



# OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 12  
5500 TRANSPORTATION BLVD. • GARFIELD HGTS., OH 44125 • 216-581-2100

## **Environmental Document** for **LAK STANTON PARK SHORE PID 91829**

**Environmental Document Level: C2**

**Approved: 7/31/2020**

**Prepared By: District 12**

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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 June 6, 2018, and executed by FHWA and ODOT.*

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**C2**

**PID:** 91829  
**Project Sponsor:** Lake County Port Authority  
**ODOT District:** 12  
**Funding Source:** Federal  
**Private Funding:** No

**Project Description:**

Protect the Lake Erie shoreline from erosion and preserve green space in Bill Stanton Park through shore line stabilization and with site sand fill placed in Lake Erie as beach nourishment. The park is owned by Madison Township.

All work is within existing Madison Park. The project sponsor is the Lake County Port Authority.

**Funding:**

Preliminary engineering: detailed design- 100% state. environmental preliminary engineering- \$2,456 100% state, \$0.00 80% federal and 20% local

Construction: \$491,000 construction contract- 80% federal and 20% local. Construction engineering- 80% federal and 20% local

Public Involvement: Madison Township submitted to ODOT the Public Involvement Documentation in the Project File/Public Involvement/Project Information/Public Involvement Documentation.pdf. The PI activities included Madison Township Trustee Meetings, New Paper Articles and correspondence with adjacent Property owners. PI activities continue in the permit phase of the project. ODNR has contacted adjacent property owners as part of the Shore. I conclusion, no design revisions were required due to public comments. Lake County Port Authority has determined to proceed with the project as designed in Stage 3 plans.

OES issued a Section 4(f) Exception on 3/14/19. See the Project File/Section 4(f)/Coordination/OES Recreational 4(f) Determination.pdf.

Land and Water Conservation List for Lake County did not include Bill Stanton Park. Therefore, no Section 6(f) Properties are located with the project limits. See the Project file/Project Information/LWCF Grant Listing.pdf.

The environmental document and associated studies are being approved using Stage 3 Design. A copy of the plans can be found in the project file.



STIP Reference #

SLI 9

**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 -  
 a. Acquisition of more than a minor amount of right-of-way b. Residential or non-residential displacements c. A Coast Guard, Individual Section 404 and/or a Section 10 permit d. A Section 106 finding of Adverse Effect e. A Section 4(f) Programmatic or Individual Evaluation f. A finding of May Affect, Likely to Adversely Affect to Threatened and Endangered Species g. Construction of temporary access, or the closure of existing road, bridge, or ramps, that would result in major traffic disruptions h. Changes in access control 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) 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 k. No minor public or agency controversy on environmental grounds ( no opposition from any organized groups or agencies and no unresolved environmental coordination ) l. If an EJ Analysis Report is required, the project must be processed as a D-level CE or higher level document 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.

**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

**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** 06/10/2019

**Endangered Species - Critical Habitat Present/Impacted**

Indiana bat

Northern long-eared bat

**Endangered Species - Other Critical Habitat Present/Impacted:** Yes

**Endangered Species - Other Description:**

Bank Swallows were identified during the Level 1 ESR and an env. Commitment was added.



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<b>100-Year Floodplain:</b>	Encroachment Within the SFHA is a Functionally Dependent Use
<b>EO 11988/NFIP Coordination and Documentation Completed:</b>	No
<b>Section 4(f):</b>	Present; No Programmatic Evaluation or Individual Evaluation Required
<b>Section 4(f) Determination:</b>	
Transportation Enhancement Exception - 774.13(g)	
<b>Section 4(f) Determination Date - 774.13(g)</b>	03/14/2019
<b>Section 6(f):</b>	Not present
<b>Cultural Resources:</b>	Not Present
<b>Cultural Resources Coordination - ODOT Approval/SHPO Concurrence Date</b>	04/07/2017
<b>Since no Tribe was interested in this project based on their customized preferences, no further Tribal consultation was conducted.</b>	
Projects that meet C2 criteria are not anticipated to have impacts to the following environmental resources. If resources are present, documentation is only required if there is a potential for impacts.	
<b>Air Quality:</b>	Studies Not Required
<b>Air Quality - Coordination with OES:</b>	No
<b>Noise:</b>	Studies Not Required
<b>Noise Coordination - OES Approval Date:</b>	08/16/2018
<b>Hazardous Materials - ESA Screening Conducted</b>	No ROW
<b>Hazardous Materials - ODOT Approval Date:</b>	08/14/2018
<b>Farmland:</b>	Non-Urbanized Area; No Impacts in Accordance With the Farmland MOU, 7 CFR 658, and ORC 929.05
<b>Scenic Rivers</b>	No National Wild and Scenic River Within 1000 Feet of the Proposed Project Area
Projects that meet C2 criteria must be in accordance with ODOT's UP Guidance and activities conducted for Public Involvement are commensurate to the project's type and scope of work.	
<b>Underserved Populations</b>	Does Not Exceed UP Guidance Criteria; No UP Analysis Report Required and No UP Issues Raised During Public Involvement
<b>Public Involvement:</b>	Minimum PI Requirements Met; No Minor Public or Agency Controversy on Environmental Grounds



