



# OHIO DEPARTMENT OF TRANSPORTATION

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

## **Environmental Document**

for

## **TRU SR 46/82 DDI PID 108547**

**Environmental Document Level: D2**

**Approved: 3/7/2022**

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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 14, 2020, and executed by FHWA and ODOT.*

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## Project Type

**Please check all of the following actions that apply (Must check at least one):**

(13) Actions described in 23 CFR 771.117 (c)(26), (c)(27), and (c)(28) that do not meet the constraints listed in 23 CFR 771.117(e).

(a) Project types that exceed thresholds in Appendix A

(b) Project types that exceed thresholds in Appendix B



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## General Project Information

### Project, Cost Schedule and Work Limits

### Project, Cost Schedule and Work Limits

Environmental Document Level:	D2
PID:	108547
Project Name:	TRU SR 46/82 DDI
Project Sponsor:	DISTRICT 4-PLANNING
ODOT District:	4
Funding Source:	Federal
Private Funding:	No
Local Public Funding:	Yes
STIP Reference #:	108547: 21-24 STIP
The next phase of the proposed project is listed on the STIP	Yes
The current cost estimate is in line with existing federal procedures for Ohio STIP Amendments and Administration Modifications	Yes
Planning and Engineering:	\$3,251,142.20
Right of Way:	\$673,911.00
Construction:	\$17,445,700.00
Other:	\$0.00
An Interchange Modification/Justification/Operations Study (IMS/IJS/IOS) was completed	Yes
Date Completed:	03/21/2019
Project Description:	



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The Ohio Department of Transportation (ODOT) proposes to improve the State Route (SR) 82/46 interchange in Howland Township, Trumbull County. The existing diamond interchange will be replaced with a Diverging Diamond Interchange (DDI). Proposed improvements include:

- Reconstruction of SR 82 pavement including entrance and exit ramps. This includes raising the profile on SR 82 to improve vertical clearance of the bridge over SR 46. The existing 4-span reinforced concrete slab bridge over SR 46 will be replaced with a 4-span rolled steel beam bridge.
- Reconstruction of SR 46 pavement from the Lowes driveway at the southern limits to 500' north of the Kettering Street intersection. The profile on SR 46 will be lowered to improve the vertical clearance of the bridge over SR 46.
- An auxiliary lane in the north bound direction is included to clear the through traffic at the westbound ramp intersection. The auxiliary lane will drop north of Kettering Street.
- Shoulders will be reconstructed, and pavement resurfaced on SR 46 from 500' north of Kettering Street to 150' south of the E. Market Street intersection, allowing for creation of two-way left turn lane.
- Sidewalk will be added along the west side of SR 46 from the Lowes Driveway at the southern limits and extend to Kettering Street on the north. On the east side of SR 46 sidewalk will be added from the SR 82 west bound exit ramp to Hunters Trail.
- Storm sewers will be replaced on SR 82 and SR 46 along with new lighting, signing and pavement marking. New signals will be installed at the SR 82 and SR46 interchange ramps.

The project will use phased maintenance of traffic to construct the project. To minimize disruptions along SR 46 and SR 82, two main phases of construction will be performed on SR 82 and three main phases on SR 46. On SR 82, a crossover will be constructed through the existing median to allow contractor full access to half of the pavement and bridge. On SR 46, temporary pavement will be used to shift SR 46 traffic allowing the contractor to first widen to the east and then to the west. Ramp closures and detours will be necessary to connect the proposed ramps from SR 82 to SR 46. Local emergency/public services and community notifications of the proposed ramp/lane closures, detours, and other maintenance of traffic measures to be implemented for the project shall be performed in accordance with ODOT Traffic Engineering Manual Notes.

Along SR 46 and the SR 82 entrance/exit ramps, temporary and permanent right of way are required to construct the improvements. Twenty-two (22) property owners will be impacted.

Relocations of existing aerial and underground utilities along SR 46 will be needed to construct the project. This includes relocation of power poles, water, gas lines along with cable and telephone. All utility relocations will occur within existing or new right of way. Coordination is ongoing with all utility companies.

The environmental document and associated studies are being approved using Stage 2 Design. No high-quality ecological resources are proposed for impact. One historic structure (E.N. Brown House) is proposed for impact. The entire parcel the historic structure is located within is considered a 4(f) Property. Coordination with the State Historic Preservation Office (SHPO) and interested stakeholders regarding impacts to the house and potential alternatives was completed. Several public involvement meetings were held to solicit and gather comments regarding the house. An Individual 4(f) Evaluation Document was completed, which evaluated various alternatives and associated impacts to the Property, as well as potential mitigation. A Draft Memorandum of Agreement (MOA) between ODOT and SHPO is currently being finalized.

- **Stage 2 Design Plans can be found in the Project File under General/Project Information**

**Limits of Proposed Work:** SR46 at SR82 in Howland Township, Trumbull County.

**Start (SLM):** 7.21

**End (SLM):** 7.61

**Total Work Length (Miles):** 0.40

**Roadway Character**

**Route Number: SR00046**

**Functional Classification:** Principal Arterial - Other Freeway/Expressway (Urban)

**Current Average Daily Traffic:** 38300



Current Average Daily Traffic Year: 2020  
 Design Year Average Daily Traffic: 46700  
 Design Average Daily Traffic Year: 2040  
 Daily Hourly Volume: 2665  
 Truck %: 4  
 Setting: Urban  
 Topography: Rolling

	Existing:	Proposed:
Design Speed (MPH):	45	45
Legal Speed (MPH):	40	40
Number of Lanes:	4	5
Type of Lanes:	Through and left turn	Through and turn
Pavement Width (ft):	70	65
Shoulder Width (ft):	4	4
Median Width (ft):	0	12
Sidewalk Width (ft):	0	5

Sufficiency Rating: 086.8  
 General Rating: 6  
 Date Built: 07/01/1957  
 Bridge Location: 1.68 MI W OF SR11  
 40. Bridge Type: 201N

**Design Criteria For Bridges**  
**Design Criteria for Bridges**

SFN: 7804652

Sufficiency Rating: 086.8  
 General Rating: 6  
 Date Built: 07/01/1957  
 Bridge Location: 1.68 MI W OF SR11

Existing:

Proposed:



Bridge Type:	201N	4 span continuous rolled steel beam bridge with composite reinforced deck, integral abutments and cap and column piers
Bridge Length (ft):	202	244
Number of Main Spans:	4	4
Max Span Length (ft):	52	76
Load Restrictions (TON):	150	120
Curb to Curb Width (ft):	58.80	82.14
Shoulder Width(ft):	4	10
Under Clearance (ft):	15.1	16.43

**Bridge Type Description:**

The proposed bridge type is a 4 span continuous rolled steel beam bridge with composite reinforced concrete deck and substructures.

**Load Restrictions Description:**

None

**Will the structure be rehabilitated or replaced as part of the project?**

Yes

**If this bridge is a historic bridge, what type is it?**

NA

**Remarks:**

None

**41. Bridge Length (ft):**

202

**42. Number of Main Spans:**

4

**43. Max Span Length (ft):**

52

**44. Load Restrictions (TON):**

150

**45. Curb to Curb Width (ft):**

58.80

**Maintenance of Traffic During Construction**

**A roadway, bridge or ramp closure is required**

Yes

**A temporary bridge or roadway is proposed**

No

**A detour is required for the proposed project**

Yes

**Access for local through traffic will be provided with appropriate signage**

Yes

**Provisions for through-traffic dependent businesses will be incorporated into project design**

No

**Provisions to accommodate any local special events or festivals will be incorporated into project design**

No

**The proposed MOT substantially impacts sensitive environmental resources**

No

**Substantial controversy is associated with the proposed MOT**

No



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**Coordination has been initiated and/or completed with local emergency services, schools, public institutions/facilities, etc.** Yes

**Remarks:**

The project will use phased maintenance of traffic to construct the project. To minimize disruptions along SR 46 and SR 82, two main phases of construction will be performed on SR 82 and three main phases on SR 46. On SR 82, a crossover will be constructed through the existing median to maintain a minimum of one lane in each direction and to allow contractor full access to half of the pavement and bridge. On SR 46, temporary pavement will be utilized to shift SR 46 traffic and maintain two northbound and southbound lanes while allowing the contractor to first widen to the east and then to the west. Ramp closures and detours will be necessary to connect the reconstructed ramps from SR 82 to SR 46. Final maintenance of traffic (MOT) plans for the project will be developed during the Stage 3 design phase. Construction, lane restrictions/reductions and ramp closures/detours information will be posted within the project construction limits prior to the start of project construction. Access shall be maintained to all adjacent properties, businesses and intersecting side streets during project construction. Substantial traffic disruptions are not expected during project construction.

Public involvement activities that were conducted for the project included available maintenance of traffic information to determine impacts and obtain feedback from stakeholders, the public and emergency/public services. The local emergency/public services attended and participated in the various public involvement activities conducted for the project. No concerns/issues were raised during the public involvement activities by the local emergency/public services, schools, public institutions, etc. Local emergency/public services and community notifications of the proposed ramp/lane closures, detours, and other maintenance of traffic measures to be implemented for the project shall be performed in accordance with ODOT Traffic Engineering Manual Notes.

