ENVIRONMENTAL REVIEW RECORD CDBG TARGETS OF OPPORTUNITY – CV

Grant # B-D-22-1CT-4



GREENSPACE IMPROVEMENTS

VILLAGE OF TUSCARAWS FOOD TRUCK IMPROVEMENTS

TUSCARAWAS COUNTY



Categorical Exclusion Subject to Section 58.5 Worksheet

Grantee	Tuscarawas County Board of Commissioners
Grant Number	B-D-22-1CT-4
Activity Name	Food Truck Park
Activity Location	Village of Tuscarwas, Main Street

Activity Description and Outcomes:

This proposed project will provide an area for food trucks to gather, draw community members, and people into the village. There will be a drive (road) for trucks to pull in and back into. A seating area, and a walking path to the gazebo for additional seating. Most importantly, adequate social distance spacing will be available outdoors so people will be able to gather safely should a pandemic recur or have the option for convenient take-out for dining at home. In addition, there will be a playground pod. During the pandemic, outdoor activities were highly encouraged and the playpod will provide another option for outdoor recreation for children that can be safely used with appropriate adult supervision even during a pandemic.

1 gazebo = 1 structure

2" - 150 LF waterline = 1 general park improvement

15" - 50 LF Storm pipe = 1 general park improvement

Concrete pavement – 2655 SF = pavement/landscaping

50 If asphalt = convert to parking spaces

6 café tables = 6 trees, benches, streetlights, and planters

1 play pod = 1 structure

140 If of curb = 140 linear feet of walkway

115 CY asphalt = convert to parking spaces

3 electrical outlets = 3 items of equipment installed/repaired

3 light fixtures = 3 trees, benches, streetlights, and planters

Determination:

Categorical Exclusion Subject to Sec. 58.5 [per 24 CFR Section 58.35(a)]

Categorical Exclusion, Subsequently **Exempt** (No compliance or mitigation required for any of the listed statutes or authorities) [per 24 CFR Section 58.34(a)(12)]

Preparer Name: Erin Wright, Senior Community Development Specialist

Signature 7

<u>Date</u>: 9/1/2023



List of Attachments

\boxtimes	Location Map
\boxtimes	Site Photographs
	Copies of other Environmental Analyses (if applicable) List: N/A
	Other Relevant Correspondence and Notifications (if applicable) List: USFWS, ODNR, and SHPO
\boxtimes	Statutory Checklist Supporting Documentation
\boxtimes	Notice of Intent to Request Release of Funds (NOI/RROF)* Date: 9/3/2023
	*Not required if project converts to "Exempt" per 24 CFR 58.34(a)(12)
	Request for Release of Funds (RROF)* Date: 10/5/2023
	*Or Certification of Determination of Subsequent Exemption For a Categorical Exclusion Project <i>if project converts to "Exempt" per 24 CFR 58.34(a)(12)</i>
	Release of Funds (ROF) Date: Ocotber 2023
	Additional Documentation Describe: The new green space will provide a safe outdoor area for residents to enjoy dining out and improve social distancing that is harder to do inside.



Statutory Checklist Instructions:

For each of the environmental laws and authorities listed below, determine the level of compliance required and provide a narrative explanation and list of supporting documentation. **The narrative must explain decision-making and compliance procedures**. Attach all supporting documentation to this worksheet.

Statutory Checklist

Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5	Compliance Required?	Explanation and List of Compliance Documentation
Historic Preservation	No	Section 106 was completed and submitted for clearance. Please see attached letter that this project will not affect any historical preservation.
Resources: State Historic Preservation Office HUD Historic Preservation		
Floodplain Management	No	The project is not located in the floodplain. See floodplain map.
Resources: <u>Floodplain Maps</u> <u>Floodplain Administrators</u> <u>HUD Floodplain Management</u>		
Wetland Protection	No	The project is not located within a wetland. See attached map.
Resources: NRCS Web Soil Survey National Wetlands Inventory Ohio EPA Division of Surface Water US Army Corps of Engineers Regulatory (Permits) HUD Wetlands Protection		
Coastal Zone Management	No	The County is not located in a coastal zone. See attached map.
Resources: ODNR Office of Coastal Management		

Statutory Checklist				
Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5	Compliance Required?	Explanation and List of Compliance Documentation		
Ohio Coastal Atlas Map Viewer HUD Coastal Zone Management				
Sole Source Aquifers	No	Tuscarawas County does not have a Sole Source Aquifer. See attached map.		
Resources: <u>Ohio EPA Sole Source Aquifers in Ohio</u> <u>HUD Sole Source Aquifers</u>				
Endangered Species	No	A request to ODNR has been requested. This project will not harm endagered species and any trees will be removed outside of the Indiana Bat		
Resources: US Fish & Wildlife Service Section 7 information Endangered Species in Ohio ODNR Environmental Review HUD Endangered Species		mating season.		
Wild and Scenic Rivers	No	Tuscarawas County is not located near a wild/scenic river. See attached map.		
Resources: <u>ODNR Scenic Rivers</u> <u>HUD Wild and Scenic Rivers</u>				
Air Quality	No	Tuscarawas County is not located in a Non-Attainment or Maintenance Area for Ozone or other particulates. Please see the maps of Ohio Non-		
Resources: <u>US EPA Green Book</u> <u>Ohio EPA State Implementation Plans</u> <u>HUD Air Quality</u>		Attainment & Maintenance Areas.		
Farmland Protection	No	The project will be constructed on vacant property owned by the Village of Tuscarawas. The project will not impact any farmland as it sits on developed		
Resources: NRCS Farmland Protection Policy Act HUD Farmlands Protection		property.		

Statutory Checklist			
Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5	Compliance Required?	Explanation and List of Compliance Documentation	
Noise Abatement and Control	No	Main Street which runs in front of the facility handles 4,147 vehicles daily.	
Resources: <u>HUD Noise Abatement and Control</u> <u>HUD Noise Guidebook</u> <u>HUD Day/Night Noise Level Electronic Assessment Tool</u> <u>HUD Sound Transmission Classification Assessment Tool</u> <u>ODOT Traffic Monitoring</u> <u>Ohio Airport Information</u> <u>Airport Master Records and Reports</u> <u>PUCO/ORDC Railroad Information System</u> Federal Railroad Administration Query by Location tool		There are no rail lines within a mile of the project. See attached map. Noise levels are within the acceptable range. Construction related noise will happen during day light hours of 7 am to 7 pm. Minimal ground disturbance is expected.	
Airport Clear Zones and Accident Potential Zones	No	The closest airport is located in New Philadelphia. This proposed project is not located near a airport clear zone.	
Resources: <u>Ohio Airport Information</u> <u>HUD Airport Hazards</u> <u>Airport Master Records and Reports</u>			
Explosive and Flammable Operations	No	There is no explosives or flammable operations near the site. The school, library and assisted living all within 1 mile of this location. See attached map	
Resources: <u>HUD Explosive and Flammable Facilities</u> <u>US EPA NEPAssist</u> <u>US EPA Envirofacts</u> <u>HUD Choosing an Environmentally Safe Site</u> <u>Acceptable Separation Distance Calculator</u> <u>Acceptable Separation Distance Guidebook</u>		of toxic in the area. The Village if free and clear of any indicators.	
Site Contamination	No	This project is in a residential area and has no site contamination.	
Resources: <u>HUD Site Contamination</u> <u>US EPA NEPAssist</u> <u>US EPA Envirofacts</u> <u>Ohio EPA Asbestos Program</u> <u>Ohio EPA Notification of Demolition and Renovation</u>			

Statutory Checklist				
Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5	Compliance Required?	Explanation and List of Compliance Documentation		
Ohio Tank Tracking & Environmental Regulations HUD Choosing an Environmentally Safe Site				
Environmental Justice	No	Project will address the need for open space for need when a pandemic happens like COVID. The project will benefit all residents of Tuscarawas,		
Resources: <u>HUD Environmental Justice</u> <u>US EPA Environmental Justice</u> <u>US EPA EJSCREEN</u>		Tuscarawas County.		



24 CFR Section 58.6 Requirements

Airport Runway Clear Zones and Clear Zones Notification [24 C.F.R. Part 51.303(a)(3)]
Does the project involve the sale or acquisition of property located within a Civil Airport Runway Clear Zone or a Military Airfield Clear Zone?
No. Attach Source Document: (Project complies with 24 CFR 51.303(a)(3).)
Yes. Notice must be provided to buyer. The notice must advise the buyer that the property is in a Runway Clear Zone or Clear Zone, what the implications of such a location are, and that there is a possibility that the property may, at a later date, be acquired by the airport operator. The buyer must sign a statement acknowledging receipt of this information. (for a sample notice, see the <u>HUD Exchange</u>) (attach a copy of the signed notice)
Coastal Barrier Resources Act [Coastal Barrier Improvement Act of 1990 (16 U.S.C. 3501]
Is the project located in a <u>coastal barrier resource area</u> ?
No. Cite or attach Source Document. (Proceed with project.)
Yes. Federal assistance may not be used in such an area.
Flood Disaster Protection Act* [Flood Disaster Protection Act of 1973, as amended (42 U.S.C. 4001-4128)]
Does the project involve acquisition, construction or rehabilitation of structures located in a FEMA-identified Special Flood Hazard Area?
No. Attach copy of Flood Insurance Rate Map (FIRM)
Yes. Attach copy of Flood Insurance Rate Map (FIRM)
Is the community participating in the National Insurance Program (or has less than one year passed since FEMA notification of Special Flood Hazards)?
Yes. Flood Insurance under the National Flood Insurance Program must be obtained. If HUD assistance is provided as a grant, insurance must be maintained for the economic life of the project and in the amount of the total project cost (or up to the maximum allowable coverage, whichever is less). If HUD assistance is provided as a loan, insurance must be maintained for the term of the loan and in the amount of the loan (or up to the maximum allowable coverage, whichever is less). (Attach a copy of the flood insurance policy declaration)
☐ No. Federal assistance may not be used in the Special Flood Hazard Area.
*Per 24 CFR 58.6(a)(3), this requirement does not apply to State-administered CDBG, HOME, and ESG programs.



Statement of Process and Status of Environmental Analysis

Instructions:

Provide a brief description of the administrative procedures associated with the construction and presentation of the environmental review record (ERR). List the Responsible Entity, Certifying Officer, the physical location of the ERR, the dates and comment periods associated with any public notices, and contact information for the submission of comments regarding the ERR.

Tuscarawas County Board of Commissioners retained the OHio Mid-Eastern Governments Association (OMEGA) to administer the CDBG-CV Targets of Opportunity grant for the Tuscarawas County Food Truck Project, including the preparation of the Environmental Review Record.

OMEGA has coordinated the ERR with the Tuscarawas County Commissioners, the Village of Tuscarawas and the Ohio Historic Preservation Office. Other regulatory agencies contacted include the Ohio Department of Natural Resources and US Fish and Wildlife. That documentation is included, although there is not potential for involvement of other resources with this project.

As President of the Tuscarawas County Commissioners for 2023, Chris Abbuhl is the Certifying Officer. Upon completion, the ERR will be available for review at the Tuscarawas County Commissioner's office, the Village of Tuscarawas, and on OMEGA's website: www.omegadistrict.org. (See attached environmental review notice)

The following public notices were issued:

March 16. 2023 - The first Public Meeting informed the public about CDBG Programs, how funds may be used, eligible activites, and other program requirements. This meeting was held at Village Hall in Tuscarawas.

March 27, 2023 - The second Public Meeting provided an opportunity for the public to review and comment on the plans for the proposed Food Truck Park in the Village of Tuscarawas, and the CDBG-CV Targets of Opportunity application to the Ohio Development Services Agency. This meeting was held at the Village Hall in Tuscarawas.

Public comments were to be addressed to:

Erin Wright Senior Community Development Specialist Ohio Mid-Eastern Governments Association 326 HIghland Avenue, Suite B Cambridge, OH 43725 (740) 439-4471 ext. 201 or cell phone 330-243-0133 ewright@omegadistrict.org



Monitoring and Enforcement Procedures

Instructions:

Describe any post-review monitoring or enforcement procedures associated with environmental mitigation actions.

N/A



List of Site Visits and Important Meetings

Date	Participants	Description
3/16/2023	Erin Wright, Village of Tuscarawas. Tuscarawas Co. Commissioners and Scott Reynolds were invited.	1 st Public Meeting to discuss various CDBG funding sources and criteria.
3/27/2023	Erin Wright, Village of Tuscarawas, Steve Hamit (Thrasher), and Jeannette Weirzbicki (OMEGA), Tuscarawas Co. Commissioners and Scott Reynolds were invited.	2 nd Public Meeting to discuss various CDBG program requirements and project specific details.



Participants in the Review

Name	Title	Organization	
Mike Pettegrew	Environmental Services Administrator	ODNR	
Stephan M. Biehl	Project Reviews Coordinator	ОНРО	
Ohio Ecologcal Services Field Office	IPAC System	US Fish and Wildlife	



In reply refer to: 2023-TUS-58507

July 21, 2023

Erin Wright Senior Community Development Specialist Ohio Mid-Eastern Governments Association 326 Highland Avenue, Suite B Cambridge, Ohio 43725 Email: <u>ewright@omegadistrict.org</u>

RE: Section 106 Review Tuscarawas County's PY 2022 Target of Opportunity CARES Act Grant No.: B-D-22-1CT-4 Project: Food Truck Park, Village of Tuscarawas

Dear Ms. Wright:

This letter is in response to correspondence received on July 17, 2023 regarding the proposed Food Truck Park project, Tuscarawas County, Ohio. We appreciate the opportunity to comment on this project. The comments of the State Historic Preservation Office (SHPO) are made in accordance with the provisions of Section 106 of the National Historic Preservation Act of 1966, as amended, and the associated regulations at 36 CFR Part 800.

