



OHIO DEPARTMENT OF TRANSPORTATION

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

Environmental Document for **LAK SR 283 04.58 Replace PID 110807**

Environmental Document Level: C2

Approved: 8/31/2023

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The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by ODOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated December 14, 2020, and executed by FHWA and ODOT.

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C2

Project Information

PID: 110807

Project Sponsor: ODOT SPONSORING AGENCY

ODOT District: 12

Funding Source: Federal

Project Description:

The Ohio Department of Transportation (ODOT) has proposed a project to replace the Lakeshore Boulevard (SR 283) bridge over an overflow channel of Chagrin River which is located west of the Chagrin River in the City of Eastlake, Lake County. This project is necessary to address the deficient bridge.

There will be no permanent and temporary right-of-way required for the project. Traffic will be maintained using part-width construction techniques.

The project proposes to impact approximately 0.011 acers of one wetland A. There is 0.267 acers of suitable wooded habitat (SWH) for bats is located within 100 feet from the edge of pavement. According to the USFWS, the project is not located within a known bat buffer. The SWH was comprised of larger trees present in the turf lawns right-of way of the property surrounding the bridge. A plan note will be included in the project plans to limit the tree removal to be between October 1 and March 31. Details of these impacts are described in the Ecological section. According to the USFWS, there is one record of bald eagle nest within 0.5 miles of the project area. The bald eagle nest is not visible from the project area. The ecological survey report and threatened/endangered species documentation for the project is available in the Project File/Ecological/Reports subsection and the Ecological tab.

Based on the information in the regulated Materials Review (RMR) Form completed for the project, further RMR activities or special materials management are not warranted for the project. RMR documentation for the project available in the Project File/ESA/Reports subsection.

The project is located within a regulated floodplain. However, the proposed bridge opening is the same as the exiting bridge opening. The designer will use the existing bridge foundations for the proposed replacement structure. Therefore, this proposed project does not impact the existing floodplain since there was no change in the hydraulic opening of the bridge. The LD-53 submitted to the City of Eastlake on 8/31/23. Any comments will be addressed before final design.

No other environmental, cultural resources, hazardous materials, or environmental justice impacts will result from this project.

ODOT conducted various public involvement activities for the project including issuance of Public Notification Letters to inform the public about the project and receive their comments. The letters were sent to nearby property owners on 2/23/2022 and the comment period ended 3/25/22. No public comments were received. Also, a stakeholder meeting was conducted on 5/24/2022 to share the preliminary bridge site plan, discuss maintenance of traffic alternative, and obtain the comments from key stakeholders from the City of Eastlake. See the public involvement documentation for the project in Project File/Public Involvement/Project Information subsection.

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

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

Ellis STIP Details

Phase	Current STIP Reference
ENV	On Previous STIP
RW	110807: 24-27 STIP



Phase	Current STIP Reference
CO	110807: 24-27 STIP
DD	110807: 24-27 STIP

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

Select the appropriate project type:

(28) Bridge rehabilitation, reconstruction, or replacement or the construction of grade separation to replace existing at-grade railroad crossings, if the actions meet the constraints in 23 CFR 771.117(e). *Examples include: Railroad projects that close or relocate at-grade crossings*

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

1. **a.** Acquisition of more than a minor amount of ROW (exceeds strip takes)
2. **b.** Residential or non-residential displacements
3. **c.** A U.S. Coast Guard permit or an Individual Section 404 permit under the Clean Water Act
4. **d.** A Section 106 finding of *Adverse Effect*
5. **e.** Section 4(f) impacts greater than de minimis
6. **f.** A finding of *May Affect, Likely to Adversely Affect* to Threatened and Endangered Species
7. **g.** Construction of temporary access, or the closure of existing road, bridge, or ramps, that would result in major traffic disruptions
8. **h.** Changes in access control
9. **i.** Floodplain encroachment other than functionally dependent uses (e.g., bridges, wetlands) or actions that facilitate open space use (e.g., recreational trails, bicycle and pedestrian paths)
10. **j.** Construction activities in, across or adjacent to a river component designated or proposed for inclusion in the National System of Wild and Scenic Rivers
11. **k.** No minor public or agency controversy on environmental grounds (no opposition from any organized groups or agencies and no unresolved environmental coordination)
12. **l.** A full Environmental Justice Analysis Report (EJAR) is required (the project must be processed as a D-level CE or higher-level document). If a memo-to-file/letter/IOC-format EJAR Short Report is determined to be the appropriate level of documentation, contact OES regarding NEPA document level.

