



OHIO DEPARTMENT OF TRANSPORTATION

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

Environmental Document

for

TRU SR 0005 6.41/6.63 PID 107143

Environmental Document Level: C2

Approved: 8/23/2021

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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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C2

PID: 107143
Project Sponsor: ODOT SPONSORING AGENCY
ODOT District: 4
Funding Source: Federal
Private Funding: No

Project Description:

The Ohio Department of Transportation (ODOT) proposes to reconstruct a total 700 linear feet of roadway embankment within two (2) roadway embankment failure areas along westbound State Route (SR) 5, southwest of West Market Street, in Warren Township, Trumbull County. This project proposes to excavate the failed embankment material and use benching techniques to reconstruct the existing roadway embankment from Station (Sta.) 1015+00 to Sta. 1019+00 and from Sta. 1024+50 to Sta. 1027+50. Additional improvements proposed by the project include slope drain/underdrain outlet installations, guardrail reconstruction and shoulder pavement restoration.

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.

A minimum of one 11-foot lane of traffic in each direction shall be maintained on the existing pavement during project construction. The duration of lane closures/restrictions shall be prescribed by the permitted lane closure chart. Construction and lane restriction/reduction information will be posted within the project construction limits prior to the start of project construction. Substantial traffic disruptions are not expected during project construction.

The project will be constructed within the existing roadway right-of-way.

Existing utilities within the project study areas will not be impacted/relocated to construct the project.

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

A Cultural Resources Records Check was performed by district environmental staff using the SHPO GIS online database. No Cultural Resources listed on or determined eligible for listing on the National Register of Historic Places were identified within and/or immediately adjacent to the proposed project area. The undertaking is a type that has minimal potential to cause effects to historic properties. No further coordination is required in accordance with the Section 106 Programmatic Agreement. In accordance with Stipulation V(C)(1) and Appendix A of the Section 106 Programmatic Agreement executed on November 8, 2017 (Agreement No. 19319), amended on July 11, 2019, ODOT 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.

Based on the information in the Regulated Materials Review (RMR) Form completed for the project, further RMR activities or special materials management are not warranted for the project. See the RMR documentation for the project in the Project File/ESA/Reports subsection.

The project proposes to impact 0.06 acre of suitable wooded habitat (SWH) for the Federally-listed Indiana



Bat (*Myotis sodalis*) and Northern Long-Eared Bat (*Myotis septentrionalis*) and State-listed Little Brown Bat (*Myotis lucifugus*) and Tricolored Bat (*Perimyotis subflavus*). All SWH proposed to be impacted by the project is located within 100 feet of the roadway edge of pavement. Suitable wetlands habitats for the Federally-listed eastern massasauga are located adjacent to the project study area. However, these wetlands habitats will not be impacted by the project. See the ecological documentation and threatened/endangered species documentation for the project in the Project File/Ecological/Reports, Project Information and Coordination subsections.

ODOT District 4 Environmental Section personnel reviewed the FEMA FIRM for the project study areas and determined the project is not located within a special flood hazard area. See the floodplains documentation for the project in the Project File/Permits/Floodplains subsection.

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

ODOT District 4 mailed project notification letters to the adjoining property owners. Comments were requested by this public involvement activity conducted for the project. ODOT District 4 did not receive any comments as a result of the public involvement activity conducted for the project. See the public involvement documentation 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 3 Design plans for the project. A copy of the Stage 3 Design plans for the project is included in the Project File/General/Project Information subsection as Stage 3 Design.pdf.

The estimated total project cost specified in Ellis is 0.86% greater than the total project cost specified in the ODOT State Fiscal Years 2021 - 2024 Statewide Transportation Improvement Program (STIP). However, fiscal constraint is at the Statewide Line Item (SLI) Group level. Therefore, an individual project utilizing a SLI does not require a STIP/TIP amendment.

STIP Reference #:

107143: 21-24 STIP/SLI Group Project. Fiscal constraint is at SLI Group level.

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.



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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
Endangered Species:	Present; No finding of May Affect, Likely to Adversely Affect
Endangered Species - Coordination	May Affect, Not Likely to Adversely Affect
Endangered Species - Coordination Date	12/31/2019
Endangered Species - Critical Habitat Present/Impacted	
Eastern massasauga	
Endangered Species - Other Critical Habitat Present/Impacted:	No
100-Year Floodplain:	No Encroachment Within a Special Flood Hazard Area (SFHA)
Section 4(f):	Not present
Section 6(f):	Not present
Cultural Resources:	Present; No Finding of Adverse Effect
Cultural Resources Coordination:	Minimum Potential to Cause Effect Appendix A
Cultural Resources Coordination - ODOT Approval/SHPO Concurrent Date	08/09/2021
Since no Tribe was interested in this project based on their customized preferences, no further Tribal consultation was conducted.	
Projects that meet C2 criteria are not anticipated to have impacts to the following environmental resources. If resources are present, documentation is only required if there is a potential for impacts.	
Air Quality:	Studies Not Required
Air Quality - Coordination with OES:	No
Noise:	Studies Not Required
Noise Coordination - OES Approval Date:	
Hazardous Materials - ESA Screening Conducted	Yes
Hazardous Materials - OES Approval Date:	08/09/2021
Phase I ESA Warranted Based on Coordination with OES:	No Further Studies Warranted