The project will involve the re-development of a vacant lot that formerly contained a residential structure and associated infrastructure. According to our records, no historic properties, districts, or previously recorded archaeological sites are documented within or adjacent to the project location. Given the previous disturbances, it is our opinion that this project has little to no potential to impact intact archaeological deposits. Furthermore, the adjacent area does not contain above-ground resources that would be considered eligible for the National Register, either individually or as a district. Therefore, as proposed, the project will have no effect to historic properties. No further coordination is required for this project unless the scope of work changes or archaeological remains are discovered during the course of the project. In such a situation, this office should be contacted as required by 36 CFR § 800.13. If you have any questions concerning this review, please contact me via email at sbiehl@ohiohistory.org. Thank you for your cooperation.

Sincerely,

Steph M. Biell

Stephen M. Biehl, Project Reviews Coordinator (archaeology) Resource Protection and Review State Historic Preservation Office

RPR Serial No. 1099038

cc: Julie Cornwell, ODOD (julie.cornwell@development.ohio.gov)

"Please be advised that this is a Section 106 decision. This review decision may not extend to other SHPO programs."

Ohio Department of Natural Resources



MIKE DEWINE, GOVERNOR

MARY MERTZ, DIRECTOR

Office of Real Estate Tara Paciorek, Chief 2045 Morse Road – Bldg. E-2 Columbus, OH 43229 Phone: (614) 265-6661 Fax: (614) 267-4764

August 14, 2023

Erin Wright Ohio Mid-Eastern Governments Association 326 Highland Avenue, Suite B Cambridge, Ohio 43725

Re: 23-0827; CDBG-CV Food Truck Park

Project: The proposed project involves constructing a space for food trucks to gather, in addition to a seating area, a walking path, and playground.

Location: The proposed project is located in Warwick Township, Tuscarawas County, Ohio.

The Ohio Department of Natural Resources (ODNR) has completed a review of the above referenced project. These comments were generated by an inter-disciplinary review within the Department. These comments have been prepared under the authority of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.), the National Environmental Policy Act, the Coastal Zone Management Act, Ohio Revised Code and other applicable laws and regulations. These comments are also based on ODNR's experience as the state natural resource management agency and do not supersede or replace the regulatory authority of any local, state, or federal agency nor relieve the applicant of the obligation to comply with any local, state, or federal laws or regulations.

Real Estate and Land Management: The Office of Real Estate and Land Management has the following State Canal Lands comment.

The proposed Tuscarawas County Food Truck Park project appears to cross a portion of the Ohio Department of Natural Resources' (ODNR) Tuscarawas canal system. If any ODNR property is accessed or utilized for the proposed project in addition to any existing right-of-way, a real estate agreement must be fully executed prior to any construction related activities taking place on the Department's property. It may take 6 months to have a fully executed agreement if one is required. Please contact the Office of Real Estate and Land Management's Statewide Canal Lands Administrator, Jeff Ball at (614) 265-6649 or Jeffrey.Ball@dnr.ohio.gov for a plan set review and further coordination if an agreement is found by ODNR to be necessary.

Natural Heritage Database: A review of the Ohio Natural Heritage Database indicates there are no records of state or federally listed plants or animals within one mile of the specified project area. Records searched date from 1980.

Please note that Ohio has not been completely surveyed and we rely on receiving information from many sources. Therefore, a lack of records for any particular area is not a statement that rare species or unique features are absent from that area.

Fish and Wildlife: The Division of Wildlife (DOW) has the following comments.

The DOW recommends that impacts to streams, wetlands and other water resources be avoided and minimized to the fullest extent possible, and that Best Management Practices be utilized to minimize erosion and sedimentation.

The project is within the vicinity of records for the northern long-eared bat (*Myotis septentrionalis*), a state endangered and federally endangered species. Because presence of state endangered bat species has been established in the area, summer tree cutting is not recommended, and additional summer surveys would not constitute presence/absence in the area. However, limited summer tree cutting inside this buffer may be acceptable after further consultation with DOW (contact Eileen Wyza at Eileen.Wyza@dnr.ohio.gov).

In addition, the entire state of Ohio is within the range of the Indiana bat (*Myotis sodalis*), a state endangered and federally endangered species, the northern long-eared bat (*Myotis septentrionalis*), a state endangered and federally endangered species, the little brown bat (*Myotis lucifugus*), a state endangered species, and the tricolored bat (*Perimyotis subflavus*), a state endangered species. During the spring and summer (April 1 through September 30), these bat species predominately roost in trees behind loose, exfoliating bark, in crevices and cavities, or in the leaves. However, these species are also dependent on the forest structure surrounding roost trees. The DOW recommends tree cutting only occur from October 1 through March 31, conserving trees with loose, shaggy bark and/or crevices, holes, or cavities, as well as trees with DBH ≥ 20 if possible.

The DOW also recommends that a desktop habitat assessment is conducted, followed by a field assessment if needed, to determine if a potential hibernaculum is present within the project area. Direction on how to conduct habitat assessments can be found in the current USFWS "<u>RANGE-WIDE INDIANA BAT & NORTHERN LONG-EARED BAT SURVEY GUIDELINES</u>." If a habitat assessment finds that a potential hibernaculum is present within 0.25 miles of the project area, please send this information to Eileen Wyza for project recommendations. If a potential or known hibernaculum is found, the DOW recommends a 0.25-mile tree cutting and subsurface disturbance buffer around the hibernaculum entrance, however, limited summer or winter tree cutting may be acceptable after consultation with the DOW. If no tree cutting or subsurface impacts to a hibernaculum are proposed, this project is not likely to impact these species.

The project is within the range of the following listed mussel species. <u>Federally Endangered</u> clubshell (*Pleurobema clava*) sheepnose (*Plethobasus cyphyus*) fanshell (*Cyprogenia stegaria*)

<u>State Endangered</u> long-solid (*Fusconaia maculata maculata*) sharp-ridged pocketbook (*Lampsilis ovate*)

Due to the location, and that there is no in-water work proposed in a perennial stream, this project is not likely to impact these species.

The project is within the range of the following listed fish species. <u>State Endangered</u> northern madtom (*Noturus stigmosus*) western banded killifish (Fundulus diaphanus menona)

<u>State Threatened</u> mountain madtom (*Noturus eleutherus*)

Due to the location, and that there is no in-water work proposed in a perennial stream, this project is not likely to impact these species.

The project is within the range of the eastern spadefoot toad (*Scaphiopus holbrookii*), a state endangered species. This species is found in areas of sandy soils that are associated with river valleys. Breeding habitats may include flooded agricultural fields or other water holding depressions. Due to the location, the type of habitat within the project area, and the type of work proposed, this project is not likely to impact this species.

The project is within the range of the eastern hellbender (*Cryptobranchus alleganiensis* alleganiensis), a state endangered species and a federal species of concern. This long-lived, entirely aquatic salamander inhabits perennial streams with large flat rocks. In-water work in hellbender streams can reduce availability of large cover rocks and can destroy hellbender nests and/or kill adults and juveniles. The contribution of additional sediment to hellbender streams can smother large cover rocks and gravel/cobble substrate (used by juveniles), making them unsuitable for refuge and nesting. Projects that contribute to altered flow regimes (e.g., by increasing areas of impervious surfaces or modifying the floodplain) can also adversely affect hellbender habitat. Due to the location, and that there is no in-water work proposed in a perennial stream of sufficient size to provide suitable habitat, this project is not likely to impact this species.

The project is within the range of the northern harrier (*Circus hudsonius*), a state endangered bird. This is a common migrant and winter species. Nesters are much rarer, although they occasionally breed in large marshes and grasslands. Harriers often nest in loose colonies. The female builds a nest out of sticks on the ground, often on top of a mound. Harriers hunt over grasslands. If this type of habitat will be impacted, construction should be avoided in this habitat during the species' nesting period of April 15 through July 31. If this habitat will not be impacted, this project is not likely to impact this species.

Due to the potential of impacts to federally listed species, as well as to state listed species, we recommend that this project be coordinated with the US Fish & Wildlife Service.

Water Resources: The Division of Water Resources has the following comment.

The <u>local floodplain administrator</u> should be contacted concerning the possible need for any floodplain permits or approvals for this project.

ODNR appreciates the opportunity to provide these comments. Please contact Mike Pettegrew at <u>mike.pettegrew@dnr.ohio.gov</u> if you have questions about these comments or need additional information.

Mike Pettegrew Environmental Services Administrator



OHIO HISTORIC PRESERVATION OFFICE: RESOURCE PROTECTION AND REVIEW

Section 106 Review - Project Summary Form

For projects requiring a license from the Federal Communications Commission, please use FCC Forms 620 or 621. <u>DO NOT USE THIS FORM</u>.

SECTION 1: GENERAL PROJECT INFORMATION

All contact information provided must include the name, address and phone number of the person listed. Email addresses should also be included, if available. Please refer to the Instructions or contact an OHPO reviewer (mailto:Section106@ohiohistory.org) if you need help completing this Form. Unless otherwise requested, we will contact the person submitting this Form with questions or comments about this project.

Date:	7/17/2023		
Name/Affilia	ation of pers	on submitting form:	Erin Wright, OMEGA
Mailing Add	tress:	326 Highland Avenue, S	Suite B
Phone/Fax/	/Email:	330-243-0133/ewright@	Domegadistrict.org

- A. Project Info:
 - This Form provides information about: New Project Submittal: YES NO

Additional information relating to previously submitted project: YES $\begin{tabular}{c} NO \\ \hline NO \\ \hline \end{array}$

OHPO/RPR Serial Number from previous submission:

2. Project Name (if applicable): Food Truck Park

3. Internal tracking or reference number used by Federal Agency, consultant, and/or applicant to identify this project (if applicable): N/A

- B. Project Address or vicinity: Main Street
- C. City/Township: Tuscarawas
- D. County: Tuscarawas County
- E. Federal Agency and Agency Contact. *If you do not know the federal agency involved in your project, please contact the party asking you to apply for Section 106 Review, not OHPO, for this information. HUD Entitlement Communities acting under delegated environmental review authority should list their own contact information.*

CDBG – Julie.Cornwell@development.ohio.gov

F. Type of Federal Assistance. *List all known federal sources of federal funding, approvals, and permits to avoid repeated reviews.*

CDBG – Julie.Cornwell@development.ohio.gov

- G. State Agency and Contact Person (if applicable): N/A
- H. Type of State Assistance: N/A
- I. Is this project being submitted at the direction of a state agency **solely** under Ohio Revised Code 149.53 or at the direction of a State Agency? *Answering yes to this question means that you are sure that <u>no</u> federal funding, permits or approvals will be used for any part of your project, and that you are seeking comments only under ORC 149.53.*
 - YES NO
- J. Public Involvement- Describe how the public has been/will be informed about this project and its potential to affect historic properties. Please summarize how they will have an opportunity to provide comments about any effects to historic properties. (This step is required for all projects under 36 CFR § 800.2):

The Village has discussed this project in local council meetings and 2 public meetings.

K. Please list other consulting parties that you have contacted/will contact about this project, such as Indian Tribes, Certified Local Governments, local officials, property owners, or preservation groups. (See 36 CFR § 800.2 for more information about involving other consulting parties). Please summarize how they will have an opportunity to provide comments:

The Village officials have discussed this project at open council meetings. Therefore, the Village council members have been informed of all steps of the project.

SECTION 2: PROJECT DESCRIPTION AND AREA OF POTENTIAL EFFECTS (APE)

Provide a description of your project, its site, and geographical information. You will also describe your project's Area of Potential Effects (APE). Please refer to the Instructions or contact an OHPO reviewer if you need help with developing the APE or completing this form.

This proposed project will provide an area for food trucks to gather, draw community members, and people into the village. There will be a drive (road) for trucks to pull in and back into. A seating area, and a walking path to the gazebo for additional seating. Most importantly, adequate social distance spacing will be available outdoors so people will be able to gather safely should a pandemic recur or have the option for convenient take-out for dining at home. In addition, there will be a playground pod. During the pandemic, outdoor activities were highly encouraged, and the play pod will provide another option for outdoor recreation for children that can be safely used with appropriate adult supervision even during a pandemic.

1 gazebo = 1 structure 2" - 150 LF waterline = 1 general park improvement 15" - 50 LF Storm pipe = 1 general park improvement Concrete pavement – 2655 SF = pavement/landscaping 50 If asphalt = convert to parking spaces 6 café tables = 6 trees, benches, streetlights, and planters 1 play pod = 1 structure 140 If of curb = 140 linear feet of walkway 115 CY asphalt = convert to parking spaces 3 electrical outlets = 3 items of equipment installed/repaired

3 light fixtures = 3 trees, benches, streetlights, and planters

For challenging projects, provide as much information as possible in all sections, and then check the box in Section 5.A. to ask OHPO to offer preliminary comments or make recommendations about how to proceed with your project consultation. This is recommended if your project involves effects to significant historic properties or if there may be challenging procedural issues related to your project. Please note that providing information to complete all Sections will still be required and that asking OHPO for preliminary comments may tend to delay completion of the review process for some projects.

- A. Does this project involve any Ground-Disturbing activity: YES NO (If Yes, you must complete all of Section 2.A. If No, proceed directly to Section 2. B.)
 - 1. General description of width, length and depth of proposed ground disturbing activity:

This proposed project will provide an area for food trucks to gather, draw community members, and people into the village. There will be a drive (road) for trucks to pull in and back into. A seating area, and a walking path to the gazebo for additional seating. Most importantly, adequate social distance spacing will be available outdoors so people will be able to gather safely should a pandemic recur or have the option for convenient take-out for dining at home. In addition, there will be a playground pod. During the pandemic, outdoor activities were highly encouraged and the playpod will provide another option for outdoor recreation for children that can be safely used with appropriate adult supervision even during a pandemic.

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2. Narrative description of previous land use and past ground disturbances, if known:

The previous land use was residential, and this proposed project will have limited ground disturbances.

3. Narrative description of current land use and conditions:

Vacant land that the Village owns. The proposed project will have limited ground disturbances.

