



OHIO DEPARTMENT OF TRANSPORTATION

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

Environmental Document

for

LAK Metroparks Lakefront Path PID 114051

Environmental Document Level: C2

Approved: 10/28/2022

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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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PID: 114051
Project Sponsor: Lake Metroparks
ODOT District: 12
Funding Source: Federal
Private Funding: No

Project Description:

The project consists of constructing a 2,300 LF, 10' wide, off-road, asphalt bicycle/pedestrian path extending west from an existing trail in Painesville Township Park in the City of Painesville, Lake County. The path will follow an existing gravel path along the Lake Erie armored shoreline west of Painesville Township Park. No road or lane closure is necessary or anticipated for this project. No utility impacts are anticipated. Permanent and temporary ROW acquisition is necessary and is being acquired locally by the LPA. The environmental document and associated studies are being approved using Stage 3 Design. A copy of the plans are included in the project file / general / project information.

The project was cleared as Ecologically Exempt report was prepared and was accepted by ODOT on 9/30/22.

The project is not located within the floodplain. The project will have no impact on the floodplain.

Painesville Township Park is a recognized Section 4(f) property is located within the project area . The project will require temporary construction connecting the new trail with the existing trail. Accommodations will be made to maintain the access to the existing path. Based on coordination with the Official with Jurisdiction and in accordance with 23 CFR 774.13(g), ODOT-OES Policy Staff determined on September 26, 2022 the proposed project will preserve and/or enhance the Painesville Township Park, and will not adversely affect the protected recreational activities, features, or attributes.

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

A press release was posted on the Lake Metroparks website on April 20, 2022. The Press Release also invited the public to reach out with any comments and questions about the project. Thirty-eight (38) comments were comments or questions were received. The comments were responded to and a copy of the responses are located in the Project Files/Public involvement in EnviroNet. No revisions or additions to project have been made based on public input. The Lake Metroparks has decided to proceed with the project as currently designed.

The environmental document and associated studies are being approved using Stage 3 Documents. A copy of the plans is included in the project file.

Construction is currently scheduled to begin at the end of spring in 2023 and last approximately 6 months.

STIP Reference #: 114051: 21-24 STIP

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



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

1. a. Acquisition of more than a minor amount of right-of-way
2. b. Residential or non-residential displacements
3. c. A Coast Guard, Individual Section 404 and/or a Section 10 permit
4. d. A Section 106 finding of *Adverse Effect*
5. e. A Section 4(f) Programmatic or Individual Evaluation
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. If an EJ Analysis Report is required, the project must be processed as a D-level CE or higher level document

For certification purposes, documentation is required to illustrate no significant impacts will occur to the following environmental resources and that no unusual circumstances exist that would warrant a higher level of NEPA document. Upload all supporting documentation to the project file.

Waterways:	Present; No Coast Guard, Individual 404, and/or Section 10 Permit required
Waterways Permit Type:	Permit Determination and/or Permit Application Approval Pending
Isolated Wetland Permit	No
Will any wetlands be impacted?	No
Endangered Species:	No Impacts to Protected Species and Critical Habitat
100-Year Floodplain:	No Encroachment Within a Special Flood Hazard Area (SFHA)
Section 4(f):	Present; No Programmatic Evaluation or Individual Evaluation Required

Section 4(f) Determination:

Transportation Enhancement Exception - 774.13(g)



Section 4(f) Determination Date - 774.13(g) 09/26/2022

Section 6(f): Not present

Cultural Resources: Present; No Finding of Adverse Effect

Cultural Resources Coordination: Minimum Potential to Cause Effect Appendix B

Cultural Resources Coordination - ODOT Approval/SHPO Concurrence Date 06/15/2022

Since no Tribe was interested in this project based on their customized preferences, no further Tribal consultation was conducted.

Projects that meet C2 criteria are not anticipated to have impacts to the following environmental resources. If resources are present, documentation is only required if there is a potential for impacts.

