



# OHIO DEPARTMENT OF TRANSPORTATION

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

## **Environmental Document**

for

### **STA TR 0211 01.970 (Fulton Dr) PID 110429**

**Environmental Document Level: C2**

**Approved: 3/1/2021**

**Prepared By: District 4**

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*The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by ODOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated December 14, 2020, and executed by FHWA and ODOT.*

# Table of Contents

C2.....	3
Environmental Commitments.....	7
Preparers and Approvals.....	8
Appendix.....	9



## C2

<b>PID:</b>	110429
<b>Project Sponsor:</b>	Stark County Park District
<b>ODOT District:</b>	4
<b>Funding Source:</b>	Federal
<b>Private Funding:</b>	No

### Project Description:

The Stark County Park District, in cooperation with Jackson Township, the Jackson Local School District and the Stark County Area Transportation Study (SCATS) metropolitan planning organization, proposes to construct a 772-foot long, 10-foot wide shared use path and a 95-foot long, 16-foot wide, 9-foot tall precast concrete box multi-modal tunnel under Fulton Drive providing safe connection from the Jackson High School campus to North Park, with its new amphitheater, and the Stark County District Library. Moreover, the project proposes to adjust the existing sidewalk along Fulton Drive, replace existing sidewalk on the Jackson High School campus property, construct an approximate 38-foot connector path, tunnel headwall/parapet with Ashlar Block relief pattern/aluminum railing, a 153-foot prefabricated modular retaining wall, drainage improvements, install vegetated biofilters, lights, traffic/path-trail signs, landscaping, other trail/park amenities and apply crosswalk/edge line/center line/channelizing line/lane arrow pavement markings.

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 as USGS Quadrangle Topographical Map.pdf.

The project will require closure of Fulton Drive for a duration of approximately 21 consecutive days. Fulton Drive traffic will be detoured along Wales Avenue, Mudbrook Street and Arlington Avenue during project construction. Construction and road closure/detour information will be posted within the project limits prior to the start of project construction. Access shall be maintained to the Jackson High School campus, North Park and all adjacent properties and intersecting side streets for the duration of the project. Substantial traffic disruptions are not expected during project construction.

A total of 0.752 acre of new permanent right-of-way and 0.58 acre of temporary right-of-way will be acquired from two parcels to construct the project. Total property takes/structure relocations are not required by the project. See the right-of-way plans for the project in the Project File/General/Project Information subsection. 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 and new permanent roadway rights-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.

There are no identified archaeological site (OAI) or architectural resource (OHI) found in the immediate project study area. No historic property listed or eligible for National Register are found in the project construction area or in the project area of potential effects (APE). Projects impacting the existing operational right-of-way and construction of pedestrian facilities including shared-use paths are exempt from further cultural resource consideration by the 11/8/2017 Cultural Resource PA (Agreement 19319) as long as no permanent right-of-way from a historic property will be acquired and no contributing element of a historic district will be removed or altered by construction. In accordance with Stipulation V(C)(1) and Appendix B of



**Environmental Document Level: C2**  
PID 110429 STA TR 0211 01.970 (Fulton Dr)

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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.

The proposed tunnel under Fulton Drive and associated new trail connection, retaining wall, landscaping and other trail/park amenities will impact the Jackson Township North Park. The project will acquire new permanent and temporary rights-of-way from North Park. However, the project can be processed as an exception to the requirement for Section 4(f) approval. A Section 4(f)/6(f) Determination Request Form for Recreational Properties (DRF) for the project was submitted to ODOT OES. Based upon review of the DRF for the project, ODOT OES determined the project can be processed as an exception to the requirement for Section 4(f) approval. Therefore, in accordance with 23 CFR 774.13(g), the project will preserve and/or enhance North Park and will not adversely affect the protected recreational activities, features or attributes. This determination was made for the project based on the project scope of work and concurrence received from the North Park Official with Jurisdiction (OWJ). See the Section 4(f) documentation for the project in the Project File/Section 4(f)/Reports, Project Information and Coordination subsections. Moreover, appropriate environmental commitments related to measures to minimize harm are listed in the environmental commitments section of this C2 environmental document.

Based on the information in the Regulated Materials Review (RMR) Screening completed for the project, ODOT OES determined further RMR activities or special material management are not warranted for the project. See the RMR documentation for the project in the Project File/ESA/Reports and Project Information subsections.

Additionally, this project is considered ecologically exempt under the Ecological MOA (Agreement 19394). See the Ecological Review Form - Ecologically Exempt Project.pdf for the project in the Project File/Ecological/Reports subsection.

ODOT District 4 Environmental Section personnel reviewed the FEMA FIRM for the project study area and determined the project is not located within a special flood hazard area.

