



OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 02
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Environmental Document for **LUC Toledo Build Grant - GCR PID 114239** **Environmental Document Level: D1**

Approved: 12/31/2021

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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



General Project Information

Project, Cost Schedule and Work Limits

Project, Cost Schedule and Work Limits

Environmental Document Level:	D1
PID:	114239
Project Name:	LUC Toledo Build Grant - GCR
Project Sponsor:	Toledo Area Metropark District
ODOT District:	2
Funding Source:	Federal
Private Funding:	No
Local Public Funding:	Yes
STIP Reference #:	114239: 21-24 STIP
The next phase of the proposed project is listed on the STIP	Yes
The current cost estimate is in line with existing federal procedures for Ohio STIP Amendments and Administration Modifications	Yes
Planning and Engineering:	\$5,504,700.00
Right of Way:	\$0.00
Construction:	\$26,895,600.00
Other:	\$0.00
An Interchange Modification/Justification/Operations Study (IMS/IJS/IOS) was completed	No
Project Description:	



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The Toledo Metropolitan Area Council of Governments (TMACOG) and Metroparks Toledo, in cooperation with the Ohio Department of Transportation (ODOT), propose to improve the Downtown Toledo riverfront on both sides of the Maumee River by working to create an active, livable and attractive urban core. The proposed Glass City Riverwalk Project consists of three distinct project areas: Glass City Metropark, International Park, and Downtown Toledo: The Glass City Metropark area components include:

- Installing a transient dock landing and floating docks along the east bank of the Maumee River;
- Constructing a new TARTA (Toledo Area Regional Transit Authority - public transit) bus stop with shelter;
- Constructing a new ToleGO bike share hub; and
- Constructing a new kayak share location.

The International Park area components include:

- Creating and improving existing shared-use paths free of vehicle conflicts;
- Repairing and/or replacing the existing walkway and other park amenities, and provide stepped access to the Maumee River in a man-made basin on the west side of the river;
- Managing storm water in a riparian buffer, softening the river's edge with plants, and providing stepped access to Maumee River through the planted edge;
- Improving the area behind 'The Docks' restaurants with planters and other amenities; and
- Repairing the existing seawall and walkways.

The Downtown Toledo area components include:

- Creating and improving existing shared-use paths free of vehicle conflicts;
- Installing new lighting, benches and other hardscape/landscape features on the west bank of the Maumee River;
- Repairing and restoring the existing sea wall; and
- Installing new seawall for bank stabilization, where appropriate.

The proposed project is located in the City of Toledo, Lucas County, Ohio, along the eastern and western banks of the Maumee River. The project area is characterized as a downtown urban setting with a mix of parks, green space, retail-commercial and multi-residential structures. The Maumee River and Main Street/Dr. Martin Luther King Bridge/Cherry Street bisect portions of the project area.

The proposed project will not require new permanent property acquisition. Temporary right-of-way will be required to construct the project. No business or residential relocations will be required. No closures of any local roadways are anticipated. All relocated utilities will occur within the project limits and will not require the temporary or permanent relocation or removal of any off-site utilities. The proposed project will not require any zoning land use changes.

This project is a type of design-build project and there are currently no design plans for the proposed work. This document was written and approved based on a worst case footprint. The environmental document will be updated if necessary as design progresses.

Limits of Proposed Work:

Along Maumee River by Promenade
Park, International Park and Glass
City MetroPark

Start (SLM):	4.25
End (SLM):	5.0
Total Work Length (Miles):	0.75

No roadway data for PIDs associated with this CE Form

No bridge data for PIDs associated with this CE Form

Maintenance of Traffic During Construction



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A roadway, bridge or ramp closure is required	No
A temporary bridge or roadway is proposed	No
A detour is required for the proposed project	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:

The proposed project is being lead by Metroparks Toledo in cooperation with the City of Toledo. The proposed project involves improvement to three public parks. No detours or temporary roadway closures are anticipated. All public public safety agencies and schools have been notified. Coordination with Metroparks and City of Toledo emergency services is ongoing as part of the Advisory Committee outreach efforts. The Toledo Area Regional Transit Authority (TARTA) is stakeholder and one-on-one meetings have taken place to discuss bus routes and the placement of TARTA bus shelters within the Glass City Metropark and International Park. This coordination will continue through design and construction phases of the proposed project.

Are there any Environmental Commitments?	No
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Right of Way and Utility Involvement

The project requires Permanent Right-of-Way	Yes
The project requires Permanent Easement(s)	No
The project requires Temporary Right-of-Way	No

Right of Way and Utility Involvement

Number of parcels impacted by Permanent Right-of-Way:	0
Number of parcels impacted by Temporary Right-of-Way:	0
Approximate acreage of Permanent Right-of-Way needed:	0
Approximate acreage of Temporary Right-of-Way needed:	0
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:



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Coordination with utilities has been initiated. Stage 1 Plans will be provided to the identified utilities within the proposed project area with a request to review the plans to confirm the location accuracy of their facilities and provide comments. Utilities within the proposed project area include:

- Verizon/MCI
- Charter Communications
- Everstream
- Telesytem/Buckeye Cable System
- ACD.net
- Toledo Edison
- Columbia Gas of Ohio
- AT&T

No Permanent Right-of-Way will be required for the proposed project. A Slope Easement will be donated from ProMedica to the City of Toledo for inclusion in Promenade Park/Downtown Riverwalk area. No residential or business relocations are required.



Purpose & Need

Purpose & Need

Project History:

Going back over 50 years, there have been community conversations regarding riverfront planning in Toledo. According to *Urban Waterfront Revitalization* (1980, US Heritage Conservation and Recreation Service), the people of Toledo have begun to look to the river appreciating its value as an investment and untapped community resource but a lack of funds delayed many of the concepts proposed for riverfront development. Currently, a number of Midwestern and 'Rust Belt' cities like Toledo, desire to attract and retain talent and create an improved quality of life, combined with the declining use of the riverfront for industrial purposes, has resulted in cities reclaiming and reinvesting in their riverfronts. In 2018, ConnecToledo, a network of corporate and civic leaders from the community, embarked on a mission to develop a Riverfront Trail and Open Space Concept Plan with associated design guidelines. The Concept Plan was the next step for laying the framework for the future of the Toledo riverfront by building on the 2017 Downtown Toledo Master Plan. The Master Plan transpired into the 2017 Nautical Mile Vision Plan, which laid out goals for a connected riverfront network. Formerly known as the Nautical Mile project, the Glass City Riverwalk (GCR) is a major overhaul of downtown Toledo and the cornerstone of a united community with a strong regional presence. The multimodal improvements which are part of the Riverwalk will create an active transportation network in downtown Toledo that will connect more than 35,000 residents to employment, cultural assets, health care facilities, schools, shopping, entertainment and parks and green spaces. On September 10, 2020, the U.S. Department of Transportation's (USDOT) awarded the Toledo Metropolitan Area Council of Governments (TMACOG) and Toledo Metroparks a federal Better Utilizing Investments to Leverage Development (BUILD) Transportation Discretionary Grant for the construction of the planned Glass City Riverwalk.