- 4. Does the landowner know of any archaeological resources found on the property? YES NO If yes, please describe:
- B. Submit the exact project site location on a USGS 7.5-minute topographic quadrangle map for all projects. Map sections, photocopies of map sections, and online versions of USGS maps are acceptable as long as the location is clearly marked. Show the project's Area of Potential Effects (APE). It should be clearly distinguished from other features shown on the map:
 - 1. USGS Quad Map Name: New Philadelphia Quadrangle, Ohio

- 2. Township/City/Village Name: Village of Tuscarawas
- C. Provide a street-level map indicating the location of the project site; road names must be identified and legible. Your map must show the exact location of the boundaries for the project site. Show the project's Area of Potential Effects (APE). It should be clearly distinguished from other features shown on the map:
- D. Provide a verbal description of the APE, including a discussion of how the APE will include areas with the potential for direct and indirect effects from the project. Explain the steps taken to identify the project's APE, and your justification for the specific boundaries chosen:
- E. Provide a detailed description of the project. This is a critical part of your submission. Your description should be prepared for a cold reader who may not be an expert in this type of project. The information provided must help support your analysis of effects to historic properties, not other types of project impacts. Do not simply include copies of environmental documents or other types of specialized project reports. If there are multiple project alternatives, you should include information about all alternatives that are still under active consideration:

This proposed project will provide an area for food trucks to gather, draw community members, and people into the village. There will be a drive (road) for trucks to pull in and back into. A seating area, and a walking path to the gazebo for additional seating. Most importantly, adequate social distance spacing will be available outdoors so people will be able to gather safely should a pandemic recur or have the option for convenient take-out for dining at home. In addition, there will be a playground pod. During the pandemic, outdoor activities were highly encouraged and the playpod will provide another option for outdoor recreation for children that can be safely used with appropriate adult supervision even during a pandemic.

SECTION 3: IDENTIFICATION OF HISTORIC PROPERTIES

Describe whether there are historic properties located within your project APE. To make that determination, use information generated from your own Background Research and Field Survey. Then choose one of the following options to report your findings. Please refer to the Instructions and/or contact an OHPO reviewer if you are unsure about how to identify historic properties for your project.

If you read the Instructions and you're still confused as to which reporting option best fits your project, or you are not sure if your project needs a survey, you may choose to skip this section, but provide as much supporting documentation as possible in all other Sections, then check the box in Section 5.A. to request preliminary comments from OHPO. After reviewing the information provided, OHPO will then offer comments as to which reporting option is best suited to document historic properties for your project. Please note that providing information to complete this Section will still be required and that asking OHPO for preliminary comments may tend to delay completion of the review process for some projects.

Recording the Results of Background Research and Field Survey:

A. Summary of discussions and/or consultation with OHPO about this project that demonstrates how the Agency Official and OHPO have agreed that no Field Survey was necessary for this project (typically due to extreme ground disturbance or other special circumstances). Please <u>attach copies</u> of emails/correspondence that document this agreement. You must explain how the project's potential to affect both archaeological and historic resources were considered.

- B. A table that includes the minimum information listed in the OHPO Section 106 Documentation Table (which is generally equivalent to the information found on an inventory form). This information must be printed and mailed with the Project Summary Form. To provide sufficient information to complete this Section, you must also include summary observations from your field survey, background research and eligibility determinations for each property that was evaluated in the project APE.
- C. **OHI (Ohio Historic Inventory) or OAI (Ohio Archaeological Inventory) forms-** New or updated inventory forms may be prepared using the OHI pdf form with data population capabilities, the Internet IForm, or typed on archival quality inventory forms. To provide sufficient information to complete this Section, you must include summary observations from your field survey and background research. You must also include eligibility determinations for each property that was evaluated in the project APE
- D. A historic or archaeological survey report prepared by a qualified consultant that meets professional standards. The survey report should meet the Secretary of the Interior's Standards and Guidelines for Identification and OHPO Archaeological Guidelines. You may also include new inventory forms with your survey, or update previous inventory forms. To complete this section, your survey report must include summary observations from your field survey, background research and eligibility determinations for each property that was evaluated within the APE.
- E. Project Findings. Based on the conclusions you reached in completing Section 3, please choose one finding for your project. There are (mark one): Historic Properties Present in the APE: No Historic Properties Present in the APE:

SECTION 4: SUPPORTING DOCUMENTATION

This information must be provided for all projects.

- A. Photographs must be keyed to a street-level map, and should be included as attachments to this application. Please label all forms, tables and CDs with the date of your submission and project name, as identified in Section 1. You must present enough documentation to clearly show existing conditions at your project site and convey details about the buildings, structures or sites that are described in your submission. Faxed or photocopied photographs are not acceptable. See Instructions for more info about photo submissions or 36 CFR § 800.11 for federal documentation standards.
 - 1. Provide photos of the entire project site and take photos to/from historic properties from/towards your project site to support your determination of effect in Section 5.
 - 2. Provide current photos of all buildings/structures/sites described.
- B. Project plan, specifications, site drawings and any other media presentation that conveys detailed information about your project and its potential to affect historic properties.
- C. Copies or summaries of any comments provided by consulting parties or the public.

SECTION 5: DETERMINATION OF EFFECT

A. Request Preliminary Comments. For challenging projects, provide as much

information as possible in previous sections and ask OHPO to offer preliminary comments or make recommendations about how to proceed with your project consultation. This is recommended if your project involves effects to significant historic properties, if the public has concerns about your project's potential to affect historic properties, or if there may be challenging procedural issues related to your project. Please be aware that providing information in all Sections will still be required and that asking OHPO for preliminary comments may tend to delay completion of the review process for some projects.

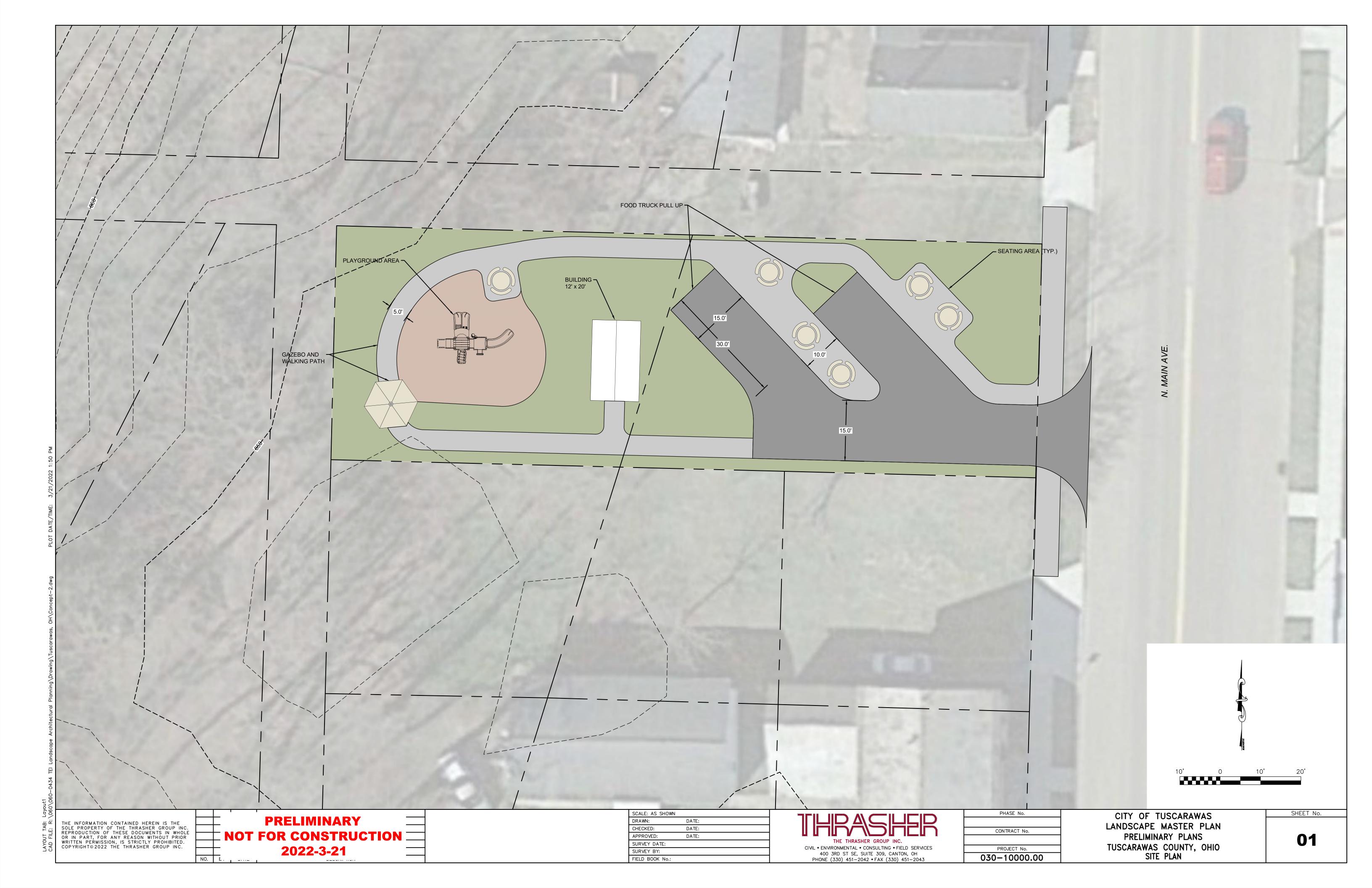
- 1. We request preliminary comments from OHPO about this project: <u>YES</u> NO
- 2. Please specify as clearly as possible the particular issues that you would like OHPO to examine for your project (for example- help with developing an APE, addressing the concerns of consulting parties, survey methodology, etc.): Determination of Environment Review and Categorically Subject to 58.6
- B. **Determination of Effect.** If you believe that you have gathered enough information to conclude the Section 106 process, you may be ready to make a determination of effect and ask OHPO for concurrence, while considering public comments. Please select and mark one of the following determinations, then explain the basis for your decision on an attached sheet of paper:

No historic properties will be affected based on 36 CFR § 800.4(d) (1). Please explain how you made this determination:

Not in a floodplain, wetland, and was previously disturbed ground. Limited construction will take place and consists of roadway and parking for food truck drive and parking. Water hook up will take place, but waterline exist in the area already.

- **No Adverse Effect** [36 CFR § 800.5(b)] on historic properties. This finding cannot be used if there are no historic properties present in your project APE. Please explain why the Criteria of Adverse Effect, [36 CFR Part 800.5(a) (1)], were found not to be applicable for your project:
- Adverse Effect [36 CFR § 800.5(d) (2)] on historic properties. Please explain why the criteria of adverse effect, [36 CFR Part 800.5(a) (1)], were found to be applicable to your project. You may also include an explanation of how these adverse effects might be avoided, reduced or mitigated:

Please send completed form and supporting documentation to our office through the <u>section106@ohiohistory.org</u> e-mail address. Note that file size is limited to 30 MB. The Ohio SHPO has a federally mandated review time of 30 calendar day. To check your submission was received and logged in for our review, please visit <u>https://www.ohiohistory.org/preserve/state-historic-preservation-office/hpreviews/section-106-project-status</u>.







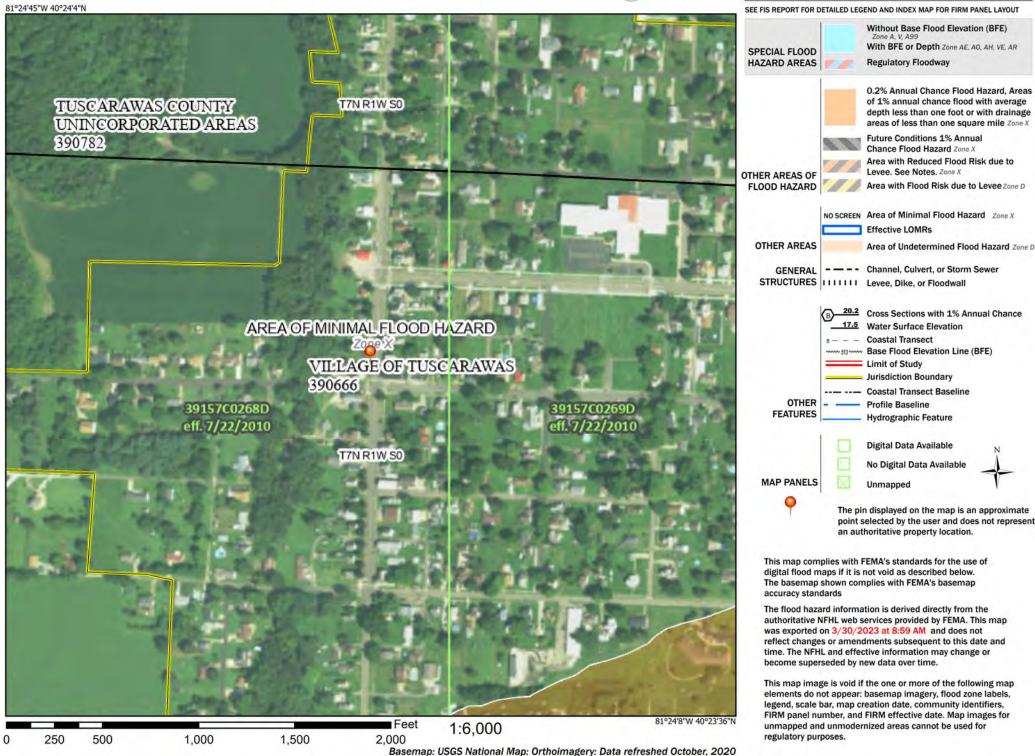




National Flood Hazard Layer FIRMette



Legend




Location Map



U.S. Department of Housing and Urban Development, Web AppBuilder for

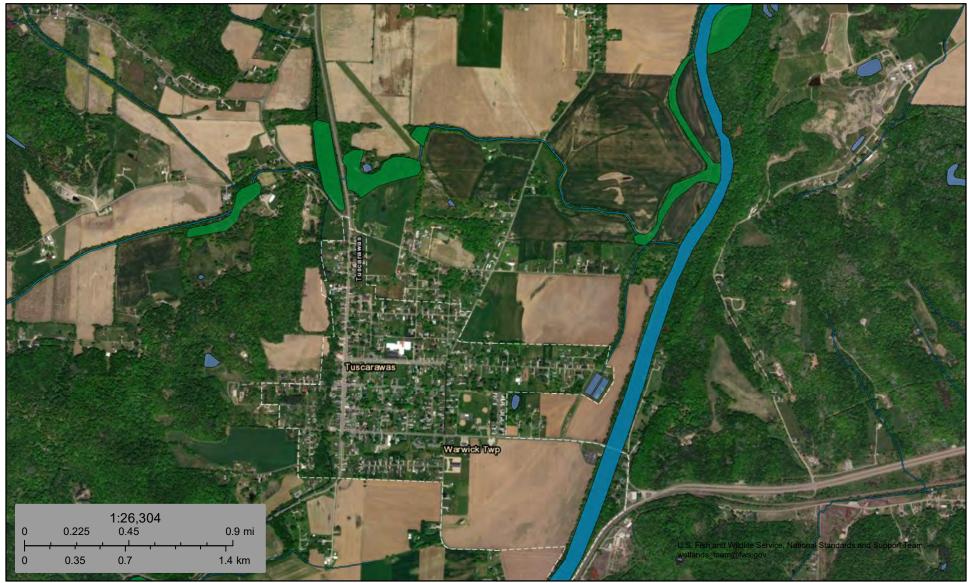
Esri Community Maps Contributors, West Virginia GIS, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA |





