



OHIO DEPARTMENT OF TRANSPORTATION

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

Environmental Document

for

GEA/LAK SR 044 18.39/00.00 Rehab PID 114163

Environmental Document Level: C2

Approved: 9/14/2024

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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:	114163
Project Sponsor:	ODOT SPONSORING AGENCY
ODOT District:	12
Funding Source:	Federal

C2 Section

Project Description:

The Ohio Department of Transportation has proposed a roadway rehabilitation project of 4.29 miles of S.R 44 starting from the Chardon north corporation line extending to 1 mile south of IR-90 in Lake County. Select culverts will be repaired and pavement will be widened at the intersections along S.R 44 to allow for left turn lanes to be added. Pavement will be widened along Girdled Rd at the S.R 44, Crile Rd, and Auburn Rd intersections to allow right turn lanes to be added. The project also includes drainage, signing and striping improvements. 0.993 acres of permanent right-of-way is required around the Girdled Road /SR-44 Intersection.

Temporary and permanent right-of-way is anticipated. Some impacts to utilities are expected. Utilities consist of Dominion Energy, The Illuminating Company, AT&T, Northeast Ohio Natural Gas Cooperation, ODOT Traffic, Charter Communications, and the City of Painsville and will be handled appropriately prior to construction.

The project will require closure of eastbound lanes of SR-44 during construction and eastbound traffic will be detoured. Work on Girdled Road is expected to last through the summer to avoid traffic from the Auburn Career Center while school is in session. Construction is expected to last one construction season in 2026-2027.

Approximately 273 linear feet of impact to one (1) perennial stream and 384 linear feet of impact to two (2) intermittent streams and 0.434 acres of wetland impacts to Category 1 and 2 wetlands are expected to be impacted by the proposed project. A USACE waterway permit will be required. Additionally, 2.15 acres of suitable wooded habitat (SWH) for the federally protected Indiana bat and northern long-eared bat, and the state protected tricolored bat and little brown bat all within 100' EOP will be impacted. The project is not located within a USFWS bat buffer zone. The project may affect not likely to adversely affect these species. A plan note will be included in the project plans to limit tree clearing to between October 1 & March 31. No known populations of other federally listed species, state listed species, or Unionid mussels will be impacted by this project. These impacts are described in the Ecological tab.

The project is not located within a regulated floodplain.

The project is located adjacent to the Maple Highlands trail for most of the project area. ADA compliant ramps will be installed at the trail and Hosford Rd. Closure of the trail will not be necessary. An official OWJ notice was sent to Geauga Park District on March 29, 2024 stating that the project would not



constitute a "use" of the 4(f) property. Geauga Park District acknowledged the project in response on April 1, 2024. A Section 4(f)/6(f) Determination Request Form for Recreational Properties (DRF) was then submitted to ODOT-OES Policy Staff on April 22, 2024. OES approved the No use determination on May 21, 2024. All coordination and documentation is available in the project file. No further coordination is required.

A Virtual Stakeholder Meeting was held on May 7, 2024. Topics discussed during the meeting included property impacts, construction timing, emergency maintenance of traffic, diverting truck traffic, phasing construction, guardrails, and schedule.

A Virtual Open House was posted to the ODOT website on July 11, 2024 and 43 email comments come in. ODOT District 12 is currently responding to public comments and responses will be uploaded to the Project Files.

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

No other environmental, hazardous materials, cultural resources, Section (4)f /6(f), floodplain or underserved population impacts will result from this project.

The environmental document and associated studies were reviewed using the Stage 1 Design plans for the project. A copy of the Stage 1 Design plans can be found 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	114163: 24-27 STIP
RW	114163: 24-27 STIP
CO	114163: 24-27 STIP
DD	

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.)

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	05/03/2024
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

No National Wild and Scenic River Within 1000 Feet of the Proposed Project Area. No coordination is required.

Floodplains

100-Year Floodplain: No Encroachment Within a Special
Flood Hazard Area (SFHA)

Floodplain Remarks

The project is not located within a regulated floodplain. No coordination is required.

Section 4(f)

Section 4(f): Present; No Programmatic
Evaluation or Individual Evaluation
Required

Section 4(f) Determination:

No Use - Recreational

Section 4(f) Determination Date - No Use - Recreational 05/21/2024

Section 4(f) Remarks

The project is located adjacent to the Maple Highlands trail for most of the project area. ADA compliant ramps will be installed at the trail and Hosford Rd. Closure of the trail will not be necessary. An official OWJ notice was sent to Geauga Park District on March 29, 2024 stating that the project would not constitute a "use" of the 4(f) property. Geauga Park District acknowledged the project in response on April 1, 2024. A Section 4(f)/6(f) Determination Request Form for Recreational Properties (DRF) was then submitted to ODOT-OES Policy Staff on April 22, 2024. OES approved the No use determination on May 21, 2024. All coordination and documentation is available in the project file. No further coordination is required.

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 09/06/2024

Cultural Resources Remarks

A review of OSHPO data and online mapping concluded there are no previously known archaeological sites (OAI), no inventoried buildings (OHI), and no listed or eligible historic properties found in the project area or in the area of potential effects (APE). The entire APE and/or the surrounding area has been previously surveyed for cultural resources with negative results. Based on all supportive information, one may conclude in this case that roadway modernization and minor widening which measures less than a full travel lane are project types exempt from further cultural resource consideration by the 6/29/23 Cultural Resource PA (Agreement 38503), as long as the project is not within the boundaries of any historic property or N. R. district.