Purpose Statement:

The purpose of the Glass City Riverwalk (GCR) project is to take advantage of the Maumee River assets by:

- Improving safety and access to and from riverfront destinations;
- Providing reliable, safe and accessible transportation options to promote regional connectivity;
- Promoting non-motorized improvements and recommendations based on various comprehensive plans;
- Facilitating economic growth & competitiveness in the downtown Toledo;
- Promoting healthy lifestyles of residents through alternative transportation choices that encourages energy efficiency practices; and
- Improving connectivity to jobs and other destinations through increasing transportation choices

Need Element(s):

The Need Elements for the GCR project are identified as:

- **SAFETY** A review of ODOT's GIS Crash Assessment Tool (GCAT) bicycle & pedestrian crash data for the 10 year period of 2011 2020, revealed that within the Glass City Riverwalk (GCR) project area there were 75 crashes involving bicycles (42) and pedestrians (33) that resulted in 3 fatalities and 56 injuries. This fatality and injury frequency translates into 78.7% of the bicycle and pedestrian crashes over the past 10 years resulted in either a fatality or injury. This data emphasizes the need to enhance bicycle and pedestrian safety and connectivity within the project area of the GCR. Safety is the highest priority for the GCR project, as it will improve accessibility and safety for pedestrians, cyclists, and transit users.
- **COMPREHENSIVE PLANNING** Various comprehensive planning documents and studies have been developed over the past several years that have documented the needs of the project area and region. There are over 35,000 residents within the vicinity of the downtown Toledo area with more residential facilities currently expanding



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and planned in the near future, and there are over 25,000 people who work in downtown Toledo. The various planning documents and studies documenting geographic and demographic needs for improving non motorized facilities include the *NW Ohio / SE Michigan Comprehensive Economic Development Strategy* (2014); *Downtown Toledo Master Plan* (2017); *Nautical Mile Vision Plan* (2017); *Riverfront Trail and Open Space Concept Plan* (2018); *Lucas County Community Health Improvement Plan* (2018); *The Economic Benefits of Metroparks Toledo* (2019); and *TMACOG's On the Move 2015-2045 Transportation Plan* (Update 2020). These various documents highlight needs for improved transportation options in the downtown Toledo region. In the immediate project area of the proposed GCR, there are almost 35,000 people, of which 46% are in poverty and nearly 30% of the households have no access to an automobile, and an alternative transportation network is critical to allow residents to commute to work and school, and access all of the other amenities and markets in the area. An estimated 11.5% of residents walk, bike, or use transit to access jobs. Improving the non motorized transportation of the area such as the GCR is proposing, will greatly enhance the multimodal transportation options for the 35,000 downtown residents, especially for the economic disadvantaged neighborhoods.

- **CONNECTIVITY/PROMOTING ECONOMIC GROWTH** Over the past 7-8 years, major investments in entertainment/recreational venues, residential, and job growth centers have been implemented in downtown Toledo. These developments are spurring economic growth; however, there is a disconnect between many of these sites that does not allow for clearly defined pedestrian and bicycle facilities that connects all of them and encourages non motorized transportation within safe and efficient corridors. Several of these key economic development generators include:
 - Hensville (\$21M in 2014) is an entertainment district adjacent to the Toledo Mudhens Stadium;
 - National Museum of the Great Lakes (\$24M in 2014) is a museum that educates visitors about the importance of the Great Lakes;
 - Tower on the Maumee (\$30M in 2016) is one of the region's tallest buildings that had been vacant for over 20 years that was converted to apartments;
 - Glass City & Middlegrounds Metropark (\$10M in 2016-2018) is a Metropark that reclaimed riverfront property that was converted into recreational greenspace;
 - ProMedica Downtown Headquarters (\$60M in 2017) is a non-profit locally owned healthcare organization that is the largest employer in the region that moved nearly 1,000 jobs downtown;
 - Nexus Health Care (\$11M in 2017) is a 43,000 square foot medical facility operated by the Toledo based Neighborhood Health Association;
 - Renaissance Hotel (\$30M in 2017) was renovated and employs over 200 people and the facility offers new restaurants and unparalleled views of the riverfront;
 - Toledo Lucas County Downtown Library (\$12M in 2019) had renovations that upgraded the children's library, provided a new café, new meeting spaces, and a new recording studio;
 - Imagination Station (\$10M in 2020-2021) for new immersive theater and science center; and
 - Marina Lofts (\$50M in 2020-2021) is a mixed-use development including apartment homes for rent on the Toledo riverfront.

Given all of these developments and major investments in recreation, entertainment, residential, and job centers in the downtown Toledo area, there is a great need to connect all of them with improved pedestrian and bicycle facilities to spur additional economic growth and to promote the region as one of the most livable cities in the United States. The downtown Toledo area has experienced a 32% increase in residential population since 2000, and another 700 residential units are planned as well as an additional 200 hotel rooms. The growth in residents, jobs, and visitors to the area have created a desire for more pedestrian and bicycle facilities to take advantage of the riverfront and to connect all of these developments.

Goals and Objectives:

N/A

Summary Statement:

N/A

Logical Termini and Independent Utility:



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The Glass City Riverwalk (GCR) is an in fill shared use path project that proposes to construct more than 6 miles of new shared use path sections that will eliminate gaps of existing sections of non motorized facilities that already exist in and around downtown Toledo along the riverfront of the Maumee River. The proposed project has independent utility in that it will address the safety needs as documented by crash history for bicycle & pedestrian modes of transportation in the project area; provide connections that will improve access and travel options for non motorized transportation users as documented in various comprehensive planning documents; and will enhance connectivity to promote economic development of the region. No other improvements outside of the identified GCR project are necessary to address the purpose and need of the proposed project.



Alternatives

Alternatives

Discuss No Build Alternative:

The No Build Alternative would maintain the existing park layout, access and elements, and their existing conditions with no improvements other than planned routine maintenance. The bulkheads, walkways and shared use paths would continue to deteriorate. Reliable and safe multi-modal and alternative transportation (bicycle, walking, kayak, boat, and transit) access would not be provided and transportation choices would be limited. Access to the Maumee riverfront would be limited. The No Build alternative does not satisfy the P&N as it would not enhance safety and access to and from riverfront destinations in downtown Toledo; provide reliable, safe, and accessible transportation options to promote regional connectivity; promote healthy lifestyles through alternative transportation that encourages energy efficiency through walking, bicycling, and transit; and to increase transportation choices to jobs and destinations; and contribute to revitalization of downtown Toledo and facilitate economic growth.

Was a Feasibility Study completed? No

Was an Alternative Evaluation Report (AER) completed? No

Alternatives Considered

Name	Description	Reason Dismissed	Preferred Alternative
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Glass City Riverwalk	This alternative will improve the Downtown Toledo riverfront on both sides of the Maumee River and consists of three distinct project areas. The Glass City Metropark area components include transient dock landing and floating docks, a TARTA bus stop with shelter, a ToleGO bike share hub, and a kayak share location. The International Park area components include shared-use paths, Maumee River riparian buffer, stepped access to the in a man-made basin, repair of the existing seawall, and repair/replacement of existing walkways and other park amenities. The Downtown Toledo area components include repair of the existing seawall, new and existing shared-use paths improvements, new lighting, and benches and other hardscape/landscape features.	This Alternative is the Preferred Alternative	Yes
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Discuss Reasons Alternative Identified as Preferred was selected:

The Glass City Riverwalk alternative improves the Downtown Toledo riverfront on both sides of the Maumee River by working to create an active, livable and attractive urban core. This alternative meets the Purpose and Need of the project.



