

# **DRAFT GENERIC ENVIRONMENTAL ASSESSMENT**

Public access site development  
projects for the State of Ohio

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## **1. Purpose and Need**

### ***1.1 Purpose***

The project purpose is to provide one to four renovated or new boating access facilities annually on public lakes and streams to provide adequate access for those interested in fishing, hunting, boating, canoeing, and wildlife observation. Other benefits include enhanced safety for users and improved access for fisheries management purposes and code enforcement.

### ***1.2 Need***

It is the goal of the State of Ohio to provide, maintain, and improve access to navigable waters of the state. Under this law, the Division of Wildlife (DOW) shall work with local units of government, other state and federal agencies, and non-governmental organizations, to acquire, develop, maintain and improve public access sites.

### ***1.3 Decisions That Need to be Made***

The U. S. Fish & Wildlife Service's Regional Director at Bloomington, MN will select an alternative and will determine, based on the facts and recommendations contained herein, whether this Environmental Assessment (EA) is adequate to support a Finding of No Significant Impact decision, or whether an Environmental Impact Statement (EIS) will need to be prepared.

### ***1.4 Background***

Angling and boating are two popular recreational activities in Ohio and access to Ohio's waters is a critical component of the Division of Wildlife's strategic plan. The number of recreational watercraft registered in Ohio has grown four fold from the 1960s to 2000s; ranking Ohio in the top ten nationally. Ohio boaters have thousands of acres of water on which to recreate; including 312 miles of Lake Erie shoreline, 86 inland lakes of at least 100 acres in size, and an extensive system of rivers and streams that includes over 451 miles of the Ohio River.

Because Ohio ranks in the top ten in both population size and the number of registered boats, there is a high demand for both shoreline and boating access sites. The goal is to maintain a network of functional and safe sites that satisfy the growing need for access to Ohio's waters. This will be accomplished through the development of new access sites as demand warrants, maintain current access sites that are safe and functional, and ensure that the public has access to Ohio's vast network of rivers and streams.

For the purposes of this assessment, access facilities are defined as public use facilities on a creek, stream, river, pond, reservoir or lake which serve to provide the opportunity for the public to enter said water body for the purpose of recreation. Typical facilities may be as simple as a graveled entrance road and 5-car parking lot, or as complex as a site with paved roadways and parking for up to 75 vehicles with trailers, additional single-car parking, toilet facilities, docks, boat ramp(s), loading platform, sidewalks, and bulletin board. The "footprint" of access facilities varies with the extent of development. Generally, access facilities on smaller water

bodies will have a smaller footprint, usually less than 1.5 acres of total disturbance. Larger facilities are located on larger water bodies and impact larger areas, up to 10 acres, including an occasional long entrance roadway. Regardless of size, access sites serve powered and non-powered boats and in most cases provide bank fishing access for those who don't own boats.

New and improved access facilities will address increasing demand for recreational facilities generated by increasing boat ownership. Existing sites may require renovation and reconstruction from time to time to accommodate routine wear-and-tear, to repair flood damage, and to respond to changing needs brought on by new products and increases in the size and power of recreational equipment. Boating access project activities include the following:

### ***Location of Work***

The project covers all navigable waters throughout the State of Ohio. Access development projects will occur on state-owned land, or on land owned by other political entities which DOW has either leased or included in a Cooperative Agreement, MOA, or MOU for access development. Locations include large impoundments/reservoirs, large rivers, small rivers and streams, and other lakes and tailwaters.

### ***Access Program Funding***

The Sport Fish Restoration Act (SFR), as amended, currently requires that each state shall allocate 15 percent of the funds apportioned to it for the payment of up to 75 percent of the costs of acquisition, development, renovation, or improvement of facilities (and auxiliary facilities necessary to ensure the safe use of such facilities) that create, or add to, public access to the waters of the United States to improve the suitability of such waters for recreational boating purposes.

Division of Wildlife's Boater-Angler Fund comes from Ohio's Motor Fuel Tax. DOW receives 1/8 percent of this tax annually. The monies are to be used for boating access construction, improvements and maintenance on lakes which the operation of gasoline-powered watercraft is permissible.

