



OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 02
317 E. POE RD. • BOWLING GREEN, OH 43402 • 419-353-8131

Environmental Document for **HEN US 6/24 11.32/4.62 PID 110524** **Environmental Document Level: C2**

Approved: 8/7/2024

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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:	110524
Project Sponsor:	DISTRICT 2 ENGINEERING
ODOT District:	2
Funding Source:	Federal

C2 Section

Project Description:



The Ohio Department of Transportation is proposing to reconstruct the existing pavement on US 24 from the US 6 / US 24 interchange to the Maumee River bridge in the City of Napoleon, Liberty and Napoleon Townships, Henry County, Ohio. The project also includes work on 10 bridge structures at 5 locations.

- Proposed work on the bridges over Oberhaus Creek (SFNs 3501477, 3500241, and 3500217), State Route 108 (SFNs 3500330 and 3500365), and Van Hyning Creek (SRFNs 3500454 and 3500489) includes reconstructing bridge abutments, overlaying the bridge decks with a new concrete wearing surface, and replacing the bridge railings.
- The bridges over the abandoned Detroit, Toledo, and Ironton Railroad line, located approximately 1,000 feet southwest of the US 6 / US 24 interchange with State Route 108 (SFNs 3500276 and 3500306), will be removed and replaced with roadway. The area beneath these bridges will be backfilled with soil. The area under the existing bridges currently provides unofficial pedestrian access in the form of an unpaved footpath across private property and under US 6 / US 24, from Glenwood Avenue to the Heritage Towne Shopping Center. In order to maintain pedestrian access across US 6 / US 24, a gravel path will be constructed within the existing right-of-way to connect the existing footpath to SR 108 to the east. The Footpath Extension will tie into a sidewalk at the SR 108 / US 6 / US 24 interchange that ODOT is constructing as part of a separate project.
- Proposed work on the US 24 eastbound bridge over westbound US 6 (SFN 3501507) includes overlaying the bridge deck with a new concrete wearing surface.

The Regulated Materials Review (RMR) Screening was completed for the properties abutting the ODOT right-of-way at the bridge site locations (listed above) where abutment work is proposed. Based on the most recent design plans, the project does not require any new permanent or temporary right-of-way to construct. The Ecological Survey Report (ESR) was conducted only for the structure study areas at Oberhaus Creek (SFNs 3501477, 3500241, and 3500217), Van Hyning Creek (SRFNs 3500454 and 3500489), and the bridges over the abandoned Detroit, Toledo, and Ironton Railroad line (SFNs 3500276 and 3500306).

Maintenance involving non-historic bridges, minor highway rehabilitation including pavement upgrades, and minor drainage improvements are activities which are exempt from further cultural resource consideration by the 6/29/23 Cultural Resource PA (Agreement 38503). The project is not within the boundaries of any historic property or district.

No large scale utility relocations are anticipated with this project. Coordination for any utility relocation needed will be performed by ODOT District 2 during plan development.

At least one lane of traffic each direction will be maintained on US 6 / US 24 during construction. There will be alternating ramp closures to complete work on the ramps throughout the project. Local routes over/under US 6 / US 24 will remain open throughout construction.

The work on bridges over Oberhaus Creek and Van Hyning Creek will require waterway permits. The waterway permit will be obtained from the USACE prior to construction. If required for permitting, stream and wetland mitigation will be completed.

The project includes federal and state funding. Construction is expected to begin in April of 2026 and last approximately 19 months. The document was approved based on Stage 1 plans.

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	
CO	110524: 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:

(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 I 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.)**

(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

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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	12/13/2023
Endangered Species - Critical Habitat Present/Impacted	
Indiana bat	
Northern long-eared bat	
Endangered Species - Other Critical Habitat Present/Impacted:	Yes
Endangered Species - Other Description:	Tricolored bat
Scenic Rivers	The project is within 1000 feet of a National Wild or Scenic River, but no impacts will occur to the river or its tributaries.
Scenic Rivers Remarks	
The eastern end of the project is within 1000' of the Maumee River, a designated State Scenic River. There will be no impacts to Maumee River as a result of this project. A Scenic River Field Review Form was completed for Tier III Minor Maintenance and coordinated with ODNR. Per the coordination, all conditions of the MOA will be met. The Scenic Rivers Program Manager will be notified one-week prior to work commencing within 1000' of the Maumee River and within the first week after the work is finished.	
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:	04/11/2024
Floodplain Remarks	



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The eastern terminus of the project (near the Maumee River) and the bridge over Van Hyning Creek are located within a FEMA designated Special Flood Hazard Area (SFHA) Zone A. The proposed work near the Maumee River will remove/replace existing pavement. The proposed bridge work over Van Hyning Creek will replace approach slabs, deck edges, railing, and existing overlay. As this work is considered maintenance that does not change the alignment, grade, or hydraulic capacity of the existing structure, the project is exempt from the normal floodplain permit process required for work encroaching on a SFHA. ODOT sent a letter of Notification of SFHA Exemption to the Henry County Local Floodplain Administrator and posted the Summary of Findings online on 04/11/2024. Copies of floodplain documentation have been uploaded to the Project File under Permits/Floodplains.

Section 4(f)

Section 4(f):

Not present

Section 4(f) Remarks

There are no recreational properties within the project limits.

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

10/11/2023

Cultural Resources Remarks

Maintenance involving non-historic bridges, minor highway rehabilitation including pavement upgrades, and minor drainage improvements are activities which are exempt from further cultural resource consideration by the 6/29/23 Cultural Resource PA (Agreement 38503). The project is not within the boundaries of any historic property or N. R. district. 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. SHPO provided no comments or objections.

