



OHIO DEPARTMENT OF TRANSPORTATION

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

Environmental Document

for

SUM SR 0303 03.70 PID 114525

Environmental Document Level: C2

Approved: 7/14/2022

Prepared By: Robert Lang

ODOT DISTRICT 4

Phone: 330-786-4975

E-mail: Robert.Lang@dot.ohio.gov

District Contact: Edward Deley

Phone: 330-786-4930

E-mail: Edward.Deley@dot.ohio.gov

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:	114525
Project Sponsor:	DISTRICT 4-PLANNING
ODOT District:	4
Funding Source:	Non-Federal
Does this project require a Federal permit or approval?	Yes
Private Funding:	No
Project Description:	

The Ohio Department of Transportation (ODOT), in cooperation with Summit Metro Parks (SMP) and the Cuyahoga Valley National Park (CVNP), proposes an innovative project involving streambank stabilization to protect State Route (SR) 303 and the SR 303 bridge over Furnace Run in Richfield Township, Summit County.

ODOT identified a severe erosion problem in 2020 that was damaging the roadside embankment of SR 303 and threatening the bridge over Furnace Run. A two-pronged approach was developed. The first course of action was immediate and limited to roadside repairs by ODOT staff in September 2020. Repairs included stabilizing the eroded embankment with rock and controlling the roadway drainage flowing over the top of the embankment. The second course of action is a proposed long term solution to the streambank erosion threatening the road and bridge. The problem was examined and a solution was developed with ODOT, SMP and CVNP.

The channel of Furnace Run has migrated to form a sharp bend just before the SR 303 bridge causing severe erosion. The stream channel will be realigned and rock structures will be installed in the stream to the direct flow under the bridge. The channel will be sized for bankfull flow with higher flows utilizing an improved floodplain thus decreasing velocity against the stream banks that leads to erosion.

The floodplain will be planted with native riparian vegetation. Woody and grassy vegetation will add roughness to reduce floodplain flow velocities during high flows. Biodegradable coir matting fabric will be placed over the newly created floodplain and the realigned stream banks to allow vegetation to establish during and immediately after construction. The coir matting will be held in place using wooden stakes and trenched and anchored to the ground near the base of the realigned stream channel to prevent it from being pulled out by high flows.

The streambanks will be stabilized using large logs placed perpendicular to the stream in sod mats as well as live plantings installed along the streambanks. The logs will be obtained from the local area. The live plantings ensure that roots are grown into the streambanks to create long-term stabilization. The logs and live plantings also increase roughness that decreases the shear stress against the streambanks.

The plantings in the floodplain and streambank and the logs along the streambank also create ecological habitat and improve water quality in Furnace Run.

This strategically engineered streambank stabilization project is designed to strengthen over time as vegetation grows together and areas fill with sediment from natural processes. The result is expected to improve the resilience of Furnace Run while also protecting the SR 303 roadway and bridge.

The project will be constructed on land owned by SMP in Furnace Run Metro Park with construction access through CVNP land and ODOT roadside right-of-way. Access agreements will be obtained from both parks to facilitate construction.

Mapping, photographs, design information and project construction plans are included in the Project File/General/Project Information subsection.

Traffic will be maintained at all times during construction of the project with traffic flow along SR 303 managed using flaggers to allow for safe construction access to the site without the need for a road closure and detour route on SR 303. A temporary lane or road closure may be needed. Local access for abutting properties will be maintained at all times. Substantial traffic disruptions are not expected during project construction.

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. The Cultural Resources Scoping Request and Records Check can be found in the Project File under Cultural



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Resources/Project Information. 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 has determined that the proposed 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.

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.

Project construction will result in a total of 1,089 feet of impact to two perennial streams, a total of 0.382 acre of impact to two Category 2 wetlands. While consultation with the USFWS estimated that the project would remove approximately 1.76 acres of suitable wooded habitat for the Federally listed Indiana bat (*Myotis sodalis*) and northern long-eared bat (*Myotis septentrionalis*), refinement of project construction limits has reduced the amount of impact to 0.395 acres. See the ecological documentation and threatened/endangered species documentation for the project in the Project File/Ecological/Reports subsection and on the Ecological tab.