### ***Laws and Directives***

#### **Sec. 404 and 401, Clean Water Act**

Section 404 and 401 permits for access development projects are required by the Army Corps of Engineers (ACOE) and Ohio EPA if the projects meet certain thresholds for discharged dredge or fill materials into waters of the State including streams, lakes and wetlands.

#### **Americans with Disabilities Act (ADA); Section 504 of the Rehabilitation Act of 1973**

All access development projects will be designed to comply with the ADA, using the Americans with Disabilities Act Architectural Guidelines (ADAAG). All site renovations include provisions to bring older sites into ADA compliance.

With the provision of federal funds, the following laws and Presidential Executive Orders would

apply, and compliance will be achieved (*see also Environmental Consequences Section*):

- Endangered Species Act
- National Historic Preservation Act
- Executive Order 11988, Floodplain Management
- Executive Order 11990, Protection of Wetlands
- Executive Order 13112, Invasive Species

### ***Issues And Concerns***

The continuing increase in the amount of boat registrations coupled with high angling pressure and the popularity of recreational boating, has caused an increased demand for existing facilities.

There has been only limited controversy about the access development program. Where controversy has arisen, it has been handled on a case-by-case basis. Since land purchases are made only from willing sellers and part of the public record, most concerns are addressed during the acquisition stage. In some few cases, a public meeting may be held to present to the public the planned project and allow the public to comment on the proposed work.

### ***1.5 Duration***

This Generic Environmental Assessment is in place for a ten year period. During the last year the EA will go through a review process to evaluate the success of the document and identify any improvements or modifications that may be needed in future revisions.

## **2. Alternatives**

### ***2.1 Alternatives Not Considered for Analysis***

Public/private partnerships to provide water access was not selected as a possible alternative due to the many issues which typically separate the two entities. Private access sites invariably include launch fees and perhaps marina services. Government processes and potential conflicts between public and private users precludes detailed analysis of this concept at this time.

### ***2.2 Alternative A - No Federal Funding***

This alternative would not involve the approval of SFR funding for proposed access site development and renovation projects. Project work would still need to continue to furtherance DOW's mission, though likely at a severely scaled back level. Fewer facilities would be renovated and/or constructed. The state would likely be unable to expend the mandated 15% of their SFR apportionment on other eligible activities, and would face reversion of these funds. Public needs for boat access facilities would not be adequately addressed.

### ***2.3 Alternative B - Dependence Upon Private Accesses***

Under Alternative C existing state facilities would continue to be functional, though development of new sites would rely heavily on the private sector to provide access facilities for

public use. Facilities would only be constructed where a profit would be likely, and so many parts of the state that are more remote would not have access for people wanting a more natural, primitive experience. Listed species, cultural resources, floodplains, and wetlands would likely receive minimal review or concern, unless the ACOE permitting process was involved. Invasive species, environmental justice, public controversy, no access waterway, traffic flow and safety, and cumulative impact issues are generally given less consideration in the development and operation of private facilities. The ability to meet demand for more facilities would be largely unmet except in a few instances where it would be economically viable.

#### ***2.4 Alternative C - No Action/Continued Federal Funding for Access Sites (Proposed Action)***

The proposed action is to continue to provide funding through Federal Aid in Sport Fish Restoration to develop or renovate one to four access facilities annually and conduct maintenance at all sites as needed. Maintenance activities would include but not limited to repairs to access roads, parking lots, boat ramps and docks. Alternative D will ensure that the public's needs for safe recreational boating and fishing facilities are met. Federal laws applicable to Federally funded activities and projects provides assurance that facilities provided will not negatively impact endangered species, cultural resources, floodplains or wetlands. Any public controversy, invasive species, environmental justice, no access waterway, or traffic flow and safety issues that surface would also be reviewed and addressed. Criteria in Chapter 4 identifies when conditions of possible negative impact exist and circumstances that indicate that a site specific EA should be considered. In accordance with federal requirements, a written site specific review will be provided for each proposed site. This written review will address each issue listed in attached Table 1 and specifically state the status of the issue and whether the site specific situation "triggers" the need for additional review concerning the need for a site specific EA. This site specific review will be submitted in a tabular form that states the site situation for each issue (see example, Appendix 1). Compliance will be assured through the NEPA and Section 7 processes.

