



OHIO DEPARTMENT OF TRANSPORTATION

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

Environmental Document

for

LUC SR 64 8.94 PID 96000

Environmental Document Level: C2

Approved: 7/2/2024

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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.

Table of Contents

C2.....	3
Environmental Commitments.....	10
Preparers and Approvals.....	11
Appendix.....	12



Environmental Document Level: C2

PID 96000 LUC SR 64 8.94

Approved: 7/2/2024

C2

Project Information

PID:	96000
Project Sponsor:	DISTRICT 2 ENGINEERING
ODOT District:	2
Funding Source:	Federal

C2 Section

Project Description:



Environmental Document Level: C2

PID 96000 LUC SR 64 8.94

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The Ohio Department of Transportation is currently proposing to resurface State Route 64 in Lucas County from Sherman White Road/Waterville-Swanton Road to Airport Highway (US route 20A). Additional work includes maintenance on two bridges, one over Swan Creek (LUC-64-11.48) and the other over Neiss Ditch 157 (LUC-64-11.74), and the replacement the culvert at LUC-64-10.79. The project is necessary due to the deteriorating conditions of the roadway and structures.

No new permanent or temporary right-of-way will be required for the project. A Project Consent and Maintenance Agreement have been executed between Ohio Department of Transportation (ODOT) and the Board of Park Commissioners of the Metropolitan Park District of the Toledo Area (Metroparks Toledo) allowing access to 0.083 acre from the Metroparks Toledo's Oak Openings Preserve at Springbrook Lake to replace the existing culvert (LUC-64-10.79). The Metroparks Toledo's Oak Openings Preserve is a Section 4(f) park/recreational property and Section 6(f) property.

No utility relocations or permanent removal of existing utilities within the project limits are anticipated. Coordination with utility companies potentially affect by the proposed project was conducted during the preliminary engineering phase and will continue during detailed design, as appropriate.

Based on the information in the Regulated Materials Review (RMR) Form completed for the project, further environmental site assessment or special materials management is not warranted for the project. See the RMR documentation for the project in the Project File/RMR/Reports subsection.

This project is located within a special flood hazard area and the project will have no impacts on floodplains. All National Flood Insurance Program requirements will be met and required coordination will be done prior to construction. See the floodplain documentation for the project in the Project File/Permits/Floodplains subsection

All ecological impacts have been coordinated with the appropriate agencies. All general and project specific conditions of the Ecological MOA between ODOT, ODNR, and USFWS have been met.

In accordance with Stipulation V(C)(1) and Appendix B of the Section 106 Programmatic Agreement executed on November 8, 2017 (Agreement No. 19319), amended on July 11, 2019, 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.

A *Section 4(f) and 6(f) Determination Request Form for Recreational Properties (DRF)* resource was prepared for the proposed project. Metroparks Toledo (OWJ) has been notified of the project and has agreed to upon measures to minimize harm to the resource. These measures to minimize harm will be added to the plans. Based upon these measures to minimize harm as documented in the DRF, ODOT-OES has determined the the proposed project will constitute a temporary occupancy/no-use. Based upon review of the DRF, it was determined that the proposed project can be processed as a Maintenance Type Project in accordance with Section B(1) of the Section 6(f) Memorandum of Understanding executed July 11, 2018. See the DRF documentation for the project in the Project File/Section 4(f) and the Project File/Section 6(f) subsections.

See the RMR documentation for the project in the Project File/ESA/Reports subsection.

Construction is expected to begin in the spring/summer of 2025 and last approximately 120 days. During construction, detours will be posted. During construction, the location and durations of the bridge/culvert closures are:

1. **LUC-64-11.77 Bridge over Neiss Ditch** - located between Monclova Rd and Airport Hwy. This location will be closed for approximately 60 days and will not be closed at the same time as #2
2. **LUC-64-11.15 Bridge over Swan Creek** - located between Monclova Rd and Airport Hwy. This location will be closed for approximately 60 days and will not be closed at the same time as #1
3. **LUC-64-10.79 Culvert** located between Reed Rd and Monclova Rd. This location will be closed for approximately 30 days and will be closed during one of the bridge closures.

Access to all properties will be maintained throughout construction.

This document and associated studies, as applicable, were approved based on Stage 2 plans. A copy of the Stage 2 plans for the project is included in the Project File/General/Project Information subsection as Stage 2 Design.pdf

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

Yes

Ellis STIP Details

Phase	Current STIP Reference
ENV	96000: 24-27 STIP
RW	
CO	96000: 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:

Present; No Coast Guard, Individual 404, and/or Section 10 Permit required



Environmental Document Level: C2

PID 96000 LUC SR 64 8.94

Approved: 7/2/2024

Waterways Permit Type:

Permit Determination and/or Permit
Application Approval Pending

Isolated Wetland Permit

No

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

No Scenic Rivers are present.

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:

01/19/2024

Floodplain Remarks

This project is a roadway resurfacing project and includes one (1) culvert replacement and two (2) bridge rehabilitation. The only project components in the floodplain are the existing bridges and roadway, there is no work in below OHWM. All NFIP regulations will be met and all required coordination will be done prior to construction. The work being done on the proposed will have no impact on the floodplain.