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Farmland:

Urbanized Area; No Impacts in Accordance With the Farmland MOU and 7 CFR 658

Scenic Rivers

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

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

Underserved Populations

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

Public Involvement:

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

Environmental Commitments

Yes



Environmental Commitments

C2

1) The project designer shall incorporate the following note into the plans:

WETLANDS AVOIDANCE:

NO EXCAVATION, GRADING, OR FILLING OPERATIONS SHALL BE PERFORMED IN THE WETLANDS DELINEATED JUST BEYOND THE PROJECT CONSTRUCTION LIMITS AND DEPICTED IN THE PROJECT PLANS. TO PROTECT AND DELINEATE THE BOUNDARIES OF THE EXISTING RESOURCES, A FILTER FABRIC FENCE AND TEMPORARY CONSTRUCTION FENCE PER SUPPLEMENTAL SPECIFICATION 832, SHALL BE INSTALLED AT THE PROPOSED CONSTRUCTION LIMITS, MAINTAINING A ONE-FOOT BUFFER BETWEEN THE FENCE AND THE WETLAND BOUNDARIES, WHEN PRACTICABLE, PRIOR TO THE START OF ANY CONSTRUCTION ACTIVITIES, INCLUDING ANY NECESSARY CLEARING AND GRUBBING ACTIVITIES, AND BE MAINTAINED BY THE CONTRACTOR THROUGHOUT PROJECT CONSTRUCTION. UNDER NO CIRCUMSTANCES SHALL THE CONTRACTOR STORE EQUIPMENT (LIFT, SCAFFOLDING, BACKHOE, EARTH MOVING EQUIPMENT, ETC.) AND/OR MATERIALS IN ANY WETLANDS, ETC. ODOT CONSTRUCTION AND MATERIALS SPECIFICATIONS SECTION 107.10 (PROTECTION AND RESTORATION OF PROPERTY) PROHIBIT THE CONTRACTOR FROM CREATING STAGING AREAS NEAR STREAMS AND/OR WETLANDS.

2) The project designer shall incorporate the following note into the plans:

ENDANGERED SPECIES HABITAT - INDIANA BAT/NORTHERN LONG-EARED BAT
THE PROJECT SITES ARE LOCATED WITHIN THE KNOWN HABITAT RANGES OF THE FEDERALLY LISTED AND PROTECTED INDIANA BAT AND NORTHERN LONG-EARED BAT. NO TREES SHALL BE REMOVED AT THESE LOCATIONS 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 IMPACTS 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.

3) The project designer shall incorporate the following note into the plans:

ENDANGERED SPECIES - EASTERN MASSASAUGA RATTLESNAKE:

THE PROJECT SITES ARE WITHIN THE RANGE OF THE EASTERN MASSASAUGA RATTLESNAKE (*SISTRURUS CATENATUS*) A STATE ENDANGERED AND FEDERAL THREATENED SPECIES. IF EASTERN MASSASAUGA RATTLESNAKES ARE ENCOUNTERED IN THE WORK AREA(S) DURING CONSTRUCTION, NO PERSON SHALL HARM OR KILL THE SNAKES OR ATTEMPT TO HANDLE THE EASTERN MASSASAUGA RATTLESNAKE. ALL CONSTRUCTION OPERATIONS AT THE WORK AREA(S) SHALL TEMPORARILY CEASE AND ODOT OFFICE OF ENVIRONMENTAL SERVICES (OES) - ECOLOGICAL SECTION (614-466-5129 OR 614-466-5112) AND THE UNITED STATES FISH AND WILDLIFE SERVICE (USFWS) COLUMBUS FIELD OFFICE (614-416-8993) WILL BE IMMEDIATELY CONTACTED. CONSTRUCTION OPERATIONS WILL NOT RESUME UNTIL COORDINATION WITH ODOT OES AND USFWS HAS BEEN CONCLUDED.



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Preparers and Approvals

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Approvals & Electronic Signatures

Approved & Electronically Signed By:	Approval Date:
Edward Deley (PROGRAM ADMIN 3)	8/23/2021



Appendix

General

USGS Quadrangle Topographical Map.pdf

Cultural Resources

Records Check.pdf

Ecological

Coordination with ODNR and USFWS.pdf

USFWS Comments - Consult Form TRU-5-6.41_6.63.pdf

Other Resources

Urbanized Area Map.pdf

Underserved Populations

Census Mapping.pdf

Underserved Populations Documentation Form.pdf

Public Involvement

Property Owner Notification Letter.pdf

Public Notification Mailing List.pdf

Permits

FEMA FIRM.pdf