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	No
The proposed project involves adding capacity, a new interchange, relocating thru lanes significantly closer to sensitive areas, or expanding an intermodal center	No
Design Year ADT is <140,000	No

Remarks:

The purpose of this project is to improve the Downtown Toledo riverfront on both sides of the Maumee River by working to create an active, livable and attractive urban core by constructing a new transit stop; bike and kayak share hubs; improving existing shared-use paths and repairing/replacing existing walkways; managing riparian buffers and improving bank stabilization; repairing existing seawalls; and installing transient docks. This project has been determined to generate minimal air quality impacts for Clean Air Act criteria pollutants and has not been linked with any special mobile source air toxic (MSAT) concerns. As such, this project will not result in changes in traffic volumes, vehicle mix, basic project location, or any other factor that would cause a meaningful increase in MSAT impacts of the project from that of the no-build alternative.

Moreover, Environmental Protection Agency (EPA) regulations for vehicle engines and fuels will cause overall MSAT emissions to decline significantly over the next several decades. Based on regulations now in effect, an analysis of national trends with EPA's MOVES2014 model forecasts a combined reduction of over 90 percent in the total annual emissions rate for the priority MSAT from 2010 to 2050 while vehicle-miles of travel are projected to increase by over 45 percent (Updated Interim Guidance on Mobile Source Air Toxic Analysis in NEPA Documents, Federal Highway Administration, October 12, 2016). This will both reduce the background level of MSAT as well as the possibility of even minor MSAT emissions from this project.

Particulate Matter 2.5 (PM2.5)

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

Lucas County is designated as being in attainment for PM2.5, therefore, no additional air quality investigations are necessary.

- Mapping can be found in the Project File under Air/Project Information/PM2.5 Nonattainment Area Map

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 Yes

Remarks:

Lucas County is designated as being in attainment for Ozone. Furthermore, the proposed project is listed on the STIP (#2018MODID0028FDPE) and TP. Therefore, ozone is addressed.

- Mapping can be found in the Project File under Air/Project Information/Ozone Nonattainment Area Map

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:

The proposed project will not involve the construction of a highway on new location or the physical alteration of an existing highway which significantly changes either the horizontal or vertical alignment or increases the number of through-traffic lanes (Type I), nor does it include a proposed Federal or Federal-aid highway project for noise abatement on an existing highway (Type II). Therefore, no noise analysis is required for the proposed project.

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



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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: 11/23/2021

Do any sites require a Phase 1 ESA, Phase 2 ESA, or plan note according to the IOC from OES? No

Remarks:

An RMR Screening (October 22, 2021) was prepared by the Mannik & Smith Group, Inc. in accordance with ODOT's Office of Environmental Services (ODOT-OES) January 2019 Guidance. Based upon the result of the RMR Screening and conceptual project plans, it was determined by ODOT-OES Staff on November 23, 2021, that:

1. **Glass City Metropark** is an Ohio Environmental Protection Agency (OEPA) Volunteer Action Plan (VAP) site which has a Covenant Not to Sue (CNS) and must be followed as part of this project. The VAP documents are to be attached to the plans for use by the contractor and are the project file (ESA/Project Information). The following plan notes will be required to be included in the plans:

- a. This portion of the project is a VAP site and has an Operation and Maintenance Plan (OMP) which the contractor must follow. In addition, the OMP requires a Site Specific Health and Safety Plan (SSHSP) which the contractor will need to develop and follow.
- b. Parts of the Glass City Metropark site has a 2 foot soil cap as part of the VAP. The location of the soil cap is documented in the VAP documentation. If the project will remove or impact this soil cap, the contractor must re-establish the soil cap in as good or better condition. In addition, if the contractor must bring in new materials to re-establish 2-foot soil cap, the material must meet be tested before use and meet VAP levels established in the site's VAP documentation.
- c. If dewatering is required for construction purposes, a plan note for regulated water is to be included in the plans.

2. International Park

- a. Since Maumee River sediments have issues with contamination, any sediments from the Maumee River must be removed for construction purposes a plan note should be placed into the plans to properly manage, test and dispose of these materials.

3. Downtown Toledo

- a. Since sediments from both the Maumee River and Swan Creek have issues with contamination, any sediments from the Maumee River or Swan Creek must be removed for construction purposes a plan note should be placed into the plans to properly manage, test and dispose of these materials.

If the plans change and additional deep excavation and/or additional ROW will be necessary, further RMR may be required.

- A copy of the RMR Screening can be found in the Project File under ESA/Reports/Regulated Materials Review Form REVISED.
- The ODOT-OES correspondence can be found in the Project File under ESA/Coordination/OES Recommendations - Screening.



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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.):

Efforts to identify Historic Properties included literature reviews and field investigations in accordance to ODOT's Guidance Manuals. The Area of Potential Effect (APE) was defined as the preliminary project area that included an area of sufficient geographical size to include all feasible alternatives, and associated impacts. The initial cultural resource investigation efforts conducted on the APE included a Section 106 Request for Review (August 2021, Mannik & Smith Group). The RFR documented previous cultural resources investigations in the vicinity of the proposed project area and included a photolog that documented the existing conditions within the proposed project area.

- **The Section 106 Request for Review and Scoping Request Form can be found in the Project File under Cultural Resources/Project Information.**

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

OES Approval/OSHPO Concurrence Date: 08/09/2021

Remarks:

Modernization of port facilities and pedestrian enhancement projects beyond the boundaries of a historic properties and districts are exempt from further cultural resource consideration by the 11/8/17 Cultural Resource PA (Agreement 19319 - Appendix B - Item 2), as long as no new permanent right-of-way from a historic property will be acquired and no contributing element of a historic district will be removed or altered by construction.

In accordance with Stipulation V(C)(1) and Appendix B of the Section 106 Programmatic Agreement executed on November 8, 2017 (Agreement No. 19319), amended on July 11, 2019, ODOT-OES has determined that the proposed project is a type of undertaking that has 'minimal potential to cause effects' to historic properties and is not a part of a larger undertaking.

What is the Section 106 effect determination in the OES Transmittal? Minimal Potential to Cause Effect Appendix B

Archaeological Resource Adverse Effect

History/Architecture Adverse Effect

Tribal Consultation

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

Environmental Commitments



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Are there any Environmental Commitments? No



Ecological

ESR

ESR Name:	ESR Type:	Coordination Complete Date:
LUC-Toledo Build Grant-GCR	Level 1	11/9/2021

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 November 9, 2021, was prepared by The Mannik & Smith Group, Inc. based on field investigations conducted in July 2021. Based on the results of the ESR, no jurisdictional nor isolated wetlands were identified within the proposed project area. The Level 1 ESR can be found in the Project File under Ecological/Reports.

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.):
LUC-Toledo Build Grant-GCR	Maumee River	No	WWH	General High Quality Water	2425
	Swan Creek	No	WWH	General High Quality Water	500

Total impact length (ft.) to perennial streams: 2925

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

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



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Remarks:

Based on the results of the Level 1 ESR, two (2) streams (Maumee River and Swan Creek) are located within the proposed project area. The proposed project may impact approximately 2,925 feet of streams. Both streams are Warm Water Habitat. The project is in conceptual design. Impacts are anticipated to consist of transient dock landing/floating docks; bulkhead wall repair and replacement; bank stabilization and stream bank naturalization/softening; widening or adding overlooks on piers; and widening of existing shared used paths on piers.