Section 4(f)

Section 4(f):

Present; No Programmatic
Evaluation or Individual Evaluation
Required

Section 4(f) Determination:

Temporary No Use Exception - 774.13(d)

Section 4(f) Determination Date - 774.13(d)

05/23/2024

Section 4(f) Remarks



Environmental Document Level: C2

PID 96000 LUC SR 64 8.94

Approved: 7/2/2024

A Section 4(f)/6(f) Determination Request Form for Recreational Properties (DRF) was submitted to ODOT-OES Policy Staff on May 1, 2024 and revised on May 15, 2024. A Project Consent and Maintenance Agreement have been executed between Ohio Department of Transportation (ODOT) and the Board of Park Commissioners of the Metropolitan Park District of the Toledo Area (Metroparks Toledo) allowing access to 0.083 acre from the Metroparks Toledo's Oak Openings Preserve at Springbrook Lake to replace the existing culvert (LUC-64-10.79).

Measures to minimize harm/mitigation/environmental commitments include:

- Access to Oak Opening Preserve shall be maintained at all times, except for the time needed to temporarily occupy the property, which shall be less than the time needed for construction of the project.
- Appropriate signage shall be installed to alert users of Oak Openings Preserve of construction activities, access restrictions or closures, and to direct users to secondary access points.
- The contractor shall be required to closely coordinate the construction schedule with ODOT and Metroparks Toledo prior to the start of construction activities

Based upon review of the DRF it was determined the proposed project can be processed as an exception to the requirement for Section 4(f) approval. In accordance with 23 CFR 774.13(d), the temporary occupancy of land and/or access will not constitute a use upon the protected recreational activities, features, or attributes associated with Oak Openings Preserve.

Section 6(f)

Section 6(f): Present; No 6(f) Conversion Required

Section 6(f) Determination: Maintenance

Section 6(f) Determination Date: 05/23/2024

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 12/08/2023

Cultural Resources Remarks

General roadway maintenance and the replacement of both non-historic bridges and non-historic culverts are all project types which are exempt from further cultural resource consideration by the 6/29/23 Cultural Resource PA (Agreement 38503), if the project is not within the boundaries of any historic property or N. R. district. In accordance with Stipulation V(C)(1) and Appendix B of the Section 106 Programmatic Agreement executed on November 8, 2017 (Agreement No. 19319), amended on July 11, 2019, 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.

Tribal Consultation Summary/Remarks:

One tribal consultation comment was received regarding the proposed project. The Miami Tribe of Oklahoma Tribal Consultation offers no objection to the proposed project. See tribal response dated 2/8/24 - Project File/Cultural Resources/Coordination/Tribal Comments - Miami Tribe.pdf



Environmental Resources Considered

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

Regulated Materials

Air Remarks

No air studies were required based on the projects scope

Noise Remarks

No noise studies were required based on the projects scope

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:

07/02/2024

Regulated Materials Review Remarks:

An RMR screening was submitted by Mannik and Smith on 1/18/24 and determined no further actions were necessary. The district 2 DEC approved the findings on 7/2/24.

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
390950095001	9	19
390950096001	6	20

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.

Based on the above findings, an EJAR is not required

Public Involvement



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Public Involvement:

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

Public Involvement Remarks

Public Involvement efforts included a Property Owner Notification Letter and Detour Notification Plan.

Environmental Commitments

Environmental Commitments

Yes



Environmental Commitments

C2

- 1) The Project Designer shall incorporate the following note into the plans: Access to Oak Openings Metropark, shall be maintained at all times during construction activities, except for the time needed to temporarily occupy the property within the construction limits, which shall be less than the time needed for construction.
- 2) The Project Designer shall incorporate the following note into the plans: The project sponsor and/or contractor shall install appropriate closure signs within proposed construction areas of Oak Openings Metropark alerting users of construction activities and access restrictions or closures. The signs shall be installed prior to the start of construction activities and shall be visible to users of the parks to explain which areas will be closed during construction and to direct users to secondary access points. The signs shall meet all ODOT and local specifications
- 3) The Project Designer shall incorporate the following note into the plans: The contractor shall closely coordinate the construction schedule with ODOT and Metroparks Toledo. Prior to the start of construction.
- 4) ODOT will obtain and adhere to all appropriate waterway permits prior to any work within a wetland or below the ordinary high water mark of any waterway and all Special Provisions for waterway permits will be included in the project plans.
- 5) ODOT shall ensure a mussel reconnaissance survey must be completed prior to the initiation of construction activities below the ordinary high water mark for Neiss Ditch. Should mussels be identified within Neiss Ditch, ODOT shall 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 the Neiss Ditch. The permitted malacologist will submit the salvage and relocation work plan to ODNR for review and approval prior to any survey work. The results of the mussel survey and/or salvage work must be provided to the ODOT District 2 Environmental Coordinator (Phoenix Golnick - Phoenix.Golnick@dot.ohio.gov or 419-373-4329) for coordination with ODNR. ODOT shall ensure the mussel survey and relocation occurs, and approval has been received from ODNR, prior to the Contractor performing any work below the ordinary highwater mark of the Neiss Ditch.



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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)	7/2/2024



Appendix

General

Aerial Map.pdf

Correspondence with Emergency and Public Services.pdf

County Map.pdf

USGS Quadrangle Topographical Map.pdf

RMR

District Approval - Screening.pdf

Environmental Database Search Results.pdf

Cultural Resources

Minimal Potential to Cause Effect - Appendix B

Tribal Comments - Miami Tribe.pdf

Ecological

ODNR Scenic River MOA Conditions

USFWS Coordination - Swan Creek Mussel Survey.pdf

USFWS/ODNR Ecological MOA Conditions

Section 4(f)

OES Recreational 4(f) Determination.pdf

Section 6(f)

OES Approval - Maintenance.pdf

Environmental Justice

Census Mapping.pdf

Public Involvement

Property Owner Notification Letter.pdf

Permits

District Determination - No Floodplain Impacts.pdf

FEMA FIRM.pdf

Statement of Findings.pdf