:

A Level 1 Ecological Survey Report (ESR) dated June 29, 2022, was prepared by Lawhon and Associates Inc. Based on field survey's conducted on May 11, 2022, no wetlands were identified within the project area.

### Streams & Rivers

| ESR Name:     | Stream Name:  | National or Scenic Rivers or NRI Streams: | Ohio EPA Aquatic Life Use Designation: | Antidegradation Designation: | Total Impact Length(ft.): |
|---------------|---------------|-------------------------------------------|----------------------------------------|------------------------------|---------------------------|
| FUL-120-14.08 | Tenmile Creek | No                                        | WWH                                    | General High Quality Water   | 157                       |

Total impact length (ft.) to perennial streams: 157

Total impact length (ft.) to intermittent streams: 0

Total impact length (ft.) to ephemeral streams: 0

#### Remarks:

Based on the results of the field surveys one stream was identified. Tenmile Creek flows to Ottawa River, which flows to Lake Erie. There will be approximately 157 feet (157' open) of impact to Tenmile Creek from the proposed project from the bridge replacement.

### Other Surface Waters / Ditches

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| ESR Name: | Ditch Id: | Total Impact Area(ac.): |
|-----------|-----------|-------------------------|
|-----------|-----------|-------------------------|

Total impact to all ditches (ac): 0

**Other Surface Waters / Other Water Bodies**

| ESR Name: | Water Body Id: | Hydrologic Connection: | Type: | Designated Function: | Total Impact |
|-----------|----------------|------------------------|-------|----------------------|--------------|
|-----------|----------------|------------------------|-------|----------------------|--------------|

**Remarks:**

Based on the results of the field survey no other surface waters were identified in the project area.

**Terrestrial Habitats**

| ESR Name:     | Vegetative Communities and Land Cover found within the project study area:                                                                                                                                                          | Degree of man induced ecological disturbance:                                                                                        | Unique, rare, or high quality: | Within Project Study Area(s) (ac.): | Alternative Impacts (ac.): |
|---------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|-------------------------------------|----------------------------|
| FUL-120-14.08 | Developed, Medium Intensity (DM) - Includes Areas with a Mixture of Constructed Materials and Vegetation. Impervious Surfaces Account for 50-79% of the Total Cover. These areas most commonly include single-family housing units. | High Disturbance (Dominated by Widespread Taxa Not Typical of a Particular Community)                                                | No                             | 0.634                               | 0.538                      |
|               | Upland Forest - UF - (Uplands Dominated by Trees)                                                                                                                                                                                   | Intermediate Disturbance (Dominated by Plants that Typify a Stable Phase of a Native Community that Persists Under Some Disturbance) | No                             | 0.009                               | 0.008                      |
|               | Open Water - All Areas of Open Water, Generally with Less Than 25% Cover of Vegetation or Soil.                                                                                                                                     | Intermediate Disturbance (Dominated by Plants that Typify a Stable Phase of a Native Community that Persists Under Some Disturbance) | No                             | 0.09                                | 0.08                       |

**Remarks:**

Based on the results of the field survey terrestrial habitat in the project area consists of Medium Density (primarily single family housing, etc.) development and includes Upland Forest (uplands dominated by trees) and Open Water (open water with less than 25% cover of vegetation or soil). No unique or high



quality terrestrial habitats occur within the study area.

### Threatened or Endangered Species / Federally Listed Species

| Species Common Name: | Species Scientific Name: | Listing Status: |
|----------------------|--------------------------|-----------------|
| Indiana Bat          | <i>Myotis sodalis</i>    | Endangered      |

ESR Name: FUL-120-14.08

Effect Determination: May Affect, Not Likely to Adversely Affect

**Discussion Including impacts to Suitable Habitat:**

There are approximately 0.009 acres of SWH within the study area and 0.008 acre of SWH within the construction limits. All of the SWH in the study area and construction limits was within 100' of Edge of Pavement (EOP). A total of four (4) trees are proposed to be removed for this project. All tree removal will occur between October 1 and March 31 when bats would not be present. The acreage of impacted SWH (0.008) was presented as 0.01 due to rounding in EnviroNet.

