



OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 04
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Environmental Document

for

SUM Cleveland-Massillon Part 1 PID 108467

Environmental Document Level: C2

Approved: 3/2/2022

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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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PIDs:	108468, 108467
Project Sponsor:	SUMMIT COUNTY ENGINEER
ODOT District:	4
Funding Source:	Federal
Private Funding:	No
Project Description:	



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The Summit County Engineer (SCE) proposes 3.25 miles of pavement resurfacing and roadway maintenance on Cleveland-Massillon Road/County Route 17 in two combined construction parts, Part 1/PID 108467 from Hemphill Road/Norton Corporation Limit to approximately 426.5 feet north of Minor Road, a distance of 1.44 miles, and Part 2/PID 108468 from approximately 426.5 feet north of Minor Road to the Ridgewood Road south intersection, a distance of 1.81 miles, in Copley Township, Summit County. A 640-foot section of Cleveland-Massillon Road within the Copley Circle area is excluded from the project based on previous improvements within the Copley Circle area. Proposed improvements include pavement repairs, milling and resurfacing, shoulder restoration and widening the shoulders to 4 feet where possible, pavement markings, drainage improvements/repairs, driveway approach restoration, grading and guardrail repairs.

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. Mapping that depicts the project locations is included in the Project File/General/Project Information subsection.

Traffic will be maintained at all times during construction of the project with the exception of the proposed rock-cutting. During rock-cut operations, through traffic will be detoured around the work zone during normal working hours using Wadsworth Road and Summit Road. Local access for abutting properties and adjacent streets will be maintained at all times through the use of partial width construction. Construction, lane restriction and detour information will be posted within the project construction limits prior to the start of 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.

The project will be constructed within the existing right-of-way except in the vicinity of narrow existing rock-cut section rock cut just south of the Barberton Reservoir causeway from approximately Station 583+36 to Station 592+00, a distance of approximately 864 feet. A total of 0.3774 acre of permanent right-of-way is needed from three property owners and 0.6186 acre of temporary right-of-way is required from three property owners to cut back the rock face and construct the proposed 4-foot shoulder widening and adjacent drainage improvements.

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

A Cultural Resources Scoping Request was submitted to OES-Cultural Resources along with Records Check from the SHPO GIS online database. Based on the results of the literature review and the results of the cultural resource field reviews, no further cultural resource investigations are warranted. In accordance with Stipulation V(C)(1) and Appendix B of the Section 106 Programmatic Agreement executed on November 8, 2017 (Agreement No. 19319), amended on July 11, 2019, ODOT-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.

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 a total 696 feet of five small intermittent streams, a total 0.008 acre of two Category 1 wetlands and 0.903 acre of impact to suitable wooded habitat for the Federally listed Indiana bat (*Myotis sodalis*) and northern long-eared bat (*Myotis septentrionalis*) within 100 feet of the edge of the existing pavement. See the ecological documentation and threatened/endangered species documentation for the project in the Project File/Ecological/Reports subsection and on the Ecological tab.

EnviroScience Inc. personnel reviewed the FEMA FIRM mapping for the project study areas and found the proposed construction limits are located within designated Special Flood Hazard Area (SFHA) Zone AE floodplains. The Summit County Floodplain Administrator determined that no fill will be added from this project within the designated floodplain. Therefore, a floodplain permit is not required for the project. 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.

SCE conducted various public involvement activities for the project, including notification letters sent to affected property owners, residents and emergency/public services, a press release, a media advisory notification and a website posting. No comments were received from the public involvement activities 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 final design plans for Parts 1 and 2 for the project. A copy of the final design plans for Parts 1 and 2 for the project is included in the Project File/General/Project Information subsection as Final Plans Parts 1_2.pdf.

The estimated total project cost specified in Ellis is 7.4% greater than the total project cost specified in the ODOT State Fiscal Years 2021 - 2024 Statewide Transportation Improvement Program (STIP). However, based on the estimated total project cost being less than \$2,999,999 and the additional project cost not exceeding 50% of the total project cost in the STIP, a STIP amendment is not necessary for the project.



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STIP Reference #:

108467: 21-24 STIP \$2,391,766.35

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 -

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



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Will any wetlands be impacted?	Yes
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	09/24/2021
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:	01/27/2022
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 B
Cultural Resources Coordination - ODOT Approval/SHPO Concurrence Date	09/13/2021
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:	12/15/2021
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

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)
391535334002 - East Side Cleve, Mass.	26	17	19	0
391535335022 - West Side Cleve. Mass	7	12	20	0
391535335021 - West Side Cleve. Mass.	5	5	35	0

Underserved Populations Remarks

The undertaking is a resurfacing and shoulder repair project with no buildings removed, no residential or business relocations, and no changes to access. 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. Further, the proposed project will have no impacts to Limited English Proficiency, Older Adults, and Individuals with Disabilities Populations. No concerns related to impacts on these Underserved Populations were raised as a result of public involvement activities conducted as part of the proposed project. Therefore, in accordance with the protections of the Age Rehabilitation Act of 1973, Discrimination Act of 1975, Americans with Disabilities Act of 1990, and Executive Order 13166, no further analysis is required.