##### ***2.4.1 Avoidance and Mitigation of Impacts for Alternative C***

###### Listed Species

Section 7 of the Endangered Species Act requires every Federal agency to insure that any action it funds is not likely to jeopardize the continued existence of any listed species, or result in the destruction or adverse modification of critical habitat. Prior to approval of each Grant Agreement, a two phase consultation process is completed: Phase I involves completion of a Phase I Federal Aid Section 7 Evaluation Form for the project, and signed by the Endangered Species Coordinator and the Federal Aid Coordinator. The Phase I Form includes: 1) Identification of Federally listed, proposed, or candidate endangered or threatened species, and/or designated critical habitat that occur within the project area; 2) a project description consisting of a State review and recommendation about the effects of the proposed project on species and/or designated critical habitat occurring within the project area and; 3) documentation of the State's recommendation, if the project is either "not likely to adversely affect", or "likely to adversely affect" species or critical habitat. A "likely to adversely affect" designation would indicate the need for further consultation with the Service to determine if a site specific document is necessary. If this generic EA is determined not to be adequate, a site specific

document will be prepared or the project will be dropped from consideration. Phase II involves documentation of Fish and Wildlife Service concurrence with the State's recommendation.

### Cultural Resources

All development sites are reviewed by the State Historic Preservation Officer (SHPO) to ensure that the project will not impact any important cultural or architectural resource protected under Section 106, National Historic Preservation Act. No project proceeds without clearance from the SHPO. Copies of these clearances will be provided to the USFWS Regional Federal Aid Office prior to approval of Grant Agreements. Where potentially important sites are present, DOW contracts cultural resources surveys to better define the nature and extent of those resources. In almost every case, it has been possible to avoid important cultural resources sites. In those rare instances where avoidance is impossible, DOW negotiates site mitigation with the SHPO and the National Advisory Council on Historic Preservation. If important cultural resources exist that can not be addressed to SHPO satisfaction, the Service will be consulted concerning the need for a site specific EA. If this generic EA is determined not to be adequate, a site specific document will be prepared or the project will be dropped from consideration.

Indian Tribes who have requested that they be notified of Federal Aid activities within the project area will be contacted, to identify concerns that the Tribe might have about potential impacts from the project to traditional cultural properties, sacred sites, or cultural items (human remains, funerary objects, sacred objects, and objects of cultural patrimony).

### Floodplain Management

Executive Order 11988 requires, to the extent possible, the avoidance of adverse impacts associated with the occupancy and modification of floodplains and to avoid direct or indirect support of floodplain development wherever there is a practicable alternative. By their purpose, all access facilities are located in floodplains, and there is no practicable alternative to their location. Access construction involving any modification to the floodplain is designed to avoid or minimize impacts to property and facilities. Access design is certified as "no rise" by the engineers charged with facility design so that no increase in flood peak is caused by the access development. Facilities will be modified to the extent possible to minimize any negative impacts to the flood plain. If major floodplain problems exist that can not be addressed, the Service will be consulted for advice and guidance for the need for a site specific EA. If this generic EA is determined not to be adequate, a site specific document will be prepared or the project will be dropped from consideration.

### Protection of Wetlands

Executive Order 11990 requires, to the extent possible, the avoidance of adverse impacts associated with the destruction or modification of wetlands and to avoid direct or indirect support of new construction in wetlands whenever there is a practicable alternative. Wetland impacts are avoided where possible when planning boating access sites. Any impacts that may occur are resolved through the Section 404 and 401 permit process with the Corps of Engineers and Ohio EPA, usually through mitigation. If the net loss of wetlands is more than 5 acres or if any net loss of wetlands occurs due to any access development project that can't be adequately mitigated, the Service will be consulted on the need for a site specific EA. If this generic EA is determined not to be adequate, a site specific document will be prepared or the project will be

dropped from consideration.