| Species Common Name:    | Species Scientific Name:      | Listing Status: |
|-------------------------|-------------------------------|-----------------|
| Northern Long-eared Bat | <i>Myotis septentrionalis</i> | Threatened      |

ESR Name: FUL-120-14.08

Effect Determination: May Affect, Not Likely to Adversely Affect

**Discussion Including impacts to Suitable Habitat:**

There are approximately 0.009 acres of SWH within the study area and 0.008 acre of SWH within the construction limits. All of the SWH in the study area and construction limits was within 100' of Edge of Pavement (EOP). A total of four (4) trees are proposed to be removed for this project. All tree removal will occur between October 1 and March 31 when bats would not be present. The acreage of impacted SWH (0.008) was presented as 0.01 due to rounding in EnviroNet.

| Species Common Name: | Species Scientific Name:        | Listing Status:    |
|----------------------|---------------------------------|--------------------|
| Bald Eagle           | <i>Haliaeetus leucocephalus</i> | Species of Concern |

ESR Name: FUL-120-14.08

Effect Determination: No Effect

**Discussion Including impacts to Suitable Habitat:**

There were no mature trees located within the study area, and Tenmile Creek is a relatively small body of water within the project area. The study area does not appear to have suitable habitat for bald eagles, and thus impacts to bald eagles are not expected.

| Species Common Name: | Species Scientific Name: | Listing Status: |
|----------------------|--------------------------|-----------------|
| Rayed Bean           | <i>Villosa fabalis</i>   | Endangered      |



**ESR Name:** FUL-120-14.08

**Effect Determination:** No Effect

**Discussion Including impacts to Suitable Habitat:**

Ten Mile Creek is an unlisted stream with a drainage area over 5 square miles in Fulton County, Ohio. A mussel reconnaissance survey was performed and 1 live species ( *Anadontoides ferruscianus* ) was observed. However, no Group 2 or 4 streams are within the project area and impacts to rayed bean are unlikely.

**Threatened or Endangered Species / State Listed Species:**

No state listed species or suitable habitats are impacted by this project location.

**ESR Name:** FUL-120-14.08

**Species Common Name:** Little brown bat

**Species Scientific Name:** *Myotis lucifugus*

**Listing Status:** Endangered

**The species or its suitable habitat will be impacted by this project:** Yes

**Effect Determination:** Yes

**Discussion Including impacts to Suitable Habitat:**

There is approximately 0.009 acre of wooded habitat located within the study area that could be used for habitation by bats, and approximately 0.008 acre located within the construction limits. Four (4) trees are proposed to be removed for this project. Any trees will be removed between October 1 and March 31 when bats would not be present.

**Species Common Name:** Tricolored bat

**Species Scientific Name:** *Perimyotis subflavus*

**Listing Status:** Endangered

**The species or its suitable habitat will be impacted by this project:** Yes

**Effect Determination:** Yes

**Discussion Including impacts to Suitable Habitat:**

There is approximately 0.009 acre of wooded habitat located within the study area that could be used for habitation by bats, and approximately 0.008 acre located within the construction limits. Four (4) trees are proposed to be removed for this project. Any trees will be removed between October 1 and March 31 when bats would not be present.

**Species Common Name:** Blanding's turtle

**Species Scientific Name:** *Emydoidea blandingii*



**Listing Status:** Threatened

**The species or its suitable habitat will be impacted by this project:** Yes

**Effect Determination:** Yes

**Discussion Including impacts to Suitable Habitat:**

Tenmile Creek may provide suitable habitat for the Blanding's turtle. However, no individuals were observed during the survey and there are no records within the study area. The habitat surrounding Tenmile Creek was a narrow riparian corridor with intense land use surrounding it, and was determined to be of marginal quality. There were no other higher quality areas of habitat identified adjacent to the site, and given the mobility of the species and the quality of habitat observed, impacts to this species are not anticipated.