Other Surface Waters / Ditches

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

Based on the results of the Level 1 ESR, no potential jurisdictional ditches or other surface waters were identified within the proposed 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.):
LUC-Toledo Build Grant-GCR	Open Water - All Areas of Open Water, Generally with Less Than 25% Cover of Vegetation or Soil.	Extreme Disturbance/Ruderal Community (Dominated by Opportunistic Invaders or Native Highly Tolerant Taxa)	No	1.79	1.79



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	Developed, High Intensity (DH) - Includes Highly Developed Areas Where People Reside or Work in High Numbers. Examples Include Apartment Complexes, Row Houses and Commercial/Industrial. Impervious Surfaces Account for 80 to 100% of the Total Cover.	Extreme Disturbance/Ruderal Community (Dominated by Opportunistic Invaders or Native Highly Tolerant Taxa)	No	7.73	7.73
	Developed Open Space - DS - (Mown Right-of-Way, Large-Lot Single-Family Housing Units, Parks, Golf Courses, and Vegetation Planted in Developed Settings for Recreation, Erosion control, or Aesthetic Purposes)	Extreme Disturbance/Ruderal Community (Dominated by Opportunistic Invaders or Native Highly Tolerant Taxa)	No	6.27	6.27

Remarks:

Based on the results of the Level 1 ESR, terrestrial habitat in the proposed project area consists of vegetative communities that experience extreme levels of disturbance. The following vegetative communities and land cover were identified within the proposed project area: Open Water, Developed High Intensity, and Developed Open Space. The proposed project will result in non impact to high-quality communities.

Threatened or Endangered Species / Federally Listed Species

Species Common Name:	Species Scientific Name:	Listing Status:
Indiana Bat	Myotis sodalis	Endangered

ESR Name: LUC-Toledo Build Grant-GCR

Effect Determination: May Affect, Not Likely to Adversely Affect

Discussion Including impacts to Suitable Habitat:

There is one individual black willow (*Salix nigra*) tree with roosting characteristics, located approximately 600 feet from a 2-acre woodlot (located outside of the Study Area). The tree is located along the Maumee River in International Park, about 25 feet away from the sidewalk. Photos of the tree are included as Photos 41-43 on the photo page. The tree may potentially be impacted by the proposed project. There are no wooded areas within the Study Area. All other trees within the Study Area were not located near other forested habitat or did not contain roosting characteristics. However, the project may result in the clearing of up to 1.7 acres of trees within 100 ft from the edge of pavement. Tree clearing will occur during the seasonal tree clearing window between October 1 and March 31.



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Species Common Name:	Species Scientific Name:	Listing Status:
Northern Long-eared Bat	Myotis septentrionalis	Threatened

ESR Name: LUC-Toledo Build Grant-GCR

Effect Determination: May Affect, Not Likely to Adversely Affect

Discussion Including impacts to Suitable Habitat:

There is one individual black willow (*Salix nigra*) tree with roosting characteristics, located approximately 600 feet from a 2-acre woodlot (located outside of the Study Area). The tree is located along the Maumee River in International Park, about 25 feet away from the sidewalk. Photos of the tree are included as Photos 41-43 on the photo page. The tree may potentially be impacted by the proposed project. There are no wooded areas within the Study Area. All other trees within the Study Area were not located near other forested habitat or did not contain roosting characteristics. However, the project may result in the clearing of up to 1.7 acres of trees within 100 ft from the edge of pavement. Tree clearing will occur during the seasonal tree clearing window between October 1 and March 31.

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

ESR Name: LUC-Toledo Build Grant-GCR

Effect Determination: No Effect

Discussion Including impacts to Suitable Habitat:

There are no records/observations of bald eagle nests within 0.5 mile of the Study Area. Furthermore, no mature forests or suitable habitat for the bald eagle exists within the project area.

Species Common Name:	Species Scientific Name:	Listing Status:
Eastern Massasauga	<i>Sistrurus catenatus</i>	Threatened

ESR Name: LUC-Toledo Build Grant-GCR

Effect Determination: No Effect

Discussion Including impacts to Suitable Habitat:

The project is not located within an eastern massasauga rattlesnake (EMR) range polygon. The Study Area consists of highly developed urbanized land and disturbed park-like vegetation communities. No suitable habitat for the EMR is present within the Study Area.

Species Common Name:	Species Scientific Name:	Listing Status:
Eastern Prairie Fringed Orchid	<i>Platanthera leucophaea</i>	Threatened

ESR Name: LUC-Toledo Build Grant-GCR



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Effect Determination: No Effect

Discussion Including impacts to Suitable Habitat:

The Study Area consists of highly developed urbanized land and disturbed park-like vegetation communities. No wetland communities are present. No suitable habitat for the Eastern Prairie Fringed Orchid is present within the Study Area.

Species Common Name:	Species Scientific Name:	Listing Status:
Karner Blue Butterfly	<i>Lycaeides melissa samuelis</i>	Endangered

ESR Name: LUC-Toledo Build Grant-GCR

Effect Determination: No Effect

Discussion Including impacts to Suitable Habitat:

The Study Area consists of highly developed urbanized land and disturbed park-like vegetation communities. No suitable habitat for the Karner Blue Butterfly is present within the Study Area and no wild lupine (*Lupinus perennia*) plants were observed during the site visit on 7/1/2021.

Species Common Name:	Species Scientific Name:	Listing Status:
Piping Plover	<i>Charadrius melodus</i>	Endangered

ESR Name: LUC-Toledo Build Grant-GCR

Effect Determination: No Effect

Discussion Including impacts to Suitable Habitat:

The Study Area consists of highly developed urbanized land and disturbed park-like vegetation communities. No suitable habitat for the Piping Plover is present within the Study Area.

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

ESR Name: LUC-Toledo Build Grant-GCR

Effect Determination: No Effect

Discussion Including impacts to Suitable Habitat:

The Maumee River and Swan Creek within the Study Area are Group 3 and Group 1 streams, respectively. No Group 2 or Group 4 streams are present within the Study Area. Maumee River and Swan Creek substrates were unobservable during the site visit due to water depths and high turbidity. However, according to substrate data collected by the University of Toledo Applied Spatial Ecology Laboratory in 2016, substrates for this area of the Maumee River and Swan Creek are predominantly clay. Furthermore, the Maumee River Toledo Shipping Channel (RM 0 to RM 7.2) is regularly dredged every three years. The presence of suitable habitat for the Rayed Bean within the Study Area is high unlikely. Two mussel surveys, salvages, and relocations in the Maumee River were complete within the Study Area in the past year. A survey, salvage, and relocation was complete on June 29, 2020 in a portion of the Downtown Toledo Study Area. An additional effort was complete between September 9 and September 11, 2020 in



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the Glass City Metropark area. Both reports are included as appendices. Neither survey recovered any federally listed mussel species, including the rayed bean. See Schmidt, B.A., 2016, Determining the Habitat Limitations of Maumee River Walleye Production to Western Lake Erie Fish Stocks: Electronic Thesis, University of Toledo, OhioLINK Electronic Theses and Dissertations Center, http://rave.ohiolink.edu/etdc/view?acc_num=toledo1463067261.

