



OHIO DEPARTMENT OF TRANSPORTATION

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

Environmental Document

for

HEN SR 108/109 17.67/0.00 Resurf PID 110038

Environmental Document Level: C2

Approved: 5/29/2024

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: 110038
Project Sponsor: DISTRICT 2 ENGINEERING
ODOT District: 2
Funding Source: Federal

C2 Section

Project Description:

ODOT is proposing to resurface State Route 109 from the Putnam County Line to Hamler and from State Route 110 to just south of the SR-109/US-24 overpass. This project will also resurface State Route 108 from Lagrange St (in Napoleon) to the Fulton County line. Additional work includes the State Route 109 bridge deck replacement over North Turkeyfoot Creek. No additional right of way will be required for this project and there will be no impacts to any utilities. The bridge work will require a waterway permit from the USACE and will also require coordination for work within a floodplain. There are no impacts to any listed species or their habitat however several portions of SR-109 that are being resurfaced is within 1,000 feet of the Maumee River so coordination with the ODNR is required. This project has minimal potential to cause adverse effects to any historically significant resources. Construction is expected to begin in the summer of 2025. During construction, traffic will be maintained for all resurfacings but there will be a temporary road closure of 120 days required for the bridge work.

This document was written and approved using Stage 2 plans.

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

Ellis STIP Details

Phase	Current STIP Reference
ENV	110038: 24-27 STIP
CO	110038: 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**



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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.)

(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)
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? No

The identified Federally Listed Species for the project received an effect determination of No Effect.

Endangered Species Remarks:



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There are no impacts to any federally listed species or their habitat

Scenic Rivers

No National Wild and Scenic River
Within 1000 Feet of the Proposed
Project Area

Scenic Rivers Remarks

This project is not within 1000 feet of a national scenic river

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:

04/25/2024

Floodplain Remarks

This project is located withing a Zone A floodplain. All required coordination has been uploaded to the project file.

Section 4(f)

Section 4(f):

Present; No Impacts and/or Access
Restrictions

Section 4(f) Remarks

There are no recreational resources within the project limits.

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**

04/26/2024

Cultural Resources Remarks



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A Cultural Resources Records Check was performed by district environmental staff using the SHPO GIS online database. No Cultural Resources listed on or determined eligible for listing on the National Register of Historic Places were identified within and/or immediately adjacent to the proposed project area. The undertaking is a type which has minimal potential to cause effects to historic properties in accordance with Appendix A of the Section 106 Programmatic Agreement and therefore, no further coordination is required. The Record Check can be found in the Project File Under Cultural Resources/Project Information.

Environmental Resources Considered

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

Regulated Materials

Air Remarks

No air studies/coordination is required for this project.

Noise Remarks

No noise studies/coordination is required for this project.

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

Hazardous Materials - OES Approval Date: 02/22/2024

Regulated Materials Review Remarks:

All work is within the existing ROW and there is no deep excavation

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
390690001003	1	14
390690001004	3	22

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



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Public Involvement:

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

Public Involvement Remarks

There were no comments received during the comment period.

Environmental Commitments

Environmental Commitments

Yes



Environmental Commitments

C2

- 1) ODOT will adhere to all appropriate Waterway Permit Special Provisions throughout construction.
- 2) Hire a State permitted malacologist to 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 North Turkeyfoot Creek. The mussel survey must occur after May 1 and before October 1 either within the same season as the instream work or the season prior to the instream work. Submit the results of the mussel survey, salvage work, or both to the ODOT District Environmental Coordinator, Phoenix Golnick (phoenix.golnick@dot.ohio.gov). Obtain approval from the Department prior to performing work below ordinary high water mark North Turkeyfoot Creek.
- 3) Ecological studies identified Swallow nests on the HEN-109-18.76 Bridge. If construction activities will occur between May 1 and August 31 on this structure, inspect the structure for evidence of an active bird nest containing an egg or chick prior to starting work. Provide written confirmation of the inspection, including a statement whether an active nest was found, to the Engineer. If an active nest containing an egg or chick is encountered, avoid impacts to the nest until all developing birds are able to independently fly from the nest. If an active nest containing an egg or chick cannot be avoided, obtain a Depredation Permit from the USFWS prior to destroying any active nest. Contact the Region 3 Migratory Bird Regional Permit Office at 5600 American Blvd. West, Suite 990, Bloomington, MN 55437-1458, phone number 612-713-5436, email permitsr3mb@fws.gov to obtain the permit. If no nests are encountered during the inspection, or if only inactive nests that do not contain an egg or chick are encountered, proceed with construction activities. The Contractor may remove and destroy inactive nests. Projects performing construction activities between the dates of September 1 and April 30 do not require an inspection for migratory birds or avoidance measures.
- 4) Do not discharge toxic or hazardous materials such as sealants, paint, solvents, cleaning agents, earthen materials, waste-water, fuels or debris of any kind to a scenic river, its tributaries, or drainage ways. If refueling of immobile equipment is necessary within the floodplain or near any tributary drainage ways, ditches, or stream, provide secondary containment with enough capacity to completely contain and collect all potential liquid wastes in the event of a spill.
- 5) Dispose of all construction debris, earthen debris, excess asphalt or concrete, wood debris from clearing, excess fill material, and trash at an approved upland site or land fill above FEMA 100-year flood elevations and not within 1000 feet of the Maumee River.
- 6) Report spills equal to or exceeding the reportable quantities prescribed in OAC Chapter 3750-25, in accordance with ORC 3750.06, to the local fire department (911), the local emergency coordinator (419-980-1105) and the Ohio Spill Line (1-800-282-9378).
- 7) KEEP ALL IDLE EQUIPMENT AND ANY STORAGE FOR/OF, FUELS, LUBRICANTS, POTENTIALLY TOXIC OR HAZARDOUS MATERIALS BEYOND 1000 FEET OF THE MAUMEE RIVER. THE ONLY EXCEPTIONS WILL BE FOR LARGE STATIONARY CRANES, DRILL RIGS, AND OTHER LARGE CONSTRUCTION EQUIPMENT WITH LIMITED MOBILITY. IDLE EQUIPMENT IS DEFINED AS CONSTRUCTION EQUIPMENT THAT WILL NOT BE IN USE FOR THE FOLLOWING TWO CALENDAR DAYS. NOTIFY THE ENGINEER OF WEATHER OR RIVER CONDITIONS THAT MAY IMPACT THE WORK SITE AND PROVIDE A PLAN FOR IMMEDIATE MOVEMENT OF ALL EQUIPMENT 1000 FEET OR MORE FROM THE RIVER.



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Preparers and Approvals

Form Preparer

District 2
Contact: Allie Baker
419-373-
Allie.Beck@dot.ohio.gov

Approvals & Electronic Signatures

Approved & Electronically Signed By:	Approval Date:
Phoenix Meek (PROGRAM ADMIN 3)	5/29/2024



Appendix

General

Aerial Map.pdf

Correspondence with Emergency and Public Services.pdf

USGS Quadrangle Topographical Map.pdf

RMR

Environmental Database Search Results.pdf

Cultural Resources

Records Check HEN 109 and 110 SHPO Map.docx

Records Check northern SHPO Map.docx

Records Check southern SHPO Map.docx

Ecological

ODNR Scenic River MOA Conditions

Scenic Rivers Field Review Form.pdf

USFWS/ODNR Ecological MOA Conditions

Public Involvement

Property Owner Notification Letter.pdf

Permits

FEMA FIRM.pdf

Floodplain Impacts.pdf

Statement of Findings.pdf