**Species Common Name:** Kirtland's snake

**Species Scientific Name:** *Clonophis kirtlandii*

**Listing Status:** Not Provided - No impact to this species

**The species or its suitable habitat will be impacted by this project:** No

**Effect Determination:** No Impact

**Species Common Name:** Lark sparrow

**Species Scientific Name:** *Chondestes grammacus*

**Listing Status:** Not Provided - No impact to this species

**The species or its suitable habitat will be impacted by this project:** No

**Effect Determination:** No Impact

**Species Common Name:** Northern harrier

**Species Scientific Name:** *Circus cyaneus*

**Listing Status:** Not Provided - No impact to this species

**The species or its suitable habitat will be impacted by this project:** No

**Effect Determination:** No Impact

**Species Common Name:** Trumpeter swan

**Species Scientific Name:** *Cygnus buccinator*

**Listing Status:** Not Provided - No impact to this species

**The species or its suitable habitat will be impacted by this project:** No

**Effect Determination:** No Impact

**Species Common Name:** Least darter

**Environmental Document Level: D1**

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**Species Scientific Name:** *Etheostoma microperca***Listing Status:** Species of Concern**The species or its suitable habitat will be impacted by this project:** Yes**Effect Determination:** Yes**Discussion Including impacts to Suitable Habitat:**

There is a record of this species in Tenmile Creek from August 2011. The drainage area of Tenmile Creek is approximately 22 sq miles at the project location. The stream substrates are dominated by gravel and sand with components of artificial substrate, silt, and detritus. Overhanging vegetation and rootmats were present, but aquatic macrophytes were not noted. Darters were observed within Tenmile Creek but species could not be ascertained. Within the study area suitable substrate could be impacted, however, based on the size of the drainage area it is unlikely that the Least Darter would be trapped in isolated pools even during periods of low flow. This species would be somewhat capable of vacating areas of impact. The project is not likely to impact this mobile species.

**Remarks:**

ODOT concluded that the project would have No Effect on the Bald Eagle and Rayed Bean. ODOT also concluded that the project May Affect, Not Likely to Adversely Affect the Indiana Bat and Northern Long-eared bat. Suitable Wooded Habitat for the Northern Long-eared bat and Indiana bats will be seasonally removed when both species would not be utilizing the roosting habitat. As a result the project is not likely to impact either species of state endangered bat. ODOT concluded that the project is Not Likely to Impact or will have No Impact on state listed species due to limited suitable habitat within the project area, no records within 1 mile of the project area, winter clearing measures, and/or species mobility. The proposed project may impact state listed species habitat. USFWS concurred with the effect determinations dated 7/13/22. A mussel reconnaissance survey was performed by Lawhon and Associates in Tenmile Creek in Metamora, Ohio on 05/11/22. One (1) live cylindrical papershell (*Anodonta imbecilis*) individual was observed downstream of the OH-120 bridge, and the survey was terminated after confirmation of the presence of live mussels. An environmental commitment for a mussel survey and relocation has been included.

**Agency Coordination****Project Coordination:**

Project locations for which no agencies are listed are considered ecologically exempt or non-notifying.

The ODNR and USFWS conditions outlined in the Ecological MOA apply to all projects that are not considered ecologically exempt. These conditions have been evaluated for the project locations listed below.

| ESR Name:     | Agency: | Submitted for Coordination Date: | Coordination Complete Date: | Were project specific comments received? |
|---------------|---------|----------------------------------|-----------------------------|------------------------------------------|
| FUL-120-14.08 | USFWS   | 6/29/2022                        | 07/13/2022                  | No                                       |

**Additional Coordination Considerations:**



**Are other ecological coordination requirements applicable?:** Yes

Details regarding the additional coordination efforts are provided in the Remarks box below.