Species Common Name:	Species Scientific Name:	Listing Status:
Rufa Red Knot	Calidris canutus rufa	Threatened

ESR Name: LUC-Toledo Build Grant-GCR

Effect Determination: No Effect

Discussion Including impacts to Suitable Habitat:

The Study Area consists of highly developed urbanized land and disturbed park-like vegetation communities. No suitable habitat for the Rufa Red Knot is present within the Study Area.

Threatened or Endangered Species / State Listed Species:

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

ESR Name: LUC-Toledo Build Grant-GCR

Species Common Name: Schweinitz's Flatsedge

Species Scientific Name: *Cyperus schweinitzii*

Listing Status: Threatened

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

Effect Determination: No

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:

Overall, potentially suitable habitat within the Study Area is limited and low-quality due to the urban landscape. However, the project may result in the clearing of up to 1.7 acres of treed area. Trees within the Study Area were not located near other forested habitat or did not contain roosting characteristics. No bridges will be impacted as a result of this project. No hibernacula habitats were noted within the project area. A species-specific survey was not conducted for the Little Brown Bat. Tree clearing will occur during the seasonal tree clearing window between October 1 and March 31 when the species would not be present and will therefore have no impact on the Little brown bat.



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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:

Overall, potentially suitable habitat within the Study Area is limited and low-quality due to the urban landscape. However, the project may result in the clearing of up to 1.7 acres of treed area. Trees within the Study Area were not located near other forested habitat or did not contain roosting characteristics. No bridges will be impacted as a result of this project. No hibernacula habitats were noted within the project area. A species-specific survey was not conducted for the Little Brown Bat. Tree clearing will occur during the seasonal tree clearing window between October 1 and March 31 when the species would not be present and will therefore have no impact on the tricolor bat.

Species Common Name: Blanding's Turtle

Species Scientific Name: *Emydoidea blandingii*

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: Spotted Turtle

Species Scientific Name: *Clemmys guttata*

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: 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: Blue-Spotted Salamander

Species Scientific Name: *Ambystoma laterale*

Listing Status: Not Provided - No impact to this species

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



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Effect Determination: No Impact

Species Common Name: American bittern

Species Scientific Name: *Botaurus lentiginosus*

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: Black tern

Species Scientific Name: *Chlidonias niger*

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: Common tern

Species Scientific Name: *Sterna hirundo*

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: King Rail

Species Scientific Name: *Rallus elegans*

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: Cattle Egret

Species Scientific Name: *Bubulcus ibis*

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



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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: Upland Sandpiper

Species Scientific Name: *Bartramia longicauda*

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: Black-Crowned Night Heron

Species Scientific Name: *Nycticorax nycticorax*

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

Remarks:

Threatened and endangered species surveys were conducted in accordance with the Endangered Species Act of 1973 (ESA). The purposes of the ESA are to protect federally endangered and threatened species and to provide a means to conserve their habitats. The Act requires that all federal agencies protect species and preserve their habitats. The law is administered by the USFWS and the National Marine Fisheries Services. The proposed project is within the known range of nine (9) federally listed species. The proposed project is within the known summer breeding range of the federally endangered Indiana bat (*Myotis sodalis*) and federally threatened northern long-eared bat (*Myotis septentrionalis*). ODOT has determined the proposed project may affect but is not likely to adversely affect the Indiana bat and northern long-eared bat. In addition to the Indiana and northern long-eared bat, the proposed project lies within the known range of the bald eagle (*Haliaeetus leucocephalus*, C), eastern massasauga (*Sistrurus catenatus*, T), eastern prairie fringe orchid (*Platanthera leucophaea*, T), Karner blue butterfly (*Lycia melissa samuelis*, E), piping plover (*Charadrius melodus*, E), rayed bean (*Villosa fabalis*, E), and rufa red knot (*Calidris canutus rufa*, T). ODOT has determined the proposed project will have no effect on the aforementioned species. Review of ODNR's Ohio Natural Heritage Database revealed the threatened Schweinitz's flatsedge (*Cyperus Schweinitzii*) is within the project area. ODOT has determined the proposed project will have no effect on the Schweinitz's flatsedge. Fourteen (14) state threatened and endangered species of animals that are of particular concern to ODNR's Department Wildlife and are known



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or suspected of being with Lucas County include the endangered Little Brown Bat (*Myotis lucifugus*), endangered Tricolored Bat (*Perimyotis subflavus*), threatened Blanding's Turtle (*Emydoidea blandingii*), threatened Spotted Turtle (*Clemmys guttata*), threatened Kirtland's Snake (*Clonophis kirtlandii*), endangered Blue-Spotted Salamander (*Ambystoma laterale*), endangered American bittern (*Botaurus lentiginosus*), endangered Black tern, (*Chlidonias niger*), endangered Common tern (*Sterna hirundo*), endangered King Rail (*Rallus elegans*), endangered Cattle Egret (*Bubulcus ibis*), endangered Lark Sparrow (*Chondestes grammacus*), endangered Upland Sandpiper (*Bartramia longicauda*), and threatened Black-Crowned Night Heron (*Nycticorax nycticorax*). ODOT has determined that the proposed project will not impact the aforementioned species. A mussel reconnaissance survey was not completed at the time of the 7/1/2021 ecological assessment due to the depth of the stream and high turbidity. The presence of mussels is assumed. Two mussel surveys, salvages, and relocations in the Maumee River were complete within the Study Area in the past year. A survey, salvage, and relocation was complete on June 29, 2020 in a portion of the Downtown Toledo Study Area. An additional effort was complete between September 9 and September 11, 2020 in the Glass City Metropark area. Neither survey recovered any federally listed mussel species. Two species listed as threatened in the State of Ohio were recovered in the surveys - the fawnsfoot (*Truncilla donaciformis*) from both survey locations, and the threehorn wartyback (*Obliquaria reflexa*) from the Glass City Metropark location. Since presence was assumed, a mussel survey and relocation will be completed before construction begins.

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?
LUC-Toledo Build Grant-GCR	USFWS	9/27/2021	10/11/2021	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



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Project specific Biological Assessment Verification:	No
Mussel survey:	Yes
Other:	No

Remarks:

Based on coordination with the SFWS and ODNR, project specific comments regarding were not provided. The USFWS concurred with ODOT that the proposed project may affect but is not likely to adversely affect the Indiana bat and northern long-eared bat. All tree clearing for this project must be conducted only between October 1 and March 31. In addition, the proposed project will have no effect on the bald eagle (*Haliaeetus leucocephalus*), eastern massasauga (*Sistrurus catenatus*), eastern prairie fringe orchid (*Platanthera leucophaea*), Karner blue butterfly (*Lycaeides melissa samuelis*), piping plover (*Charadrius melodus*), rayed bean (*Villosa fabalis*), and rufa red knot (*Calidris canutus rufa*). According to the ODNR Division of Wildlife, the proposed project will not impact the Little Brown Bat (*Myotis lucifugus*), Tricolored Bat (*Perimyotis subflavus*), Blanding's Turtle (*Emydoidea blandingii*), Spotted Turtle (*Clemmys guttata*), Kirtland's Snake (*Clonophis kirtlandii*), Blue-Spotted Salamander (*Ambystoma laterale*), American bittern (*Botaurus lentiginosus*), Black tern, (*Chlidonias niger*), Common tern (*Sterna hirundo*), King Rail (*Rallus elegans*), Cattle Egret (*Bubulcus ibis*), Lark Sparrow (*Chondestes grammacus*), Upland Sandpiper (*Bartramia longicauda*), and Black-Crowned Night Heron (*Nycticorax nycticorax*). All agency coordination and correspondence can be found in the Level 1 ESR in the Project File under Ecological/Reports.