#### Invasive Species

Executive Order 13112 is to prevent the introduction of invasive species and provide for their control and to minimize the economic, ecological, and human health impacts that invasive species cause. DOW has developed numerous invasive species awareness initiatives including; brochures and print articles. Signs placed at boat access sites, advise users to check their boats, trailers and other equipment prior to transport. Should it be shown that providing access may pose an unreasonable risk of introducing invasive species to sensitive areas, the Service will be consulted on the need for a site specific EA. If this generic EA is determined not to be adequate, a site specific document will be prepared or the project will be dropped from consideration.

#### Environmental justice

Executive Order 12898 is to prevent activities or developments that have an adverse effect on minorities and low income populations and communities. Construction of boat access facilities in Ohio is not likely to create environmental justice problems. In those areas where a large percentage of the community is made up of low income and minority citizens these types of developments will generally be of benefit. Public access to the resources is very limited and access areas will make the resources available to all. If situations arise that indicate a possible adverse affect on minorities or low income individuals, the Service will be consulted on the need for a site specific EA. If this generic EA is determined not to be adequate, a site specific document will be prepared or the project will be dropped from consideration.

#### Public Involvement

DOW is committed to working with interested and affected parties in our efforts to provide safer and improved public water access. The following summarizes typical efforts made to make information available, and to receive input:

News Releases may be provided to local news media, explaining the purpose of the development, and allowing for input. News releases provide contact information for further information or comment.

As plans are developed, DOW staff in the local area will make special efforts to notify the local interested and affected parties. The intent is to receive input that can help to improve site planning, and to identify early on, if concerns exist about our plans.

We also plan to use our web site more at [www2.ohiodnr.gov](http://www2.ohiodnr.gov) to provide notice of boating access developments, and to allow for public involvement.

Also, boat access development/renovation projects may require Section 404 Clean Water Act Permits from the U.S. Army Corps of Engineers. This permitting process includes additional Public Notice and opportunity for comment.

If interested/affected parties have issues or concerns associated with proposed developments, efforts are made to address them to the extent possible through accommodations such as special regulations, design modifications, buffers or screening. If concern or opposition persists after

these avenues have been explored, the Fish and Wildlife Service will be consulted on the need to develop site specific EA. If this generic EA is determined not to be adequate, a site specific document will be prepared or the project will be dropped from consideration.

#### No Access Waterway

A no access waterway is a water body that has had no public access facilities and access is under the total control of private landowners. This is not likely to be an issue since there are few, if any, streams or impoundments with a waters-of-the-state designation that are totally controlled by private landowners and could be considered as having no existing opportunity for public access available in Ohio. If the rare situation arises where it is possible this could be an issue, the Service will be consulted on the need for a site specific EA. If this generic EA is determined not to be adequate, a site specific document will be prepared or the project will be dropped from consideration.

#### Traffic Flow and Safety

Access developments are located on improved high use roadways when possible. If necessary, consultation is made with local governments to insure hazard conditions are not created. Consideration is also given to addressing any issues associated with major increase in traffic, both land and water based. Issues concerning drastically increased vehicle use on secondary roads and overcrowding and congestion on the water way are evaluated on a case by case basis. If the situation arises where public complaint can not be satisfactorily addressed or there appears that unacceptable safety concerns exist, the Service will be consulted on the need for a site specific EA. If this generic EA is determined not to be adequate, a site specific document will be prepared or the project will be dropped from consideration.

### **3. Affected Environment**

Discussion of the affected environment for this statewide proposal is tiered, from a summary of Ohio's management categories; to a discussion of rivers, streams and reservoirs, including description of impacts for typical access developments for the various project types.

#### ***3.1 Statewide Natural Divisions***

Ohio distributes resources for boat access activities among three categories: Lake Erie, inland lakes/reservoirs and streams, and the Ohio River. This characterization mimics the designation of the management strategies for Ohio fisheries. Anglers responding to a 2009 on-line survey indicated 50% most often fish inland lakes/reservoirs, 18% for Lake Erie, 7% for rivers and streams and 3% for the Ohio River

The Lake Erie fishery is very important to Ohio. The world class walleye and yellow perch fishery supports over 90% of the total Ohio sport catch and 80% of the total effort on Lake Erie. It is estimated that over \$800 million is contributed to the Ohio economy from this fishery. The 312 miles of Lake Erie shoreline along Ohio provides great opportunities to access the fishery.