U.S. Fish and Wildlife Service National Wetlands Inventory

Wetland Map



July 17, 2023

Wetlands



Estuarine and Marine Deepwater

Estuarine and Marine Wetland

- Freshwater Forested/Shrub Wetland
 - **Freshwater Pond**

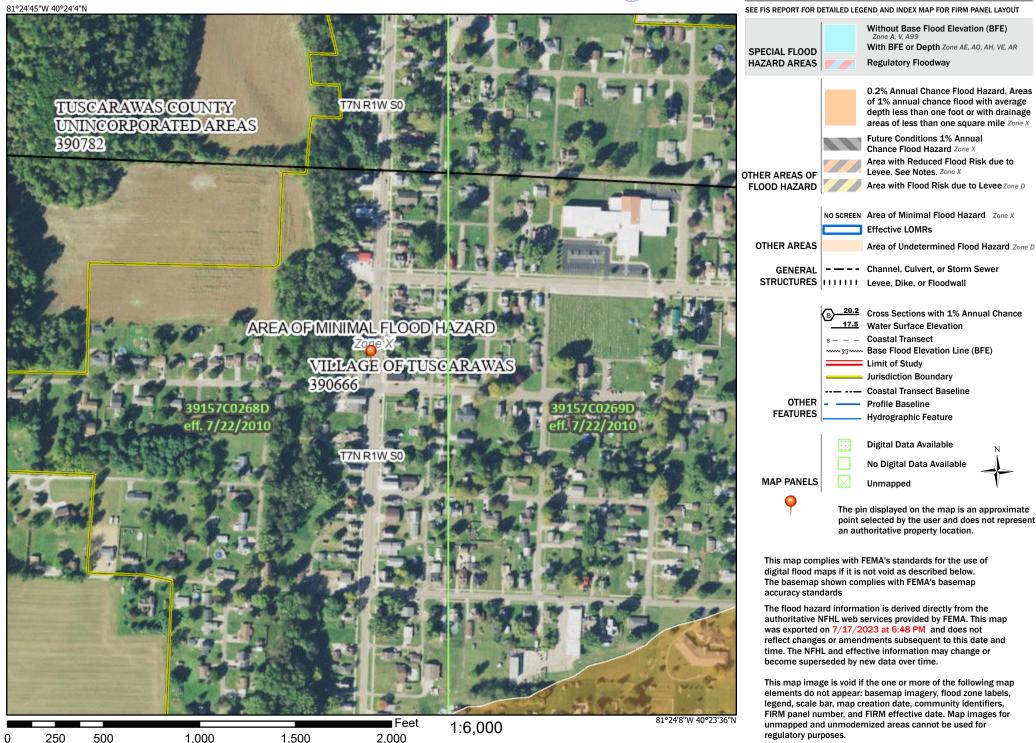
Freshwater Emergent Wetland

Lake Other Riverine This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

National Flood Hazard Layer FIRMette



Legend

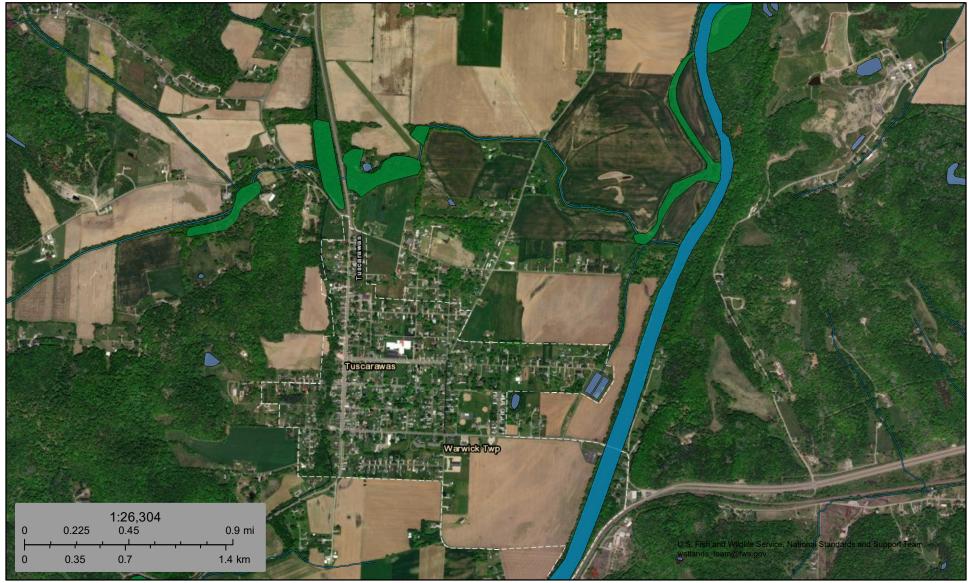


Basemap Imagery Source: USGS National Map 2023



U.S. Fish and Wildlife Service **National Wetlands Inventory**

Wetland Map



July 17, 2023

Wetlands



Estuarine and Marine Deepwater

Estuarine and Marine Wetland

- Freshwater Forested/Shrub Wetland
 - **Freshwater Pond**

Freshwater Emergent Wetland

Lake Other Riverine This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

Wetlands (CEST and EA)

General requirements	Legislation	Regulation			
Executive Order 11990 discourages that direct or	Executive Order	24 CFR 55.20 can			
indirect support of new construction impacting	11990	be used for			
wetlands wherever there is a practicable		general guidance			
alternative. The Fish and Wildlife Service's National		regarding the 8			
Wetlands Inventory can be used as a primary		Step Process.			
screening tool, but observed or known wetlands					
not indicated on NWI maps must also be					
processed. Off-site impacts that result in draining,					
impounding, or destroying wetlands must also be					
processed.					
References					
https://www.hudexchange.info/environmental-review/wetlands-protection					

1. Does this project involve new construction as defined in Executive Order 11990, expansion of a building's footprint, or ground disturbance?

The term "new construction" shall include draining, dredging, channelizing, filling, diking, impounding, and related activities and any structures or facilities begun or authorized after the effective date of the Order.

 \square No \rightarrow Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.

 \boxtimes Yes \rightarrow Continue to Question 2.

2. Will the new construction or other ground disturbance impact an on- or off-site wetland?

The term "wetlands" means those areas that are inundated by surface or ground water with a frequency sufficient to support, and under normal circumstances does or would support, a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds. Wetlands under E.O. 11990 include isolated and non-jurisdictional wetlands.

- \boxtimes No, a wetland will not be impacted in terms of E.O. 11990's definition of new construction.
 - → Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map or any other relevant documentation to explain your determination.
- $\hfill\square$ Yes, there is a wetland that be impacted in terms of E.O. 11990's definition of new construction.

- →You must determine that there are no practicable alternatives to wetlands development by completing the 8-Step Process.
 Provide a completed 8-Step Process as well as all documents used to make your determination, including a map. Be sure to include the early public notice and the final notice with your documentation.
 Continue to Question 3.
- 3. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

See wetland map. Project is not within the location of a wetland

Which of the following mitigation actions have been or will be taken? Select all that apply:

- □ Permeable surfaces
- □ Natural landscape enhancements that maintain or restore natural hydrology through infiltration
- □ Native plant species
- □ Bioswales
- □ Evapotranspiration
- □ Stormwater capture and reuse
- □ Green or vegetative roofs with drainage provisions
- □ Natural Resources Conservation Service conservation easements
- □ Compensatory mitigation

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

Are formal compliance steps or mitigation required?

 \Box Yes

🛛 No

Ohio Coastal Atlas Map Viewer



Bathymetric Contours (in meters)

July 3, 2023

Coastal Management Area Boundary

Bathymetry Outline

Niagara River, Welland Canal; Lake Erie

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri

Coastal Zone Management Act (CEST and EA)

General requirements	Legislation	Regulation		
Federal assistance to applicant	Coastal Zone Management	15 CFR Part 930		
agencies for activities affecting	Act (16 USC 1451-1464),			
any coastal use or resource is	particularly section 307(c) and			
granted only when such	(d) (16 USC 1456(c) and (d))			
activities are consistent with				
federally approved State Coastal				
Zone Management Act Plans.				
References				
https://www.onecpd.info/environmental-review/coastal-zone-management				

Projects located in the following states must complete this form.

Alabama	Florida	Louisiana	Mississippi	Ohio	Texas
Alaska	Georgia	Maine	New Hampshire	Oregon	Virgin Islands
American Samona	Guam	Maryland	New Jersey	Pennsylvania	Virginia
California	Hawaii	Massachusetts	New York	Puerto Rico	Washington
Connecticut	Illinois	Michigan	North Carolina	Rhode Island	Wisconsin
Delaware	Indiana	Minnesota	Northern Mariana Islands	South Carolina	

1. Is the project located in, or does it affect, a Coastal Zone as defined in your state Coastal Management Plan?

- \Box Yes \rightarrow Continue to Question 2.
- ⊠No → Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing that the site is not within a Coastal Zone.

2. Does this project include activities that are subject to state review?

- \Box Yes \rightarrow Continue to Question 3.
- \square No \rightarrow Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination.
- **3.** Has this project been determined to be consistent with the State Coastal Management Program?

 \Box Yes, with mitigation. \rightarrow *Continue to Question 4.*

 \Box Yes, without mitigation. \rightarrow Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination.

 \Box No, project must be canceled.

Project cannot proceed at this location.

4. Explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

→ Continue to the Worksheet Summary below. Provide documentation of the consultation (including the State Coastal Management Program letter of consistency) and any other documentation used to make your determination.

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

See attached map. The county is not near a sole source aquifer.

Are formal compliance steps or mitigation required?

🗆 Yes

🛛 No

Ohio Coastal Atlas Map Viewer



Bathymetric Contours (in meters)

July 3, 2023

Coastal Management Area Boundary

Bathymetry Outline

Niagara River, Welland Canal; Lake Erie

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri

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American Samona	Guam	Maryland	New Jersey	Pennsylvania	Virginia
California	Hawaii	Massachusetts	New York	Puerto Rico	Washington
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Delaware	Indiana	Minnesota	Northern Mariana Islands	South Carolina	

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Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

See attached map. The county is not near a sole source aquifer.

Are formal compliance steps or mitigation required?

🗆 Yes

🛛 No



Connecting Communities to Resources

July 17, 2023

Office of Real Estate & Land Management 2045 Morse Road, Bldg. E-2 Columbus, OH 43229

Re: Environmental Review for CDBG-CV project at the Food Truck Park located in the Village of Tuscarawas, Tuscarawas County

We are requesting an environmental review for a CDBG-CV (Targets of Opportunity Cares Act) project at the Tuscarawas County Food Truck location in the Village of Tuscarawas, Tuscarawas County.

This proposed project will provide an area for food trucks to gather, draw community members, and people into the village. There will be a drive (road) for trucks to pull in and back into. A seating area, and a walking path to the gazebo for additional seating. In addition, there will be a playground pod. Project components included are:

1 gazebo = 1 structure 2" - 150 LF waterline = 1 general park improvement 15" - 50 LF Storm pipe = 1 general park improvement Concrete pavement - 2655 SF = pavement/lanscaping 50 If asphalt = convert to parking spaces 6 café tables = 6 trees, benches, street lights and planters 1 playpod = 1 structure 140 If of curb = 140 linear feet of walkway 115 CY asphalt = convert to parking spaces 3 electrical outlets = 3 items of equipment installed/repaired 3 light fixtures = 3 trees, benches, street lights and planters

The Food Truck Park is located off Main Street in the Village of Tuscarawas.

The project will take place on vacant land inside a residential/business district. The ground disturbance includes a walking path and road and parking areas. And tree disturbance has been done by the Village already or will be done outside of the Indian Bat season.

Please let us know if you need more information regarding this project.