Are there any environmental commitments? Yes



Other Resources

Farmlands

Farmlands

The proposed project is located within an Urbanized Area Yes

The proposed project is located in an area that is in or committed to urban development or water storage and is therefore not subject to the Farmland Policy Protection Act (FPPA) in accordance with 7 CFR 658. No further coordination is required.

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 an urbanized area zoned for non-agricultural purposes and is not in an agricultural district. Therefore, 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 Farmlands (Agreement No. 19552), executed on March 15, 2016. No further coordination is required.

- Urbanized Area Map can be found in the Project File under Other Resources/Farmlands

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:
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:



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A review of OEPA's Division of Drinking and Ground Water's GIS database (Drinking Water Source Protection Areas) and ODNR's Division of Water Resources GIS database were conducted in September 2021. No sole source aquifers, source water protection areas, or residential wells were present within or adjacent to the proposed project area.

No additional research or coordination is required as there are no drinking water sources within the proposed project limits.

- **Mapping can be found in the Project File under Other Resources/Drinking Water**

Are there any environmental commitments? No



Section 4(f)

Section 4(f) Determination

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

Yes

Concurrence received from the OWJ

Yes

Were there multiple OWJs?

Yes

Name	Date concurrence received
Dave Zenk	08/10/2021
Karen Ranney Wolkins	08/12/2021

	Present:	Impacted:
Publicly owned Park(s):	Yes	Yes
Publicly owned recreation facility(ies) and/or area(s):	No	
Wildlife and Waterfowl refuge(s):	No	
Historic Site(s):	No	

Identified Section 4(f) Properties

Identified 4(f) Properties

Property Name	Type	Permanent ROW/Easement Acres	Temporary ROW/Easement Acres	4(f) finding	Date
International Park	Publicly owned Park	0	6.0	Temporary No Use Exception - 774.13(d)	12/30/2021
Promenade Park	Publicly owned Park	0	5.08	Temporary No Use Exception - 774.13(d)	12/30/2021
Glass City Metropark	Publicly owned Park	0	0	Temporary No Use Exception - 774.13(d)	12/30/2021

Remarks:



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On December 30, 2021, the ODOT-OES Policy Staff determined the proposed project can be processed as an exception to the requirement for Section 4(f) approval. In accordance with 23 CFR 774.13(d), the temporary occupancy of land associated with the Glass City Metropark, International Park, and Promenade Park, will not constitute a use upon the protected recreational activities, features, or attributes. The determination was made based on the proposed scope of work and concurrence received from the Official with Jurisdiction (OWJ) regarding the assessment of impacts that are included in the DRF. **The ODOT determination can be found in the Project Folder under Section 4(f)/Coordination/OES Recreational 4(f) Determination.pdf** No further Section 4(f) coordination is required. A re-evaluation of Section 4(f) impacts may be required if changes to the proposed scope of work alter the degree of impacts to the Glass City Metropark, International Park, and Promenade Park.

The Section 4(f)/6(f) Determination Request Form for Recreational Properties (DRF) can be found in the **Project Folder under Section 4(f)/Reports/Determination Request Form for Recreational Properties.**

Are there any environmental commitments? Yes



Section 6(f)

Section 6(f) Determination

Section 6(f) Determination

	Present:	Impacted:
6(f) Properties:	Yes	Yes

Identified 6(f) Properties

Property Name	Permanent ROW/Easement Acres	Temporary ROW/Easement Acres	6(f) finding	Date
International Park	0	6	Maintenance	12/30/2021
Promenade Park	0	5.08	Maintenance	12/30/2021
Glass City Metropark	0	0	Maintenance	12/30/2021

Remarks:

On December 30, 2021, the ODOT-OES Policy Staff determined the proposed project can be processed as a Maintenance Type Project in accordance with Section B(1) of the Section 6(f) Memorandum of Understanding executed July 11, 2018. Access to the Section 6(f) properties of Glass City Metropark, International Park, and Promenade Park will be maintained at all times during paving/construction activities. Furthermore, the type of work is designed to enhance the property and will not change the use of land from recreational to transportation. The ODOT determination can be found in the Project Folder under **Section 6(f)/Coordination/OES Approval - Maintenance.pdf**

No further Section 6(f) coordination is required. A re-evaluation of Section 6(f) impacts may be required if changes to the proposed scope of work alter the degree of impacts to the Glass City Metropark, International Park, and Promenade Park.

The Section 4(f)/6(f) Determination Request Form for Recreational Properties (DRF) can be found in the Project Folder under **Section 4(f)/Reports/Determination Request Form for Recreational Properties.**

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 designed to comply with local zoning and the Metroparks Toledo and the City of Toledo plans to revitalize the Maumee riverfront. The proposed project is to improve the Downtown Toledo riverfront on both sides of the Maumee River by working to create an active, livable and attractive urban core. The proposed Glass City Riverwalk project is consistent with existing zoning and land-use, the Downtown Toledo Master Plan, and with Metroparks Toledo's efforts to revitalize the riverfront greenspace.

- Zoning Maps can be found in the Project File under Community Impacts/Project Information/Existing Land Use or Zoning Map
- The complete BUILD Grant application can be found in the Project File under Purpose & Need/Project Information
- The 2017 Downtown Toledo Master Plan can be found in the Project File under General/PDP

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

Remarks:

The proposed project will not result in substantial negative impacts to community cohesion. The proposed Glass City Riverwalk will connect five miles of multi-use trails spanning both sides of the Maumee River from Veteran's Glass City Skyway to the Anthony Wayne Bridge. Featuring fully accessible park elements, it will become a place for our community to connect with trails and green space reaching East Toledo, the Vistula neighborhood and the Warehouse and Central Districts. The project will enhance waterfront access for boating and kayaking, provide for bike sharing, and provide for public transportation access with a designated Toledo Area Regional Transit Authority (TARTA) transit stop.

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

Remarks:

The proposed project will not result in significant indirect effects and cumulative impacts as defined by ODOT's 'Guidance on Indirect Effects and Cumulative Impacts (ICE) Analyses' (2014). This conclusion was based on the evaluation of factors including project design concepts and scope; project purpose and need; project type; facility function (current and planned); project location; improved travel times to an area; local land use and planning considerations; population and demographic considerations; rate of urbanization; and public/agency concerns. The data and evaluation supporting this conclusion are contained in the project file. Therefore, further evaluation of indirect effects and cumulative impacts in a detailed analysis is not warranted. If changes are made to the project design and alternatives, then the project may need to be re-examined to see if this evaluation is sufficient.

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? Yes

Remarks:



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No substantial impacts are anticipated, as the current roadway network will remain open during the majority of construction activities associated with the park improvements to ensure impacts are minimal to traffic, utilities, public services, school transportation, pedestrian/bicyclists, emergency services, religious institutions, and fire/police services.