**National scenic river:** No

**State scenic river:** No

**Individual Coastal Consistency:** No

**Jurisdictional Determination:** No

**Project specific Biological Assessment Verification:** No

**Mussel survey:** Yes

**Other:** No

**Remarks:**

The US Fish and Wildlife Service was notified of the proposed project by ODOT-OES on 6/29/22. No comment was received within 14 days, therefore Programmatic Concurrence was applied on 7/13/22 and coordination was considered complete. Findings related to Threatened and Endangered Species are summarized in the section above.

**Are there any environmental commitments? Yes**



## Other Resources

### Farmlands

The proposed project is located within an Urbanized Area No

The proposed project is located within a Non-Urbanized Area Yes

The proposed project involves new permanent right-of-way (ROW) Yes

The proposed project involves temporary ROW Yes

The proposed project is a type of action listed below and meets allowable ROW thresholds: Yes  
Bridge replacement requiring ROW of three (3) acres or less to accommodate bridge piers, wingwalls, and/or approach work Widening requiring linear strip ROW of 10 acres or less per linear mile Intersection improvement requiring ROW of three (3) acres or less

Undeveloped land being used for construction purposes is protected by a conservation easement No

Undeveloped land being used for temporary ROW will be returned to equal or greater productive capability upon completion of the proposed project Yes

Based on the scope and type of work, the proposed project is in compliance with the executed Farmland Memorandum of Understanding (MOU), the FPPA, and 7 CFR 658. Completion of the Farmland Conversion Impact Rating (FCIR) Form is not warranted. No further coordination is required.

OES Concurrence Date 04/12/2023

NRCS Approval Date 01/01/1900

Land being used for the proposed project is part of an Agricultural District No

FCIR Required Completion of the Farmland Conversion Impact Form is required and coordination with USDA & NRCS is required.

### Remarks:

Based upon review of appropriate mapping, the proposed project is located in a non-urbanized area. Based on the scope and type of work, the proposed project meets the terms and conditions of the *Memorandum of Understanding between the Natural Resource Conservation Service and the Ohio Department of Transportation for Projects Involving Farmland (Agreement No. 19552)*, executed on March 15, 2016. Therefore, completion of the Farmland Conversion Impact Rating (FCIR) Form was not warranted and no further coordination is required.

Are there any environmental commitments? No

### Drinking Water

The proposed project is wholly or partially located within the USEPA designated boundaries of a Sole Source Aquifer No

Present:

Impacted:

**Environmental Document Level: D1**

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|                                                                                                                             |    |  |
|-----------------------------------------------------------------------------------------------------------------------------|----|--|
| The proposed project is wholly or partially located within the OEPA designated boundaries of a Source Water Protection Area | No |  |
|-----------------------------------------------------------------------------------------------------------------------------|----|--|

**Coordination with the Local Public Water Administrator is required**

No

| Present:                      |    | Impacted: |
|-------------------------------|----|-----------|
| Residential Wells are present | No |           |

**Remarks:**

The OEPA Division of Drinking and Ground Waters mapping tool was used to identify the presence of drinking water resources within the proposed project study area. The map indicates there are no public water system wells, intakes, drinking water source protection areas, non-transient, non-community Water Systems or transient non-community water systems within the proposed project area. Furthermore, the proposed project area is not within a designated sole source aquifer.

A search of the ODNR Division of Soil and Water Well Logs did not identified any residential drinking water well within the proposed project area. No impacts to residential drinking water sources is anticipated.

- OEPA and ODNR mapping may be found in the Project File under Other Resources/Drinking Water

**Are there any environmental commitments? No**



**Environmental Document Level: D1**

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## **Section 4(f)**

### **Section 4(f) Determination**

**Section 4(f) properties are within and/or adjacent to the proposed project area**

**No**

### **Identified Section 4(f) Properties**

#### **Remarks:**

A review of maps and property ownership by Lawhon & Associates did not identify Section 4(f) properties within the project area.