There are more than 172 inland lakes/reservoirs  $\geq 25$  acres available for public fishing. The DOW owns very little public water and shore or bank access, thus necessitating good

relationships and cooperation with controlling authorities, landowners, and inter-jurisdictional partners. Major inland rivers such as Great Miami River, Maumee River, Cuyahoga River and the Scioto River are part of the extensive 60,000 miles of inland rivers. Based on 2010 angler survey, 62% indicated they made at least 10% of their 2009 fishing trips to inland streams and rivers with 21% indicated they fished inland streams and rivers more than 50% of their trips. 79% indicated they typically traveled less than 30 miles to fish a stream or river, 16% traveling less than 5 miles and 42% travel less than 15 miles.

The entire southern border of Ohio is made up of 451 miles of the Ohio River. There are nine locks and dams on the Ohio River with a variety of access locations to each of the pools behind the dams. In some pools access is very limited thus not providing angler's sufficient opportunities to the resource. DOW is committed to sustaining excellent hybrid striped bass fisheries in the Ohio River and promoting trophy catfish potential for flathead, blue and channel catfish.

### ***3.2 Site Selection Review***

Careful consideration is given to all potential access sites located within the State of Ohio. Representatives from each part of the state identify potential access projects and the projects are evaluated for eligibility and prioritized to be funded. During the evaluation process if the project does not satisfy the tactical plan requirements then modifications to the project are made or the project is removed from consideration. The current method for determining project eligibility has been deemed effective by participants.

### ***3.3 Description of Typical Public Access Site***

A property that is to be developed into a public access site will likely include the following:

- Asphalt or gravel access lane/parking lot
- Parking spaces for vehicle-trailer units
- Car-only parking
- Concrete launch pad
- Boarding/courtesy docks
- Appropriate lighting
- Appropriate landscaping
- Stormwater controls
- Shoreline protection/riprap
- Sport Fish Restoration signage

In addition, the site will comply with ADA regulations (accessible boarding dock, slope, parking spaces, etc.)

Public access sites will vary in size depending on the demand for an access facility and the size of water body. Small access sites may be two acres in size with one launch ramp and ten or fewer parking spaces. These sites may have gravel access roads and parking lots with simple concrete ramp. Large scale access sites could be up to eight acres in size with four launch ramps.

Parking would be available for 135 vehicles with designated parking spaces for vehicles with and without trailers. This size of facility would have courtesy docks of 160 feet or more. Access roads and parking lots would be made of asphalt and lighting would be encouraged if utility access is available on site.

In order to maintain the access facilities as safe and functional general maintenance will be performed on an annual and as needed basis. General maintenance activities may include but not limited to mowing grass in maintained areas, adding gravel to gravel access roads and parking lots, replacing damaged culvers and erosion control structures. Infrequent activities such as upgrading/replacing docks, piers and ramps will occur when structures have deteriorated to the point of being unsafe and nonfunctional. Asphalt access roads and parking lots will be repaved and striped on an as needed basis.

#### **4. Environmental Consequences**

##### ***4.1 Alternative A - No Federal Funding***

This Alternative would continue the DOW's Public Access Program, albeit through a diminished capacity. Where work could be accomplished, quality public access would be provided, that takes into account the numerous environmental and social considerations which need to be incorporated into such developments. The DOW's internal operational guidelines would ensure that access development is up to current environmental standards. However, with fewer funds to work with, and less work getting done, problems would soon develop with a diminished program. Possible adverse environmental consequences are addressed for Alternative B through the following processes and procedures, minimizing impact as much as possible:

##### ***4.1.1 Avoidance and mitigation of Impacts for Alternative A***

###### Listed Species

Listed species considerations are reviewed within the state to meet obligations required by law and avoid adverse impacts. The limited new developments would continue to be designed and constructed to minimize detrimental effects on species or habitats of concern.

###### Cultural Resources

All development sites are reviewed and approved by the State Historic Preservation Officer (SHPO) to ensure that the project will not impact any important cultural or architectural resource. When necessary, DOW modifies design plans to avoid important cultural resources sites. In those rare instances where avoidance is impossible, Dow negotiates site mitigation with the SHPO and the National Advisory Council on Historic Preservation. This process would continue.