The project will benefit the Toledo Community. The proposed Glass City Riverwalk improvements will connect five miles of multi-use trails spanning both sides of the Maumee River from Veteran's Glass City Skyway to the Anthony Wayne Bridge. Featuring fully accessible park elements, it will become a place for our community to connect with trails and green space reaching East Toledo, the Vistula neighborhood and the Warehouse and Central Districts. The project will enhance waterfront access for boating and kayaking, provide for bike sharing, and provide for public transportation access with a designated Toledo Area Regional Transit Authority (TARTA) transit stop.

This transformation will restore more than 90 acres of industrial or vacant land to natural space by planting thousands of new trees, creating wetlands and other sustainable features. With waterfront access for boating and kayaking, a rock-climbing area, interactive water attractions, urban camping, and winter skating, this proposed project will help support and keep the Toledo community active all year.

Will the proposed action displace residents, businesses, institutions or farms?

No

Remarks:

The proposed project will not require residential or business relocations. ProMedica will donate a portion (approximately 0.10 acre) for inclusion in Downtown Toledo/Promenade Park. No other permanent right-of-way is anticipated for the project.

Are there any Environmental Commitments? No



Underserved Populations

Underserved Populations

Identified Underserved Populations

Census Block Group #	% Minority	% Low Income	% Older Adults	% Limited English Proficiency (LEP)
390950028001	59	70	7	3
390950029002	79	93	11	0
390950037001	72	58	6	3
390950047012	57	64	6	3
390950047014	19	79	14	0
390950048001	36	68	5	3
390950051004	43	71	8	12
390950103002	58	65	12	14

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

Are there any relocations? No

Will there be changes to access? No

Will the proposed project result in unanticipated additional impacts to any Underserved 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

Were any concerns related to impacts on Title VI Populations or any other unique factors that could result in a disparate impact raised during Public Involvement? No

Were any concerns or any other unique factors that could result in an impact to any of the other Underserved Populations (Limited English Proficiency, Older Adults, or Individuals with Disabilities) 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.

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 UPIAR is not required.



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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)

Public involvement activities are being conducted in accordance with the Glass City Riverwalk Community Engagement Plan (September 2021). The public involvement effort for this project builds upon public involvement and community engagement efforts that were conducted during the Toledo Metropolitan Area Council of Governments' (TMACOG) 2020 Better Utilizing Investments to Leverage Development (BUILD) grant application process and previous phases of the project. The concept of a Glass City Riverwalk was also identified in the 2017 Downtown Master Plan, 2017 Nautical Mile Vision Plan, and 2019 Toledo Riverfront Trail and Open Space Concept Plan. Copies of these plans in the Project File under General/PDP.

Public involvement activities include project website (<https://www.glasscityriverwalk.com/>), letters of support from federal, state and local public officials; public and private agencies, organizations, and businesses; press releases, newspaper articles, stakeholder meetings, Advisory Committee meetings, and outreach to individuals. The Build Grant Application and supporting materials are posted on the TMACOG website (<https://tmacog.org/news/2020-build-grant-application-materials>). Advisory Meetings included:

- October 6, 2021 - Government Officials
- October 6, 2021 - Downtown Stakeholder
- October 14, 2021 -Local Organizations
- October 15 2021 - Community Groups

Underserved Populations were involved and offered an opportunity to comment on the project through the Metroparks Toledo project website, Metroparks Toledo Board of Park Commissioners meetings, TMACOG website, TMACOG Board of Trustee and Committee meetings, and through the participation of stakeholders, local governmental officials and local organizations. No comments were received or issues raised concerning the project's impacts to Underserved Populations as a result of the project websites, media coverage, and the participation of governmental officials and agencies.

A public meeting will be held in the Spring 2022 after Stage 1 project plans have been developed. Ongoing public involvement efforts will include stakeholder meetings, Advisory Group meetings, one-on-one meetings, public workshops/meetings, and online engagement.

The public involvement plan can be found the Project File under Public Involvement/Project Information.

Was Public Involvement conducted in compliance with Title VI requirements?

Yes

Is there any substantial environmental controversy on environmental grounds?

No

Please summarize the Public Involvement responses received.



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Public comments received to date have been supportive of the project, as indicated by the BUILD Grant letters of support and October 2021 Advisory Committee Meeting comments. Ongoing public involvement efforts will include stakeholder and Advisory Committee meetings and a public meeting that will be held in the Spring 2022 after Stage 1 project plans have been developed.

A Mentimeter Survey was conducted with the Advisory Committee, seeking input on amenities that draw visitors, concerns/issues that need to be addressed, and park programming. Typical concerns raised included posting of upcoming events, public transportation to and between parks, and programs focused on youth activities. Correspondence with International Park Rowing Club included discussions on design requirements for docks and staging area. No correspondence has been received to date opposing the project or expressing concern regarding adverse impacts to Underserved Populations.

Copies of public involvement materials, media coverage, website information, comments received and Advisory Committee Materials are included in the Project File under Public Involvement/Project Information.

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):	No
Nationwide Permit (NWP):	No
Section 404 Individual Permit:	No
Section 10 Permit:	No
Ohio EPA	
Section 401 Water Quality Certification:	No
Level 1 General Isolated Wetland Permit:	No
Level 2 Individual Isolated Wetland Permit:	No
Level 3 individual Isolated Wetland Permit:	No
US Coast Guard	
Section 9 Coordination:	No
Section 9 Bridge Permit:	No
ODNR	
Shore Structure Permit :	No

Remarks:

A Waterway Permits Determination Request will be submitted to the ODOT-OES Waterway Permits Unit (WPU) upon completion of Stage 2 Design Plans. It is anticipated the proposed project will impact two streams, the Maumee River and Swan Creek, in order to facilitate construction activities associated with bank stabilization, sea-wall repair, and walkway construction. Once the project design elements have been determined and construction limits have been defined in Stage 2 Design Plans, the impacts may be refined or reduced, and impacts to aquatic resources may be reduced but will not exceed those included in the Level I ESR.

Are there any environmental commitments? Yes

Storm Water Permits



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NPDES Construction General Permit for Stormwater (NOI): Yes

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

Remarks:

The project will have over 1 acre of earth disturbance, which will require an Ohio EPA Notice of Intent (NOI), which will be jointly completed by Metroparks Toledo and the contractor prior to the start of construction, following the ODOT standard procedures.

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 No

NFIP Local Floodplain Coordinator Notification Date 12/30/2021

Remarks:

The proposed project located within mapped Maumee River and Swan Creek floodplains and floodways. It is anticipated the proposed project will impact the floodplains and floodways in order to facilitate construction activities associated with bank stabilization, sea-wall repair, and walkway construction. Once the project design elements have been determined and construction limits have been defined in Stage 2 Design Plans, Metroparks Toledo will complete the National Flood Insurance Program coordination and applicable compliance documentation, including the Statement of Findings, No-Rise Certifications (Form LD-50), Letter of Compliance (Form LD-51), Letter of Notification (Form LD-52), and Hydraulic Calculations, prior to the plan package submittal date.

Are there any environmental commitments? Yes

Landfills

Is a 2713 Permit required? No

Remarks:

Based on the results of the RMR Screening and ESA investigations, no landfills were identified within and/or adjacent to the proposed project area. Therefore, a 2713 permit is not required and not further work is warranted.