**Are there any Environmental Commitments?** No

**Right of Way and Utility Involvement**

**The project requires Permanent Right-of-Way** Yes

**The project requires Permanent Easement(s)** No

**The project requires Temporary Right-of-Way** Yes

**Right of Way and Utility Involvement**

**Number of parcels impacted by Permanent Right-of-Way:** 12

**Number of parcels impacted by Temporary Right-of-Way:** 20

**Approximate acreage of Permanent Right-of-Way needed:** 2.01

**Approximate acreage of Temporary Right-of-Way needed:** 2.07

**Electrical lines, gas lines, water lines, sewer lines, phone lines or other utilities exist in the project area** Yes

**Large scale transmission facilities are located within the project area** Yes

**Private utility easements are located within the project area** No

**Coordination with identified utilities has been initiated and/or completed** Yes

**Remarks:**



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Along SR 46 and the SR 82 entrance/exit ramps, temporary and permanent right of way are required to construct the improvements. Twenty-two (22) property owners will be impacted.

Coordination with utilities has been initiated along with subsurface utility investigations. Utility coordination meetings were conducted on October 19, 2021 and November 2, 2021. No concerns were identified during the coordination meetings. Relocations of existing aerial and underground utilities along SR 46 will be needed to construct the project. This includes relocation of power poles, water, gas and telecommunications utilities. All utility relocations will occur within existing or new right of way. A large scale transmission facility is located within the project area but it will not be disturbed. Coordination is ongoing with all utility companies.

- **utility correspondence/coordination can be found in the project file under General/Right-of-Way and Utility Involvement.**



## Purpose & Need

### Purpose & Need

#### Project History:

The existing SR 46 and SR 82 diamond interchange, along with the surrounding roadway network, has been studied extensively by ODOT over the last fifteen years. In 2005, a corridor study (TRU US 422 PID 21310) was completed. This study examined various corridors and intersections throughout Trumbull County including the SR 46 and SR 82 interchange. The study also recommended several short and long-term alternatives to improve safety and decrease congestion at the interchange.

Short-term recommendations have been implemented since the completion of the study. In 2012, ODOT added a northbound lane on SR 46 for the approach to the SR 82 eastbound entrance ramp, which in turn increased capacity for the SR 46 northbound dual left turn lanes at the SR 82 westbound entrance ramp (PID 80657). The ramp signal controlling movements for westbound SR 82 motorists from northbound SR 46 was converted from a protected/permissive left turn movement to a protected-only left turn movement to address the high frequency of left turn crashes. Following this conversion, the coordinated signal system on SR 46 from Mines Road to SR 82 was optimized for signal timing efficiency along the corridor (PID 91307).

No long-term recommendations from the corridor study have moved beyond conceptual layout due to existing physical constraints, estimated costs, added negative safety results, public input regarding land impacts, and the footprint of each conceptual design. A safety study was completed by Mott MacDonald in 2019 (TRU SR 46/82/East Market Street PID 103908), which included the existing SR 46/SR 82 interchange. The purpose of the safety study was to expand on the corridor study, including analysis of the modifications made at the SR 46/SR 82 interchange based on the short-term recommendations as well as examination of new conceptual alternatives based on advanced techniques in interchange design.

The project involves federal, state, and local funding. The project has currently secured the majority of necessary funds (covering Preliminary Engineering, Detailed Design, Right of Way Acquisition, and a portion of Construction) through a combination of sources including the ODOT Highway Safety Improvement Program, the Eastgate Regional Council of Governments (the local Metropolitan Planning Organization), and ODOT District 4 Allocation funds. It is anticipated that the remainder of funds needed to complete construction will be procured through Eastgate Regional Council of Governments and District 4 Allocation.

#### Purpose Statement:

The purpose of the project is to improve safety and reduce congestion at the intersection of SR 82 and SR 46, and on SR 46 immediately north of SR 82 (south of Warren-Sharon Road), and to address facility deficiencies on the SR 82 bridge structure.

#### Need Element(s):



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### **Safety**

The interchange is listed on ODOT's 2015, 2016, and 2017 Highway Safety Improvement Program (HSIP) Urban Non-Freeway priority lists. Additionally, this location is also identified as a high priority location on ODOT's 2015, 2016, and 2017 Safety Integrated Project (SIP) map. The SIP maps identify locations where future projects should incorporate safety improvements, with high priority locations having additional access to potential safety funding.

In addition to this interchange being included on statewide priority lists, the interchange appears on Eastgate's 2016 Regional Safety Study Rankings. Eastgate developed a hazard ranking list for both intersections and roadway segments based on crash frequency, crash rate, and monetary crash cost. On Eastgate's 2016 Trumbull County hazard rankings list, the segment of SR 46 from the SR 82 interchange to Mall River Road (approximately 0.25 mile south) was ranked #1, and the intersection of SR 82 eastbound and SR 46 was ranked #6.

Per the Safety Study, a total of 159 crashes occurred at the 2 ramp intersections between 2012 and 2016. Of these crashes, 21% resulted in an injury. The predominant crash type at the ramps was rear end, followed by left turn and angle crashes. Left turn crashes mainly occurred in 2012, prior to the signal phasing conversion from protected/permissive to protected-only. The most frequent crash type at the interchange following the signal re-phasing in 2012 is rear-end crashes. 53% of all crashes occurred during the midday and early afternoon period, between the hours of 11am and 5pm. 77% of all crashes occurred on dry pavements, and 87% occurred in clear or cloudy conditions. Weather does not appear to be a factor in the observed crash pattern. Additionally, 93% of all crashes occurred in daylight, or in lighted conditions.

According to the Safety Study, the rear end crash trend is increasing at the interchange, and now makes up most of the yearly crashes at this location. Review of Ohio Department of Public Safety crash reports found that 'following too close' was the primary contributing factor in the observed crashes. Most rear end crashes occurred during the midday period at both ramp terminals indicating a non-commuter traffic population during these crashes, most likely related to the concentration of shopping plazas and commercial development in and around the study area.

A total of 60 crashes occurred along the corridor of SR 46 from Warren-Sharon Road to SR 82. Immediately north of the SR 82 interchange, SR 46 becomes a two-lane roadway consisting of 12-foot lanes with 12-foot shoulders. No left turn lanes are provided for the intersections with driveways and minor side streets, two of which (Kettering Street and Hunter's Trail) are located within 0.15 mile of the SR 82 interchange.

### **Congestion**

The Level of Service (LOS) is a measurement used during traffic analyses to measure the quality of traffic flow for the heaviest hour of traffic flow during the day. The LOS is graded using letters from A to F, with A being the best and F being the worst. A service level A is regarded as free flowing traffic and a service level F occurs when every vehicle moves in lockstep with the vehicle in front of it. A service level C is generally regarded as a good balance between project cost and congestion improvements and was the goal for this project. As reported in the Safety Study, both the eastbound and westbound ramps from SR 82 to SR 46 currently operate at a LOS D during the PM peak. In the AM peak the westbound ramp operates at a LOS D and the eastbound ramp operates at a LOS C. If no action is taken, all ramps will operate at a LOS D in both AM and PM peaks in design year 2037.

Additionally, the safety study analyzed queue lengths for traffic on SR 46 within the interchange and on the SR 82 ramps to SR 46. During the PM peak, queues in the northbound direction on SR 46 currently exceed the available storage capacity of 215 feet within the interchange by as much as 35 feet. Modeling indicates that this condition is expected to worsen in the design year, with queue length reaching 340 feet for northbound traffic on SR 46 at the interchange with SR 82.

Per the safety study, along the corridor of SR 46 from Warren-Sharon Road to SR 82, crash patterns are primarily driven by a lack of left turn lanes for access to the minor side streets and driveways along the corridor. This lack of access causes left turning vehicles to wait in the thru lanes until a gap in oncoming traffic appears. During peak periods, these gaps get smaller and occur less frequently due in part to congestion caused by the SR 46/SR 82 interchange. The overall crash pattern along the segment indicates that the lack of turn lanes for access to driveways and minor streets, in addition to existing congestion stemming from the SR 46/SR 82 intersection, is directly contributing to the high number of crashes along the corridor.

### **Facility Deficiencies**

The vertical clearance on SR 46 for motorists passing under SR 82 is 16'-5' for northbound traffic and 15'-0' for southbound traffic. Per the ODOT Location and Design (L&D) Manual (January 2016), the current minimum vertical clearance requirement over a principal arterial roadway (such as SR 46) is 16'-5'. The existing bridge structure, built in 1957, has a substandard vertical clearance of 15'-0' for SR 46 southbound traffic, rendering this bridge functionally obsolete.

### **Goals and Objectives:**

N/A

### **Summary Statement:**

N/A

### **Logical Termini and Independent Utility:**



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The 2005 and 2019 studies considered multiple locations in Trumbull County, because each location can potentially influence the others (i.e. modifications to the SR 46/82 interchange could have downstream effects on nearby roadways and adjacent intersections). Based on the 2019 Safety Study, a strategic plan was developed for implementation of the independent recommendations. This timeline was developed to ensure that independent improvements are implemented in such a way that they do not result in downstream negative consequences at the remaining study locations. As such, the transportation improvement limits have been established to meet the identified needs of this project, independent of other study locations. The logical termini along SR 46 for the proposed project have been established as approximately 0.25 mile north and south of the SR 82 bridge. The logical termini along SR 82 for the proposed project have been established as approximately 0.25 mile east and 0.13 mile west of the SR 82 bridge. These termini will allow for the project to physically address the identified needs associated with the SR 46/82 interchange and the portion of SR 46 immediately north of SR 82, while not limiting the scope of alternatives considered.

