

Ohio Department of Transportation

County SCI Route SR823 Section 0.00 PID 19415

ENVIRONMENTAL CONSULTATION FORM

Date of Plan Submission to Office of Project Coordination: 12/9/13

Funding Source(s): 100% federal state local private

Type of Environmental Document: NEPA Reevaluation

Exempt CE-1 CE-2 CE-3 CE-4 EA/FONSI X EIS/ROD

Date of Environmental Approval: ROD, June 9, 2006, Reevaluation March 20, 2012 Phase 1, Reevaluation expected January 2014 Phase 2 & 3

Environmental Reevaluation Screening:

Have changes taken place, such as project scope, regulatory changes, etc. that would cause impacts not previously included in the approved NEPA document? Yes No X
If Yes, what date was the NEPA Reevaluation approved?

If the type of approval was an EIS-ROD:

Most recent date of an FHWA authorization for the project (final design, r/w acquisition): March 20, 2012
Has there been more than three years between federal approvals? X Yes No
If Yes, what date was the NEPA Reevaluation approved? 3/20/12, Reevaluation due January 2014

Has the funding been switched from 100% state and/or local, to now include federal participation? Yes No X

If so, does the current environmental document and approval cover all of the applicable state and federal regulatory requirements? Yes No

Commitments:

Were any commitments made during the project development process? X Yes No
If Yes, all commitments and their disposition are listed beginning on page 3.

Asbestos:

Is an asbestos inspection required? Yes No X
If yes, what date was the inspection performed on?

Ohio Department of Transportation

County SCI Route SR823 Section 0.00 PID 19415

Permits:

Type of Permit	Required for this Project?		Obtained?		Approval by, and date	Incorporated into the Construction Contract?	
	Yes	No	Yes	No		Yes	No
404 Nationwide		X					
404 individual	X		X		11/20/12 ACOE Phase 1, Application for Phase 2 & 3 submitted to OES 10/18/13	X	
401 WQC	X		X		5/18/12 OEPA Phase 1, Application for Phase 2 & 3 submitted to OES 10/18/13	X	
NPDES	X			X	The NPDES permit will be obtained by the contractor prior to construction		X
Flood Plain	X			X	The Flood Hazard Permit will be incorporated into the construction contract documents.		X
Section 9		X					
Section 10		X					
OEPA Isolated Wetland Permit	X			X	Application for Phase 2 & 3 submitted to OES 10/18/13. Not needed for Phase 1		X

Reevaluation:

Is this Environmental Consultation Form being used as the NEPA reevaluation document? Yes X No

Disposition:

After reviewing the current status of this project, the Department considers that the NEPA document remains valid. In our review, we have confirmed that there have been no changes to the proposed action, including its scope or location, which would result in environmental impacts not considered in the NEPA document or reevaluation, and that there is no new information or circumstances relevant to environmental concerns, and bearing on the proposed action or its impacts, which would result in substantial environmental impact not considered in the NEPA document or the reevaluation.

Prepared by: Greg Manson

Date: 12/6/13

Approved by: *Greg Manson*
District Environmental Coordinator

Date: 12/6/13

Horace Gilmore, C.O.
District Project File

Revision Date 06/20/03

Ohio Department of Transportation

County SCI **Route** SR823 **Section** 0.00 **PID** 19415

Commitments Made, and their Disposition

Commitment: Floodplain Impacts: All Phases - The Flood Hazard Development Permit will be incorporated into the construction contract documents.

Disposition: Will be incorporated into the construction contract documents

Commitment: Stream Impact Mitigation: Phase 1 - ODOT proposes to preserve 14,738 feet of streams and their riparian buffers to offset the impact at a 1.5 to 1 ratio.
Phase 2 & 3 – ODOT proposes to preserve 36,039 feet of streams and their riparian buffers at the GE Test Facility to offset the impact at a 1.5 to 1 ratio.

Disposition: Will be incorporated into the construction contract documents

Commitment: In-stream Work Restrictions: Phase 1 – To minimize stream impacts, no in-stream work below the ordinary high water mark will be performed in Stream 18 from April 15 to June 30.