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

Ecological

Waterways: Present; No Coast Guard, Individual 404, and/or Section 10 Permit required

Waterways Permit Type: Permit Determination and/or Permit Application Approval Pending



Isolated Wetland Permit	No
Will any wetlands be impacted?	Yes
Endangered Species:	Present; No finding of May Affect, Likely to Adversely Affect
Endangered Species - Coordination	May Affect, Not Likely to Adversely Affect
Endangered Species - Coordination Date	07/10/2023
Endangered Species - Critical Habitat Present/Impacted	
Indiana bat	
Northern long-eared bat	
Endangered Species - Other Critical Habitat Present/Impacted:	No
Scenic Rivers	No National Wild and Scenic River Within 1000 Feet of the Proposed Project Area
Scenic Rivers Remarks	
The project will not impact any federal or state Scenic Rivers.	
Floodplains	
100-Year Floodplain:	Encroachment Within the SFHA is a Functionally Dependent Use
EO 11988 Compliance Met	Yes
NFIP Coordination and Documentation Completed	Yes
NFIP Local Floodplain Coordinator Notification Date:	08/31/2023
Floodplain Remarks	
The proposed bridge opening is the same as the existing bridge opening. The designer will use the existing bridge foundations for the proposed replacement structure. Therefore, this proposed project does not impact the existing floodplain since there was no change in the hydraulic opening of the bridge. The LD-53 submitted to the City of Eastlake on 8/31/23. Any comments will be addressed before final design.	
Section 4(f)	
Section 4(f):	Not present
Section 4(f) Remarks	Section 4(f) does not apply for this project.
Section 6(f)	



Section 6(f):

Not present

Cultural Resources

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

06/28/2023

Cultural Resources Remarks

A Cultural Resources Records Check was performed by district environmental staff using the SHPO GIS online database. No Cultural Resources listed on or determined eligible for listing on the National Register of Historic Places were identified within and/or immediately adjacent to the proposed project area. The undertaking is a type which has minimal potential to cause effects to historic properties. No further coordination is required in accordance with the Section 106 Programmatic Agreement. 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 determined the 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. See the cultural resources documentation for the project in the Project File/Cultural Resources/Project Information subsection and the Cultural Resources Tab.

Environmental Resources Considered

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

Regulated Materials

Air Remarks

The project will not impact air quality.

Noise Remarks

The project will not cause traffic impacts.

The project involves ROW acquisition, Deep Excavation, or OEPA
513 Landfill Authorization:

Yes - Screening

Regulated Materials Review Screening:

No Further Regulated Materials Review

Regulated Materials Review Screening - DEC/OES Approval Date:

08/25/2023

Regulated Materials Review Remarks:

Based on the information in the regulated Materials Review (RMR) Form completed for the project, further RMR activities or special materials management are not warranted for the project. RMR documentation for the project available in the Project File/ESA/Reports subsection.

Environmental Justice

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



Environmental Justice Populations

Present; No EJAR Required, Does Not Exceed EJ Guidance Criteria, and No Issues Raised During Public Involvement

Identified Environmental Justice Populations

Census Block Group #	% Minority	% Low Income
390852020001	1	10

Environmental Justice Remarks

Based on mapping from TIMS, the minority populations are 1% for the US Census Block Groups located within the project area and 10% of the population is designated as low income.

The proposed project will have no disproportionately high and adverse effects to minority or low-income populations based upon the table above, the attached mapping, and the answers to the questions above. No concerns related to impacts on Environmental Justice were raised as a result of public involvement activities conducted as part of the proposed project. Therefore, in accordance with the protections of Executive Order 12898, FHWA Order 6640.23A, no further analysis is required.

Based on the above findings an Environmental Justice Analysis Report is not required. The Census mapping may be found in the project file under Environmental Justice.

Public Involvement

Public Involvement:

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

Public Involvement Remarks

ODOT conducted various public involvement activities for the project including issuance of Public Notification Letters to inform the public about the project and receive their comments. The letters were sent to nearby property owners on 2/23/2022 and the comment period ended 3/25/22. No public comments were received. Also, a stakeholder meeting was conducted on 5/24/2022 to share the preliminary bridge site plan, discuss maintenance of traffic alternative, and obtain the comments from key stakeholders from the City of Eastlake. See the public involvement documentation for the project in Project File/Public Involvement/Project Information subsection.