###### Floodplain Management

By their purpose, all access facilities are located in floodplains, and there is no practicable alternative to their location. Regulations and permit requirements would continue to dictate the avoidance of adverse impacts associated with the occupancy and modification of floodplains and to avoid direct or indirect support of floodplain development wherever there is a practicable

alternative. Access construction involving any modification to the floodplain is designed to avoid or minimize impacts to property and facilities. Access design is certified as “no rise” by the engineers charged with facility design so that no increase in flood peak is caused by the access development. The only buildings constructed on these facilities are sealed vault toilets which are regularly pumped, and an occasional open-sided pavilion. Plans will continue to be changed and facilities modified when necessary to minimize any negative impacts to the flood plain.

#### Protection of Wetlands

Regulations and permitting requirements also assure the avoidance of adverse impacts associated with the destruction or modification of wetlands and to avoid direct or indirect support of new construction in wetlands whenever there is a practicable alternative. Wetland impacts are avoided where possible when planning boating access sites. Any impacts that may occur would continue to be resolved through the Section 404 permit process with the Corps of Engineers, usually through mitigation.

#### Invasive Species

Introduction of invasive species and provisions for their control focus on minimizing the economic, ecological, and human health impacts that invasive species cause. The State would continue to attempt to minimize the chance of introductions that would have detrimental impacts through public education and facility design considerations.

#### Environmental justice

Construction of boat access facilities in Ohio is not likely to have an adverse effect on minorities and low income populations and communities. The State would still attempt to address any identified issues.

#### Public Involvement

DOW is committed to working with interested and affected parties in our efforts to provide safer and improved public water access. The following summarizes typical efforts made to make information available, and to receive input:

News Releases may be provided to local news media, explaining the purpose of the development, and allowing for input. News releases provide contact information for further information or comment.

As plans are developed, DOW staff in the local area may make special efforts to notify the local interested and affected parties. The intent is to receive input that can help to improve site planning, and to identify early on, if concerns exist about our plans.

We also plan to use our web site more at [www2.ohiodnr.gov](http://www2.ohiodnr.gov) to provide notice of boating access developments, and to allow for public involvement.

Also, boat access development/renovation projects may require Section 404 Clean Water Act Permits from the U.S. Army Corps of Engineers. This permitting process includes additional Public Notice and opportunity for comment.

If interested/affected parties have issues or concerns associated with proposed developments, efforts are made to address them to the extent possible through accommodations such as special regulations, design modifications, buffers or screening. If concern or opposition persists after these avenues have been explored, the Fish and Wildlife Service will be consulted on the need to develop site specific EA. If this generic EA is determined not to be adequate, a site specific document will be prepared or the project will be dropped from consideration.

#### No Access Waterway

A no access waterway is a water body that has had no public access facilities and access is under the total control of private landowners. This has not been an issue since there are few, if any, streams or impoundments with a waters-of-the-state designation that are totally controlled by private landowners and could be considered as having no existing opportunity for public access available in Ohio. It is very common for local landowners to express concerns about any type of access project, especially on bodies of water which lack any type of public access. DOW will make every effort to address local concerns and issues.

The site specific worksheet submitted to the Service for each project will indicate if the proposed project is a no access waterway. If this generic EA is determined not to be adequate to address this issue, a site specific document will be prepared or the project will be dropped from consideration.

#### Traffic Flow and Safety

Access developments are located on improved high use roadways when possible. If necessary, consultation is made with local governments to insure hazard conditions are not created. Consideration is also given to addressing any issues associated with a major increase in traffic, both land and water based. Issues concerning drastically increased vehicle use on secondary roads and overcrowding and congestion on the water way are evaluated on a case by case basis. The State would continue to give consideration and look for alternative options if an issue.

#### ***4.1.2 Cumulative Impacts***

Between one to four access site developments are planned per year. This has been a very effective objective over the years, with positive results. Without Federal funding this schedule would have to be drastically reduced. This reduction will not allow us the flexibility to spread resource use as we have in the past. With fewer funds to work with and less work getting done, problems associated with overcrowding will soon develop. A diminished program would likely result in the public's alternative use of undeveloped sites on road rights-of-way, and/or by trespass on private property. Site erosion, abuse, and misuse and social problems would occur in such places. Boat access in the state would not meet boater and angler needs.

