



# OHIO DEPARTMENT OF TRANSPORTATION

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

## **Environmental Document**

for

## **STA IR 0077 01.27 PID 106143**

**Environmental Document Level: C2**

**Approved: 2/24/2020**

**Prepared By: Brian Peck**

ODOT 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 June 6, 2018, and executed by FHWA and ODOT.*

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**C2**

<b>PID:</b>	106143
<b>Project Sponsor:</b>	DISTRICT 4-MAINTENANCE
<b>ODOT District:</b>	4
<b>Funding Source:</b>	Federal
<b>Private Funding:</b>	No

**Project Description:**

The Ohio Department of Transportation (ODOT) proposes to reconstruct approximately 860 linear feet of highway embankment along Interstate Route (IR) 77 in Bethlehem Township, Stark County. This proposed slide/embankment repair area is located between Sherman Church Avenue SW and the southbound lanes of IR 77 and includes the reconstruction of approximately 896 linear feet of stream channel and the removal/replacement of approximately 862.5 feet of guardrail. Moreover, the project will repair or reconstruct damaged and deficient catch basins along IR 77 north and south of the slide/embankment repair area. The catch basin maintenance/reconstruction work will be performed along IR 77 from approximately 0.1 mile north of the Stark County/Tuscarawas County Line to the IR 77/State Route 800 interchange in Bethlehem, Pike and Canton Townships and the city of Canton, Stark County.

Mapping that depicts the project location on United States Geological Survey (USGS) 7.5-Minute Topographic Quadrangle Mapping is included in Project File/General/Project Information subsection as USGS Quadrangle Topographical Map.pdf.

The proposed slide/embankment repair area shall be accessed from Sherman Church Avenue SW. Traffic on Sherman Church Avenue SW shall be maintained at all times during project construction. If the proposed slide/embankment repair area cannot be completed off the road, then Sherman Church Avenue SW will be maintained via flaggers. If access to the proposed slide/embankment repair area is preferred from IR 77, then the right lane of IR 77 shall be closed during the proposed slide/embankment repair activities. This potential lane closure may only take place from 7:00 PM TO 6:00 AM. Construction and lane restriction information will be posted within the project limits prior to the start of project construction. Access shall be maintained to all adjacent properties and intersecting streets along Sherman Church Avenue SW for the duration of the project. Substantial traffic disruptions are not expected with the project.

The project will be constructed within the existing highway/roadway rights-of-way.

Minor relocations of existing utilities within the project study area will be necessary to construct the project. These minor utility relocations will occur within the existing highway/roadway right-of-way. Utilities will not be permanently removed to construct the project. Coordination with the utility companies affected by the proposed construction activities was conducted for the project during its preliminary engineering phase and will continue during its detailed design phase.

Based on the project scope of work, its Path 1 Preliminary Development Process (PDP) Classification and the proposed maintenance of traffic measures, emergency/public services contact activities were not conducted for the project.



The project Area of Potential Effects (APE) consists of the construction footprint within the existing IR 77 and Sherman Church Avenue SW rights-of-way. A literature search performed for the project determined there are no inventoried buildings (OHI), no identified archaeological sites (OAI), and no listed or eligible Historic Properties located in the proposed construction area or the APE. Moreover, the APE and surrounding area was previously surveyed in 2001 for the Gracemont Interchange project (STA-77-0.29, PID 21317). The area was found to be severely disturbed and devoid of cultural resources. Slip repair projects where the work is limited to areas of failed or eroded slope are exempt from further cultural resource consideration by the 11/8/17 Cultural Resource PA (Agreement 19319), if the project is not within the boundaries of any Historic Property or National Register District. In accordance with Stipulation V(C)(1) and Appendix B of the Section 106 Programmatic Agreement executed on November 8, 2017 (Agreement No. 19319), amended on July 11, 2019, ODOT- Office of Environmental Services (OES) determined the project is a type of undertaking that has 'minimal potential to cause effects' to historic properties and is not a part of a larger undertaking. See the cultural resources documentation for the project in the Project File/Cultural Resources/Project Information subsection and the Cultural Resources Tab.

