



OHIO DEPARTMENT OF TRANSPORTATION

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

Environmental Document for **WOO Maumee River MUP Phase 3 PID 109388** **Environmental Document Level: C2**

Approved: 9/7/2023

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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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Project Information

PID: 109388
Project Sponsor: Perrysburg, City of
ODOT District: 2
Funding Source: Federal

Project Description:

The City of Perrysburg proposes to construct a 10-foot-wide asphalt multi-use path connecting Orleans Park and Riverside Park along the bank of the Maumee River. This phase is in conjunction with the multi-use path from Fort Meigs (Rapids Road parking lot) to Hoos Park. Phases 1, 2, and 4 have already been completed and constructed. The multi-use path will be constructed within the existing public right-of-way of abandoned Water Street, along the south bank of the Maumee River. Work on the project includes paving, earthwork, laying of aggregate base, retaining wall construction, site restoration, and tree/scrub-shrub clearing. Mapping that depicts the project location is included in the Project File/General/Project Information subsection.

A full roadway closure will not be required. Construction will occur within the existing right-of-way and will not affect the flow of traffic. Access shall be maintained to all properties within and adjacent to the project construction limits for the duration of project construction. Additionally, the project will not require right-of-way acquisition. Utility impacts are expected. Coordination with the utility companies in proximity to the proposed construction activities was conducted during previous phases and will continue through the construction period. Construction is currently scheduled to begin in the summer of 2024 and last approximately 4-5 months.

The project will not impact any environmentally sensitive resources within the project study area as detailed in the narrative below and the resource-specific subsections and tabs.

A Level 1 Ecological Survey Report was completed for the project. One (1) stream (Maumee River), two (2) wetlands, and suitable forested bat habitat were identified in the project area. The project will impact approximately 1.147 acres of suitable wooded habitat (SWH) for the federally listed Indiana bat, northern long-eared bat, and tricolored bat species. The project will also impact 1.147 acres of habitat for the state listed little brown bat. No other ecological resources are present within the project construction limits. The project will not result in impacts to the Maumee River. No wetlands or other ecological resources are present within the project construction limits. See the ecological and threatened/endangered species documentation for the project in the Project File/Ecological/Project Information and Reports subsections and the Ecological tab.

The environmental document and associated studies, as applicable, were approved using the Stage 2 Design Plans. A copy of the Stage 2 Plans for the project is included in the Project File/General/Project Information subsection.

The estimated total project cost specified in Ellis matches the total project cost specified in the ODOT State Fiscal Years 2024-2027 STIP.

The next phase of the proposed project is listed on the STIP: Yes

Ellis STIP Details

Phase	Current STIP Reference
ENV	
CO	109388: 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.)**

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:

Not Present

Will any wetlands be impacted?

No



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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 07/10/2023

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

There are no national or state-listed wild and scenic rivers within 1,000 feet of the project area. The project will not impact any scenic river. The project site is located on the south bank of the Maumee River. The Maumee River State Scenic designation begins upstream of the US Route 24 Bridge. The portion of the Maumee River downstream of the US Route 24 Bridge, approximately 2,000 ft upstream of the project site, is recreationally designated. There will be no instream work or work impacting tributaries to the Maumee River.

Floodplains

100-Year Floodplain: Encroachment Within the SFHA is a
Functionally Dependent Use

EO 11988 Compliance Met No

NFIP Coordination and Documentation Completed No

Floodplain Remarks

A review of the FEMA FIRM mapping for the project study areas found the proposed construction activities are located within designated Special Flood Hazard Area (SFHA) floodplain Zone A. The City of Perrysburg will obtain all relevant floodplain permits, if required, prior to project construction. See the floodplain mapping for the project in the Project File/Permits/Floodplains subsection.

Section 4(f)

Section 4(f): Present; No Impacts and/or Access
Restrictions

Section 4(f) Remarks



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Two recognized recreational Section 4(f) resources will be affected by the project, Riverside Park and Future Orleans Park. Riverside Park is an approximately 3-acre park owned by the City of Perrysburg and located at 245 West Front Street. Its features include: Views of the Maumee River, benches, swings, and lounge chairs. There is a shared use path that connects Riverside Park to the City's Boat Club and can be accessed from Front Street and Louisiana Avenue. Future Orleans Park improvements, adjacent to the proposed project, have been identified in the City of Perrysburg's Master Plan and include the entrance to a River Access Facility, a Pump Track Circuit, and kayak launch. The River Access Facility is proposed to include a crew boat house, a launch ramp and float dock, an elevated observation deck, and parking. Due to minor temporary construction impacts, ODOT has determined that impacts to these resources are exempt from Section 4(f) approval. Under 23 CFR 774.13(g), the proposed project will preserve and/or enhance Riverside Park and Orleans Park and will not adversely affect the protected recreational activities, features, or attributes. Additionally, the proposed project will not require land from within the historic boundary of the Perrysburg Historic District, a Section 4(f) Cultural Resource. See the 4(f) documentation for the project in the Project File/Section 4(f)/Coordination and Reports subsections.