#### ***4.2 Alternative B - Dependence Upon Private Access***

Through this alternative the majority of new access facilities provided would be left up to private concerns. In many cases involving private development, regulatory compliance would be limited compared to requirements associated with federal monies. Consideration for environmental and

social concerns would be less restrictive and may have adverse affects. Possible adverse environmental consequences for Alternative C and how they would be addressed are:

#### ***4.2.1 Avoidance and Mitigation of Impacts for Alternative B***

##### Listed Species

Listed species considerations would very likely get no review, unless ACOE permitting is involved. Listed species and critical habitats could receive less protection and may adversely affect the species.

##### Cultural Resources

Likely no concern would be afforded cultural resources or historical preservation unless brought about through the ACOE permit process. Lack of knowledge contributes too little consideration being given to this issue.

##### Floodplain Management

Floodplain management receives little to no consideration under normal circumstances unless the local community has an effective permitting process established. Lack of knowledge concerning appropriate design and facility construction leads to negative environmental impacts.

##### Protection of Wetlands

Wetlands are not always evident and easy to identify. Unless obvious, they will be given little to no consideration if ACOE permitting is not involved.

##### Invasive Species

Introduction of invasive species issues is given little, if any consideration.

##### Environmental justice

This issue generally would not be given consideration. Fees, and in some cases attitudes, associated with private enterprises sometimes excludes minorities and low income citizens from access opportunities.

##### Public Involvement

Some opportunity for comment may exist if ACOE or local permitting is involved, but the public typically has reduced opportunities to provide input.

##### No Access Waterway

There is no consideration given and the only recourse for objection would be litigation.

##### Traffic Flow and Safety

Minimal consideration is normally given, except in cases where a driveway permit is necessary to exit a major highway.

#### ***4.2.2 Cumulative Impacts***

With private access development, facility design and construction may be inappropriate for the site and for the use of all citizens. State regulatory authority and ADA compliance would be

limited and rely on local zoning and building codes. Compliance with environmental and social concerns may not be given adequate attention. Many aspects associated with boat access opportunities in Ohio would suffer and boaters and anglers needs may not be met.

### ***4.3 Alternative C- No Action***

Alternative D is the proposed action. This alternative would provide sufficient funds through utilization of dedicated Federal Aid recreational boating access funds to provide quality public access while ensuring that there will be no major impacts on the environment. Adverse environmental consequences will be avoided and minimized for Alternative D as described in Section 2.4.1. Therefore, there will be minimal impacts to areas of concern as discussed below:

#### ***4.3.1 Impacts for Alternative C***

##### Listed Species

All sites will undergo a Section 7 review. A “likely to adversely affect” designation on the Section 7 form would indicate the need for further consultation with the Service to determine if a site specific document is necessary. If this generic EA is determined not to be adequate, a site specific document will be prepared or the project will be dropped from consideration. Phase II involves documentation of Fish and Wildlife Service concurrence with the State’s recommendation.

##### Cultural Resources

All development sites are reviewed by the State Historic Preservation Officer (SHPO) to ensure that the project will not impact any important cultural or architectural resource protected under Section 106, National Historic Preservation Act. No project proceeds without clearance from the SHPO. In almost every case, it has been possible to avoid important cultural resources sites. If important cultural resources exist that can not be addressed to SHPO satisfaction, the Service will be consulted concerning the need for a site specific EA. If this generic EA is determined not to be adequate, a site specific document will be prepared or the project will be dropped from consideration.

##### Floodplain Management

If major floodplain problems exist that can not be addressed, the Service will be consulted for advice and guidance for the need for a site specific EA. If this generic EA is determined not to be adequate, a site specific document will be prepared or the project will be dropped from consideration.

##### Protection of Wetlands

If the net loss of wetlands is more than 5 acres or if any net loss of wetlands occurs due to any access development project that can’t be adequately mitigated, the Service will be consulted on the need for a site specific EA. If this generic EA is determined not to be adequate, a site specific document will be prepared or the project will be dropped from consideration.

