



OHIO DEPARTMENT OF TRANSPORTATION

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

Environmental Document

for

STA SR 0043 20.20 PID 113822

Environmental Document Level: C2

Approved: 2/2/2022

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.

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PID:	113822
Project Sponsor:	DISTRICT 4-PLANNING
ODOT District:	4
Funding Source:	Federal
Private Funding:	No

Project Description:

The Ohio Department of Transportation (ODOT) proposes to reconfigure the State Route (SR) 43/Mt. Pleasant Street intersection and improve the nearby SR 43/Market Avenue and Market Avenue/Mt. Pleasant Street intersections in Plain and Lake Townships, Stark County.

At the SR 43/Mt. Pleasant Street intersection, the project proposes to permanently remove approximately 50 feet of existing Mt. Pleasant Street pavement west of SR 43, thereby eliminating the western connection, and widen the south approach to provide a new right turn lane. A hammerhead turnaround will also be constructed on Mt. Pleasant Street west of the proposed pavement removal area to provide access to surrounding lots/driveways.

At the SR 43/Market Avenue intersection, the project proposes to reconstruct on a slightly modified alignment and widen the Market Street approach to provide a left turn lane and right turn lane and install a new traffic signal.

At the Mt. Pleasant Street/Market Avenue intersection, the project proposes to install a new traffic signal.

Additional improvements proposed by the project include existing open/enclosed stormwater drainage system reconstruction with new open drainage ditches/swales or new storm sewer conduits/catch basins, one (1) 18-inch conduit (Culvert No. STA-43-20.24; CFN 1868318)/catch basin system replacement along and under SR 43 and the Market Avenue approach to SR 43, cleanout and repair of an existing 36-inch concrete cross culvert (STA-43-20.18; CFN 1868317) under SR 43 immediately south of the SR 43/Market Avenue intersection, driveway approach reconstruction, new intersection lighting installations, new signage installations and new center line/edge line/other pavement marking applications.

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

A minimum of one 10-foot bidirectional lane of traffic in each direction will be maintained on State Route 43 during project construction. Project construction will be phased to minimize disruption to the traveling public and Mt. Pleasant and Market Avenue traffic may be detoured during some construction phases. Construction, lane restriction/reduction and turning/through movement closures/detour 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 for the duration of project construction. Substantial traffic disruptions are not expected during project construction.

Approximately 0.19-acre of new permanent right-of-way is required from three (3) parcels and 0.088-acre of temporary right-of-way is required from four (4) parcels to construct the project. See the right-of-way plan information for the project in the Project File/General/Project Information subsection as *Preliminary Right of Way Plan Sheets.pdf*.

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 proposed 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.

A review of the SHPO GIS on-line mapping system did not identify an additional cultural resource listed in or determined eligible for listing in the National Register of Historic Places (NRHP) within the current project's area of potential effects. ODOT-OES cultural resource staff prepared an evaluation of the architectural properties fifty years of age or older within the area of potential effects. In summary, ODOT-OES confirmed a 2018 National Register eligibility finding for 8169 Kent Avenue/SR 43 (OHI No. STA0073603), St. Jacob's Reformed Church. The St. Jacob's Reformed Church, eligible for inclusion in the NRHP, will not be affected by the undertaking. No land from within the historic boundary will be incorporated into the undertaking and no contributing features will be removed or altered. No significant archaeological sites will be affected by the undertaking. In accordance with 36 CFR Section 800.4(d)(1) and the Section 106 Programmatic Agreement (Agreement No. 19319), executed November 8, 2017 and amended July 11, 2019, ODOT-OES determined a finding of 'no historic properties affected' is applicable to the subject



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undertaking. See the cultural resources documentation for the project in the Project File/Cultural Resources/Project Information subsection and the Cultural Resources Tab.

The undertaking will not require land from within the historic boundary of a Section 4(f) cultural resource. St. Jacob's Reformed Church, eligible for inclusion in the NRHP, is located within the area of potential effects of the undertaking. No permanent right-of-way or contributing features of a cultural resource listed in or eligible for listing in the NRHP will be acquired, removed, or altered by construction. Therefore, in accordance with 23 CFR Part 774, the project undertaking will not result in the use of a Section 4(f) cultural resource. See Section 4(f) cultural resources documentation for the project in the Project File/Section 4(f)/Coordination subsection.

