



OHIO DEPARTMENT OF TRANSPORTATION

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

Environmental Document

for

LAK SR 044 06.05/VAR Slope PID 113805

Environmental Document Level: C2

Approved: 10/1/2022

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.

Table of Contents

C2.....	3
Environmental Commitments.....	7
Preparers and Approvals.....	8
Appendix.....	9



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PID 113805 LAK SR 044 06.05/VAR Slope

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C2

PID: 113805
Project Sponsor: DISTRICT 12 ENGINEERING
ODOT District: 12
Funding Source: Federal
Private Funding: No

Project Description:

A GSM funded project to repair the slope failures on SR-44 (LAK-44-6.05) in Painesville Twp, SR-174 (LAK-174-1.34) in Willoughby Hills and SR-306 (LAK-306-4.66) in Willoughby/Kirtland. Work includes minor slope repair, guardrail replacement and minimal pavement.

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 for LAK-174-1.34 and LAK-306-6.05. The project will not impact streams or wetlands. All files related to ecological resources can be found in the project file under Ecological. Coordination with USFWS was completed on 9/13/22.

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

Review of LWCF Grant List, no Section 6(f) sites are in the project area, therefore, no impacts.

The projects three locations are not located within a FEMA regulated floodplain. Coordination with local floodplain coordinator is not required. No plan notes are required for Floodplain.

Letter were sent out to property owners on September 1, 2022 for LAK-174-1.34 site. No Public comments were received. The other two locations, LAK-306-4.66 and LAK-44-6.05, are located next to a utility easement and within the SR-44/SR-2 Interchange. These two location did not require property notification letters. ODOT has decided to proceed with the project as currently designed.

The estimated project start date is 3/01/23 and will take approximately 6 months for completion.

Funding for PID 113805:

- PE: Environmental - \$36,866 100% state.
- Construction: Contract - \$412,500 80% federal and 20% state.

The C2 approval is based on Stage 3 Plans. Plans are included in Project File/General/Project Information/Stage 3 Plans.pdf

STIP Reference #: 113805: 21-24 STIP

Select the appropriate project type:

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



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

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

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

Waterways:	Not Present
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	09/13/2022
Endangered Species - Critical Habitat Present/Impacted	
Indiana bat	
Northern long-eared bat	
Endangered Species - Other Critical Habitat Present/Impacted:	No
100-Year Floodplain:	No Encroachment Within a Special Flood Hazard Area (SFHA)
Section 4(f):	Not present



Section 6(f): Not present

Cultural Resources: Present; No Finding of Adverse Effect

Cultural Resources Coordination: Minimum Potential to Cause Effect
Appendix A

Cultural Resources Coordination - ODOT Approval/SHPO Concurrence Date 09/13/2022

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: 09/27/2022

Hazardous Materials - ESA Screening Conducted Yes

Hazardous Materials - OES Approval Date: 09/21/2022

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)
60739682	14	30	15	1
60739684	6	13	25	3
60739685	9	12	28	3

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 14, 6 and 9 percent. The Low Income population is 30, 13 and 12 percent. The older adult population is 30, 13 and 12 percent and the Limited English Proficiency (LEP) is 1, 3 and 3 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) 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.
- 2) 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.
- 3) 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.
- 4) The project will use natural or wildflower seed mix where appropriate.



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Preparers and Approvals

Form Preparer

District 12
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Supporting Form Preparer(s): Thomas Sorge

Approvals & Electronic Signatures

Approved & Electronically Signed By:	Approval Date:
Mark Carpenter (TRANS ENGR 3)	10/1/2022



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Appendix

Ecological

ODNR Scenic River MOA Conditions

USFWS/ODNR Ecological MOA Conditions