Best regard

Erin Wright/Senior Community Development Specialist Ohio Mid-Eastern Governments Association 326 Highland Avenue, Suite B Cambridge, OH 43725

> 326 Highland Avenue, Suite B, Cambridge, OH 43725 740.439.4471 | www.omegadistrict.org



United States Department of the Interior

FISH AND WILDLIFE SERVICE Ohio Ecological Services Field Office 4625 Morse Road, Suite 104 Columbus, OH 43230-8355 Phone: (614) 416-8993 Fax: (614) 416-8994



In Reply Refer To: Project Code: 2023-0105953 Project Name: Food Truck Park July 18, 2023

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological

evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see https://www.fws.gov/birds/policies-and-regulations.php.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds.php.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit https://www.fws.gov/birds/policies-and-regulations/ executive-orders/e0-13186.php.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

Official Species List

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Ohio Ecological Services Field Office 4625 Morse Road, Suite 104 Columbus, OH 43230-8355 (614) 416-8993

PROJECT SUMMARY

Project Code:	2023-0105953
Project Name:	Food Truck Park
Project Type:	Recreation Operations
0 01	Recreation Operations This proposed project will provide an area for food trucks to gather, draw community members, and people into the village. There will be a drive (road) for trucks to pull in and back into. A seating area, and a walking path to the gazebo for additional seating. Most importantly, adequate social distance spacing will be available outdoors so people will be able to gather safely should a pandemic recur or have the option for convenient take-out for dining at home. In addition, there will be a playground pod. During the pandemic, outdoor activities were highly encouraged and the playpod will provide another option for outdoor recreation for children that can be safely used with appropriate adult supervision even during a pandemic. 1 gazebo = 1 structure 2" - 150 LF waterline = 1 general park improvement 15" - 50 LF Storm pipe = 1 general park improvement Concrete pavement - 2655 SF = pavement/landscaping 50 If asphalt = convert to parking spaces 6 café tables = 6 trees, benches, streetlights, and planters 1 play pod = 1 structure 140 If of curb = 140 linear feet of walkway 115 CY asphalt = convert to parking spaces
	3 electrical outlets = 3 items of equipment installed/repaired
	3 light fixtures = 3 trees, benches, streetlights, and planters

Project Location:

The approximate location of the project can be viewed in Google Maps: <u>https://www.google.com/maps/@40.397368400000005,-81.40786791265417,14z</u>



Counties: Tuscarawas County, Ohio

ENDANGERED SPECIES ACT SPECIES

There is a total of 4 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

1. <u>NOAA Fisheries</u>, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Indiana Bat <i>Myotis sodalis</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: <u>https://ecos.fws.gov/ecp/species/5949</u>	Endangered
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: <u>https://ecos.fws.gov/ecp/species/9045</u>	Endangered
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: <u>https://ecos.fws.gov/ecp/species/10515</u>	Proposed Endangered
INSECTS NAME	STATUS

Monarch Butterfly *Danaus plexippus* No critical habitat has been designated for this species. Species profile: <u>https://ecos.fws.gov/ecp/species/9743</u>

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

Candidate

IPAC USER CONTACT INFORMATION

Agency:Tuscarawas villageName:Erin Wright

Address: 326 Highland Ave, Suite B

City: Cambridge

State: OH

Zip: 43725

Email ewright@omegadistrict.org

Phone: 3302430133



General requirements	Legislation	Regulation			
The Wild and Scenic Rivers Act	The Wild and Scenic Rivers	36 CFR Part 297			
provides federal protection for	Act (16 U.S.C. 1271-1287),				
certain free-flowing, wild, scenic	particularly section 7(b) and				
and recreational rivers designated	(c) (16 U.S.C. 1278(b) and (c))				
as components or potential					
components of the National Wild					
and Scenic Rivers System (NWSRS)					
from the effects of construction or					
development.					
	References				
https://www.hudexchange.info/environmental-review/wild-and-scenic-rivers					

Wild and Scenic Rivers (CEST and EA)

1. Is your project within proximity of a NWSRS river as defined below?

Wild & Scenic Rivers: These rivers or river segments have been designated by Congress or by states (with the concurrence of the Secretary of the Interior) as wild, scenic, or recreational

<u>Study Rivers</u>: These rivers or river segments are being studied as a potential component of the Wild & Scenic River system.

<u>Nationwide Rivers Inventory (NRI)</u>: The National Park Service has compiled and maintains the NRI, a register of river segments that potentially qualify as national wild, scenic, or recreational river areas

🛛 No

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination, such as a map identifying the project site and its surrounding area or a list of rivers in your region in the Screen Summary at the conclusion of this screen.

□ Yes, the project is in proximity of a Nationwide Rivers Inventory (NRI) River. \rightarrow Continue to Question 2.

2. Could the project do any of the following?

- Have a direct and adverse effect within Wild and Scenic River Boundaries,
- Invade the area or unreasonably diminish the river outside Wild and Scenic River Boundaries, or
- Have an adverse effect on the natural, cultural, and/or recreational values of a NRI segment.

Consultation with the appropriate federal/state/local/tribal Managing Agency(s) is required, pursuant to Section 7 of the Act, to determine if the proposed project may have an adverse effect on a Wild & Scenic River or a Study River and, if so, to determine the appropriate avoidance or mitigation measures.

<u>Note</u>: Concurrence may be assumed if the Managing Agency does not respond within 30 days; however, you are still obligated to avoid or mitigate adverse effects on the rivers identified in the NWSRS

- □ No, the Managing Agency has concurred that the proposed project will not alter, directly, or indirectly, any of the characteristics that qualifies or potentially qualifies the river for inclusion in the NWSRS.
- → Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation of the consultation (including the Managing Agency's concurrence) and any other documentation used to make your determination.
- □ Yes, the Managing Agency was consulted and the proposed project may alter, directly, or indirectly, any of the characteristics that qualifies or potentially qualifies the river for inclusion in the NWSRS.
- \rightarrow Continue to Question 3.
- 3. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

 \rightarrow Continue to the Worksheet Summary below. Provide documentation of the consultation (including the Managing Agency's concurrence) and any other documentation used to make your determination.

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

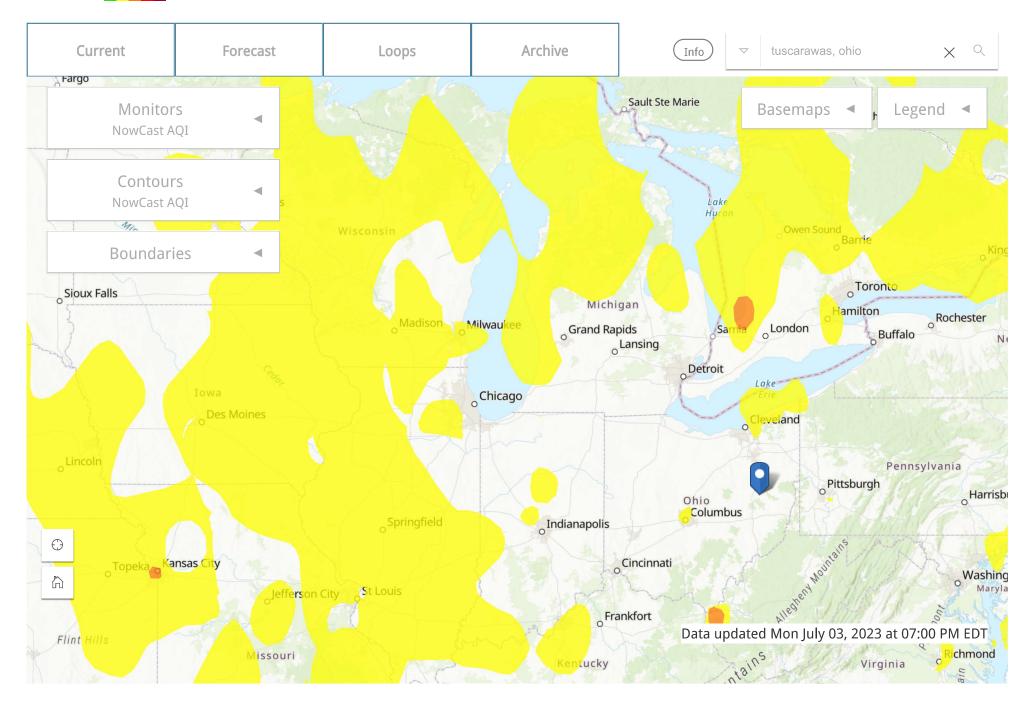
See attached map. The County is not located near a scenic river.

Are formal compliance steps or mitigation required?

🗆 Yes

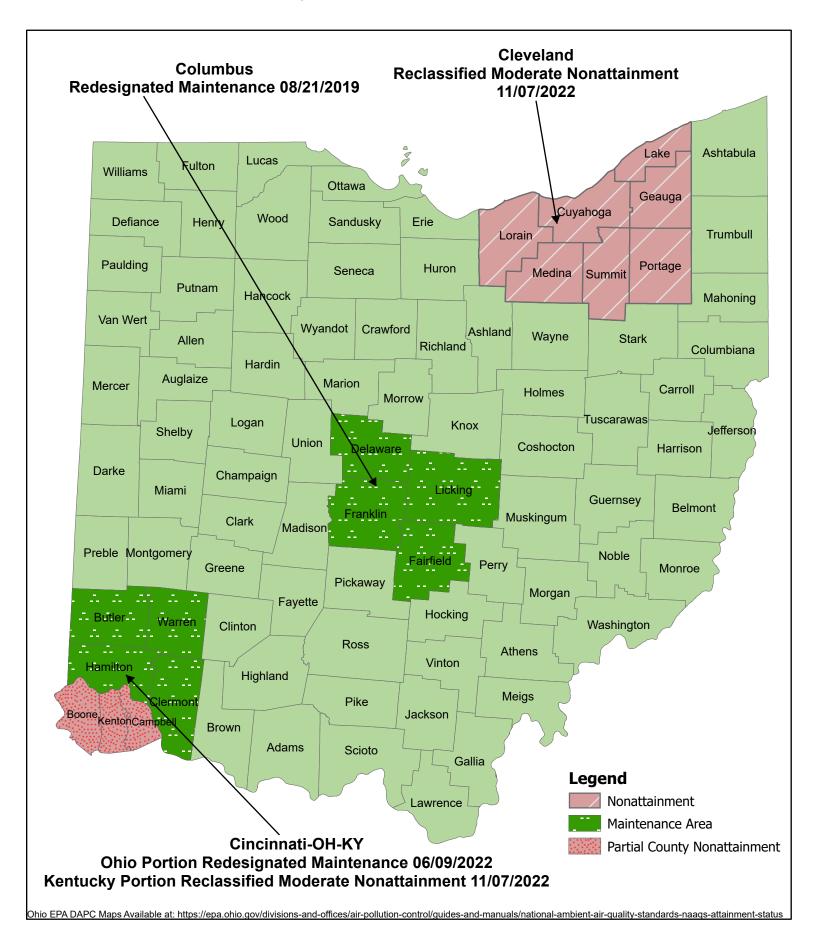
🖾 No

Interactive Map of Air Quality



Ohio 2015 Eight-Hour Ozone (0.070 ppm) Nonattainment Areas

Original Designations of Marginal Effective 08/03/2018 Reclassified Designation of Moderate Effective 11/07/2022



Air Quality (CEST and EA)

General Requirements	Legislation	Regulation		
The Clean Air Act is administered by the	Clean Air Act (42 USC	40 CFR Parts 6, 51		
U.S. Environmental Protection Agency	7401 et seq.) as	and 93		
(EPA), which sets national standards on	amended particularly			
ambient pollutants. In addition, the Clean	Section 176(c) and (d)			
Air Act is administered by States, which	(42 USC 7506(c) and (d))			
must develop State Implementation Plans				
(SIPs) to regulate their state air quality.				
Projects funded by HUD must demonstrate				
that they conform to the appropriate SIP.				
Reference				
https://www.hudexchange.info/environmental-review/air-guality				

Scope of Work

1. Does your project include new construction or conversion of land use facilitating the development of public, commercial, or industrial facilities OR five or more dwelling units?

🛛 Yes

 \rightarrow Continue to Question 2.

🗆 No

Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.

Air Quality Attainment Status of Project's County or Air Quality Management District

2. Is your project's air quality management district or county in non-attainment or maintenance status for any criteria pollutants?

Follow the link below to determine compliance status of project county or air quality management district:

http://www.epa.gov/oaqps001/greenbk/

- No, project's county or air quality management district is in attainment status for all criteria pollutants
 - → Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.
- □ Yes, project's management district or county is in non-attainment or maintenance status for one or more criteria pollutants.

Describe the findings:

 \rightarrow Continue to Question 3.

- 3. Determine the <u>estimated emissions levels of your project for each of those criteria</u> <u>pollutants</u> that are in non-attainment or maintenance status on your project area. Will your project exceed any of the *de minimis or threshold* emissions levels of nonattainment and maintenance level pollutants or exceed the screening levels established by the state or air quality management district?
 - □ No, the project will not exceed *de minimis* or threshold emissions levels or screening levels
 - → Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Explain how you determined that the project would not exceed de minimis or threshold emissions.
 - □ Yes, the project exceeds *de minimis* emissions levels or screening levels.
 - \rightarrow Continue to Question 4. Explain how you determined that the project would not exceed de minimis or threshold emissions in the Worksheet Summary.
- 4. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

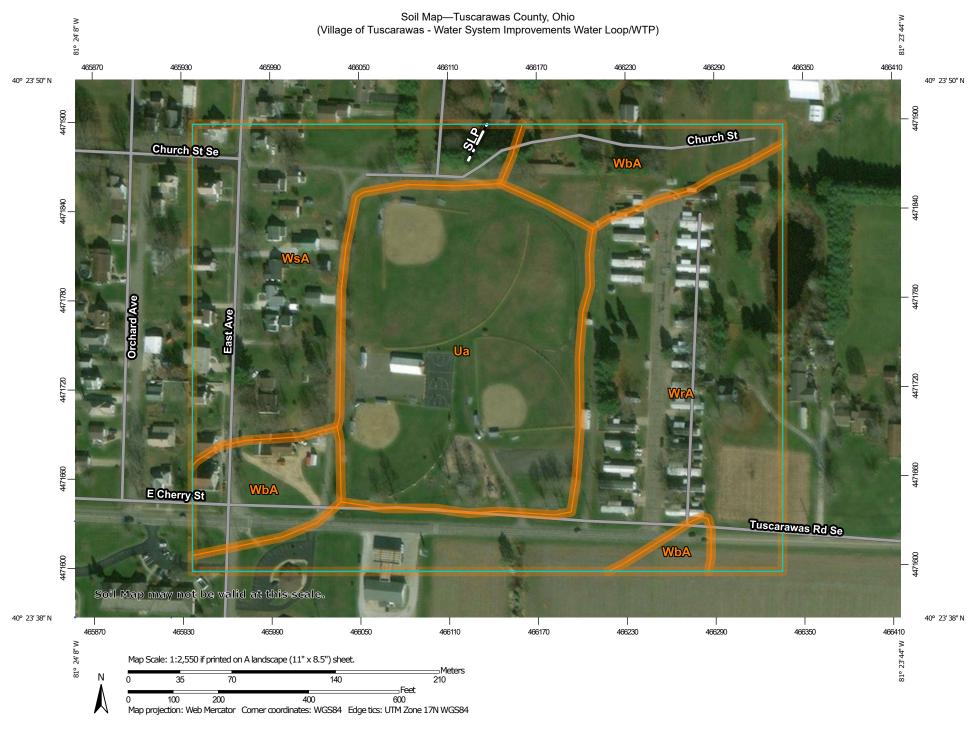
- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

Please see the attached maps.