The proposed transportation improvement does not depend on any other project to meet the established purpose and need. While the SR 46/SR 82 interchange and immediate roadway network has been studied in conjunction with multiple locations in Trumbull County, this project can be constructed independent of any other transportation improvement in the area and does not restrict or require further corridor or local roadway improvements to meet the established purpose. Therefore, independent utility is established for this transportation improvement.



## Alternatives

### Alternatives

#### Discuss No Build Alternative:

The No Build Alternative was discussed in the Safety Study completed 4/3/2019 and it was determined it did not meet the design year capacity improvement goals established in the study. The No Build Alternative would not improve safety and reduce congestion at the intersection of SR 82 and SR 46, or address the facility deficiencies of the SR 82 bridge. Therefore, this alternative would not address the Purpose and Need of the project.

**Was a Feasibility Study completed?**

Yes

**Date Feasibility Study was approved:**

11/04/2020

**Was an Alternative Evaluation Report (AER) completed?**

No

#### Alternatives Considered

Name	Description	Reason Dismissed	Preferred Alternative
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<p>Alternative 1 - Alternative SR 46 Parallel Route / North-South Connector</p>	<p>Construction of a north/south connector between SR 46 and Mosquito Creek to create an alternative parallel route to SR 46. The connector will directly connect SR 82 with the Eastwood Mall complex and connect to the western ends of Kenyon Drive and Dawson Drive. The SR 46 northbound to SR 82 westbound traffic will be routed via a Texas U-turn at the current SR 82 overpass at SR 46. The turnaround will go beneath the overpass and will require the widening of the SR 46 section beneath SR 82. The SR 82 westbound on ramp from SR 46 as well as the SR 82 eastbound off ramp to SR 46 would be relocated.</p>	<p>This alternative was rejected from future consideration for not sufficiently addressing existing safety and congestion concerns, the need for additional structures, earthwork, and right of way.</p>	<p>No</p>
<p>Alternative 2 - Additional SR 46 Thru Lane</p>	<p>Add a thru lane, right turn lane, and re-striping south of the SR 46 and SR 82 eastbound on/off ramps. Various lane adjustments would be made to compensate for the new traffic patterns.</p>	<p>This alternative was implemented in 2012. Crash frequencies and congestion have increased since the improvements, with both the northbound and southbound left movements at the interchange operating at failing LOS in the build year. Therefore, this alternative was dismissed as a viable long-term solution.</p>	<p>No</p>



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<p>Alternative 7 - Enhanced Access - SR 82 and SR 46 Loop Ramp Interchange</p>	<p>Construct a loop ramp in the northeast quadrant and relocate the SR 82 westbound on- and off-ramps. The SR 82 westbound off ramp and Hunters Trail would be relocated.</p>	<p>This alternative would occupy a large footprint, and requires the demolition of 14 properties, along with extensive permanent right of way acquisition. Preliminary ECAT analysis revealed that this layout would not provide noticeable safety performance improvements. Alternative #7 was dismissed due to existing physical constraints, estimated costs, and safety concerns, along with public input over the impacts and footprint of each design.</p>	<p>No</p>
<p>Alternative 8 - Flyover Ramp</p>	<p>Add a ramp lane on SR 46 northbound to accommodate the SR 46 northbound to SR 82 westbound traffic. This ramp will start on SR 46 and hook left onto the SR 82 overpass. The SR 82 westbound on ramp and SR 82 eastbound off ramp would be relocated.</p>	<p>This alternative is not feasible because it violates several AASHTO criteria for grade separation and interchange design. This concept would also require major earthwork/rock excavation, multiple new bridge structures, and the demolition of seven properties including one historic property. For these reasons, this alternative was not considered further.</p>	<p>No</p>



Alternative 9 - Diverging Diamond Interchange	A Diverging Diamond Interchange (DDI) would be constructed to replace the existing diamond interchange at SR46/SR82. This alternative also lowers the SR 46 profile and raises the SR 82 profile. A second northbound through lane from the SR 82 westbound ramps to Warren Sharon Road would be added.	N/A	Yes
No Build	Preserve the present configuration with no capacity improvements to the existing facilities.	This alternative was dismissed because the existing safety, congestion, and facility deficiency concerns and future traffic volumes would not be addressed.	No

**Discuss Reasons Alternative Identified as Preferred was selected:**

The Preferred Alternative was selected due to its low initial construction costs, short construction schedule, lower utility impacts, and the most feasible option for the historic house. Regarding the bridge, driver visibility under the more open structure is also an advantage to the 4 span structure; this will provide added safety and driver comfort in the new diverging diamond interchange configuration. This alternative satisfies the need to improve safety and reduce congestion at the intersection of SR 82 and SR 46 and on SR 46 immediately north of SR 82 (south of Warren-Sharon Road), and to address facility deficiencies on the SR 82 bridge structure. Extensive agency coordination, including a SHPO MOA, and public involvement (numerous public meetings) helped shape this alternative.



## Air

### Mobile Source Air Toxics (MSATs)

Sensitive Areas are located within approximately 500' of the proposed project area Yes

The proposed project is listed as a C1 in ODOT's CE Guidance and/or falls under 40 CFR 93.126 Yes

#### Remarks:

The proposed project falls under 40 CFR 93.126 under 'Projects that correct, improve, or eliminate hazardous locations or features. In addition, the project intent is to improve traffic movement through the intersection by constructing a DDI, not add capacity to SR 46 or SR 82. Therefore, an MSAT analysis is not required. Concurrence was received from the Office of Environmental Services (OES) Air and Noise Coordinator on 5/11/2021.

- Email correspondence/coordination can be found in the project file under Air/Coordination

### Particulate Matter 2.5 (PM2.5)

The proposed project is in an air quality non-attainment or maintenance area No

#### Remarks:

The proposed project is located in Trumbull County, which is not located in an air quality non-attainment or maintenance area.

### Carbon (CO)

The State of Ohio is in attainment for CO at this time and no coordination or analysis is required

### Ozone

The proposed project is in an Ozone non-attainment or maintenance area No

The proposed project is listed on the TIP Yes

#### Remarks:

The project is listed in the STIP, therefore, ozone is addressed.

### Environmental Commitments

Are there any environmental commitments? No



## Noise

### Noise

Noise Sensitive Areas located within approximately 500' of the proposed project area	Yes
Noise Analysis conducted	No
The proposed project is a Type I project	No
The proposed project is a Type II project	No

### Remarks:

The proposed project follows the 'no' path through the ODOT Noise Manual Appendix A flow chart, reaching the conclusion no noise analysis is needed. Per coordination with the OES Air and Noise Coordinator, the project does not qualify as a Type I project for noise and a noise analysis is not required for the project under 23 CFR 772.

- Email correspondence/coordination can be found in the project file under Noise/Coordination

### Environmental Commitments

Are there any environmental commitments? No



## ESA

<b>ESA</b>	
<b>Does the project require any Permanent ROW or Easement?:</b>	Yes
<b>ESA Screening Report was completed by District Staff</b>	Yes
<b>Date when It was completed</b>	07/30/2020
<b>Date of ESA Screening IOC from OES:</b>	08/17/2020
<b>Do any sites require a Phase 1 ESA, Phase 2 ESA, or plan note according to the IOC from OES?</b>	No

### Remarks:

A Regulated Materials Review (RMR) Screening was completed on 7/30/2020 and examined 47 properties within or abutting the proposed construction limits. None of the properties required further investigation. Based on review of the Screening, the OES RMR staff determined in email correspondence dated 8/17/2020 that no further work was warranted.

Based on revision of construction limits, an RMR Screening Addendum was completed on 5/12/2021. This screening examined three additional properties within or abutting the proposed construction limits. Based on review of the Screening Addendum, the OES RMR staff determined in email correspondence dated 6/15/2021 that no further work was warranted.

- **The Screenings can be found in the project file under ESA/Reports**
- **Email correspondence/coordination can be found in the project file under ESA/Coordination**

<b>According to the IOC from OES does the project require any Environmental Commitments (plan notes and/or other coordination)?</b>	No
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## Cultural Resources

### Cultural Properties Present

**Please describe all of the efforts made to identify Historic Properties (including lit review, field investigation, etc.):**

2005: The E.N. Brown residence located at 877 SR46 was determined to be eligible for the National Register of Historic Places (NRHP) as part of a cell tower review.

11/1/2010: A National Register boundary determination was completed for the E.N. Brown Residence for the TRU-46-7.32 project.

7/30/2018: A Section 106 Scoping Request Package was submitted to ODOT District 4 for the TRU-46/82 project. The E.N. Brown Residence is mentioned within the document as an Ohio Historic Inventory (OHI) record.

11/29/2018: An Inter-Office Communication Memo included an evaluation of four architectural locations to facilitate the preliminary planning process. ODOT-OES determined the E.N. Brown House remained eligible for inclusion in the NRHP. The other three architectural resources were found not eligible for inclusion in the NRHP. The SHPO did not object to these determinations.

12/19/2018: An Inter-Office Communication Memo to John Picuri (District 4 Deputy Director) from Tim Hill (OES Administrator) states OES completed an archaeological resources field review at the E.N. Brown Residence and have determined a Phase I Archaeological Survey is required.