Air Quality: Studies Not Required

Air Quality - Coordination with OES: No

Noise: Studies Not Required

Noise Coordination - OES Approval Date: 10/21/2022

Hazardous Materials - ESA Screening Conducted Yes

Hazardous Materials - OES Approval Date: 06/27/2022

Phase I ESA Warranted Based on Coordination with OES: No Further Studies Warranted

Farmland: Urbanized Area; No Impacts in Accordance With the Farmland MOU and 7 CFR 658

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

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

Underserved Populations Present; No UPIAR Required, Does Not Exceed UP Guidance Criteria, and No Issues Raised During Public Involvement

Identified Underserved Populations

Census Block Group #	% Minority	% Low Income	% Older Adults	% Limited English Proficiency (LEP)
1	6	6	16	0

Underserved Populations Remarks



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According to the ODOT's TIMS, the EJ population percentages are low in the project area. The Minority population is 6 percent. The Low Income population is 6 percent. The older adult population is 16 percent and the Limited English Proficiency (LEP) is 0 percent population.

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.

The proposed project will have no substantial impacts to Limited English Proficiency, Older Adults, and Individuals with Disabilities Populations based upon the table above, the attached mapping, and the answers to the questions above. No concerns related to impacts on these Underserved Populations were raised as a result of public involvement activities conducted as part of the proposed project. Therefore, in accordance with the protections of the Age Rehabilitation Act of 1973, Discrimination Act of 1975, Americans with Disabilities Act of 1990, and Executive Order 13166, no further analysis is required.

Based on the above findings an Underserved Populations Impact Analysis Report is not required.

The Census mapping may be found in the project file under Underserved Populations.

Public Involvement:

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

Environmental Commitments

Yes



Environmental Commitments

C2

- 1) The Project Designer will incorporate the known boundary of Painesville Township Park in the plans and incorporate the following Section 4(f) measures to minimize harm into the Plan Notes: Access to Painesville Township Park from Hardy Road shall be maintained at all times during construction activities,
- 2) Temporary barriers (e.g., construction fencing) shall be installed along proposed construction limits prior to the start of construction activities to protect the Section 4(f) property and the public,
- 3) Appropriate signage shall be installed to alert users of Painesville Township Park of construction activities, in proximity to recreational facilities or features
- 4) The contractor shall closely coordinate the construction schedule with ODOT, Lake Metroparks, and Painesville Township Park Board of Commissioners prior to the start of construction activities.
- 5) The Project Designer will incorporate the following into the Plan Notes: This project is located within the Lake Erie Potential Influence Zone (the area along the lake shore where pollutants may become a threat to the intake). Use proper containment and diking in refueling areas. Do not store fuels, toxic/hazardous materials, and chemicals near drainage ways, ditches, or streams. Maintain a spill kit on-site throughout construction activities. Immediately mitigate any event, such as a spill of fuels, oils, or chemicals, that could threaten to contaminate the drinking water supply. Report all spills or events to the Painesville Water Treatment Plant Supervisor Skipp DeLeve at 440-392-9544. If the spill is a reportable amount (per Ohio EPA's Release Reporting Requirements), contact the Painesville City Fire Department Chief Tom Hummel at 440-392-5852 or the Ohio EPA's Spills Hotline 1-800-282-9378 for clean-up of the spill.



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Preparers and Approvals

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Approvals & Electronic Signatures

Approved & Electronically Signed By:	Approval Date:
Mark Carpenter (TRANS ENGR 3)	10/28/2022



Appendix

General

Aerial Map.pdf

County Map.pdf

Stage 1 & 2 Design.pdf

Stage 3 Design.pdf

USGS Quadrangle Topographical Map.pdf

ESA

OES Recommendations - 513 and RMR Screening Determination.pdf

Regulated Materials Review Form.pdf

Cultural Resources

Minimal Potential to Cause Effect - Appendix B

Ecological

ODNR NHDB.pdf

ODNR Scenic River MOA Conditions

Other Resources

Census Urban Area Map.pdf

Sole Source Aquifer Mapping.pdf

Water Source Protection Area Map.pdf

Well Log Map.pdf

Section 4(f)

Determination Request Form for Recreational Properties.pdf

OES Recreational 4(f) Determination.pdf

Section 6(f)

LWCF Grant Listing Map.pdf

Underserved Populations

Census Mapping.pdf

Public Involvement

Public Comment Responses.pdf

Public Comment and Response Summary.pdf



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Public Notification on Website.pdf

Social Media Posts.pdf

Permits

FEMA FIRM.pdf