A Regulated Materials Review (RMR) form was completed for the project and no further environmental site assessment or special material management is warranted for the project. See the RMR documentation for the project in the Project File/ESA/Reports 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) Number 11  
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.)***

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



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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>	May Affect, Not Likely to Adversely Affect
<b>Endangered Species - Coordination Date</b>	06/28/2019
<b>Endangered Species - Critical Habitat Present/Impacted</b>	
Indiana bat	
Northern long-eared bat	
<b>Endangered Species - Other Critical Habitat Present/Impacted:</b>	No
<b>100-Year Floodplain:</b>	No Encroachment Within a Special Flood Hazard Area (SFHA)
<b>Section 4(f):</b>	Not present
<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 B
<b>Cultural Resources Coordination - ODOT Approval/SHPO Concurrence Date</b>	12/03/2019
<b>Tribal Consultation Summary/Remarks:</b>	

Based on the customized preferences configured by the tribe, the ODOT EnviroNet System notified the Miami Tribe of Oklahoma about the project on 12/03/2019. No comment or objection was received from the Miami Tribe of Oklahoma concerning this project within 30 days of the project notification date.

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



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<b>Air Quality - Coordination with OES:</b>	No
<b>Noise:</b>	Studies Not Required
<b>Noise Coordination - OES Approval Date:</b>	
<b>Hazardous Materials - ESA Screening Conducted</b>	Yes
<b>Hazardous Materials - OES Approval Date:</b>	01/29/2020
<b>Phase I ESA Warranted Based on Coordination with OES:</b>	No Further Studies Warranted
<b>Farmland:</b>	Non-Urbanized Area; No Impacts in Accordance With the Farmland MOU, 7 CFR 658, and ORC 929.05
<b>Scenic Rivers</b>	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.	
<b>Underserved Populations</b>	Does Not Exceed UP Guidance Criteria; No UP Analysis Report Required and No UP Issues Raised During Public Involvement
<b>Public Involvement:</b>	Minimum PI Requirements Met; No Minor Public or Agency Controversy on Environmental Grounds
<b>Environmental Commitments</b>	Yes



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## **Environmental Commitments**

### **C2**

- 1) The designer shall incorporate a plan note to prohibit tree removal from April 1 through September 30. All necessary tree removal shall occur from October 1 through March 31. This requirement is necessary to avoid and minimize impact to these species as required by the Endangered Species Act. 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.
- 2) If determined necessary, stream and/or wetlands mitigation will be completed for the project, in accordance with current Clean Water Act requirements as regulated by the U. S. Army Corps of Engineers and Ohio EPA, and the appropriate documentation will be included in the project file.
- 3) The designer shall incorporate appropriate plan references and/or notes requiring the Contractor to seed and mulch all disturbed and reconstructed areas. Where appropriate, the project will revegetate disturbed areas with native grasses, wildflowers and/or trees as directed in the waterway permit for the project.



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### **Preparers and Approvals**

**Form Preparer:**

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**Supporting Form Preparer(s):**

Brian Peck  
Thomas Powell

### **Approvals & Electronic Signatures**

<b>Approved &amp; Electronically Signed By:</b>	<b>Approval Date:</b>
Edward Deley (PROGRAM ADMIN 3)	2/24/2020



## Appendix

### **Cultural Resources**

Buckeye Assets Mapping.pdf

### **Ecological**

Coordination with ODNR and USFWS.pdf

### **General**

County Map.pdf

### **Ecological**

Ecological Review Form - Eco Exempt Project - Catch Basins.pdf

### **Cultural Resources**

Minimal Potential to Cause Effect - Appendix B

### **Ecological**

ODOT Disposition of Agency Comments.pdf

### **General**

Project Description Continued.pdf

### **Cultural Resources**

Records Check.pdf

### **ESA**

Regulated Materials Review Form.pdf

### **Ecological**

USEPA Comments Consult Form STA-77-1.27 Slide PID 106143.pdf

### **General**

USGS Quadrangle Topographical Map.pdf

### **Ecological**

Wetlands Finding.pdf

### **Underserved Populations**

Census Mapping.pdf

### **Permits**

FEMA FIRM.pdf

### **Underserved Populations**



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Underserved Populations Documentation Form.pdf