



OHIO DEPARTMENT OF TRANSPORTATION

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

Environmental Document

for

LAK US 020 17.23 Deck PID 114486

Environmental Document Level: C2

Approved: 9/1/2022

Prepared By: District 12

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

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C2

PID: 114486
Project Sponsor: ODOT SPONSORING AGENCY
ODOT District: 12
Funding Source: Federal
Private Funding: No

Project Description:

Deck replacement of the U.S. 20 (Erie Street) bridge over the Grand River in Painesville Township. The project will repair the abutments on the east and west sides of the bridge.

Funding:

Preliminary engineering: 100% state

Construction: \$3,000,000.00 80% federal and 20% local

No Permanent and temporary right-of-way will be required from adjacent parcels.

Approximately 0.06 acre of suitable wooded habitat for the federally listed Indiana bat and northern long-eared bat, and state protected tricolored bat and little brown bat is located within the project area. USFWS determined the impact 'May Affect Not Likely to Adversely Affect' these species. A plan note will be included restricting tree clearing to October 1 through March 31 in case tree clearing must occur. All wetlands will be avoided. A plan note will be included stating the Contractor is not authorized to place any fill or work within any wetland or below the Ordinary High Water Mark of the Grand River. All files related to ecological resources can be found in the project file under Ecological.

No Section 4(f) properties are located within or adjacent to the project.

The project is located within a regulated floodplain. Coordination with local floodplain coordinator was completed in 8/30/22. No plan notes are required for Floodplain.

Review of the LWCF Grant Listing for Lake County did not identify any Section 6(f) sites in the project area. See project file.

No underserved population impacts will result from this project.

A press release was sent on August 11, 2021. One comments was received. No revisions or additions to project have been made based on public input. Public Involvement will continue through until September 11, 2022 and ODOT will respond to all comments. Responses will be uploaded to EnviroNet.

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

STIP Reference #: 114486: 21-24 STIP SLI Group Project

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 right-of-way
2. b. Residential or non-residential displacements



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3. c. A Coast Guard, Individual Section 404 and/or a Section 10 permit
4. d. A Section 106 finding of *Adverse Effect*
5. e. A Section 4(f) Programmatic or Individual Evaluation
6. f. A finding of *May Affect, Likely to Adversely Affect* to Threatened and Endangered Species
7. g. Construction of temporary access, or the closure of existing road, bridge, or ramps, that would result in major traffic disruptions
8. h. Changes in access control
9. i. Floodplain encroachment other than functionally dependent uses (e.g., bridges, wetlands) or actions that facilitate open space use (e.g., recreational trails, bicycle and pedestrian paths)
10. j. Construction activities in, across or adjacent to a river component designated or proposed for inclusion in the National System of Wild and Scenic Rivers
11. k. No minor public or agency controversy on environmental grounds (no opposition from any organized groups or agencies and no unresolved environmental coordination)
12. l. If an EJ Analysis Report is required, the project must be processed as a D-level CE or higher level document

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

Waterways:	Present; No Coast Guard, Individual 404, and/or Section 10 Permit required
Waterways Permit Type:	Permit Determination and/or Permit Application Approval Pending
Isolated Wetland Permit	No
Will any wetlands be impacted?	No
Endangered Species:	Present; No finding of May Affect, Likely to Adversely Affect
Endangered Species - Coordination	May Affect, Not Likely to Adversely Affect
Endangered Species - Coordination Date	06/27/2022
Endangered Species - Critical Habitat Present/Impacted	
Indiana bat	
Northern long-eared bat	
Endangered Species - Other Critical Habitat Present/Impacted:	No
100-Year Floodplain:	Encroachment Within the SFHA is a Functionally Dependent Use
EO 11988/NFIP Coordination and Documentation Completed:	Yes
NFIP Local Floodplain Coordinator Notification Date:	08/30/2022



Section 4(f): Not present

Section 6(f): Not present

Cultural Resources: Not Present

Cultural Resources Coordination - ODOT Approval/SHPO
Concurrence Date 08/19/2022

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

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

Air Quality: Studies Not Required

Air Quality - Coordination with OES: No

Noise: Studies Not Required

Noise Coordination - OES Approval Date: 08/30/2022

Hazardous Materials - ESA Screening Conducted Yes

Hazardous Materials - OES Approval Date: 08/31/2022

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

Farmland: Non-Urbanized Area; No Impacts in Accordance With the Farmland MOU, 7 CFR 658, and ORC 929.05

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

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

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

Identified Underserved Populations

Census Block Group #	% Minority	% Low Income	% Older Adults	% Limited English Proficiency (LEP)
155005	0.05	0.16	0.15	0.00

Underserved Populations Remarks



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According to the ODOT's TIMS, the EJ population percentages are low in the project area. The Minority population is 0.05 percent. The Low Income population is 0.16 percent. The older adult population is 0.15 percent and the Limited English Proficiency (LEP) is 0 percent population.

The proposed project will have no disproportionately high and adverse effects to minority or low-income populations or disparate impacts to a Title VI population based upon the table above, the attached mapping, and the answers to the questions above. No concerns related to impacts on Environmental Justice or Title VI populations were raised as a result of public involvement activities conducted as part of the proposed project. Therefore, in accordance with the protections of Executive Order 12898, FHWA Order 6640.23A and Title VI of the Civil Rights Act of 1964, no further analysis is required.

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

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

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

Public Involvement:

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

Environmental Commitments

Yes



Environmental Commitments

C2

- 1) Asbestos inspection to be completed prior to filing project. The PM will include the asbestos plan note in the General Notes of the project plans.
- 2) The contractor must contact school districts, emergency services, Painesville Township, City of Painesville 15-days prior to start of the project about the detour.
- 3) A plan note will be included stating the Contractor is not authorized to place any fill or work within any wetland or below the Ordinary High Water Mark of the Grand River.
- 4) Tree Removal AMM 1: Modify all phases/aspects of the project (e.g., temporary work areas, alignments) to avoid tree removal in excess of what is required to implement the project safely.
- 5) Tree Removal AMM 2(a) (OH PBO: A-1). Time of year restrictions for tree removal when bats are not likely to be present - To avoid impacts to summer roosting bats, SWH will be cleared only between 1 October and 31 March, when the species would not be present.
- 6) Tree Removal AMM 3. Ensure tree removal is limited to that specified in project plans by clearly marking clearing limits. Ensure that contractors understand clearing limits and how they are marked in the field.
- 7) Ecological studies identified swallow nests on the LAK-20-17.23. Projects performing construction activities between the dates of September 1 and April 30 do not require an inspection for migratory birds or avoidance measures. If construction activities will occur between May 1 and August 31 on this structure, inspect the structure for evidence of an active bird nest containing an egg or chick prior to starting work. Provide written confirmation of the inspection, including a statement whether an active nest was found, to the Engineer. If no nests are encountered during the inspection, or if only inactive nests that do not contain an egg or chick are encountered, proceed with construction activities. The Contractor may remove and destroy inactive nests. If an active nest containing an egg or chick is encountered, avoid impacts to the nest until all developing birds are able to independently fly from the nest.



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Preparers and Approvals

Form Preparer

District 12
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Approvals & Electronic Signatures

Approved & Electronically Signed By:	Approval Date:
Mark Carpenter (TRANS ENGR 3)	9/1/2022



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Appendix

Ecological

ODNR Scenic River MOA Conditions

USFWS/ODNR Ecological MOA Conditions