Are formal compliance steps or mitigation required?

 \Box Yes

🛛 No



USDA Natural Resources Conservation Service Web Soil Survey National Cooperative Soil Survey

MAP L	EGEND		MAP INFORMATION	
Area of Interest (AOI)		Spoil Area	The soil surveys that comprise your AOI were mapped at	
Area of Interest (AOI)	۵	Stony Spot	1:15,800.	
Soils	~	Very Stony Spot	Warning: Soil Map may not be valid at this scale.	
Soil Map Unit Polygons		Wet Spot	Enlargement of maps beyond the scale of mapping can cause	
Soil Map Unit Lines		Other	misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of	
Soil Map Unit Points	_	Special Line Features	contrasting soils that could have been shown at a more detailed	
Special Point Features	Water Featu		scale.	
Blowout		Streams and Canals	Please rely on the bar scale on each map sheet for map	
Borrow Pit	Transportati	ion	measurements.	
💥 Clay Spot	+++	Rails	Source of Map: Natural Resources Conservation Service Web Soil Survey URL:	
Closed Depression	~	Interstate Highways	Coordinate System: Web Mercator (EPSG:3857)	
Gravel Pit	~	US Routes	Maps from the Web Soil Survey are based on the Web Mercato	
Gravelly Spot	\sim	Major Roads	projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the	
🔕 Landfill	~	Local Roads	Albers equal-area conic projection that preserves area, such as the Albers equal-area conic projection, should be used if more	
🙏 🛛 Lava Flow	Background	Ł	accurate calculations of distance or area are required.	
Marsh or swamp	No.	Aerial Photography	This product is generated from the USDA-NRCS certified data of the version date(s) listed below.	
Mine or Quarry			Soil Survey Area: Tuscarawas County, Ohio	
Miscellaneous Water			Survey Area Data: Version 19, Jun 11, 2020	
O Perennial Water			Soil map units are labeled (as space allows) for map scales	
V Rock Outcrop			1:50,000 or larger.	
🕂 Saline Spot			Date(s) aerial images were photographed: May 25, 2014—Ma 21, 2017	
Sandy Spot			The orthophoto or other base map on which the soil lines were	
Severely Eroded Spot			compiled and digitized probably differs from the background	
Sinkhole			imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.	
slide or Slip			childing of hisp and boardanoo hisp bo ordent.	
Sodic Spot				



Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
Ua	Udorthents, hilly	8.6	28.8%
WbA	Weinbach silt loam, 0 to 3 percent slopes	4.1	13.7%
WrA	Wheeling loam, 0 to 3 percent slopes	10.5	35.4%
WsA	Wheeling-Urban land complex, nearly level	6.6	22.1%
Totals for Area of Interest		29.8	100.0%

Farmlands Protection (CEST and EA)

General requirements	Legislation	Regulation		
The Farmland Protection	Farmland Protection Policy	<u>7 CFR Part 658</u>		
Policy Act (FPPA) discourages	Act of 1981 (7 U.S.C. 4201 et			
federal activities that would	seq.)			
convert farmland to				
nonagricultural purposes.				
Reference				
https://www.hudexchange.info/environmental-review/farmlands-protection				

- 1. Does your project include any activities, including new construction, acquisition of undeveloped land or conversion, that could convert agricultural land to a non-agricultural use?
 - \Box Yes \rightarrow Continue to Question 2.
 - ⊠No

Explain how you determined that agricultural land would not be converted:

The land is in the Village of Tuscarawas between residential and business developments.

- → Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documentation supporting your determination.
- 2. Does "important farmland," including prime farmland, unique farmland, or farmland of statewide or local importance regulated under the Farmland Protection Policy Act, occur on the project site?

You may use the links below to determine important farmland occurs on the project site:

- Utilize USDA Natural Resources Conservation Service's (NRCS) Web Soil Survey <u>http://websoilsurvey.nrcs.usda.gov/app/HomePage.htm</u>
- Check with your city or county's planning department and ask them to document if the project is on land regulated by the FPPA (zoning important farmland as nonagricultural does not exempt it from FPPA requirements)
- Contact NRCS at the local USDA service center <u>http://offices.sc.egov.usda.gov/locator/app?agency=nrcs</u> or your NRCS state soil scientist <u>http://soils.usda.gov/contact/state_offices/</u> for assistance
- \square No \rightarrow Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.
- \Box Yes \rightarrow Continue to Question 3.

- 3. Consider alternatives to completing the project on important farmland and means of avoiding impacts to important farmland.
 - Complete form AD-1006. "Farmland Conversion Rating" Impact http://www.nrcs.usda.gov/Internet/FSE DOCUMENTS/stelprdb1045394.pdf and contact the state soil scientist before sending it to the local NRCS District Conservationist. (NOTE: for corridor type projects, use instead form NRCS-CPA-106, "Farmland Conversion Impact Rating for Corridor Type Projects:

http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1045395.pdf.)

 Work with NRCS to minimize the impact of the project on the protected farmland. When you have finished with your analysis, return a copy of form AD-1006 (or form NRCS-CPA-106 if applicable) to the USDA-NRCS State Soil Scientist or his/her designee informing them of your determination.

Document your conclusion:

 \Box Project will proceed with mitigation.

Explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide form AD-1006 and all other documents used to make your determination.

□ Project will proceed without mitigation.

Explain why mitigation will not be made here:

[→] Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide form AD-1006 and all other documents used to make your determination.

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

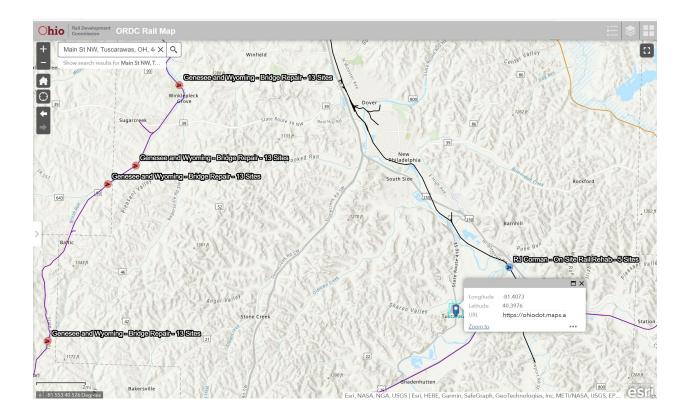
See attached soil map

Are formal compliance steps or mitigation required?

🗆 Yes

🖾 No





Explosive and Flammable Hazards (CEST and EA)

General requirements	Legislation	Regulation		
HUD-assisted projects must meet	N/A	24 CFR Part 51		
Acceptable Separation Distance (ASD)		Subpart C		
requirements to protect them from				
explosive and flammable hazards.				
Reference				
https://www.hudexchange.info/environmental-review/explosive-and-flammable-facilities				

1. Is the proposed HUD-assisted project itself the development of a hazardous facility (a facility that mainly stores, handles or processes flammable or combustible chemicals such as bulk fuel storage facilities and refineries)?

3 No
Continue to Question 2.
] Yes
xplain:

 \rightarrow Go directly to Question 5.

2. Does this project include any of the following activities: development, construction, rehabilitation that will increase residential densities, or conversion?

🛛 No

 \rightarrow Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.

 \Box Yes \rightarrow Continue to Question 3.

- 3. Within 1 mile of the project site, are there any current *or planned* stationary aboveground storage containers that are covered by 24 CFR 51C? Containers that are <u>NOT</u> covered under the regulation include:
 - Containers 100 gallons or less in capacity, containing common liquid industrial fuels OR
 - Containers of liquified petroleum gas (LPG) or propane with a water volume capacity of 1,000 gallons or less that meet the requirements of the 2017 version of National Fire Protection Association (NFPA) Code 58.

If all containers within the search area fit the above criteria, answer "no." For any other type of aboveground storage container within the search area that holds one of the

flammable or explosive materials listed in Appendix I of 24 CFR part 51 subpart C, answer "yes."

🗆 No

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide all documents used to make your determination.

🗆 Yes

 \rightarrow Continue to Question 4.

- 4. Visit HUD's website to identify the appropriate tank or tanks to assess and to calculate the required separation distance using the <u>electronic assessment tool</u>. To document this step in the analysis, please attach the following supporting documents to this screen:
 - Map identifying the tank selected for assessment, and showing the distance from the tank to the proposed HUD-assisted project site; and
 - Electronic assessment tool calculation of the required separation distance.

Based on the analysis, is the proposed HUD-assisted project site located at or beyond the required separation distance from all covered tanks?

🗆 Yes

 \rightarrow Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.

🗆 No

 \rightarrow Go directly to Question 6.

5. Is the hazardous facility located at an acceptable separation distance from residences and any other facility or area where people may congregate or be present?

Please visit HUD's website for information on calculating Acceptable Separation Distance.

 \rightarrow Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide map(s) showing the location of the project site relative to residences and any other facility or area where people congregate or are present and your separation distance calculations.

🗆 No

 \rightarrow Provide map(s) showing the location of the project site relative to residences and any other facility or area where people congregate or are present and your separation distance calculations. Continue to Question 6. 6. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Mitigation measures may include both natural and manmade barriers, modification of the project design, burial or removal of the hazard, or other engineered solutions. Describe selected mitigation measures, including the timeline for implementation, and attach an implementation plan. If negative effects cannot be mitigated, cancel the project at this location.

Note that only licensed professional engineers should design and implement blast barriers. If a barrier will be used or the project will be modified to compensate for an unacceptable separation distance, provide approval from a licensed professional engineer.

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

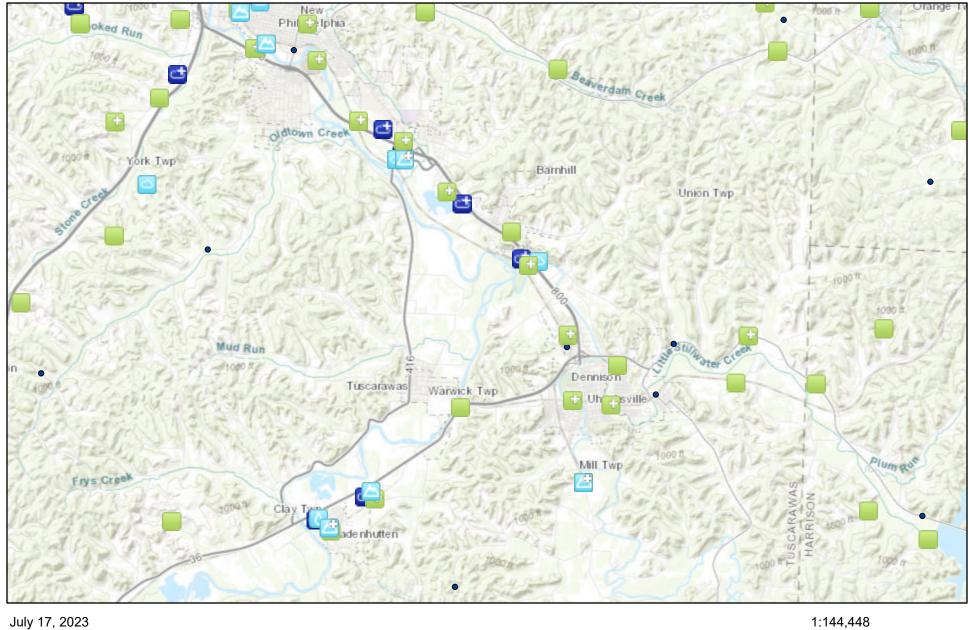
- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

The project is located in a residential area and less than a mile from the school.

Are formal compliance steps or mitigation required?

- 🗆 Yes
- 🗌 No

Contaminations





Toxic Releases to Land (TRI)(Cluster) Toxic Releases to Land (TRI)(Single)

Hazardous Waste (RCRAInfo)(Cluster)

ster) Hazardous Waste (RCRAInfo)(Single)

Toxic Releases to Air (TRI)(Cluster) Toxic Releases to Air (TRI)(Single) CT.

•

Toxic Releases to Water (TRI)(Cluster)

Toxic Releases to Water (TRI)(Single)

Air Pollution (ICIS-AIR)(Cluster)

Air Pollution (ICIS-AIR)(Single)

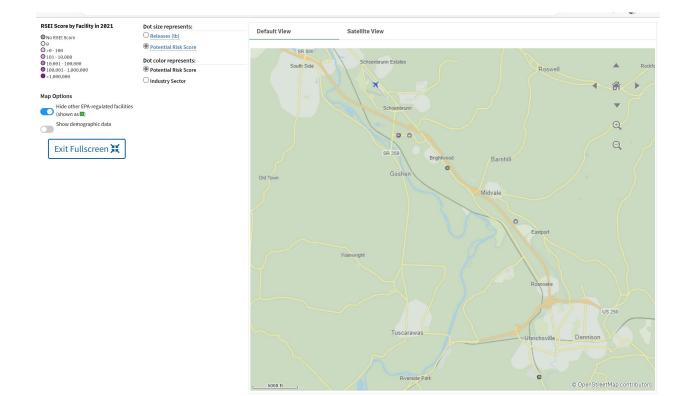
0 1.5 3 6 km West Virginia GIS, Esri, HERE, Garmin, USGS, NGA, EPA, USDA, NPS

3 mi

1.5

0

0.75



Sepa EJScreen Community Report

This report provides environmental and socioeconomic information for user-defined areas, and combines that data into environmental justice and supplemental indexes.