Public Involvement:

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

Environmental Commitments

Yes



Ecological

Wetlands

ESR Name:	Wetland ID:	Hydrologic connection:	Wetland category:	Estimated total size (ac.):	Total estimated impact area by alternative (ac.):
SUM CR 0017 10.68 Part 1	Wetland W-1	Adjacent	Category 1	0.5	0.003
	Wetland W-2	Adjacent	Category 1	0.005	0.005

Has an Approved and/or Preliminary Jurisdictional Determination been made by the USACE? No

Total impact to all wetlands (ac.): 0.008

Total acres of non-isolated wetlands impacted: 0.008

Total acres of isolated wetlands impacted: 0

In accordance with Executive Order 11990 - USDOT Order 5660.1A, this Wetland Finding has been prepared to document that wetlands have been avoided to the extent possible to minimize the long and short term adverse impacts associated with the destruction or modification of wetlands, and to document that there are no practicable alternatives to avoid construction in wetlands.

An analysis of the 'Do Nothing' alternative indicates that it is not practicable because (check all that apply):

It Would Not Correct Safety Hazards.

It Would Not Correct Existing Condition and Maintenance Problems.

An analysis of improvements that avoid all wetland impacts indicates that they are not practicable because (check all that apply):

They Will Not Meet the Identified Needs of the Project.

Include justification supporting the decisions noted above:

Work will include pavement repairs, milling and resurfacing, shoulder restoration and widening the shoulders to 4 feet where possible, pavement markings, drainage repairs, limited driveway restoration, grading, and guardrail repairs. The project will be constructed within the existing right-of-way except for in the vicinity of the narrow rock cut just south of the Barberton Reservoir causeway from approximately Station 583+36 to 592+00 (a distance of approximately 864 feet).



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All practicable measures have been considered and incorporated into the project design to avoid, minimize, wetland impacts. The wetland impact minimization measures that will be followed for the project are documented in the environmental commitments for the project. Wetland mitigation for unavoidable impacts will be provided if required by the Clean Water Act or Ohio isolated wetland law, as regulated by the US Army Corps of Engineers and Ohio EPA regulations (33 CFR parts 325 and 332 and 40 CFR part 230, and OAC 3745-01-54), and (ORC 6111.027). No practicable alternatives exist for the proposed construction in wetlands, and the proposed action includes all practicable measures to minimize harm to the wetlands that may result from such use.

Remarks:

Minor impacts to wetlands are necessary to implement the project. These impacts will be accounted for in the waterway permitting process and necessary impact minimization measures implemented during construction.



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. The Contractor shall demarcate clearing limits in the field to avoid any unauthorized tree clearing. 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 Designer shall incorporate the following plan note into the plans: The Contractor shall not perform any work within the boundaries of any wetland or below the ordinary high water mark (OHWM) of any stream until Summit County obtains the necessary waterway permit(s). This includes the placement of any temporary or permanent fills below the OHWM. The Summit County Engineer will obtain and adhere to all appropriate waterway permits prior to any work below the ordinary high water mark of any waterway and all Special Provisions for waterway permits will be included in the plans.

3) The Project Designer shall incorporate the following note into the plans: This project is located near Barberton Reservoir, a Drinking Water Source Protection Area. In order to minimize the potential for contamination, the Contractor shall utilize proper containment and diking in refueling areas. Fuels, toxic/hazardous materials, and chemicals shall not be stored near drainage ways, ditches, or streams. A spill kit is to be maintained on-site throughout construction activities. The Contractor shall immediately take steps to mitigate any event, such as a spill of fuels, oils, or chemicals, that could threaten to contaminate the drinking water supply. Any such spill or event shall be reported immediately to Dan Miller at the Barberton water treatment plant at 330-848-6744. If the spill is a reportable amount, the Contractor should contact Barberton Fire Chief Robert L. Pursley, Jr. at 330-848-6732 or the Ohio EPA's Spills Hotline 1-800-282-9378 for clean-up of the spill.



Approved: 3/2/2022

Preparers and Approvals

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Approvals & Electronic Signatures

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



Appendix

General

Final Right of Way Plans Part 1.pdf

USGS Quadrangle Topographical Map.pdf

Cultural Resources

Minimal Potential to Cause Effect - Appendix B

Ecological

ODNR Scenic River MOA Conditions

USFWS/ODNR Ecological MOA Conditions

Other Resources

Water Source Protection Area Map.pdf

urbanized-non urbanized Census mapping.pdf

Public Involvement

EMS-Public Services Contact List.pdf

Email to EMS-Public Services.pdf

Media Advisory Notification.pdf

No Comments Received-Affected Property Owner Notifications.pdf

No Comments Received-SCE Email.pdf

Press Release.pdf

Project Website.pdf

Property Owner Notification Letter 2.pdf

Property Owner Notification Letter 3.pdf

Property Owner Notification Letter.pdf

SCE_WLE Railroad Coordination.pdf

Permits

Coordination with Local Floodplain Administrator.pdf

Coordination with Local Floodplain Administrator_2.pdf

FEMA FIRM.pdf