



OHIO DEPARTMENT OF TRANSPORTATION

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

Environmental Document for **FUL SR 109 16.98 Bridge Replace PID 102931** **Environmental Document Level: C2**

Approved: 8/22/2023

Prepared By: Cassandra Austin

Lawhon & Associates

Phone: 614-481-8600

E-mail: caustin@lawhon-assoc.com

District Contact: Phoenix Meek

Phone: 419-373-4329

E-mail: Phoenix.Golnick@dot.ohio.gov

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
Ecological.....	7
Environmental Commitments.....	9
Preparers and Approvals.....	10
Appendix.....	11



C2

Project Information

PID: 102931
Project Sponsor: DISTRICT 2 ENGINEERING
ODOT District: 2
Funding Source: Federal

Project Description:

The proposed project consists of the replacement of the structure carrying State Route 109 over Bear Creek in Fulton County. No new right of way or utility relocations are required. Impacts to ecological resources were estimated based on the most current information available and used the Ecological Study Area to represent the maximum impacts to resources resulting from this project. All impacts to Bear Creek have been coordinated with the ODNR/USFWS and all measures to minimize impacts will be taken and plan notes will be added to the plans. A permit from the USACE will be obtained prior to construction and no floodplain permits are required. Construction is expected to begin in the summer of 2026 and last approximately 90 days. During construction, traffic will be detoured.
This document was written and approved based on Stage 2 plans.

The next phase of the proposed project is listed on the STIP: No

Remarks:

This project is not currently on the STIP, however the next phase is non-federal 100% **state** funded and is fiscally constrained.

Ellis STIP Details

Phase	Current STIP Reference
ENV	On Previous STIP
RW	
CO	102931: 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:

(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)



Environmental Document Level: C2
PID 102931 FUL SR 109 16.98 Bridge Replace

Approved: 8/22/2023

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:	No Impacts to Protected Species and Critical Habitat
Scenic Rivers	No National Wild and Scenic River Within 1000 Feet of the Proposed Project Area
Scenic Rivers Remarks	N/A
Floodplains	
100-Year Floodplain:	Encroachment Within the SFHA is a Functionally Dependent Use
EO 11988 Compliance Met	Yes



Environmental Document Level: C2
PID 102931 FUL SR 109 16.98 Bridge Replace
Approved: 8/22/2023

NFIP Coordination and Documentation Completed Yes

NFIP Local Floodplain Coordinator Notification Date: 08/21/2023

Floodplain Remarks N/A

Section 4(f)

Section 4(f): Not present

Section 4(f) Remarks N/A

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 A

**Cultural Resources Coordination - ODOT Approval/SHPO
Concurrence Date** 02/27/2023

Cultural Resources Remarks N/A

Environmental Resources Considered

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

Regulated Materials

Air Remarks N/A

Noise Remarks N/A

**The project involves ROW acquisition, Deep Excavation, or OEPA 513 Landfill
Authorization:** No

Hazardous Materials - OES Approval Date: 02/27/2023

**Regulated Materials Review
Remarks:** N/A

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
390510405001	5	24
390510405002	9	23

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, 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

N/A

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.):
FUL-109-16.98	Wetland A Complex	Adjacent	Category 1	0.037	0.037

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

Total impact to all wetlands (ac.): 0.037

Total acres of non-isolated wetlands impacted: 0.037

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 Result in Unique Engineering, Traffic, Maintenance, or Safety Problems.

They Will Not Meet the Identified Needs of the Project.

Include justification supporting the decisions noted above:

The proposed project would result in minor, long-term impacts to 0.037 acre of wetlands (Wetland A- Category 1) The impacts to Wetland A are associated with grading/access to the structure.

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



Environmental Document Level: C2
PID 102931 FUL SR 109 16.98 Bridge Replace
Approved: 8/22/2023

minimize harm to the wetlands that may result from such use.

Remarks:

It has yet to be determined if mitigation will be required. If it is determined that mitigation is required, it will be purchased prior to the issuance of the final permit.



Environmental Commitments

C2

- 1) ODOT will ensure a Group 1 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. 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.
- 2) The Project Designer shall incorporate the following note into the plans: Due to the known presence of Cliff Swallows and their nests within the project area, ODOT shall remove all bird nests on the sub structure of the bridge between October 1 and March 1 and keep nesting birds off until construction begins. The contractor shall not harm or kill any birds. If any bird nest is found on the bridge within the project work limits, crews shall wait until the species has moved off the project site unharmed before work can continue.
- 3) 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.



Environmental Document Level: C2
PID 102931 FUL SR 109 16.98 Bridge Replace
Approved: 8/22/2023

Preparers and Approvals

Form Preparer: Cassandra Austin
Lawhon & Associates
1441 King Ave, Columbus OH 43212
614-481-8600
caustin@lawhon-assoc.com

Supporting Form Preparer(s): Allie Beck
Kristen Razo
Phoenix Meek

Approvals & Electronic Signatures

Approved & Electronically Signed By:	Approval Date:
Phoenix Meek (PROGRAM ADMIN 3)	8/22/2023



Appendix

General

Aerial Map.pdf
Correspondence with Emergency and Public Services.pdf
County Map.pdf
USGS Quadrangle Topographical Map.pdf

Ecological

ODNR Scenic River MOA Conditions
USFWS/ODNR Ecological MOA Conditions

Environmental Justice

Census Mapping.pdf

Public Involvement

Property Owner Notification Letter.pdf
Public Notification Mailing List.pdf

Permits

FEMA FIRM.pdf
Floodplain Impacts.pdf
Letter of Notification - ODOT Form LD-52.pdf
Statement of Findings.pdf