Tuscarawas, OH

Blockgroup: 391570215032 Population: 1,339 Area in square miles: 1.78

COMMUNITY INFORMATION



LANGUAGES SPOKEN AT HOME

LANGUAGE	PERCENT
English	99%
Total Non-English	1%

White: 97% Black: 0% Asian: 0% Hispanie: 0% American Indian: 0% Hawaiian/Pacific Islander: 0% Other race: 0% Two or more races: 2% BREAKDOWN BY AGE

From Ages 1 to 4	9%
From Ages 1 to 18	27%
From Ages 18 and up	73%
From Ages 65 and up	15%

LIMITED ENGLISH SPEAKING BREAKDOWN

Speak Spanish	0%
Speak Other Indo-European Languages	0%
Speak Asian-Pacific Island Languages	0%
Speak Other Languages	0%

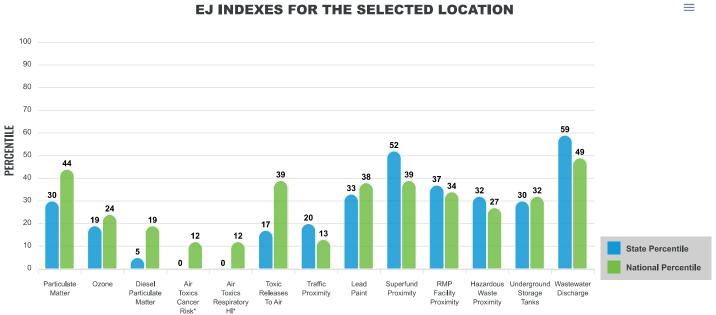
Notes: Numbers may not sum to totals due to rounding. Hispanic popultion can be of any race. Source: U.S. Census Bureau, American Community Survey (ACS) 2017-2021. Life expectancy data comes from the Centers for Disease Control.

Environmental Justice & Supplemental Indexes

The environmental justice and supplemental indexes are a combination of environmental and socioeconomic information. There are thirteen EJ indexes and supplemental indexes in EJScreen reflecting the 13 environmental indicators. The indexes for a selected area are compared to those for all other locations in the state or nation. For more information and calculation details on the EJ and supplemental indexes, please visit the EJScreen website.

EJ INDEXES

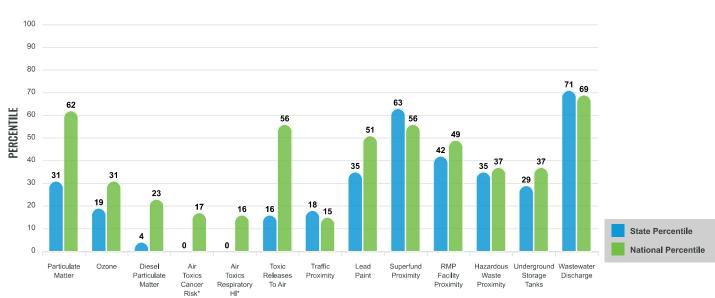
The EJ indexes help users screen for potential EJ concerns. To do this, the EJ index combines data on low income and people of color



EJ INDEXES FOR THE SELECTED LOCATION

SUPPLEMENTAL INDEXES

The supplemental indexes offer a different perspective on community-level vulnerability. They combine data on percent low-income, percent linguistically isolated, percent less than high



SUPPLEMENTAL INDEXES FOR THE SELECTED LOCATION

These percentiles provide perspective on how the selected block group or buffer area compares to the entire state or nation.

 \equiv

Report for Blockgroup: 391570215032

EJScreen Environmental and Socioeconomic Indicators Data

SELECTED VARIABLES	VALUE	STATE Average	PERCENTILE In state	USA AVERAGE	PERCENTILE IN USA
POLLUTION AND SOURCES					
Particulate Matter (µg/m ³)	8.76	9.18	28	8.08	67
Ozone (ppb)	58.7	61.4	17	61.6	29
Diesel Particulate Matter (µg/m ³)	0.116	0.261	4	0.261	21
Air Toxics Cancer Risk* (lifetime risk per million)	20	24	0	28	3
Air Toxics Respiratory HI*	0.2	0.25	0	0.31	4
Toxic Releases to Air	830	10,000	15	4,600	56
Traffic Proximity (daily traffic count/distance to road)	6.7	110	15	210	13
Lead Paint (% Pre-1960 Housing)	0.26	0.44	33	0.3	54
Superfund Proximity (site count/km distance)	0.067	0.094	65	0.13	53
RMP Facility Proximity (facility count/km distance)	0.15	0.49	39	0.43	46
Hazardous Waste Proximity (facility count/km distance)	0.18	1.3	30	1.9	32
Underground Storage Tanks (count/km ²)	0.2	2.9	25	3.9	32
Wastewater Discharge (toxicity-weighted concentration/m distance)	0.059	0.47	81	22	79
SOCIOECONOMIC INDICATORS			•	•	
Demographic Index	15%	28%	31	35%	21
Supplemental Demographic Index	11%	14%	41	14%	41
People of Color	3%	24%	16	39%	7
Low Income	27%	33%	47	31%	51
Unemployment Rate	2%	6%	39	6%	37
Limited English Speaking Households	0%	1%	0	5%	0
Less Than High School Education	7%	10%	50	12%	47
Under Age 5	9%	6%	78	6%	78
Over Age 64	15%	18%	41	17%	46
Low Life Expectancy	19%	21%	30	20%	45

Abjesel particulate matter, air toxics cancer risk, and air toxics respiratory hazard index are from the EPA's Air Toxics Data Update, which is the Agency's ongoing, comprehensive evaluation of air toxics in the United States. This effort aims to prioritize air toxics, emission sources, and locations of interest for further study. It is important to remember that the air toxics data presented here provide broad estimates of health risks over geographic areas of the country, not definitive risks to specific individuals or locations. Cancer risks and hazard indices from the Air Toxics Data Update are reported to one significant figure and any additional significant figures here are due to rounding. More information on the Air Toxics Data Update can be found at: https://www.epa.gov/haps/air-toxics-data-update.

Sites reporting to EPA within defined area:

Superfund	0
Hazardous Waste, Treatment, Storage, and Disposal Facilities	0
Water Dischargers	1
Air Pollution	0
Brownfields	0
Toxic Release Inventory	0

Other community features within defined area:

Schools	2
Hospitals	0
Places of Worship	0

Other environmental data:

Air Non-attainment No)
Impaired Waters	s

Selected location contains American Indian Reservation Lands*
Selected location contains a "Justice40 (CEJST)" disadvantaged community
Selected location contains an EPA IRA disadvantaged community

Report for Blockgroup: 391570215032

EJScreen Environmental and Socioeconomic Indicators Data

HEALTH INDICATORS					
INDICATOR	HEALTH VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Low Life Expectancy	19%	21%	30	20%	45
Heart Disease	7.9	7.2	66	6.1	83
Asthma	10.1	10.7	40	10	58
Cancer	7.7	6.6	81	6.1	84
Persons with Disabilities	14.7%	14.8%	53	13.4%	63

CLIMATE INDICATORS					
INDICATOR	HEALTH VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Flood Risk	20%	7%	92	12%	85
Wildfire Risk	0%	0%	0	14%	0

CRITICAL SERVICE GAPS					
INDICATOR	HEALTH VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Broadband Internet	8%	15%	32	14%	38
Lack of Health Insurance	3%	7%	18	9%	17
Housing Burden	No	N/A	N/A	N/A	N/A
Transportation Access	Yes	N/A	N/A	N/A	N/A
Food Desert	No	N/A	N/A	N/A	N/A

Footnotes

Report for Blockgroup: 391570215032

Environmental Justice (CEST and EA)

General requirements	Legislation	Regulation		
Determine if the project creates	Executive Order 12898			
adverse environmental impacts				
upon a low-income or minority				
community. If it does, engage				
the community in meaningful				
participation about mitigating				
the impacts or move the				
project.				
References				
https://www.hudexchange.info/environmental-review/environmental-justice				

HUD strongly encourages starting the Environmental Justice analysis only after all other laws and authorities, including Environmental Assessment factors if necessary, have been completed.

1. Were any adverse environmental impacts identified in any other compliance review portion of this project's total environmental review?

 \Box Yes \rightarrow Continue to Question 2.

2. Were these adverse environmental impacts disproportionately high for low-income and/or minority communities?

□Yes

Explain:

 \rightarrow Continue to Question 3. Provide any supporting documentation.

□No

Explain:

 \rightarrow Continue to the Worksheet Summary and provide any supporting documentation.

 $[\]boxtimes$ No \rightarrow Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.

3. All adverse impacts should be mitigated. Explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

□ Mitigation as follows will be implemented:

 \rightarrow Continue to Question 4.

 \Box No mitigation is necessary.

Explain why mitigation will not be made here:

 \rightarrow Continue to Question 4.

4. Describe how the affected low-income or minority community was engaged or meaningfully involved in the decision on what mitigation actions, if any, will be taken.

 \rightarrow Continue to the Worksheet Summary and provide any supporting documentation.

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

See EJ report.

Are formal compliance steps or mitigation required?

 \Box Yes

🖾 No



OHIO HISTORIC PRESERVATION OFFICE: RESOURCE PROTECTION AND REVIEW

Section 106 Review - Project Summary Form

For projects requiring a license from the Federal Communications Commission, please use FCC Forms 620 or 621. <u>DO NOT USE THIS FORM</u>.

SECTION 1: GENERAL PROJECT INFORMATION

All contact information provided must include the name, address and phone number of the person listed. Email addresses should also be included, if available. Please refer to the Instructions or contact an OHPO reviewer (mailto:Section106@ohiohistory.org) if you need help completing this Form. Unless otherwise requested, we will contact the person submitting this Form with questions or comments about this project.

Date:	7/17/2023		
Name/Affiliation of person submitting form: Erin Wright, OMEGA			
Mailing Add	tress:	326 Highland Avenue, S	Suite B
Phone/Fax/Email:		330-243-0133/ewright@omegadistrict.org	

- A. Project Info:
 - This Form provides information about: New Project Submittal: YES NO

Additional information relating to previously submitted project: YES $\begin{tabular}{c} NO \\ \hline NO \\ \hline \end{array}$

OHPO/RPR Serial Number from previous submission:

2. Project Name (if applicable): Food Truck Park

3. Internal tracking or reference number used by Federal Agency, consultant, and/or applicant to identify this project (if applicable): N/A

- B. Project Address or vicinity: Main Street
- C. City/Township: Tuscarawas
- D. County: Tuscarawas County
- E. Federal Agency and Agency Contact. *If you do not know the federal agency involved in your project, please contact the party asking you to apply for Section 106 Review, not OHPO, for this information. HUD Entitlement Communities acting under delegated environmental review authority should list their own contact information.*

CDBG – Julie.Cornwell@development.ohio.gov

F. Type of Federal Assistance. *List all known federal sources of federal funding, approvals, and permits to avoid repeated reviews.*

CDBG – Julie.Cornwell@development.ohio.gov

- G. State Agency and Contact Person (if applicable): N/A
- H. Type of State Assistance: N/A
- I. Is this project being submitted at the direction of a state agency **solely** under Ohio Revised Code 149.53 or at the direction of a State Agency? *Answering yes to this question means that you are sure that <u>no</u> federal funding, permits or approvals will be used for any part of your project, and that you are seeking comments only under ORC 149.53.*

YES NO

J. Public Involvement- Describe how the public has been/will be informed about this project and its potential to affect historic properties. Please summarize how they will have an opportunity to provide comments about any effects to historic properties. (This step is required for all projects under 36 CFR § 800.2):

The Village has discussed this project in local council meetings and 2 public meetings.

K. Please list other consulting parties that you have contacted/will contact about this project, such as Indian Tribes, Certified Local Governments, local officials, property owners, or preservation groups. (See 36 CFR § 800.2 for more information about involving other consulting parties). Please summarize how they will have an opportunity to provide comments:

The Village officials have discussed this project at open council meetings. Therefore, the Village council members have been informed of all steps of the project.

SECTION 2: PROJECT DESCRIPTION AND AREA OF POTENTIAL EFFECTS (APE)

Provide a description of your project, its site, and geographical information. You will also describe your project's Area of Potential Effects (APE). Please refer to the Instructions or contact an OHPO reviewer if you need help with developing the APE or completing this form.

This proposed project will provide an area for food trucks to gather, draw community members, and people into the village. There will be a drive (road) for trucks to pull in and back into. A seating area, and a walking path to the gazebo for additional seating. Most importantly, adequate social distance spacing will be available outdoors so people will be able to gather safely should a pandemic recur or have the option for convenient take-out for dining at home. In addition, there will be a playground pod. During the pandemic, outdoor activities were highly encouraged, and the play pod will provide another option for outdoor recreation for children that can be safely used with appropriate adult supervision even during a pandemic.

1 gazebo = 1 structure 2" - 150 LF waterline = 1 general park improvement 15" - 50 LF Storm pipe = 1 general park improvement Concrete pavement – 2655 SF = pavement/landscaping 50 If asphalt = convert to parking spaces 6 café tables = 6 trees, benches, streetlights, and planters 1 play pod = 1 structure 140 If of curb = 140 linear feet of walkway 115 CY asphalt = convert to parking spaces 3 electrical outlets = 3 items of equipment installed/repaired

3 light fixtures = 3 trees, benches, streetlights, and planters

For challenging projects, provide as much information as possible in all sections, and then check the box in Section 5.A. to ask OHPO to offer preliminary comments or make recommendations about how to proceed with your project consultation. This is recommended if your project involves effects to significant historic properties or if there may be challenging procedural issues related to your project. Please note that providing information to complete all Sections will still be required and that asking OHPO for preliminary comments may tend to delay completion of the review process for some projects.