ODOT District 4 environmental personnel reviewed the FEMA FIRM mapping for the project study area and found the proposed construction limits are located within the designated Special Flood Hazard Area (SFHA) Zone AE floodplain and notified the ODOT District 4 Hydraulic Engineer, who contacted the Summit County Floodplain Administrator to determine the floodplain requirements for the project. See the floodplains documentation for the project in the Project File/Permits/Floodplains subsection.

Section 4(f) coordination focused on potential access restrictions to park resources during construction. Access to Furnace Run Metro Park and CVNP within the construction limits will be restricted for the duration of construction activities due to safety concerns. The project construction site is limited to passive recreation with no parking, trails or other recreational facilities present nearby.

A Section 4(f)/6(f) Determination Request Form for Recreational Properties (DRF) was submitted to ODOT-OES Policy by ODOT District 4 environmental personnel. Based upon review of the DRF it was determined a *de minimis* impact will occur to CVNP and Furnace Run Metro Park in accordance with 23 CFR 774. The determination was made based on the proposed scope of work and concurrence received from the Official with Jurisdictions from SMP and CVNP regarding the assessment of impacts that are included in the DRF. No further Section 4(f) coordination is required. The measures to minimize harm from the Section 4(f) coordination will be included as environmental commitments. No Section 6(f) properties are affected by the project.

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

The project was developed with SMP and CVNP as supportive stakeholders with numerous discussions involving both parks. A field meeting on site with SMP and CVNP occurred on July 14, 2020, prior to the short term roadside repairs by ODOT staff in September 2020 to discuss potential solutions. Further discussion on the short term and long term approaches continued in 2020. A stakeholder meeting with SMP, CVNP, ODOT and Hull on January 25, 2021, to discuss the long term approach. SMP and CVNP had the opportunity to review the proposal from Hull (design consultant), the project plans and other investigations. Both parks provided comments. ODOT District 4 responded to all comments.

ODOT District 4 conducted various public involvement activities for the project, including a project notification letter sent to one adjacent private property owner, creating a project website and issuing a news release that resulted in an article on Cleveland.com (*The Plain Dealer*). No public comments were received from the public outreach efforts, but a request for project information was received from the Summit County Engineer's office. ODOT sent project information to the Summit County Engineer's office. See the stakeholder and 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 construction plans for the project. A copy of the final construction plans for the project is included in the Project File/General/Project Information subsection as Final Construction Plans.pdf.

STIP Reference #:

n/a

Select the appropriate project type:

(28) Bridge rehabilitation, reconstruction, or replacement or the construction of grade separation to replace existing at-grade railroad crossings, if the actions meet the constraints in 23 CFR 771.117(e). **Examples include: Railroad projects that close or relocate at-grade crossings**

In accordance with 23 CFR 771.117(e), the proposed project cannot be processed as a C2 CE, if it involves -



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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:	Regional General Permit
Waterways Permit Approval Date	10/18/2021
Isolated Wetland Permit	No
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	07/29/2021
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



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EO 11988/NFIP Coordination and Documentation Completed:	Yes
NFIP Local Floodplain Coordinator Notification Date:	01/31/2022
Section 4(f):	Present; No Programmatic Evaluation or Individual Evaluation Required
Section 4(f) Determination:	
de minimis	
Section 4(f) Determination Date - de minimis	12/17/2021
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	09/21/2021
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:	03/04/2022
Phase I ESA Warranted Based on Coordination with OES:	No Further Studies Warranted
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.



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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)
391535325011	2	12	20	0

Underserved Populations Remarks

The undertaking involves streambank stabilization and floodplain restoration 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.):
Furnace Run	Wetland A	Adjacent	Category 2	0.4	0.0
	Wetland FR129	Adjacent	Category 2	0.055	0.055

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

Total impact to all wetlands (ac.): 0.055

Total acres of non-isolated wetlands impacted: 0.055

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 Existing Condition and Maintenance Problems.

It Would Result in Serious Impacts to the Traveling Public and the General Welfare of the Economy in the Area.

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

They Will Substantially Increase Project Costs.

They Will Result in Unique Engineering, Traffic, Maintenance, or Safety Problems.

They Will Result in Substantial Social, Economic, or Environmental Impacts.

They Will Not Meet the Identified Needs of the Project.