6/24/2019: A Phase I Archaeological Study was completed within the parcel boundaries of the E.N. Brown Residence. The study identified one previously unrecorded archaeological site consisting of a scatter of historic-era refuse associated with the E.N. Brown House and an isolated prehistoric artifact. The study concluded that it is unlikely further archaeological work at the site would contribute greatly to our understanding of Ohio's history and the lives of the residents at the E.N. Brown Residence. Additionally the single prehistoric artifact is an isolated find and not eligible for the NRHP.

12/14/2020: A Phase I History/Architecture Survey Report was submitted to SHPO along with the archaeology review for the project and the Section 106 effect finding. The Phase I History/Architecture Survey Report identified and evaluated architectural locations within the area of potential effects. ODOT-OES determined the E.N. Brown House was the only cultural resources within the area of potential effects eligible for inclusion on the NRHP. The SHPO did not object to this determination. SHPO concurred the project would adversely effect the E.N. Brown House on 12/16/2020.

9/20/2021: ODOT-OES formally consulted with the SHPO and notified the SHPO that the project would result in the removal of the E.N. Brown House. On 9/25/2021, the SHPO concurred removal of the E.N. Brown House would adversely affect the historic resource and a finding of 'adverse effect' is applicable to the effect of the project on the E.N. Brown House.

See all cultural reports for the project in the Project File/Cultural/Reports subsection.

See applicable cultural project information in the Project File/Cultural/Project Information subsection.

**Is there an eligible or listed NRHP Historic Property in the Area of Potential Effects Pursuant to 36 CFR part 800?** Yes

**OES Approval/OSHPO Concurrence Date:** 11/29/2018

**Remarks:**

7/30/2018: A Section 106 Scoping Request Package was submitted to ODOT District 4 for the TRU-46/82 project. The E.N. Brown



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Residence is mentioned within the document as an Ohio Historic Inventory (OHI) record.

8/13/2018: OES correspondence sent to SHPO regarding the early project development stages of TRU-46/82 and the E.N. Brown Residence.

9/5/2018: ODOT District 4 conducted a public meeting where the results of the safety study were presented. At the meeting ODOT solicited for public comments. In addition, ODOT incorporated efforts to identify Section 106 consulting parties into the press release, direct mailings, meeting presentation, and handouts. An application to become a Section 106 consulting party was also made available at the meeting. Over 100 people were in attendance including the Howland Historical Society.

10/17/2018: Three (3) Section 106 consulting parties, [Ms. Vennitti, President Howland Township Historical Society; Linda Beca, Howland Township Historical Society; and Mr. Taiclet, Vice President of the Howland Township Historical Society] were formally acknowledged.

11/29/2018: An inter-office communication memo sent to John Picuri (District 4 Deputy Director) from Tim Hill (OES Administrator) summarizes the OES memo-to-file, stating the the E.N. Brown Residence is eligible for the NRHP.

12/6/2018: A SHPO response to OES' previously submitted coordination regarding project details on TRU-46/82 and the E.N. Brown Residence, states they have no immediate questions at this time.

12/10/2018: Consulting parties received a copy of the ODOT and OSHPO consultation dated November 29, 2018 for a 30-day review and comment period. The Inter-Office Communication, 'National Register Eligibility Determination History/Architecture', documented the results of an evaluation of history/architecture properties within the APE. The evaluation was initiated to assist in the project development process. With the exception of the historic property located at 877 Niles Cortland Road/SR 46, no additional history/architecture properties eligible for inclusion on the NRHP were identified.

12/19/2018: An inter-office communication memo sent to John Picuri (District 4 Deputy Director) from Tim Hill (OES Administrator) states OES completed an archaeological resources field review at the E.N. Brown Residence and have determined a Phase I Archaeological Survey is required.

1/15/2019: ODOT responded to consulting party questions. The Howland Township Historical Society, a Section 106 consulting party, shared their support of the National Register eligibility finding for 877 Niles Cortland Road/SR 46 and its preservation.

1/28/2019: ODOT met with the OSHPO to provide a project update. The Howland Township Historical Society contacted OSHPO concerning the historic house at 877 Niles Cortland Road/SR 46; specifically, the National Register nomination process in general. ODOT shared with the OSHPO that the next step in the project development process was the identification of the preferred alternative and that the consulting parties would be provided further opportunities to participate in consultation

1/29/2019: A Memo-to-File documented a conference call between ODOT-OES, ODOT-D4 and the SHPO.

Summer and Fall of 2019: The design consultant began preliminary design of the preferred NEPA alternative and began evaluating design and feasibility of the various mitigation alternatives. ODOT District 4 and the design team met in November 2019 to discuss the NEPA preferred alternative including access to the historic house and the possible mitigation options.

12/4/2019: ODOT-OES submitted the results of the archaeological investigations conducted around the historic house. Testing encountered an accumulation of 19th and 20th Century refuse dating from a 185-year period, directly associated with the E.N. Brown residence. One isolated pre-contact artifact, a biface fragment, was also recovered during testing. The deposit of cultural debris was documented as site 33TR281, which was determined to be a non-contributing element to the historic property located at 877 Niles Cortland Road/SR 46 (TRU-1080-18). The OSHPO did not object to these findings.

1/2020: Concerning impacts to the historic property, the design consultant presented refined mitigation options and indicated they would begin evaluating costs.

2/2020: ODOT District 4 and the design consultant met with stakeholders and presented grading plan and verified the historic property will be impacted by the preferred NEPA alternative. The design consultant presented some mitigation options.

Winter 2020 into Spring 2020: The design consultant continued to evaluate design, costs, and feasibility of four mitigation options.

4/5/2020: The 'Public Engagement Plan TRU-46/82 DDI Project PID 108547 Howland Township, Trumbull County' was received and approved by ODOT-District 4.

7/14/2020: ODOT-District 4 met with the property owner, Howland Township, and the Howland Township Historical Society members to discuss preliminary options to minimize effects to the historic house. ODOT-District 4 asked for comments on the preliminary options. ODOT-District 4 sent an email to attendees on July 17, 2020 requesting comments by August 18, 2020. ODOT-District 4 asked that the property owner, Howland Township, and each person representing the Howland Township Historical Society to provide their own individual responses rather than a group response. In response, five representatives of the Howland Township Historical Society provided written support of preserving the historic house.

9/9/2020: ODOT-District 4 conducted an internal meeting to discuss the historic property located at 877 Niles Cortland Road/SR 46, potential mitigation options, and the right-of-way process.

9/24/2020: ODOT-OES sent an email to the OSHPO summarizing the options under consideration to minimize effects to the historic property and to let them know that they met with the historical society on July 14, 2020 to discuss the options. An invitation to a field meeting was forwarded to the OSHPO. Due to on-going COVID related concerns, the OSHPO did not believe a field meeting



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was warranted at that time.

10/26/2020: ODOT-District 4 sent an email to the consulting parties thanking them for their written comments on potential mitigation options. Based on their support, the ODOT-District 4 agreed to explore the feasibility of moving the house off site (at that time to a site identified at 697 Howland- Wilson Road). Due to legal, environmental, and right-of-way acquisition processes, the review would likely take several months.

11/4/2020: ODOT-District 4 conducted an internal meeting to discuss the historic property located at 877 Niles Cortland Road/SR 46, preferred NEPA alternative, potential mitigation options, right-of-way process, and the next steps of the Section 106 process. It was at this meeting we learned it may be a complicated process to donate/move the house if the historical society is not a public entity.

11/10/2020: ODOT-District 4 conducted a meeting with the Howland Township Historical Society President to discuss the historic property located at 877 Niles Cortland Road/SR 46, potential mitigation, and potential sites to the south.

The full timeline of the Section 106 coordination exceeded the character count within this comment box. See 'Cultural Resources Remarks Continued' under Project File/Cultural/Project Information subsection.

See all correspondence for the project in the Project File/Cultural/Coordination subsection.

See applicable cultural project information in the Project File/Cultural/Project Information subsection.

**Please check all NRHP Eligible and/or Listed resources:**

Building

**What is the Section 106 effect determination in the OES Transmittal?** Adverse Effect

**Does this project have an Adverse Effect on Archaeological resources?** No

**Does this project have an Adverse Effect on History/Architecture resources?** Yes

**Archaeological Resource Adverse Effect**

**History/Architecture Adverse Effect**

**Date OSHPO Concurred with Adverse Effect determination:** 09/25/2021

Date Documentation for Consultation was sent

**ACHP:** 02/05/2021

**OSHPO:** 02/05/2021

**Is FHWA consultation required?** No

**Did you contact any other Consulting Parties?** Yes

Consulting Parties

<b>Additional Party Name</b>	<b>Documentation Date:</b>
Howland Township Historical Society	10/17/2018
Ohio Archaeological Council	07/14/2021
Warner Taiclet	10/17/2018
Linda Beca	10/17/2018
Mary Jane Vennitti	10/17/2018
Heritage Ohio	07/19/2021



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**Date of Advisory Council on Historic Preservation response:** 02/10/2021

**Is Advisory Council on Historic Preservation participating?** No

**Date MOA was executed:** 11/29/2021

**Tribal Consultation**

**Tribal Consultation Summary/Remarks:**

Based on the Tribes' preferences documented in either EnviroNet or in previous communications, seven Tribes were interested in and subsequently notified of the TRU-46/82 DDI project. To date, one Tribe responded: the Seneca Nation concurs with the Section 106 determination but wishes to be contacted if any archaeological remains are uncovered during construction.