Are there any environmental commitments? No



Environmental Commitments

ESA

- 1) The Project Designer shall incorporate a regulated water note into the plans for the work being done within the Glass City Metropark Property
- 2) The project designer shall incorporate the following note into the plans: The Contractor shall follow the Maintenance and Operations Plan for the Glass City Metropark's Ohio Environmental Protection Agency (OEPA) Volunteer Action Plan (VAP) site.
- 3) The project designer shall incorporate the following note into the plans: The contractor shall prepare a Health and Safety Plan for the project in accordance with OSHA 1910 Regulations.
- 4) The Project Designer shall incorporate the following note into the plans: The Contractor shall maintain the existing soil cap that was established within the Glass City Metropark Property. If the soil cap is disturbed, the 2 foot Point of Compliance must be re-established.
- 5) The project designer shall incorporate a solid waste note into the plans for the work being done within the Glass City Metropark Property.
- 6) The project designer shall incorporate a solid waste note into the plans for any sediments removed from the Maumee River and Swan Creek.

Ecological

- 1) The Project Designer shall incorporate the following note into the plans: The contractor shall not remove any trees under this project from April 1 through September 30. The project is located within the known habitat ranges of the federally listed and protected Indiana bat and northern long-eared bat. All necessary tree removal shall occur from October 1 through March 31. This requirement is necessary to avoid and minimize impacts to these species as required by the Endangered Species Act. 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) Metroparks Toledo shall ensure a State permitted malacologist must complete a mussel salvage and relocation in accordance with the most recent version of the Ohio Mussel Survey Protocol prior to the initiation of construction activities below the ordinary high water mark of the Maumee River and Swan Creek. The permitted malacologist will submit the salvage and relocation work plan to ODNR for review and approval prior to any survey work. The results of the mussel survey and/or salvage work must be provided to the ODOT District 2 Environmental Coordinator (Phoenix Neal - Phoenix.Neal@dot.ohio.gov or 419-373-4329) for coordination with ODNR. Metroparks Toledo shall ensure the mussel survey and relocation occurs, and approval has been received from ODNR, prior to the Contractor performing any work below the ordinary highwater mark of the Maumee River and Swan Creek.
- 3) The Project Designer, where appropriate, shall incorporate in to the plans the revegetation of disturbed areas with native grasses and wildflowers (CMS Item 659.09) or similar seed mixes composed of native herbs and grasses.

Section 4(f)

- 1) The Project Designer shall incorporate the following note into the plans: Access to Glass City Metropark, International Park, and Promenade Park shall be maintained at all times during construction activities, except for the time needed to temporarily occupy the property within the construction limits, which shall be less than the time needed for construction.



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- 2) The Project Designer shall incorporate the following note into the plans: The contractor shall install temporary construction fencing along proposed construction limits on the day construction starts to protect the Glass City Metropark, International Park, and Promenade Park, Section 4(f) properties, and the public.
- 3) The Project Designer shall incorporate the following note into the plans: The project sponsor and/or contractor shall install appropriate closure signs within proposed construction areas of Glass City Metropark, International Park, and Promenade Park. The signs shall be installed prior to the start of construction activities and shall be visible to users of the parks to explain which areas will be closed during construction. The signs shall meet all ODOT and local specifications.
- 4) The Project Designer shall incorporate the following note into the plans: The staging and/or storage of construction equipment or materials shall not take place outside proposed construction limits that are within the defined boundaries of Glass City Metropark, International Park, and Promenade Park.
- 5) 5) The Project Designer shall incorporate the following note into the plans: The contractor shall maintain water access for the Toledo Rowing Club either by temporarily relocating the existing floating dock or providing water access during construction.
- 6) The Project Designer shall incorporate the following note into the plans: The contractor shall closely coordinate the construction schedule with ODOT, Metroparks Toledo, and the City of Toledo, Division of Park-Recreations and Forestry prior to the start of construction activities within International Park.
- 7) The Project Designer shall incorporate the following note into the plans: Land associated with Glass City Metropark, International Park, and Promenade Park to be disturbed within proposed construction limits shall be fully restored by the contractor and returned to a condition which is at least as good as that which existed prior to the project.
- 8) The Project Designer shall incorporate the following note into the plans: The contractor shall not conduct construction activities between Memorial Day and Labor Day in or adjacent to the area of Promenade Park that is programmed for summer concerts, Family Movie Night, and festivals. The Project Designer shall identify the restricted area of Promenade Park on project plans.

Permits - Waterway Permits

- 1) The Project Designer shall incorporate the following note into the plans: The Contractor is not authorized to place any fill into or work within the boundaries of any wetland or waterway below the ordinary high water mark (OHWM) of any stream until Metroparks Toledo obtains the necessary waterway permit(s). This includes the placement of any temporary or permanent fills below the OHWM.
- 2) Metroparks Toledo will obtain and adhere to all appropriate waterway permits prior to any work with an wetland or below the ordinary high water mark of any waterway and all Special Provisions for waterway permits will be included in the project plans.

Permits - Floodplains

- 1) The proposed project is located within mapped floodplain and floodways, therefore, Metroparks Toledo shall complete National Flood Insurance Program compliance documentation, Letter of Notification (Form LD-52), Letter of Compliance (Form LD-51), Hydraulic Calculations, and No-Rise Certification (Form LD-50) prior to the plan package submittal date.



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Approvals & Electronic Signatures

Approved & Electronically Signed By:	Approval Date:
Phoenix Golnick (PROGRAM ADMIN 3)	12/31/2021



Appendix

General

Aerial Map.pdf

County Map.pdf

Schematic Plan.pdf

USGS Quadrangle Topographical Map.pdf

Purpose and Need

Graphics or Tables-CAM Tool Table.pdf

Graphics or Tables-GCAT Map.pdf

Graphics or Tables-GCAT Spreadsheet.pdf

Legislative Mandate - Build Grant Application.pdf

Air

Ozone Nonattainment Area Map.pdf

PM 2.5 Nonattainment Area Map.pdf

ESA

OES Recommendations - Screening.pdf

Regulated Materials Review Form REVISED.pdf

Cultural Resources

Minimal Potential to Cause Effect - Appendix B

Ecological

ODNR Scenic River MOA Conditions

USFWS/ODNR Ecological MOA Conditions

Other Resources

Site Specific Resource Mapping - Urbanized Area.pdf

Water Source Protection Area Map.pdf

Section 4(f)

OES Recreational 4(f) Determination.pdf

Section 6(f)

OES Approval - Maintenance.pdf

Community Impacts



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Existing Land Use or Zoning Map.pdf

Local Development Plan - 2017 Master Plan.pdf

Local Development Plan - BUILD Grant.pdf

Underserved Populations

Census Mapping.pdf

Public Involvement

Press Release 1.pdf

Public Involvement Plan.pdf

Stakeholder Comments - Build Grant Letters of Support.pdf

Stakeholder Contact List.pdf

Stakeholder Meeting Minutes or Notes - 1.pdf

Stakeholder Meeting Minutes or Notes - 2021-10-14 PowerPoint.pdf

Stakeholder Meeting Minutes or Notes - 2021-10-14.pdf

Stakeholder Meeting Minutes or Notes - 2021-10-15.pdf

Stakeholder Meeting Minutes or Notes - 2021-11 Rowing Club .pdf

Permits

FEMA FIRM.pdf

Statement of Findings.pdf