Section 6(f)

Section 6(f): Present; No Impacts and/or Access Restrictions

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 02/08/2023
Concurrence Date

Cultural Resources Remarks

A Cultural Resources Records Check was completed for the proposed project. The Perrysburg Historic District is adjacent to the proposed project. However, it was determined the path's construction would have minimal potential to impact a significant cultural resource. Therefore, in accordance with Stipulation V(C)(1) and Appendix B of the Section 106 Programmatic Agreement executed on June 29, 2023 (Agreement No. 38503), ODOT-OES determined the 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. No further coordination is required in accordance with the Section 106 Programmatic Agreement. See the cultural resources documentation for the project in the Project File/Cultural Resources/Project Information subsection and the Cultural Resources Tab.

Tribal Consultation Summary/Remarks:

The Miami Tribe of Oklahoma was notified on February 8, 2023. No comment or objection was received within 30 days of notification.

Environmental Resources Considered

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

Regulated Materials

Air Remarks

The project will not impact air quality. No air quality studies, or coordination are needed for this project.



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:

08/30/2023

Regulated Materials Review Remarks:

Based on the information in the Regulated Materials Review (RMR) Screening Form completed for the project, further RMR activities or special materials management are not warranted for the project. See the RMR documentation for the project in the Project File/ESA/Reports subsection.

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
391730205001	5	8

Environmental Justice Remarks

A review of the ODOT Transportation Information Mapping System (TIMS) indicated there are Environmental Justice populations within the proposed project area. No businesses or residences will be acquired or relocated as part of the project.

The proposed project will have no disproportionately high and adverse effects to minority or low-income populations based upon the table above and attached mapping. 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 and FHWA Order 6640.23A, no further analysis is required.

Based on the above findings an Environmental Justice Analysis Report is not required.

Census mapping is saved in the Project File/Environmental Justice/Project Information.

Public Involvement

Public Involvement:

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



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Public Involvement Remarks

The City of Perrysburg mailed a property owner notification letter to adjacent property owners on July 11, 2022. Comments were requested by the public through the property owner notification letter. A comment requesting a on-site meeting was received on July 25, 2022. An on-site meeting with the property owner was accommodated by the design team. See the public involvement documentation, including the received comments and responses to comments, for the project in the Project File/Public Involvement/Project Information subsection.

Environmental Commitments

Environmental Commitments

Yes



Environmental Commitments

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- 1) Ensure impacts to the federally listed and protected Indiana bat and northern long-eared 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) The project is located within a FEMA flood zone and will be designed to comply with all applicable Local, State, and Federal floodplain protection standards. Appropriate floodplain permitting, or documentation of exemption, shall be obtained by The City of Perrysburg prior to the start of project construction.
- 3) The Design Engineer shall include the following as a plan note: Access to the Riverside Shared Use Path shall be maintained at all times during construction activities via flagging operations and/or an approved detour.
- 4) The Design Engineer shall include the following as a plan note: Temporary construction fencing shall be installed along proposed construction limits prior to the start of construction activities to protect the existing Section 4(f) property and the public
- 5) The Design Engineer shall include the following as a plan note: Appropriate signage shall be installed to alert users of Riverside Park of construction activities, access restrictions or closures, and to direct users to secondary access points
- 6) The Design Engineer shall include the following as a plan note: The contractor shall be required to closely coordinate the construction schedule with ODOT and the City of Perrysburg prior to the start of construction activities



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Preparers and Approvals

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Approvals & Electronic Signatures

Approved & Electronically Signed By:	Approval Date:
Phoenix Meek (PROGRAM ADMIN 3)	9/7/2023



Appendix

General

Aerial Map.pdf
Correspondence Related to Utility Coordination.pdf
County Map.pdf
USGS Quadrangle Topographical Map.pdf

Cultural Resources

Minimal Potential to Cause Effect - Appendix B
Records Check.pdf

Ecological

ODNR Scenic River MOA Conditions
USFWS/ODNR Ecological MOA Conditions

Other Resources

Census Bureau Urbanized Area Map.pdf
Water Source Protection Area Map.pdf
Well Log Data.pdf

Section 4(f)

OES Recreational 4(f) Determination.pdf

Environmental Justice

Census Mapping.pdf

Public Involvement

Public Comments Received.pdf

Permits

FEMA FIRM.pdf
Statement of Findings.pdf