**Are there any environmental commitments? No**



## Section 6(f)

### Section 6(f) Determination

### Section 6(f) Determination

| Present:         |    | Impacted: |
|------------------|----|-----------|
| 6(f) Properties: | No |           |

### Remarks:

No outdoor public recreation areas were identified within and/or adjacent to the proposed project area and based on review of the Land and Water Conservation Fund State Grant Listing (<https://lwcf.tplgis.org/mappast/>). No Section 6(f) properties are located within the project area.

- The LWCF Grant Listing for Fulton County can be found in the Project File under Section 6(f)/Project Information

**Are there any environmental commitments? No**



## Community Impacts

### Community Impacts

**Will the proposed action comply with the local/regional development patterns for the area?** Yes

**Remarks:**

The proposed project is consistent with the Fulton County Comprehensive Plan (2021). The plan states that its Transportation Goal 2 is to improve infrastructure conditions including pavement and bridges. The project is not anticipated to influence development patterns for the area.

**Will the proposed action result in substantial negative impacts to community cohesion?** No

**Remarks:**

The proposed bridge replacement improvement will not result in substantial negative impacts to community cohesion. Replacing sidewalks on the bridge and improving the bridge condition will improve and ensure community cohesion for years to come.

**Will the proposed action result in indirect or cumulative impacts?** No

**Remarks:**

The proposed improvements will not result in a reasonably foreseeable secondary or cumulative impact.

**Will the proposed action result in substantial impacts on health and educational facilities, public utilities, fire, police, emergency services, religious institutions, public transportation, pedestrian and bicycle facilities?** No

**Remarks:**

Substantial impacts will not occur to health and educational facilities, public utilities, fire, police, emergency services, religious institutions, or public transportation facilities. ODOT will continue to work with Evergreen Local Schools to make sure impacts to bus routes are minimized.

**Will the proposed action displace residents, businesses, institutions or farms?** No

**Remarks:**

No displacements will be required for the proposed project. A partial take is anticipated for an adjacent property that operates as an auto repair shop, but it is not anticipated to displace the business. The area of the building being removed serves as storage for the auto shop.

**Will the proposed project result in impacts to Underrepresented Populations (Limited English Proficiency, Older Adults, or Adults with Disabilities) raised during Public Involvement?** No

**Remarks:**

No impacts to Underrepresented Populations were raised during public involvement.

**Are there any Environmental Commitments?** No



## Environmental Justice

### Environmental Justice

#### Identified Environmental Justice Populations

| Census Block Group # | % Minority | % Low Income |
|----------------------|------------|--------------|
| 390510401001         | 11         | 30           |

Are Environmental Justice Populations located within and/or adjacent to the proposed project area? Yes

Are there any relocations? Yes

Are there residential relocation(s)? No

Are there business relocations? Yes

Will any businesses primarily serving an Environmental Justice Population be relocated as part of the proposed project? No

Will there be any job loss for an Environmental Justice Population as a result of the business relocation? No

Will there be changes to access? No

Will the proposed project result in unanticipated additional impacts to any Environmental Justice Populations? No

Were any concerns related to impacts on Environmental Justice Populations or any other unique factors that could result in a disproportionately high and adverse effect raised during public involvement? No

#### Remarks:

The proposed project will have no disproportionately high and adverse effects to minority or low-income populations or disparate impacts to a Title VI population based upon the table above, the attached mapping, and the answers to the questions above. No concerns related to impacts on Environmental Justice or Title VI 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, FHWA Order 6640.23A and Title VI of the Civil Rights Act of 1964, no further analysis is required.

Are there any Environmental Commitments? No



## Public Involvement

### Public Involvement

**Please provide a summary of the Public Involvement activities that have been conducted for this project. (For example press releases, letters to affected property owners and residents, meetings, special purpose meetings, newspaper articles, etc)**

A Public Engagement Plan for the project was approved in November 2022.