- A. Does this project involve any Ground-Disturbing activity: YES NO (If Yes, you must complete all of Section 2.A. If No, proceed directly to Section 2. B.)
 - 1. General description of width, length and depth of proposed ground disturbing activity:

This proposed project will provide an area for food trucks to gather, draw community members, and people into the village. There will be a drive (road) for trucks to pull in and back into. A seating area, and a walking path to the gazebo for additional seating. Most importantly, adequate social distance spacing will be available outdoors so people will be able to gather safely should a pandemic recur or have the option for convenient take-out for dining at home. In addition, there will be a playground pod. During the pandemic, outdoor activities were highly encouraged and the playpod will provide another option for outdoor recreation for children that can be safely used with appropriate adult supervision even during a pandemic.

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2. Narrative description of previous land use and past ground disturbances, if known:

The previous land use was residential, and this proposed project will have limited ground disturbances.

3. Narrative description of current land use and conditions:

Vacant land that the Village owns. The proposed project will have limited ground disturbances.

- 4. Does the landowner know of any archaeological resources found on the property? YES NO If yes, please describe:
- B. Submit the exact project site location on a USGS 7.5-minute topographic quadrangle map for all projects. Map sections, photocopies of map sections, and online versions of USGS maps are acceptable as long as the location is clearly marked. Show the project's Area of Potential Effects (APE). It should be clearly distinguished from other features shown on the map:
 - 1. USGS Quad Map Name: New Philadelphia Quadrangle, Ohio

- 2. Township/City/Village Name: Village of Tuscarawas
- C. Provide a street-level map indicating the location of the project site; road names must be identified and legible. Your map must show the exact location of the boundaries for the project site. Show the project's Area of Potential Effects (APE). It should be clearly distinguished from other features shown on the map:
- D. Provide a verbal description of the APE, including a discussion of how the APE will include areas with the potential for direct and indirect effects from the project. Explain the steps taken to identify the project's APE, and your justification for the specific boundaries chosen:
- E. Provide a detailed description of the project. This is a critical part of your submission. Your description should be prepared for a cold reader who may not be an expert in this type of project. The information provided must help support your analysis of effects to historic properties, not other types of project impacts. Do not simply include copies of environmental documents or other types of specialized project reports. If there are multiple project alternatives, you should include information about all alternatives that are still under active consideration:

This proposed project will provide an area for food trucks to gather, draw community members, and people into the village. There will be a drive (road) for trucks to pull in and back into. A seating area, and a walking path to the gazebo for additional seating. Most importantly, adequate social distance spacing will be available outdoors so people will be able to gather safely should a pandemic recur or have the option for convenient take-out for dining at home. In addition, there will be a playground pod. During the pandemic, outdoor activities were highly encouraged and the playpod will provide another option for outdoor recreation for children that can be safely used with appropriate adult supervision even during a pandemic.

SECTION 3: IDENTIFICATION OF HISTORIC PROPERTIES

Describe whether there are historic properties located within your project APE. To make that determination, use information generated from your own Background Research and Field Survey. Then choose one of the following options to report your findings. Please refer to the Instructions and/or contact an OHPO reviewer if you are unsure about how to identify historic properties for your project.

If you read the Instructions and you're still confused as to which reporting option best fits your project, or you are not sure if your project needs a survey, you may choose to skip this section, but provide as much supporting documentation as possible in all other Sections, then check the box in Section 5.A. to request preliminary comments from OHPO. After reviewing the information provided, OHPO will then offer comments as to which reporting option is best suited to document historic properties for your project. Please note that providing information to complete this Section will still be required and that asking OHPO for preliminary comments may tend to delay completion of the review process for some projects.

Recording the Results of Background Research and Field Survey:

A. Summary of discussions and/or consultation with OHPO about this project that demonstrates how the Agency Official and OHPO have agreed that no Field Survey was necessary for this project (typically due to extreme ground disturbance or other special circumstances). Please <u>attach copies</u> of emails/correspondence that document this agreement. You must explain how the project's potential to affect both archaeological and historic resources were considered.

- B. A table that includes the minimum information listed in the OHPO Section 106 Documentation Table (which is generally equivalent to the information found on an inventory form). This information must be printed and mailed with the Project Summary Form. To provide sufficient information to complete this Section, you must also include summary observations from your field survey, background research and eligibility determinations for each property that was evaluated in the project APE.
- C. OHI (Ohio Historic Inventory) or OAI (Ohio Archaeological Inventory) forms- New or updated inventory forms may be prepared using the OHI pdf form with data population capabilities, the Internet IForm, or typed on archival quality inventory forms. To provide sufficient information to complete this Section, you must include summary observations from your field survey and background research. You must also include eligibility determinations for each property that was evaluated in the project APE
- D. A historic or archaeological survey report prepared by a qualified consultant that meets professional standards. The survey report should meet the Secretary of the Interior's Standards and Guidelines for Identification and OHPO Archaeological Guidelines. You may also include new inventory forms with your survey, or update previous inventory forms. To complete this section, your survey report must include summary observations from your field survey, background research and eligibility determinations for each property that was evaluated within the APE.
- E. Project Findings. Based on the conclusions you reached in completing Section 3, please choose one finding for your project. There are (mark one): Historic Properties Present in the APE: No Historic Properties Present in the APE:

SECTION 4: SUPPORTING DOCUMENTATION

This information must be provided for all projects.

- A. Photographs must be keyed to a street-level map, and should be included as attachments to this application. Please label all forms, tables and CDs with the date of your submission and project name, as identified in Section 1. You must present enough documentation to clearly show existing conditions at your project site and convey details about the buildings, structures or sites that are described in your submission. Faxed or photocopied photographs are not acceptable. See Instructions for more info about photo submissions or 36 CFR § 800.11 for federal documentation standards.
 - 1. Provide photos of the entire project site and take photos to/from historic properties from/towards your project site to support your determination of effect in Section 5.
 - 2. Provide current photos of all buildings/structures/sites described.
- B. Project plan, specifications, site drawings and any other media presentation that conveys detailed information about your project and its potential to affect historic properties.
- C. Copies or summaries of any comments provided by consulting parties or the public.

SECTION 5: DETERMINATION OF EFFECT

A. Request Preliminary Comments. For challenging projects, provide as much

information as possible in previous sections and ask OHPO to offer preliminary comments or make recommendations about how to proceed with your project consultation. This is recommended if your project involves effects to significant historic properties, if the public has concerns about your project's potential to affect historic properties, or if there may be challenging procedural issues related to your project. Please be aware that providing information in all Sections will still be required and that asking OHPO for preliminary comments may tend to delay completion of the review process for some projects.

- 1. We request preliminary comments from OHPO about this project: YES NO
- Please specify as clearly as possible the particular issues that you would like OHPO to examine for your project (for example- help with developing an APE, addressing the concerns of consulting parties, survey methodology, etc.): Determination of Environment Review and Categorically Subject to 58.6
- B. **Determination of Effect.** If you believe that you have gathered enough information to conclude the Section 106 process, you may be ready to make a determination of effect and ask OHPO for concurrence, while considering public comments. Please select and mark one of the following determinations, then explain the basis for your decision on an attached sheet of paper:

No historic properties will be affected based on 36 CFR § 800.4(d) (1). Please explain how you made this determination:

Not in a floodplain, wetland, and was previously disturbed ground. Limited construction will take place and consists of roadway and parking for food truck drive and parking. Water hook up will take place, but waterline exist in the area already.

- **No Adverse Effect** [36 CFR § 800.5(b)] on historic properties. This finding cannot be used if there are no historic properties present in your project APE. Please explain why the Criteria of Adverse Effect, [36 CFR Part 800.5(a) (1)], were found not to be applicable for your project:
- Adverse Effect [36 CFR § 800.5(d) (2)] on historic properties. Please explain why the criteria of adverse effect, [36 CFR Part 800.5(a) (1)], were found to be applicable to your project. You may also include an explanation of how these adverse effects might be avoided, reduced or mitigated:

Please send completed form and supporting documentation to our office through the <u>section106@ohiohistory.org</u> e-mail address. Note that file size is limited to 30 MB. The Ohio SHPO has a federally mandated review time of 30 calendar day. To check your submission was received and logged in for our review, please visit <u>https://www.ohiohistory.org/preserve/state-historic-preservation-office/hpreviews/section-106-project-status</u>.

Location Map

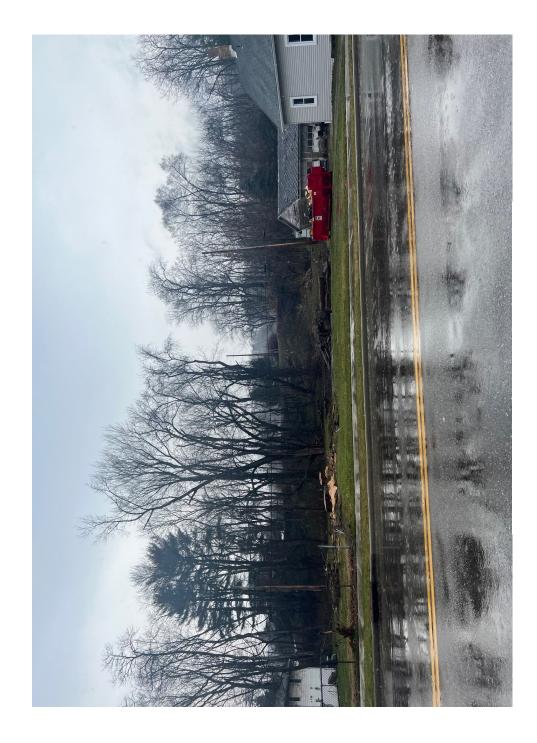


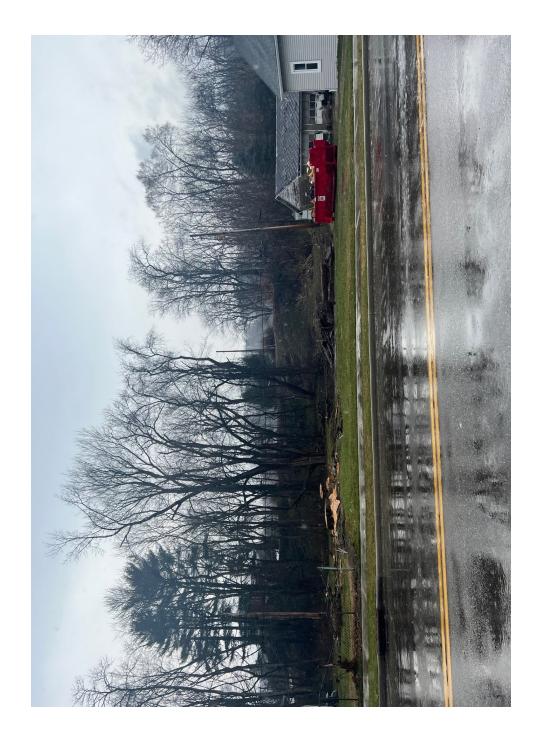
U.S. Department of Housing and Urban Development, Web AppBuilder for


Esri Community Maps Contributors, West Virginia GIS, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA |











September 3, 2023

Tuscarawas County Commissioner's Office 125 E. High Avenue, New Philadelphia, Ohio 44663 330-365-3240

To All Interested Agencies, Groups, and Individuals:

On or about, but not before, October 3, 2023 the Tuscarawas County Commissioner's on behalf of the Village of Tuscarawas will submit a request to the State of Ohio for the release of Federal funds under Section 104 (g) of Title I of the Housing and Community Development Act of 1974, as amended; Section 288 of Title II of the Cranston Gonzales National Affordable Housing Act (NAHA), as amended; and/or Title IV of the Stewart B. McKinney Homeless Assistance Act, as amended; to be used for the following project(s):

Tuscarawas Food Truck

CDBG Targets of Opportunity Cares- CV Grant Project

The proposed project would provide an area for food trucks to gather, draw community members, and people into the village on village-owned public property. A seating area and a walking path to a gazebo will be included for additional seating. Adequate social distance spacing will be available outdoors so people will be able to gather safely or have the option of convenient take-out for dining at home.

This is a single – year project. Village of Tuscarawas – Main Street \$330.000

The activities proposed are categorically excluded under U.S. Department of Housing and Urban Development (HUD) regulations at 24 CFR Part 58 from National Environmental Policy Act (NEPA) requirements. An Environmental Review Record (ERR) that documents the environmental determinations for the project is available for review on the Ohio Mid-Eastern Governments Association website at omegadistrict.org and the Village of Tuscarawas website at tuscvg.org and a hard copy is on file at Tuscarawas County Commissioner's Office, 125 E. High Avenue, New Philadelphia, Ohio 44663 and the Village of Tuscarawas (Village Hall) 522 E. Cherry Streeet, Tuscarawas, Ohio 44682 and may be examined or copied weekdays 8 A.M to 12 P.M.) at both locations. The ERR may also be provided upon request electronically via email. Please submit your request by U.S. mail to 326 Highland Avenue, Suite B, Cambridge, OH 43725 or by email to ewright@omegadistrict.org.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to the Tuscarawas County Commissioners by U.S. mail or email at the addresses above. All comments received before September 15, 2023, will be considered by the Tuscarawas County Commissioners prior to authorizing submission of a request for release of funds.

ENVIRONMENTAL CERTIFICATION

The Tuscarawas County Commissioners certifies to the State of Ohio that Chris Abbuhl in his capacity as President of the Tuscarawas County Commissioners consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. The State of Ohio's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the Tuscarawas County Commissioners on behalf of the Village of Tuscarawas to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS

The State of Ohio will accept objections to its release of funds and the Tuscarawas County Commissioners certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of the Tuscarawas County Commissioner's; (b) the Tuscarawas County Commissioners has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR part 58; (c) the grant recipient or other participants in the development process have committed funds, incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by the State of Ohio; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to Ohio Department of Development, Office of Community Development at OCD@development.ohio.gov. Potential objectors should contact the State of Ohio to verify the actual last day of the objection period.

Chris Abbuhl, President of the Tuscarawas County Commissioner and Dana Moore, Village of Tuscarawas