Include justification supporting the decisions noted above:

The Do Nothing alternative would not correct the condition of the existing deteriorated streambank and



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roadside embankment caused by the alignment of the stream channel. The Do Nothing alternative would result in the roadway being closed due to the condition of the roadside embankment threatening the SR 303 roadway and bridge over Furnace Run leading to serious impacts to the traveling public and the general welfare of the economy in the area.

Avoidance of impacts is not possible due to the wetlands being located where the stream channel needs to be realigned. Avoidance of impacts does not meet the identified need of the project (improving the deteriorated streambank and roadside embankment caused by the alignment of the stream channel) and will result in substantial social and economic impacts resulting from the roadway being closed due to the condition of the SR 303 roadway embankment and bridge over Furnace Run. Impacts to Wetland FR129 will be minimized to the extent practicable. While the impact will likely be considered permanent for the purposes of CWA waterway permitting, it is also likely that the wetland will recover within the construction limits following construction. As such, it is not feasible to consider costly extraordinary measures or construction practices to avoid this wetland and still meet the purpose and need of the project.

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 Wetland FR129 (a Category 2 wetland) are necessary to implement the project. These impacts will be accounted for in the CWA waterway permitting process and necessary impact minimization measures implemented during construction.



Environmental Commitments

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- 1) The project is located within a FEMA flood zone and will be designed to comply with all applicable Local, State, and Federal floodplain protection standards. Appropriate floodplain permitting shall be obtained prior to the start of construction.
- 2) The Section 4(f) measures to minimize harm will be adhered to during construction: 1) Access to Furnace Run Metro Park and Cuyahoga Valley National Park within the construction limits will be restricted for the duration of construction activities due to safety concerns and lack of a feasible and safe detour. 2) Methods, such as temporary construction fencing or signs, shall be used if necessary along the proposed construction limits prior to the start of construction activities to protect Furnace Run Metro Park, Cuyahoga Valley National Park, and restrict the public from accessing the construction site. 3) Appropriate signage shall be installed to alert users of Furnace Run Metro Park and Cuyahoga Valley National Park of construction activities, access restrictions or closures. 4) The contractor shall be required to closely coordinate the construction schedule with the Ohio Department of Transportation, Summit Metro Parks and Cuyahoga Valley National Park prior to the start of construction activities.
- 3) ODOT 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 project plans.
- 4) 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 restriction, 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
ODOT DISTRICT 4
330-786-4975
Robert.Lang@dot.ohio.gov

Supporting Form Preparer(s):

Robert Lang

Approvals & Electronic Signatures

Approved & Electronically Signed By:	Approval Date:
Edward Deley (PROGRAM ADMIN 3)	7/14/2022



Appendix

General

Aerial Map.pdf

County Map.pdf

Schematic Plan with Park Property Lines Highlighted.pdf

USGS Quadrangle Topographical Map.pdf

Cultural Resources

Minimal Potential to Cause Effect - Appendix B

Ecological

ODNR Scenic River MOA Conditions

OEPA Comments

OEPA Comments - SUM SR 0303 03.700 PID 114525.pdf

SUM SR 0303 03.700 PID 114525 - coord email.pdf

USFWS Comments - signed Consultation Form PID 114525.pdf

USFWS/ODNR Ecological MOA Conditions

Section 4(f)

OES Recreational 4(f) Determination.pdf

Underserved Populations

Census Mapping.pdf

Underserved Populations Documentation Form for C2 Projects.pdf

Public Involvement

Correspondence with Stakeholders_Approach.pdf

Correspondence with Stakeholders_Initial.pdf

Correspondence with Stakeholders_Proposal.pdf

News Article - Cleveland.com.pdf

ODOT Website Post.pdf

Press Release.pdf

Property Owner Notification Letter.pdf

Response to Stakeholder Comments - CVNP.pdf

Response to Stakeholder Comments - SCE.pdf



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Response to Stakeholder Comments - SMP.pdf

Stakeholder Comments - CVNP.pdf

Stakeholder Comments - SCE.pdf

Stakeholder Comments - SMP Letter.pdf

Stakeholder Comments - SMP email.pdf

Permits

Correspondence with Local Floodplain Administrator Email.pdf

Correspondence with Local Floodplain Administrator Letter.pdf

FEMA FIRM.pdf

Letter of Compliance - ODOT Form LD-51.pdf

No Rise Certification - ODOT Form LD-50.pdf