



OHIO DEPARTMENT OF TRANSPORTATION

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

Environmental Document

for

SUM IR 0077 09.75 PID 113208

Environmental Document Level: C2

Approved: 10/6/2023

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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 Information

PIDs:

112598, 108872, 106252, 113208,
112597

Project Sponsors:

DISTRICT 4-PLANNING, ODOT
SPONSORING AGENCY

ODOT District:

4

Funding Source:

Federal

Project Description:



ODOT is proposing construction of 17 new noise walls along I-77 between Waterloo Road and Lovers Lane in the City of Akron. The project is located in a highly urbanized area. Noise walls will generally be placed along the edge of the right of way furthest from I-77 and adjacent to local streets and ramps.

Mapping that depicts the project location on a topographic, aerial and county map are included in the Project File/General/Project Information subsection.

During construction, a minimum of three lanes in each direction will be maintained on the I-77 mainline. On ramps and local roads, a minimum of one 11-foot lane will be maintained except for various short term ramp closures with signed detours and local notifications. No other road closures and detours are proposed to construct the project. Construction and lane restriction/ramp closure 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.

Based on the project scope of work, its Path 2 Project Development Process (PDP) Classification and the proposed maintenance of traffic measures, emergency/public services contact activities were not conducted for the project.

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

Various existing aerial utilities within the project study area will be relocated to construct the project. Utility coordination is ongoing and will continue through the detailed design phase of project development.

Trees, shrubs and grasses line the area between I-77 and the edge of the right of way. Trees and shrubs will need to be removed for noise wall construction. No streams, wetlands, or other ecological resources are present in the project limits. An assessment of impacts to ecological resources for the project are described in a Level 1 Ecological Survey Report. A total of approximately 4.71 acres of suitable wooded habitat (SWH) for the Federally-listed Indiana bat and Northern Long-eared bat and the State-listed Little Brown bat and Tri-colored bat may also be removed to construct the noise walls. See the ecological documentation for the project in the Project File/Ecological/Reports subsection and the Ecological tab.

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

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

The next phase of the proposed project is listed on the STIP: Yes

Ellis STIP Details

Phase	Current STIP Reference
ENV	On Previous STIP
CO	113208: 24-27 STIP
DD	113208: 24-27 STIP

The current cost estimate is in line with existing federal procedures for Ohio STIP Amendments and Administration Modifications: Yes

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 I 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 -

1. **a.** Acquisition of more than a minor amount of ROW (exceeds strip takes)
2. **b.** Residential or non-residential displacements
3. **c.** A U.S. Coast Guard permit or an Individual Section 404 permit under the Clean Water Act
4. **d.** A Section 106 finding of *Adverse Effect*
5. **e.** Section 4(f) impacts greater than de minimis
6. **f.** A finding of *May Affect, Likely to Adversely Affect* to Threatened and Endangered Species
7. **g.** Construction of temporary access, or the closure of existing road, bridge, or ramps, that would result in major traffic disruptions
8. **h.** Changes in access control
9. **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)
10. **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
11. **k.** No minor public or agency controversy on environmental grounds (no opposition from any organized groups or agencies and no unresolved environmental coordination)
12. **l.** A full Environmental Justice Analysis Report (EJAR) is required (the project must be processed as a D-level CE or higher-level document). If a memo-to-file/letter/IOC-format EJAR Short Report is determined to be the appropriate level of documentation, contact OES regarding NEPA document level.

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.

Ecological

Waterways:	Not Present
Will any wetlands be impacted?	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	10/01/2023



Endangered Species - Critical Habitat Present/Impacted

Indiana bat

Northern long-eared bat

Endangered Species - Other Critical Habitat Present/Impacted:

Yes

**Endangered Species - Other
Description:**

Tricolored bat

Scenic Rivers

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

Scenic Rivers Remarks

Not applicable to the project.

Floodplains

100-Year Floodplain:

No Encroachment Within a Special
Flood Hazard Area (SFHA)

Floodplain Remarks

Not applicable to the project.

Section 4(f)

Section 4(f):

Not present

Section 4(f) Remarks

Not applicable to the project.

Section 6(f)

Section 6(f):

Not present

Cultural Resources

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**

10/05/2023

Cultural Resources Remarks



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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 which has minimal potential to cause effects to historic properties in accordance with Appendix A of the Section 106 Programmatic Agreement and therefore, no further coordination is required. The Record Check can be found in the Project File Under Cultural Resources/Project Information.



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Environmental Resources Considered

The following environmental resources are present and have been studied for potential impacts:

Noise

Regulated Materials

Air Remarks

Not applicable to the project.

Noise:

Studies and Coordination
Conducted; No Impacts

Noise Coordination:

Noise Analysis Completed

Noise Remarks

Five Noise Analyses were produced for the project that recommended construction of 17 noise walls along both sides of I-77 between Waterloo Road and Lovers Lane. Noise walls were found to be reasonable and feasible for construction. Noise public involvement activities were conducted by City of Akron and ODOT staff with strong public support for noise wall construction. See Project File for the Noise Analyses and public involvement documentation.

**The project involves ROW acquisition, Deep Excavation, or OEPA
513 Landfill Authorization:**

Yes - Screening



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Regulated Materials Review Screening:

No Further Regulated Materials Review

Regulated Materials Review Screening - DEC/OES Approval Date:

10/06/2023

Regulated Materials Review Remarks:

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.

Environmental Justice

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

Environmental Justice Populations

Present; No EJAR Required, Does Not Exceed EJ Guidance Criteria, and No Issues Raised During Public Involvement

Identified Environmental Justice Populations

Census Block Group #	% Minority	% Low Income
391535033007	27	40
391535047001	29	46
391535046002	69	61
391535046004	34	76

Environmental Justice Remarks

The proposed project will have no changes to access or relocations and no disproportionately high and adverse effects to minority or low-income populations. No concerns related to impacts on Environmental Justice populations were 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, no further analysis is required. See Environmental Justice documentation for the project in the Project File/Environmental Justice/Project Information subsection.

Public Involvement

Public Involvement:

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

Public Involvement Remarks



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ODOT conducted various public involvement activities for the project, including creation of a website with project details and public commenting information and issuance of a news release. Three public comments were received by phone, email, and the website public commenting system. Comments involved concerns about temperature increases, snow removal, future maintenance, and effectiveness as well as support for the project. Responses to comments were provided. A news article regarding the project was published in the local *Akron Beacon Journal* news outlet and associated Ohio.com news website. See public involvement materials in Project File/Public Involvement/Project Information subsection.

Environmental Commitments

Environmental Commitments

Yes



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Environmental Commitments

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1) The Project Designer shall incorporate the following note into the plans: The project is located within the known habitat ranges of the federally listed and protected Indiana bat and northern long-eared bat. The Contractor shall not remove trees under this project 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.



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Preparers and Approvals

Form Preparer:

Robert Lang
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Robert.Lang@dot.ohio.gov

Approvals & Electronic Signatures

Approved & Electronically Signed By:	Approval Date:
Robert Lang (ENV SPEC 2)	10/6/2023



Appendix

General

Aerial Map.pdf

County Map.pdf

Project Study Area Map.pdf

USGS Quadrangle Topographical Map.pdf

ESA

Regulated Materials Review Form.pdf

Ecological

ODNR Scenic River MOA Conditions

USFWS/ODNR Ecological MOA Conditions

Public Involvement

News Article - Akron Beacon Journal - Ohio.com.pdf

Press Release.pdf

Project Website.pdf

Public Comments Received.pdf

Response to Public Comments.pdf

Permits

FEMA FIRM.pdf