



# OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 04  
2088 SOUTH ARLINGTON RD. • AKRON, OH 44306 • 330-786-3100

## **Environmental Document**

for

### **TRU SR 0088 12.60 PID 100393**

**Environmental Document Level: C2**

**Approved: 6/27/2019**

**Prepared By: District 4**

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*The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by ODOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated December 11, 2015, and executed by FHWA and ODOT.*

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## C2

<b>PID:</b>	100393
<b>Project Sponsor:</b>	DISTRICT 4-PLANNING
<b>ODOT District:</b>	4
<b>Funding Source:</b>	Federal
<b>Private Funding:</b>	No

### **Project Description:**

The Ohio Department of Transportation (ODOT) plans to improve State Route (SR) 88 in Mecca Township, Trumbull County. The project proposes to rehabilitate the existing SR 88 (Mosquito Creek Lake) causeway at the north and south fishing platforms and adjacent to the fishing access parking lots. Proposed improvements include existing erosion repair along the shoreline using Type A, rock channel protection and grout, curb installation with 4' drainage outlets and chip seal the public access parking lots along both sides of SR 88. In addition, a Type 2 turbidity curtain will be installed parallel to the shoreline for sediment control purposes during project construction.

The United States Army Corps of Engineers (Corps) is the underlying property owner of the SR 88 causeway. However, ODOT has an overlying maintenance agreement (easement) in place with the Corps. Therefore, new permanent and/or temporary right-of-way is not required to construct this project.

During construction, the north and south fishing platforms and fishing access parking lots will be closed for 14 days and 19 days, respectively, to complete the work. These closures will not occur simultaneously. The construction and fishing platform/parking lot closures will be posted near the project site prior to the start of construction. Access to all other Mosquito Lake State Park facilities will be maintained at all times throughout project construction. Two-lane two-way traffic shall be maintained on the existing SR 88 pavement at all times during project construction. Substantial traffic disruptions are not expected with the project.

Known underground or overhead utilities are not located within the project study area. Therefore, utilities will not be impacted/relocated to construct the project.

ODOT District environmental staff accessed the SHPO GIS database on May 13, 2019, and in accordance with Stipulation V(C)(1) and Appendix A of the Section 106 Programmatic Agreement executed on November 8, 2017 (Agreement No. 19319), determined the project is a type of undertaking that has 'minimal potential to cause effects' to historic properties and is not part of a larger undertaking. See the cultural resources documentation for the project in the Project File/Cultural Resources section and the Cultural Resources Tab.

Based on review of the Section 4(f)/6(f) Determination Request Form for Recreational Properties (DRF) completed for the project and submitted to ODOT-Office of Environmental Services (OES),



ODOT-OES determined the proposed project can be processed as an exception to the requirement for Section 4(f) approval. Therefore, in accordance with 23 CFR 774.13(d), the temporary occupancy of land and/or access will not constitute a use upon the protected recreational activities, features, or attributes associated with Mosquito Lake State Park. The determination was made based on the proposed scope of work and concurrence received from the Official with Jurisdiction (OWJ) regarding the assessment of impacts that are included in the DRF. See the ODOT-OES Recreational Section 4(f) Temporary No Use Exception Determination, dated June 25, 2019, for the project in the Project File/Section 4(f)/Coordination subsection as OES Recreational 4(f) Determination.pdf.

A Regulated Materials Review (RMR) form was completed for the project. Based on the information provided in the RMR form, the project is exempted from further evaluation and further environmental site assessment or special material management is not warranted for the project. See the RMR documentation for the project in the Project File/ESA/Reports subsection.

The project proposes to permanently impact 55 feet in length by 2,459 feet in width of Mosquito Creek Lake below the Ordinary High Water Mark (OHWM) elevation. See the lake impact explanation in the Permit Determination Request in the Project File/Permits/Waterways subsection as Permit Determination Request.pdf.

The project will not impact any other environmentally sensitive resources within the project study area.

ODOT District 4 conducted various public involvement activities, including a news release, District website posting and property owner/stakeholder notifications for the project. A total of 2 comments were received as a result of the public involvement activities conducted for the project. See the public involvement documentation, including the received public comments and responses to comments, in the Project File/Public Involvement/Project Information subsection.

See continuation of the project description in the Project File/General/Project Information subsection as Project Description Continued.pdf.

**STIP Reference #**

Statewide Line Item (SLI) Numbers  
11 and 32 and is fiscally constrained.