##### Invasive Species

If there is an unreasonable risk of introducing invasive species to sensitive areas, the Service will

be consulted on the need for a site specific EA. If this generic EA is determined not to be adequate, a site specific document will be prepared or the project will be dropped from consideration.

#### Environmental justice

If situations arise that indicate a possible adverse affect on minorities or low income individuals, the Service will be consulted on the need for a site specific EA. If this generic EA is determined not to be adequate, a site specific document will be prepared or the project will be dropped from consideration.

#### Public Involvement

DOW is committed to working with interested and affected parties in our efforts to provide safer and improved public water access. The following summarizes typical efforts made to make information available, and to receive input:

News Releases may be provided to local news media, explaining the purpose of the development, and allowing for input. News releases provide contact information for further information or comment.

As plans are developed, DOW staff in the local area will make special efforts to notify the local interested and affected parties. This is to receive input that can help to improve site planning, and to identify early on, if concerns exist about our plans.

We also plan to use our web site more at [www2.ohiodnr.gov](http://www2.ohiodnr.gov) to provide notice of boating access developments, and to allow for public involvement. Also, boat access development/renovation projects may require Section 404 Clean Water Act Permits from the U.S. Army Corps of Engineers. This permitting process includes additional Public Notice and opportunity for comment.

If interested/affected parties have issues or concerns associated with proposed developments, efforts are made to address them to the extent possible through accommodations such as special regulations, design modifications, buffers or screening. If concern or opposition persists after these avenues have been explored, the Fish and Wildlife Service will be consulted on the need to develop site specific EA. If this generic EA is determined not to be adequate, a site specific document will be prepared or the project will be dropped from consideration.

#### No Access Waterway

If the rare situation arises where it is possible this could be an issue, the Service will be consulted on the need for a site specific EA. If this generic EA is determined not to be adequate, a site specific document will be prepared or the project will be dropped from consideration.

#### Traffic Flow and Safety

If the situation arises where public complaint can not be satisfactorily addressed or there appears that unacceptable safety concerns exist, the Service will be consulted on the need for a site specific EA. If this generic EA is determined not to be adequate, a site specific document will be prepared or the project will be dropped from consideration.

### **4.3.2 Cumulative Impacts**

Between one to four access site developments are planned per year. As indicated in Section 3, the area of actual development for a typical site ranges from less than one acre, to two and one half acres. If an average of two acres is applied, using the high estimate of four sites per year, the annual cumulative impact for development of access facilities would affect approximately 8 acres of land. Over a ten year period, it is then estimated that less than 80 acres would be impacted. Most of the impacts would be to farm fields, and some would be to riparian trees and vegetation. In-water effects are negligible with application of construction “Best Management Practices”, and are short term. This alternative would also allow us to better address heavy use issues and environmental special concerns, such as exotic species dispersion.

The access program has been conducted under this scenario over the years with positive results. Public supported boater and angler access sites have been provided that has helped to spread resource use rather than concentrate it. Since each development is designed and built to minimize impacts on the environment, there is little if any environmental degradation. Any problems that arise are treated effectively in a timely manner. Extensive planning and periodic review insures that public accesses are targeted at appropriate lakes and streams in the proper locations. State and local regulations and permitting requirements also help minimize conflicts and abuse of the natural environment.

Environmental consequences for the three alternatives are summarized in Table 2.

## **5. List of Preparers**

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## **6. Consultation and coordination**

This EA was prepared in consultation and coordination with the USFWS Region 3 Division of Federal Aid and the USFWS Region 3 Regional Environmental Coordinator

Program field staff throughout the state, on a routine basis, consult and coordinate with a vast

network of government officials, fishing clubs, sportsmen's clubs, and the public at large as they plan and implement access site development

In addition, the DOW works closely with local governments and agencies of the federal government such as the U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service to help plan and provide access development as efficiently and wisely as possible.

## **7. Comment Period**

A Public Notice announcing the availability of the Draft EA and inviting comments was placed on the USFWS Region 3 and OH Division of Wildlife's websites. The open comment period is from August 18, 2014 to September 16, 2014. Comments should be submitted by email to: [stacy.xenakis@dnr.state.oh.us](mailto:stacy.xenakis@dnr.state.oh.us) or, by mail to:

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