Upon review of the Regulated Materials Review (RMR) Screening completed for the project study area, ODOT OES agreed with the ODOT District 4 Environmental Section that further RMR or special material handling is not warranted for the project. See the RMR documentation for the project in the Project File/ESA/Reports and Coordination subsections.

The project proposes to permanently impact a total of approximately 50 linear feet of two (2) streams, Grubb Ditch and a tributary of Grubb Ditch (Stream 1), within the project study area. Approximately 0.04-acre 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 will also be removed to construct the project. See the ecological and threatened/endangered species documentation for the project in the Project File/Ecological/Reports subsection and in the Ecological tab.

The project is located within a special flood hazard area (SFHA) established for Grubb Ditch. The project designer shall design the project to comply with all applicable Local, State, and Federal floodplain protection standards, and, if required, obtain appropriate floodplain permitting prior to the start of project construction. 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 area.

A virtual open house public involvement event was conducted for the project to present information about the findings from the STA 43 & Mt. Pleasant Safety Study (April 2020), explain the overall project, including the potential impacts, and receive public and stakeholder input. Comments regarding the proposed project and any potential social, economic and/or environmental impacts associated with the proposed project were solicited and public outreach performed for the project included Section 106 Consultant Party outreach efforts. An ODOT project website was established for the project and made available to the public. Notification letters announcing the virtual open house public involvement event and providing project information were mailed to local public officials, emergency/public services, residences located within ½-mile of the project and businesses located within ¾-mile of the project. Each notification letter included location mapping, an exhibit, a project advertisement flyer, a project comment form, a demographic information comment form and a postage-paid reply envelope. A news release about the virtual open house public involvement event and project/public involvement information was released for the project and made available to the public by its posting on the ODOT project website. Moreover, a notification advertisement about the project and its virtual open house public involvement event was purchased and published in the Canton Repository, a local newspaper serving city of Canton and surrounding Stark County.

Several comments were received from the ODOT project website comment forum, email correspondence, comment form/written comment submissions, voicemail messages and telephone calls as a result of the public involvement activities conducted for the project. Responses to these comments were provided by ODOT District 4. 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 #:

113822: 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.)

(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 -

1. a. Acquisition of more than a minor amount of right-of-way
2. b. Residential or non-residential displacements
3. c. A Coast Guard, Individual Section 404 and/or a Section 10 permit
4. d. A Section 106 finding of *Adverse Effect*
5. e. A Section 4(f) Programmatic or Individual Evaluation
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. 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:	Permit Determination and/or Permit Application Approval Pending
Isolated Wetland Permit	No
Will any wetlands be impacted?	No
Endangered Species:	Present; No finding of May Affect, Likely to Adversely Affect



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Endangered Species - Coordination	May Affect, Not Likely to Adversely Affect
Endangered Species - Coordination Date	09/10/2021
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:	09/08/2021
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:	No Historic Properties Affected
Cultural Resources Coordination - ODOT Approval/SHPO Concurrence Date	10/22/2021
Tribal Consultation Summary/Remarks:	
<p>The Seneca Nation concurred with the Section 106 project determination (No Historic Properties Affected; dated October 13, 2021). See the Seneca Nations Tribe response, dated November 12, 2021 in the Project File/Cultural Resources/Coordination subsection as <i>Tribal Response - Seneca Nation.pdf</i>.</p>	
<p>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.</p>	
Air Quality:	Studies Not Required
Air Quality - Coordination with OES:	Yes
Air Quality - OES Approval Date:	11/09/2021
Noise:	Studies Not Required
Noise Coordination - OES Approval Date:	11/09/2021
Hazardous Materials - ESA Screening Conducted	Yes
Hazardous Materials - OES Approval Date:	09/22/2021
Phase I ESA Warranted Based on Coordination with OES:	No Further Studies Warranted



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Farmland:

Non-Urbanized Area; No Impacts in Accordance With the Farmland MOU, 7 CFR 658, and ORC 929.05

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

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

Identified Underserved Populations

Census Block Group #	% Minority	% Low Income	% Older Adults	% Limited English Proficiency (LEP)
391517111222	3	24	13	0
391517110004	0	21	15	0
391517121023	6	18	16	2
391517121121	4	9	38	0

Underserved Populations Remarks

The proposed project will have no disproportionately high and adverse effects to minority or low-income populations or disparate impacts to a Title VI population. No concerns related to impacts on Environmental Justice or Title VI 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, FHWA Order 6640.23A and Title VI of the Civil Rights Act of 1964, no further analysis is required. See underserved population documentation for the project in the Project File/Underserved Populations/Project Information subsection.