**Select the appropriate project type:**

(26) Modernization of a highway by resurfacing, restoration, rehabilitation, reconstruction, adding shoulders, or adding auxiliary lanes (including parking, weaving, turning, and climbing lanes), if the action meets the constraints in paragraph (e) of this section. *Examples include: Joint or limited use of right-of-way where the proposed use would have minimal or no adverse social (including highway safety), economic or environmental impacts; Installation of new noise walls and other new noise mitigation projects; Construction of highway safety and truck escape ramps; Construction of bicycle lanes and pedestrian walkways, sidewalks, shared-use paths, or facilities and trailhead parking that do not otherwise qualify for a C1 designation; Beautification or facility improvement projects (i.e. landscaping, curb and gutter installation and replacement, ADA ramps/curb ramps, installation of park benches, decorative lighting, etc.); Construction of alternative energy facilities (fuel tank farms, wind turbines, etc.)*



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In accordance with 23 CFR 771.117(e), the proposed project cannot be processed as a C2 CE, if it involves -  
a. Acquisition of more than a minor amount of right-of-way b. Residential or non-residential displacements c. A Coast Guard, Individual Section 404 and/or a Section 10 permit d. A Section 106 finding of Adverse Effect e. A Section 4(f) Programmatic or Individual Evaluation f. A finding of May Affect, Likely to Adversely Affect to Threatened and Endangered Species g. Construction of temporary access, or the closure of existing road, bridge, or ramps, that would result in major traffic disruptions h. Changes in access control i. Floodplain encroachment other than functionally dependent uses (e.g., bridges, wetlands) or actions that facilitate open space use (e.g., recreational trails, bicycle and pedestrian paths) j. Construction activities in, across or adjacent to a river component designated or proposed for inclusion in the National System of Wild and Scenic Rivers k. No minor public or agency controversy on environmental grounds ( no opposition from any organized groups or agencies and no unresolved environmental coordination ) l. If an EJ Analysis Report is required, the project must be processed as a D-level CE or higher level document For certification purposes, documentation is required to illustrate no significant impacts will occur to the following environmental resources and that no unusual circumstances exist that would warrant a higher level of NEPA document. Upload all supporting documentation to the project file.

<b>Waterways:</b>	Present; No Coast Guard, Individual 404, and/or Section 10 Permit required
<b>Waterways Permit Type:</b>	Permit Determination and/or Permit Application Approval Pending
<b>Isolated Wetland Permit</b>	No
<b>Endangered Species:</b>	Present; No finding of May Affect, Likely to Adversely Affect
<b>Endangered Species - Coordination</b>	No Effect
<b>100-Year Floodplain:</b>	Encroachment Within the SFHA is a Functionally Dependent Use
<b>EO 11988/NFIP Coordination and Documentation Completed:</b>	Yes
<b>NFIP Local Floodplain Coordinator Notification Date:</b>	04/04/2019
<b>Section 4(f):</b>	Present; No Programmatic Evaluation or Individual Evaluation Required
<b>Section 4(f) Determination:</b>	
Temporary No Use Exception - 774.13(d)	
<b>Section 4(f) Determination Date - 774.13(d)</b>	06/25/2019
<b>Section 6(f):</b>	Not present
<b>Cultural Resources:</b>	Present; No Finding of Adverse Effect
<b>Cultural Resources Coordination:</b>	Minimum Potential to Cause Effect Appendix A
<b>Cultural Resources Coordination - ODOT Approval/SHPO Concurrence Date</b>	05/29/2019



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**Since no Tribe was interested in this project based on their customized preferences, no further Tribal consultation was conducted.**

Projects that meet C2 criteria are not anticipated to have impacts to the following environmental resources. If resources are present, documentation is only required if there is a potential for impacts.

**Air Quality:** Studies Not Required

**Air Quality - Coordination with OES:** No

**Noise:** Studies Not Required

**Noise Coordination - OES Approval Date:** 05/29/2019

**Hazardous Materials - ESA Screening Conducted** Yes

**Hazardous Materials - OES Approval Date:** 05/15/2019

**Phase I ESA Warranted Based on Coordination with OES:** No Further Studies Warranted

**Farmland:** Non-Urbanized Area; No Impacts in Accordance With the Farmland MOU, 7 CFR 658, and ORC 929.05

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

Projects that meet C2 criteria must be in accordance with ODOT's UP Guidance and activities conducted for Public Involvement are commensurate to the project's type and scope of work.

**Underserved Populations** Does Not Exceed UP Guidance Criteria; No UP Analysis Report Required and No UP Issues Raised During Public Involvement

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

**Environmental Commitments** Yes



## Environmental Commitments

### C2

1) The project designer shall incorporate the following note into the plans: DRINKING WATER RESOURCES: CAUTION WILL BE EXERCISED DURING REFUELING OPERATIONS AND DURING CONSTRUCTION EQUIPMENT MAINTENANCE ACTIVITIES. IN CASE OF AN INCIDENT AND/OR SPILL, THE CONTRACTOR SHALL, AS SOON AS POSSIBLE, NOTIFY THE ENGINEER/SUPERVISOR AND CONTACT THE OHIO EPA: OHIO EPA SPILL REPORTING 24 HOUR EMERGENCY SERVICE CALL: 1-800-282-9378 OR NEDO (330) 963-1200 AND PROVIDE AS MUCH OF THE FOLLOWING INFORMATION AS POSSIBLE: 1. TIME OBSERVED 2. LOCATION 3. MATERIAL RELEASED 4. PROBABLE SOURCE 5. VOLUME & DURATION 6. PRESENT & ANTICIPATED MOVEMENT OF CONTAMINANT 7. PERSONNEL ON SCENE 8. ACTIONS ALREADY INITIATED 9. PERSON(S) ON THE SCENE TO CONTACT.