Letters were mailed to property owners, residents, and stakeholders in and around the project area on January 19, 2023. Letters were also sent to nearby high traffic areas, churches, libraries, and businesses that included flyers to be posted by the business for additional advertisement to the surrounding area. The letters provided information on the project including a project description, summary of the purpose and need for the project, the construction schedule, maintenance of traffic, and provided an invitation to view additional materials online and submit comments before February 23, 2023. The letters included a link to the project website (<https://www.transportation.ohio.gov/projects/projects/101140>) where materials could be accessed, project information and exhibits could be viewed, and comments could be submitted. A handout and comment form were also included in the mailing to provide additional project details and an opportunity to comment via mail. A press release and ODOT web posting also notified the public of the project, project details, and meeting. A 30-day comment period began on January 19, 2023 and closed February 23, 2023.

All public involvement materials can be found in the Project File under Public Involvement/Project Information.

**Is there any substantial environmental controversy on environmental grounds?**

No

**Please summarize the Public Involvement responses received.**

Six (6) comments were received during the comment period. Two (2) comments were received via written letter, two (2) comments were received via the ODOT project webpage, one (1) comment was received via phone call, and one (1) comment was received via email. Comments received were supportive of the project, questions regarding property impacts, school bus routes, and construction methods were also received.

ODOT responded to comments on a rolling basis as they were received during the 30-day comment period. All comments and responses are documented in the project file.

**Are there any Environmental Commitments?** No



## Permits

### Waterway Permits

Are Waterway Permits required? Yes

Is the Waterway Permits Determination Complete? No

Army Corps of Engineers

Regional General Permit (RGP):

Nationwide Permit (NWP):

Section 404 Individual Permit:

Section 10 Permit:

Ohio EPA

Section 401 Water Quality Certification:

Level 1 General Isolated Wetland Permit:

Level 2 Individual Isolated Wetland Permit:

Level 3 individual Isolated Wetland Permit:

US Coast Guard

Section 9 Coordination:

Section 9 Bridge Permit:

ODNR

Shore Structure Permit : No

Remarks:

A permit determination request was submitted to ODOT-OES Waterway Permitting Unit on March 27, 2023 for impacts to water resources. A permit determination is pending for the project.  
ODOT District 2 will obtain any required waterway permits and mitigation prior to construction.

Are there any environmental commitments? Yes

### Storm Water Permits

NPDES Construction General Permit for Stormwater (NOI): No

Watershed Specific NPDES Construction General Permit for Stormwater (NOI): No

Remarks:



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Construction of this project will likely require a total disturbance of less than 1 acres of land surface. Because the proposed improvements will not result in greater than 1 acre of earth-disturbing construction activities, a Notice of Intent (NOI) is not needed.

**Are there any environmental commitments?** No

**Floodplains**

**The proposed project involves encroachment within a Special Flood Hazard Area (SFHA)** Yes

**EO 11988/NFIP Coordination and Documentation Completed** Yes

**NFIP Local Floodplain Coordinator Notification Date** 03/22/2023

**Remarks:**

Based on review of the FEMA Flood Insurance Rate Map (FIRM) Community Panel 39051C0108D by Lawhon & Associates, Inc. on February 15, 2022, the project is located within a regulated floodplain. A floodplain permit application was submitted to the local floodplain administrator for Fulton County on March 22, 2023. A floodplain permit from Fulton County was received on March 23, 2023. The floodplain map and coordination can be found in the project file under the Permits/Floodplain subsection.

**Are there any environmental commitments?** No

**Landfills**

**Is a 2713 Permit required?** No

**Remarks:**

Based upon regulated materials studies conducted by Lawhon & Associates, Inc. there are no landfills located within the project area. No permit is required.