**Environmental Commitments**

**Are there any Environmental Commitments? Yes**



### Ecological

Has an ESR been completed? Yes

Date ESR was completed: 05/11/2021

Has an Approved and/or Preliminary Jurisdictional Determination been made by the USACE? No

Are Wetlands Present? Yes

Are Any Wetlands impacted? Yes

Has a Wetland Delineation been made? Yes

#### Identified Wetlands

Wetland ID	ORAM Category	Type	Est Total Size (Acres)	Est Impact (Acres)
Wetland A	2	Non-Isolated	0.03	0
Wetland B	2	Non-Isolated	0.05	0.05
Wetland C	2	Isolated	0.01	0
Wetland D	1	Non-Isolated	0.02	0
Wetland E	1	Isolated	0.01	0
Wetland F	1	Non-Isolated	0.11	0.11
Wetland G	1	Non-Isolated	0.01	0.006
Wetland H	1	Non-Isolated	0.12	0
Wetland I	2	Isolated	0.18	0.12
Wetland J	1	Isolated	0.03	0.03
Wetland K	2	Isolated	0.05	0
Wetland L	1	Non-Isolated	0.06	0
Wetland M	2	Isolated	0.05	0
Wetland N	1	Non-Isolated	0.02	0.02

Est. Total Size (Acres) of for Project: 0.75

Est. Total Impacted (Acres) of for Project: 0.336

Total Acres of Non-Isolated Wetlands impacted: 0.186

Total Acres of Isolated Wetlands impacted: 0.15

Remarks:



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A Level 1 Ecological Survey Report (ESR) was prepared by STONE Environmental, with field work performed on 9/30/2019, 10/1/2019, and 7/21/2020; the ESR was completed on 5/11/2021. A total of 0.75 acres of wetlands (14 wetlands) was identified within the study area, including 0.54 acres of emergent wetland and 0.20 acres of forested wetland. Approximately 0.34 acres of Category 1 emergent wetlands are located within the proposed construction limits. All proposed impacts to these wetlands are due to vegetation clearing/grubbing, grading, ditch reshaping, and roadway construction activities

### Streams & Rivers

	Present:	Impacted:
Streams and Rivers:	Yes	No
National Scenic River:	No	
State Scenic River:	No	
Sec 9:	No	
Sec 10:	No	

### Remarks:

Based on the results of the Level 1 ESR, one intermittent, Modified Class 2 stream (UT to Mosquito Creek 1) was identified within the study area. This stream enters the construction limits as open channel for approximately 1 linear foot before entering a storm sewer system. Mill and overlay with shoulder work is proposed within this area. No impacts are proposed to the stream.

### Other Surface Waters

	Present:	Impacted:
Reservoirs:	No	
Lakes:	No	
Ponds:	Yes	No
Storm Water Management Facility:	No	
Jurisdictional Ditch:	No	
Other (If selected please explain in remarks):	No	

### Remarks:

Based on the results of the Level 1 ESR, one pond was identified within the study area. This pond is a retention pond that was most likely constructed in upland. This pond is not located within the construction limits.

### Terrestrial Habitat

	Present:	Impacted:
Terrestrial Habitat:	Yes	Yes
Unique or high Quality:	No	

### Remarks:



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Based on the results of the Level 1 ESR, no unique or high quality habitat was identified. A majority of the construction limits includes Developed, Medium Intensity (14.9 acres). Other vegetation communities/land cover the construction limits includes are Developed Open Space (3.48 acres), Upland Forest (2.1 acres), Marsh (0.34 acres), and Grassland/Herbaceous (0.08 acres).

**Threatened or Endangered Species**

	<b>Present:</b>	<b>Impacted:</b>
Within the known range of a Federal Species?	Yes	Yes
Federal Species/habitat found within the project area?	No	
Within the known range of a State Species?	Yes	Yes
State Species/habitat found within the project area?	No	

**Remarks:**

Indiana Bat and Northern Long-eared Bat (federal/state T&E): Approximately 19.2 acres of Suitable Wooded Habitat (SWH) exists within the study area. Approximately 10 acres of this SWH exists within 100 feet of the EOP, while 9.2 acres exists beyond 100 feet of the EOP (0.10 acres of this 9.2 acres exists within 50 feet of a perennial stream). In addition, 3 PMRTS exist within the study area (beyond 100 feet from the EOP). Approximately 2.1 acres of this SWH is within the construction limits. This includes SWH within 100 feet of the EOP. The construction limits do include any SWH beyond 100 feet of the EOP.

Bald Eagle (federally protected): There are no known nesting sites within 0.5 miles of the project area. In addition, no large water bodies (rivers, lakes), supercanopy trees, or mature forest will be impacted by this project. As proposed, this project is not anticipated to have an effect on the bald eagle.

Eastern Massasauga (federal/state T&E): Coordination with USFWS was completed on 9/11/2019 for this species. Coordination revealed the project location is located within a known Eastern massasauga polygon. No suitable habitat for this species exists within the study area. As proposed, this project is not anticipated to have an effect on the Eastern massasauga.

Clubshell (federal/state T&E): There are no specific records for these species within 1.0 mile of the project area. There is no suitable habitat for this species within the study area. As proposed, the project is not anticipated to have an effect on this species.

Round hickorynut (federal/state T&E): There are no specific records for these species within 1.0 mile of the project area. There is no suitable habitat for this species within the study area. As proposed, the project is not anticipated to have an effect on this species.

Grove sandwort (state potentially threatened): A record for this species exists within 1.0 mile of the project area. No species or suitable habitat were identified within the study area.

Little Brown myotis and Tricolored Bat (state endangered): Approximately 19.2 acres of Suitable Wooded Habitat (SWH) exists within the study area. Approximately 10 acres of this SWH exists within 100 feet of the EOP, while 9.2 acres exists beyond 100 feet of the EOP (0.10 acres of this 9.2 acres exists within 50 feet of a perennial stream). In addition, 3 PMRTS exist within the study area (beyond 100 feet from the EOP). Approximately 2.1 acres of this SWH is within the construction limits. This includes SWH within 100 feet of the EOP. The construction limits do include any SWH beyond 100 feet of the EOP.

No suitable habitat exists within the construction limits for the following state T&E with ranges within Trumbull County: American bittern, upland sandpiper, northern harrier, spotted turtle, eastern hellbender.

**Agency Coordination**

	<b>Coordination Required:</b>	<b>Comments Received Date:</b>
Ohio Department of Natural Resources (ODNR):	No	



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United States Fish and Wildlife Service (USFWS):	Yes	07/20/2021
Ohio Environmental Protection Agency (OEPA):	No	
United States Army Corps of Engineers (USACE):	No	
ODNR State Scenic River:	No	
National Park Service (NPS) National Scenic River:	No	

**Remarks:**

Coordination was sent to USFWS on 6/30/2021 and USFWS replied on 7/20/2021. USFWS concurred with ODOT's determination of 'No Effect' for the bald eagle, clubshell, eastern massasauga, and round hickorynut and the determination of 'May Effect, Not Likely to Adversely Affect' for the Indiana and Northern Long-eared Bat. Seasonal tree clearing between October 1 and March 31 will be implemented.

This project met the Non-Notifying Project type outlined in accordance with Section IIB2 of the Ecological MOA with regard to ODNr and is Non-Notifying as outlined in accordance with ODNr DOW correspondence dated February 3, 2021 with regard to mussels, and did not require ODNr to review the project. This project is not likely to impact state listed species or Unionid mussels based on an ecological resource investigation of the project area. The project will not result in any actions that violate ORC chapters 1518 or 1531, and ORC Section 1533.324. The project is considered Non-Notifying to the ODNr and did not require project specific coordination/notification to fulfill the coordination requirements of the Fish and Wildlife Coordination Act.

In accordance with Section IID (Comments and Environmental Commitments) of the Ecological MOA, ODOT has evaluated whether the conditions in the agreement are applicable, appropriate, and/or feasible. This evaluation can be found in the project file under Ecological => Project Information.

**Are there any environmental commitments? Yes**



### Other Resources

#### Farmlands

#### Farmlands

The proposed project is located within an Urbanized Area Yes

The proposed project is located in an area that is in or committed to urban development or water storage and is therefore not subject to the Farmland Policy Protection Act (FPPA) in accordance with 7 CFR 658. No further coordination is required.

FCIR Required Completion of the Farmland Conversion Impact Form is required and coordination with USDA & NRCS is required.

#### Remarks:

Based upon review of appropriate mapping, the proposed project is located in an urbanized area zoned for non-agricultural purposes and is not in an agricultural district. Therefore, the proposed project meets the terms and conditions of the *Memorandum of Understanding between the Natural Resource Conservation Service and the Ohio Department of Transportation for Projects Involving Farmlands* (Agreement No. 19552), executed on March 15, 2016. No further coordination is required.