2) The project designer shall incorporate the following note into the plans: MOSQUITO LAKE STATE PARK: ACCESS TO THE FISHING PLATFORMS ASSOCIATED WITH MOSQUITO LAKE STATE PARK WILL BE MAINTAINED AT ALL TIMES, EXCEPT FOR THE TIME NEEDED TO TEMPORARILY RESTRICT ACCESS TO THE PROPERTY. THE DURATION SHALL BE LESS THAN THE TIME NEEDED FOR CONSTRUCTION OF THE PROJECT. TEMPORARY CONSTRUCTION FENCING WILL BE INSTALLED ALONG THE PROPOSED CONSTRUCTION LIMITS PRIOR TO THE START OF CONSTRUCTION ACTIVITIES TO PROTECT THE 4(F) PROPERTY AND THE PUBLIC. APPROPRIATE SIGNAGE WILL BE INSTALLED TO ALERT USERS OF MOSQUITO LAKE STATE PARK OF CONSTRUCTION ACTIVITIES, TEMPORARY ACCESS RESTRICTIONS OR CLOSURES, AND DIRECT USERS TO SECONDARY ACCESS POINTS. THE STAGING AND/OR STORAGE OF CONSTRUCTION EQUIPMENT OR MATERIALS SHALL NOT TAKE PLACE OUTSIDE PROPOSED CONSTRUCTION LIMITS THAT ARE WITHIN THE DEFINED BOUNDARIES OF THE 4(F) PROPERTY. THE CONTRACTOR SHALL BE REQUIRED TO CLOSELY COORDINATE THE CONSTRUCTION SCHEDULE WITH ODOT AND MOSQUITO LAKE STATE PARK MANAGER, JOSIE MCKENNA (JOSIE.MCKENNA@DNR.STATE.OH.US) OR 440-226-6534, PRIOR TO THE BEGINNING OF CONSTRUCTION ACTIVITIES. MS. MCKENNA SHALL BE INVITED TO THE PRE-CONSTRUCTION MEETING AND RECEIVE A TWO-WEEK ADVANCED NOTICE PRIOR TO THE START OF CONSTRUCTION.

3) The project designer shall incorporate the following note into the plans: WATERWAY PERMIT COMPLIANCE: ODOT WILL OBTAIN ALL NECESSARY WATERWAY PERMITS PRIOR TO PROJECT CONSTRUCTION. THE CONTRACTOR IS NOT AUTHORIZED TO PLACE ANY FILL OR WORK WITHIN ANY WATERWAY BELOW THE ORDINARY HIGH WATER MARK ELEVATION DURING CONSTRUCTION UNTIL THE PERMIT(S) ARE OBTAINED.

4) The project designer shall incorporate the following note into the plans: STAKEHOLDER NOTIFICATION: ODOT WILL PROVIDE A COPY OF THE APPROVED ENVIRONMENTAL DOCUMENT TO THE ARMY CORPS OF ENGINEERS. WILLIAM SPRING (MOSQUITO CREEK LAKE RESOURCE MANAGER) AND NORRICE KING (REAL ESTATE) SHALL BE INVITED TO THE PRE-CONSTRUCTION MEETING.



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### **Preparers and Approvals**

**Form Preparer**

District 4  
Contact: Edward Deley  
330-786-4930  
Edward.Deley@dot.ohio.gov

**Supporting Form Preparer(s):**

Sean Carpenter  
Thomas Powell

### **Approvals & Electronic Signatures**

<b>Approved &amp; Electronically Signed By:</b>	<b>Approval Date:</b>
Edward Deley (PROGRAM ADMIN 3)	6/27/2019



## Appendix

### **Ecological**

Coordination with ODNR and USFWS.pdf

ODNR Comments.pdf

ODOT Disposition of Agency Comments.pdf

### **General**

Project Description Continued.pdf

Project Related District Decision - ROW.pdf

### **Cultural Resources**

Records Check.pdf

### **General**

USGS Quadrangle Topographical Map.pdf

### **Other Resources**

Water Source Protection Area Map.pdf

Youngstown OH-PA 2010 Urban Area Boundary.pdf

### **Underserved Populations**

Census Mapping.pdf

### **Permits**

District Determination - No Floodplain Impacts.pdf

### **Public Involvement**

District Website Posting.pdf

### **Permits**

FEMA FIRM.pdf

### **Section 4(f)**

OES Recreational 4(f) Determination.pdf

### **Public Involvement**

Press Release.pdf

### **Permits**

Project Manager Floodplain Notification.pdf

### **Public Involvement**



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Property Owner Notification Letter.pdf

**Permits**

Public Explanation of Floodplain Impacts.pdf

**Public Involvement**

Public Notification Mailing List.pdf

Response to Stakeholder Comments - King.pdf

Response to Stakeholder Comments - Spring.pdf

Stakeholder Comments - King.pdf

Stakeholder Comments - Spring.pdf

Stakeholder Contact List.pdf

Stakeholder Notification.pdf

**Underserved Populations**

Underserved Populations Documentation Form.pdf