Environmental Resources Considered

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

Regulated Materials

Farmland

Air Remarks

This project is an Exempt Project per 40-CFR 93.126 (Exempt Project/Air Quality: Pavement resurfacing and/or rehabilitation). No air quality analysis is required.

Noise Remarks

The project does not qualify as a Type I project for noise (i.e., not adding capacity, 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.

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: 09/10/2024

Regulated Materials Review Remarks:

The RMR Screening was prepared by the District 12 staff.

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
390852051002	5	6
390852051001	4	8
390553122021	4	8

Environmental Justice Remarks

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 and Title VI of the Civil Rights Act of 1964, no further analysis is required.

Based on the above findings an EJAR is not required.

Public Involvement

Public Involvement:

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

Public Involvement Remarks

Right-of-entry letters were sent to adjacent property owners and residents on December 14, 2023, to provide notice of work crews potentially entering their property to collect field data and provided information on the project and upcoming public outreach. No comments were received as part of this initial outreach.

On May 6, 2024, emails were sent to nearby stakeholders in the project area inviting them to an upcoming virtual meeting. The virtual meeting was held on May 7, 2024, via Microsoft Teams. The meeting began with a presentation followed by a discussion. After the meeting, comments were accepted until May 17, 2024. Comments were responded to verbally during the meeting.

On July 12, 2024, letters and emails were sent to property owners, residents, and stakeholders in the project area inviting them to an upcoming virtual comment period / open house and encouraging them to submit comments. The letters included details about the proposed project, virtual open house information, and instructions for submitting comments. An updated presentation was recorded and posted to a dedicated project webpage on ODOT's website. Comments were accepted until August 12, 2024.

During this time, the team received 44 comments. Many comments received supported the improvements. Some concerns were received regarding the proposed traffic signal at SR 44 and Hosford, property impacts, efficacy of improvements, and other suggested improvements.

All public involvement information can be found in Project File > Public Involvement > Project Information

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

Environmental Commitments

Environmental Commitments

Yes



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Ecological

Wetlands

ESR Name:	Wetland ID:	Hydrologic connection:	Wetland category:	Estimated total size (ac.):	Total estimated impact area by alternative (ac.):
GEA_LAK-SR 44-1839_00 00	Wetland 1	Adjacent	Modified Category 2	0.570	0.031
	Wetland 2	Adjacent	Category 2	0.247	0.132
	Wetland 3	Adjacent	Category 1	0.004	0.004
	Wetland 4	Adjacent	Category 1	0.216	0.060
	Wetland 5	Adjacent	Category 1	0.322	0.152
	Wetland 6	Adjacent	Category 1	0.035	0.007
	Wetland 7	Adjacent	Category 1	0.159	0.048

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

Total impact to all wetlands (ac.): 0.434

Total acres of non-isolated wetlands impacted: 0.434

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.

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:

Due to the proximity of the wetlands along the corridor of the project and required culvert replacements and associated regrading to accommodate the needed additional turn lanes, avoidance would not be possible

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:

Due to the proximity of the wetlands along the corridor of the project and required culvert replacements and associated regrading to accommodate the needed additional turn lanes, avoidance would not be possible. Minimization of impacts to resources was implemented throughout the design process.



Environmental Commitments

C2

- 1) 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 noted under Special Provisions in the plans and adhered to during construction.
- 3) Access to the Maple Highlands Trail shall be maintained at all times during construction activities.
- 4) Temporary construction fencing shall be installed along proposed construction limits prior to the start of construction activities to protect the Section 4(f) property and the public.
- 5) Appropriate signage shall be installed to alert users of the Maple Highlands Trail of construction activities, if in proximity to recreational facilities or features.
- 6) The contractor shall be required to closely coordinate the construction schedule with ODOT and Gauga Parks District prior to the start of construction activities.



Preparers and Approvals

Form Preparer: Jaclyn Bruns
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Approvals & Electronic Signatures

Approved & Electronically Signed By:	Approval Date:
Thomas Sorge (PROGRAM ADMIN 3)	9/14/2024



Appendix

General

Aerial Map.pdf

County Map.pdf

STIP Listing.pdf

USGS Quadrangle Topographical Map.pdf

Cultural Resources

Minimal Potential to Cause Effect - Appendix B

Records Check.docx

Ecological

ODNR Scenic River MOA Conditions

USFWS/ODNR Ecological MOA Conditions

Other Resources

Urbanized Area Map.pdf

Water Source Protection Area Map.pdf

Well Log Data.pdf

Section 4(f)

OES Recreational 4(f) Determination.pdf

Section 6(f)

LWCF Grant Listing.pdf

Environmental Justice

Census Mapping.pdf

Public Involvement

Property Owner Notification Letter and List.pdf

Stakeholder Meeting Notes.pdf

Stakeholder Meeting Notification Email and List.pdf

Stakeholder Meeting Presentation.pdf

Virtual Public Open House Notification Letter and List.pdf

Virtual Public Open House Presentation.pdf

Virtual Public Open House Webpage.pdf



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Permits

FEMA FIRM.pdf