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**Environmental Commitments**

Yes



## Environmental Commitments

### C2

- 1) Project to avoid the bank swallow nesting season of May 1 through July 22, as to not impact eggs and young not yet able to fly.
- 2) If the bank swallow colony will ultimately be destroyed, the earlier the construction can begin in advance of the nesting season prior to May 1st.
- 3) Tree Removal AMM 1: Modify all phases/aspects of the project (e.g., temporary work areas, alignments) to avoid tree removal in excess of what is required to implement the project safely.
- 4) Tree Removal AMM 2(a) (OH PBO: A-1). Time of year restrictions for tree removal when bats are not likely to be present - To avoid impacts to summer roosting bats, SWH will be cleared only between 1 October and 31 March, when the species would not be present.
- 5) Tree Removal AMM 3. Ensure tree removal is limited to that specified in project plans by clearly marking clearing limits. Ensure that contractors understand clearing limits and how they are marked in the field.
- 6) The projects will be developed in full compliance with Sections 404 and 401 of the Clean Water Act and/or Ohio's Isolated Wetland Law.
- 7) Compensatory stream and wetland mitigation will be conducted when required, and in accordance with the USACE's Mitigation Rule and Ohio EPA's rules on Water Quality.
- 8) Access to Bill Stanton Park shall be maintained at all times during construction activities
- 9) Temporary construction fencing shall be installed along proposed construction limits prior to the start of construction activities to protect the existing 4(f) property and the public
- 10) Appropriate signage shall be installed to alert users of Bill Stanton Park of construction activities, if in proximity to recreational facilities or features
- 11) The staging and/or storage of construction equipment or materials shall not take place outside proposed construction limits that are within the defined boundaries of the 4(f) property
- 12) The contractor shall closely coordinate the construction schedule with ODOT, Lake County Port Authority and Madison Township prior to the start of construction activities
- 13) Address FEMA Floodplain Comments from Local Floodplain Coordinator prior to filing the project plans with ODOT Central Office.



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**Preparers and Approvals**

**Form Preparer**

District 12  
Contact: Thomas Sorge  
216-584-2086  
Tom.Sorge@dot.ohio.gov

**Supporting Form Preparer(s):** Thomas Sorge

**Approvals & Electronic Signatures**

Approved & Electronically Signed By:	Approval Date:
Mark Carpenter (TRANS ENGR 3)	7/31/2020



## Appendix

### Ecological

Coordination with ODNR and USFWS.pdf

Coordination with ODNR, USFWS, OEPA, USACE - 6-10-19.pdf

### Noise

District Determination - No Noise Analysis Required.pdf

### Cultural Resources

Minimal Potential to Cause Effect - Appendix B

Minimal Potential to Cause Effects - A or B.pdf

### Ecological

ODNR Comments 2 - Bank Swallows.pdf

ODNR Comments.pdf

### ESA

RMR Screening and Approval.pdf

### Ecological

USFWS Comments.pdf

### Underserved Populations

Census Mapping.pdf

### Section 4(f)

OES Recreational 4(f) Determination.pdf

### Public Involvement

Response to Public Comments - Wing Song Poodle.pdf

### Underserved Populations

Underserved Populations Documentation Form.pdf