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

ODOT District 4 conducted various public involvement activities for the project. Coordination with affected property owners (Jackson Township-North Park and Jackson Local Schools) was performed as part of Stakeholder coordination for the project. Stakeholder coordination will continue throughout detailed design and project construction. Project maintenance of traffic and schedule information was submitted by electronic mail to local emergency and public services in the project study area, a news release was issued about the project and the news release information was posted on the ODOT website. Comments were requested by all of the public involvement activities conducted for the project. ODOT received one comment/request for video surveillance at the tunnel. Stark County Park District proposes to install video surveillance/security cameras after the proposed multi-modal tunnel construction project is complete and will work with Jackson Township and Jackson Local School District to develop a video surveillance/security camera monitoring plan. See the public involvement documentation, including the received comments and responses to comments, for the project in the Project File/Public Involvement/Project Information subsection.

The environmental document and associated studies, as applicable, were approved using the Stage 2 Design plans for the project. A copy of the Stage 2 Design plans for the project is included in the Project File/General/Project Information subsection as Stage 2 Design.pdf.

The estimated total project cost specified in Ellis agrees with the total project cost specified in the ODOT State Fiscal Years 2021 - 2024 Statewide Transportation Improvement Program (STIP).



STIP Reference #:

110429: 21-24 STIP.

**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.)*

(27) Highway safety or traffic operations improvement projects, including the installation of ramp metering control devices and lighting, if the project meets the constraints in paragraph (e) of this section. *Examples include: Lane reduction ("road diet") changes provided traffic analysis is completed; Railroad projects that close at-grade crossings to improve safety or traffic operations.*

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

**Waterways:** Not Present

**Will any wetlands be impacted?** No

**Endangered Species:** No Impacts to Protected Species and Critical Habitat

**100-Year Floodplain:** No Encroachment Within a Special Flood Hazard Area (SFHA)

**Section 4(f):** Present; No Programmatic Evaluation or Individual Evaluation Required

**Section 4(f) Determination:**

Transportation Enhancement Exception - 774.13(g)

**Section 4(f) Determination Date - 774.13(g)**

02/23/2021



<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>	12/31/2020
<b>Since no Tribe was interested in this project based on their customized preferences, no further Tribal consultation was conducted.</b>	
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.	
<b>Air Quality:</b>	Studies Not Required
<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>	12/30/2020
<b>Phase I ESA Warranted Based on Coordination with OES:</b>	No Further Studies Warranted
<b>Farmland:</b>	Urbanized Area; No Impacts in Accordance With the Farmland MOU and 7 CFR 658
<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



## **Environmental Commitments**

### **C2**

- 1) The project designer shall incorporate a plan note into the plans to ensure access to North Park shall be maintained at all times during construction activities.
- 2) The project designer shall incorporate a plan note into the plans to ensure the contractor shall install temporary construction fencing along the project construction limits within the Jackson Township North Park prior to the start of construction activities to protect the Jackson Township North Park/Section 4(f) property and the public.
- 3) The project designer shall incorporate a plan note into the plans to ensure appropriate signage shall be installed by the contractor to alert users of North Park of construction activities.
- 4) The project designer shall incorporate a plan note into the plans to require the contractor to closely coordinate the construction schedule with ODOT, Stark Parks, Jackson Township and Jackson Local Schools prior to the start of construction activities.



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### **Preparers and Approvals**

**Form Preparer**

District 4  
Contact: Edward Deley  
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Edward.Deley@dot.ohio.gov

**Supporting Form Preparer(s):**

Brian Peck  
Mary Christoff

### **Approvals & Electronic Signatures**

<b>Approved &amp; Electronically Signed By:</b>	<b>Approval Date:</b>
Edward Deley (PROGRAM ADMIN 3)	3/1/2021



## Appendix

### General

County Map.pdf

USGS Quadrangle Topographical Map.pdf

### ESA

Project Related OES Decision - ESA.pdf

### Cultural Resources

Buckeye Assets Mapping.pdf

Minimal Potential to Cause Effect - Appendix B

Records Check.pdf

### Ecological

Ecological Review Form - Ecologically Exempt Project.pdf

ODNR Scenic River MOA Conditions

### Section 4(f)

Jackson Local Schools Letter.pdf

OES Recreational 4(f) Determination.pdf

Pre-Stage 1 Alternatives Meeting.pdf

### Underserved Populations

Census Mapping.pdf

Underserved Populations Documentation Form.pdf

### Public Involvement

News Article - Canton Repository 6-6-2020.pdf

Press Release.pdf

Project Website.pdf

Public and Emergency Services Contact List.pdf

Public and Emergency Services Project Notification.pdf

Public Comments Received.pdf

Response to Public Comments.pdf

Stakeholder Meeting Minutes or Notes.pdf

Website Snap Shot.pdf