



OHIO DEPARTMENT OF TRANSPORTATION

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

Environmental Document for **LUC US 24 Detroit Ave NS PID 114119** **Environmental Document Level: C2**

Approved: 1/2/2024

Prepared By: District 2

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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: 114119

Project Sponsor: Ohio Rail Development Commission

ODOT District: 2

Funding Source: Federal

Project Description:

The Ohio Rail Development Commission, in coordination with Norfolk Southern Railway (NS), proposes a project to improve roadway user safety at the NS railroad crossing of Detroit Ave. (US Route 24) in the City of Toledo in Lucas County. The existing crossing is protected only with crossbucks and yield signs. The project will construct flashing lights and roadway gates to warn and protect roadway users when a train is passing over the crossing. The sidewalk on the east side of the crossing will be extended over the crossing to connect existing sidewalk segments parallel with Detroit Ave.

Approximately 0.022 acres of permanent right-of-way in the NE, NW, and SE quadrants of the crossing will be acquired by Norfolk Southern to construct the warning devices.

No vegetation will be removed as a part of the project. No impacts to federally or state-listed species are anticipated.

The RMR Investigation found solid waste on right-of-way to be acquired for the project. A solid waste plan note will be included in the final plans and construction authorization.

Approval is based on the railroad's preliminary engineering. Some utility relocation may be required; Norfolk Southern will coordinate with impacted utilities as engineering is developed.

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

Ellis STIP Details

Phase	Current STIP Reference
ENV	On Previous STIP
CO	114119: 24-27 STIP
DD	114119: 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:

(27) Highway safety or traffic operations improvement projects, including the installation of ramp metering control devices and lighting, if the project meets the constraints in paragraph (e) of this section. ***Examples include: Lane reduction ("road diet") changes provided traffic analysis is completed; Railroad projects that close at-grade crossings to improve safety or traffic operations.***

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



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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

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

A review of resource mapping found no wild and scenic rivers within 1000 feet of the proposed project area.

Floodplains

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

Floodplain Remarks

Based on a review of floodplain mapping for the project area, the project does not take place in the 100-year floodplain.



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Section 4(f)

Section 4(f):

Not present

Section 4(f) Remarks

Based on a review of resource mapping for the proposed project area, section 4(f) resources will not be impacted. The right-of-way to be acquired by Norfolk Southern for the project is not section 4(f)-protected property.

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

05/30/2023

Cultural Resources Remarks

Environmental Resources Considered

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

Regulated Materials

Air Remarks

Noise Remarks

The project involves ROW acquisition, Deep Excavation, or OEPA
513 Landfill Authorization:

Yes - Screening

Regulated Materials Review Screening:

Investigation Required

Regulated Materials Review Screening - DEC/OES Approval Date:

07/28/2023

Regulated Materials Review Investigation:

Plan Note Required

Regulated Materials Review Investigation - OES Recommendation
Date:

11/27/2023

The Regulated Materials Review plan note has been entered in the Environmental
Commitments grid below:

Yes



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Regulated Materials Review

Remarks:

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
390950009001	72	72

Environmental Justice Remarks

1. Are there any relocations? No.
2. Will there be changes to access? No. The construction of the warning devices will not restrict or diminish access to shopping, bus stops, schools, jobs, recreational resources, community centers, etc. The project involves an existing railroad and 4-lane roadway, but no new man-made dividers will impact community connection or cohesion. Use of and access to the transportation improvement will not be denied to any Environmental Justice population.
3. Will the proposed project result in unanticipated additional impacts to any Environmental Justice Populations? No. Existing traffic patterns will remain the same following the project.
4. Were any concerns related to impacts on Environmental Justice Populations or any other unique factors that could result in a disproportionately high and adverse effect raised during Public Involvement? No concerns related to Environmental Justice populations or any other unique factors were raised during public involvement.

Public Involvement

Public Involvement:

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

Public Involvement Remarks

Environmental Commitments

Environmental Commitments

Yes



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Environmental Commitments

C2

1) The following plan note will be added to the final plans and construction authorization to Norfolk Southern:

The Regulated Materials Review identified solid waste on the property identified as the "AAA2 Investments Parcel" in the property survey and "RM-001" in the Regulated Materials Review Screening and Investigation prepared for this project (referred to in this plan note as the "AAA2 Parcel"). The property survey and Regulated Materials Review Screening and Investigation are available for reference in the project construction file. All excavated material from the areas identified by this note shall be managed as regulated materials until it is appropriately reused as a construction material or disposed in licensed disposal facility. Manage excavated materials according to the following requirements.

The excavated materials from the AAA2 Parcel may be reused if placed within the limits of the property acquired from the AAA2 Parcel by Norfolk Southern Railway (NS). NS or their contractor may temporarily stock pile the material on an impermeable membrane in an area provided by NS or their contractor and accepted by the Rail Commission or in covered, portable containers free from holes or damages. Cover the stockpile with a synthetic cover that prevents infiltration from rainwater and is surrounded by berms that prevents contact with stormwater run-on. Keep excavated materials from the AAA2 Parcel segregated from materials from any other source of generation.

Dispose all excavated solid waste that cannot be reused within the aforementioned limits at a licensed recycling or disposal facility. Perform all sampling and testing required by the recycling/disposal facility. Direct load all excavated solid waste for transport and disposal when practical. Provide completed log forms and bill of lading/manifests for transport and disposal to the Rail Commission.

If the excavations within the aforementioned limits require dewatering for construction purposes, dewater, containerize and dispose of the liquid waste in a licensed disposal facility. Obtain all necessary permits and conduct all testing needed to store, transport, and dispose of the liquid waste in accordance with applicable local, state and federal regulations. Fill out and sign all waste disposal facility forms required by the disposal facility including, but not limited to, Material Profiles, data sheets, and material certifications. Provide completed log forms, bill of lading/manifests for transport and disposal, and signed and accepted disposal facility forms to the Rail Commission.

NS or their contractor is responsible for all fees, liens, or both assessed by regulatory agencies that have jurisdiction over the transport and disposal of the solid waste. Fill out and sign all waste disposal facility forms required by the disposal facility including, but not limited to, Material Profiles, data sheets, and material certifications. Provide a copy of all completed disposal facility forms to the Rail Commission.

Backfill all excavated areas with suitable material in accordance with project plans and applicable specifications. Provide all the labor, equipment, and materials necessary to properly handle, temporarily store, test for characterization, transport, and dispose of the regulated materials, including any required permits or fees.



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Preparers and Approvals

Form Preparer

District 2

Contact: Timothy Brown

Timothy.Brown@dot.ohio.gov

Approvals & Electronic Signatures

Approved & Electronically Signed By:	Approval Date:
Timothy Brown (LIAISON OFF 1)	1/2/2024



Appendix

General

Aerial Map.pdf

Right of Way Plan Sheets.pdf

Schematic Plan.pdf

ESA

OES Recommendations - Investigation.pdf

OES Recommendations - Screening.pdf

Proposed Soil Borings.pdf

Regulated Materials Review Form.pdf

Cultural Resources

Minimal Potential to Cause Effect - Appendix B

Project Study Area Map_SHPO GIS .pdf

Records Check.pdf

Ecological

ODNR Scenic River MOA Conditions

Section 6(f)

LWCF Grant Listing.pdf

Environmental Justice

Census Mapping.pdf

Public Involvement

Property Owner Notification Letter - RMR Investigation.pdf

Property Owner Notification Letter.pdf