Phase 2 & 3 – No piers shall be constructed in the Little Scioto River. To minimize stream impacts, no in-stream work below the ordinary high water mark will be conducted between April 15 and June 30 for any stream designated Class III PHWH or WWH. All in-stream work will be performed in accordance with Memorandum of Agreement (MOA) Number 16472 between ODOT, Ohio Department of Natural Resources (ODNR), FHWA, and U.S. Fish & Wildlife Service (USFWS).

Disposition: Will be incorporated into the construction contract documents

Commitment: Wetland Impact Mitigation: Phase 1 – At a minimum ODOT will provide 7.107 acres of wetland mitigation in accordance with the off-site mitigation ratios. All proposed wetlands are to be emergent wetlands. ORAM Category 1 impacts will be mitigated at a 1.5 to 1 ratio and ORAM Category 2 impacts will be mitigated at a 2 to 1 ratio.

Phase 2 & 3 - ODOT will provide 14.05 acres of jurisdictional wetland mitigation in accordance with the off-site mitigation ratios. This wetland mitigation acreage includes both restoration and preservation. For Isolated wetland, ODOT will provide a minimum of 0.094 acre of wetland mitigation.

Disposition: Will be incorporated into the construction contract documents

Commitment: Wildlife and Threatened and Endangered Species: All Phases – To minimize impacts to Indiana Bat and Northern Long Eared Bat habitat, potential roosting trees will be cleared after September 30 and before April 1.

Phase 1 – ODOT will attempt to relocate the southern monkshood and primrose-leaved violet populations prior to construction. If any listed endangered species are identified during construction, the USFWS's Endangered Species Coordinator will be notified immediately.

Phase 2 & 3 - To minimize impacts to the state endangered Bewick's wren tree removal will

Ohio Department of Transportation

County SCI **Route** SR823 **Section** 0.00 **PID** 19415

not occur during the species' nesting period of April 1 to August 31.

A professional malacologist must collect and relocate the mussels in the Little Scioto River to suitable and similar habitat upstream of the proposed project. Surveys will be done in accordance with the Ohio Mussel Survey Protocol. Should any federal listed species be encountered, the work must cease and the U.S. Fish and Wildlife Service must be contacted for consultation.

ODOT will attempt to relocate the primrose-leaved violet populations prior to construction.

If any listed endangered species are identified during construction, the USFWS's Endangered Species Coordinator will be notified immediately.

Disposition: Will be incorporated into the construction contract documents

Commitment: Farmland: Phase 1 – A cattle crossing will be constructed under the proposed roadway in the bisected property of Mr. Ken Rase.

Phase 2 & 3 - Updated farmland impacts will be provided to the NRCS. All coordination with the NRCS will be completed prior to construction of Phases 2 and 3.

Disposition: Will be incorporated into the construction contract documents

Commitment: Hazardous Materials Handling and Containment: Phase 2 & 3 - An underground storage tank system at the Marathon Station site located at the proposed SR-140 interchange area will need to be removed.

Disposition: Will be incorporated into the construction contract documents

Commitment: Construction Impacts: All Phases – No staging areas, storage of materials and equipment, or borrow or waste materials will be located in areas labeled as environmental resource areas.

All documentation and consultant certifications prepared to clear all properties utilized by the Contractor outside the project Right-of-Way for all environmental resource impacts prior to the beginning of work (as required by Section 107.10 of the ODOT 2013 Construction and Material Specifications), must be provided to the USFWS.

Disposition: Will be incorporated into the construction contract documents

Commitment: Traffic Maintenance: All Phases - During construction, ODOT will coordinate with local schools, emergency response agencies, and other services to notify them of any changing traffic patterns and identify alternative access roads.

Disposition: Will be incorporated into the construction contract documents

Ohio Department of Transportation

County SCI **Route** SR823 **Section** 0.00 **PID** 19415

Commitment: Utilities: All Phases - During the design process, representatives from the utility companies will be contacted to inform them of the project and coordination meetings will be held.

Disposition: Will be incorporated into the construction contract documents