Are there any environmental commitments? No

#### Drinking Water

The proposed project is wholly or partially located within the USEPA designated boundaries of a Sole Source Aquifer No

	Present:	Impacted:
The proposed project is wholly or partially located within the OEPA designated boundaries of a Source Water Protection Area	No	

Coordination with the Local Public Water Administrator is required No

	Present:	Impacted:
Residential Wells are present	No	

#### Remarks:



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The Ohio EPA's Source Water Assessment and Protection (SWAP) Program mapping was reviewed to determine if public water systems, Water Source Protection Areas or other drinking water resources are located within or adjacent to the project study area. Based on the Ohio EPA's online Source Water Protection Areas map, public water systems, Drinking Water Source Protection Areas or other drinking water resources are not located within or adjacent to the project study area. Furthermore, the project study area is not located over a federally-designated sole source aquifer. A review of the Ohio Department of Natural Resources (ODNR) Division of Water Resources online records indicated residential water wells are not located within the project study area. Therefore, the project will not impact known drinking water resource

**Are there any environmental commitments? No**



### Section 4(f)

#### Section 4(f) Determination

Section 4(f) properties are within and/or adjacent to the proposed project area Yes

Concurrence received from the OWJ Yes

Were there multiple OWJs? No

Date concurrence received:

	Present:	Impacted:
Publicly owned Park(s):	No	
Publicly owned recreation facility(ies) and/or area(s):	No	
Wildlife and Waterfowl refuge(s):	No	
Historic Site(s):	Yes	Yes

#### Identified Section 4(f) Properties

##### Identified 4(f) Properties

Property Name	Type	Permanent ROW/Easement Acres	Temporary ROW/Easement Acres	4(f) finding	Date
E.N. Brown Residence	Historic Site	0.276	0.063	Individual Evaluation	03/04/2022

Remarks:



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Based on review of available mapping and field investigations, no publicly owned parks, recreation areas, or wildlife or waterfowl refuge were identified within the proposed project area.

One NRHP-eligible historic site (E.N. Brown House) located at 877 Niles Cortland Road, will be impacted.

The proposed TRU-46/82 Diverging Diamond Interchange will reconfigure the interchange of SR 46 and SR 82. Construction will require temporary and permanent right-of-way from the historic site. Multiple alternatives were assessed and the only two alternatives determined to have no impact on the historic site did not meet the Purpose and Need of the project. On December 14, 2020, ODOT-Office of Environmental Services (OES) submitted a finding of 'adverse effect' for the undertaking to Ohio's State Historic Preservation Office (SHPO). On December 16, 2020, SHPO concurred the undertaking would adversely affect the historic site.

In September 2021, a draft Memorandum of Agreement was prepared and on September 10, 2021, the draft Memorandum of Agreement (Agreement No: 36861) for the undertaking was distributed to Ohio's State Historic Preservation Office (SHPO) and the Section 106 Consulting Parties for review and comment. Comments were received from the Howland Historical Society, the Ohio Archaeological Council, and the SHPO. In October 2021, ODOT prepared a summary of the comments received and responses document and provided a copy of this document along with the revised Memorandum of Agreement (MOA) to the consulting parties on October 28, 2021.

The MOA was fully executed on November 30, 2021, by ODOT SHPO and the Howland Historical Society. Pursuant to 36 CFR § 800.6(b)(1)(iv), a copy of the executed MOA Between the Ohio Department of Transportation, Ohio's State Historic Preservation Office, and the Howland Historical Society Regarding the State Route 46 and State Route 82 Interchange in the City of Warren and Howland Township, Trumbull county, Ohio PID 108547(Agreement No: 36861) developed in consultation with the Ohio State Historic Preservation Office and other consulting parties was filed with the Advisory Council on Historic Preservation on December 6, 2021, completing the requirements of Section 106 of the National Historic Preservation Act.

A draft Individual Section 4(f) Evaluation was prepared by Stone Environmental and submitted to ODOT on September 24, 2021.

Two mitigation options were proposed: move the E.N. Brown House to a new location or demolish the E.N. Brown House and provide mitigation (Historic American Building Survey Level 2, plaque or educational display, and potential salvage of certain architectural elements from the house). The Individual Evaluations details avoidance alternatives considered for Section 4(f). In accordance with 23 CFR 774.3, the draft Individual Section 4(f) Evaluation was sent to the United States Department of Interior on November 2, 2021. In a correspondence dated February 10, 2022, the United States Department of Interior the department concurred with the findings of the draft Individual Section 4(f) Evaluation and had no comment.

The final Individual Section 4(f) Evaluation was prepared for the project by Stone Environmental in February 2022 following the correspondence with the United States Department of Interior. The final Individual Section 4(f) Evaluation underwent a legal sufficiency review by ODOT Assistant Legal Council, which was approved on March 3, 2022. Based on the legal sufficiency review, OES issued the approval of the final Individual Section 4(f) Evaluation on March 4, 2022. The document concluded that there is no feasible and prudent alternative to the use of the Section 4(f) property, the E. N. Brown House. A copy of the document was sent to the United States Department of Interior completing the requirements of Section 4(f) of the U.S. Department of Transportation (DOT) Act.

See the Individual Section 4(f) Evaluation in the Project File/Section 4(f)/Reports subsection.

See applicable cultural reports, correspondence, and project information in the Project File/Cultural subsection.

**Are there any environmental commitments? No**



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## Section 6(f)

### Section 6(f) Determination

Section 6(f) Determination

	Present:	Impacted:
6(f) Properties:	No	

### Remarks:

No properties within the construction limits received Land and Water Conservation Fund (LWCF) grants and are not subject to Section 6(f). No further coordination is required.

**Are there any environmental commitments? No**



## Community Impacts

### Community Impacts

**Will the proposed action comply with the local/regional development patterns for the area?** Yes

**Remarks:**

The proposed action will comply with the local/regional development patterns for the area. The proposed action will improve safety and reduce congestion and is expected to accommodate traffic for the next 20 years.

**Will the proposed action result in substantial negative impacts to community cohesion?** No

**Remarks:**

The proposed action will not result in substantial negative impacts to community cohesion. Design considered the Howland Township 2010 Comprehensive Community Plan. Installation and extension of sidewalks, plans for addressing the historic house, and general safety improvements from the proposed action are anticipated to improve community cohesion.

**Will the proposed action result in indirect or cumulative impacts?** No

**Remarks:**

The proposed action will not result in indirect or cumulative impacts.

**Will the proposed action result in substantial impacts on health and educational facilities, public utilities, fire, police, emergency services, religious institutions, public transportation, pedestrian and bicycle facilities?** No

**Remarks:**

The proposed action will not result in substantial impacts on health and educational facilities, public utilities, fire, police, emergency services, religious institutions, public transportation, pedestrian and bicycle facilities. Implementation of the proposed action will improve general traffic flow on State Route 46 at the interchange and will improve the left turn movement on and off State Route 82 much easier. EMS response times will be maintained or improved.

**Will the proposed action displace residents, businesses, institutions or farms?** No

**Remarks:**

The proposed action will not displace residents, businesses, institutions, or farms.

**Are there any Environmental Commitments?** No



## Underserved Populations

### Underserved Populations

#### Identified Underserved Populations

Census Block Group #	% Minority	% Low Income	% Older Adults	% Limited English Proficiency (LEP)
391559329001	10	23	27	0
391559330014	32	6	48	0
391559330021	3	24	28	0

Are Underserved Populations located within and/or adjacent to the proposed project area? Yes

Are there any relocations? No

Will there be changes to access? No

Will the proposed project result in unanticipated additional impacts to any Underserved Populations? No

Were any concerns related to impacts on Environmental Justice Populations or any other unique factors that could result in a disproportionately high and adverse effect raised during public involvement? No

Were any concerns related to impacts on Title VI Populations or any other unique factors that could result in a disparate impact raised during Public Involvement? No

Were any concerns or any other unique factors that could result in an impact to any of the other Underserved Populations (Limited English Proficiency, Older Adults, or Individuals with Disabilities) raised during Public Involvement? No

Remarks:



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Based on information obtained using the ODOT Transportation Information Mapping System (TIMS) on November 17, 2021, underserved populations were identified within the proposed project area (see above table).

Two public meetings were held for the public surrounding the project area, which includes underserved populations. Public meeting notifications were issued via press releases, social media, paid advertisement, local newspaper ads, and flyers/handouts. All residents and property owners within 1/2 mile of the project and all businesses within 3/4 mile of project were notified of the public meetings and encouraged to attend. The first public meeting was held in 2018 at the Howland High School Cafeteria, which is a publicly accessible/ADA compliant location. The second public meeting was held in 2021 and was virtual due to COVID-19. ODOT provided notification of the public involvement activities to the Trumbull County Board of Development Disabilities. Questions/comments received during the meetings were addressed and no written comments regarding underserved populations were received for the project in response to the public involvement outreach.

The project will have no disproportionately high and adverse effects to minority or low-income populations or disparate impacts to a Title VI population based upon the table above, review of census mapping and the answers to the questions above. Concerns related to impacts on EJ or Title VI populations were not raised as a result of public involvement activities conducted as part of the proposed project. Therefore, in accordance with the protections of Executive Order 12898, FHWA Order 6640.23A and Title VI of the Civil Rights Act of 1964, no further analysis is required for the project.

Furthermore, the proposed project will have no substantial impacts to Limited English Proficiency, Older Adults and Individuals with Disabilities Populations based upon the above table, the attached mapping, and the answers to the above questions. Concerns related to impacts on these Underserved Populations were not raised as a result of public involvement activities conducted as part of the proposed project. Therefore, in accordance with the protections of the Age Rehabilitation Act of 1973, Discrimination Act of 1975, Americans with Disabilities Act of 1990 and Executive Order 13166, no further analysis is required for the project. TIMS Mapping is in the Project File/Underserved Populations/Project Information subsection as Census Mapping.pdf.