Public Involvement Conclusion: No revisions to the project design have been made due to public comments. ODOT has decided to proceed with the project as currently designed.

Environmental Commitments

Environmental Commitments

Yes



Ecological

Wetlands

ESR Name:	Wetland ID:	Hydrologic connection:	Wetland category:	Estimated total size (ac.):	Total estimated impact area by alternative (ac.):
LAK-283-4.58	Wetland A	Adjacent	Category 1	0.066	0.011

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

Total impact to all wetlands (ac.): 0.011

Total acres of non-isolated wetlands impacted: 0.011

Total acres of isolated wetlands impacted: 0

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

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

It Would Not Correct Safety Hazards.

It Would Not Correct Existing Condition and Maintenance Problems.

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

They Will Not Meet the Identified Needs of the Project.

Include justification supporting the decisions noted above:

The Do Nothing alternative would not correct the condition of the existing bridge. The Do Nothing alternative would result in the roadway being closed due to the condition of the bridge leading to serious impacts to the traveling public and the general welfare of the economy in the area.

Avoidance of impacts is not possible due to the wetlands being located where bridge maintenance is needed. Avoidance of impacts does not meet the identified need of the project (improving the deteriorated bridge) and will result in substantial social and economic impacts resulting from the roadway being closed due to the condition of the bridge over Chagrin River overflow channel. Impacts to wetlands will be minimized to the extent practicable. While the impact will likely be considered permanent for the purposes of CWA waterway permitting, it is also likely that the wetland will recover within the construction limits following construction. As such, it is



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not feasible to consider costly extraordinary measures or construction practices to avoid this wetland and still meet the purpose and need of the project.

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

Remarks:

Minor impacts to wetlands are necessary to implement the project. These impacts will be accounted for in the CWA waterway permitting process and necessary impact minimization measures implemented during construction.



Environmental Commitments

C2

- 1) ODOT D-12 will coordinate the coastal consistency determination when the waterway permits are in process.
- 2) ODOT will obtain all appropriate waterway permits prior to any work within the jurisdictional boundary of any waterway, including wetlands, and all Waterway Permit Special Provisions will be noted under Special Provisions in the plans and adhered to during construction.
- 3) Ensure impacts to the federally listed and protected Indiana bat and northern long-eared bat and the State listed and protected little brown bat and tricolored bat are avoided and minimized. Do not remove trees from [April 1 through September 30]. Perform all necessary tree removal from [October 1 through March 31]. Demarcate clearing limits in the field to avoid any unauthorized tree clearing. For the purposes of this note, a tree is defined as a live, dying, or dead woody plant, with a trunk three inches or greater in diameter at a height of 4.5 feet above the ground surface, and with a minimum height of 13 feet.
- 4) Any comments from the local floodplain coordinator will be included in the final plans.



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Preparers and Approvals

Form Preparer: Sumia Mohamed
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Supporting Form Preparer(s): Andrew Fluegemann
Libby Rushley
Susan Daniels
Sumia Mohamed

Approvals & Electronic Signatures

Approved & Electronically Signed By:	Approval Date:
Mark Carpenter (TRANS ENGR 3)	8/31/2023



Appendix

General

Aerial Map.pdf
Correspondence Related to Utility Coordination-2.pdf
Correspondence Related to Utility Coordination-3.pdf
Correspondence Related to Utility Coordination.pdf
County Map.pdf
USGS Quadrangle Topographical Map.pdf

ESA

OES RMR Approval.pdf
Project Related OES Decision - Asbestos.pdf

Cultural Resources

Minimal Potential to Cause Effect - Appendix B

Ecological

ODNR Scenic River MOA Conditions
USFWS/ODNR Ecological MOA Conditions

Other Resources

Census Bureau Urbanized Area Map.pdf
Water Source Protection Area Map.pdf
Well Log Data.pdf

Environmental Justice

Census Mapping.pdf

Public Involvement

Property Owner Notification Letter.pdf
Public Notification Mailing List.pdf
Public Notification Mailing List.xlsx
Stakeholder Comments.pdf
Stakeholder Meeting Minutes or Notes.pdf

Permits

FEMA FIRM.pdf