



OHIO DEPARTMENT OF TRANSPORTATION

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

Environmental Document

for

STA IR 77 12.59 Noise Wall PID 111578

Environmental Document Level: C2

Approved: 3/18/2020

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

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C2

PID:	111578
Project Sponsor:	ODOT SPONSORING AGENCY
ODOT District:	4
Funding Source:	Federal
Private Funding:	No

Project Description:

The Ohio Department of Transportation (ODOT) proposes to clean, re-seal, patch, paint, repair/reset, as applicable, five (5) existing noise walls along Interstate Route (IR) 77 from the IR 77/U. S. Route (USR) 62/State Route (SR) 687-Fulton Road interchange to the IR 77/Belden Village Street interchange in the city of Canton and Plain Township, Stark County. This project also proposes to clear/grub vegetation and trees between the noise walls and the existing IR 77 right-of-way limit at various locations.

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

Existing utilities within the project study area will not be impacted/relocated to construct the project. During project construction, a minimum of two (2) lanes of traffic will be maintained in each direction along IR 77. At the existing IR 77/Belden Village Street interchange, the northbound IR 77 exit ramp to Belden Village Street, Ramp T, may be closed for a minimal duration to construct the project. This ramp traffic would be detoured to northbound IR 77, Portage Street and southbound IR 77. The contractor shall provide advance written notice and obtain approval from the Project Engineer for any necessary traffic restrictions. Construction and lane restriction information will be posted prior to the start of construction activities. Access shall be maintained to all adjacent properties and businesses along existing side streets for the duration of the project. Substantial traffic disruptions are not expected with the project.

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.

Review of the Ohio State Historic Preservation Office (SHPO) on-line mapping system, Buckeye Asset Database and the ODOT Historic Bridge Inventory Database confirmed that properties or structures listed in or eligible for listing in the National Register of Historic Places are not located within the area of potential effects (APE). Modernization and maintenance projects are generally exempted from further cultural resource consideration by the 11/8/2017 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 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.



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

The project will not result in impacts to stream, wetlands or other jurisdictional waters of the United States. However, the project proposes to remove a total of approximately 3.3 acres of suitable wooded habitat (SWH) for the federally listed Indiana Bat (*Myotis sodalis*) and/or Northern Long-eared Bat (*Myotis septentrionalis*) species. The project may affect, but is not likely to adversely affect these bat species. The project will have no effect on any other federally listed threatened and endangered species. Moreover, the project is not likely to impact the state threatened Spotted Turtle (*Clemmys guttata*) and/or any other state listed species. See the threatened and endangered species information in the Level 1 Ecological Survey Reports and agency coordination for the project in the Project File/Ecological/Reports, Project Information and Coordination subsections.

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

The project is designed to comply with all applicable Local, State and Federal floodplain protection standards. Floodplain coordination was performed for the project. Floodplain permitting is not required for the project. See the floodplain documentation and coordination for the project in the Project File/Permits/Floodplains 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 agrees with the total project funding specified in the ODOT Fiscal Year (FY) 2018 - FY 2021 State Transportation Improvement Program (STIP) Statewide Line Item (SLI) Grouped Project Report as of 02/12/2020.

STIP Reference #

Statewide Line Item (SLI) Number 28
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



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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:	Present; No Coast Guard, Individual 404, and/or Section 10 Permit required
Waterways Permit Type:	
Isolated Wetland Permit	No
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	01/31/2020
Endangered Species - Critical Habitat Present/Impacted	
Indiana bat	
Northern long-eared bat	
Endangered Species - Other Critical Habitat Present/Impacted:	No
100-Year Floodplain:	Encroachment Within the SFHA is a Functionally Dependent Use
EO 11988/NFIP Coordination and Documentation Completed:	Yes
NFIP Local Floodplain Coordinator Notification Date:	01/27/2020
Section 4(f):	Present; No Impacts and/or Access Restrictions
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 Concurrence Date	12/04/2019



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

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

Air Quality:	Studies Not Required
Air Quality - Coordination with OES:	No
Noise:	Studies Not Required
Noise Coordination - OES Approval Date:	
Hazardous Materials - ESA Screening Conducted	Yes
Hazardous Materials - OES Approval Date:	12/04/2019
Phase I ESA Warranted Based on Coordination with OES:	No Further Studies Warranted
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

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- 1) The 38th Street East and West Noise Walls abut the West Branch Trail and Arboretum Park, respectively. All project work shall be performed within existing IR 77 Limited Access Right-of-Way. The contractor shall not stage and/or store construction equipment or materials beyond the construction limits that are entirely within the IR 77 Limited Access Right-of-Way. The project designer shall incorporate plan notes to ensure the contractor maintains safe access to the West Branch Trail and Arboretum Park at all times during project construction and takes all precautions necessary to protect abutting private and/or public properties and the public during project construction.
- 2) The Project Designer shall incorporate a note into the plans for wetlands and stream impact avoidance at the 38th Street Noise Wall location. No work shall be performed within wetlands and/or below the ordinary high water mark of the West Branch of Nimishillen Creek at the 38th Street Noise Wall location.
- 3) The designer shall incorporate a plan note prohibiting tree removal from April 1 through September 30 at the Woodridge Noise Barrier Wall and the 38th Street East and West Noise Wall locations. All necessary tree removal at the aforementioned noise barrier wall locations 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.
- 4) The project is located within a FEMA flood zone. Floodplain coordination was performed for the project. Floodplain permitting is not required for the project. The final project design will be reviewed to ensure the project is designed to comply with all applicable Local, State and Federal floodplain protection standards. If required, appropriate floodplain permitting shall be obtained prior to the start of construction.



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Preparers and Approvals

Form Preparer

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Supporting Form Preparer(s):

Brian Peck
Thomas Powell

Approvals & Electronic Signatures

Approved & Electronically Signed By:	Approval Date:
Edward Deley (PROGRAM ADMIN 3)	3/18/2020



Appendix

Ecological

Coordination with ODNR and USFWS.pdf
Coordination with USFWS Consult Form STA-77-12.59 38th St.pdf
Coordination with USFWS Consult Form STA-77-12.59 Woodridge .pdf
Ecological Review Form - Eco Exempt Project Belden Barrier.pdf
ODOT Disposition of Agency Comments.pdf
Project Related OES Email - Ecological.pdf

General

Project Study Area Map.pdf

Cultural Resources

Records Check.pdf

General

USGS Quadrangle Topographical Map.pdf

Underserved Populations

Census Mapping.pdf

Permits

FEMA FIRM.pdf
Flood Plain Impact Public Explanation Website Snap Shot.pdf
Flood Plain Impact Public Explanation.pdf
ODOT Decision - No Floodplain Coordination Required.pdf

Underserved Populations

Underserved Populations Documentation Form.pdf