**Are there any Environmental Commitments? No**



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## **Public Involvement**

### **Public Involvement**

**Please provide a summary of the Public Involvement activities that have been conducted for this project. (For example press releases, letters to affected property owners and residents, meetings, special purpose meetings, newspaper articles, etc)**



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On August 3, 2018, ODOT District 4 issued a press release announcing the first Public Involvement Meeting and sent public involvement meeting notifications to an extensive list of community residents. The Public Involvement Meeting was conducted on September 5, 2018, from 5-7 pm at the Howland High School Cafeteria, 200 Shaffer Drive NE, Warren to present the findings of the Safety/Feasibility Study. One hundred sixty (160) people, primarily residents, attended the meeting. Stakeholders representing the Eastgate Regional Council of Governments, City of Warren, Howland Township, Howland Fire Department, Howland School Board, Trumbull County Engineer's Office, ODOT, and project consultants attended the meeting. Topics discussed included background, project description and overview, safety, existing conditions and proposed countermeasures, process, environmental considerations, cultural resources, noise analysis, social and economic/community impacts, underserved populations, sidewalk, and layouts for Howland-Wilson Road SE, Warren-Sharon Road, and the diverging diamond interchange. Public comments were gathered at the meeting and via electronic submittal and mail-in throughout the public comment period (September 5, 2018 to October 5, 2018), summarized on October 20, 2018, and responded to by ODOT.

On August 7, 2019 and June 30, 2020, Property Owner letters related to right-of-entry were issued.

On February 20, 2020 a project Stakeholder meeting was conducted at ODOT District 4 at 11 am. Topics discussed included project description and purpose and need, sidewalk plan, and the historical property. A video of the final traffic model was also provided. Twenty-one individuals attended the meeting. Stakeholders representing Eastgate Regional Council of Governments, Howland Township, Trumbull County Engineer's Office, ODOT, and project consultants attended the meeting. Meeting minutes were issued by email. Key topics included sidewalk and the historic property impacts/mitigation.

A Public Engagement Plan was developed for the project in April of 2020. Planned activities included stakeholder notification, property owner notification, public meetings, a project website, media coordination, as well as public educational meetings. On June 30, 2020 a second issuance of Property Owner letters related to field survey work were sent.

On June 13, 2021, the Tribune Chronicle printed a news ad about the meeting, paid by ODOT. Discussion topics included a project overview, project history, alternatives considered, right-of-way and environmental impacts, historical property impacts, impacts to township signs, pedestrians, funding, and project schedule. On June 15, 2021, ODOT issued notices for Virtual Public Meeting to be held on July 15, 2021, and meeting announcements were sent to an extensive list of community residents, stakeholders, and consulting parties. On June 17, 2021 the Tribune Chronicle subsequently had an article on proposed Diverging Diamond, which also announced the July 15, 2021 public meeting.

A Stakeholder meeting was held on July 1, 2021 at 10 am at ODOT District 4. Invitations were sent to Eastgate Regional Council of Governments, Howland Township, Trumbull County Engineer's Office. Following a presentation by the project team the attendees provided comments and asked questions, which were addressed during the meeting. A video of the presentation was made available on YouTube. ODOT provided responses to the three comments resulting from the meeting, addressing sidewalks, parcel access to one property, and safety.

ODOT released announcements for the July 15, 2021 Public Involvement Meeting through a website posting on May 3, 2021; a flyer on June 4, 2021, a press release on June 7, 2021, as well as a handout on June 11, 2021. The Warren Tribune issued a news article on July 14, 2021 about the project and the July 15, 2021 open house meeting. On July 15, 2021 at 5pm a second Public Involvement open house meeting was conducted virtually. 22 people, attended the meeting. The Warren Tribune issued a news article on July 16, 2021 following the meeting.

Public comments were gathered at the meeting and via electronic submittal and mail-in. Public comments were recorded through August 15, 2021 and published. Many comments received during the public meeting comment period were concerned about the new interchange design which is new to the region, construction impacts, project cost, sidewalks, historic building impact, impacts to surrounding roads and intersections, and other potential strategies to eliminate crashes at the intersection instead of implementing the recommended alternative. ODOT has reviewed the comments from the public and project stakeholders and found that moving forward with the preferred alternative will be an effective measure to improve safety in the project area. On October 22, 2021 ODOT issued the Response to Comments from the Public Involvement meeting and the public comment period (July 15, 2021 to August 15, 2021).

**See the public involvement materials for the project in the Project File/Public Involvement/Project Information subsection.**

**Was Public Involvement conducted in compliance with Title VI requirements?** Yes

**Is there any substantial environmental controversy on environmental grounds?** No

**Please summarize the Public Involvement responses received.**



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127 public comments were received in 2018 during the public comment period from September 5, 2018 to October 5, 2018. The comments included questions about sidewalks, property access, traffic, concerns with DDI complexity, historic property impacts, closures/congestion, traffic lights, noise walls, drainage concerns, and access. ODOT provided written responses to these comments by letter in 2018. All comments were reviewed and taken into account when proceeding forward with proposing and modifying various alternatives. This included having sidewalks in the design or considered for future design, maintaining access to properties, use of videos and other materials to introduce drivers on how to navigate a DDI, minimizing delays through signal timing and maintenance of traffic plans, as well as addressing the concerns for impacts to the historic house located within the project. 64 public comments were received in 2021 during the public comment period from July 15, 2021 to August 15, 2021. The comments included questions regarding new interchange design which is new to the region, construction impacts, project cost and funding, speed limits, property devalue, sidewalks, historic building impact, impacts to surrounding roads and intersections, and other potential strategies to eliminate crashes at the intersection instead of implementing the recommended alternative. ODOT provided written responses to these comments by letter on October 22, 2021. All comments were carefully reviewed and considered, with respect to the Project's Purpose and Need. Based on the comments, Maintenance of Traffic plans will be used to maintain traffic and access to businesses during construction, sidewalk access will continue through the interchange, and impacts to the historic house were further evaluated through several design alternatives and consultation with consulting parties. ODOT found that moving forward with the preferred alternative would be an effective measure to improve safety in the project area.

**A summary of the received comments and responses to comments can be found in the project file under Public Involvement/Project Information**

**Are there any Environmental Commitments? No**



## Permits

### Waterway Permits

<b>Are Waterway Permits required?</b>	Yes
<b>Is the Waterway Permits Determination Complete?</b>	Yes
Army Corps of Engineers	
<b>Regional General Permit (RGP):</b>	Yes
<b>Nationwide Permit (NWP):</b>	No
<b>Section 404 Individual Permit:</b>	No
<b>Section 10 Permit:</b>	No
Ohio EPA	
<b>Section 401 Water Quality Certification:</b>	No
<b>Level 1 General Isolated Wetland Permit:</b>	No
<b>Level 2 Individual Isolated Wetland Permit:</b>	No
<b>Level 3 individual Isolated Wetland Permit:</b>	No
US Coast Guard	
<b>Section 9 Coordination:</b>	No
<b>Section 9 Bridge Permit:</b>	No
ODNR	
<b>Shore Structure Permit :</b>	No

### Remarks:

Approximately 0.34 acres of Category 1 emergent wetlands are located within the proposed construction limits. All proposed impacts to these wetlands are due to vegetation clearing/grubbing, grading, ditch reshaping, and roadway construction activities. No impacts are anticipated to occur to the Unnamed Tributary to Mosquito Creek 1. A Waterway Permit Determination Request was submitted to ODOT-OES Waterway Permits Unit (WPU) on November 11, 2021 and then again on January 14, 2022, at the request of the WPU who provided comments. On March 3, 2022, ODOT-OES WPU reviewed the subject project and determined the project meets the criteria for U.S. Army Corps of Engineers (USACE) Regional General Permit (RGP) A-Linear Transportation with a Pre-Construction Notification (PCN). ODOT will be responsible for obtaining the appropriate waterway permit prior to construction activity. See the waterway permits determination information for the project in the Project File/Permits/Waterways subsection.

**Are there any environmental commitments? Yes**

### Storm Water Permits



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**NPDES Construction General Permit for Stormwater (NOI):** Yes

**Watershed Specific NPDES Construction General Permit for Stormwater (NOI):** No

**Remarks:**

Disturbed acreage is over 1.0 acre and a NPDES Construction General Permit (NOI) will be required for stormwater. ODOT will be responsible for obtaining the permit prior to construction activity. Vegetated biofilters are proposed to be added to ditches within the interchange to satisfy mitigation requirements. ODOT will be responsible for maintaining these features.

**Are there any environmental commitments? Yes**

**Floodplains**

**The proposed project involves encroachment within a Special Flood Hazard Area (SFHA)** No

**Remarks:**

The project is not located within a Special Flood Hazard Area.

**Are there any environmental commitments? No**

**Landfills**

**Is a 2713 Permit required?** No

**Remarks:**

No known landfills are located within or adjacent to the project area. No further coordination is warranted.

**Are there any environmental commitments? No**



## Environmental Commitments

### Cultural Resources

1) The Stipulations of the executed Memorandum of Agreement (ODOT Agreement No. 36861) will be fulfilled as environmental commitments as applicable [Refer to the Project File/Cultural Resources/Coordination/Executed MOA].

### Ecological

1) The Contractor shall not place any temporary or permanent fill within the jurisdictional boundaries of the Unnamed Tributary to Mosquito Creek 1. If debris enters the waterway during construction, the Contractor shall remove the debris immediately utilizing equipment staged outside the jurisdictional boundary.