Tribal Consultation Summary/Remarks:

Tribes were notified per ODOT's Tribal Consultation process on 10/11/2023. There were no objections received from the tribes within 30 days.

Environmental Resources Considered

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

Air Quality

Noise

Regulated Materials

Farmland



Air Quality:

Studies Not Required

Air Quality - Coordination with OES:

No

Air Remarks

No air analyses are required for this project.

Noise:

Studies Not Required

Noise - Coordination with OES

No

Noise Remarks

No noise analyses are required for this project.

**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:

10/11/2023

Regulated Materials Review Remarks:

Based on the District's review of the RMR Screening, no further environmental site assessment is warranted.

Farmland:

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

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
390690001004	3	22
390690004001	19	60
390690003001	5	27
390690003002	10	29

Environmental Justice Remarks



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A review of the ODOT Transportation Information Mapping System (TIMS) indicated Environmental Justice (EJ) populations within the proposed project area. EJs identified included Minority and Low Income populations. No businesses or residences will be acquired or relocated as part of the project. A review of HUD's online Resource Locator Mapping was reviewed. No HUD resources are located within or near the project area. 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 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, no further analysis is required.

Public Involvement

Public Involvement:

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

Public Involvement Remarks

The project was posted on the ODOT District 3 project webpage. An email was sent to Emergency and Public Service providers on 04/11/2024 regarding potential closures and detours associated with work on the ramps. No comments were received regarding Maintenance of Traffic. Due to the presence of the footpath that crosses under US 6 / US 24, specific public involvement was conducted regarding relocation of the path. Project notification letters were sent to property owners along the footpath on 09/20/2023. Laminated project flyers were posted at multiple points along the path, as well as in the neighborhood at the western terminus of the path on 09/29/2023. Flyers included information regarding the proposed filling in under the existing bridges and the new footpath that would provide access by connecting the existing path to SR 108. No comments related to the path were received as a result of this direct outreach effort.

A press release was issued by the District on 06/03/2024. Three comments were received in response to the press release. Two comments were requesting reconfiguration of ramps at interchanges, which is beyond the scope of the project. One comment was related to the footpath. None of the commenters requested a response.

Copies of all PI materials and comments received are available in the project file under Public Involvement/Project Information. A copy of the email sent to Emergency and Public Service providers is in the project file under General/Maintenance of Traffic.

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.):
HEN US 6/24-1132/462 (110524)	Wetland A	Adjacent	Category 1	0.23	0.16
	Wetland B	Adjacent	Category 1	2.0	0.05
	Wetland C	Adjacent	Category 1	9.0	1.32
	Wetland D	Adjacent	Category 2	3.0	0.42
	Wetland E	Adjacent	Category 1	0.02	0.02

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

Total impact to all wetlands (ac.): 1.97

Total acres of non-isolated wetlands impacted: 1.97

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 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 Substantially Increase Project Costs.

Include justification supporting the decisions noted above:

The wetlands impacted are located in proximity to the bridges to be rehabilitated and cannot be avoided. The No Build alternative does not meet the project's Purpose & Need to improve deteriorated and deficient structure conditions.

All practicable measures have been considered and incorporated into the project design to avoid,



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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:

Each bridge rehabilitation project footprint has been reduced to the maximum extent practicable. Implementation of additional measures to further reduce each impact footprint is neither feasible nor warranted based on the purpose and need of the project; the location of the aquatic resource relative to the project location; and the overall minor impacts of the project as currently designed.



Environmental Commitments

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1) The following note will be added to the design plans: 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.

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 included in the plans and adhered to during construction.

3) ODOT will 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 Oberhaus Creek and Van Hyning Creek. The District Environmental Coordinator will coordinate the results of the mussel survey, salvage work, or both with ODNR. The Department will ensure the mussel survey and relocation occurs, and approval has been received from ODNR, prior to the Contractor performing work below ordinary high water mark of Oberhaus Creek and Van Hyning Creek.

4) The ODNR Scenic Rivers Program Manager will be notified one-week prior to work commencing and within the first week after the work is finished within 1,000-feet of the Maumee River.



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Preparers and Approvals

Form Preparer:

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Supporting Form Preparer(s):

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Approvals & Electronic Signatures

Approved & Electronically Signed By:	Approval Date:
Phoenix Meek (PROGRAM ADMIN 3)	8/7/2024



Appendix

General

Aerial Map.pdf

Correspondence with Emergency and Public Services.pdf

County Map.pdf

USGS Quadrangle Topographical Map.pdf

RMR

District Recommendations - Screening.pdf

Cultural Resources

Minimal Potential to Cause Effect - Appendix B

Ecological

ODNR Comments

ODNR Scenic River MOA Conditions

Scenic Rivers Field Review Form.pdf

USFWS/ODNR Ecological MOA Conditions

Other Resources

Census Bureau Urbanized Area Map.pdf

Sole Source Aquifer Mapping.pdf

Water Source Protection Area Map.pdf

Water Wells Map.pdf

Environmental Justice

Census Mapping.pdf

HUD Resource Mapping.pdf

Public Involvement

Press Release.pdf

Project Flyer.pdf

Project Webpage.pdf

Property Owner Notification Letter 09.20.2023.pdf

Public Comments Received.pdf

Public Notification Mailing List 09.20.2023.pdf



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Permits

FEMA FIRM.pdf

Floodplain Impacts.pdf

Statement of Findings.pdf