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 project may result in removal of suitable wooded habitat for threatened and endangered bat species. The project designer shall incorporate the following note into the plans.

ENDANGERED SPECIES HABITAT - INDIANA BAT/NORTHERN LONG-EARED BAT

THE PROJECT IS LOCATED WITHIN THE KNOWN HABITAT RANGES OF THE FEDERALLY LISTED AND PROTECTED INDIANA BAT AND NORTHERN LONG-EARED BAT. NO TREES SHALL BE REMOVED 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.

2) The project is located within a FEMA flood zone. The project designer shall design the project to comply with all applicable Local, State, and Federal floodplain protection standards, and, if required, obtain appropriate floodplain permitting prior to the start of project construction.

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

NATIONAL REGISTER OF HISTORIC PLACES-ELIGIBLE RESOURCE - THE ST. JACOB'S REFORMED CHURCH (OHI NO. STA0073603), 8169 KENT AVENUE/SR 43, ELIGIBLE FOR INCLUSION IN THE NATIONAL REGISTER OF HISTORIC PLACES (NRHP), SHALL NOT BE DISTURBED DURING PROJECT CONSTRUCTION.



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Preparers and Approvals

Form Preparer

District 4
Contact: Edward Deley
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Supporting Form Preparer(s):

Brian Peck
Matthew Chaney

Approvals & Electronic Signatures

Approved & Electronically Signed By:	Approval Date:
Edward Deley (PROGRAM ADMIN 3)	2/2/2022



Appendix

General

Aerial Map.pdf

County Map.pdf

USGS Quadrangle Topographical Map.pdf

Alternatives

Addendum ODOT District 4 Acceptance - Safety Study.pdf

Air

Project Related OES Decision - Air.pdf

Noise

Project Related OES Decision - Noise.pdf

ESA

OES Recommendations - Screening.pdf

Cultural Resources

Buckeye Assets Mapping.pdf

Consulting Party Application Acceptance Letters.pdf

Open House PI Notification - St Jacobs and Hist Societies.pdf

Phase I HA Memo To File Appendices PID 107275.pdf

Phase I History Architecture Memo To File PID 107275 .pdf

Re-evaluation of NR Eligibility - 8036 Kent Ave NE.pdf.pdf

Records Check.pdf

SHPO Comments

Transmittal 1 - Effect Determination

Tribal Consultation

Tribal Response - Seneca Nation.pdf

Ecological

ODNR Scenic River MOA Conditions

USFWS/ODNR Ecological MOA Conditions

Underserved Populations

Census Mapping.pdf



Underserved Populations Documentation Form.pdf

Public Involvement

Correspondence with Stakeholders - Plain Township.pdf

Correspondence with Stakeholders - SCEO.pdf

Correspondence with Stakeholders - St Jacob's Church.pdf

Correspondence with Stakeholders 2-28-2020.pdf

Correspondence with Stakeholders 5-8-2020 Safety Status.pdf.pdf

Open House Public Involvement - Safety Study.pdf

Open House Public Involvement Call Log.pdf

Open House Public Involvement Comment Form.pdf

Open House Public Involvement Demographic Comment Form.pdf

Open House Public Involvement Mailing List.pdf

Open House Public Involvement News Article - Alliance Review.pdf

Open House Public Involvement Notification Flyer.pdf

Open House Public Involvement Notification Letter.pdf

Open House Public Involvement Notification News Release.pdf

Open House Public Involvement Paid Ad.pdf

Open House Public Involvement Presentation.pdf

Open House Public Involvement Recommended Preferred Alt Fig .pdf

Open House Public Involvement Report.pdf

Public Comments Received.pdf

Response to Public Comments Summary Table.pdf

Safety Study - Correspondence with Stakeholders PID 107275.pdf

Snap Shot Lake Township Website.pdf

Snap Shot ODOT Proj Website 12-23-2021 Comment Responses.pdf

Snap Shot ODOT Project Website 8-23-2021.pdf

Snap Shot ODOT Project Website 9-3-2021.pdf

Snap Shot Plain Township Website.pdf

Stakeholder Meeting Information - Safety Study PID 107275 .pdf

Stakeholder Mtg Min or Notes - Safety Study PID 107275 .pdf

Permits

District Determination - Floodplain Coordination Required.pdf