2) The Contractor shall not place any temporary or permanent fill within the jurisdictional boundaries of wetlands where no impacts are authorized. If debris enters wetlands unauthorized for impact during construction, the Contractor shall remove the debris immediately utilizing equipment staged outside the jurisdictional boundary.

3) The Contractor shall ensure impacts to the federally listed and protected Indiana bat and northern long-eared bat and the State listed and protected little brown bat and tricolored bat are avoided and minimized. Do not remove trees from April 1 through September 30. Perform all necessary tree removal from October 1 through March 3. Demarcate clearing limits in the field to avoid any unauthorized tree clearing. For the purposes of this note, a tree is defined as a live, dying, or dead woody plant, with a trunk three inches or greater in diameter at a height of 4.5 feet above the ground surface, and with a minimum height of 13 feet.

### Permits - Waterway Permits

1) ODOT will obtain all appropriate waterway permits prior to any work within the jurisdictional boundary of any waterway, including wetlands, and all Waterway Permit Special Provisions will be noted under Special Provisions in the plans and adhered to during construction.

### Permits - Storm Water Permits

1) ODOT will submit a Notice of Intent for the NPDES Construction General Permit for Stormwater prior to construction and all Stormwater Special Provisions will be noted under Special Provisions in the plans and adhered to during construction



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### **Preparers and Approvals**

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### **Approvals & Electronic Signatures**

<b>Approved &amp; Electronically Signed By:</b>	<b>Approval Date:</b>
Edward Deley (PROGRAM ADMIN 3)	3/7/2022



## Appendix

### General

USGS Quadrangle Topographical Map.pdf

### Purpose and Need

OES Acceptance - Purpose and Need.pdf

### Air

OES Approval - No Air Analysis Required.pdf

### Noise

OES Approval - No Noise Analysis Required.pdf

### ESA

OES Recommendations - Screening Addendum.pdf

### Cultural Resources

ACHP Response.pdf

ACHP e106 Notification Receipt Confirmation.pdf

ACHP e106 Notification.pdf

Consulting Party Applications.pdf

Consulting Party Comment Response - October 2020.pdf

Consulting Party Comment Response - Tonetti September 2021.pdf

Consulting Party Comment and Response - Beca January 2019.pdf

Consulting Party Comments - Mines April 2021 .pdf

Consulting Party Comments - Venitti July 2020.pdf

Consulting Party Comments - Mines March 2021.pdf

Consulting Party Comments - (HHS) Draft MOA.pdf

Consulting Party Comments - (Tonetti) Draft MOA.pdf

Consulting Party Comments - Beca August 2020.pdf

Consulting Party Comments - Capito August 2020.pdf

Consulting Party Comments - Liddle August 2020.pdf

Consulting Party Comments - Mines April 2021 .pdf

Consulting Party Comments - Mines August 2020.pdf

Consulting Party Comments - Mines August 2021 (2).pdf



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Consulting Party Comments - Mines August 2021 (3).pdf  
Consulting Party Comments - Mines August 2021.pdf  
Consulting Party Comments - Mines May 2021 (2).pdf  
Consulting Party Comments - Mines May 2021.pdf  
Consulting Party Comments - Mines September 20, 2021.pdf  
Consulting Party Comments - St. George August 2020.pdf  
Consulting Party Comments - Taiclet August 2020.pdf  
Consulting Party Comments - Tonetti August 2021.pdf  
Consulting Party Comments - Toth July 2021.pdf  
Consulting Party Comments - Vennitti February 2021.pdf  
Consulting Party Comments - Vennitti January 2021.pdf  
Consulting Party Comments- Mines July 2021.pdf  
Consulting Party Coordination - May 2021.pdf  
Consulting Party Coordination - Beca 2018.pdf  
Consulting Party Coordination - December 21, 2020.pdf  
Consulting Party Coordination - February 2021.pdf  
Consulting Party Coordination - July 17, 2020.pdf  
Consulting Party Coordination - Taiclet 2018.pdf  
Consulting Party Coordination - Vennitti 2018.pdf  
Consulting Party Meeting Minutes - April 2021.pdf  
Consulting Party Meeting Minutes - August 26, 2021.pdf  
Consulting Party Meeting Minutes - August 3, 2021.pdf  
Consulting Party Meeting Minutes - July 14, 2020.pdf  
Consulting Party Meeting Minutes - November 2020.pdf  
Consulting Party Meeting Presentation - August 2021.pdf  
Consulting Party Request Acknowledgement.pdf  
Cultural Resources Remarks Continued.pdf  
District Meeting Minutes - September 2020.pdf  
OES Determination of Eligibility .pdf  
OES Meeting Minutes - February 2021.pdf  
OES Meeting Minutes - January 2021.pdf  
OES Meeting Minutes - June 2021.pdf



OES Meeting Minutes - May 2021.pdf

OES Meeting Minutes - November 2020.pdf

OES Meeting Minutes - September 2020.pdf

OES Scoping Guidance - Archaeology.pdf

OES Scoping Guidance - Cultural Resources.pdf

SHPO Comments

SHPO Comments - December 6, 2018.pdf

SHPO Coordination - November 29, 2018.pdf

SHPO Coordination - September 24, 2020.pdf

SHPO Coordination - August 6, 2018.pdf

SHPO Meeting Minutes - January 2019.pdf

Section 106 Timeline.pdf

Transmittal 1 - Archaeology Evaluation

Transmittal 3 - Effect Determination

Transmittal 4 - Effect Determination Re-evaluation

Transmittal 5 -

Tribal Consultation

Tribal Response - Seneca Nation.pdf

### **Ecological**

Coordination with USFWS.pdf

ESR Placeholder DO NOT DELETE EVER.pdf

ODOT Disposition of Agency Comments.pdf

USFWS Comments - signed Consult Form.pdf

Wetland Finding.pdf

### **Other Resources**

Census Bureau Urbanized Area Map.pdf

Water Source Protection Area Map.pdf

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

Draft Individual 4f DOI Response Letter.pdf

Final Individual Section 4f Evaluation Approval.pdf

Final Individual Section 4f Legal Sufficiency Approval.pdf

Individual - Final Email to DOI.pdf



**Underserved Populations**

Census Mapping.pdf

**Public Involvement**

Consulting Party Notification Letter -2021 Public Meeting.pdf

News Article - WFMJ.pdf

News Article - Warren Tribune (2).pdf

News Article - Warren Tribune .pdf

ODOT Project Website - 2021 Public Meeting.pdf

ODOT PublicInput Website - 2021 Public Meeting.pdf

OES Approval - Public Engagement Plan.pdf

Press Release - 2018 Public Meeting.pdf

Press Release - 2021 Public Meeting.pdf

Property Owner Notification Letter for right-of-entry (2).pdf

Property Owner Notification Letter for right-of-entry.pdf

Public Comments Received - 2018 Public Meeting Open Mic.pdf

Public Comments Received - 2018 Public Meeting.pdf

Public Comments Received - 2021 Public Meeting (PublicInput).pdf

Public Comments Received - 2021 Public Meeting.pdf

Public Engagement Plan.pdf

Public Meeting Agenda - 2021 Public Meeting.pdf

Public Meeting Comment Form - 2021 Public Meeting.pdf

Public Meeting Exhibits - 2018 Public Meeting.pdf

Public Meeting Handouts - 2018 Public Meeting.pdf

Public Meeting Handouts - 2021 Public Meeting.pdf

Public Meeting Notification Flyer - 2021 Public Meeting.pdf

Public Meeting Notification Letter - 2018 Public Meeting.pdf

Public Meeting Notification Letter - 2021 Public Meeting.pdf

Public Meeting Notification Paid Ad - 2021 Public Meeting.pdf

Public Meeting Notification PublicInput Website - 2021 .pdf

Public Meeting Participant Guide - 2021 Public Meeting.pdf

Public Meeting Presentation - 2018 Public Meeting.pdf

Public Meeting Presentation - 2021 PI Meeting Info Animation.mp4



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Public Meeting Presentation - 2021 Public Meeting.pdf  
Public Meeting Sign In Sheet - 2018 Public Meeting Open Mic .pdf  
Public Meeting Sign In Sheet - 2018 Public Meeting.pdf  
Public Notification Mailing List - 2018 Public Meeting.pdf  
Public Notification Mailing List - 2021 Public Meeting.pdf  
Response to Public Comments - 2018 Public Meeting.pdf  
Response to Public Comments - 2021 Public Meeting.pdf  
Response to Stakeholder Comments - 2021 Stakeholder Meeting.pdf  
Stakeholder Comments - 2021 Stakeholder Meeting.pdf  
Stakeholder Contact List - 2018 Public Meeting.pdf  
Stakeholder Contact List - 2020 Stakeholder Meeting.pdf  
Stakeholder Contact List - 2021 Stakeholder Meeting.pdf  
Stakeholder Meeting Agenda - 2020 Stakeholder Meeting.pdf  
Stakeholder Meeting Exhibits - 2020 Stakeholder Meeting.pdf  
Stakeholder Meeting Minutes - 2020 Stakeholder Meeting.pdf  
Stakeholder Meeting Presentation - 2021 Stakeholder Meeting.pdf  
Stakeholder Meeting Sign-In - 2020 Stakeholder Meeting.pdf  
Stakeholder Notification - 2020 Stakeholder Meeting.pdf  
Stakeholder Notification Letter - 2021 Public Meeting.pdf  
Stakeholder Notification Letter - 2021 Stakeholder Meeting.pdf

**Permits**

FEMA FIRM.pdf