**Are there any environmental commitments?** No



## Environmental Commitments

### ESA

- 1) The contractor shall coordinate with the owners of the 114 W. Main Street property (Mike 419-388-5566 and/or Brinda 419-388-6062, [brindamiller2021@gmail.com](mailto:brindamiller2021@gmail.com)) to make sure that the property owner takes all of the items they have stored in the building before being demolished. This includes the solvent parts washer located in the building's storage area and all of the chemicals stored in the parts storage area.
- 2) A PCS plan note will be placed in the Final Plans to properly manage PCS that may be encountered during excavation or construction activities for the property located at Kie's Repair, 114 W. Main Street.

### Ecological

- 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 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.
- 2) Hire a State permitted malacologist to complete a mussel salvage and relocation in accordance with the most recent version of the Ohio Mussel Survey Protocol prior to the initiation of consultation activities below the ordinary high water mark. The mussel survey must occur after May 1 and before October 1 either within the same season as the instream work or the season prior to the instream work. Submit the results of the mussel survey, salvage work, or both to the ODOT District Environmental Coordinator, Phoenix Golnick ([phoenix.golnick@dot.ohio.gov](mailto:phoenix.golnick@dot.ohio.gov), 419-373-4329). Obtain approval from the Department prior to performing work below the ordinary high water mark of Tenmile Creek.

### Permits - Waterway Permits

- 1) 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.



**Environmental Document Level: D1**

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**Approved: 5/2/2023**

### **Preparers and Approvals**

**Form Preparer:**

Abigail Anacki  
Lawhon & Associates  
1441 King Avenue, Columbus OH 43212  
aanacki@lawhon-assoc.com

**Supporting Form Preparer(s):**

Chantil Milam

### **Approvals & Electronic Signatures**

| <b>Approved &amp; Electronically Signed By:</b> | <b>Approval Date:</b> |
|-------------------------------------------------|-----------------------|
| Phoenix Golnick (PROGRAM ADMIN 3)               | 5/2/2023              |



## Appendix

### General

Aerial Map.pdf

Correspondence Related to Utility Coordination.pdf

County Map.pdf

USGS Quadrangle Topographical Map.pdf

### Purpose and Need

District Acceptance - Purpose and Need.pdf

### ESA

OES Recommendations - Assessment.pdf

OES Recommendations - Revised Screening.pdf

OES Recommendations - Screening.pdf

Regulated Materials Review Assessment.pdf

### Cultural Resources

SHPO Comments

Transmittal 1 - Effect Determination

Tribal Comments - Miami Tribe.pdf

Tribal Consultation

Tribal Consultation - Correspondence List and Example Email.pdf

Tribal Response - Eastern Shawnee Tribe.pdf

Tribal Response - Seneca Nation.pdf

Tribal Response - Wyandotte Nation.pdf

### Ecological

ODNR Scenic River MOA Conditions

USFWS/ODNR Ecological MOA Conditions

### Other Resources

Census Bureau Urbanized Area Map.pdf

Water Source Protection Area Map.pdf

Well Log Data.pdf

### Environmental Justice



Census Mapping.pdf

**Public Involvement**

District Approval - Public Involvement Plan.pdf

News Article - Fulton County Expositor .pdf

Public Comments Received and Responses.pdf

Virtual Open House - Flyer Letter and Mailing List.pdf

Virtual Open House Exhibit - Project Area.pdf

Virtual Open House Exhibit - ROW.pdf

Virtual Open House Exhibit - Site Plan.pdf

Virtual Open House Flyer.pdf

Virtual Open House Handout.pdf

Virtual Open House Notification - Email and Contact List.pdf

Virtual Open House Notification - Letter and Mailing List.pdf

Virtual Open House Notification - ODOT Press Release.pdf

Virtual Open House Notification Area Map.pdf

Virtual Open House ODOT Project Webpage.pdf

**Permits**

FEMA FIRM.pdf

Floodplain Impacts.pdf

Letter of Compliance - ODOT Form LD-51.pdf

Local Floodplain Administrator Approval.pdf

No Rise Certification - ODOT Form LD-50.pdf

Statement of Findings.pdf